



**Regular Council Meeting**  
 to be held at the City of Penticton, Council Chambers  
 171 Main Street, Penticton, B.C.  
 To view the Council Meeting, visit [www.penticton.ca](http://www.penticton.ca)

**Tuesday, April 5, 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 March 15, 2022 Regular Council Meeting	1-6	Adopt
6.2	Minutes of the March 21, 2022 Special Council Meeting	7-8	Adopt
6.3	Minutes of the March 24, 2022 Special Council Meeting	9-10	Adopt
7. **Consent Agenda:**

<i><u>Recommendation:</u> THAT Council approve the Consent Agenda.</i>			11-24
<i>Consent Agenda:</i>			
	1. Minutes of the March 15, 2022 Committee of the Whole Meeting;		
	2. Minutes of the March 15, 2022 Public Hearings;		
Miller	3. Parks and Recreation Advisory Committee Meeting Draft Minutes of March 14, 2022;		
Bloomfield	4. Community Sustainability Advisory Committee Meeting Draft Minutes of March 16, 2022.		

## 8. Staff Reports:

Vere	8.1	Section 57 Notice on Title Re: 718 Chase Avenue <i>Staff Recommendation: THAT Council, after hearing from the impacted owner, resolve to place a Notice on Title, under section 57 of the Community Charter, with respect to contraventions of the City of Penticton Building Bylaw No. 2021-21, on Lot 29, District Lot 2 Group 7 Similkameen Division Yale District, Plan 1049, located at 718 Chase Avenue (the Property), stating the following: "Failure to complete a building permit, which is a violation of the City of Penticton Building Bylaw No. 2021-21. Further information about it may be inspected at the municipal hall."</i>	25-37	Owner
Vere	8.2	Section 57 Notice on Title Re: 1201 Moosejaw Street <i>Staff Recommendation: THAT Council, after hearing from the impacted owner, resolve to place a Notice on Title, under section 57 of the Community Charter, with respect to contraventions of the City of Penticton Building Bylaw No. 2021-21 on Lot 1, District Lot 1 Group 7 Similkameen Division Yale District, Plan 10265, located at 1201 Moosejaw Street (the Property), stating the following: "Failure to obtain a building permit, which is a violation of the City of Penticton Building Bylaw No. 2021-21. Further information about it may be inspected at the municipal hall."</i>	38-51	Owner
Haddad/ Kleb	8.3	Asset and Amenity Management Project Engagement Update and Next Steps to Advance to the Public Safety and Protective Services Centre <i>Staff Recommendation: THAT Council, based on the results of the Asset and Amenity Management Project and the Civic Places &amp; Spaces Engagement Program, direct staff to conduct further analysis of each of the four key recommendations and prepare proposals to provide site alternatives, needs analysis, financial impacts, facility concepts and funding options for further consultation with the committees, user groups and the community prior to a decision by Council; AND THAT Council direct staff to complete the proposals in order of priority and in alignment with the timeline provided by the Asset and Amenity Management Project beginning with Recommendation #1 Public Safety and Protective Services Centre; AND THAT Council direct staff to develop a work plan that describes the scope, schedule, budget, resourcing, and community engagement required to prepare the proposal for the Public Safety and Protective Services Centre for review by Council prior to proceeding.</i>		52-86
Haddad	8.4	Penticton Lawn Bowling Club – BC Gaming Grant Letter of Support <i>Staff Recommendation: THAT Council provide a letter of support to the Penticton Lawn Bowling Club for a BC Gaming Grant application.</i>		87-89
Johnson	8.5	Recreation and Culture Services – Q1 2022 Update <i>Staff Recommendation: THAT Council receives into the record the report and accompanying presentation titled "Recreation &amp; Culture Services – Q1 2022 Update" dated April 5, 2022.</i>		90-106
Laven/Kleb	8.6	Neighbourhood Heritage Values for Lakeshore Drive, Front Street and Windsor Avenue Area <i>Staff Recommendation: THAT Council direct staff to proceed with amendments to the City's zoning bylaw specific to residential properties along Lakeshore Drive and properties within the 'Cherryland' neighbourhood, including increasing front yard setbacks reflective of the historical distance from the street, increasing minimum lot widths, limiting maximum building heights and other zoning changes to ensure new development is reflective of the historical development pattern of the two areas; AND THAT Council direct staff to identify houses within the Lakeshore Drive and Cherryland neighbourhoods that can be added to the City's Heritage Registry and proceed with developing statements of significance for any identified buildings and work with property owners of the identified houses to have their house added to the City's Heritage Registry.</i>		107-113

*THAT Council support the creation of a Heritage Conservation Area (HCA) area for Front Street and the 100-300 Blocks of Main Street;*

*AND THAT Council direct staff to bring back a project scope and budget for the HCA initiative.*

Goodwin Lloyd-Smith	8.7	UBCM Grant Opportunity: Strengthening Communities' Services Round 2 <i>Staff Recommendation: THAT Council direct staff to apply for the Strengthening Communities' Services grant from the Union of BC Municipalities (UBCM) for \$112,500 in funding from round 2; AND THAT Council thank the Union of BC Municipalities for its support through round 1 funding; AND THAT Council direct the Chief Financial Officer for the City of Penticton to sign and submit the application document on behalf of the City.</i>	114-125
Goodwin Laven	8.8	100 More Homes - Memorandum of Understanding with the City <i>Staff Recommendation: THAT Council direct the Mayor and Corporate Officer to sign and execute the Memorandum of Understanding, which formalizes the City's relationship with 100 More Homes Penticton for the next three years and provides funding in the amount of \$85,000 a year in funding for 100 More Homes housing and homelessness initiatives, as included in Attachment A; AND THAT Council support a budget amendment for the 2022 budget, utilizing administrative savings if grants are not successful in covering the full \$85,000 for 2022 and include the 2023-2024 requests in the 2023-2027 Financial Plan as allocated under the Memorandum of Understanding; AND THAT Council direct staff to apply for any available grants to assist in funding the initiative; AND THAT Council direct the Mayor to sign the 100 More Homes Terms of Reference on behalf of the Corporation of the City of Penticton.</i>	126- 161
Robson	8.9	Introduction of E-Bikes into the City Fleet <i>Staff Recommendation: THAT Council introduce an alternate form of transportation into the City Fleet and approve the purchase of four (4) electric bikes, in the amount of \$25,000, to be funded from the Climate Action Reserve.</i>	162-164
Kassian	8.10	Electric Vehicle Charging Fees <i>Staff Recommendation: THAT Council give first, second and third reading to "Fees and Charges Amendment Bylaw No. 2022-15" as contained in Attachment "A" to create a graduated fee for level II electric vehicle charging, which would result in free charging for the first two hours, and \$2.00 per hour for each subsequent hour thereafter; AND THAT the rates and usage be reviewed annually.</i>	165-177
Tanguay/ Collyer	8.11	Official Community Plan and Zoning Amendment Application Re: 850 Wiltse Boulevard and 160 Crow Place <i>Staff Recommendation: THAT Council, following the Community Engagement for OCP Amendments Procedure, direct staff to commence public engagement for a proposed Official Community Plan future land use designation mapping update and Zoning Amendment Bylaw application in support of residential development in the North Wiltse Block.</i>	178-221
Capewell	8.12	Official Community Plan Amendment Application Re: 770 Argyle Street <i>Staff Recommendation: THAT Council, following the Community Engagement for OCP Amendments Procedure, direct staff to commence public engagement for a proposed Official Community Plan future land use designation change from 'Detached Residential' to 'Ground Oriented Residential', in support of a multi-family development for 770 Argyle Street.</i>	222-251

## 9. **Public Question Period**

10. **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;*
- (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.*

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

12. **Bylaws and Permits:**

Collyer	12.1	Zoning Amendment Bylaw No. 2022-12 Re: 1701 Fairford Drive	252-253	Adopt
Collyer	12.2	Zoning Amendment Bylaw No. 2022-14 Re: 273 Scott Avenue	254-255	2 <sup>nd</sup> /3 <sup>rd</sup>

13. **Land Matters**

	13.1	Request for Reconsideration: Development Variance Permit PL2022-9262 Re: 2703 Hawthorn Drive <i>Resolution 88/2022 from the Regular Council Meeting of March 15, 2022: THAT Council deny "Development Variance Permit PL2022-9262"; AND THAT Council encourage the applicant to provide an alternate plan.</i>		256-258
Collyer	13.2	Zoning Amendment Bylaw No. 2022-16 Development Permit PL2021-9205 Re: 719 Alexander Avenue <i>Staff Recommendation: THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-16", a bylaw to rezone That Part of Lot 2 Shown on Plan B5522; District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1913, located at 719 Alexander Avenue, to from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane) with the following site-specific provision: 1. Two single detached dwellings shall be permitted. AND THAT Council forward "Zoning Amendment Bylaw No. 2022-16" to the May 3, 2022 Public Hearing; AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2022-16", require that a 1.9m road dedication along the Churchill Avenue frontage be registered with the Land Title Office; AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-16", approve "Development Permit PL2021-9205" for That Part of Lot 2 Shown on Plan B5522; District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1913, located at 719 Alexander Avenue, a permit to approve the form and character of the proposed 2-unit residential development on the subject property.</i>		259-291
Capewell	13.3	Development Variance Permit PL2022-9273 Development Permit PL2022-9272 Re: 909 Government Street <i>Staff Recommendation: THAT Council approve "Development Variance Permit PL2022-9273" for Lot 4 District Lot 249 Similkameen Division Yale District Plan 3392 Except Plan EPP89301, located at 909 Government Street, a permit to vary the following sections of Zoning Bylaw No. 2021-01: 1. Section 10.9.2.9: to reduce the minimum rear yard from 6.0m to 3.0m; and 2. Section 10.9.2.3: to increase the maximum lot coverage from 40% to 42%</i>		292-316

*AND THAT Council, subject to approval of "Development Variance Permit PL2022-9273", approve "Development Permit PL2022-9272", for Lot 4 District Lot 249 Similkameen Division Yale District Plan 3392 Except Plan EPP89301, located at 909 Government Street, a permit to allow for the construction of two duplexes (total four dwelling units) on the subject property.*

Capewell 13.4 Development Variance Permit PL2022-9269 317-333

Re: 3917 Lakeside Road

*Staff Recommendation: THAT Council approve "Development Variance Permit PL2022-9269", for Lot A District Lot 190 Similkameen Division Yale District Plan KAP72460, located at 3917 Lakeside Road, a permit to vary the following sections of Zoning Bylaw No. 2021-01:*

- 1. Section 8.2.3.3: to increase the maximum building footprint for a carriage house in the R1 zone from 90m<sup>2</sup> to 97 m<sup>2</sup>; and*
- 2. Section 8.2.3.5: to increase the maximum carriage house building height in the R1 zone, where no lane exists from 5.0m and one floor to 6.5m and two floors.*

*AND THAT staff be directed to issue "Development Variance Permit PL2022-9269".*

14. **Notice of Motion**

14.1 Notice of Motion Introduced by Mayor Vassilaki on March 15, 2022

Re: Property Tax Penalty-free Grace Period

*THAT Council maintain the property tax due date of July 31, 2022 and implement penalty dates of 0% August 1, 2022 and 10% October 1, 2022 to provide a two-month penalty-free grace period to taxpayers.*

15. **Business Arising**

16. **Council Round Table**

17. **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](http://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.

18. **Adjournment**

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

**Tuesday, March 15, 2022**  
**at 1:00 p.m.**

**Present:** Mayor Vassilaki  
Councillor Bloomfield  
Councillor Miller  
Councillor Regehr  
Councillor Robinson  
Councillor Watt

**Absent:** Councillor Sentes

**Staff:** Donny van Dyk, Chief Administrative Officer  
Angie Collison, Corporate Officer  
Angela Campbell, Director of Finance & Administration  
Blake Laven, Director of Development Services  
Anthony Haddad, General Manager, Community Services  
Paula McKinnon, Deputy Corporate Officer

**1. Call to Order**

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

**2. Introduction of Late Items**

**3. Adoption of Agenda**

74/2022

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Regular Council Meeting held on March 15, 2022 as presented.

**CARRIED UNANIMOUSLY**

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

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

**5. Reconvene the Regular Council Meeting**

Council reconvened the Regular Council Meeting at 1:17 p.m.

**6. Adoption of Minutes:**

6.1 Minutes of the March 1, 2022 Regular Meeting of Council

75/2022

**It was MOVED and SECONDED**

THAT Council adopt the minutes of the March 1, 2022 Regular Meeting of Council as presented.  
**CARRIED UNANIMOUSLY**

**7. Consent Agenda:**

76/2022

**It was MOVED and SECONDED**

THAT Council approve the Consent Agenda:

1. Minutes of the March 1 2022 Committee of the Whole Meeting;
2. Minutes of the March 1, 2022 Public Hearing;
3. Heritage and Museum Advisory Committee Meeting Draft Minutes of March 2, 2022;
4. Economic Prosperity and Development Services Advisory Committee Meeting Draft Minutes of March 4, 2022;
5. Arts, Creative and Cultural Innovation Advisory Committee Meeting Draft Minutes of March 4, 2022;
6. Release of Items from Closed Meeting:

THAT Council accept the resignation of Gerald Buzzell from the Heritage and Museum Advisory Committee;  
AND THAT Council appoint Peter Achtem and Emily Fitzowich to the Heritage and Museum Advisory Committee.

THAT Council accept the resignation of Gary Dean, Julia Barber and Michaela Wooldridge from the Parks and Recreation Advisory Committee;

AND THAT Council appoint Cameron Baughen, Joanna Grimaldi and Raymond Stassi to the Parks and Recreation Advisory Committee.

THAT Council accept the resignation of Sharon Fletcher and Frank Conci from the Economic Prosperity and Development Services Advisory Committee;

AND THAT Council appoint Walter Sobool and Anthony Policicchio to the Economic Prosperity and Development Services Advisory Committee.

THAT Council accept the resignation of Aaryn Secker from the Safety and Security Advisory Committee;

AND THAT Council appoint Susan Greba to the Safety and Security Advisory Committee.

**CARRIED UNANIMOUSLY**

**8. Staff Reports:**

Mayor Vassilaki declared a conflict of interest as a property owner in the downtown area and left the meeting at 1:38 p.m. Deputy Mayor Regehr chaired the meeting.

8.1 Downtown Business Improvement Area Bylaw No. 2022-09

Lyn Allin and Steve Brown, Downtown Penticton Business Improvement Association, provided Council with a presentation on the proposed five-year renewal of the Downtown Business Improvement Area Bylaw and answered questions of Council.

77/2022

**It was MOVED and SECONDED**

THAT Council direct staff to proceed with the renewal process for the Business Improvement Area (BIA) for a further five-year period;

AND THAT Council approve the initiative petition process whereby Council gives notice of its intention to adopt the Downtown Business Improvement Area Bylaw unless it is objected to by a majority of the owners representing at least one-half of the value of the properties in the specified area;

AND THAT Council approve the notice which will be published March 23 and 30 and sent to each affected property owner;

AND THAT Council give first, second and third reading to "Downtown Business Improvement Area Bylaw No. 2022-09".

**DEFEATED**

**Deputy Mayor Regehr, Councillors Miller and Watt, Opposed**

78/2022

**It was MOVED and SECONDED**

THAT Council request the Downtown Penticton Business Improvement Association (DPBIA) initiate a Petition for Service for a downtown business improvement area.

**CARRIED UNANIMOUSLY**

Mayor Vassilaki returned to the meeting at 2:15 p.m.

8.2 In-Year Grant Requests: Jean Minguy Memorial Police Youth Academy, the Cat's Paw Productions Society, and the Okanagan Fest of Ale Society

79/2022

**It was MOVED and SECONDED**

THAT Council approve a \$3,000 cash grant to the Jean Minguy Memorial Police Youth Academy.

**CARRIED**

**Councillor Miller, Opposed**

80/2022

**It was MOVED and SECONDED**

THAT Council approve a \$500 cash grant to the Cat's Paw Productions Society.

**CARRIED UNANIMOUSLY**

81/2022

**It was MOVED and SECONDED**

THAT Council fund the in-kind cost of park use and equipment required for the Okanagan Fest of Ale Society.

**CARRIED**

**Councillor Regehr, Opposed**

8.3 Cleland Theatre AV Equipment Upgrades

82/2022

**It was MOVED and SECONDED**

THAT Council direct the Manager of Recreation, Arts & Culture to prepare and submit an application to the Canada Cultural Spaces Fund requesting \$410,000 for the Cleland Theatre Audio/Visual (AV) Equipment Upgrade project.

**CARRIED UNANIMOUSLY**

8.4 Blue Communities Project Delegation

83/2022

**It was MOVED and SECONDED**

THAT Council join the Blue Communities Project.

**DEFEATED**

**Mayor Vassilaki, Councillors Regehr and Watt, Opposed**

84/2022

**It was MOVED and SECONDED**

THAT Council, with the intent of joining the Blue Communities Project, direct staff to report back with a cost analysis.

**CARRIED UNANIMOUSLY**

Council recessed the meeting at 3:24 p.m. and reconvened the meeting at 3:36 p.m.

8.5 City of Penticton and Regional District of the Okanagan Similkameen Agreement to Process Biosolids from the Okanagan Falls Waste Water Treatment Facility

85/2022

**It was MOVED and SECONDED**

THAT Council approve the "Biosolids Acceptance Agreement" for the Okanagan Falls (Ok Falls) Waste Water Treatment Facility between the City of Penticton and the Regional District of the Okanagan Similkameen (RDOS) for a 5-year term as contained in Attachment "A" to this report;

AND THAT Council authorize the Mayor and Corporate Officer to execute the Agreement.

**CARRIED UNANIMOUSLY**

8.6 1201 Moosejaw Street: Request for Notice on Title  
Re: 1201 Moosejaw Street

86/2022

**It was MOVED and SECONDED**

THAT the owner of 1201 Moosejaw Street (the Property) be notified that Council will consider passing a resolution to place a Notice on Title under section 57 of the Community Charter with respect to contraventions of the City of Penticton Building Bylaw No. 2021-21 on Lot 1, District Lot 7 Similkameen Division Yale District, Plan 10265, located at 1201 Moosejaw Street, stating the following: "Failure to obtain a building permit, which is a violation of the City of Penticton Building Bylaw No. 2021-21. Further information about it may be inspected at the municipal hall."

AND THAT the owner be notified of the proposed Notice on Title report, and given the opportunity to speak to the matter at the regular Council meeting on April 5, 2022.

**CARRIED UNANIMOUSLY**

8.7 Zoning Amendment Bylaw No. 2022-14  
Development Permit PL2021-9222  
Re: 273 Scott Avenue

87/2022

**It was MOVED and SECONDED**

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-14", a bylaw to rezone Lot 1 District Lots 202 and 250 Similkameen Division Yale District and of District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 8161, located at 273 Scott Avenue, from the RD1 (Duplex Housing) zone to the RM2 (Low Density Multiple Housing) zone;

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-14" to the April 5, 2022 Public Hearing;

AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2022-14", require the applicant to pay \$9,500 for the cost of a new fire hydrant to meet multifamily development spacing requirements;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-14", approve "Development Permit PL2021-9222" for Lot 1 District Lots 202 and 250 Similkameen Division Yale District and of District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 8161, located at 273 Scott Avenue, a permit to approve the form and character of a proposed 8-unit cluster housing development on the subject property.

**CARRIED UNANIMOUSLY**

8.8 Development Variance Permit PL2022-9262  
Re: 2703 Hawthorn Drive

88/2022

**It was MOVED and SECONDED**

THAT Council deny "Development Variance Permit PL2022-9262";  
AND THAT Council encourage the applicant to provide an alternate plan.

**CARRIED**  
**Councillor Watt, Opposed**

**9. Public Question Period**

**10. Recess into a Closed Meeting**

89/2022

**It was MOVED and SECONDED**

THAT Council recess at 4:19 p.m. 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.

**CARRIED UNANIMOUSLY**

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

**12. Bylaws and Permits**

12.1 Zoning Amendment Bylaw No. 2022-11  
Development Variance Permit PL2021-9160  
Re: 220 Nelson Avenue

90/2022

**It was MOVED and SECONDED**

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-11";  
AND THAT Council adopt "Zoning Amendment Bylaw No. 2022-11";  
AND THAT Council approve Development Variance Permit PL2021-9160.

**CARRIED UNANIMOUSLY**

12.2 Zoning Amendment Bylaw No. 2022-12  
Re: 1701 Fairford Drive

91/2022

**It was MOVED and SECONDED**

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-12";

**CARRIED UNANIMOUSLY**

12.3 Zoning Amendment Bylaw No. 2022-13  
Re: 1196 Fairview Road

92/2022

**It was MOVED and SECONDED**

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-13";

**CARRIED UNANIMOUSLY**

**13. Business Arising**

**It was MOVED/NO SECONDER**

THAT Council provide a letter of support to accompany the loan application for the construction and re-start of operations of the Fintry Queen.

**14. Notice of Motion**

14.1 Mayor Vassilaki introduced the following Notice of Motion for consideration at the April 5, 2022 regular meeting of Council.

THAT Council maintain the property tax due date of July 31, 2022 and implement penalty dates of 0% August 1, 2022 and 10% October 1, 2022 to provide a two-month penalty-free grace period to taxpayers.

**15. Council Round Table**

**16. Public Question Period**

**17. Adjournment**

93/2022

**It was MOVED and SECONDED**

THAT Council adjourn the regular meeting of Council at 6:40 p.m.

**CARRIED UNANIMOUSLY**

Certified correct:

Confirmed:

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

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

**Special Council Meeting**  
held at the City of Penticton, Room A  
171 Main Street, Penticton, B.C.

**Monday, March 21, 2022**  
**at 10:00 a.m.**

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

**Staff:** Donny van Dyk, Chief Administrative Officer  
Angela Campbell, Director of Finance & Administration  
Anthony Haddad, General Manager, Community Services  
Angie Collison, Corporate Officer  
JoAnne Kleb, Public Engagement Manager

**1. Call to Order**

The Mayor called the Special Council Meeting to order at 10:00 a.m.

**2. Adoption of Agenda**

94/2022

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Special Council Meeting held on March 21, 2022 as presented.

**CARRIED UNANIMOUSLY**

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

95/2022

**It was MOVED and SECONDED**

THAT Council adjourn to a closed meeting of Council at 10:01 a.m. pursuant to the provisions of the Community Charter as follows: Section 90 (1) (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public.

**CARRIED UNANIMOUSLY**

Certified correct:

Confirmed:

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Angie Collison  
Corporate Officer

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John Vassilaki  
Mayor

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

**Thursday, March 24, 2022**  
**at 1:00 p.m.**

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

**Staff:** Donny van Dyk, Chief Administrative Officer  
Angela Campbell, Director of Finance & Administration  
Anthony Haddad, General Manager, Community Services  
Angie Collison, Corporate Officer  
Paula McKinnon, Deputy Corporate Officer

**1. Call to Order**

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

**2. Adoption of Agenda**

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Special Council Meeting held on March 24, 2022 as presented.

**CARRIED UNANIMOUSLY**

**3. Delegation:**

3.1 Downtown Penticton Business Improvement Association

Lynn Allin, Executive Director, Steve Brown, Finance Chair and Trevor Guerard, Board President of the Downtown Penticton Business Improvement Association, requested Council reconsider their request for a Petition for Service and that Council initiate a Petition Against process to establish a downtown business improvement area for a five-year term and were available to answer any questions of Council.

**4. Discussion**

Acting Mayor Regehr recessed the meeting at 2:39 p.m. and requested staff prepare a bylaw that establishes the downtown business improvement area for a five-year term that raises \$303,523 in 2022, \$315,664 in 2023, \$328,290 in 2024, \$341,422 in 2025 and \$355, 079 in 2026 and includes a renewal clause.

The meeting reconvened at 3:00 p.m. Staff provided a draft bylaw for consideration.

97/2022

**It was MOVED and SECONDED**

THAT Council rescind resolution 78/2022 (THAT Council request the Downtown Penticton Business Improvement Association (DPBIA) initiate a Petition for Service for a downtown business improvement area.);  
AND THAT Council give first, second and third reading to "Downtown Business Improvement Area Bylaw No. 2022-09";  
AND THAT Council initiate the petition against process.

**CARRIED  
Councillor Miller, Opposed**

**5. Public Question Period**

**6. Adjournment**

98/2022

**It was MOVED and SECONDED**

THAT Council adjourn the Special meeting of Council at 3:10 p.m.

**CARRIED UNANIMOUSLY**

Certified correct:

Confirmed:

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

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

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

**Tuesday, March 15, 2022**  
**Recessed from the Regular Council Meeting at 1:00 p.m.**

<b>Present:</b>	Mayor Vassilaki Councillor Bloomfield Councillor Miller Councillor Regehr Councillor Robinson Councillor Watt
<b>Absent:</b>	Councillor Sentes
<b>Staff:</b>	Donny van Dyk, Chief Administrative Officer Angie Collison, Corporate Officer Angela Campbell, Director of Finance & Administration Blake Laven, Director of Development Services Anthony Haddad, General Manager, Community Services Paula McKinnon, Deputy Corporate Officer

1. **Call to order**

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

2. **Adoption of Agenda**

**It was MOVED and SECONDED**

THAT the agenda for the Committee of the Whole meeting held on March 15, 2022 be adopted as presented.

**CARRIED UNANIMOUSLY**

3. **Delegations:**

3.1 Okanagan Ferry Concept

Andy Schwab, President, Okanagan Lake Boat Company Inc., provided Council with a presentation on the Okanagan Ferry Concept and requested Council's support in securing grant funding for the concept.

3.2 269 Panther Squadron Air Cadets

Tom Iannella, Chairman, and three Air Cadets, Penticton Air Cadets, provided Council with a presentation on the goals and objectives of the Air Cadets and offered their services to clean-up areas of Penticton while increasing their visibility.

4. **Adjourn to Regular Meeting**

**It was MOVED and SECONDED**

THAT Council adjourn the Committee of the Whole meeting held March 15, 2022 at 1:34 p.m. and reconvene the Regular Meeting of Council.

**CARRIED UNANIMOUSLY**

Certified correct:

Confirmed:

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Angie Collison  
Corporate Officer

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John Vassilaki  
Mayor

**Public Hearing**  
held electronically and at City Hall, Council Chambers  
171 Main Street, Penticton, B.C.

**Tuesday, March 15, 2022**  
**at 6:00 p.m.**

**Present:** Mayor Vassilaki  
Councillor Bloomfield  
Councillor Miller  
Councillor Regehr  
Councillor Robinson  
Councillor Watt

**Absent:** Councillor Sentes

**Staff:** Donny van Dyk, Chief Administrative Officer  
Angie Collison, Corporate Officer  
Angela Campbell, Director of Finance & Administration  
Blake Laven, Director of Development Services  
Steven Collyer, Planner II  
Anthony Haddad, General Manager, Community Services  
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. 2022-11.

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

**2. "Zoning Amendment Bylaw No. 2022-11" (220 Nelson Avenue)**

The purpose of "Zoning Amendment Bylaw No. 2022-11" is to amend Zoning Bylaw No. 2021-01 as follows:

Rezone Lot 14 District Lot 250 Similkameen Division Yale District Plan 910, located at 220 Nelson Avenue, from R2 (Small Lot Residential) zone to RD4 (Low Density Cluster Housing) zone.

The applicant intends to build a four-unit cluster housing development.

The Corporate Officer advised that no correspondence has been received since the printing of the agenda.

**DELEGATIONS**

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

- Heather Shedden, Representing Applicant, available to answer any questions.

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

- Douglas, Neighbour of 220 Nelson Avenue, concerned about cluster housing on that block, no alley to move around. Concerned that any level of development will be stressful on all neighbours and for anyone street parking. Agreed homes are required in Penticton but lack of privacy makes this a unique area, not appropriate for in-fill style housing. As business owner, needs to provide parking for customers, development is too large for the neighbourhood, no multiple housing on street, there is no room.

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

- Heather Shedden, Representing Applicant, responded that application falls within existing OCP plan, variance is in regards to the lot coverage, 8 parking spots provided and only 5 were required, should not affect street parking. Applied for a 7.2m tall building to fit in with existing homes.

The public hearing for “Zoning Amendment Bylaw No. 2022-11” was terminated at 6:13 p.m. and no new information can be received on this matter.

Certified correct:

Confirmed:

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

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

**Public Hearing**  
held electronically and at City Hall, Council Chambers  
171 Main Street, Penticton, B.C.

**Tuesday, March 15, 2022**  
**at 6:00 p.m.**

**Present:** Mayor Vassilaki  
Councillor Bloomfield  
Councillor Miller  
Councillor Regehr  
Councillor Robinson  
Councillor Watt

**Absent:** Councillor Sentes

**Staff:** Donny van Dyk, Chief Administrative Officer  
Angie Collison, Corporate Officer  
Angela Campbell, Director of Finance & Administration  
Blake Laven, Director of Development Services  
Steven Collyer, Planner II  
Anthony Haddad, General Manager, Community Services  
Paula McKinnon, Deputy Corporate Officer

**1. Call to order**

Mayor Vassilaki called the public hearing to order at 6:13 p.m. for Zoning Amendment Bylaw No. 2022-12.

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

**2. "Zoning Amendment Bylaw No. 2022-12" (1701 Fairford Drive)**

The purpose of "Zoning Amendment Bylaw No. 2022-12" is to amend Zoning Bylaw No. 2021-01 as follows:

Rezone Lot 2 District Lot 115 Similkameen Division Yale District Plan KAP48734, located at 1701 Fairford Drive, from R2 (Small Lot Residential) zone to RD3 (Residential Infill) zone, with the following site-specific provision:

o A maximum of two dwelling units shall be permitted on each lot;

The applicant intends to rezone and subdivide the subject property to build one duplex on each future lot.

The Corporate Officer advised that no correspondence has been received since the printing of the agenda.

**DELEGATIONS**

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

- Tony Giroux, Representing Applicant, available to answer any questions.

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

- No one spoke.

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

- Tony Giroux, Representing Applicant, commented about the housing report done through Province of BC regarding population growth, housing is desperately needed in our community.

The public hearing for “Zoning Amendment Bylaw No. 2022-12” was terminated at 6:17 p.m. and no new information can be received on this matter.

Certified correct:

Confirmed:

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

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

**Public Hearing**  
held electronically and at City Hall, Council Chambers  
171 Main Street, Penticton, B.C.

**Tuesday, March 15, 2022**  
**at 6:00 p.m.**

**Present:** Mayor Vassilaki  
Councillor Bloomfield  
Councillor Miller  
Councillor Regehr  
Councillor Robinson  
Councillor Watt

**Absent:** Councillor Sentes

**Staff:** Donny van Dyk, Chief Administrative Officer  
Angie Collison, Corporate Officer  
Angela Campbell, Director of Finance & Administration  
Blake Laven, Director of Development Services  
Steven Collyer, Planner II  
Anthony Haddad, General Manager, Community Services  
Paula McKinnon, Deputy Corporate Officer

**1. Call to order**

Mayor Vassilaki called the public hearing to order at 6:17 p.m. for Zoning Amendment Bylaw No. 2022-13.

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

**2. "Zoning Amendment Bylaw No. 2022-13" (1196 Fairview Road)**

The purpose of "Zoning Amendment Bylaw No. 2022-13" is to amend Zoning Bylaw No. 2021-01 as follows:

Rezone Lot 1 District Lot 250 Similkameen Division Yale District and of District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1164, located at 1196 Fairview Road, from C2 (Neighbourhood Commercial) zone to C1 (Commercial Transition) zone.

The applicant intends to construct a one storey, 439m<sup>2</sup> (4,730ft<sup>2</sup>) dental office.

The Corporate Officer advised that no correspondence has been received since the printing of the agenda.

**DELEGATIONS**

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

- John Salican, Owner, available to answer questions.
- Jordan Shade, Backstreet Blvd, spoke in support of application, need for more dental offices.

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

- Lynn Kelsey, Oakville Street, spoke in support of the development, good quality commercial building and dental office, need to be supportive of people developing medical offices outside of the downtown or hospital areas.

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

- No one spoke.

The public hearing for "Zoning Amendment Bylaw No. 2022-13" was terminated at 6:22 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, March 14, 2022  
at 3:00 p.m.

**Present:** Isaac Gilbert, Chair  
James Palanio, Vice Chair  
Cameron Baughen  
Drew Barnes  
Joanne Grimaldi  
John Archer  
Marc Tougas\*  
Raymond Stassi\*  
Tyson Bull  
Susan Fraser

**Council Liaison:** James Miller, Councillor

**Staff:** Anthony Haddad, General Manager of Community Services  
JoAnne Kleb, Public Engagement Program Manager  
Kelsey Johnson, Manager of Recreation, Arts and Culture  
Len Robson, Public Works Manager\*  
Rebecca Van Huizen, Legislative Assistant

**Regrets:** Andrew Drouin  
Laura Harp  
Robert (Sandy) Ross

\* denotes partial attendance

### 1. **Call to Order**

The Parks and Recreation Advisory Committee was called to order by the Chair at 3:00 p.m.

Marc Tougas entered the Zoom meeting at 3:03 p.m.

Marc Tougas left the Zoom Meeting at 3:04 p.m.

The Chair went over Robert's Rules of Order when voting on motions during the Committee meeting.

### 2. **Adoption of Agenda**

**It was MOVED and SECONDED**

THAT the Parks and Recreation Advisory Committee adopt the agenda for the meeting held on March 14, 2022 as presented.

**CARRIED UNANIMOUSLY**

3. **Adoption of Minutes**

3.1 Minutes of the January 27, 2022 Special Parks and Recreation Advisory Committee Meeting

**It was MOVED and SECONDED**

THAT the Parks and Recreation Advisory Committee adopt the minutes from the Special Meeting of January 27, 2022 meeting as presented.

**CARRIED UNANIMOUSLY**

3.2 Minutes of the February 14, 2022 Parks and Recreation Advisory Committee Meeting

**It was MOVED and SECONDED**

THAT the Parks and Recreation Advisory Committee adopt the minutes of the February 14, 2022 meeting as presented.

**CARRIED UNANIMOUSLY**

4. **New Business**

4.1 Introduction of New Committee Members

The Chair introduced the three (3) new Parks and Recreation Advisory Committee Members that were recently appointed by Council. The Committee participated in roundtable introductions allowing newly appointed members Cameron Baughen and Joanne Grimaldi to introduce themselves.

Due to technical issues Raymond Stassi left the meeting at 3:15 p.m.

The Public Works Manager entered the Zoom meeting at 3:18 p.m.

4.2 Civic Places and Spaces Engagement Update

The Public Engagement Program Manager displayed a PowerPoint presentation on the results of the Civic Places and Spaces Engagement Update process and anticipated next steps.

The floor was opened up to the Committee Members for questions and comments. Committee Members provided individual comments on the results and staff recommendations from the presentation.

A Committee Member suggested that when designing the new civic buildings that the City try to incorporate environmental benefits into the design. Staff need to also take into account the history, heritage, and emotional value the Memorial Arena and Art Gallery have when going through the engagement process. Noted that any disposition of property should be thought of early in the development as it can be a controversial route. A Committee Member agreed that more efficiency when designing the new buildings needs to be addressed. Raised concerns with parking near the Twin Arenas – might need additional lands to mitigate this. Suggested if there is a way to use current buildings as a foundation and do an addition to them as opposed to demolishing it – could be cost effective. A Committee Member suggested the City approach the School District to explore if the Shatford Centre may be part of the solution. A Committee Member provided comments on lack of land and space to grow within the City.

Councillor Miller noted that engagement with the Library Board and staff has been open and transparent.

The Chair thanked staff on the public engagement that has been done to date.

4.3 Council Decisions Update – Sportsplex Surface Replacement

The Manager of Recreation, Arts and Culture provided a verbal update of Council’s decision on the Sportsplex Surface Replacement and noted that Council approved it at the March 1 Council Meeting and it will be moving forward.

The Chair went over the Terms of Reference for the Parks and Recreation Advisory Committee as a refresher for both existing and new Committee Members.

5. **Next Meeting**

The next Parks and Recreation Advisory Committee meeting is tentatively scheduled to be held on April 11, 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 March 14, 2022 at 4:02 p.m.

**CARRIED UNANIMOUSLY**

Certified Correct:

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Rebecca Van Huizen  
Legislative Assistant

## Community Sustainability Advisory Committee Meeting

to be held via Zoom  
Wednesday, March 16, 2022  
at 9:00 a.m.

**Present:** Chris Allen, Chair  
Randy Boras, Vice Chair  
Amelia Boulton  
Anne Hargrave  
Lyndie Hill  
Margaret Holm\*  
Nicolas Stulberg  
Philip Hawkes

**Council Liaison:** Julius Bloomfield, Councillor\*

**Staff:** Kristen Dixon, General Manager of Infrastructure  
David Kassian, Community Sustainability Coordinator  
Rebecca Van Huizen, Legislative Assistant

**Regrets:** Tracey Van Raes

\*denotes partial attendance

1. **Call to Order**

The Community Sustainability Advisory Committee was called to order by the Chair at 9:00 a.m.

2. **Adoption of Agenda**

**It was MOVED and SECONDED**

THAT the Community Sustainability Advisory Committee adopt the agenda for the meeting held on March 16, 2022 as presented.

**CARRIED UNANIMOUSLY**

3. **Adoption of Minutes**

3.1 Minutes of February 16, 2022 Community Sustainability Advisory Committee

**It was MOVED and SECONDED**

THAT the Community Sustainability Advisory Committee adopt the minutes of the February 16, 2021 meeting as amended.

**CARRIED UNANIMOUSLY**

#### 4. **New Business**

##### 4.1 Electric Vehicle Charging Rate Review Update

Margaret Holm entered the Zoom Meeting at 9:02 a.m.

The Community Sustainability Coordinator displayed a PowerPoint presentation providing an update on the Electric Vehicle Charging Rate Review.

The floor was opened up to the Committee Members for questions and comments. Committee Members provided their own individual comments on the alternate recommendation in the memo.

A Committee Member noted they would like to go back to having the EV charging stations free, but indicated that the stepped rate is a nice compromise. Would like to see the first two (2) hours free and then have a fee for charging. A Committee Member also indicated that they were in agreement with having the first two (2) hours free and then a fee for charging thereafter. A Committee Member inquired if the City knew if the EV charging stations at Canadian Tire had a drop off of sessions in use and if there were, was this attributed to the same reasons as the drop off in use of City owned charging stations that staff previously noted at the last Committee Meeting. Staff noted that they did not have data on the station at Canadian Tire. A Committee Member noted that with the changing situation globally and the increase in gas prices, this is a catalyst to get more electric vehicles on the road. Agrees with the previous comments that the alternate recommendation should be changed to having the first two (2) hours for free and then a fee for charging thereafter. Would like to see the City review the rates and charges in a year or two. A Committee Member also agrees with changing the alternate recommendation from the first hour free to the first two (2) hours free and then introduce a fee for charging.

A Committee Member inquired more broadly about the other (larger) goals in the CCAP, and how Committee can play a larger role in moving these items forward. They also inquired about how Council engages the Committee. In response staff went over the procedures in which items are either referred from Council to Committee, or brought forward first to Committee before making a recommendation to Council.

Staff also provided an update on the status of the Corporate Energy and Emissions Plan (CEEP) and indicated they are planning to bring the CEEP forward to the Committee at the next meeting. The Committee would have the opportunity to review the CEEP and provide written feedback, prior to staff seeking endorsement of the plan from the Committee. With the Community Climate Action Plan and Corporate Energy and Emissions Plan complete, staff are looking at how best to implement the specific initiatives outlined. Noted that the Community Sustainability Advisory Committee plays an important part in the execution of the Corporate Energy and Emissions Plan and Community Climate Action Plan and its initiatives.

Councillor Bloomfield joined the Zoom meeting at 9:34 a.m.

**It was MOVED and SECONDED**

THAT the Community Sustainability Advisory Committee recommend to Council that the fees and charges bylaw be amended to provide the first two hours of EV level 2 charging for free, and \$2/hour for each subsequent hour thereafter.

AND THAT the rates and usage be reviewed annually.

**CARRIED UNANIMOUSLY**

In discussing the resolution, Committee members also expressed interest in adding more explanation to the recommendation. Staff advised that commentary is included with the Council report to ensure Council is aware of the reasoning behind any resolutions or recommendations coming from Committee.

Staff also indicated that through the E-Mobility appendix of the Community Climate Action Plan, the City is looking into how to promote the installation of EV Chargers within both new and existing multi-unit buildings. Staff have also been reviewing E-Bike Rebate Programs of various communities such as the District of Saanich and City of Nelson to research how those programs are operated and how they may be successfully employed in Penticton. Staff indicated that they are planning to bring the draft Community Energy & Emissions Plan to the April Community Sustainability Advisory Committee Meeting and then subsequently bring to Council in May.

Staff provided an update on the Lake to Lake Cycling Route and anticipated completion.

5. **Next Meeting**

The next Community Sustainability Advisory Committee meeting date is tentatively scheduled for April 13, 2022.

6. **Public Question Period**

7. **Adjournment**

**It was MOVED and SECONDED**

THAT the Community Sustainability Advisory Committee meeting held on Wednesday, March 16, 2022 adjourn at 10:01 a.m.

**CARRIED UNANIMOUSLY**

Certified Correct:

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Rebecca Van Huizen  
Legislative Assistant



# Council Report



**Date:** April 5, 2022  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Ken Kunka, Building and Permitting Manager  
**Address:** 718 Chase Avenue

File No: N:\city\Address\Chase Ave\718

**Subject: 718 Chase Avenue: Notice on Title**

## Staff Recommendation

THAT Council, after hearing from the impacted owner, resolve to place a Notice on Title, under section 57 of the *Community Charter*, with respect to contraventions of the City of Penticton *Building Bylaw No. 2021-21*, on Lot 29, District Lot 2 Group 7 Similkameen Division Yale District, Plan 1049, located at 718 Chase Avenue (the *Property*), stating the following:

“Failure to complete a building permit, which is a violation of the City of Penticton *Building Bylaw No. 2021-21*. Further information about it may be inspected at the municipal hall.”

## Strategic Priority Objective

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

## Background

On February 15, 2022, staff presented a Council Report that outlined staff’s concerns related to the owner’s failure to complete the building permit BP012204 that was for the reduction in size of an accessory building at the Property. Despite staff having provided extensions and the issuance of three Bylaw Offence Notices (BON) to the owner, the Property had continued to remain in violation of the City’s Bylaws and the *British Columbia Building Code*. Through a resolution passed during the regular Council meeting on February 15, 2022, staff received approval from Council for the owner to be notified that Council will consider passing a resolution to place a Notice on the Title of the Property under section 57 of the *Community Charter*.

*Council Resolution No. 36/2022* reads as follows:

36/2022

### It was **MOVED** and **SECONDED**

THAT the owner of 718 Chase Avenue (the *Property*) be notified that Council will consider passing a resolution to place a Notice on Title under section 57 of the *Community Charter* with respect to a contravention of the City of Penticton *Building Bylaw No. 2021-21* on Lot 29, District Lot 2 Group 7 Similkameen Division Yale District, Plan 1049, located at 718 Chase Avenue, stating the following:

"Failure to complete a building permit, which is a violation of the City of Penticton *Building Bylaw No. 2021-21*. Further information about it may be inspected at the municipal hall.";

AND THAT the owner be notified of the proposed Notice on Title report, and given the opportunity to speak to the matter at the regular Council meeting on April 5, 2022.

**CARRIED UNANIMOUSLY**

Since February 15, 2022, staff have informed the owner that Council will consider a resolution to place a Notice on the Title of the Property. As outlined within the Chronology of Events (Attachment A), the Property has generated significant enforcement history and staff are continuing to recommend escalating enforcement action as outlined in Council's *Building Compliance Policy (Resolution No. 437/2018)* - to ensure compliance and requesting Council place a Notice on the property title via section 57 of the *Community Charter*.

### **Financial implication**

The City's expenditure for registering a Notice on Title is \$74.16 plus staff time.

### **Analysis**

During the course of this enforcement action, staff have followed Council's approved *Building Compliance Policy*, as well as section 57(1) of the *Community Charter*, which allows for a building inspector to recommend that Council consider a resolution to notify the owner that Council will consider placing a Notice on the Title of the Property.

At the time of this report, the Property remains in violation of the City's *Building Bylaw No. 2021-21* and the *British Columbia Building Code*, because of the illegal accessory building on the Property. Due to current enforcement efforts having not brought the Property into compliance with the City's Bylaws, staff are recommending the registration of a Notice on the Title of the Property. In addition, staff would like for Council to consider the following information when contemplating this action:

- The potential safety risks for surrounding properties, such as fire spread, as a result of an oversized accessory building constructed in the required setback without the necessary permits;
- If the City should choose not to enforce, then the potential for legal claims as a result of possible damages to surrounding properties;
- A reputation of not enforcing bylaws to ensure compliance with the City's pertinent regulations;
- The Chronology of Events that details staff's efforts to bring the Property into compliance (Attachment A).

Under the authority of the section 57(1) of the *Community Charter*, it is appropriate for Council to consider a resolution to place a Notice on the Title of the Property for the expired building permit BP009864. Due to the many opportunities that staff have provided the owner to complete the building permit BP009864, staff are recommending the placement of the Notice due to the history of non-compliance. When appropriate remedial works have been completed, then, under section 58 of the *Community Charter*, the Notice may be requested to be removed from the Title of the Property by the owner

**Attachments**

Attachment A – Chronology of Events

Attachment B – Council Report: 10.1 Request for Notice on Title – 718 Chase Avenue

Respectfully submitted,

Ken Kunka, ASCT RBO  
Building and Permitting Manager

Concurrence

Director of Development Services  <i>BL</i>	Chief Administrative Officer  <b>DvD</b>
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## Attachment A – Chronology of Events

### Chronology of Events

718 Chase Avenue

Date of Documentation	Description	Associated Document
March 14, 2022	Staff gave the owner notice that Council would consider placing a Notice on the Title of the Property.	
February 17, 2022	Staff informed the owner that Council would consider placing a Notice on the Title of the Property.	
February 15, 2022	Staff received approval from Council to notify the owner that Council would consider placing a Notice on the Title of the Property.	
January 10, 2022	Staff reposted the Do Not Occupy Notices to the Accessory Dwelling Unit (ADU) and issued a ticket to the owner.	
January 9, 2022	Staff observed that the Do Not Occupy Notices posted to the ADU had been removed.	
December 7, 2021	Staff posted a Do Not Occupy Notice to the ADU and issued a ticket to the owner.	
December 6, 2021	Staff informed the owner that a Do Not Occupy Notice would be posted on December 7, 2021.	
November 29, 2021	Staff reminded the owner that the building permit BP012204 must be completed by December 3, 2021.	
November 3, 2021	Owner claimed that staff would need to seek an injunction to reduce the accessory building.	
November 3, 2021	Staff issued a ticket and sent a letter to the owner that required BP012204 be completed by December 3, 2021.	
November 1, 2021	Notice placed on the Tax Certificate for the property.	
October 23, 2021	BP012204 expired without completion.	
August 23, 2021	Staff granted an extension for BP012204 to October 23, 2021.	
August 6, 2021	Staff granted an extension for BP012204 to August 20, 2021.	
July 21, 2021	Staff issued a fail for a completion inspection for BP012204, as the ADU had been decommissioned and not reduced in size.	
July 7, 2021	Staff agree to provide an extension for BP012204 should the owner call for a completion inspection.	
July 7, 2021	Owner claimed to have decommissioned the ADU, but not reduced the size.	
July 5, 2021	Staff reminded the owner that BP012204 would expire on August 6, 2021 without any inspections.	
May 11, 2021	BP012204 was issued.	
April 20, 2021	Staff provided an extension to April 27, 2021 to complete the building permit application.	
February 12, 2021	Owner submitted a building permit application to decommission the ADU and reduce the size.	
February 9, 2021	Staff rejected an incomplete building permit application from the owner.	
January 22, 2021	Staff sent a letter to the owner regarding the outcome of the Council meeting.	Attachment B

Chronology of Events - Continued

January 19, 2021	Council denied "Development Variance Permit PL2020-8854".	
October 16, 2020	Staff provided the owner with a copy of the Technical Planning Committee (TPC)'s comments.	
October 15, 2020	TPC discussed the Development Variance Permit (DVP) application	
September 14, 2020	Staff received the requested documents for the DVP application.	
August 25, 2020	Staff requested documents to complete the DVP application.	
July 24, 2020	Staff received a partial Development Variance Permit (DVP) application from the owner.	
July 7, 2020	Staff sent a letter to the owner that provided two options for compliance for the ADU.	
June 9, 2020	Staff conducted an inspection of the property and identified an illegal accessory dwelling unit (ADU).	
May 8, 2020	Staff sent a letter to the owner that requested an inspection of the property.	
April 28, 2020	Staff received information that alleged illegal accessory suites existed at the property.	

## Attachment B – Council Report: 10.1 Request for Notice on Title – 718 Chase Avenue



# Council Report



**Date:** February 15, 2022 **File No:** N:\city\Address\Chase Ave\718  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Ken Kunka, Building and Permitting Manager  
**Address:** 718 Chase Avenue  
**Subject:** **718 Chase Avenue: Request for Notice on Title**

### Staff Recommendation

THAT the owner of 718 Chase Avenue (the *Property*) be notified that Council will consider passing a resolution to place a Notice on Title under section 57 of the *Community Charter* with respect to contraventions of the City of Penticton *Building Bylaw No. 2021-21* on Lot 29, District Lot 2 Group 7 Similkameen Division Yale District, Plan 1049, located at 718 Chase Avenue, stating the following:

“Failure to complete a building permit, which is a violation of the City of Penticton *Building Bylaw No. 2021-21*. Further information about it may be inspected at the municipal hall.”

AND THAT the owner be notified of the proposed Notice on Title report, and given the opportunity to speak to the matter at the regular Council meeting on April 5, 2022.

### Executive Summary

This report recommends that, pursuant to section 57 of the *Community Charter*, the owner of the Property be notified that Council will consider passing a resolution to have a Notice be registered with the Land Title and Survey Authority against the *Property* for failure to comply with the City of Penticton *Building Bylaw No. 2021-21* and the *British Columbia Building Code*, contraventions which are related to the safety of the building on the property. This report recommends that Council support staff in notifying the owner, and providing the owner with an opportunity to be heard.

### Strategic Priority Objective

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

### Background

On November 3, 2021 and, again, on December 3, 2021, staff cautioned the owner that staff would commence with escalating enforcement action, because of the owner’s failure to complete the building permit BP012204. As of the date of this report, the owner has completed some of the required works to complete the building permit BP012204, such as the removal of the cooking facilities and cabinetry, so that the structure may be considered an accessory building. Nevertheless, the reduction of the accessory building to the size that was originally permitted in 1960 has not been accomplished by the owner. As outlined within the Chronology of Events (Attachment A), the Property has expended a considerable

amount of staff time, and staff are now recommending escalating enforcement action as outlined in Council's *Building Compliance Policy* (Resolution No. 437/2018) - to ensure compliance, and requesting that Council consider that the owner be notified that Council will consider passing a resolution for the placement of a Notice on the Title of the property, via section 57 of the *Community Charter*.

#### *City of Penticton – Building Bylaw No. 2021-21*

As outlined in division 1 of the *Community Charter*, local governments have the authority to regulate construction. In the City of Penticton, the power to regulate construction is exercised through the *Building Bylaw No. 2021-21*, and was formerly exercised under the *Building Bylaw No. 2018-01* until June 15, 2021. The building permit BP012204 was issued under the *Building Bylaw No. 2018-01* on May 11, 2021, and the failure to complete the issued building permit now falls under the *Building Bylaw No. 2021-21*.

#### **Financial implication**

The City's expenditure will be further staff time to notify the owner, and to prepare the resolution.

#### **Analysis**

During the course of this enforcement action, staff have followed Council's approved *Building Compliance Policy*, as well as section 57(1) of the *Community Charter*, which allows for a building inspector to recommend that Council consider a resolution to notify the owner that Council will consider placing a Notice on the Title of the property.

At the time of this report, the Property remains in violation of the City's *Building Bylaw No. 2021-21* and the *British Columbia Building Code*, because of the illegal accessory building on the Property. Due to current enforcement efforts having not brought the Property into compliance with the City's Bylaws, staff are recommending the registration of a Notice on the Title of the Property. In addition, staff would like for Council to consider the following information when contemplating this action:

- The potential safety risks for surrounding properties, such as fire spread, as a result of an oversized accessory building constructed in the required setback without the necessary permits;
- If the City should choose not to enforce, then the potential for legal claims as a result of possible damages to surrounding properties;
- A reputation of not enforcing bylaws to ensure compliance with the City's pertinent regulations;
- The Chronology of Events that details staff's efforts to bring the Property into compliance (Attachment A).

Under the authority of the section 57(1) of the *Community Charter*, it is appropriate for Council to consider a resolution to notify the owner that Council will consider placing a Notice on Title for the failure to complete the building permit BP009864. Due to the many opportunities that staff have provided the owner to complete the building permit BP009864, staff are recommending the Council support staff in notifying the owner of the possible registration of the Notice on the Title of the property.

#### **Attachments**

- Attachment A – Chronology of Events
- Attachment B – Letter dated January 22, 2021

Respectfully submitted,

Ken Kunka, ASCT RBO  
Building and Permitting Manager

Concurrence

Director of Development Services  <i>BL</i>	Chief Administrative Officer  <b>DvD</b>
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**Attachment A – Chronology of Events**

Chronology of Events

718 Chase Avenue

Date of Documentation	Description	Associated Document
January 10, 2022	Staff reposted the Do Not Occupy Notices to the Accessory Dwelling Unit (ADU) and issued a ticket to the owner.	
January 9, 2022	Staff observed that the Do Not Occupy Notices posted to the ADU had been removed.	
December 7, 2021	Staff posted a Do Not Occupy Notice to the ADU and issued a ticket to the owner.	
December 6, 2021	Staff informed the owner that a Do Not Occupy Notice would be posted on December 7, 2021.	
November 29, 2021	Staff reminded the owner that the building permit BP012204 must be completed by December 3, 2021.	
November 3, 2021	Owner claimed that staff would need to seek an injunction to reduce the accessory building.	
November 3, 2021	Staff issued a ticket and sent a letter to the owner that required BP012204 be completed by December 3, 2021.	
November 1, 2021	Notice placed on the Tax Certificate for the property.	
October 23, 2021	BP012204 expired without completion.	
August 23, 2021	Staff granted an extension for BP012204 to October 23, 2021.	
August 6, 2021	Staff granted an extension for BP012204 to August 20, 2021.	
July 21, 2021	Staff issued a fail for a completion inspection for BP012204, as the ADU had been decommissioned and not reduced in size.	
July 7, 2021	Staff agree to provide an extension for BP012204 should the owner call for a completion inspection.	
July 7, 2021	Owner claimed to have decommissioned the ADU, but not reduced the size.	
July 5, 2021	Staff reminded the owner that BP012204 would expire on August 6, 2021 without any inspections.	
May 11, 2021	BP012204 was issued.	
April 20, 2021	Staff provided an extension to April 27, 2021 to complete the building permit application.	
February 12, 2021	Owner submitted a building permit application to decommission the ADU and reduce the size.	
February 9, 2021	Staff rejected an incomplete building permit application from the owner.	
January 22, 2021	Staff sent a letter to the owner regarding the outcome of the Council meeting.	Attachment B
January 19, 2021	Council denied "Development Variance Permit PL2020-8854".	
October 16, 2020	Staff provided the owner with a copy of the Technical Planning Committee (TPC)'s comments.	

Chronology of Events - Continued

October 15, 2020	TPC discussed the Development Variance Permit (DVP) application	
September 14, 2020	Staff received the requested documents for the DVP application.	
August 25, 2020	Staff requested documents to complete the DVP application.	
July 24, 2020	Staff received a partial Development Variance Permit (DVP) application from the owner.	
July 7, 2020	Staff sent a letter to the owner that provided two options for compliance for the ADU.	
June 9, 2020	Staff conducted an inspection of the property and identified an illegal accessory dwelling unit (ADU).	
May 8, 2020	Staff sent a letter to the owner that requested an inspection of the property.	
April 28, 2020	Staff received information that alleged illegal accessory suites existed at the property.	

Attachment B – Letter dated January 22, 2021



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

Ref No: CFS 183050

January 22, 2021



Dear Owner,

**Re: Illegal Carriage House – 718 Chase Avenue – LT 29, DL 2 SDYD, Plan 1049**

Please be advised that this letter is a result of Council's decision on January 19, 2021 to deny "Development Variance Permit PL2020-8854" for your property, 718 Chase Avenue. As the Development Variance Permit was denied, the carriage house must now be decommissioned and brought into compliance, with both the *Zoning Bylaw No. 2017-08* and *Building Bylaw No. 2018-01*, through permit application. Section 7.1 of the *Building Bylaw No. 2018-01* provides the following:



2020 Orthographic Image of the Carriage House at 718 Chase Avenue.

- A person must not commence or continue any construction, alteration, excavation, reconstruction, demolition, removal, relocation or change the use or occupancy of any building or structure, including other work related to construction
  - (a) except in conformity with the requirements of the Building Code and this bylaw; and
  - (b) unless a building official has issued a valid and subsisting permit for the work under this bylaw.

In order to bring the property into compliance, we request that you select one of the following options listed below.

**Carriage House**

In 1961, a building permit was issued to allow a 4.5 m<sup>2</sup> storage shed with an attached 2.23 m<sup>2</sup> lean-to to be constructed at the property. As you are aware, a subsequent building permit was not obtained for the conversion of the accessory building (i.e. the storage shed) into a carriage house. Since it was determined, through the provided site plan, that the carriage house is over 10m<sup>2</sup> in area and is located 0 m. from the side yard setback and 0 m. from the rear yard setback, the structure does not currently comply with the *British Columbia Building Code*, nor the *Zoning Bylaw No. 2017-08*.



**Options to meet City of Penticton Regulations:**

**1) Demolish the Carriage House.**

As a portion of the carriage house predates 1991, a hazard assessment will be required as part of the demolition permit. Should this option be selected, you may construct a new building that meets the regulations of the *Zoning Bylaw No. 2017-08*, after the successful completion of the demolition permit. If you do wish to demolish the carriage house, then please submit a demolition permit application along with the following documentation:

- a) Site plan that has the addition location circled.
- b) Site Profile Waiver.
- c) Application fee.

**2) Decommission the Carriage House and Reduce the Building Footprint of the Resulting Accessory Building.**

Under the *Zoning Bylaw No. 2017-08*, any accessory building with a building footprint of 10 m<sup>2</sup> or less, may be erected anywhere on a lot, provided that it is situated behind the front face of the principal building. If you wish to decommission the carriage house and then reduce the building footprint of the resulting accessory building, please submit an accessory building permit application along with the following documentation:

- a) Site plan, which illustrates a 'bird's-eye view' of the entire property, and also includes the following:
  - i) Site coverage
  - ii) Approximate area of the lot
  - iii) Area of all structures on the property
  - iv) Distances between the accessory building and existing structures
  - v) Distances between the accessory building and the setbacks from the property lines.
- b) Scaled drawings of the floor layout (i.e. construction plans) that illustrate the existing layout, and also include the following:
  - i) Size of foot print.
  - ii) Lumber used and spacing.
- c) One cross-section drawings that includes the following:
  - i) Height of the accessory building
  - ii) Distance from grade to framing (Please consider that any lumber within 6 in. to grade is required to be pressure treated)
  - iii) Foundation design.
- d) Elevation drawings that include window locations.
- e) Confirmation, from a certified tradesperson, of Plumbing and Electrical safety compliance.



*Decommissioning of the carriage house will require the removal of all cooking appliances.*



The Building and Licensing Department would like to work with you through a permit process to obtain compliance, if you wish to either demolish the carriage house, or to decommission the carriage house and reduce the size of the resulting accessory building. Our main goal is to ensure the safety of the occupants as well as the protection of surrounding properties.

Failure to select an option, and submit an application for the corresponding permit, by **February 8, 2021** will result in legal action, which includes fines of up to \$450.00 for every 24 hours that the property remains in non-compliance. Fines will be issued pursuant to either the *Building Bylaw No. 2018-01*, or the *Zoning Bylaw No. 2017-08*. A Do Not Occupy Notice will also be posted to the carriage house, and those found in violation of the notice will be subject to fines. As per section 57 of the *Community Charter*, a Notice on Title may also occur. Please be aware that a Notice on the Tax Certificate has been posted for Bylaw infractions, and will remain until compliance is obtained.

The City of Penticton trusts that you will take corrective measures in response to this letter. You may contact me directly at [REDACTED] Office hours are Monday through Friday from 8:30 AM to 4:30 PM.

We thank you in advance for your cooperation.

ORIGINAL SIGNED [REDACTED]

[REDACTED]  
City of Penticton





# Council Report



**Date:** April 5, 2022 File No: N\city\Address\Moosejaw St\1201  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Ken Kunka, Building and Permitting Manager  
**Address:** 1201 Moosejaw Street

**Subject: 1201 Moosejaw Street: Notice on Title**

## Staff Recommendation

THAT Council, after hearing from the impacted owner, resolve to place a Notice on Title, under section 57 of the *Community Charter*, with respect to contraventions of the City of Penticton *Building Bylaw No. 2021-21* on Lot 1, District Lot 1 Group 7 Similkameen Division Yale District, Plan 10265, located at 1201 Moosejaw Street (the *Property*), stating the following:

“Failure to obtain a building permit, which is a violation of the City of Penticton *Building Bylaw No. 2021-21*. Further information about it may be inspected at the municipal hall.”

## Strategic Priority Objective

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

## Background

On March 15, 2022, staff presented a Council Report that outlined staff’s concerns related to the unpermitted construction to the single-family dwelling at the Property that had been identified during framing inspections for the building permit BP012918. Despite staff having provided extensions to the owner for the submission of revised drawings of the unpermitted construction, the Property had continued to remain in violation of the City’s Bylaws and the *British Columbia Building Code*. Through a resolution passed during the regular Council meeting on March 15, 2022, staff received approval from Council for the owner to be notified that Council would consider passing a resolution to place a Notice on the Title of the Property under section 57 of the *Community Charter*.

*Council Resolution No. 86/2022* reads as follows:

86/2022      **It was MOVED and SECONDED**  
 THAT the owner of 1201 Moosejaw Street (the *Property*) be notified that Council will consider passing a resolution to place a Notice on Title under section 57 of the *Community Charter* with respect to a contravention of the City of Penticton *Building Bylaw No. 2021-21* on Lot 1, District Lot 1 Group 7 Similkameen Division Yale District, Plan 10265, located at 1201 Moosejaw Street, stating the following:

"Failure to obtain a building permit, which is a violation of the City of Penticton *Building Bylaw No. 2021-21*. Further information about it may be inspected at the municipal hall."

AND THAT the owner be notified of the proposed Notice on Title report, and given the opportunity to speak to the matter at the regular Council meeting on April 5, 2022.

**CARRIED UNANIMOUSLY**

Since March 15, 2022, staff have informed the owner that Council will consider a resolution to place a Notice on the Title of the Property. As outlined within the Chronology of Events (Attachment A), the Property has generated significant enforcement history and staff are continuing to recommend escalating enforcement action as outlined in Council's *Building Compliance Policy (Resolution No. 437/2018)* - to ensure compliance and requesting Council place a Notice on the property title via section 57 of the *Community Charter*.

### **Financial implication**

The City's expenditure for registering a Notice on Title is \$74.16 plus staff time.

### **Analysis**

During the course of this enforcement action, staff have followed Council's approved Building Compliance Policy, as well as section 57(1) of the Community Charter, which allows for a building inspector to recommend that Council consider a resolution to notify the owner that Council will consider placing a Notice on the Title of the Property.

At the time of this report, the Property remains in violation of the City's *Building Bylaw No. 2021-21* and the *British Columbia Building Code*, because of the unpermitted interior and exterior alterations to the single-family dwelling on the Property. Due to current enforcement efforts having not brought the Property into compliance with the City's Bylaws, staff are recommending the registration of a Notice on the Title of the Property. In addition, staff would like for Council to consider the following information when contemplating this action:

- The potential safety risks for occupants and users of the single-family dwelling, as a result of construction that is non-compliant with the *British Columbia Building Code*;
- If the City should choose not to enforce, then the potential for legal claims as a result of possible damages to surrounding properties;
- A reputation of not enforcing bylaws to ensure compliance with the City's pertinent regulations;
- The Chronology of Events that details staff's efforts to bring the Property into compliance (Attachment A).

Under the authority of the section 57(1) of the *Community Charter*, it is appropriate for Council to consider a resolution to place a Notice on the Title of the Property for the failure to obtain a building permit for the interior and exterior alterations to the single-family dwelling. Due to the many opportunities that staff have provided the owner to obtain a building permit, staff are continuing to recommend the placement of the Notice. When appropriate remedial works have been completed, then, under section 58 of the Community Charter, the Notice may be requested to be removed from the Title of the Property by the owner

**Attachments**

Attachment A – Chronology of Events

Attachment B – Council Report: 8.6 Request for Notice on Title – 1201 Moosejaw Street

Respectfully submitted,

Ken Kunka, ASCT RBO  
Building and Permitting Manager

Concurrence

Director of Development Services  <i>BL</i>	Chief Administrative Officer  <b>DvD</b>
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## Attachment A – Chronology of Events

### Chronology of Events

1201 Moosejaw Street

Date of Documentation	Description	Associated Document
March 18, 2022	Staff informed the owner that an application meeting for the building permit application could be arranged.	
March 17, 2022	Staff informed the owner that Council would consider placing a Notice on the Title of the property.	
March 15, 2022	Staff received approval from Council to notify the owner that Council would consider placing a Notice on the Title of the Property.	
March 8, 2022	Staff conducted an on-site inspection of the Property with the agent present.	
March 7, 2022	Staff received additional revised drawings from the owner.	
February 25, 2022	Staff received revised drawings from the owner.	
February 24, 2022	Staff informed the owner and agent that building permit BP012918 had been cancelled and that staff would seek a Notice on the Property Title.	
February 21, 2022	Owner requested an extension to complete the revised drawings.	
February 16, 2022	Owner claimed to be able to meet the date for compliance of February 18, 2022	
February 11, 2022	Staff informed the owner and agent that the received drawings were deficient and that revised drawings were required by February 18, 2022	
February 3, 2022	Staff received inadequate revised drawings from the owner.	
February 1, 2022	Staff informed the owner and agent that the revised drawings were required by February 4, 2022.	
January 24, 2021	Staff advised the owner that staff had expected the revised drawings by January 14, 2022.	
January 14, 2021	Owner informed staff of the progress on the revised drawings.	
December 22, 2021	Staff sent an e-mail to the owner and agent regarding the meeting with staff and that revised drawings were required by January 14, 2022.	
December 21, 2021	Staff had a meeting with the owner and agent, and it was agreed that revised drawings would be submitted to staff by January 14, 2022.	
December 16, 2021	Staff informed the owner and agent that a meeting to discuss unpermitted construction was required.	
December 15, 2021	Staff attended to the Property and posted a Stop Work Order to the single-family dwelling.	
December 14, 2021	Staff conducted a second framing inspection and reconfirmed additional unpermitted construction to the single-family dwelling had occurred.	
December 13, 2021	Staff conducted a framing inspection and identified additional unpermitted construction to the single-family dwelling had occurred.	
November 9, 2021	BP012918 was issued for an interior renovation to the single-family dwelling at the property.	

Chronology of Events - Continued

October 19, 2021	The owner's agent submitted a building permit application for the unpermitted construction.	
October 15, 2021	Staff returned to the Property and posted a Stop Work Order to the single-family dwelling.	
October 15, 2021	Staff conducted an inspection of the Property and verified that unpermitted construction was occurring in the single-family dwelling	
October 15, 2021	Staff received information that unpermitted construction was occurring at the Property.	

## Attachment B – Council Report: 8.6 Request for Notice on Title – 1201 Moosejaw Street



# Council Report

penticton.ca

**Date:** March 15, 2022 File No: N:\city\Address\Moosejaw St\1201  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Ken Kunka, Building and Permitting Manager  
**Address:** 1201 Moosejaw Street  
**Subject:** 1201 Moosejaw Street: Request for Notice on Title

### Staff Recommendation

THAT the owner of 1201 Moosejaw Street (the *Property*) be notified that Council will consider passing a resolution to place a Notice on Title under section 57 of the *Community Charter* with respect to contraventions of the City of Penticton *Building Bylaw No. 2021-21* on Lot 1, District Lot 7 Similkameen Division Yale District, Plan 10265, located at 1201 Moosejaw Street, stating the following:

"Failure to obtain a building permit, which is a violation of the City of Penticton *Building Bylaw No. 2021-21*. Further information about it may be inspected at the municipal hall."

AND THAT the owner be notified of the proposed Notice on Title report, and given the opportunity to speak to the matter at the regular Council meeting on April 5, 2022.

### Executive Summary

This report recommends that, pursuant to section 57 of the *Community Charter*, the owner of the Property be notified that Council will consider passing a resolution to have a Notice be registered with the Land Title and Survey Authority against the *Property* for failure to comply with the City of Penticton *Building Bylaw No. 2021-21* and the *British Columbia Building Code*, contraventions which are related to the safety of the building on the property. This report recommends that Council support staff in notifying the owner, and providing the owner with an opportunity to be heard.

### Strategic Priority Objective

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

### Background

On November 8, 2021, staff issued building permit BP012918 for interior renovations to the single-family dwelling at the Property. The permit came about after an investigation by the City of unpermitted construction was occurring at the Property. Throughout framing inspections on December 13, 2021 and December 14, 2021 for BP012918, staff identified additional unpermitted construction to the single-family dwelling that had not been included in the original permit drawings for BP012918. During a meeting with the owner and agent on December 21, 2021, staff directed that revised drawings, which included the additional unpermitted construction, be submitted by January 14, 2022, so that these works could be

included in BP012918. On February 1, 2022, staff first cautioned the owner and agent that staff may commence escalating enforcement action should the revised drawings not be submitted. Because staff did not receive the obligatory revised drawings by February 18, 2022, staff then cancelled the active building permit on February 24, 2022, and required that a new building permit application for the single-family dwelling at the Property be made by the owner or agent.

As outlined within the Chronology of Events (Attachment A), the Property has expended a considerable amount of staff time, and staff are now recommending escalating enforcement action as outlined in Council's *Building Compliance Policy* (Resolution No. 437/2018) - to ensure compliance, and requesting that Council consider that the owner be notified that Council will consider passing a resolution for the placement of a Notice on the Title of the property, via section 57 of the *Community Charter*.

#### *City of Penticton – Building Bylaw No. 2021-21*

As outlined in division 1 of the *Community Charter*, local governments have the authority to regulate construction. In the City of Penticton, the power to regulate construction is exercised through the *Building Bylaw No. 2021-21*, and the failure to obtain a building permit falls under the *Building Bylaw No. 2021-21* as well.

#### **Financial implication**

The City's expenditure will be further staff time to notify the owner, and to prepare the resolution.

#### **Analysis**

During the course of this enforcement action, staff have followed Council's approved *Building Compliance Policy*, as well as section 57(1) of the *Community Charter*, which allows for a building inspector to recommend that Council consider a resolution to notify the owner that Council will consider placing a Notice on the Title of the property.

At the time of this report, the Property remains in violation of the City's *Building Bylaw No. 2021-21* and the *British Columbia Building Code*, because of the unpermitted interior and exterior alterations to the single-family dwelling on the Property. Due to current enforcement efforts having not brought the Property into compliance with the City's Bylaws, staff are recommending the registration of a Notice on the Title of the Property. In addition, staff would like for Council to consider the following information when contemplating this action:

- The potential safety risks for occupants and users of the single-family dwelling, as a result of construction that is non-compliant with the *British Columbia Building Code*;
- If the City should choose not to enforce, then the potential for legal claims as a result of possible damages to surrounding properties;
- A reputation of not enforcing bylaws to ensure compliance with the City's pertinent regulations;
- The Chronology of Events that details staff's efforts to bring the Property into compliance (Attachment A).

Under the authority of the section 57(1) of the *Community Charter*, it is appropriate for Council to consider a resolution to notify the owner that Council will consider placing a Notice on Title for the failure to obtain a building permit. Due to the many opportunities that staff have provided the owner to obtain a building permit, staff are recommending the Council support staff in notifying the owner of the possible registration of the Notice on the Title of the property.

**Attachments**

Attachment A – Chronology of Events

Attachment B – December 13, 2021 Inspection Photographs

Attachment C – December 14, 2021 Inspection Photographs

Respectfully submitted,

Ken Kunka, ASCT RBO  
Building and Permitting Manager

Concurrence

Director of Development Services  <i>BL</i>	Chief Administrative Officer  <b>DyD</b>
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**Attachment A – Chronology of Events**  
Chronology of Events

1201 Moosejaw Street

Date of Documentation	Description	Associated Document
February 24, 2022	Staff informed the owner and agent that building permit BP012918 had been cancelled and that staff would seek a Notice on the Property Title.	
February 21, 2022	Owner requested an extension to complete the revised drawings.	
February 16, 2022	Owner claimed to be able to meet the date for compliance of February 18, 2022.	
February 11, 2022	Staff informed the owner and agent that the received drawings were deficient and that revised drawings were required by February 18, 2022.	
February 3, 2022	Staff received inadequate revised drawings from the owner.	
February 1, 2022	Staff informed the owner and agent that the revised drawings were required by February 4, 2022.	
January 24, 2021	Staff advised the owner that staff had expected the revised drawings by January 14, 2022.	
January 14, 2021	Owner informed staff of the progress on the revised drawings.	
December 22, 2021	Staff sent an e-mail to the owner and agent regarding the meeting with staff and that revised drawings were required by January 14, 2022.	
December 21, 2021	Staff had a meeting with the owner and agent, and it was agreed that revised drawings would be submitted to staff by January 14, 2022.	
December 16, 2021	Staff informed the owner and agent that a meeting to discuss unpermitted construction was required.	
December 15, 2021	Staff attended to the Property and posted a Stop Work Order to the single-family dwelling.	
December 14, 2021	Staff conducted a second framing inspection and reconfirmed additional unpermitted construction to the single-family dwelling had occurred.	Attachment C
December 13, 2021	Staff conducted a framing inspection and identified additional unpermitted construction to the single-family dwelling had occurred.	Attachment B
November 9, 2021	BP0012918 was issued for an interior renovation to the single-family dwelling at the property.	
October 19, 2021	The owner's agent submitted a building permit application for the unpermitted construction.	
October 15, 2021	Staff returned to the Property and posted a Stop Work Order to the single-family dwelling.	
October 15, 2021	Staff conducted an inspection of the Property and verified that unpermitted construction was occurring in the single-family dwelling.	
October 15, 2021	Staff received information that unpermitted construction was occurring at the Property.	

**Attachment B – December 13, 2021 Inspection Photographs**



*A photograph of the exterior of the bathroom group that was added without a review and in a section of the single-family dwelling that may not have a foundation.*



*A photograph of the low slope roof section that had metal roofing, which is not permitted by the British Columbia Building Code.*



*A close-up photograph of the low slope roof of the bathroom group that is unvented, but is required to have vents by the British Columbia Building Code.*



*A photograph of an unpermitted addition of a covered entry on the north side of the single-family dwelling at the Property. The noted deficiencies for the covered entry include the 4-inch by 4-inch posts and a ledger that has been improperly attached to the exterior wall through the new siding.*

**Attachment C – December 14, 2021 Inspection Photographs**



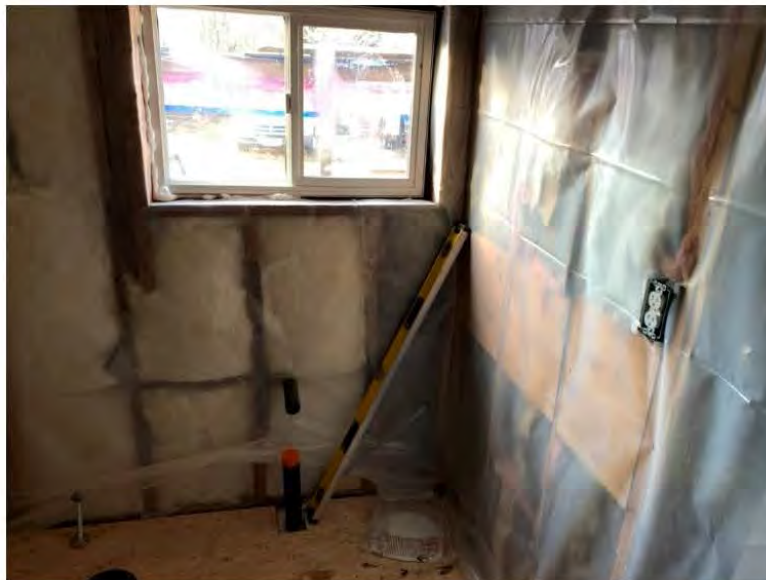
*A photograph of the interior of an eastern front window of the single-family dwelling that required a king stud to be installed against a cripple stud.*



*A photograph of the attic space of the single-family dwelling that appeared to be being finished for living space.*



*A photograph of the interior of the bathroom group that was not included in the drawings that were submitted for the building permit BPO12918. One of non-compliant issues with this room is that the exterior walls are not constructed of full studs which results in a 'hinged wall'.*



*A second photograph of the interior of the bathroom group that contains a window that lacks a required lintel.*



*A third photograph of the interior of the bathroom group that shows the insulation of the exterior walls and in the ceiling of the low sloped roof. The insulation of the room was required meet the values given in the British Columbia Building Code and to be noted on the revised drawings.*

# Council Report

penticton.ca

**Date:** April 5, 2022 File No: 1610  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Anthony Haddad, General Manager of Community Services  
JoAnne Kleb, Public Engagement Program Manager  
**Subject:** **Asset and Amenity Management Project engagement update  
and next steps to advance the Public Safety and Protective Services Centre**

## Staff Recommendation

THAT Council, based on the results of the Asset and Amenity Management Project and the Civic Places & Spaces Engagement Program, direct staff to conduct further analysis of each of the four key recommendations and prepare proposals to provide site alternatives, needs analysis, financial impacts, facility concepts and funding options for further consultation with the committees, user groups and the community prior to a decision by Council;

AND THAT Council direct staff to complete the proposals in order of priority and in alignment with the timeline provided by the Asset and Amenity Management Project beginning with *Recommendation #1 Public Safety and Protective Services Centre*;

AND THAT Council direct staff to develop a work plan that describes the scope, schedule, budget, resourcing, and community engagement required to prepare the proposal for the Public Safety and Protective Services Centre for review by Council prior to proceeding.

## Executive Summary

Since providing an update to Council on the early results of the engagement program for the Asset and Amenity Management Project in December 2021, staff have met with affected committees and interested user groups to confirm the findings and review the path forward. Through this process, staff have learned that while there is interest in each of the four recommendations, there are also many questions that need answers before stakeholders, user groups and members of the community can confidently lend their support. Participants had questions about the need for some of the facilities as well as possible locations, financial impacts and building design. Based on these findings, staff are recommending that proposals be prepared for each recommendation to provide the information required for further consultation with the community prior to a decision by Council. Given the resources required to complete the proposals, staff are also recommending that the proposals be prepared in order of priority based on the timing and condition of

the affected facilities. As a next step, staff are seeking direction to prepare a work plan to complete the first proposal for the Public Safety and Protective Services Centre for Council to review prior to proceeding.

### **Strategic priority objective**

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

### **Background**

Planning for the future of our assets and amenities was identified as a priority by Council for this term. To this end, the City initiated the Asset and Amenity Management Project in 2019 and hired Colliers Project Leaders to complete the work. The project began by screening all of the City's assets and amenities to identify those that are near end-of-life, are single use or underused facilities, need critical capital improvements, and require significant investment. This generated a shortlist of assets for further analysis including Fire Hall #1 and #2, City Hall, Memorial and McLaren Arenas, Library / Museum, the Penticton Art Gallery, Leir House, Cleland Theatre and the Indoor Soccer Complex. Based on an analysis of the costs, condition and functionality of these facilities, along with discussions with several user groups, the following four key recommendations were identified to ensure the services supported by these facilities are continued or enhanced in the future:

*Recommendation #1 Public Safety and Protective Services Centre* - Develop a new Public Safety and Emergency Services Centre downtown to replace Fire Hall #1 and house the Penticton Fire Department, Bylaw Services, Community Policing and the City's Emergency Operations Centre. Upgrade Fire Hall #2 at its current location.

*Recommendation #2 Twin Arenas* - Consolidate the City's ice surfaces on the SOEC site with the construction of a new twin arena and the demolition of McLaren and Memorial Arenas. Conversion of Memorial site to parking and disposition of the McLaren site for redevelopment to fund the new arenas.

*Recommendation #3 Arts and Culture Centre* - Create a new Arts & Culture Centre in the downtown to house the library, museum, art gallery and other arts groups. Disposition of the library / museum and art gallery sites to fund the new Culture Centre. Lease Leir House at commercial rates.

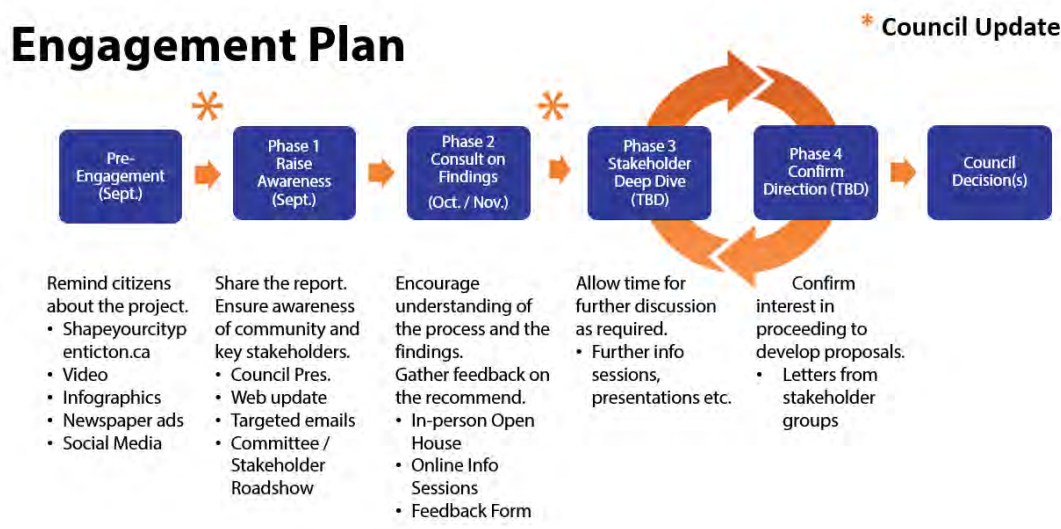
*Recommendation #4 City Hall* - Retain City Hall as a downtown civic and employment hub, modernize as planned and upgrade as required.

The recommendations provide direction for aging facilities valued at over \$300 million and in critical need of a long-term plan. If the City implements the recommendations as described, the community would enjoy new facilities with modern functionality that are cheaper to maintain, have a longer service life, reduce our environmental footprint and at a price tag that is \$20 million less than simply repairing the existing amenities.

Council received the findings of the project at their meeting on Sept. 21, 2021 and directed staff to proceed to consult the community prior to making a decision on advancing the recommendations.

### **Engagement Process**

Following the decision by Council, staff conducted an engagement program to raise awareness of the findings of the review and gather feedback on the recommendations from affected user groups, stakeholders and members of the community. The following chart describes the plan for engagement and the key activities undertaken.



### Who we consulted with

The following is the list of committees, stakeholders and interest groups who were invited to participate in the engagement process along with the community-at-large.

#### Recommendation #1: Public Safety and Protective Services Centre

- Development Services
- Penticton Fire Department
- Safety and Security Advisory Committee

#### Recommendation #2: Twin Arenas

- Spectra SOEC Advisory Group
- Glengarry Figure Skating Club
- South Okanagan Women's Hockey
- Penticton Minor Hockey Association
- Saturday Night Old Timers Hockey / Men's Hockey
- Upper Deck Vees
- Okanagan Hockey Group
- Parks and Recreation Advisory Committee

#### Recommendation #3: Arts and Culture Centre

- Penticton Art Gallery Board
- Penticton Public Library Board
- Penticton & District Community Arts Council
- Leir House (Potters Guild, Artists in Residence, and PAMDA)
- Heritage and Museum Advisory Committee
- Arts, Creative and Cultural Innovations Advisory Committee
- Parks and Recreation Advisory Committee

#### Recommendation #4: City Hall Upgrades

- City Staff
- Regional District of Okanagan Similkameen

#### General Interest

- Downtown Penticton Association
- Community Sustainability Advisory Committee
- Travel Penticton
- Rotary
- Economic Prosperity and Development Services Advisory Committee

### What we heard

Staff hosted 29 events to bring user groups, City committees, community groups and interested citizens up to date on this work, answer their questions and gather their feedback. Through these activities, staff shared information and had conversations with close to 400 citizens and received feedback from another 400 participants. An update on these activities and the findings were shared with Council during the Committee of the Whole on December 7, 2021 and can be found in Attachment A. Since this update, staff completed the engagement program, holding further discussions with the arts and culture community and hockey user

groups and reviewing the engagement findings with the committees in preparation for returning to Council for a recommendation. Detailed notes from the roadshow, Committee meetings and information sessions as well as the complete results of the Feedback Form can be found at [shapeyourcitypenticton.ca/civic-places-and-spaces](http://shapeyourcitypenticton.ca/civic-places-and-spaces). Key findings from these activities are provided below.

*Recommendation #1: Public Safety and Protective Services Centre*

The recommendation for the combined Public Safety and Protective Services Centre received the most support. Participants want to ensure the City has functional facilities to support public safety in a strategic location. They had very few concerns about this recommendation although site selection is an important consideration. City departments that will occupy the building including the Penticton Fire Department and Bylaw Services were also supportive of the concept of the combined centre.

**Recommendation #1: Public Safety and Protective Services**



■ No, not under any circumstances. ■ Maybe, I need more time. ■ Yes, with conditions. ■ Yes, would like to see a proposal.

Likes	Concerns
<ul style="list-style-type: none"> <li>Combining services is a great idea</li> <li>Keeping location the same</li> <li>Forward thinking</li> <li>Use of City land</li> <li>Long overdue and needed</li> <li>Support modern equipment</li> </ul>	<ul style="list-style-type: none"> <li>Costs and tax increase</li> <li>Why not build combined centre at Fire Hall #2 location where we have land?</li> <li>Build a 3<sup>rd</sup> on Naramata Rd.</li> <li>Build it to last</li> <li>Could we expand to retrofit RCMP building?</li> <li>Fear will be over budget</li> </ul>

*Recommendation #2: Twin Arenas*

The recommendation for the Twin Arenas was also well supported by most of the participants. First introduced as part of the Arena Task Force initiative in 2016, the proposal to demolish Memorial and now McLaren continues to be polarizing for some members of the community although consultation efforts showed there is more acceptance than in prior years. Discussion about the future of Penticton’s arenas also continues to surface questions about whether or not the City needs four arenas, if the City is subsidizing businesses with the provision of arenas, and if the arenas can be accommodated at the SOEC. A decision about the Twin Arena recommendation will also need to align with the North Gateway Redevelopment and Investment Strategy now under development.

As part of the consultation activities, staff met with user groups to understand their interest in this recommendation. Following these meetings, staff received letters from several of the user groups including the Penticton Minor Hockey Association, Glengarry Figure Skating Club, Okanagan Hockey Group and the Knight Drop-in Men’s Hockey. Most groups expressed interest in collaborating on a proposal to formally explore the concept and also noted their concerns such as preservation of affordability and ice time. Some also identified the need to retain the ‘community’ element of any larger facilities, which would involve specific space allocations for user groups that they can call ‘home’ for their operational needs. Copies of these letters are provided in Attachment B.

### Recommendation #2: Twin Arenas



No, not under any circumstances.  Maybe, I need more time.  Yes, with conditions.  Yes, would like to see a proposal.

Likes	Concerns
<ul style="list-style-type: none"> <li>Expensive to keep the old ones running</li> <li>Gains in operational efficiencies</li> <li>Not wasting money on old arenas</li> <li>Need new and regulation size arenas</li> <li>Adding parking</li> <li>Sad but understand</li> <li>When can you start? Sooner the better</li> <li>Build before demolish</li> <li>Do what is best for City finances</li> </ul>	<ul style="list-style-type: none"> <li>Too many arenas</li> <li>Don't sell public land</li> <li>What about dry floor uses?</li> <li>Not enough parking</li> <li>Need to protect community group use</li> <li>Preserve Memorial somehow</li> <li>Mixed development (parkade and residences)</li> <li>Need funding analysis</li> <li>Impact to taxes and jobs</li> <li>Too congested</li> </ul>

### Recommendation #3: Arts & Culture Centre

The recommendation for the combined Arts & Culture Centre was also supported by most participants. While participants who are familiar with the facilities recognize the need for new, modern space, they had many questions and concerns about the recommendation such as the feasibility of consolidating these uses in a central location, the adequacy of a potential site to accommodate the range of uses, the ability to properly serve the needs of each group and a desire to retain ownership of the existing lands.

Through the consultation activities, staff also met with the user groups to confirm interest in this recommendation. Discussions with the affected groups indicated enthusiasm or at least a willingness to explore the opportunity more formally. Staff received letters from the Art Gallery Board, Penticton Public Library Board and the Penticton & District Community Arts Council. Copies of these letters are available in Appendix C. Tenants of the Leir House (Potter's Guild, Artists-in-Residence, and Penticton Academy for Music and the Dramatic Arts) expressed interest in having more time to consider their support. Council's Heritage and Museum Advisory Committee and Arts, Creative and Cultural Innovations Committee also received presentations on the recommendation. Staff are planning to meet with the Committees again to understand their support for advancing this recommendation prior to seeking direction from Council to proceed to prepare a proposal for further consultation.

### Recommendation #3: Arts & Culture Centre



No, not under any circumstances.  Maybe, I need more time.  Yes, with conditions.  Yes, would like to see a proposal.

Likes	Concerns
<ul style="list-style-type: none"> <li>Leir House preserved</li> <li>Replaces desperately aging facilities</li> <li>Centralization, expansion and modernization</li> <li>Conceptually makes sense</li> <li>Consolidating will increase exposure</li> <li>High time we had modern facilities</li> </ul>	<ul style="list-style-type: none"> <li>Prefer to see them distributed across the City</li> <li>Artists can't afford commercial rates</li> <li>Would like to see Leir House use stay</li> <li>Library location is perfect</li> <li>Retain art gallery land and library / museum</li> <li>What about Japanese Gardens?</li> <li>Do we have an adequate location</li> <li>Artists need grounds</li> <li>Need adequate parking</li> </ul>

*Recommendation #4: City Hall Upgrade*

Similar to the other recommendations, the City Hall Upgrade was largely supported. Participants liked the idea of keeping the facility downtown, understand the need for the upgrade and are pleased there is not a proposal to build a new building. Some asked about the ability to expand, costs, the opportunity to share space with the RDOS and seeing a concept before confirming their support.

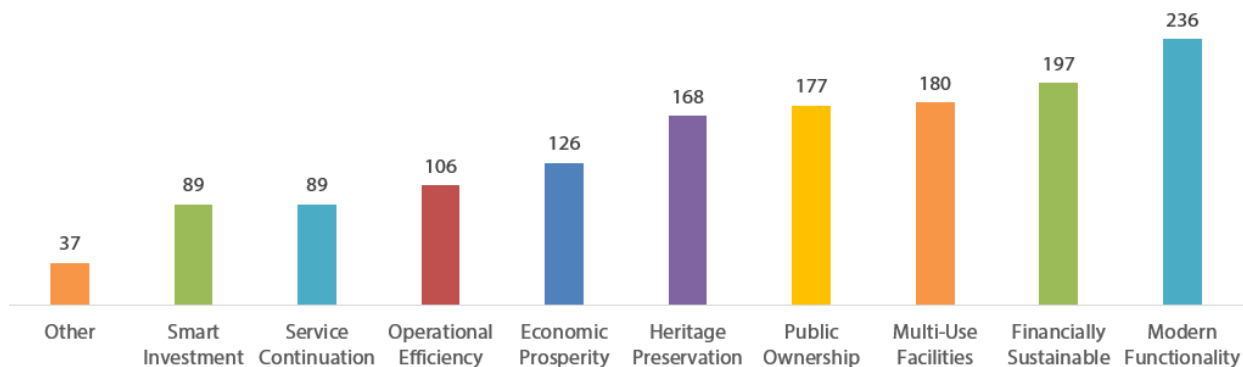
**Recommendation #4: City Hall Upgrades**



*Modern Functionality and Financial Sustainability most important criteria*

In addition to seeking feedback about the specific recommendations, staff also invited citizens to identify what is most important to them when making decisions about the future of these facilities recognizing that implementing the recommendations from the review may require difficult decisions by Council. Citizens were asked to choose from 4 of 9 proposed criteria or suggest their own criteria for making the decisions. Through this activity, staff learned that Modern Functionality and Financially Sustainable decisions are the two most important criteria for participants. This was followed by ensuring decisions about facilities support multiple uses, retain public ownership and preserve heritage. Those that selected “Other” offered location as a criteria, wanting to see sufficient parking and floor space for the services, as well as support for youth and capacity for expansion. It was also identified that a criteria for environmental sustainability was not offered as an option online and was proposed by several participants.

**Most important when making decisions about the future of these and other City facilities (choose four)**



### *Asset and Amenity Management Project Next Steps*

Through the engagement process, staff learned that the findings of the Asset and Amenity Management Project regarding the condition of the buildings was not really a question for participants and that there is optimism about the recommendations that were put forward. Staff also learned that before people can determine their support for the recommendations, there are many questions that can only be answered through further analysis and there is strong support from participants to see more detailed proposals for each of the recommendations. As a result, staff are recommending that the City proceed to collaborate with affected user groups to prepare proposals for each of the recommendations for further consultation with the community prior to a decision by Council. The proposals would include a needs analysis, space programming plan, recommended location(s), site planning, architectural drawings, high level cost estimates and funding options. The proposals would allow for meaningful engagement of the community and provide Council with the information needed for a decision.

As a next step, staff are also recommending that the City proceed to prepare the proposals in order of priority beginning with the Public Safety and Protective Services Centre that was recommended for completion within three years by the Asset and Amenity Management Project. This recommendation recognizes the pressing need to address the condition and functionality of Fire Hall #1 and the requirement for space to accommodate the expanding Bylaw Services and other public safety initiatives approved in the 2022-2026 Financial Plan.

Finally, it is also recommended that staff prepare a detailed plan for Council's approval prior to initiating work on the proposals beginning with the Public Safety and Protective Services Centre recommendation. The work plan would describe the scope, schedule, budget, resourcing, and community engagement needed to prepare the proposal.

This approach was endorsed by Council's Safety and Security Advisory Committee at their Special Meeting on November 26, 2021.

**It was MOVED and SECONDED**

THAT the Safety and Security Advisory Committee recommend that Council support the Asset and Amenity Management Project recommendation to develop a Public Safety and Protective Services Centre to replace Fire Hall #1;

AND THAT the Safety and Security Advisory Committee recommend that Council direct staff to take the next step to prepare a proposal for the centre for further consultation with the Committee and affected members of the community prior to a decision by Council.

**CARRIED UNANIMOUSLY**

### *Future Considerations*

Should Council choose to proceed as recommended, staff have identified a number of items to consider in the development of each of the proposals in addition to those identified in the feedback forms.

### *Penticton Indian Band*

Involvement of the Penticton Indian Band was identified as a priority at the start of the engagement process. The City introduced the recommendations in the Civic Places & Spaces project to the Penticton Indian Band

by email to staff, through a submission to the nationsconnect.ca platform, and an introduction to the PIB Major Projects Committee at their meeting on January 27, 2022. Through these activities, staff learned that the potential to encounter archeology is high at the sites included in the recommendations and that there is interest in further discussion about the recommendations before there is a decision to proceed.

### *Heritage Interests*

Heritage was an important topic throughout the engagement process with a strong emphasis on Indigenous heritage. The topic of building heritage did surface in some of the engagement activities specifically in discussions about the recommendation for the twin arenas and the arts and culture centre. In regards to the arenas, some participants expressed concern about losing the history attached to Memorial Area should it be demolished and would like to see how it could be preserved in a new facility through the new facility design, ensuring existing historical memorabilia is retained and included in a new building. In regards to the arts and culture centre, participants were pleased to hear that the Leir House would remain but expressed concern about losing the library building. As part of the discussion about the arts and culture centre, it was also suggested that should the City could look to partner with PIB on potential opportunities for the site and existing facilities, as an option to consider as the process moves forward. There is interest in properly exploring the heritage impacts and protection opportunities through the preparation of the proposals for the twin arenas and the arts and culture centre should those recommendations advance.

### *Arts and Culture Involvement*

The recommendation for the arts and culture centre generated the greatest amount of interest and questions through the engagement process. Staff met with members of the arts and culture community on several occasions and learned that most are excited about modern amenities but are not convinced a central facility is in the best interest of the arts in Penticton and fear the loss of accessibility and green space, and potential financial and programming impacts that may come with a move downtown. Given the number of amenities and user groups affected as well as concerns surfaced, there is interest in a very high level of collaboration with the user groups and arts and culture community in the development of a proposal for this centre should the City advance this recommendation.

### *Parks and Recreation*

The findings and recommendations from the project affect a number of facilities and services that currently support recreation in the community and are located on public or park lands. The Parks and Recreation Master Plan provides guidance for the future of the City's parks and recreation amenities and services including those affected by the recommendations. In some cases, the recommendations align with the direction of the Parks and Recreation Master Plan such as the provision of the arenas, and in other cases, they are not aligned such as the disposition of lands that could be retained for park. However, the discussion of parks within the context of the arena priority will also form part of the work underway with the North Gateway planning study. There is interest in a more thorough review of the alignment of the recommendation with the Parks and Recreation Master Plan should the City advance the recommendations for the twin arenas and arts and culture centre specifically.

### *Environment and Climate Change*

Discussions with the Community Climate Action Committee indicated they would have liked to have seen a greater consideration of environmental interests and alignment to the Community Climate Action Plan and would like to see the guidance of this plan reflected in the proposals should the City advance the recommendations.

### *Housing and Shared Facilities*

Throughout the engagement program, participants suggested the City explore opportunities to provide housing and address other City needs such as those identified in the Age-Friendly Action Plan and the Childcare Action Plan as part of the proposed developments should the recommendations advance.

### **Operational Leadership for AAMP**

Now that the first phase of engagement and direction has been provided by the community and should Council support moving these initiatives forward, the City's Facilities department, within the Community Services division will be taking the active lead on advancing these projects, working closely with the Community Engagement team and other City departments. Within the Facilities team through 2022 and 2023, leadership transitions will be taking place through pending retirements.

A new structure to support not only the existing operational needs of the organization, but the long term major capital project priorities is in the process of being put in place. It will be critical to ensure that the role and responsibilities of the Facilities team are set up so that the upcoming major projects succeed and are lead with the right skillsets and experience to implement these major community priorities.

### **Financial Implication**

The Financial Implication of the preparation of the proposals will be determined through the creation of the work plan for review by Council at a future meeting.

### **Analysis**

Staff consulted with over 20 different stakeholder and community groups, had conversations with nearly 400 citizens and received feedback from about 400 interested citizens through the engagement process. These efforts showed preliminary support for the recommendations but a need for more information that can only be provided through further analysis. The implementation of the recommendations is a long-term process spanning the next 10-15 years and as projects move forward, Council and the community will be involved during each step of the process. As we consider long-term infrastructure investment to support community growth and development out toward the next 50-70 years, these decisions must involve the community through long-term planning processes.

Based on the feedback received, staff are recommending that the City take the next step to prepare proposals for each of the recommendations, providing the analysis required to support further engagement with the community prior to a decision by Council. The proposals would be completed in order of priority beginning with the recommendation for the Public Safety & Protective Services Centre and staff will bring forward further details on that process over the coming months.

### **Attachments**

Attachment A – Civic Places & Spaces Engagement Summary

Attachment B - User Group Letters (Twin Arena Recommendations)

Attachment C – User Group Letters (Arts & Culture Recommendations)

Respectfully submitted,



JoAnne Kleb  
Public Engagement Program Manager



Anthony Haddad  
General Manager, Community Services

Concurrence

Director of Finance and Administration  <i>AMC</i>	General Manager of Community Services  <i>AH</i>	Chief Administrative Officer  <b>DvD</b>
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# Civic Places and Spaces Engagement Update

Committee of the Whole

Dec. 7, 2021

Anthony Haddad, General Manager Community Services

JoAnne Kleb, Public Engagement Program Manager



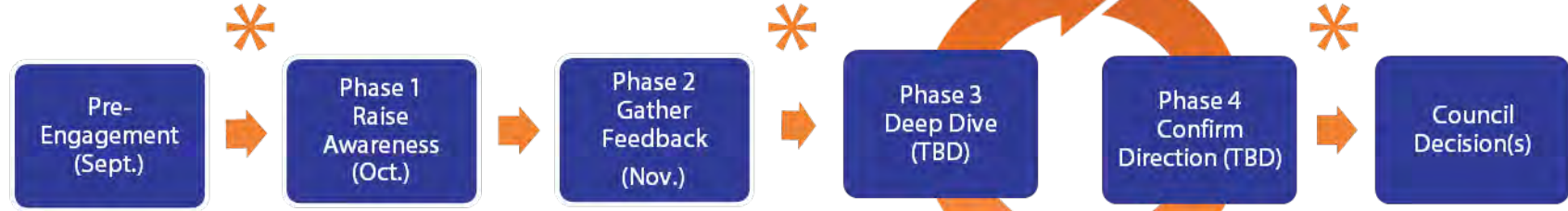
# Engagement Update

- Council directed staff to consult the community about the findings of the Asset and Amenity Management Report at their meeting on Sept. 21
- The following document summarizes the activities completed to date and the findings as the City considers next steps for the recommendations of the Asset and Amenity Management Project



# Engagement Plan

\* Council Report



Remind citizens about the project.

- Shapeyourcitypenticton.ca
- Video
- Infographics
- Newspaper ads
- Social Media

Share the report. Ensure awareness of community and key stakeholders.

- Council Pres.
- Web update
- Targeted emails
- Committee / Stakeholder Roadshow

Encourage understanding of the process and the findings.

- Gather feedback on the recommend.
- Feedback Form
  - User Group Letters

Confirm and conduct deep dive on assets as required.

- Further info sessions, presentations etc.

Confirm direction on assets and recommend. and proceed to Council for decisions as direction confirmed.



# Phase 1 – Raise Awareness

- 18 meetings with Committees and user groups
- 3 open houses and 3 online information sessions for the general community
- Approximately 400 interactions at events
- Initiated involvement of Penticton Indian Band
- Summary provided on following slides
- Notes from all meetings available at [shapeyourcitypenticton.ca/civic-places-and-spaces](http://shapeyourcitypenticton.ca/civic-places-and-spaces)

# Committees and User Groups

The City hosted presentations and discussions with the following Committees, user groups and other interested stakeholders.

## **Recommendation #1: Public Safety and Protective Services Centre**

- Development Services
- Penticton Fire Department
- Safety and Security Advisory Committee

## **Recommendation #2: Twin Arenas**

- Spectra SOEC Advisory Group
- Glengarry Figure Skating Club
- South Okanagan Women's Hockey
- Penticton Minor Hockey Association
- Saturday Night Old Timers Hockey / Men's Hockey
- Upper Deck Vees
- Okanagan Hockey Group
- Parks and Recreation Advisory Committee

## **Recommendation #3: Arts and Culture Centre**

- Penticton Art Gallery Board
- Penticton Public Library Board
- Penticton & District Community Arts Council
- Leir House (Potters Guild, Artists in Residence, and PAMDA)
- Heritage and Museum Advisory Committee
- Arts, Creative and Cultural Innovations Advisory Committee
- Parks and Recreation Advisory Committee

## **Recommendation #4: City Hall Upgrades**

- City Staff
- Regional District of Okanagan Similkameen

## **General Interest**

- Downtown Penticton Association
- Community Sustainability Advisory Committee
- Travel Penticton
- Rotary
- Economic Prosperity and Development Services Advisory Committee

# Recommendation #1 - Public Safety and Protective Services

## Committee / User Group Themes

- Supportive of new centre
- Want to ensure all potential user groups considered and consulted (i.e. ESS, PENSAR, and BC Ambulance)

## Public Themes

- No concerns with plans for Public Safety and Protective Services Centre
- Some questions about location and concerns about impacts for area residents



# Recommendation #2 – Twin Arenas

-68-

Committee / User Group Themes	Public Themes
<ul style="list-style-type: none"><li>• Current arenas meet needs of some groups but not others</li><li>• Understand that buildings are aging and in need of repair and multi-function is important</li><li>• Want to ensure that ice time allocation and affordability preserved in new facilities</li><li>• Parks and Recreation Advisory Committee received presentation and expressed interest in retaining McLaren, Art Gallery, and Library sites for parkland, further discussion recommended</li></ul>	<ul style="list-style-type: none"><li>• Concerned new arenas will be “tin cans”, don’t want to lose community feel, worry community will get lost in the shuffle</li><li>• Not convinced there is room at SOEC nor that the City needs two arenas, need to know location and plan</li><li>• Some resigned that Memorial needs to be demolished</li><li>• Questioned whether City was subsidizing private business</li><li>• Some do not want to see McLaren lands disposed</li><li>• See advantage of new facilities and acknowledged poor condition of Memorial and McLaren</li><li>• Would like to see supports for dry floor uses (i.e. tennis)</li></ul>



# Recommendation #3 – Arts & Culture Centre<sup>69-</sup>

## Committee / User Group Themes

- Recognized facility is aging and limits programming
- “Cautiously Optimistic” that new, purpose-built facility could provide great opportunities for growth and modern services
- Concerned about downtown location creating barriers to access due to issues with parking and transportation
- Concerned about feasibility of combining uses in single building and providing adequate space to meet various group needs
- Concerned about affordability, desire to stay focused on programs
- Inquired about possible locations and expressed interest in keeping Library/Museum location
- Asked for more time to consider proposal and discuss with the arts community
- Parks and Recreation Advisory Committee received presentation and expressed interest in retaining McLaren, Art Gallery, and Library sites for parkland, further discussion recommended

## Public Themes

- Mixed response to the idea of consolidated arts and culture centre, some have worked and others have failed
- Some believe it is better for the arts and culture community to have multiple facilities
- Some believe a central Arts & Culture Centre will be a new City landmark, elevating the profile in the community
- Mixed response to downtown location and impact to parking, need to know location and plan
- Some believe greater value placed on sports, and specifically hockey over the contributions of the arts
- Expressed need for it to be done well
- Concerned about loss of Art Gallery site and Library / Museum locations
- Indicated that the arts are also an economic driver



# Recommendation #4 – City Hall Upgrades

## Committee / User Group Themes

- Supportive of recommendation for City Hall
- Identified opportunity to address needs of multiple plans through this work (i.e. Age-Friendly, Childcare Action Plan, Community Climate Action Plan)
- Met with the Regional District of Okanagan Similkameen to begin conversation of regional cost sharing and to update on opportunities for shared spaces

## Public Themes

- Minimal concern expressed about plans for City Hall
- Desire for more detail and understand of funding impacts
- Pleased to see City Hall remain downtown and not a new construction



# Penticton Indian Band

-71-

- Initiated conversation with Penticton Indian Band on Civic Places and Spaces as well as North Gateway
- Submitted requests for consultation through [nationsconnect.ca](http://nationsconnect.ca)
- Appreciated early notice as most meaningful and effective
- Indicated potential to encounter archeology is high throughout
- Moving forward from a cultural heritage standpoint is an important next step and will be challenging
- Opportunities to ensure that syilx interests, title and rights and art and culture are incorporated in the planning process as well as cross-cultural learning opportunities and other collaborations



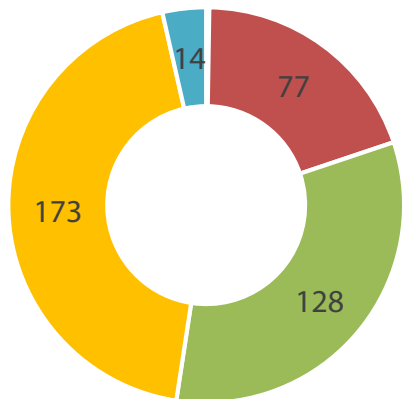
## Phase 2 – Gather Feedback

- Online and print feedback form generated 398 responses
- Summary of results provided on following slides, complete results available at [shapeyourcitypenticton.ca/civic-places-and-spaces](http://shapeyourcitypenticton.ca/civic-places-and-spaces)
- User Groups provided several letters
  - Arenas (Glengarry, PMHA, OHG and Men's Hockey)
  - Arts & Culture (Arts Council, Library)

# Feedback Form



## What age group do you belong to?



■ 0 to 19   
 ■ 20 to 39   
 ■ 40 to 59  
■ 60 to 79   
 ■ 80+

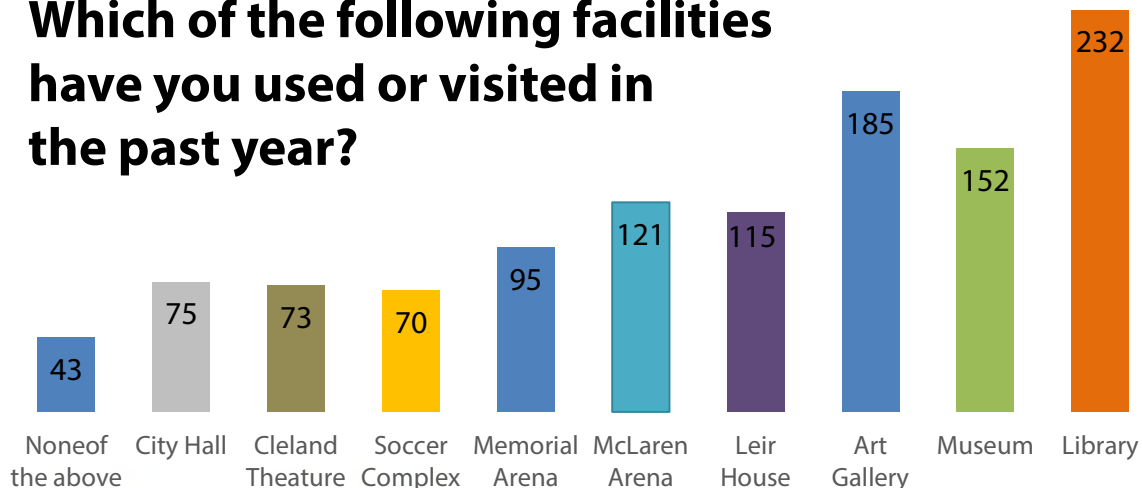
## Do you live in Penticton?



-74-  
Responses

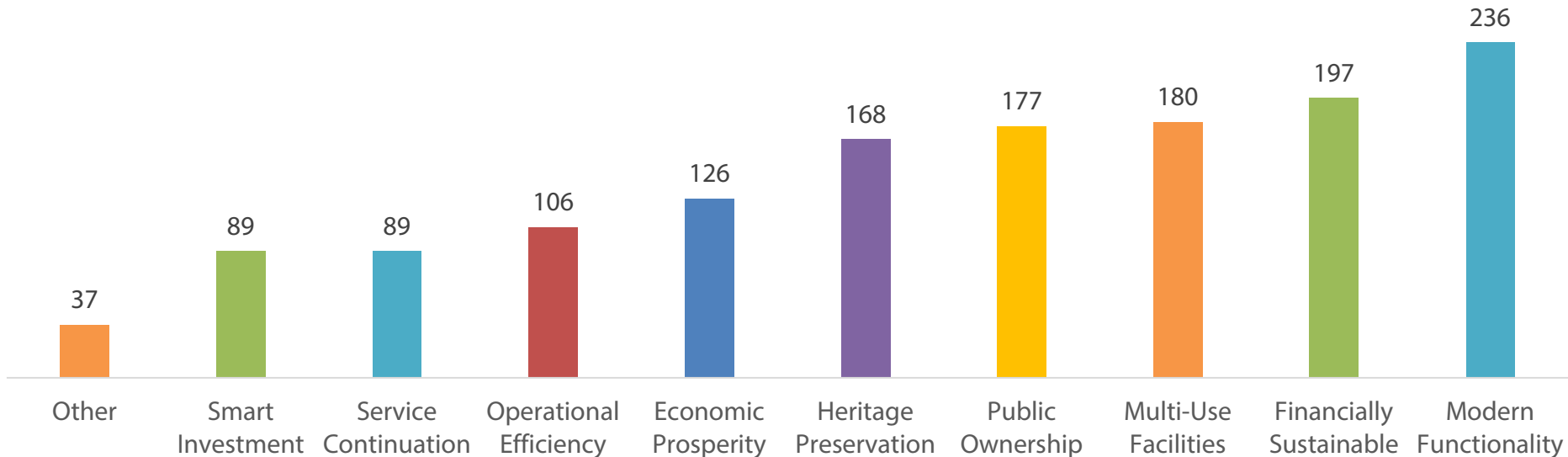
# 398

## Which of the following facilities have you used or visited in the past year?



# Most important when making decisions about the future of these and other City facilities (choose four)

-75-



# Most important when making decisions about the future of these and other City facilities. (Top four by Age Group.)

	Smart Invest.	Service Contin.	Operat. Efficiency	Economic Prosperity	Heritage Preserv.	Public Ownership	Multi-Use Facilities	Financially Sustain.	Modern Function.
20 to 39 (66)				40%			47%	44%	73%
40 to 59 (116)					44%	43%	45%		63%
60 to 79 (152)					48%	53%		57%	52%
80+ (14)						57%	57%	64%	50%



**Do you support the City taking the next step to work with affected groups and develop a concept for further consultation with the community prior to a decision by Council?**

# Recommendation #1: Public Safety and Protective Services

-78-



■ No, not under any circumstances. ■ Maybe, I need more time. ■ Yes, with conditions. ■ Yes, would like to see a proposal.

Likes	Concerns
<ul style="list-style-type: none"><li>Combining services is a great idea</li><li>Keeping location the same</li><li>Forward thinking</li><li>Use of City land</li><li>Long overdue and needed</li><li>Support modern equipment</li></ul>	<ul style="list-style-type: none"><li>Costs and tax increase</li><li>Why not build combined centre at Fire Hall #2 location where we have land?</li><li>Build a 3<sup>rd</sup> on Naramata Rd.</li><li>Build it to last</li><li>Could we expand to retrofit RCMP building?</li><li>Fear will be over budget</li></ul>



## Recommendation #2: Twin Arenas



■ No, not under any circumstances. ■ Maybe, I need more time. ■ Yes, with conditions. ■ Yes, would like to see a proposal.

Likes	Concerns
<ul style="list-style-type: none"><li>• Expensive to keep the old ones running</li><li>• Gains in operational efficiencies</li><li>• Not wasting money on old arenas</li><li>• Need new and regulation size arenas</li><li>• Adding parking</li><li>• Sad but understand</li><li>• When can you start? Sooner the better</li><li>• Build before demolish</li><li>• Do what is best for City finances</li></ul>	<ul style="list-style-type: none"><li>• Demonstrate need for arenas</li><li>• What about dry floor uses?</li><li>• Too congested, not enough parking</li><li>• Need to protect community group use</li><li>• Don't subsidize businesses</li><li>• Preserve Memorial somehow</li><li>• Mixed development (parkade and residences)</li><li>• Impact to taxes and jobs</li><li>• Don't sell public land</li></ul>

# Recommendation #3: Arts & Culture Centre



■ No, not under any circumstances. ■ Maybe, I need more time. ■ Yes, with conditions. ■ Yes, would like to see a proposal.

Likes	Concerns
<ul style="list-style-type: none"><li>• Leir House preserved</li><li>• Replaces desperately aging facilities</li><li>• Centralization, expansion and modernization</li><li>• Conceptually makes sense</li><li>• Consolidating will increase exposure</li><li>• High time we had modern facilities</li></ul>	<ul style="list-style-type: none"><li>• Prefer to see them distributed across the City</li><li>• Artists can't afford commercial rates</li><li>• Would like to see Leir House use stay</li><li>• Library location is perfect</li><li>• Retain art gallery land and library / museum</li><li>• What about Japanese Gardens?</li><li>• Do we have an adequate location</li><li>• Artists need grounds</li><li>• Need adequate parking</li></ul>



# Recommendation #4: City Hall Upgrades

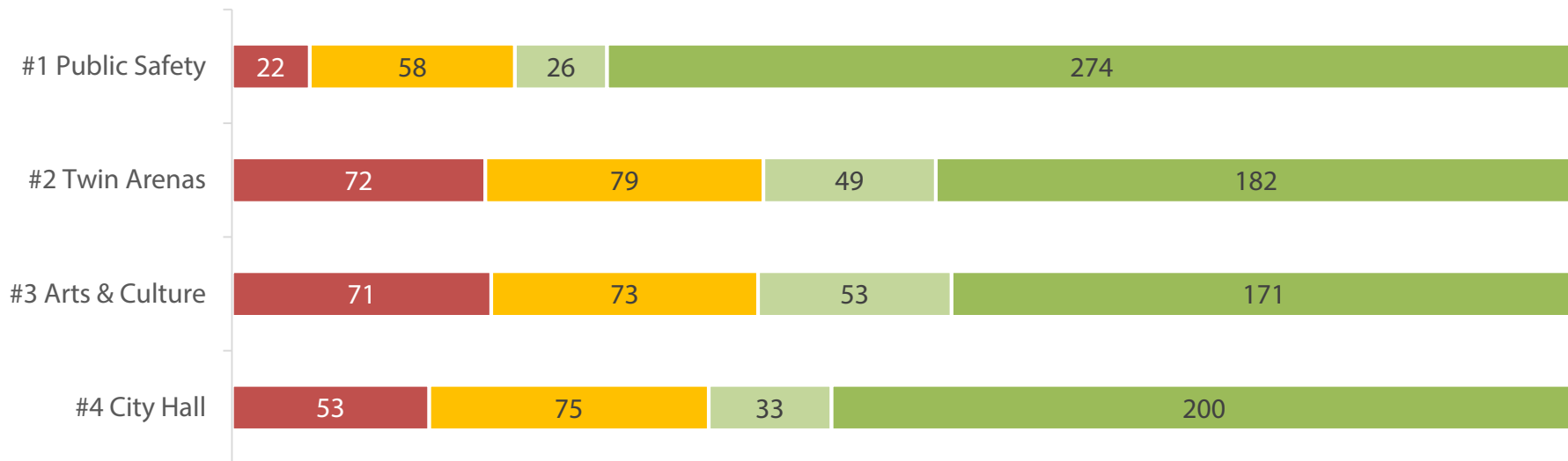


■ No, not under any circumstances. ■ Maybe, I need more time. ■ Yes, with conditions. ■ Yes, would like to see a proposal.

Likes	Concerns
<ul style="list-style-type: none"><li>• Dated and needs facelift / renovation</li><li>• Indifferent / no concerns</li><li>• Upgrading a better option to build new</li><li>• Retain location</li><li>• City Hall built when pop. was 15,000</li><li>• Energy efficiency</li></ul>	<ul style="list-style-type: none"><li>• Can you add space?</li><li>• Need more info</li><li>• Work from home</li><li>• Tax impacts</li><li>• Costs will increase over time</li><li>• Combine RDOS and CoP?</li><li>• Need-to-have versus nice-to-have</li></ul>



# Summary



■ No, not under any circumstances. ■ Maybe, I need more time. ■ Yes, with conditions. ■ Yes, would like to see a proposal.



# User Group Letters – Arenas



**PENTICTON MINOR HOCKEY ASSOCIATION**  
 P O Box 24089  
 Penticton,  
 BC V2A 8L8  
 Phone (250) 274-9590  
 www.pentictonminorchockey.com



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**U11**  
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**U13**  
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**U16**  
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**U18**  
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**FEMALE**  
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 Dana Day

**ICE AMBASSADOR**

**Ice**  
 Scott Austin

**ICE ADMIN**  
 Darlene Tupper

**COACH COORDINATOR**  
 Rick Kennedy

March 31, 2022

To Whom It May Concern,

Please accept this letter of support for the proposed twin arena concept located beside the South Okanagan Events Centre. As the largest user of arena space in Penticton (425 members this past season) and a community-run youth association, Penticton Minor Hockey Association (PMHA) looks forward to working with you on providing newer facilities that still meet the needs of our association and the residents and taxpayers of Penticton.

While we are ready to support this project, there are some important considerations during the planning phase for our group to maintain such an endorsement. Most of these items are simply replacing what we have existing now at Memorial arena and include the following:

- Equipment and jersey storage space of approximately 1800 square feet.
- Barrier/disability area for locomotion, league and provincial championships.
- Traffic lanes.
- 4 dedicated PMHA office space.
- Access to a board room for PMHA business which could be PMHA only or a shared space.
- 4 coaches' room for storage of coaching supplies and dressing room for PMHA coaches.
- Permanent dressing rooms for two teams (we currently have 1 room at Memorial arena for our U18 team and 1 room at Memorial that was condemned 4 years ago that had always been for our U13 age group).
- A dryland space that we can utilize our shooting stations, spin bikes and other open space for off-ice conditioning and training. This space is currently at Memorial arena in the old concession area.
- Adequate parking space for the new arenas.

Along with the above needs, we also recommend that the city consider expanding arena concave and even consider a 3" mini rink that would allow our younger age groups (U7 & U8) more accessibility to ice times on a suitable rink as well as offer skills training opportunities on a smaller ice surface. Such planning and thinking will allow for further expansion and better meet immediate needs.

As the largest base of Penticton taxpayers of any user group, we thank you for involving PMHA in the planning of the new twin arenas and look forward to working with you in the future.

On behalf of PMHA,

*Neil Gortney*

President

ASSOCIATION OF AMBASSADORS  
 11111 11th St. Penticton, BC V2A 8L8



201-853 Eschbarth Avenue West  
 Penticton, BC V2A 9C1  
 okanaganhockey.com

Phone: 250 493 1468  
 TF: 1 888 844 6611  
 Fax: 250 493 9222

November 8, 2021

City of Penticton  
 JoAnne Kleh - Public Engagement Program Manager  
 171 Main Street  
 Penticton, BC V2A 5A9

Subject: Arena User Group Representative

Dear Joanne,

Thank you for the email dated November 2, 2021 that included the update on the Civic Place & Spence project. On behalf of the Okanagan Hockey Group and as an arena user representative, we would like to confirm that we have a keen interest in continuing with the dialogue on the recommendations for the twin arenas. We also endorse and support the next steps to collaborate on the concept with further consultation with the community.

We look forward to continuing to work with the COI on this project.

Best Regards,  
**Okanagan Hockey Group**  
*Andy Oakes*  
 Andy Oakes  
 President





**GLENGARRY SKATING CLUB**

TEACHING PENTICTON TO SKATE SINCE 1953



Glengarry Skating Club  
McLaren Park Arena  
Penticton, BC, Canada  
info@glengarryfsc.com  
+1-250-486-0244

November 23, 2021

To Whom It May Concern,

My name is Trevor Buttenham, and I am the Head Coach with the Glengarry Skating Club in Penticton, BC. The Glengarry Skating Club has been operating in Penticton since 1953. Our primary rink facility is McLaren Park Arena from July-March (which is where our business office is located), and then we use the other 3 arenas located on the SOEC campus during our skating time from April-June. We have a current membership of 248 (at the time of this letter), though our pre-COVID-19 membership typically varied between 350-400 per year.

Myself and our Board of Directors discussed the proposed twin ice facilities at the SOEC campus at our meeting held on Wednesday, November 17, 2021. Overall, there is positive support for this project moving forward. There were concerns voiced around the table, and we want to be sure these are known at this stage of the proposal:

1. Ice allocation needs to remain at current levels for all user groups
2. Ice costs are the majority of our budget, so an increase beyond the standard yearly bump would prove troublesome
3. We would like to see the new twin rinks become a hub for the community, much as McLaren Park Arena currently is. As such, we would rather not see the management of the facility move to a 3<sup>rd</sup> party.
4. The Glengarry SC office (located at McLaren Park Arena) was funded in part by the GSC when it was built. We would need to see a similar size space moved over to any new build as a replacement.
5. Again, the GSC has certain spaces at both McLaren Park Arena and Memorial Arena that have been allocated to us at no cost for storage. We would like to see a similar arrangement at any new build.

6. A larger meeting room space that we could then use for our dryland training would be on our wish list.

7. Beyond just the 2 NHL size pads, and additional 60'x80' should be considered. It would allow our group and the City of Penticton the ability to rent out a smaller ice surface to run Learn-to-Skate sessions, as well as allow members of the public the ability to rent the space for birthdays without running into conflicts with groups who genuinely need the larger ice surface.

8. It would be nice to see some mention of Memorial Arena & McLaren Park Arena in the new build, whether through naming of the ice pads themselves, dressing rooms, or meeting rooms.

9. Enough dressing rooms that some may be able to be permanently assigned to the user groups who most frequently use the buildings.

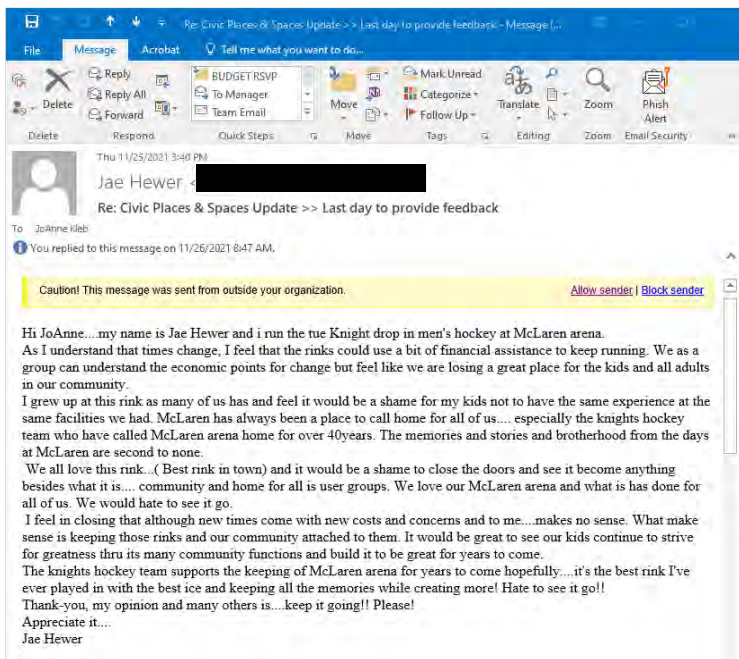
We at the Glengarry Skating Club agree that overall, the people who live in Penticton and the surrounding area have outgrown both Memorial Arena and McLaren Park Arena. A new twin pad located at the SOEC campus would provide us the space to continue our own growth, and the development of our programming.

Please get in touch if you have any questions or concerns.

Thanks.

Trevor Buttenham  
Glengarry Skating Club – Head Coach





# User Group Letters – Arts and Culture

24 November 2021

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



Re: Arts and Culture Centre in Civic Places and Spaces Plan

Dear Mayor and Council,

On behalf of the Penticton Public Library Board, I wish to express our support in continuing to explore the possibility of an Arts and Culture Centre that includes the library. Our current facility, built in 1968 and expanded in the 1980s, has become sadly inadequate for the needs of a modern busy library. We are very excited at the prospect of a new facility that will carry the library into the future.

The Library Board is open to exploring this opportunity to collaborate with the City and the groups identified with the arts community in Penticton. We feel that further discussion and collaboration is required as the diverse needs of the various arts groups will require a great deal of negotiation. We are excited to carry on with this process, and to collaborate with the arts and culture organizations to develop a proposal for further consultation prior to a decision by council.

Recognition of these organizations space and use needs is paramount for the vision of an Arts and Culture Centre to be successful. Our hope is that the City will carry forward with this plan, unless the proposed facility will provide a lesser valued service than we all currently deliver to our users individually. For example, each of our organizations run programs for all ages through out the week and a shared programing space for the facility would not be adequate for this.

Additionally, we are concerned about the proposal to move the library from its current location to another less visible part of the community. Penticton Public Library has been identified having one of the best locations for a library in BC by industry standards, with its proximity to schools and being at the gateway to downtown.

Library staff have identified some of the specific needs for a public library as:

- Offices and workrooms for our technical services and public service departments.
- Sufficient space for circulation including item return, sorting, and processing.
- Forward thinking connectivity and networking.
- Technology lab, meeting rooms and dedicated programing space.
- Load engineered floor space for the library's collection that ensures that accessibility and safety of the library shelving.
- Ideally, the Library would also have a main floor location with a loading dock access.

Thank you,

David Folstad, Co-chair  
Penticton public Library Board

November 25, 2021

City of Penticton  
Attn: JoAnne Kleb  
171 Main Street  
Penticton, BC V2A 5A9

RE: Civic Places & Spaces

Dear City Staff

Although the endeavours of the City of Penticton in this project proves intriguing, given the timeline and structure of information received, the Penticton District & Community Arts Council remains cautiously optimistic. We look forward to understanding and reflecting on the benefits and challenges that arise during the process and how they can best benefit our members, local arts and culture, and our community.

Sincerely,

Shae Ayris, President

As directed by the Penticton & District Board of Directors from the November 24, 2021 meeting.

785 Main Street, Penticton, BC V2A 5E3 Tpl (250) 770-7781 www.pentictonlibrary.ca



# Council Report

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penticton.ca

**Date:** April 5, 2022 File No: Civic  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Anthony Haddad, GM Community Services  
**Subject:** **Penticton Lawn Bowling Club – BC Gaming Grant Letter of Support**

---

## Staff Recommendation

**THAT** Council provide a letter of support to the Penticton Lawn Bowling Club for a BC Gaming Grant application.

## Background

The Penticton Lawn Bowling Club have been located at 260 Brunswick Street for many years. On an annual basis they apply for grants to support their annual operations and capital planning. No significant upgrades are proposed within their facility however the Club have requested a letter of support to go after a BC Gaming Grant that would support their operations for 2022.

## Financial Implications

There is no financial obligation for the request being brought forward. The Lawn Bowling Club is on a month-by-month lease for use of the City owned land.

## Analysis

Staff recognize that the club provide an important recreation and social benefit to many in the community, not only to members but to visitors as well. Support for this grant will provide funding for ongoing operations of their facility.

With regards to the lands at 260 Brunswick Street, at this time that the City does not have any intention to relocate the Penticton Lawn Bowling Club, however in the event that the current needs of the lands change, the City of Penticton will endeavor to work with the Club to find a suitable new location. With the upcoming properties related to the City's implementation of the Asset and Amenity Management Plan, these lands may be considered for an alternative use in the future, and staff will work with the Club as this process moves forward over the coming years.

**Attachments**

Attachment A – Penticon Lawn Bowling Club Request

Respectfully submitted

Anthony Haddad

GM Community Services

Approvals

Chief Administrative Officer <b>DyD</b>
---

**ATTACHMENT A**

**Penticton Lawn Bowling Club Request**

**Penticton Lawn Bowling Club**

260 Brunswick Street,  
Penticton, BC

March 23, 2022

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

Dear Sirs and/or Madam;

The Penticton Lawn Bowling Club launched a revitalization program in 2019. Unfortunately due to the Covid-19 virus we were unable to put our plan in place as far as recruitment of new members. This program is now back on track and we were able to recruit many new members in 2021 which will help us sustain operations in the future.

The grants provided to us by the City of Penticton for 2020 and 2021 enabled us to erect a fence on the south side of the property to replace a dying hedge. This enhances the image of the property. We also purchased LED lights to enable play a little longer in the evenings. We are very appreciative of these grants and look forward to putting the remainder of our plan in place during 2022.

We have recently been advised that our application to New Horizons for Seniors was approved. This will enable us to upgrade our bowling greens which is necessary to continue to bowl for a few more years. We are also appreciative of your support for this grant.

We are now applying to BC Gaming grants for a grant to assist with greens maintenance and equipment. We would like to ask once again for a letter from Penticton City Council in support of our application to BC Gaming.

Please contact me if you require any further information.

Yours truly,

*Ron Crawford*

Ron Crawford

# Council Report

penticton.ca

**Date:** April 5, 2022  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Kelsey Johnson, Manager of Recreation, Arts & Culture  
**Subject:** **Recreation & Culture Services – Q1 2022 Update**

File No: 8160-20

## Staff Recommendation

THAT Council receives into the record the report and accompanying presentation titled “Recreation & Culture Services – Q1 2022 Update” dated April 5, 2022.

## Strategic priority objective

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

## Background

This report provides subsequent updates for the recovery of recreation and culture services that have evolved since the last report date November 2, 2021.

As we transition into our new normal, the Recreation & Culture Department has committed to provide Council with quarterly updates. The attached presentation provides an update on services and highlights from January 1 – March 31, 2022.

## Financial Implication

Staff do not forecast a significant change in the 2022 Recreation & Culture Budget.

## Analysis

Recreation & Culture services are vital to the community’s health, well-being and resiliency. The department has been readying for an expanded restart of these crucial services and has worked diligently to adapt to continual changes and requirements when delivering recreation, sport and culture programs and services. As we plan for the future, we look forward to our new normal, ensuring appropriate access, equity and inclusion while serving the breadth of our community.

**Attachments**

Attachment A – Recreation & Culture 2022 Q1 Update (PowerPoint presentation)

Respectfully submitted,

Kelsey Johnson

Manager of Recreation, Arts & Culture

Concurrence

<p>General Manager of Community Services</p> <p><i>KJ</i></p>	<p>Chief Administrative Officer</p> <p><b>DvD</b></p>
---	---

# Recreation & Culture Services 2022 Q1 Update

April 5, 2022



# Overview

In Recreation & Culture, we promote and contribute to a healthy community and enhance the quality of life for Penticton residents and visitors.



# Q1 Highlights

-94-

- Swim BC Divisional Meet – Regional Competition
- Finalized Sportsplex Surface Type
- Season celebration for Upper Dek Vees Hockey Team
- 9 events at the Cleland Theatre

Local swimmers eyeing home-pool advantage

MARK BRETT Special to The Herald Feb 21, 2022 Updated Feb 21, 2022



Taryn Weatherhead of the KISU Swim Club works on her butterfly strokes during practice for an upcoming major swim meet in Penticton.  
Mark Brett/Special to the Herald



# Service Area Overview

- Substantial easing of Provincial Health Orders

Service Area	Current Service Level	Notes
<b>Cleland Theatre</b>	<ul style="list-style-type: none"><li>• Pre-pandemic Service Levels</li></ul>	<ul style="list-style-type: none"><li>• Proof of Vaccination required for audience</li></ul>
<b>Community Centre</b>	<ul style="list-style-type: none"><li>• Near pre-pandemic Service Levels</li></ul>	<ul style="list-style-type: none"><li>• Some hours &amp; services reduced to do limited staff resources</li><li>• Proof of Vaccination required for some services/programs</li></ul>
<b>McLaren Arena</b>	<ul style="list-style-type: none"><li>• Pre-pandemic Service Levels</li></ul>	<ul style="list-style-type: none"><li>• Proof of Vaccination required for some services/programs</li></ul>
<b>Museum &amp; Archives</b>	<ul style="list-style-type: none"><li>• Pre-pandemic Service Levels</li></ul>	
<b>Recreation Programs</b>	<ul style="list-style-type: none"><li>• Near pre-pandemic Service Levels</li></ul>	<ul style="list-style-type: none"><li>• Dependent on availability of staff/contractor resources</li><li>• Proof of Vaccination required for some programs</li></ul>
<b>Sports Fields &amp; Diamonds</b>	<ul style="list-style-type: none"><li>• Pre-pandemic Service Levels</li></ul>	

- Proof of Vaccination requirement expected to lift April 8, 2022



# Penticton Community Centre




- Near pre-pandemic operating hours
- Service levels impacted by workforce shortage

Service Area	Pre-Pandemic (Q1 Average)	Current (Q1 Average)	Status
Reception Availability Hours	129 hours/week	129 hours/week	100%
Fitness Room Operating Hours	129 hours/week	129 hours/week	100%
Pool Operating Hours	126 hours/week	113 hours/week	90%
Swim Lessons (spots available)	938 spots	284 spots	30%
Aqua Fitness (by hours)	165 hours	73.5 hours	45%



# Aquatics

- Year-over-year growth in 3 key Aquatics areas
- 2022 financial revenue targets on track




Service Area	2021 Q1	2022 Q1	Growth
Rentals	\$17,964.27	\$18,970.88	+6% 
Public Swim*	\$80,579.71	\$137,971.69	+71% 
Swim Lessons	\$6,234.22	\$6,738.23	+8% 

\* Public Swim also includes Aqua Fitness revenues



# McLaren Arena

- Increased rental demand
- Increased capacity

Service/Program	2021 Q1	2022 Q1	Growth
Rentals	\$24,742.61	\$59,915.00	+142% 
Public Skating	\$9,367.24	\$13,937.30	+49% 
Skate Lessons	\$4,290.00	\$11,365.15	+165% 



# Museum & Archives

-99-

- 3,100 visitors
  - Average donation \$2.15/person (up from \$1.75)
- 10 Brown Bag Lecture Presentations
  - 276 in person participants
  - 80 virtual participants
- 11 School Programs
  - 206 participants



# Cleland Theatre

- OSO - Romp & Repose (Jan 22)
- 2022 Snowed In Comedy Tour (Feb 11)
- OSO - Musical Siblings (Feb 12)
- Okanagan Dance Studio (Feb 25 & 26)
- OSO – The Sacred & the Profane (March 5)
- Train Wreck Comedy – Tim Nutt (March 11)
- Ignite the Arts Festival (March 27 & 30)

-100-



# Cleland Theatre

- Audio/Visual Equipment Upgrade Project Underway
  - On Track

Major Task	Target Completion	Status	
Grant Application	April 1, 2022	Completed	
Phase 1: Carpentry & Electrical Upgrades	2022 Q2-Q3	50%	<ul style="list-style-type: none"><li>• Carpentry complete</li><li>• Electrical RFQ issued</li></ul>
Phase 2: Audio Equipment Upgrade	2022 Q3	20%	<ul style="list-style-type: none"><li>• RFP issued</li></ul>
Phase 3: Lighting Equipment Upgrade	2022 Q4-2023 Q1	10%	<ul style="list-style-type: none"><li>• Lighting design completed.</li><li>• Proceed after grant notification</li></ul>



# Financial Forecast

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- Majority of revenue targets on track
  - Swim Lessons down due to fewer offerings than expected
  - Balanced by reduction in staff expense
- 2022 Recreation & Culture Budget is on track

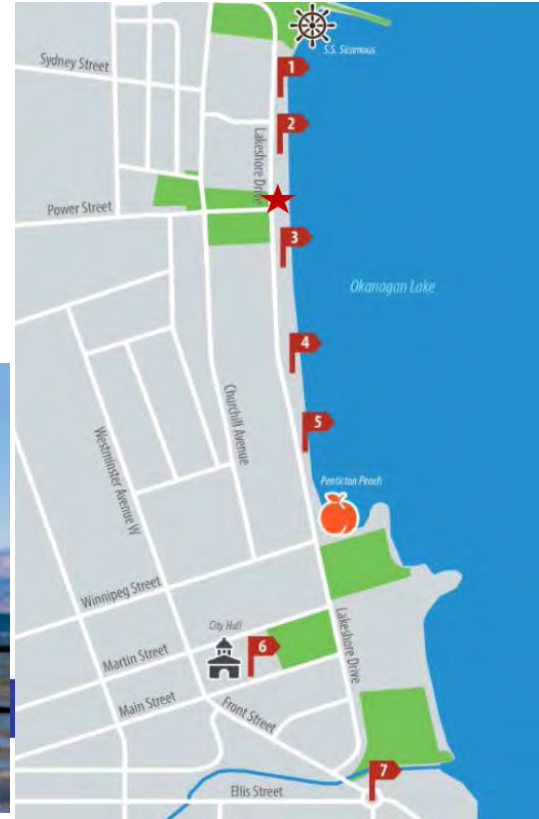
# Coming Up

- Sports Fields, Diamonds and Courts Opening
- Release of Summer Recreation Guide



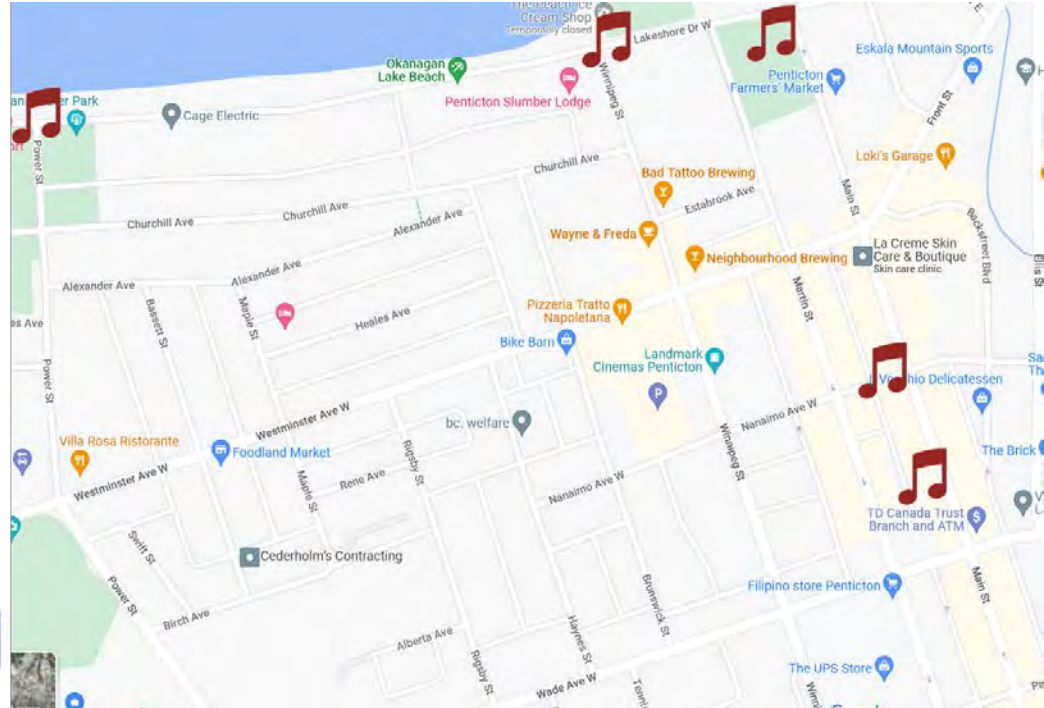
# Coming Up

- 2022 Penticton Public Sculpture Exhibit
  - One additional location
  - Showcasing 8 sculptures
  - Exhibit Opening May 21



# Coming Up

- Penticton Busking Program
  - May 15 – October 15
  - 5 Busk Stops
  - License applications available April 15



# Staff Recommendation

-106-

THAT Council receives into the record the report and accompanying presentation titled “Recreation & Culture Services Update – Q1 2022 Update” dated, April 5, 2022.



# Council Report

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penticton.ca

**Date:** April 5, 2022 **File No:** RMS 6800-001  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Blake Laven, Director of Development Services and JoAnne Kleb, Public Engagement Program Manager

**Subject: Neighbourhood heritage values for Lakeshore Drive, Front Street and Windsor Avenue Area**

---

## Staff Recommendation

THAT Council direct staff to proceed with amendments to the City's zoning bylaw specific to residential properties along Lakeshore Drive and properties within the 'Cherryland' neighbourhood, including increasing front yard setbacks reflective of the historical distance from the street, increasing minimum lot widths, limiting maximum building heights and other zoning changes to ensure new development is reflective of the historical development pattern of the two areas;

AND THAT Council direct staff to identify houses within the Lakeshore Drive and Cherryland neighbourhoods that can be added to the City's Heritage Registry and proceed with developing statements of significance for any identified buildings and work with property owners of the identified houses to have their house added to the City's Heritage Registry.

THAT Council support the creation of a Heritage Conservation Area (HCA) area for Front Street and the 100-300 Blocks of Main Street;

AND THAT Council direct staff to bring back a project scope and budget for the HCA initiative.

## Strategic priority objective

Heritage conservation and preservation is not identified as a 2019-2022 strategic priority for Council, but are included as a goal within the Official Community Plan.

## Executive Summary

Council at the September 7, 2021 Regular Meeting gave direction to staff to examine the incorporation of heritage conservation values on Lakeshore Drive, Front Street and the Windsor Avenue area and to work with the Heritage and Museum Advisory Committee on the initiative. Following that direction, staff have met with the Committee on two occasions and hosted a special Committee workshop on March 16<sup>th</sup>, as well as researched the three areas to understand each area's unique history, current challenges and development pressures. Staff have also investigated all the tools available for municipalities to guide development in ways that respect an area's historic built form and character. Following that research, staff are recommending that Council support zoning bylaw approaches for Lakeshore Drive and the Windsor Avenue Area (Cherryland)

and to add houses from those two areas onto the Penticton Heritage Registry. Staff are also recommending the creation of a Heritage Conservation Area (HCA) for Front Street and the 100-300 Blocks of Main Street.

## **Background**

Council at the September 7<sup>th</sup>, 2021 Regular Meeting directed staff to investigate the incorporation of heritage conservation values in three areas of the city: Lakeshore Drive, Front Street and the Windsor Avenue area (Council resolution 282/2021). Council also directed staff to involve the Heritage and Museum Advisory Committee in the initiative.

The three areas that Council asked staff to research, each have a unique and distinct development history and face different threats to their individual character and identity.

At a high level, the following is a description of each area:

*Lakeshore Drive:* Lakeshore Drive, is a prominent and iconic street that features a mix of tourist commercial uses (restaurants and motels); stately homes; multi-family residential - including high rise (Lakeshore Towers); and park and recreational uses. The area of the street that is of particular concern from a development perspective is the residential area between Power Street and Winnipeg Street. This section of the street has three properties listed on the City's Heritage registry and several other sites constructed in a design aesthetic sympathetic to the heritage structures. The predominate design feature of this residential area is the expansive front yard landscaping featuring large building setbacks and mature vegetation, including large mature trees. There is significant development pressure on the street with some newer development sites being proposed in more modern and contemporary designs and construction that is built much closer to the street than the prevailing building line.

*Windsor Avenue area (Cherryland Neighbourhood):* The Windsor Avenue area, called 'Cherryland' by many of its residents, based on the original marketing of a portion of the neighbourhood in the 1940s, loosely borders Winnipeg and Fairview Streets on the east, Moosejaw and Timmins Streets on the west, Eckhardt Avenue on the north and Douglas Avenue and Hastings Avenue on the south. Cherryland is a residential neighbourhood constructed largely in the 1940s and 1950s (post war era) and features single family lots on relatively large lots with rear lane access. The main feature of the neighbourhood is Windsor Park, part of the original Ellis Ranch / homestead. Housing generally is of a 1 ½ storey height with generous yards and mature front yard landscaping. There is development pressure on many of these streets for infill development (up to 4 units per lot), subdivision of the larger lots into skinny lots, new construction often at 2 storeys in height and development occurring closer to the street than the prevailing building line.

*Front Street:* Front Street represents the first commercial area of the original Penticton town site, with some of the oldest commercial buildings in the City built there, dating to the early 1910s. Four commercial buildings on Front Street are currently listed on the City's Heritage Registry. Newer development has been constructed in a sympathetic manner, reflecting the scale of the existing heritage buildings and utilizing specific heritage features. There are a few prominent development sites on the street with proposals of a more modern aesthetic. The threats to this area are particularly related to height and unsympathetic architectural design.

*100 – 300 Block Main Street:* While not originally considered in the Council direction, through the background research done by staff and discussion with the Heritage Committee, it was determined that Front Street should not be considered its own Heritage neighbourhood in isolation of the 100-300 Blocks

of Main Street, which includes several important commercial and institutional buildings dating back to a similar period as Front Street and features 7 properties on the heritage registry and several other strong candidates for inclusion. Similarly to Front Street this area faces development pressure for additional height and unsympathetic architecture.

### *Committee Participation*

Following Council's direction, staff heavily involved the Heritage and Museum Advisory Committee in this project, including an introduction of a work plan in November 2021, a project update in February and March and a special Committee and stakeholder workshop on March 16<sup>th</sup>. The workshop was particularly valuable as it allowed for discussion between Committee members, staff, Council and other interested community member participants over the three-hour event.

Through these activities, staff learned that:

- Of greatest concern is the belief that these neighborhoods are "under siege" by development and there is no guidance in place for Council when making decisions;
- There is fear that a review process will take too long and further development applications will come forward while the review is undertaken;
- There was also recognition that there are many structures in the residential neighborhoods that may not have heritage value and as a result, there is interest in seeing the form and character of the neighborhoods protected if these sites are redeveloped;
- Additionally, for those structures in the residential neighborhoods that do have heritage value, there is interest in understanding what preservation can be provided;
- There was also recognition that Front Street is unique and may warrant stronger policies; further discussion supported a review of the options for this area and to look at expanding it to extend from the roundabout along Front Street through to and including the 100 to 300 blocks of Main Street;
- There was also interest in engaging the affected neighborhoods prior to introducing policies or involving the broader community

With this understanding, an objective was created which was to see 'new development proceed in a way that honors and is sympathetic to the existing and historic built form of the three areas.' This objective had wide support from workshop participants.

### *Heritage Protection Tools*

In preparation for the workshop, staff investigated the heritage protection tools available to municipalities. The Local Government Act provides municipalities with several tools to protect and preserve heritage, from the creation of heritage conservation areas, to utilizing zoning or development permit areas to ensure building regulations support heritage goals or by honoring properties through inclusion of a property or structure on the Heritage Registry. Furthermore, the City's OCP gives direction that character neighbourhoods, where there is strong community support, should be designated as heritage conservation areas.

Staff have reviewed the various tools available and consider that a mixed approach is most appropriate to meet the objective of ensuring new development proceeds in a manner sympathetic to the historic and existing built form. Staff are proposing a zoning bylaw approach for the Cherryland neighbourhood and residential areas of Lakeshore Drive, strengthening regulations around development in those area to ensure

building setbacks, lot configuration and building heights are established that reflect the historical built form of those areas. For Front Street, a heritage conservation area was seen as the most appropriate policy response and as stated above the area should be expanded to include the important heritage areas along Main Street as well, particularly the 100 – 300 Blocks of Main Street.

Staff do note a similar initiative taken during the development of the Official Community Plan in 2019 that proposed heritage conservation areas in the wartime housing area of the City (K Streets) and on Windsor Avenue (see Attachment A for a summary of the results.) It was determined that there was not enough interest from a large enough area to create guidelines as part of the Official Community Plan. Staff partly attribute this outcome to not having specialized heritage knowledge within the Planning Department and not effectively communicating the intent to the property owners. Staff are recommending the involvement of consultants with specialization in heritage conservation planning for this current initiative.

Notwithstanding the outcome of the previous attempt, the OCP did identify as a goal to *“protect the unique character of Penticton’s historic Downtown (especially Main Street and Front Street) and character neighbourhoods as these areas change and evolve”*. The policies associated with that goal, while not specifically identifying any of the areas considered herein, give direction to *“explore the designation of identified character neighbourhoods as Heritage Conservation Areas..., to guide the form and character of new development.”* This approach and designation is intended in areas showing *“strong support for the initiative from residents and landowners.”*

The idea of a Heritage Conservation Area in the downtown was also introduced in the City’s 2005 Heritage Strategy. The 2019 OCP has as a medium term project the updating of the Heritage Strategy.

### **Engagement Plan**

Property owner buy in within all three areas will be key to successful implementation. As such staff are recommending engaging property owners directly. The zoning changes proposed for Lakeshore Drive and Cherryland, are less impactful than the creation of the HCA proposed for Front Street and Main Street. For the zoning changes, staff are recommending that a bylaw with the proposed changes be brought before Council for first reading and then an open house with each neighbourhood be hosted by staff with the Engagement and Planning departments, followed by a Public Hearing on the matter prior to adoption of the changes.

In the case of the HCA creation for the downtown, a fulsome engagement plan will be created if Council is in support of further investigation of the concept. The level and type of engagement will be explored in more detail and costed out, if Council is to give this direction to staff.

### **Financial Impacts**

Staff are proposing several phases to this project, the first involving amendments to the zoning bylaw for the Cherryland neighbourhood and Lakeshore Drive. This work will be done in house by existing staff. Costs for the open houses for each neighbourhood are intended to be minor (<\$500), not including staff time.

Staff are also recommending direction to research properties in the two residential neighbourhoods to add additional properties and structures into the heritage registry. Staff envision this work being done by a combination of Museum staff and Planning Department staff and with the participation of the Heritage and Museum Advisory Committee. Costs for this work are anticipated to be minor and will fit within existing

budgets. Any additional significant costs will be brought to Council's attention for a budget amendment should they arise.

Finally, with regard to the creation of the heritage conservation area for the downtown, staff are anticipating this project to involve external consultant participation, legal review and extensive property owner and community engagement to get support for the initiative. Staff anticipate this project will be in excess of \$75,000, but will investigate grant opportunities. There is no funding being requested at this time. Should Council support moving to the next stage of the investigation, staff will bring forward a project scope and budget for the work and provide funding options.

### **Analysis**

The three neighbourhood areas that Council has identified for additional heritage value protection are all unique from each other. Each of these three areas all have very different heritage values and warrant unique approaches to achieve the goals of encouraging and requiring sympathetic new development and protection of existing heritage stock.

Staff consider the zoning changes in the Cherryland and Lakeshore Drive neighbourhoods, which would include an amendments to the City's current zoning bylaw, increasing front yard setbacks to the predominate building line, increasing minimum lot widths and looking at lowering existing maximum heights and other zoning changes, as being relatively expedient to execute within existing work plans and staffing.

To further strengthen and honor the two residential areas, staff are also recommending identification and inclusion of properties in these areas onto the City's Heritage Registry.

For the creation of further exploration of a HCA in the downtown, if supported, further investigation and budgeting will be required. If supported, staff will bring back a work plan and budget at an upcoming meeting of Council and continue to work with the Heritage and Museum Advisory Committee on the initiative.

Given the above staff are recommending that Council support this approach by giving direction on the zoning changes, work towards including more properties in these area on the heritage registry and by giving direction to staff to bring back further options on a project to create a downtown heritage conservation area on Front Street and the 100-300 Blocks of Main Street.

### **Alternate recommendations**

Council, now seeing the various approaches proposed by staff, may wish to not move forward with the recommendations at this time. Staff do note that this project was not initially on the Planning Department or Museum work plan for 2022. If Council chooses not to move forward at this time, Council could pass alternative recommendation 1, or recommendation 2, which would include the work in the 2023 staff work plans.

Alternative 1

THAT Council not move forward with the project at this time.

Alternative 2

THAT Council direct staff to include this work and budget in the 2023 Planning Department and Museum works plans.

**Attachments**

Attachment A – Findings from Heritage Conservation Area engagement

Respectfully submitted,

Blake Laven, RPP, MCIP  
Director of Development Services

JoAnne Kleb  
Public Engagement Program Manager

Concurrence

Director of Finance and Administration  <i>AMC</i>	Chief Administrative Officer  <b>DvD</b>
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## Attachment A

*The following summary was published on the City's [shapeyourcitypenticton.ca](http://www.shapeyourcitypenticton.ca) site on April 17, 2019.*

### Findings from Heritage Conservation Area engagement

The findings from the survey to determine interest in designating Windsor Avenue and the 'K Streets' as Heritage Conservation Areas in the new Official Community Plan is now available for residents to review. Staff discussed the findings of the survey and the resulting recommendation not to include the HCA designation in the OCP during the review of the draft plan at the April 16 Council meeting.

"Through the engagement activities, the City learned that there may not be enough interest from a large enough area to create guidelines as part of the Official Community Plan," says Ben Johnson, Special Projects Manager leading the development of the new Official Community Plan. "The feedback suggests there is great appreciation for the character of the original homes and interest in having some guidelines around height restrictions for new developments in these neighborhoods, but for many of the participants, a formal designation is too restrictive for homeowners."

Residents in the affected neighborhoods were first notified about the proposal with a mailout from the City. They were also invited to information sessions to learn more about the proposal and share their feedback on whether or not to move the idea forward in a survey. Nearly 130 residents attended the two information sessions on January 31 and 122 completed the survey on [shapeyourcitypenticton.ca](http://shapeyourcitypenticton.ca). Some of the findings from these activities include:

- There is more interest in creating the designation from participants who live on Windsor Avenue which includes approximately 70 properties. Of the 30 respondents from this area, 77% agreed or strongly agreed with designating their street as a Heritage Conservation Area. Only 48% of the 91 respondents from the 'K Streets', which includes approximately 220 properties, supported the idea.
- Participants that support the proposal like it as a way to preserve the history and heritage of the neighborhoods and prevent development that was out of character. Those that do not support the proposal expressed concern about the application process being arduous, expensive and restrictive, and about the unknown impacts on property values and their ability to sell their homes in the future.
- Of the eight design guidelines that were proposed including recommendations for roof pitch, yard setbacks, landscaping, eave heights, building heights and colour palettes, participants were most supportive of the proposal to limit the height of buildings in the neighborhoods to 1.5 storeys and to maintain the traditional roof pitch. The suggestion of providing a colour palette for the neighborhoods and direction on lawns and plantings were some of the least supported of the design guidelines.

Council heard these findings and staff's recommendation as part of a discussion about the first draft of the Official Community Plan at their meeting on April 16. The complete findings from the survey and staff's presentation are now available along with the official first draft of the report.

[https://www.shapeyourcitypenticton.ca/heritage-conservation-areas/news\\_feed/outcome-of-heritage-conservation-area-engagement](https://www.shapeyourcitypenticton.ca/heritage-conservation-areas/news_feed/outcome-of-heritage-conservation-area-engagement)

# Council Report

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penticton.ca

**Date:** April 5, 2022 File No: 1855-03  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Adam Goodwin, Social Development Specialist  
  
**Subject: UBCM Grant Opportunity: Strengthening Communities' Services Round 2**

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## Staff Recommendation

THAT Council direct staff to apply for the Strengthening Communities' Services grant from the Union of BC Municipalities (UBCM) for \$112,500 in funding from round 2;

AND THAT Council thank the Union of BC Municipalities for its support through round 1 funding;

AND THAT Council direct the Chief Financial Officer for the City of Penticton to sign and submit the application document on behalf of the City.

## Strategic priority objective

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

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

## Background

In 2021, the City of Penticton applied for and was successful in receiving funding from the Union of BC Municipalities (UBCM) under the strengthening communities' services grant program. In round 1, \$435,000 in funding from UBCM was allocated towards:

- Additional Community Safety Officers
- Social Development team member to focus on housing and homelessness
- Helped support the completion of *No Where to Go* (youth homelessness research report)
- Enhancing the coordination of existing services in the community through work with Built for Zero Canada, Canadian Alliance to End Homelessness, HelpSeeker, and other capacity building and improvement initiatives
- Capacity and community building through education and training (e.g., Museum Lecture Series with 100 More Homes)

- Supporting the communication of existing services to increase the awareness of available programs and services
- The ASK Wellness Ambassador Team, a team that encourages individuals experiencing or who have experienced homelessness to help clean-up needle debris
- Access Centre’s tax program with specific outreach for individuals experiencing homelessness

UBCM has recently announced the second round of this funding (see Attachment A). As the City has a long track record of supporting City and community initiatives related to housing and homelessness, applying for these grant funds will allow the City to continue to invest and ensure it meets its responsibilities related to the roles that it has in this work.

**Financial implication**

The grant funding can contribute 100% of the cost of eligible activities. The UBCM grant guidelines suggest that a community of Penticton’s should apply for a maximum of \$112,500 under round 2. For round 1, UBCM had a significantly larger amount of funds available from the Province so communities were eligible to apply for a larger amount of funding. Eligible expenses include items such as dialogue around homelessness, cross-jurisdictional working groups to improve coordination, peer-based programs, training, education, and public engagement. Should the City not be successful with this grant application, and/or should UBCM determine that not all proposed expenses are eligible, the proposed work will not proceed.

**Analysis**

Based on successful initiatives using round 1 funding, recent conversations with groups such as 100 More Homes and service providers, and trends in the community, staff are recommending that the City submit an application to this grant opportunity. In particular staff are recommending that the City seeks funds towards the initiatives identified in Table 1.

Initiative	Rationale / City’s Role in Housing and Homelessness	Approximate Funding <sup>1</sup>
Social Development team position (Community Mobilizer) until August 2023	This aligns with the City’s roles around capacity/community building and coordination. With approximately \$6.4M in grant-supported projects, adding critical capacity to the Social Development team will allow the team to meet its mandate and the City’s legal obligations under various grant agreements.	\$45,000
Enhanced coordination and modernization with 100 More Homes	This aligns with the proposed Memorandum of Understanding that is also in this agenda package. This would align with the City’s role of being a funder of the local system.	\$40,000
Community and capacity building initiatives through training, education, and other activities	This aligns with the City’s roles around capacity/community building, coordination, and convening.	\$27,500
		\$112,500

Table 1. Funding allocations.

<sup>1</sup> The final amounts requested will be calculated during review of the application form.

The total cost of the items identified above is \$112,500. Staff are proposing adding all of the items into the grant application. Should the City be successful in receiving the grant, staff in Social Development will work with community partners and other City departments on implementation of the initiatives.

Therefore, based on the impact of the round 1 funding, to continue to support community and City initiatives, to provide additional capacity to the Social Development team, and to support the City's roles in this area, staff are recommending that Council approve the City's application to this UBCM grant program.

**Alternate recommendations**

THAT Council direct staff to bring back additional information.

**Attachments**

Attachment A – UBCM Guidelines

Respectfully submitted,

Adam Goodwin  
Social Development Specialist

Concurrence

Director of Finance and Administration  <i>AMC</i>	Director, Development Services  <i>BL</i>	Chief Administrative Officer  <b>DvD</b>
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# COVID-19 Restart Funding for Local Governments Strengthening Communities' Services 2022 Program & Application Guide

## 1. Introduction

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The COVID-19 pandemic has led to an increase in the visibility of unsheltered homelessness in many communities, and related community health and safety challenges.<sup>1</sup> Many local governments and Treaty First Nations, despite already experiencing pressures on revenues and staff capacity, have responded to these challenges with a variety of services, infrastructure, and coordination with health authorities and social sector service providers.

Some of society's most vulnerable members face challenges that have worsened in the context of COVID-19. This includes groups that are more likely to experience homelessness and are more vulnerable to the health and safety risks associated with living unsheltered, such as Indigenous People, women, and gender diverse people. People who lack adequate housing are more likely to suffer from a range of health challenges – including mental health issues, substance abuse issues, and extreme weather impacts – and are highly vulnerable to COVID-19.

The Government of Canada and the Province of British Columbia provided \$540 million in shared funding to local governments under the Safe Restart Agreement to manage the impacts of the global COVID-19 pandemic. These investments have helped to protect public health and safety, prepare for potential future waves of the virus, and further support the safe reopening of economies.

### Strengthening Communities' Services Program

Within the Safe Restart funding, \$100 million was allocated for the Strengthening Communities' Services Program. The initial intake of the Strengthening Communities' Services Program saw approximately \$80 million delivered to local governments. The remaining funds are now available through the 2022 intake.

The intent of the Strengthening Communities' Services Program is to support unsheltered homeless populations and address related community impacts through an application-based program. The goal is to support local governments and Treaty First Nations that wish to take action, understanding that this will complement parallel provincial efforts. This program is meant to bridge the period between the COVID-19 outbreak and the post-COVID recovery period. The funding is being administered by UBCM on behalf of the Province and the Government of Canada.

### Intended Outcomes

The intended outcomes of the Strengthening Communities' Services program are to assist local governments and Treaty First Nations with:

- Improved health and safety of unsheltered homeless people living in public or private spaces, including reduced risk of COVID-19 or other disease transmission;
- Reduced community concerns about public health and safety in neighbourhoods where unsheltered homeless populations are seeking temporary shelter and services;

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<sup>1</sup> For the purpose of Strengthening Communities' Services funding, unsheltered homelessness refers to people who lack housing, and includes people living in public or private spaces without consent (parks, sidewalks, vacant buildings, lots, etc.) and people living in places not intended for long-term human habitation (vehicles, garages, makeshift shelters, shacks or tents, etc.).

- Improved coordination among eligible applicants and health/social service providers, Indigenous organizations and others working on housing, homelessness and service provision; and;
- Increased capacity of eligible applicants to work with homeless persons and Indigenous organizations towards culturally safe and trauma-informed responses.

## 2. Eligible Applicants

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All local governments (municipalities, regional districts, and the Islands Trust) and Treaty First Nations (as defined by the *Interpretation Act*) 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. Please note that higher application review scores may be awarded to applicants that were not funded under the 2021 intake.

## 3. Funding Guidelines

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The Strengthening Communities' Services Program can contribute up to 100% of the cost of eligible activities.

It is recommended that eligible applicants follow the Funding Guidelines below. Funding permitting, applications for projects that exceed the Funding Guidelines may be considered for funding provided that applicants are able to demonstrate evidence of need in the community and provide a rationale for the request. If the total funding request exceeds the available funding, applicants that have requested additional funds may be asked to reduce their funding request.

**Table 1: 2022 Funding Guidelines**

Population (based on 2019 BC Stats Population Estimates)	Funding Guideline
Under 5,000	\$50,000
5,000-40,000	\$112,500
40,000-75,000	\$312,500
75,000-200,000	\$625,000
200,000-500,000	\$875,000
500,000 or greater	\$2,500,000

In order to ensure transparency and accountability in the expenditure of public funds, all other financial contributions for eligible portions of the project must be declared and, depending on the total value, may decrease the value of the grant. This includes any other grant funding and any revenue that is generated from activities that are funded by the Strengthening Communities' Services Program.

## 4. Eligible Projects

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To be eligible for funding, applications must demonstrate that proposed activities meet one or more of the intended outcomes of the program (see Section 1), and all of the following:

- Demonstrate evidence of need in the community (e.g. unsheltered homeless population estimates, housing needs report, community concerns about public health and safety) and provide a rationale for how these issues have been exacerbated by COVID-19;
- Provide solutions that address increased urgent and immediate needs related to unsheltered homelessness and do not create ongoing long-term financial obligations that will not be supported by the applicant;

- Include new activities or a clearly phased expansion of existing activities and:
  - For applicants that have not been previously funded, with costs incurred after September 17, 2020;
  - For applicants that were previously funded, with costs incurred from the date the application is submitted.
- Be capable of completion by the applicant within one year of the date of grant approval.

Applicants must choose to apply as a single applicant (i.e. an individual local government as identified in Section 2) or as part of a regional project.

### **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 combined funding guidelines of each of the 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 7 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.

## **5. Requirements for Funding**

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

- Any in-person activities, meetings, or events meet public health 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.

In addition, as part of both the development of the application package and the delivery of the approved project, local governments are encouraged to engage with local First Nations and Indigenous organizations. Engagement by local governments both locally and regionally can help build relationships with First Nations, benefit both communities and enhance reconciliation. More information on engagement best practices is available [here](#).

## **6. Eligible & Ineligible Costs & Activities**

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Eligible costs are direct costs that are approved for funding, properly and reasonably incurred, and paid by the applicant to carry out eligible activities. For applicants that have not been previously funded, eligible costs can be incurred after September 17, 2020 to the date of submission of the final report. For applicants that were previously funded, eligible costs can be incurred from the date the application is submitted to the date of submission of the final report.

Table 2 identifies examples of activities that are eligible for funding. Other activities that support the intent of the program may be considered for funding. Eligible activities must be cost-effective.

<b>Table 2: Activities Eligible for Funding (including but not limited to)</b>
<p><b>1. Improved health and safety of unsheltered homeless people living in public or private spaces, including reduced risk of COVID-19 or other disease transmission</b></p> <p><i>Note: Costs related to minor renovations or minor improvements are limited to no more than 25% of the total grant request</i></p>
<ul style="list-style-type: none"> <li>• Temporarily increasing emergency shelter capacity, availability, and services, including:               <ul style="list-style-type: none"> <li>○ Expansion of existing shelters (e.g. more beds, staff, hours, and shelter-based services);</li> <li>○ Creation of new temporary shelter spaces, including minor renovations or minor improvements that are directly related to eligible service provision, within:                   <ul style="list-style-type: none"> <li>▪ Buildings or land owned by the eligible applicant; or</li> <li>▪ Buildings or land owned by legally incorporated societies, non-profit groups or community associations</li> </ul> </li> <li>○ Adherence to COVID-19 public health regulations (e.g. shelter capacity reductions, extra cleaning staff, physical distancing, rental of motel rooms to allow infected individuals to safely isolate if directed to do so by a public health official).</li> </ul> </li> <li>• Providing other temporary options or enhancements for unsheltered homeless populations (e.g. temporary structures such as tents, platforms, fire retardant tarps, warming tents).</li> <li>• Providing temporary, incremental services (including basic supplies and equipment) that are specifically related to supporting unsheltered homeless populations such as:               <ul style="list-style-type: none"> <li>○ Food, water and cooking supplies;</li> <li>○ Bathroom facilities, showers, laundry;</li> <li>○ Cleaning and waste management;</li> <li>○ Harm reduction;</li> <li>○ Security;</li> <li>○ First aid;</li> <li>○ Fire safety; and</li> <li>○ Outreach teams to connect people to resources and support programs.</li> </ul> </li> </ul>
<p><b>2. Reduced community concerns about public health and safety in neighbourhoods where unsheltered homeless populations are seeking temporary shelter</b></p>
<ul style="list-style-type: none"> <li>• Fostering positive dialogue between unsheltered homeless people, bylaw and protective services, and neighbourhoods or community members (e.g. liaison program with bylaw enforcement).</li> <li>• Promoting understanding and cooperation through peer-based and/or neighbourhood participatory activities for site cleaning, security, communications, etc.</li> <li>• Providing programs or services that offer storage or security for belongings of unsheltered homeless populations.</li> <li>• Funding incremental expenditures relating to protective services and bylaw enforcement.</li> <li>• Participating in, supporting or coordinating community engagement strategies (e.g. neighbourhood outreach, public education materials, participatory dialogues).</li> </ul>
<p><b>3. Improved coordination among eligible applicants and health/social service providers, Indigenous organizations and others working on housing, homelessness and service provision</b></p>

- Partnering with Indigenous leadership, communities and organizations.
- Participating in, supporting or coordinating cross-jurisdictional working groups and service teams related to housing, homelessness, and service provision.
- Participating in, supporting or coordinating joint communications programs with health authorities.
- Collaborating with health authorities and non-profit service providers on supporting harm reduction services and initiatives to connect people to health services.
- Liaising with public health officials on extreme weather events, environmental safety, infection prevention and control and overdose prevention focusing on unsheltered homeless populations.
- Collaborating with local fire commissioners to increase fire safety.
- Participating in, supporting or coordinating peer-based support services including development of peer teams.

**4. Increased capacity of eligible applicants to work with homeless persons and Indigenous organizations towards culturally safe and trauma-informed responses**

- Training for elected officials, program administration and front-line staff, bylaw and protective services staff, and peers supporting unsheltered homeless populations, addressing topics such as:
  - Trauma: causes, effects, and trauma-informed approaches;
  - Crisis de-escalation;
  - Awareness of Housing First and harm reduction principles;
  - The distinct needs and barriers of Indigenous Peoples at risk of homelessness, as well as Indigenous cultural safety and cultural humility training; and
  - The distinct needs and barriers of groups at higher risk of homelessness, including youth, women at risk of violence, LGBTQ2S+, and people with disabilities (including mental illness, brain injury and cognitive impairments).

**Additional Eligible Costs & Activities**

In addition to the activities identified in Table 2, the following expenditures are also eligible provided they relate directly to eligible activities:

- Honoraria for community members with lived experience of unsheltered homelessness that are participants in funded activities
- Incremental applicant staff and administration costs (i.e. creating a new position or adding new responsibilities to an existing position);
- Consultant or other third-party contract costs relating to eligible service provision;
- Public information and engagement costs;
- Temporary lease/rental costs related to the delivery of eligible activities; and
- Minor renovations and improvements directly related to eligible service provision, limited to buildings or land owned by the eligible applicant and/or buildings or land owned by legally incorporated societies, non-profit groups or community associations and no more than 25% of the total grant request.

## Ineligible Costs & Activities

Any activity that is not outlined in Table 2 or the 'Additional Eligible Costs & Activities' section is not eligible for grant funding. This includes:

- Development of funding application package;
- Development of architectural, engineering, or other design drawings for the construction or renovation of facilities;
- Routine or ongoing operating 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;
- Fundraising, lobbying, or sponsorship campaigns;
- Project-related fees payable to the eligible applicant(s) (e.g. permit fees, DCCs, etc.);
- Purchase of promotional items, door/raffle prizes, give-away items, and/or gifts for community members;
- Major capital improvements to existing facilities and/or construction of new, permanent facilities;
- Long-term, permanent capital investments including the purchase of land, buildings, vehicles (including Recreational Vehicles or trailers), mobile units (such as mobile washroom or shower units) and/or shelter units (such as tiny homes, storage containers, etc.);
- Park and public space clean up, remediation, fencing and/or repair after an area is no longer used by people experiencing unsheltered homelessness.

## 7. Application Requirements & Process

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### Application Deadline

The application deadline is April 22, 2022. Applicants will be advised of the status of their application within 90 days of the application deadline.

### Required Application Contents

All applicants are required to submit an electronic copy of the complete application, including:

- Completed Application Form with all required attachments;
- Detailed budget that indicates the proposed expenditures from Strengthening Communities' Services program funding and other sources (if applicable) and that aligns with the proposed activities outlined in the Application Form. Although additional funding or support is not required, any other grant funding or in-kind contributions must be identified;
- Council, Board, Local Trust Committee or Treaty First Nation resolution, indicating support for the current proposed activities and willingness to provide overall grant management;
- For regional projects: Council, Board, Local Trust Committee, Treaty First Nation resolution from each partnering applicant that clearly states approval for the primary applicant to apply for, receive, and manage the grant funding on their behalf;
- Optional: Up to three letters of support as evidence of partnership or collaboration with partners such as community-based organizations, non-profit service providers, health authorities and public health units, 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 20 MB.

All applications should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: [lgps@ubcm.ca](mailto:lgps@ubcm.ca)

### **Review of Applications**

UBCM will perform a preliminary review of all applications to ensure the required application contents have been submitted and to ensure that eligibility criteria have been met.

Following this, an Evaluation Committee will assess and score all eligible applications. Higher scores will be given to applications that:

- Are submitted by applicants that were not funded in the 2021 intake;
- Demonstrate greater alignment with the intent of the Strengthening Communities' Services program (i.e. address multiple program outcomes);
- Provide evidence of need in the community (e.g. existing homelessness plans, strategies or initiatives; unsheltered homeless population estimates; community concerns about safety) and provide a rationale for how these issues have been exacerbated by COVID-19;
- Demonstrate partnership and engagement with Indigenous leadership, organizations, and communities;
- Demonstrate a plan for communicating and engaging with unsheltered homeless populations to include perspectives of people with lived experience;
- Apply an anti-stigma lens and increase public awareness and understanding of causes and responses to homelessness;
- Include proposed activities and costs that are part of a comprehensive, multi-faceted approach to addressing unsheltered homelessness;
- Include collaboration with distinct needs-serving organizations, public health, health authorities, non-profit organizations, other local governments, police, bylaw enforcement, etc.;
- Demonstrate cost-effectiveness; and
- Demonstrate a plan for winding up and concluding the funded activities (or continuing with alternative sources of funding).

Point values and weighting will be 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.
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## **8. Grant Management & Applicant Responsibilities**

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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.

Grants are 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 UBCM has received and approved the required final report and a financial summary.

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**

To request a progress payment, approved applicants are required to submit:

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

### **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, applicants are required to submit:

- Amended application package, including updated, signed Application Form, updated budget, and an updated Council, Board, Treaty First Nation or Local Trust Committee resolution(s); and
- Written rationale for proposed changes to activities and/or expenditures.

Applicants are responsible for any costs above the approved grant unless a revised 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 time frame 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 & Process**

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Final reports are required to be submitted within 30 days of 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 indicates the actual expenditures from the Strengthening Communities' Services program funding and other sources (if applicable) and that aligns with the actual activities outlined in the Final Report Form;
- Copies of any materials that were produced with grant funding; and
- Optional: any photos or media related to the funded project.

Please note, as a requirement of funding, the program and approved projects may be subject to a compliance audit.

### **Submission of Final Reports**

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

All interim and final reports should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: [lgps@ubcm.ca](mailto:lgps@ubcm.ca)

### **Review of Final Reports**

UBCM will perform a preliminary review of all final reports to ensure the required report elements have been submitted.

All final report materials will be shared with the Province of BC.
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### **10. Additional Information**

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For enquiries about the application process or general questions regarding the Strengthening Communities' Services program, please contact UBCM at [lgps@ubcm.ca](mailto:lgps@ubcm.ca) or (250) 356-2947.

# Council Report

A decorative horizontal bar consisting of a series of vertical stripes in various colors: blue, orange, red, blue, orange, blue, red, orange, blue, red.

penticton.ca

**Date:** April 5, 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:** **100 More Homes - Memorandum of Understanding with the City**

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## Staff Recommendation

THAT Council direct the Mayor and Corporate Officer to sign and execute the Memorandum of Understanding, which formalizes the City's relationship with 100 More Homes Penticton for the next three years and provides funding in the amount of \$85,000 a year in funding for 100 More Homes housing and homelessness initiatives, as included in Attachment A;

AND THAT Council support a budget amendment for the 2022 budget, utilizing administrative savings if grants are not successful in covering the full \$85,000 for 2022 and include the 2023-2024 requests in the 2023-2027 Financial Plan as allocated under the Memorandum of Understanding;

AND THAT Council direct staff to apply for any available grants to assist in funding the initiative;

AND THAT Council direct the Mayor to sign the 100 More Homes Terms of Reference on behalf of the Corporation of the City of Penticton.

## Strategic priority objective

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

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

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

## Background

### *100 More Homes*

Most urban communities in the country have a community entity that is intended to provide local leadership and coordination around homelessness and non-market housing. These entities provide important coordination and leadership at the local level to support the integration of various efforts taking place in the

community. It is important to note that these entities do not replace the roles and responsibilities of other orders of government or organizations (e.g., the City of Penticton retains its authority around land use decisions for new services).

In Penticton, the group most closely aligned with this type of entity is currently called 100 More Homes. 100 More Homes has a number of initiatives it is currently leading in a *grassroots*-type fashion (e.g., off the sides of organizations' desks). This includes action planning, education, developing business cases for new services and programs, learning from other communities that have measurably decreased homelessness, identifying opportunities for enhanced coordination, and long-term planning. Currently, 100 More Homes and its member organizations have a number of confirmed partners for this work. These partners include:

- A Way Home Canada
- BC Rural & Remote Homelessness Partnering Strategy, administered by the Prince George Nechako Aboriginal Employment and Training Association
- Canadian Alliance to End Homelessness
- Canadian Observatory on Homelessness
- Canadian Mortgage and Housing Corporation – application currently under review
- HelpSeeker
- Okanagan College – project being finalized based on the outcome of funding application
- Making The Shift – application currently under review
- United Way British Columbia

As noted, these partners are supporting various components of 100 More Homes' local initiatives in different capacities and with different resources.

#### *Proposal from 100 More Homes*

100 More Homes has recently submitted a proposal to the City to enter into a Memorandum of Understanding (MOU). The MOU is intended to formalize the relationship with 100 More Homes and the City of Penticton and identify roles for each organization as it pertains to the response to homelessness in Penticton. The agreement also provides funding from the City for administration of 100 More Homes. 100 More Homes has worked to identify other potential funding sources to support this work. These efforts have not been successful to-date. Therefore, 100 More Homes is seeking support from the City to move ahead with these initiatives. The main purpose of the proposal is to support four key objectives:

1. 100 More Homes having recognition and responsibility around homelessness and non-market housing in Penticton (i.e., is recognized as the Community System Planning Organization for housing and non-market housing in Penticton). The MOU would help provide clarity on 100 More Homes' roles and level of responsibilities at the local level, and the supports 100 More Homes will receive from the City for playing these roles,
2. Resources and responsibility for 100 More Homes to submit a competitive, professional, and well-developed application for the next round of the Government of Canada's Reaching Home applications, and to implement this if successful. Being a Reaching Home community would provide guaranteed funding from the federal government to align with the federal government's goal of decreasing chronic homelessness in communities. To submit a competitive application, there are mandatory Reaching Home structures and processes 100 More Homes can implement now to make Penticton's application more competitive.

3. Resources, responsibility, and timelines for 100 More Homes' participation in Built for Zero - Canada. This is a national improvement initiative that supports entities at the local community level working to improve communities' approaches, structures, and tactics to move towards decreasing homelessness in their communities, and
4. Resources and responsibility for 100 More Homes to be the structure to move forward the *No Where to Go* report (youth homelessness research report), as directed by Council on February 15, 2022 to work with 100 More Homes and other partners on implementing recommendations in the report (Council Resolution 40/2022).

### *Government of Canada Reaching Home*

As identified in the MOU (see Attachment A), the Government of Canada, from time-to-time, issues requests for applications from Canadian communities to be designated as a Reaching Home community. This provides guaranteed funding for communities to direct to local community priorities around housing and homelessness. A key component of applying for Reaching Home funding is to have an entity in the community identified and confirmed. To submit a competitive application, communities are better positioned to have this leadership entity with the accompanying structures in place identified prior to submitting an application, and to have municipal support for the entity confirmed and in writing.

As part of the MOU, 100 More Homes will have recognition from the City to help play the role of this important entity in Penticton. Additionally, the MOU provides the funding necessary for 100 More Homes to begin implementing mandatory requirements now to increase the competitiveness of its Reaching Home application. Communities that can already show the Government of Canada that the necessary entities and processes already exist in their community during the application process are at a significant advantage to receiving Reaching Home funding versus those that wait until after funds are received. Reaching Home applications are exceptionally competitive so this is an application the community must start working towards now. Based on discussions with other communities and municipalities across Canada, there is a risk that with the current structures in Penticton, Penticton is at risk of being uncompetitive in the upcoming Reaching Home application cycle. As Reaching Home funding would be several million dollars over the five year agreement, there is a desire to ensure Penticton is as competitive as possible to receive this funding. This MOU provides 100 More Homes with some funding to hire a coordinator and pay for other items associated with implementing these mandatory Reaching Home components now.

### **Financial implication**

The 100 More Homes proposal requests up to a maximum of \$85,000 per year from the City of Penticton plus some staff time over three years (total of \$255,000). If Council approves the MOU, then funding sources could include a combination of:

- Administrative savings
- The grant from the Union of BC Municipalities (UBCM) as outlined in an accompanying Council report in this agenda package,
- Other grants that become available during the duration of the MOU (would reduce City portion), and/or
- Designated tax dollars.

Based on an analysis of upcoming grant opportunities, estimated at \$25k over 2 years, and grants the City currently holds with other funders, it is recommended that Council approve the signing of the Memorandum of Understanding.

As noted, the goal is to identify grant opportunities that can cover as much of the costs as possible. 100 More Homes and other groups have a positive track record of being able to receive grants. However, being able to identify appropriate grants to pay for these specific initiatives has been difficult. City funding would help ensure that the initiatives can move forward in a timely fashion (well before the next Reaching Home application cycle opens) while seeking opportunities for other funding sources.

**Analysis**

*Parallels to Similar Municipal MOUs and Initiatives*

As described in the proposal from 100 More Homes, MOUs between municipalities and local community groups for similar reasons are a growing trend in British Columbia and across Canada. For example, the City of Kelowna and City of Nanaimo are two examples of municipalities that recently entered into very similar MOUs that 100 More Homes’ has outlined in its proposal (see Table 2 for three examples).

<b>Municipality</b>	<b>Municipal Role</b>	<b>Municipal Contribution<sup>1</sup></b>	<b>Reaching Home per year<sup>2</sup></b>	<b>Rationale for Comparison</b>
City of Kelowna (BC)	Advocator, Coordinator, Funder	Minimum of \$150,000/year	\$1.1M	Neighbouring community
City of Nanaimo (BC)	Advocator, Coordinator, Funder	Contracted staff support to establish System Planning Organization (similar annual amount to the request from 100 More Homes)	\$730k	Similar sized community with this type of initiative
City of St. John’s (NL)	Advocator, Coordinator, Funder	\$100,000/year	\$1.2M	Built for Zero community which reduced chronic homelessness by 10% in 2020

Table 2. Four examples of other municipalities

<sup>1</sup> Municipal contributions are a combination of grant, tax and reserve funding sources

<sup>2</sup> Amount allocated to that community from the Government of Canada

The MOU between the City and 100 More Homes would help provide the clarity of roles, responsibilities, and specific goals/objectives that other municipalities have sought in MOUs with similar community initiatives in their own communities. The proposal from 100 More Homes is in alignment with the annual financial contributions from other Canadian municipalities.

*Analyzing the Proposal*

While the City does not have any bylaws or policies on how to review these specific forms of unsolicited proposals, staff looked at existing bylaws/policies to create a framework to use while analyzing the proposal from 100 More Homes (see Table 3 for an analysis).

Consideration	Staff Analysis
A clear proposal has been submitted to the City	100 More Homes is requesting financial and other City supports to be the entity in Penticton with responsibility to identify solutions for homelessness. 100 More Homes has provided a written proposal to the City of Penticton.
Demonstrate how the proposal will comply with the Official Community Plan (OCP) and other City policies/priorities	The proposal aligns with Policies 4.1.2.1, 4.1.2.3, and 4.1.2.5 about the City being a partner in various forms of housing initiatives. Additionally, it aligns with recommendations in <i>No Where to Go</i> .
Outline the benefits and value to the community, and to the economic and social well-being of Penticton	<p>Receiving Reaching Home funds from the Government of Canada would be impactful in the community. Reaching Home has fairly robust requirements for communities. Having Penticton work towards these requirements would help enhance the community's capacity to work towards decreasing homelessness and its impacts in the community.</p> <p>Built for Zero – Canada supports communities in learning from leading Canadian peer communities, implementing evidence informed approaches, and provides a substantial amount of learning opportunities. Nearly every community in Canada that is transparently and measurably decreasing homelessness is a member of Built for Zero – Canada. By participating in the same initiative, Penticton can learn from these other communities' successes and share its own successes.</p> <p><i>No Where to Go</i> identifies having a community structure in Penticton to provide local coordination and leadership. This MOU would help mobilize this recommendation from <i>No Where to Go</i>.</p> <p>This MOU provides clarity on roles and responsibilities related to housing and homelessness at the local level. At times, there have been unrealistic and unreasonable expectations and demands attempted to be placed on the City. This helps clarify the City's roles and responsibilities.</p>
High-level overview of the concept(s) in the proposal	<ul style="list-style-type: none"> <li>• 100 More Homes having recognition and responsibility around homelessness and non-market housing in Penticton, and is recognized as the System Planning Organization (SPO) for housing and non-market housing in Penticton,</li> </ul>

	<ul style="list-style-type: none"> <li>• Resources and responsibility for 100 More Homes to submit a competitive, professional, and well-developed application for the next round of the Government of Canada’s Reaching Home applications, and to implement this if successful,</li> <li>• Resources, responsibility, and timelines for 100 More Homes’ participation in Built for Zero Canada, and</li> <li>• Resources and responsibility for 100 More Homes to be the structure to move forward the <i>No Where to Go</i> report (youth homelessness research report).</li> </ul>
A timeline	Three year pilot Memorandum of Understanding
Relevancy to other City initiatives and/or policies	The City of Penticton has a three-year MOU with the Community Action Team (CAT). That MOU provides approximately \$25,000 per year from City funds to go towards an approximately \$800,000 project that is being funded primarily by the Vancouver Foundation to focus on substance use. That MOU uses tax dollars that are collected each year while the proposed MOU in Attachment A proposes using tax dollars that are available from administrative savings if other grant funds cannot be identified.
Evidence of financial need, and other sources of funding	Based on discussions with 100 More Homes, and other communities and municipalities, there is no other known funding source for this work besides the Government of Canada’s Reaching Home funding at this time. The City’s funding is meant to help develop the community structure that will allow Penticton to submit a competitive application for the federal government’s funding. 100 More Homes will continue to work to seek alternative grant opportunities, however, to begin establishing the necessary elements in Penticton required for Reaching Home communities, 100 More Homes should start this work immediately.

Table 3. Analysis of Proposal and Benefits.

*Summary and Recommendations*

With current community concerns about safety and well-being, clarifying the municipality’s roles and responsibilities around housing and homelessness is important in the work City staff are a part of on a day-to-day basis. At times, the City has had unreasonable and unrealistic expectations placed on it by external parties. This MOU will provide important clarity about roles the City can play to address housing and homelessness. Additionally, the MOU sets out an early framework for recognizing the contributions the City has made to-date related to housing and homelessness, and how it can continue to support the work 100 More Homes and others are doing to try to begin decreasing homelessness in Penticton. As other communities and municipalities have identified in BC and other provinces, finding other funding sources for this work can be exceptionally challenging; many municipalities have had to provide early funding to support community efforts in moving similar initiatives forward.

Based on the proposal, staff are recommending that Council agree to the MOU in Attachment A, and allocate unused portions of the funds available from administrative savings to be a contingency in case other grants or funding sources cannot be confirmed in a timely fashion.

**Alternate recommendations**

THAT Council direct staff to bring back additional information.

**Attachments**

Attachment A – Memorandum of Understanding

Attachment B – Proposal from 100 More Homes and Accompanying Letters of Support

Attachment C – 100 More Homes Terms of Reference

Respectfully submitted,

Adam Goodwin  
Social Development Specialist

Blake Laven  
Director, Development Services

Concurrence

Director, Administration and Finance  <i>AMC</i>	Chief Administrative Officer  <b>DvD</b>
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Memorandum of Understanding (“**MOU**”) 2022-2025  
Between the Corporation of the City of Penticton (the “**City**”), and 100 More Homes and its member organizations (the “**100MH**”) Regarding 100 More Homes

As agreed to on this **FIFTH (5)** day of **APRIL** (month), **2022** (year):

BETWEEN

**THE CORPORATION OF THE CITY OF PENTICTON (the “City”)**

AND

**100 MORE HOMES AND ITS MEMBER ORGANIZATIONS (“100MH”)**

The Corporation of the City of Penticton (the “**City**”), and 100 More Homes and its member organizations (“**100MH**”) agree to enter into a Memorandum of Understanding (“**MOU**”) for the purposes of collaborating on an initiative(s), as described below. The purpose of this MOU is to set out basic terms and conditions under which the City and 100MH (including its member organizations) intend to work together on this initiative(s), as described below. While this MOU is not intended to create legally binding rights or obligations, the City and 100MH (and its member organizations) wish to confirm that they will work together in a cooperative, transparent, and collaborative manner to develop, implement, manage, and evaluate the initiative(s), as described below.

**1. BACKGROUND**

*Proposal from 100 More Homes to the City Of Penticton*

On or about February 16, 2022, 100 More Homes submitted a Proposal (the “**Proposal**”) to the City of Penticton (see Appendix A). The Proposal requests that the City of Penticton identify 100 More Homes as the lead local entity around housing and homelessness in Penticton and the region. In the Proposal, 100 More Homes outlines initiatives it wishes to achieve to benefit the community of Penticton, and requests financial and other supports from the City and community partners as outlined in the Proposal (Appendix A). The City of Penticton Council considered the Proposal from 100MH during its April 5, 2022 Regular Meeting (see Appendix B for a copy of the Council Report).

*100 More Homes*

100 More Homes started in 2016 to coordinate supports for Penticton’s and the region’s most vulnerable community members, and to provide leadership in the community around homelessness and non-market housing. Since, 100 More Homes now participates in the Canadian Alliance to End Homelessness’s Built for Zero Canada campaign – a national campaign that provides a methodology to groups to build a local system that aims to prevent end individuals experiences with homelessness. Its member organizations at the signing of the MOU include\*:

- ASK Wellness
- BC Housing
- City of Penticton – Bylaw Services, Development Services, and Social Development
- Canadian Mental Health Association

- Interior Health Authority – Community Health, and Mental Health and Substance Use
- OneSky Community Resources
- Ooknakane Friendship Centre
- Pathways Addictions Resource Centre
- Penticton Indian Band
- Royal Canadian Mounted Police (“RCMP”)
- South Okanagan Similkameen Brain Injury Society
- South Okanagan Women in Need Society
- United Way of British Columbia – Southern Interior office

\*It is recognized by all parties that the membership may change over the course of the MOU. Membership may change subject to the processes identified in this MOU.

### *City Of Penticton Initiatives to Address Housing and Homelessness*

The City working closely with community partners on housing and homelessness is in alignment with the City’s long track record of working in this regard. For example, in just the last half-decade, the City has supported the following (non-exhaustive):

- System-level components
  - By-Name List: Have Community Safety Officers (CSOs) trained in the Vulnerability Assessment Tool (VAT). Provide staff support to support 100MH in developing a Quality By-Name List.
  - Coordinated Access: City staff attend and participate in Coordinated Access processes and meetings.
  - Planning: Worked with community partners and youth leaders to convene the *No Where to Go* (youth homelessness research report).
  - System Mapping: Funding the Community Action Team’s three-year system change work, and working with 100MH to establish HelpSeeker in Penticton.
  - Organizational infrastructure: Established a Social Development department, with a Social Development Specialist and Community Mobilizer (focused on housing and homelessness initiatives).
- Services supports/funding
  - Prevention: Advocated for and supported Rent Bank BC with establishing a rent bank in the South Okanagan.
  - Interventions: Funder of the ambassador program with ASK Wellness. Funder of tax program for vulnerable individuals at the Access Centre. Funder of a mental health coordinator with the RCMP.
  - Housing asset development and management: Supported location selection, development fee reductions, re-zoning applications, land leases and/or permits for 352 Winnipeg Street, Backstreet Apartments, Burdock House, Compass Court, Compass House, Fairhaven, and the Rise of Nanaimo. Entered a Memorandum of Understanding with the South Okanagan Similkameen Brain Injury Society to develop a piece of City lands on Galt Avenue into attainable housing. Updated the Official Community Plan to support Indigenous housing in downtown on Main Street. Provide annual permissive tax exemptions on property taxes for a variety of affordable and attainable housing assets.
  - Emergency/crisis/down-stream responses: Created the Community Safety Officer roles. Fund the community’s needle clean-up program. Fund the Emergency Transportation Assistance Program. Provide encampment clean up on public lands.

- Lived and living experience: Provided the seed funding to establish the South Okanagan Lived Experience Circle.
- Advocacy and working with other governments to:
  - Have an independent and third-party review of Penticton's supportive housing to ensure that vulnerable individuals are receiving the on-site services that the Province committed to when it opened this housing in Penticton,
  - Establish the Community Active Support Table (CAST),
  - Ask the Province for integrated medical supports in supportive housing,
  - Request that Interior Health enhance services offered in Penticton's shelter,
  - Pass a resolution for the City to work with partners such as service providers, 100 More Homes, BC Housing, and Interior Health to build a business case for increased funding for health supports for vulnerable individuals.
  - Request support from the Union of BC Municipalities (UBCM) to request that an integrated psychiatric nurse be placed with local RCMP officers to provide enhanced mental health crisis supports to vulnerable individuals in the community.
  - Develop shelter and supportive housing location selection criteria.

#### *Government of Canada Reaching Home Funding*

The Government of Canada, from time-to-time, issues requests for applications from Canadian communities to be designated as a Reaching Home community. This provides guaranteed funding for communities to direct to local community priorities around housing and homelessness. A key component of applying for Reaching Home funding is to have a leadership entity (sometimes referred to as a System Planning Organization) in the community identified and confirmed. A part of the initiative(s) as described below is for 100 More Homes to submit a professional and highly competitive application during the next application period for Reaching Home communities (anticipated in late 2022 or early 2023), and to form part of this entity required to be a Reaching Home community.

#### *Built for Zero Canada – Canadian Alliance to End Homelessness*

The Canadian Alliance to End Homelessness supports local communities with the Built for Zero Canada ("**BFZ-C**") initiative. BFZ-C coaches communities in taking a structured, supportive and data-driven approach to communities optimizing their local systems, adopting proven practices, and driving continuous improvement with the goal of reaching Functional Zero (homelessness is rare and brief for a particular population in the community). 100 More Homes would like to apply for the third term of Built for Zero Canada, and achieve BFZ-C's milestones and timelines in a timely and transparent fashion.

#### *No Where to Go: Youth Homelessness Research Report*

In 2020, various organizations in Penticton and the surrounding region (e.g., City of Penticton, Foundry Penticton, Interior Health, OneSky Community Resources, WRH Consulting) started working on a youth homelessness research project using funding from the Social Planning and Research Council of BC ("**SPARC BC**"). This project developed from the YES (Youth Engagement Strategy) initiative that was co-led with the Community Foundation of the South Okanagan Similkameen. The research report was endorsed by community partners and City Council in or about February 2022. There are recommendations in the report that the community would like to see move forward to better support youth at risk of homelessness or who are/have experienced homelessness. As

recommended in the research report, a community structure should be identified to lead the implementation of recommendations in the report. As identified below, this MOU outlines the proposed community structure as being a part of 100 More Homes.

**2. COMMITMENT TO EXCELLENCE IN COLLABORATION AND COMMUNICATION AND SERVICE**

The City and the 100MH agree to strive to achieve excellence in collaborating on and the services associated with the initiative(s) describe herein and communicating with one another, community partners, and the public about the initiative(s). Without the prior written consent of the other party, no party will make any press release, public announcement, or public statement about the MOU, except under exceptional circumstances. This MOU will be available in the public domain and shareable by any party of the MOU. Nothing in this MOU prevents individual organizations from oversight, operations, and management of their organizations, programs, staff, and/or resources outside the scope of this MOU.

**3. THE INITIATIVE(S)**

The initiative includes:

- 100 More Homes having recognition and responsibility around homelessness and non-market housing in Penticton, and is recognized as the System Planning Organization (the “SPO”) for housing and non-market housing in Penticton,
- Resources and responsibility for 100 More Homes to submit a competitive, professional, and well-developed application for the next round of the Government of Canada’s Reaching Home applications, and to implement this if successful,
- Resources, responsibility, and timelines for 100 More Homes’ participation in Built for Zero Canada, and
- Resources and responsibility for 100 More Homes to be the structure to move forward the *No Where to Go* report (youth homelessness research report).

*City’s Responsibilities and Roles*

The City of Penticton will, at a minimum, recognize 100 More Homes as providing leadership in Penticton and the region around housing and homelessness, and as the SPO for Penticton for non-market housing and homelessness. As part of this MOU, the City will play the following roles and associated commitments described in the table below.

Role(s)	Commitment
<b>Advocator</b>	Continue to advocate to other orders of government and municipalities for services, collaborations, local decision making, resources, funding, investments, and policy shifts. When possible, it will consult with 100MH’s on its advocacy efforts.
<b>Community / Capacity Building</b>	<p>At the written approval of the City, have City staff provide reasonable support to 100 More Homes’ efforts and initiatives to achieve and sustain all elements of Built for Zero Canada, developing the Reaching Home application when it opens and implementing Reaching Home in the community, and with implementing recommendations in <i>No Where to Go</i>.</p> <p>At no cost to 100MH, provide a minimum of six (6) coaching sessions around incorporating Collective Impact principles in 100MH’s work.</p>

<b>Coordinator</b>	City staff, where possible, will support 100MH in aligning 100MH’s purpose, goals, investments, messaging, structure, and activities/tactics with other community groups, City initiatives, and community initiatives.
	At no cost to 100MH, coordinate with 100MH and other similar groups, for a minimum of one (1) year on implementing HelpSeeker, 211, or similar service, in the community.
	Share data in the aggregate format provided that such data is relevant to the initiative and the appropriate and reasonable privacy and data protections have written policies and practices.
	Have City agencies/departments/staff participate in and contribute to the initiative(s).
<b>Educator</b>	Participate in joint announcements and/or communications and/or education opportunities at the sole discretion of the City.
<b>A Funder of Local System</b>	Contribute up to a maximum of eighty-five thousand dollars (\$85,000.00 CAD) per year, provided that 100 More Homes continues to adhere to the various components of the MOU. These funds may be used to hire a coordinator, reasonable and directly relevant costs relevant to the MOU, and any other purpose that is in the spirit and intent of the MOU. (Note: Until such a time that 100MH has the appropriate policies developed, spending decisions should be made by 100MH’s most senior decision making body with minutes that can be shared with the City.)
	Provide funds donated to the Kindness Metre to 100MH. The City will explore opportunities to expand the Kindness Metre program, and to offer credit card payment options in addition to the existing cash/change options.
<b>Land Use Authority</b>	Send referrals for development applications that are relevant to the purpose of 100 More Homes.
<b>Monitor</b>	The City shall monitor this MOU from time-to-time. The City may audit 100MH from time-to-time using reasonably acceptable Canadian audit practices.

For clarity, the City of Penticton is not liable for any debts of 100 More Homes, liabilities of 100 More Homes, or for any risks to 100MH’s finances or reputation. This MOU does not provide 100 More Homes with any decision making powers over the City, City staff, resources, policies, and/or programs.

*100 More Homes’ Responsibilities and Roles*

100 More Homes, at a minimum will:

<b>Key Component</b>	<b>Commitment</b>
<b>Action Groups</b>	100 More Homes will have action groups that have sufficient resources, processes, structures, and governance.
<b>Backbone Organization</b>	100 More Homes shall select a <i>backbone organization</i> for this MOU. The <i>backbone organization</i> will be responsible for ensuring the delivery of the activities and commitments in this MOU, for overseeing any financial reporting related to this MOU, and providing the day-to-day support to 100MH.
<b>Built for Zero Canada</b>	Apply for and participate in term three of BFZ-C, including, but not limited to:

	<ul style="list-style-type: none"> <li>• A Basic and Veteran Quality By-Name List shall be fully and completely implemented, and confirmed by Canadian Alliance to End Homelessness before or on September 30, 2022 (using Scorecard 3.0, as amended). For clarity, the four (4) month data collection process using a Quality and Veteran By-Name List that has achieved full scores on the Basic and Veteran Scorecards (3.0) must start on or before October 1, 2022. Once the full scores on Scorecard(s) 3.0 are achieved and the Canadian Alliance to End Homelessness has confirmed, 100MH must maintain the full scores for the duration of the MOU, including submitting data within fifteen (15) days of the end of each month. If BFZ-C creates a new version of a Scorecard (e.g., version 4.0), 100MH must meet the full score(s) of this updated/new Scorecard(s).</li> <li>• The BFZ-C Provider Participation Tool shall be completed by July 30, 2022 and shall be reviewed/updated every ten to twelve (10-12) weeks at a minimum by 100MH.</li> <li>• The BFZ-C Outreach Coverage and Coordination Tool shall be completed by July 30, 2022 and shall be reviewed/updated every ten to twelve (10-12) weeks at a minimum by 100MH.</li> <li>• The BFZ-C Housing Inventory Tool shall be completed by July 30, 2022 and shall be reviewed/updated every ten to twelve (10-12) weeks at a minimum by 100MH.</li> <li>• A Reaching Home and Basic Quality Coordinated Access shall be fully and completely implemented (full scores), and confirmed by Canadian Alliance to End Homelessness on or before December 31, 2023 (using Scorecard 3.0, as amended). Once BFZ-C has independently verified that 100MH has met all elements of a Reaching Home and Basic Quality Coordinated Access Scorecard (3.0), 100MH must maintain a full score on the Scorecard for the duration of the MOU. If BFZ-C creates a new version of a Scorecard (e.g., version 4.0), 100MH must adhere to this updated/new Scorecard(s).</li> <li>• Participating in all relevant and applicable BFZ-C learning sessions/opportunities (e.g., monthly coaching with BFZ-C advisor, Pit Stops, Learning Sessions, clear action/improvement cycles).</li> </ul>
<b>Collective impact</b>	Will use major elements of Collective Impact in its work.
<b>Contact information</b>	A phone number, simple website, and email address that members of the public can use to contact and learn more about 100MH.
<b>Data Sharing</b>	Provide monthly aggregated statistics about the number of individuals inflow and outflow of homelessness, and other key system-level performance indicators within a reasonable period of time. For clarity, this element of the MOU applies to aggregate data only, and not individual-level data.
<b>Funding</b>	Funding must be used for purposes in direct alignment with the MOU. A detailed invoice and all supporting documents (e.g., receipts, proof of payment, meeting minutes) must be provided to the City. 100MH will aim to invoice the City every month (or later). (Note: The City paying an invoice does not mean that the City has approved all expenses; for

	example there may still be auditing reviews that identify ineligible costs that 100MH must pay back to the City in a timely manner.)
<b>Guiding principles</b>	Develop guiding principles for its work that are publicly available.
<b>Government of Canada Reaching Home</b>	Submit a competitive, professional, and well-developed application during the next round of the Government of Canada’s Reaching Home applications. If successful, develop, implement, and monitor reasonable governance, decision making, conflict of interest, ethical behavior, recognized financial processes and controls, and other relevant and appropriate policies and processes as it relates to Community Advisory Board, Community Entity, and other elements of being a Reaching Home community. 100MH, where possible, will try to implement Reaching Home mandatory requirements (e.g., governance model, BFZ-C Coordinated Access Scorecard) as soon as possible.
<b>No Where to Go</b>	Have an action group, with the appropriate resources, governance, and structure, to implement recommendations in <i>No Where to Go</i> .
<b>Oversight</b>	If 100MH has a relationship with a contractor(s), employee(s), and/or volunteer(s), 100MH agrees to have appropriate and sufficient processes, policies, and structures in place to oversee and monitor the day-to-day activities of this role(s) to ensure the individual is healthy, safe, and respected.
<b>Relationships</b>	Have professional and respectful relationships with other community groups in Penticton and the region, and other similar groups/organizations with similar purposes in other communities (e.g., Journey Home in Kelowna).
<b>Relevant Legislation and Regulations</b>	Adhere to relevant legislation, local By-Laws, and regulations for its initiatives. For clarity, this would include ensuring that a contractor or employee is protected by appropriate work place insurance and safe work policies.
<b>Reporting</b>	100MH must work with the City to report on this MOU at approximately each anniversary of the signing of the MOU.

*Other Considerations Associated with the MOU*

- If a party of this MOU will not be able to deliver one of its roles, commitments, components, and/or parts of this MOU, it must notify the other party(s), in writing, as soon as reasonably possible.
- Provided that reasonable conflict of interest, ethical behavior, recognized financial processes and controls, and other relevant and appropriate policies and processes are developed and implemented, the City will support 100 More Homes in having the Community Entity and Community Advisory Board roles and responsibilities associated with Reaching Home funding be a part of 100 More Homes.
- With the types of initiatives included in this MOU, there may be new considerations that arise that were not anticipated during the development of the MOU. All parties agree to sit down in good faith and respectfully come to a reasonable agreement about the consideration.
- The funding support must be acknowledged in all communications, as approved. 100MH may not represent that 100MH is a project/initiative of the City of Penticton, or hold itself out as an agent of the City of Penticton in any way. For greater clarity, the City of Penticton is one of the funders of 100MH’s work.

- 100 More Homes is encouraged and shall try to identify, apply for, and receive other funding sources. There is understanding that relevant grant opportunity availability is outside the control of 100MH.
- 100 More Homes may not use funding for retroactive activities, expenses, and/or accumulated deficits or debts. It may not be used to pay for services/programs of a 100MH member organization.
- New members may join 100MH during the course of this MOU. To join 100MH, there must be a strong consensus among existing 100MH members to approve the new member to join 100MH.

#### **4. DURATION OF, CHANGING, AND ENDING THIS MOU**

This MOU shall be for three (3) years. It shall be from June 1, 2022 to June 31, 2025. City staff shall review the MOU approximately every twelve (12) months with 100 More Homes.

The City or 100MH may request a change or amendment to this MOU. The request must be made in writing and should be provided a minimum of forty (40) business days prior to the party wishing for the change to become effective. The City and 100MH will work cooperatively and in good faith to come to consensus on the change(s). The City and/or 100MH with a minimum of six-months (6) calendar months' notice, may leave this MOU. The party must provide written notice to the other party.

It is recognized that 100 More Homes may change its name during the term of the MOU. If 100 More Homes changes its name, upon written evidence that all member organizations of 100 More Homes unanimously agree to the name change, the City shall recognize the newly named party as replacing 100 More Homes in this MOU. City staff shall write in the new name and circulate the edited signed MOU to all parties. All other terms of the MOU will remain the same.

#### **5. CONTACTS**

Should any party wish to contact the **CITY OF PENTICTON**, they shall contact:

Social Development  
City of Penticton  
171 Main Street  
Penticton, BC  
V2A 5A9  
250.490.2400  
SocialDevelopment@penticton.ca  
ATTN: Adam Goodwin

Should any party wish to contact **100 MORE HOMES**, they shall contact:

Current Chair\*  
100 More Homes c/o OneSky Community Resources  
330 Ellis Street  
Penticton, BC  
V2A 4L7  
250.492.5814

ATTN: Tanya Behardien

\*The chair, at the time of signing this MOU, is Tanya Behardien, executive director of OneSky Community Resources. It is recognized by all parties that 100 More Homes uses a system where the chair role is re-visited on an annual basis so during the course of this MOU, the 100 More Homes chair may change. 100 More Homes will provide timely contact information for the current 100 More Homes' chair to the City of Penticton and other parties.

**6. DISPUTE RESOLUTION**

Should a conflict/dispute arise related to this MOU, it is in the interest of all parties of the MOU to resolve the conflict/dispute as quickly and respectfully as possible. The organization/party with the concern should work directly with the organization/party in which it has a concern to resolve the concern/dispute. If the matter cannot be reasonably resolved between the two organizations/parties, the organization/party with the concern shall hire and bear the costs of a mediator to resolve the conflict/dispute. All organizations/parties agree to participate in a reasonable mediation process.

**7. EXECUTION OF MOU**

No legal rights or obligations shall be created or arise until Penticton City Council, and 100MH have approved this MOU, and the appropriate signing authorities have signed this MOU. This MOU will not become effective until a minimum of two (2) signing authorities from each party have signed the MOU. The City will not release any funding until the City is provided evidence that that all 100MH member organizations have completely signed and filed their organization's 100MH paperwork and paid all 100MH dues, if applicable. Time is of the essence to have the MOU fully signed and executed and to begin implementing the initiative(s). 100 More Homes shall sign this MOU first, and the City shall sign the MOU last.

**8. SIGNATURES**

The **CORPORATE SEAL OF CITY OF PENTICTON** was hereunto affixed in the Presence of its duly authorized signatories:

\_\_\_\_\_  
John Vassilaki  
Mayor  
City of Penticton  
Date:

\_\_\_\_\_  
Angie Collison  
Corporate Officer  
City of Penticton  
Date:

**COUNCIL APPROVED**

DATE:  
Res. No.:

**100 MORE HOMES** by its authorized signatories:

---

Tanya Behardien  
Chair  
100 More Homes c/o OneSky Community Resources  
Date:

---

Linda Sankey  
Vice Chair  
100 More Homes c/o South Okanagan Similkameen Brian Injury Society  
Date:

DRAFT

Feb 2022

The Steering Committee of 100 More Homes (100MH) would like to seek support from the City of Penticton towards its goal of preventing and addressing homelessness in Penticton specifically with *the coordination, governance and collaboration of various community tables/programs/initiatives working in this area.*

100 More Homes is well-positioned as the community leader in advocating for changes in housing systems and support networks that effectively and efficiently prevent and address homelessness.

### **Background:**

Since 2016, 100MH has collaboratively been working with community partners, local government, and other stakeholders in ***preventing and addressing homelessness in Penticton*** by undertaking activities, such as: supporting applications for funding to build housing, advocating for additional services in Penticton that support people experiencing homelessness and developing tools to better understand the inflow and outflow of people experiencing homelessness in Penticton. Over the last five years, these activities have continued to provide additional support in the community and ensure communication between agencies and initiatives is heightened. The group has over 25 members across a broad cross section of the agencies providing services that interact with people at-risk of or experiencing homelessness.

### **Activities:**

In 2018, 100MH joined the **Built for Zero** community (formed by the Canadian Alliance to End Homelessness), a national campaign to end chronic homelessness in Canada, and have developed a **list of known individuals in the community experiencing chronic homelessness, known as a By Name List** to better understand this population in Penticton. It has become clear that as 100MH develops this work and builds its capacity in other areas of work, such as an education and awareness campaign, that additional resources are needed to support the work of 100MH in its efforts to contribute to a safe and vibrant community for all residents.

The City of Penticton identifies community safety as a key priority, and within its strategic initiatives, clarifies the need for “partnership and the provision of effective and community-focused services.” 100MH seeks to explore what benefits could come from developing a stronger, symbiotic, and more formal arrangement between the two organizations.

### **Why a formal arrangement?**

- *Data Access and Coordination* – it is important to have access to the most up to date and real time data to build a picture of gaps, strengths, and challenges in the community. It is important that key community decision makers and stakeholders, such as 100MH, City of Penticton, Crown Corporations, and others, all have access to this dashboard of data to make informed choices on issues that straddle multiple areas of jurisdiction. By having an agreement such as this funding can be used efficiently, and the impact measured accurately.
- *Renewal of Built for Zero Term 3 Service Level Agreement* – opportunity to receive support from a national Federally funded initiative aimed at ending chronic homelessness; United Way British Columbia has held this Service Level Agreement since 2019 and is seeking a community entity to take on this work.
- *Youth Homelessness Strategy* – connecting and convening the stakeholders involved in this work and developing a community action plan that incorporates the ten recommendations from the “Nowhere To Go” Report.

- *Community Table connections* – City staff attend many community tables in the area of Social Development; with City support, we can limit duplication, ensure a more focused and targeted approach at these different tables and create better efficiencies.
- *Two-way communication* – 100MH could act as the conduit between community agencies, those interacting with people experiencing homelessness and the City of Penticton. Developing communication pathways to increase awareness of both organizations roles and mandates.
- *Building on existing community work* - The City can further the work due to its broad resources and wide audience providing leadership and direction for the community is an existing strength of the City and staff. In the area of housing and homelessness this could be a potential opportunity to expand such direction and lead collaboratively with community partners.
- *Alignment with best practice in use across Canada* – multiple other municipalities in Canada are using this approach to formalize arrangements between entities working to address homelessness.
- *Current backbone organization* – the original agreement, in 2016, and set up for 100 More Homes sees United Way British Columbia (UWBC) as the backbone organization; this arrangement has brought many positive contributions to the group, at this point the amount of work in many different areas is challenging to complete with the time available from UWBC. This is testament to the people from UWBC who have contributed to the work over the years and now requires community experts in the areas of data, communications, and table coordination in order to continue the work and realize the future impact of this group.

#### **Financial Contribution:**

- Currently the work of 100 More Homes is completed either voluntarily by members of the Steering Committee or the Coordinator from United Way British Columbia does the work. The group is at such a point as the workload of the Steering Committee has reached critical mass; there is much work that requires hours dedicated to it however maximum capacity has been reached.
- 100 More Homes is seeking financial support for the ongoing work in the following areas:
  - *Data Coordination and Sharing:* developing data systems with data consultant support to ensure the upkeep of data relating to inflows and outflows of people experiencing homelessness working towards a national recognition of data quality and sharing with key stakeholders including the City of Penticton
  - *Coordination of 100MH Steering Committee/Leadership Table and associated Action Tables:* convening and coordinating meetings of Leadership Table and Action Tables, ensuring Terms of Reference and Bylaws are upheld, aligning the work of action tables with 100 More Home priorities and strategic goals, supporting applications to funding, and coordinating the work of this group with other community tables in the City of Penticton as appropriate.
  - *Marketing and Communications:* Online presence (website and social media), communications and key messaging, developing the education and awareness work associated with the work of the Committee.
- It is proposed that this work can be done by one coordinator (FTE) at a cost of approximately \$85,000 (tbc); the role can potentially be contracted through the current backbone organization.
- Support for agencies to add capacity for work relating to the national system of data tracking on homelessness would be a helpful addition to the above in order to maximize our success as a community in achieving the national data quality item.
- Collaboration and support as needed from City staff

## Appendix A: 100 More Homes Mission, Values and Strategic Goals

**Mission: Working collaboratively to build a system of housing and supports to prevent and address homelessness in the City of Penticton**

### Values

- Every person in our community deserves to have a home.
- Multisector collaboration with shared goals and priorities is essential.
- That lived experience is integral and forms the foundation for the committee's work.

### Strategic Goals

- Increase housing and supports for those experiencing homelessness or housing insecurity
- Create a coordinated system of intake, assessment and supports.
- Produce consistent and reliable data.
- Enhance communication and education to the wider community.

Membership of the Steering Committee includes:

Chair, Social Services – Families, Seniors	Tanya Behardien (Ian Gerbrandt)	Executive Director, One Sky Community Resources
Provincial Government: Housing	Janet Bertrand; Dawn Himer	Portfolio Manager & Coordinated Access, BC Housing (Supportive Housing Advisor, BC Housing)
Provincial Government: Health Authority	Tanya Osborne	Healthy Communities Facilitator
Provincial Government: Health Authority	Scott Jacobsen	South Okanagan Mental Health Substance Use Manager, Interior Health
Provincial Government: Social Development & Poverty Reduction	Alicia Doiron	Outreach Worker, Ministry of Social Development & Poverty Reduction
Aboriginal Services - Families & Elders	Janet Terbasket	Executive Director, Oonkane Friendship Centre
First Nation – Syilx / Penticton Indian Band	Tabitha Eneas	Housing & Emergency Response Manager, Syilx Nation / Penticton Indian Band
Municipal Government - City of Penticton	Jamie Lloyd-Smith, Adam Goodwin, Blake Laven	Community Mobilizer, Social Development Specialist, Director of Development Services
Law Enforcement	Laurie Rock	Corporal, RCMP
Correctional Services	Linda Semmens (Kary Steele)	Assistant Warden, OCC (Deputy Warden, OCC)
Social Services - Mental Health	Leah Schulting	Executive Director, Canadian Mental Health Association (CMHA-SOS)
Social Services - Housing & ABI	Linda Sankey	Executive Director, South Okanagan Similkameen Brain Injury Society (SOSBIS)
Social Services - Shelter and PWD	Tony Laing	Executive Director, Penticton & District Society for Community Living (PDSCL)

Social Services -Women	Liz Gomes (Danielle Goulden)	Housing Programs Coordinator (Executive Director) South Okanagan Women in Need Society (SOWINS)
Social Services - Addictions	Daryl Meyers	Executive Director, Pathways Addictions Resource Centre
Social Services - Supportive Housing	Kenneth Scott, Lisa Robinson (Bob Hughes)	Supportive Housing Coordinators, ASK Wellness (Executive Director, ASK Wellness)
Social Services – Youth	Melisa Edgerly (Kim Conroy)	Peer Support Workers, Foundry Penticton (Manager, Foundry Penticton)
Peer Support - Youth	Honor Hollman	Peer Support Worker and Lived Experience Representative, OneSky Community Resources
Project Coordinator, Funder	Naomi Woodland	Regional Coordinator of Community Impact & Investment, United Way British Columbia

DRAFT



Dear City of Pentiction,

The members of the 100 More Homes Steering Committee believe that 100 More Homes is well-positioned as a community leader to advocate for changes in housing systems and support networks, that prevent and address homelessness. Over the last five years, the work done by the committee members has become more complex and support is needed to boost the capacity of this group. As a committee member, the ASK Wellness Society agrees with the other members of the committee, that a memorandum of understanding between the City of Pentiction and 100 More Homes to build capacity will support the work being done. Key objectives regarding “expanded capacity” include increased coordination, governance and collaboration of various community tables/programs/initiatives working in this area.

The work of 100 More Homes is currently completed voluntarily by member organizations such as the ASK Wellness Society, or through the coordinator of 100 More Homes (United Way British Columbia). The workload of the Steering Committee has reached critical mass and the work being done requires hours to be dedicated to it. ASK Wellness, as a member of 100 More Homes, would welcome an agreement that brings greater resources to our community. Formalized funding will support the capacity of the collective to create systemic change to address homelessness in our community.

100 More Homes Membership is composed of service delivery agencies, health services, emergency services, funders, government representatives and correctional services along with people of lived and living experience. ASK Wellness is one of them. We seek to support those in need in our communities and see great strength in a more formal collaboration between the City of Pentiction and 100 More Homes Pentiction, for the better health and future of our community.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Scott'.

Kenneth Scott, Coordinator of Supported Housing- Burdock House  
ASK Wellness Society



March 24, 2022

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

Dear Mayor and Council:

**RE: Support for a Memorandum of Understanding between 100 More Homes Penticton and the City of Penticton**

On behalf of Interior Health, I would like to show our support for the Memorandum of Understanding (MOU) being brought forward by 100 More Homes Penticton (100MH). 100MH has established itself as a community leader in Penticton, who advocates for changes in housing systems and support networks that prevent and address homelessness.

There are many intersecting factors that contribute to the health of individuals and communities, including our social and physical environments, our genetics, and our access to doctors and hospitals. We know that the social determinants of health (i.e. income, education, employment, etc.) have the biggest influence. Housing is such a determinant. Access to safe, suitable and affordable housing can support the health and well-being of individuals and the community.

The work of the 100MH is all currently being provided in-kind by member organizations or voluntarily by members of the Steering Committee and it is our understanding that this model is no longer sustainable.

Interior Health aims to improve health and wellness by working with local governments and community partners to create policies and environments that support good health. It is our experience that 100MH is committed to working collaboratively with Interior Health and other stakeholders to improve the health of the community. Therefore, we strongly support 100 More Homes Penticton's request to the City of Penticton for the Memorandum of Understanding.

Sincerely,

Handwritten signature of Tanya Osborne in black ink.

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Tanya Osborne  
Community Health Facilitator

Handwritten signature of Scott Jacobsen in black ink.

---

Scott Jacobsen  
SOK MHSU Clinical Operations Manager

We recognize and acknowledge that we are collectively gathered on the traditional, ancestral, and unceded territories of the seven Interior Region First Nations, where we live, learn, collaborate, and work together. This region is also home to 15 Chartered Métis Communities. It is with humility that we continue to strengthen our relationships with First Nation, Métis, and Inuit peoples across the Interior.



Dear City of Penticton,

The members of the 100 More Homes Steering Committee are unified in favour of creating a memorandum of understanding between the City of Penticton and 100 More Homes. The Committee has been working together for five years and as the work becomes more complex would gladly welcome support to boost capacity of this group specifically with the coordination, governance and collaboration of various community tables/programs/initiatives working in this area. The members of the Committee believe that 100 More Homes is well-positioned as the community leader in advocating for changes in housing systems and support networks that prevent and address homelessness.

Currently the work of 100 More Homes is completed either voluntarily by members of the Steering Committee or through the coordinator of 100 More Homes (United Way British Columbia). The group is at such a point as the workload of the Steering Committee has reached critical mass; there is much work that requires hours dedicated to it however maximum capacity has been reached. As a community working to end homelessness the membership of 100 More Homes would welcome an agreement that brings greater resources, capacity and the potential for systemic change that can help prevent and end homelessness.

Our group is diverse, representing a broad group of organizations some of whom are service delivery agencies, health services, emergency services, funders, government representatives and correctional services along with people of lived and living experience. We seek to support those in need in our communities and see great strength in working together in a more formal manner for the better health and future of the City of Penticton.

Yours sincerely,

Okanagan Correctional Centre

100 More Home Steering Committee

Chair, Social Services – Families, Seniors	Tanya Behardien (Ian Gerbrandt)	Executive Director, One Sky Community Resources
Provincial Government: Housing	Janet Bertrand; Dawn Himer	Portfolio Manager & Coordinated Access, BC Housing (Supportive Housing Advisor, BC Housing)
Provincial Government: Health Authority	Tanya Osborne	Healthy Communities Facilitator
Provincial Government: Social Development & Poverty Reduction	Alicia Doiron	Outreach Worker, Ministry of Social Development & Poverty Reduction

Aboriginal Services - Families & Elders	Matthew Baran	Executive Director, Ooknakane Friendship Centre
First Nation - Syilx	Tabitha Eneas	Housing & Emergency Response Manager, Syilx Nation / Penticton Indian Band
Municipal Government - City of Penticton	Jamie Lloyd-Smith, Adam Goodwin, Blake Laven	Community Mobilizer, Social Development Specialist, Director of Development Services
Law Enforcement	Laurie Rock	Staff Sargent, RCMP
Correctional Services	Linda Semmens (Bryan Ellis)	Correctional Supervisor, OCC (Deputy Warden, OCC)
Social Services - Mental Health	Leah Schulting	Executive Director, Canadian Mental Health Association (CMHA-SOS)
Social Services - Housing & ABI	Linda Sankey	Executive Director, South Okanagan Similkameen Brain Injury Society (SOSBIS)
Social Services - Shelter and PWD	Tony Laing	Executive Director, Penticton & District Society for Community Living (PDSCL)
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Social Services – Youth	Melisa Edgerly (Kim Conroy)	Peer Support Workers, Foundry Penticton (Manager, Foundry Penticton)
Peer Support - Youth	Honor Hollman	Peer Support Worker and Lived Experience Representative, OneSky Community Resources
Project Coordinator, Funder	Naomi Woodland	Regional Coordinator of Community Impact & Investment, United Way British Columbia



March 17, 2022

City of Pentiction  
171 Main Street  
Pentiction, BC  
V2A 5A9

Attention Council Members

Re: MOU with 100 More Homes Committee

Dear City of Pentiction,

PDSCL is a member of the 100 More Homes Steering Committee, and we support the creation of a memorandum of understanding between the City of Pentiction and 100 More Homes. It is our belief that 100 More Homes is well-positioned as the community leader in advocating for changes in housing systems and support networks that prevent and address homelessness.

The work of 100 More Homes is completed either voluntarily by members of the Steering Committee or through the coordinator of 100 More Homes (United Way British Columbia). As part of a community working to end homelessness, PDSCL would welcome an agreement that brings greater resources, capacity and the potential for systemic change that can help prevent and end homelessness.

The City of Pentiction's support would the boost capacity of this group, specifically with the coordination, governance and collaboration of various community tables/programs/initiatives enhancing and improving the support of those in need in our community.

Yours sincerely,

Tony Laing, CEO



Working with communities in BC's Interior, Lower Mainland, Central & Northern Vancouver Island

Dear City of Penticton,

The members of the 100 More Homes Steering Committee are unified in favour of creating a memorandum of understanding between the City of Penticton and 100 More Homes. The Committee has been working together for five years and as the work becomes more complex would gladly welcome support to boost capacity of this group specifically with the coordination, governance and collaboration of various community tables/programs/initiatives working in this area. The members of the Committee believe that 100 More Homes is well-positioned as the community leader in advocating for changes in housing systems and support networks that prevent and address homelessness.

Currently the work of 100 More Homes is completed either voluntarily by members of the Steering Committee or through the coordinator of 100 More Homes (United Way British Columbia). The group is at such a point as the workload of the Steering Committee has reached critical mass; there is much work that requires hours dedicated to it however maximum capacity has been reached. As a community working to end homelessness the membership of 100 More Homes would welcome an agreement that brings greater resources, capacity and the potential for systemic change that can help prevent and end homelessness.

Our group is diverse, representing a broad group of organizations some of whom are service delivery agencies, health services, emergency services, funders, government representatives and correctional services along with people of lived and living experience. We seek to support those in need in our communities and see great strength in working together in a more formal manner for the better health and future of the City of Penticton.

Yours sincerely,

100 More Home Steering Committee  
Laurie Rock, Cpl.  
Reg. #50615

Chair, Social Services – Families, Seniors	Tanya Behardien (Ian Gerbrandt)	Executive Director, One Sky Community Resources
Provincial Government: Housing	Janet Bertrand; Dawn Himer	Portfolio Manager & Coordinated Access, BC Housing (Supportive Housing Advisor, BC Housing)
Provincial Government: Health Authority	Tanya Osborne	Healthy Communities Facilitator
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Peer Support - Youth	Honor Hollman	Peer Support Worker and Lived Experience Representative, OneSky Community Resources
Project Coordinator, Funder	Naomi Woodland	Regional Coordinator of Community Impact & Investment, United Way British Columbia



# Brain Injury Society

Education • Support • Housing

Phone: 250.490.0613

email: [info@sosbis.com](mailto:info@sosbis.com)

Fax: 250.490.3912

[www.sosbis.com](http://www.sosbis.com)

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#2 – 996 Main Street, Penticton, BC V2A 5E4

March 25, 2022

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

Dear City of Penticton Mayor and Council:

We are writing as a member of the 100 More Homes Steering Committee (the Committee). The Board of Directors of the South Okanagan Similkameen Brain Injury Society are in favour of creating a memorandum of understanding between the City of Penticton and 100 More Homes collaborative, of which we are one member.

The Committee has been progressing and has come to the point where we are getting traction with our activities. Our five year history has seen the work becoming more complex. There is a great deal of benefit in working collaboratively. We gladly welcome support to boost capacity of this group specifically with the coordination, governance and collaboration of various community tables/programs/initiatives working in this area. The members of the Committee believe that 100 More Homes is well-positioned as the community leader in advocating for changes in housing systems and support networks that prevent and address homelessness.

Currently the work of 100 More Homes is completed either voluntarily by members of the Steering Committee or through the coordinator of 100 More Homes (United Way British Columbia). The group is at such a point as the workload of the Steering Committee has reached critical mass; there is much work that requires hours dedicated to it however maximum capacity has been reached. As a community working to end homelessness the membership of 100 More Homes would welcome an agreement that brings greater resources, capacity and the potential for systemic change that can help prevent and end homelessness.

Our group is diverse, representing a broad group of organizations some of whom are service delivery agencies, health services, emergency services, funders, government representatives and correctional services along with people of lived and living experience. We seek to support those in need in our communities and see great strength in working together in a more formal manner for the better health and future of the City of Penticton.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Sankey', written in a cursive style.

Linda Sankey  
Executive Director



**United Way**  
British Columbia

Working with communities in BC's  
Interior, Lower Mainland, Central  
& Northern Vancouver Island

March 24<sup>th</sup>, 2022

Dear City of Penticton,

United Way British Columbia (previously United Way Southern Interior) has supported the 100 More Homes Steering Committee since its inception in 2016. Since that time, the team member responsible has coordinated the meetings, activities and sharing of information with broader audiences. Due to the community commitment to this work and the increase in activities, the workload of the Steering Committee has reached critical mass. As a member, and leader, of 100 More Homes United Way British Columbia would welcome an agreement that brings greater resources, capacity and the potential for systemic change that can help prevent and end homelessness.

The members of the 100 More Homes Steering Committee are unified in favour of creating a memorandum of understanding between the City of Penticton and 100 More Homes. The Committee has been working together for over five years and as the work becomes more complex would gladly welcome support to boost capacity of this group specifically with the coordination, governance and collaboration of various community tables/programs/initiatives working in this area. The members of the Committee believe that 100 More Homes is well-positioned as the community leader in advocating for changes in housing systems and support networks that prevent and address homelessness.

100 More Homes is a diverse group, representing a broad range of organizations some of whom are service delivery agencies, health services, emergency services, funders, government representatives and correctional services along with people of lived and living experience. United Way is proud to work alongside this collaborative group of engaged stakeholders and has demonstrated that commitment by agreeing to formally step in as the Committee's backbone organization. 100 More Homes supports those in need in our communities and we at United Way see great strength in working together in a more formal manner for the better health and future of the City of Penticton. Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kristi Rintoul'.

Kristi Rintoul  
Manager Community Impact and Investment  
United Way British Columbia



330 Ellis Street  
Penticton, BC V2A 4L7  
250.492.5814  
[OneSkyCommunity.com](http://OneSkyCommunity.com)

March 22, 2022

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

**Attention:** Penticton City Council

**Re:** 100 More Homes Memorandum of Understanding

Dear Penticton City Council:

OneSky Community Resources fully supports the creation of a memorandum of understanding (MOU) between the City of Penticton and 100 More Homes Steering Committee to enhance community efforts to prevent and address homelessness

The 100 More Homes Steering Committee has been working together for five years, all of which is done voluntarily by the Committee members or through the coordinator of 100 More Homes (United Way British Columbia). The workload of the Committee has now reached its maximum. An agreement that would increase resources to support the coordination, governance, and collaboration of various community tables, programs, and initiatives, and build capacity for the potential systemic change that can help prevent and end homelessness, would be most welcome.

Our group is diverse, representing a broad range of organizations, some of which are service delivery agencies (including OneSky), health services, emergency services, funders, government representatives, and correctional services, along with people of lived and living experience. We seek to support those in need in our communities and see great strength in working together in a more formal manner for the better health and future for all people living in the City of Penticton.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tanya Behardien", with a long, sweeping horizontal stroke extending to the right.

Tanya Behardien  
Executive Director  
Current Chair, 100 More Homes Steering Committee



## **100 MORE HOMES PENTICTON - STEERING COMMITTEE TERMS OF REFERENCE**

### **Establishment**

1. In May 2016, a community group emerged to focus on the issue of homelessness and mobilize support for Pentiction to participate in the *20,000 Homes Campaign* - a national movement of communities working together to permanently house 20,000 of Canada's most vulnerable homeless people by July 1, 2020.
2. In 2017, the group - originally called *100 Homes Pentiction* - joined the Built for Zero campaign and set and achieved an initial goal to house and support 100 vulnerable people by July 2018.
3. In July 2019, the group agreed unanimously to update the branding to *100 More Homes Pentiction* to reflect the achievements to date and the ongoing work that remains to be done. The *20,000 Homes Campaign* also transformed into *Built for Zero - Canada* to reflect achievements nationally that surpassed the 20,000 Homes initial goal.
4. In March 2022, the group unanimously agreed to request a Memorandum of Understanding (MOU) with the City of Pentiction. The MOU contains a financial ask which would secure the sustainability of *100 More Homes Pentiction*.
5. In March 2022, the group also agreed unanimously that United Way British Columbia (UWBC) be identified as the backbone organization to support the work of *100 More Homes Pentiction*, and that the Chair and Vice Chair (as of writing Tanya Behardien and Linda Sankey) would be recognized as official signatories of the *100 More Homes Pentiction Steering Committee*.

### **Mandate**

6. *100 More Homes Pentiction* is a collaborative project based on the understanding that no single group or organization can successfully end homelessness on its own. For this reason, *100 More Homes Pentiction* will identify, advocate for and coordinate the actions necessary to prevent and address homelessness in Pentiction and further the capacity of service providers to respond effectively. As part of the national *Built for Zero – Canada* campaign, the Pentiction project set and achieved an initial goal to house and support 100 vulnerable people by July 2018.
7. The Steering Committee will provide strategic direction and work collaboratively to prevent and address homelessness in Pentiction, increase access to housing and supports, and foster community awareness, education and engagement in these issues. The process will involve a multi-sector approach with shared goals, priorities and timelines and be guided by the *100 More Homes Pentiction Strategic Goals*.

### **Structure & Membership**

8. The Steering Committee will consist of up to 25 voting members.
9. The Steering Committee will be led by a Chair, as appointed by the committee.
10. The Steering Committee will be comprised of leaders from across sectors including government, business, non-profit and the community. Membership from the following sectors will be included:
  - At least 1 representative from the City of Pentiction
  - At least 1 representative from the Interior Health Authority

- At least 1 representative from B.C. Housing
  - At least 1 representative representing law enforcement
  - At least 1 representative representing Aboriginal social services sector
  - At least 1 representative from the youth services sector
  - At least 2 representatives from the Lived Experience group
  - At least 2 representatives representing community services sector
  - At least 2 representatives representing business sector
  - At least 2 members representing the housing provider services sector
11. All members will be appointed by the United Way Southern Interior BC for a 12-month renewable term.
  12. New members need to demonstrate a willingness to contribute as well as a related purpose and alignment to the work of the collaborative. Final decisions on the addition of new members will be based on consensus of the Steering Committee.
  13. Members can identify one alternate to represent their seat and vote.
  14. A member who is absent from 4 consecutive meetings will be assumed to have resigned, unless prior notification or discussion has been had with the Chair.
  15. A member may terminate his/her appointment on written notice to the Chair. The termination of a member's appointment shall become effective on the date set out in the written notice.

#### **Staff Resources**

16. Staff support for the Steering Committee will be provided by the United Way's Community Investment Manager (or as appointed by United Way's Executive Director). Additional staff and/or consultants may be invited to provide technical advice and assistance on specific projects. This work may include, but is not limited, to a Coordinator who organizes meetings, presentations, minute taking, research, and reports.

#### **Responsibilities of Members**

17. Members have the responsibility to:
  - Be prepared for discussion and decision making at each meeting.
  - Participate in a collaborative meeting format.
  - Bring personal, professional knowledge and community experience to the table.
  - Consider, raise and action issues, proposals and ideas.
  - Build support for strategic priorities among their circles of influence.

#### **Responsibilities of the Chair(s)**

18. The chair, with support of the Coordinator, will prepare agendas and preside over meetings of the Steering Committee. The Chair is responsible in leading members to reach consensus on issues of concern to the Steering Committee. Any requests from the media or public communications on the Steering Committee's activities and positions will be directed to the Chair and/or the Coordinator.

#### **Expenses**

19. Membership on the Steering Committee is voluntary, and members shall serve without remuneration.
20. Members may be reimbursed for authorized direct and appropriate expenses incurred in the fulfillment of Steering Committee responsibilities.

### **Meetings**

21. The Steering Committee will hold regular meetings, at such time and place as determined by the voting membership, and at least monthly and at other times as it considers necessary.
22. An agenda, and any relevant documentation, will be distributed electronically at least two (2) business days prior to the meeting.
23. Minutes of the Steering Committee will be recorded and distributed to the members. The minutes will be approved at the beginning of the subsequent meeting.
24. The meetings shall be closed meetings.

### **Decision-Making**

25. A majority of voting members will constitute quorum.
26. Consensus will be sought for all decisions made by the Steering Committee. Where this is not possible, the Chair will call for a vote by those members present at a meeting. It is recognized that some members might not be able to vote on specific issues given their obligations to the organizations they represent. Therefore, prior to a vote, the number of members who will be casting a vote for a decision to be made by the Steering Committee will be determined.
27. The Steering Committee will periodically report to the United Way SIBC Board of Directors, the local government, and the broader community.
28. The Steering Committee may review and clarify its Terms of Reference to reflect the goals of the committee as needed.

### **Working Groups**

29. Action Teams may be formed to advance strategic priorities with the approach of engaging the expertise of further community members to focus on specific, time-limited projects. (e.g. Point in Time count)
30. A Lived Experience committee will be formed and engaged as both individuals and a group to provide insights/advice for problem solving and decision making.

### **Confidentiality**

31. Members will respect the confidence of the discussions and recommendations made during meetings.

*Originally adopted July 7, 2016*

*Revised September 20, 2018*

*Revised August 15, 2019*

*Revised August 25, 2020*

*Revised March 28, 2022*

**Appendix A: 100 More Homes Mission, Values and Strategic Goals**

**Mission: Working collaboratively to build a system of housing and supports to prevent and address homelessness in the City of Penticton**








*Values*

- Every person in our community deserves to have a home.
- Multisector collaboration with shared goals and priorities is essential.
- That lived experience is integral and forms the foundation for the committee’s work.

*Strategic Goals*

- Increase housing and supports for those experiencing homelessness or housing insecurity
- Create a coordinated system of intake, assessment and supports.
- Produce consistent and reliable data.
- Enhance communication and education to the wider community.

**Membership of the Steering Committee:**

Role	Name (and alternate)	Job Description and Agency	Signature
Chair, Social Services – Families, Seniors	Tanya Behardien (Ian Gerbrandt)	Executive Director, One Sky Community Resources	
Provincial Government: Housing	Janet Bertrand; Dawn Himer	Portfolio Manager & Coordinated Access, BC Housing (Supportive Housing Advisor, BC Housing)	
Provincial Government: Health Authority	Tanya Osborne	Healthy Communities Facilitator, Interior Health	
Provincial Government: Health Authority	Scott Jacobsen	South Okanagan Mental Health Substance Use Manager, Interior Health	
Provincial Government: Social Development & Poverty Reduction	Alicia Doiron	Outreach Worker, Ministry of Social Development & Poverty Reduction	
Aboriginal Services - Families & Elders	Janet Terbasket	Acting Executive Director, Oonkane Friendship Centre	
First Nation – Syilx / Penticton Indian Band	Tabitha Eneas	Housing & Emergency Response Manager, Syilx Nation / Penticton Indian Band	
Municipal Government – City of Penticton	Jamie Lloyd-Smith, Adam Goodwin, Blake Laven	Community Mobilizer, Social Development Specialist, Director of Development Services	
Law Enforcement	Laurie Rock	Corporal, RCMP	
Correctional Services	Linda Semmens (Kary Steele)	Assistant Warden, OCC (Deputy Warden, OCC)	
Social Services - Mental Health	Leah Schulting	Executive Director, Canadian Mental Health Association (CMHA-SOS)	
Social Services - Housing & ABI	Linda Sankey	Executive Director, South Okanagan Similkameen Brain Injury Society (SOSBIS)	

Social Services - Shelter and PWD	Tony Laing	Executive Director, Penticton & District Society for Community Living (PDSCL)	
Social Services -Women	Liz Gomes (Danielle Goulden)	Housing Programs Coordinator (Executive Director) South Okanagan Women in Need Society (SOWINS)	
Social Services - Addictions	Daryl Meyers	Executive Director, Pathways Addictions Resource Centre	
Social Services - Supportive Housing	Kenneth Scott, Lisa Robinson (Bob Hughes)	Supportive Housing Coordinators, ASK Wellness (Executive Director, ASK Wellness)	
Social Services – Youth	Melisa Edgerly (Kim Conroy)	Peer Support Workers, Foundry Penticton (Manager, Foundry Penticton)	
Peer Support - Youth	Honor Hollman	Peer Support Worker and Lived Experience Representative, OneSky Community Resources	
Project Coordinator, Funder	Naomi Woodland	Regional Coordinator of Community Impact & Investment, United Way British Columbia	

# Council Report

A horizontal bar at the top of the page, below the header, consists of a series of colored squares in blue, red, orange, and white, followed by a solid blue bar containing the text "penticton.ca".

penticton.ca

**Date:** April 5, 2022  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Len Robson, Public Works Manager

File No: RMS 6440-01

**Subject: Introduction of E-Bikes into the City Fleet**

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## Staff Recommendation

THAT Council introduce an alternate form of transportation into the City Fleet and approve the purchase of four (4) electric bikes, in the amount of \$25,000, to be funded from the Climate Action Reserve.

## Strategic priority objective

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

## Background

In order to provide the various municipal services to our community, staff require suitable transportation to access job sites or various locations within the community. Currently the primary mode of staff transportation is via automobile. Given the variety of the tasks the City staff is required to perform there are opportunities for alternate modes of transportation for some departments or tasks.

As the City of Penticton has embraced the development of a cycling transportation network, fuel prices are on the increase, and moves towards carbon neutrality and responsible climate action are prudent, Staff is recommending that the City consider the use of cargo style electric bikes (e-bikes) to supplement the automotive transportation needs where possible.

E-bikes have made it much easier to introduce active modes of transportation to commercial operations. First, e-bikes take the topography out of the equation, which is an important factor in the City of Penticton. Second, cargo e-bikes allow for larger loads to be transported with very little effort, making them an option for staff or tasks that may require some tools or equipment.

After consideration of the present needs and opportunities, staff has identified 2 operational areas where the use of e-bikes could be piloted as an introduction into the fleet:

- Bylaw Services – 2 e-bikes
  - Used to support the new Bylaw/Community Safety Officers staff transportation needs.
  - Supply chain issues have resulted in procurement challenges which may result in the inability to secure suitable vehicles to support the new staff hires.

- Summer Recycle Ambassadors – Student Program – 2 e-bikes
  - Typically these students would use one of the older fleet vehicles that would be replaced this year. Due to supply chain issues our Fleet Dept may not be able to replace vehicles this year as such these vehicles may not be available. Utilizing the e-bikes will reduce the need to additional vehicles to support the seasonal influx of staff.
  - Before and after the summer program these bikes will be available for City Yards Staff to perform suitable tasks as opportunities arise.

At this time the e-bikes are not intended as a permanent replacement for the automobile fleet, but are being introduced as a pilot with the possibility of utilizing e-bikes to conduct a variety of City business.

### **Financial implication**

The Climate Action Reserve Fund can be used for projects that lower energy use and GHG emissions. As the E-Bike purchase was not originally planned or budgeted for 2022, the Climate Action Reserve can be utilized to pay for them. The balance of the Climate Action reserve is forecasted to be \$560k as at December 31, 2021.

Cargo e-bikes complete with attachments are estimated at \$7,000 each. The Province of BC offers rebates of up to \$1,700 each for approved cargo e-bikes. The rebates received from the Provincial Government would be deposited back into the Reserve. The purchase of 4 e-bikes complete with attachments and safety equipment is estimated at \$28,000, or just over \$21,000 net of rebates.

### **Analysis**

The recently adopted Community Climate Action Plan (CCAP) and the draft Corporate Energy and Emissions Plan (CEEP) both speak to a move to active transportation and an overall reduction of traditional fossil fuel powered vehicles on the road.

CCAP – The action plan identified “6 Big Moves” to address the Community Climate Action requirements

*One of the “6 Big Moves” identified in the Transportation Section of this action plan is to “Shift Beyond the Car and encourage active and accessible transportation and transit.”*

Draft CEEP Recommended Climate Actions – Transportation

*A municipal fleet contains a wide array of vehicle types and sizes. Vehicle fuel economy (litres/100km) varies widely between vehicle types. An appropriately sized vehicle should be used for each task to reduce fuel consumption. Alternative modes of transportation should also be considered, particularly with the introduction of e-cargo bikes.*

Staff’s research into the use of bicycles or e-bikes by other municipalities identified 4 municipalities and 2 other similar types of use including; Kelowna, Courtney, Nanaimo, Squamish, Vancouver Parks Board, and the University Endowment Lands. One highlight is the City of Kelowna with approximately 20 units used by the Parks Division, Roads Division, Waste Water Division, and various other departments for intercity transportation although the use is seasonally affected it has been reported as well received by staff.

By taking these first steps the City is demonstrating leadership towards the implementation of these key climate action plans.

**Attachments**

N/A

Respectfully submitted,



Len Robson, ASCT  
Public Works Manager

Concurrence

Director of Development Services  <i>BL</i>	Director of Finance and Administration  <i>AMC</i>	General Manager of Operations  <i>KD</i>	Chief Administrative Officer  <b>DyD</b>
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# Council Report



**Date:** April 5, 2022  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** David Kassian, Community Sustainability Coordinator  
**Subject:** **Electric Vehicle Charging Fees**

File No: RMS 6440-01

## Staff Recommendation

THAT Council give first, second and third reading to "Fees and Charges Amendment Bylaw No. 2022-15" as contained in Attachment "A" to create a graduated fee for level II electric vehicle charging, which would result in free charging for the first two hours, and \$2.00 per hour for each subsequent hour thereafter;

AND THAT the rates and usage be reviewed annually.

## Strategic priority objective

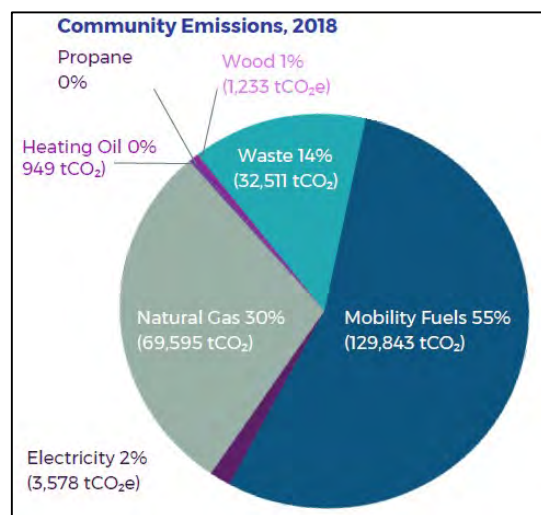
**Vision:** A vibrant, innovative, healthy waterfront city focused on sustainability, community and economic opportunity.

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

## Background

Reducing community based greenhouse gas (GHG) emissions can be achieved by encouraging the use of electric vehicles (EVs) by residents and visitors. EVs contribute significantly less emissions than fossil fuel powered vehicles, and it is estimated that transportation based emissions account for 55% of Penticton's overall community emissions.

Reducing transportation based emissions is supported by the *Official Community Plan* and the *2021 Community Climate Action Plan*. Providing EV charging infrastructure at a cost effective rate is one method to encourage EV uptake and to reduce community generated GHG emissions.



The City currently owns and operates four EV charging stations located at the monthly paid parking lot at 307 Ellis Street. The stations are level II charging stations, which are effective for charging EVs over a 4 – 6 hour period.

The EV charging stations were free to use for approximately one year, with no fee to use the site or to park at the charging stations. During this time the stations were frequently used with 5,886 charging hours spread out across 1,931 charging sessions. Additional information on EV charging data can be found in Attachment B: Electric Vehicle Charging Rate Review.

At the November 3, 2020 meeting of Council, staff presented on the current usage and costs of the EV charging stations. Council concluded that over a year of free charging was a sufficient amount of time to introduce residents and visitors to the benefits and accessibility of the charging stations, and elected to introduce a fee of \$2.00 per hour, which at the time, was expected to cover the cost of running the site and to also include a small amount of revenue. The \$2.00 per hour fee was implemented on January 1<sup>st</sup>, 2021.

This report brings forward additional analysis on the 2021 usage, costs and revenues, and proposes changes to the rates following discussion with the Community Sustainability Advisory Committee.

Also of note, the City is currently expanding the number of publicly available electric vehicle charging stations. There are two level 2 EV stations being installed at City Hall this spring as part of the parking lot upgrade. These stations will have the same fee for use as the stations at 307 Ellis Street.

## **Analysis**

At the February 16<sup>th</sup> meeting of the Community Sustainability Advisory Committee (CSAC), staff presented an electric vehicle (EV) charging rate review (attached to this report as Attachment B). The review was a comparison of level 2 EV station usage for one year before, and one year after, the \$2.00 per hour fee was implemented. Overall, there was a reduction in total usage once the fee was introduced, however, the number of unique charges (relative to usage) increased. Following an analysis of the usage, costs and revenues, staff recommended to Committee that the rate be maintained at \$2/hour and monitored for an additional year.

However, Committee was concerned with the decreased usage given the recently adopted Community Climate Action Plan, and the goal of increasing and incentivizing EV usage through increased access to public EV infrastructure. Committee highlighted the importance of limiting barriers to EV uptake and adoption, but also recognized the combined value of both parking and charging that was being provided through these spaces in the downtown. To balance these two items, Committee discussed the possibility of a graduated fee structure which would both incentivize charging (by having a period of time available for free), but also would ensure the infrastructure was not abused (particularly the provision of a parking spot downtown) and was turned over appropriately in order to provide others the opportunity to charge. This type of billing structure would also provide some revenue to the City to offset the cost of the infrastructure, consistent with the intent when setting the fee to \$2/hour. Before making this recommendation to Council, Committee requested staff confirm this type of rate structure was feasible with the City's existing vendor, by passing the following resolution.

**It was MOVED and SECONDED**

THAT the Community Sustainability Advisory Committee request staff to report back with the option of a stepped rate for Level II Charging Stations, where the charging fee would be free for a set portion of time, with an hourly rate following.

**CARRIED UNANIMOUSLY**

At the March 16<sup>th</sup> meeting of the CSAC, staff confirmed the ability for graduated billing through the City's existing EV stations and software. Committee further discussed the significant drop off in use after the \$2.00 per hour fee was implemented, and how the declining usage does not support the vehicle electrification goals of the *Community Climate Action Plan*. The Committee noted that a graduated rate was a reasonable compromise, which would assist with covering costs at the site while also encouraging parking spot turnover. Committee noted that two hours would provide a reasonable opportunity to charge, and would also serve as a reasonable amount of time to park in the downtown (before being required to pay), and passed the following resolution:

**It was MOVED and SECONDED**

THAT the Community Sustainability Advisory Committee recommend to Council that the fees and charges bylaw be amended to provide the first two hours of EV level 2 charging for free, and \$2/hour for each subsequent hour thereafter.

AND THAT the rates and usage be reviewed annually.

**CARRIED UNANIMOUSLY**

Staff believe that the Committee recommendation is a reasonable approach to take for the following year. It will achieve the original objective of providing some revenue to offset the cost of the infrastructure, while hopefully increasing usage of the stations, particularly as the City expands its network of public EV charging stations. As noted in the recommendation, this data would be further reviewed following a year of implementation to see if the changes had the desired effects.

**Financial implication**

It is estimated that the net cost in 2021 to operate the site was approximately \$3,575.00 (which reflected a revenue of \$2,603.00). It is difficult to forecast how changing the fee structure to the proposed rate (first two hours free, and \$2/hour after) will impact both costs and revenues, however, it is expected that these fluctuations can be addressed within the City's existing budget. Staff will monitor usage, cost and revenue at the site and bring forward recommended changes following a year of implementation.

**Alternate recommendations**

THAT the existing fee of \$2.00 per hour for level II electric vehicle charging remains.

**Attachments**

Attachment A – Fees and Charges Amendment Bylaw No. 2022-15

Attachment B – Report to Committee, February 16, 2022, titled “Electric Vehicle Charging Rate Review”

Attachment C - Report to Committee, March 16, 2022, titled “Electric Vehicle Charging Rate Review – Update”

Respectfully submitted,

David Kassian  
Community Sustainability Coordinator

Concurrence

General Manager, Community Services  <i>SH</i>	Director of Finance and Administration  <i>AMC</i>	General Manager of Infrastructure  <i>KD</i>	Director of Development Services  <i>BL</i>	Chief Administrative Officer  <b>DyD</b>
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**Bylaw No. 2022-15**

*A bylaw to amend the Fees and Charges Bylaw No. 2014-07*

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WHEREAS the Council of the City of Penticton has adopted a Fees and Charges Bylaw pursuant to the *Community Charter*,

AND WHEREAS the Council of the City of Penticton wishes to amend the "Fees and Charges Bylaw No. 2014-07";

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

1. **Title:**

This Bylaw may be cited as "Fees and Charges Amendment Bylaw No. 2022-15".

2. **Amendment:**

2.1 Amend "Fees and Charges Bylaw No. 2014-07" by adding the following details to the end of Appendix 7 – Electric.

<b>ELECTRIC</b>	<b>2022</b>
<b>Electric Vehicle Charging Stations</b>	
Level II electric vehicle charging	First two hours are free then \$2.00 per hour

READ A FIRST time this                      day of    , 2022

READ A SECOND time this                      day of    , 2022

READ A THIRD time this                      day of    , 2022

ADOPTED this                                      day of    , 2022

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

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

# Memo to Committee



**Date:** February 16, 2022  
**To:** Community Sustainability Advisory Committee  
**From:** David Kassian, Community Sustainability Coordinator  
**Subject:** **Electric Vehicle Charging Rate Review**

File No: RMS 6440 – 01

## Staff Recommendation

THAT the Community Sustainability Advisory Committee receive into the record the report dated February 16, 2022 titled 'Electric Vehicle Charging Rate Review'.

## Background

The City owns and operates four electric vehicle (EV) charging stations located in the City parking lot at 307 Ellis Street. The stations are level 2 charging stations, which are effective for charging EVs over a 4 – 6 hour period. The stations were installed in August of 2019, with no fee required at the time of installation to utilize a station, as well as no fee for parking.

At the November 3<sup>rd</sup>, 2020 meeting of Council, staff presented a report that detailed the operating costs of the stations, as well as the usage data of the stations at the time. The costs of operating the stations are based on five factors:

- electricity usage
- electric utility basic charge
- depreciation
- annual monitoring and maintenance service
- lost parking revenue

Based on the above five factors, the following table provided the cost per hour summary of the EV charging site as presented on November 3, 2020, based on 5,099 hours of usage in 2020. The resulting estimated hourly operating cost for charging an EV was \$1.38 / hr.

*Table 1: 2020 EV Station Annual Costs*

Category	Cost	Annual Cost	Hourly Cost (5,099 hours / year)
Electricity (rate code 20)	\$0.1286 / kWh	\$2,070.86	\$0.41
Basic charge (electric utility)	\$8.43 / month	\$101.10	\$0.02
Maintenance/monitoring	\$600.00 / year	\$600.00	\$0.12

Depreciation cost	\$2,100.00 / year	\$2,100.00	\$0.41
Parking Fees	\$2,160.00 / year	\$2,160.00	\$0.42
	<b>Total Cost:</b>	<b>\$7,031.96</b>	<b>\$1.38</b>

With the operating cost information above, staff provided the following options for Council’s consideration:

- Continue with no fees on the charging stations to encourage EV usage and adoption, with the Climate Action Reserve funding the cost of use at the stations.
- Implement a fee of \$1.50 to recuperate operating and lifecycle costs.
- Implement a fee of \$2.00 per hour to recuperate all costs and to generate some revenue. This fee was in line with the charging fees of municipalities in the Lower Mainland.

Council discussed the three rate options, and concluded that over a year of free charging was a sufficient amount of time to introduce residents and visitors to the benefits and accessibility of the charging stations. As a result of the discussion, Council passed the following resolution:

Alternative 3:

THAT Council give first, second and third reading to “Fees and Charges Amendment Bylaw No. 2020-47” as contained in Attachment “B” to create a fee of \$2.00 per hour for Level II electric vehicle charging in Appendix 7 Electrical;

AND THAT Council adopt “Fees and Charges Amendment Bylaw No. 2020-47”.

The \$2.00 per hour charging fee was implemented on January 1<sup>st</sup>, 2021. Data has now been collected from 2021, and this information will be presented and analyzed in the report below, including consideration of rate adjustments.

Also of note, the City is currently expanding the number of publicly available electric vehicle charging stations. There are two level 2 EV stations being installed at City Hall this spring as part of the parking lot upgrade. These stations will have the same fee for use as the stations at 307 Ellis Street. There is also a pending grant application to purchase and install four DCFC (fast charging) EV stations on City-owned properties. If the grant is successful, the DCFC stations will require their own rate setting exercise as the stations have higher fees and operating costs than level 2 stations.

**Financial implication**

The fee of \$2.00 per hour for EV charging was established to include revenue and cover the annual and lifecycle costs of the EV stations based on the assumed usage from 2020. This did not occur and the service had a net cost to the City in 2021 of approximately \$4,000.

The report recommends that the fee be maintained at \$2 per hour, and that any net cost of providing the service be funded from administrative savings.

Alternative options have been presented, and their individual financial impacts summarized below.

**Analysis**

Table 2 below shows the data for all stations for both 2020 and 2021.

*Table 2: EV Station Data Comparison (2020 - 2021)*

	<b>2020</b>	<b>2021</b>	<b>% Change (2020 - 2021)</b>
Number of sessions (total)	1,931	699	-64%
Number of hours (total)	5,886	1,422	-76%
Total kWh	21,584	8,263	-62%
Total revenue (charging fees)	\$0.00	\$2,603	
Total expenses	\$7,032	\$6,619	
Net cost	(7,032)	(4,016)	

In comparing usage from 2020 to 2021, the number of charging sessions decreased by 64%, the number of hours electric vehicles charged for decreased by 76%, and the total number of kilowatt hours consumed decreased by 62%. This is in contrast with increasing electric vehicle uptake. Insured electric vehicles in Penticton increased from 49 EVs in 2018 to 110 in 2020 (ICBC data). While it is difficult to say with certainty the cause of the decreased usage, it is likely that the fee of \$2.00 per hour contributed. Usage may have also been impacted by the pandemic, and perhaps by an increase in personal charging infrastructure or other private charging opportunities.

The hourly cost of running the stations increased mainly due to static annual costs (lost parking revenue, monitoring/monitoring fees, and depreciation cost) while the \$2 per hour fee generated new revenue of \$2,603 in 2021. The net impact was that the service cost the City \$4,016 in 2021, relative to \$7,032 in 2020.

When the charging data is reviewed in more detail, it shows that there were 1,931 charging sessions in 2020, and of those, there were 21 EVs that utilized the station a total of 1,336 times. These 21 individual EVs were accountable for 69% of the usage at the site in 2020, with one vehicle using the site 199 times in the year. 2021 saw an increase in the number of unique visits relative to the total number of sessions. Of the 699 charging sessions in 2021, there were 252 unique visits. This shift identifies that a fee for EV charging brings in more unique visits, and those relying on the site for frequent and free charging sessions have switched to charging their EV at home or at an alternate location.

*Table 3: Unique Visits Comparison (2020 – 2021)*

<b>Year</b>	<b>Total Sessions</b>	<b>Total Unique Visits</b>
2020	1931	284
2021	699	252

In comparing rates from different municipally owned stations in British Columbia it was found that Level II charging stations have an average cost of \$2.00 per hour (for parking or charging). Municipalities on the lower mainland have an average rate of \$2.00 per hour:

*Table 4: Municipal Charging Rate Comparison*

<b>Municipality</b>	<b>Cost per hour</b>	<b>Other costs</b>
Vancouver	\$2.00	N/A
Burnaby	\$2.00	N/A
Richmond	\$2.00	\$5.00 / hour after 2 hours
North Vancouver	\$2.00	N/A
Port Moody	\$2.00	\$5.00 / hour after 2 hours
Vernon	\$0.00	\$2.00 / hour parking
Summerland	\$2.00	N/A

Using the previously directed methodology to recover all costs associated with the infrastructure and generate a small amount of revenue, the fees would need to be adjusted to reflect the reduced usage and increased costs, as calculated below in Table 3. This would result in an increase from \$2 per hour, to \$4.65 per hour.

*Table 5: Hourly Cost Calculation per Station*

<b>Costs / Hour / Station</b>	<b>2020</b>	<b>2021</b>	<b>Increase (2020 – 2021)</b>
Electricity	\$0.41	\$0.73	\$0.32
Basic Charge (Electric Utility)	\$0.02	\$0.07	\$0.05
Parking Fees	\$0.42	\$1.69	\$1.26
Maintenance/Monitoring	\$0.12	\$0.42	\$0.30
Depreciation Cost	\$0.41	\$1.48	\$1.06
Transaction Fees	\$0.00	\$0.27	\$0.27
<b>Total cost / hour</b>	<b>\$1.38</b>	<b>\$4.65</b>	<b>\$3.27</b>

Encouraging the use of EVs and increasing access to charging infrastructure is an effective method in reducing community based greenhouse gas emissions. EVs contribute significantly less emissions than fossil fuel powered vehicles, and it is estimated that passenger vehicle emissions account for 49% of Penticton’s overall community emissions. Reducing transportation based emissions is supported by the *2021 Community Climate Action Plan (CCAP)* and *Official Community Plan*.

The ‘Electrify 1: Enable charging on-the-go’ strategy in the 2021 CCAP recommends the City design, fund and build a public EV charging network as one strategy to reduce GHG emissions from passenger vehicles. The charging network currently consists of the four stations at 307 Ellis Street, with two additional stations coming online at City Hall in spring 2022.

It is important to keep these goals in mind when considering rates for the charging stations, and the impact the rates may have on utilization and behavior. Staff have prepared three options for consideration by Committee, and each is analyzed in further detail below.

***Option 1 (recommendation): Maintain \$2 per hour rate***

It is highly likely that the reduced usage in 2021 is largely attributable to the introduced fee. However, when the more detailed data is reviewed, it is clear that a small number of owners are the primary users and likely have simply switched to home charging now that a fee has been introduced. There is going to be continued growth in EV ownership, and a \$2 per hour fee to publicly charge is not unreasonable relative to other communities (particularly considering it includes parking). Staff would continue to monitor usage and consider changes annually, and as new infrastructure is added.

***Option 2: Cost recovery and revenue (increase to \$4.65 per hour)***

To continue with the methodology of a fee based on cost recovery and revenue, a charging rate of \$4.65 is recommended. This rate is in excess of what other municipalities charge for level 2 EV charging, and a rate of \$4.65 may further deter usage at this site, which in turn would increase the cost per charging hour to operate the site and continue a vicious circle of chasing the fee. For this reason, this option is not recommended.

***Option 3: Eliminate any fees***

The fee for level 2 EV charging can be removed in order to encourage EV usage and uptake. This option would likely see increased usage but would not provide revenue to offset the cost of operating the stations. Increased usage would reduce the cost per hour of the static charges (lost parking revenue, monitoring/monitoring fees, and depreciation cost) but also increase electricity costs. The cost to operate four level 2 charging stations in 2021 was \$6,230, and this cost is estimated to increase if the stations are free to use and as the EV charging network expands with two new stations to be installed at City Hall.

**Attachments**

Attachment A – Council Report: Fees and Charges Amendment Bylaw No. 2020-47 - Electric Vehicle Charging Rates

Respectfully submitted,

David Kassian  
Community Sustainability Coordinator

Concurrence

General Manager/ Director	Acting GM of Finance	GM of Infrastructure
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# Memo to Committee

A decorative horizontal bar consisting of a series of colored squares in blue, red, and orange, followed by a solid blue bar containing the text "penticton.ca".

penticton.ca

**Date:** March 16, 2022  
**To:** Community Sustainability Advisory Committee  
**From:** David Kassian, Community Sustainability Coordinator  
**Subject:** **Electric Vehicle Charging Rate Review - Update**

File No: 6440-01

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## Staff Recommendation

THAT the Community Sustainability Advisory Committee receive into the record the report dated March 16, 2022 titled 'Electric Vehicle Charging Rate Review – Update'.

## Background

At the February 16, 2022 meeting of the Community Sustainability Advisory Committee (CSAC), staff presented an electric vehicle (EV) charging rate review. The review was a comparison of level 2 EV station usage for one year before, and one year after, a \$2.00 per hour fee was implemented on January 1, 2021. Additional information can be found in Attachment A – Electric Vehicle Charging Rate Review report, February 16, 2016.

At the Committee meeting, members discussed a variety of objectives relating to the rate for EV charging. This included the desire to incentivize EV usage, but also to ensure that there was appropriate turnover (and that EV spots were not being used more as parking spots rather than charging spots). After much discussion relating to how these goals could be accomplished, Committee passed the following resolution:

**It was MOVED and SECONDED**

THAT the Community Sustainability Advisory Committee request staff to report back with the option of a stepped rate for Level II Charging Stations, where the charging fee would be free for a set portion of time, with an hourly rate following.

The objective of the referral back to staff was to ensure that the stations were capable of charging in this manner, before Committee considered further recommendations to Council.

Committee also inquired about the rate code that was used in the fee calculation and the significant change since the stations were originally introduced, and staff committed to report back with additional information on this item.

**Financial implication**

There are no financial implications of this report, it is being provided as additional supplemental information.

**Analysis**

Graduated Billing:

The City-owned level 2 EV charging stations are monitored by the manufacturer Flo, and staff have confirmed there is the ability for graduated billing through the existing station software. Graduated billing allows for free or reduced charging fees for a defined period of time, followed by an increased fee after the free period has ended. There is no cost to the City to change to graduated billing.

Should Committee wish to recommend a graduated rate, a draft alternate recommendation has been provided below. This is just a sample, and Committee can insert the amount they deem appropriate in to the recommendation. Note that any changes to the current rate of \$2.00/hour will require an amendment to the City's *Fees and Charges Bylaw*.

Electricity Rate Code:

At the February 16, 2022 meeting of the CSAC, committee members inquired about the increase in electric utility fees from 2020 to present. In reexamining the fee structure, it was identified that the wrong rate code was being used to account for site costs. The City charges Rate Code 45 (0.0832 per kWh) for City accounts, which has a lower cost per kilowatt hour than Rate Code 20 (0.1248 per kWh). Rate Code 20 had also been used for previous calculations. Rate Code 45 also does not pay the Basic Charge fee of \$16.84 per billing, and a Basic Charge was included in previous calculations.

The hourly costs per station have been updated to reflect Rate Code 45 instead of Rate Code 20:

<b>Hourly Cost per Station Comparison (2020 - 2021)</b>			
<b>Costs / Hour / Station</b>	<b>2020</b>	<b>2021</b>	<b>Increase (2020 - 2021)</b>
electricity	\$0.20	\$0.48	\$0.29
Basic Charge (Electric Utility)	\$0.00	\$0.00	\$0.00
Parking Fees	\$0.37	\$1.69	\$1.32
Maintenance/Monitoring	\$0.10	\$0.42	\$0.32
Depreciation Cost	\$0.36	\$1.48	\$1.12
Transaction Fees	\$0.00	\$0.27	\$0.27
<b>Total cost / hour</b>	<b>\$1.02</b>	<b>\$4.34</b>	<b>\$3.32</b>

The cost per hour difference was previously calculated at an increase of \$3.27 from 2020 to 2021 under Rate Code 20, and under Rate Code 45 the cost increase from 2020 to 2021 is calculated at \$3.32 per hour. Rate Code 45 has also decreased in cost from \$0.0953 in 2020 to \$0.0832 in 2021. This is reflected in all tables in this memo.

Electricity Charges Rate Comparison (2020 - 2021)				
	2020 (Jan. 1 - May 15)	2020 (May 16 - Dec. 31)	2021	Change (2020 - 2022)
Electricity - Rate Code 45 (\$ per kWh)	\$0.0953	\$0.0858	\$0.0832	-\$0.0026
Basic Charge (N/A under RC45)	\$0.0000	\$0.0000	\$0.0000	\$0.0000

Using Rate Code 45 and factoring in no Basic Charge, annual costs decreased for both 2020 and 2021 as follows:

EV Station Data Comparison (2020 - 2021)			
	2020	2021	% Change (2020 - 2021)
Number of sessions (total)	1,931	699	-64%
Number of hours (total)	5,886	1,422	-76%
Total kWh	21,584	8,263	-62%
Total Revenue (charging fees)	\$0.00	\$2,603.84	
Total Expenses	\$6,026.70	\$6,178.07	
Net cost	\$6,026.70	\$3,574.23	

**Alternate Recommendation**

That the Community Sustainability Advisory Committee recommend to Council that the fees and charges bylaw be amended to provide the first hour of EV level 2 charging for free, and \$2/hour for each subsequent hour thereafter.

**Attachments**

Attachment A – Electric Vehicle Charging Rate Review report, February 16, 2016.

Respectfully submitted,

David Kassian  
Community Sustainability Coordinator

Concurrence

Director of Finance and Administration	General Manager/ Director
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# Council Report



**Date:** April 5, 2022 **File No:** RMS/850 Wiltse Blvd  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Steven Collyer, Planner II  
**Address:** 850 Wiltse Boulevard and 160 Crow Place  
**Subject:** **OCP and Zoning Amendment Application for 850 Wiltse Blvd & 160 Crow Pl**

## Staff Recommendation

THAT Council, following the *Community Engagement for OCP Amendments Procedure*, direct staff to commence public engagement for a proposed Official Community Plan future land use designation mapping update and Zoning Amendment Bylaw application in support of residential development in the North Wiltse Block.

## 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 City has received an application to allow residential development at 850 Wiltse Blvd and 160 Crow Pl (the “North Wiltse Block” lands). The applicants are not proposing any new Official Community Plan (OCP) land use designations than what currently exists, only to amend the locations of the future land use designations on the property to facilitate rezoning the lands for residential development. The applicants are also applying for zoning that will change the current A (Agricultural Zoning) to a mix of residential zones in support of the future development plans.

The proposal would enable the future development of approximately 686 homes, split between 183 single detached homes, 28 duplex units, and 475 multifamily units (Attachment ‘A’). The units are split between the following zones:

Zone	Number of Units / Area
<b>R1 (Large Lot Residential)</b>	120
<b>R2 (Small Lot Residential)</b>	48
<b>RD2 (Duplex Housing: Lane)</b>	28
<b>RM1 (Bareland Strata Housing)</b>	15 (strata)

<b>RM2 (Low Density Multiple Housing)</b>	211
<b>RM3 (Medium Density Multiple Housing)</b>	264
<b>P2 (Parks and Recreation)</b>	<p><b>Active</b> - 11.7 ha (29 ac)</p> <p><b>Active &amp; Useable</b> - 3.75 ha (9.2 ac) is considered flat and useable for playgrounds, sports courts, recreation areas etc.</p> <p><b>Natural</b> - 28.1 ha (69 ac)</p>

A total of 39.8 hectares (98 acres) of land is proposed to be dedicated to the City as parkland. 11.7 hectares (29 acres) of that dedicated land is proposed for active uses, with 3.75 hectares (9.2 acres) to be used for playgrounds, sports courts, recreation areas etc. The remaining dedicated land will either be kept in a natural state or developed with trails to provide pedestrian connections through the site. For example, a linear trail is proposed along the Fortis transmission line right-of-way which passes through the development

The purpose of this report is to provide Council and the public with an engagement plan for the proposed OCP amendment to understand public opinion of the proposed development.

**Background**

The North Wiltse Block has been designated for residential development since the first Official Community Plan was adopted by Council in 1982. A timeline has been included as Attachment 'B'. The 1982 Official Community Plan Bylaw No. 4100 designated the lands as 'R(f) – Future Residential' and 'O – Open Land'. Subsequent OCP's in 1988, 1993 and 2002 designated these lands as 'LR (Low Density Residential)'. Beginning in the 1990s, the Wiltse and Upper Pineview neighbourhoods below this development site have been developed in phases, and those lands are now fully built-out.

In 2014, the Wiltse Area Structure Plan was approved by City Council to determine more specific land use needs and appropriate development layouts in the North Wiltse Block (subject lands) and the South Wiltse Block (the location of the 'The Bluffs at Skaha' development at 3200 Evergreen Drive). The Wiltse Area Structure Plan was a more specific land use plan for this area which introduced many multifamily areas within the future development. This plan envisioned approximately 670 homes on the North Wiltse Block, with a commercial node as well. The basic layout of the Wiltse Area Structure Plan, with some minor changes, was incorporated into the 2019 OCP and influenced the land use designations that exist on the subject lands today.

The subject lands are a total 128 hectares (317 acres) in size (Figure 1). The development site is located almost entirely on the west side of the high-voltage Fortis transmission line right-of-way with a total area of approximately 44 hectares (109 acres). The development site is located upslope of the Wiltse residential subdivision (Wiltse Blvd, Westview Dr, Wiltse Dr area). To the south is the Quail Ridge subdivision and the



Figure 1 - North Wiltse Block Lands location map

Bluffs at Skaha. Ellis Creek is located to the north, downslope of the development site. Presently, the development site is vacant of any structures. Despite being privately owned, the development site is a popular hiking and mountain biking location.

The OCP future land use designations that exist on the subject properties include 'Rural Residential', 'Detached Residential', 'Ground Oriented Residential', 'Parks', and 'Natural and Conservation' (Attachment 'C'). These land use designations are proposed to remain, however their mapping is proposed to be updated based on the more recent subdivision concept (Attachment 'D'). No new OCP land use designations are proposed to be added onto the property. The development site is currently zoned Agriculture (A) in the Zoning Bylaw (Attachment 'E') and the proposed rezoning plan is shown in Attachment 'F'. Additional plans are included for review and context (Attachments G-L).

### **Technical Review**

This application package was reviewed by the Technical Planning Committee (TPC), a group of internal staff from various departments who review planning applications. Further technical review will be required as subsequent (i.e. subdivision) applications are received.

At this stage in the development, the TPC required the applicant to submit a Traffic Impact Assessment report, Environmental Assessment Report, and Geotechnical Hazard report to better understand the impacts of this proposed development. These reports helped to inform the proposed subdivision layout. For example, the reports identify areas of the properties that will remain natural and undeveloped due to environmental features or geotechnical constraints.

Should the land use change ultimately be supported, numerous technical items will be addressed through the subdivision stage. These include, but are not limited to, site servicing, grading, registration of any covenants, and detailed geotechnical, environmental, and wildfire reviews for each phase of the development. Development Cost Charges will be reviewed should the land use be put in place, to ensure appropriate financial contributions towards necessary water infrastructure (i.e. new lines, reservoir) when future subdivision occurs.

### **Engagement Plan**

Staff will be following the *Community Engagement for OCP Amendments Procedure* to ensure adequate and meaningful consultation with the community. The community engagement will be led by City staff from April 11 until May 8.

The following list summarizes the main methods that will be used to raise awareness about the application and the opportunities for residents to provide feedback through the community engagement period:

1. Project page on [www.shapeyourcitypenticton.ca](http://www.shapeyourcitypenticton.ca) - central location to share information and gather feedback, including an email blast to the Shape Your City Penticton database advising of the engagement beginning,
2. Notices mailed to neighbours within a 100m buffer of the properties,
3. Notice signs posted on the subject properties,
4. Consult with targeted agencies and stakeholder groups (i.e. RDOS, Local First Nations, School District #67, etc.),

5. Media release issued,
6. Newspaper advertisements, and
7. Information sessions (one online, two in-person) that allow for sharing of information and discussion on the proposed development.

Staff will be proceeding with community engagement prior to presenting the complete development application package to Council for consideration. The complete development application package will consider the Official Community Plan amendment, Zoning Amendment Bylaw, and Hillside Development Permit.

### **Analysis**

After initial review, staff consider that the applications have merit for Council consideration given that:

1. The lands have been designated for development for 40 years;
2. The development area is referenced as a future hillside neighbourhood in the current OCP; and
3. The proposed land uses generally reflect the mix of residential uses currently envisioned by the future land use designations on the development site.

Staff are currently recommending that Council endorse the community engagement plan. The application package will be considered by Council following the public engagement period.

### *Next steps*

Should Council support the staff recommendation to proceed to public engagement, staff would commence the engagement period. In moving to public engagement, this does not signify that Council has endorsed, supported or approved the proposed development. Rather, this indicates that Council would like to engage with neighbours and stakeholders to see what the community's thoughts are for the proposal. Once engagement has been completed, staff will prepare a summary of the results that will be shared with the applicant, Council and the public. Staff would also prepare subsequent reports for Council to consider formal bylaws for the OCP and Zoning Bylaw amendments. As part of this process, a statutory Public Hearing would be held after 1<sup>st</sup> Reading, where residents would be able to provide comments on the proposed development directly to Council, prior to further consideration of the bylaws by Council.

When staff present back to Council with the OCP and Zoning Amendment Bylaws, the staff report will include a complete analysis of the application package and a summary of the community engagement results for this proposed land use change, after the community engagement period has ended.

### **Attachments**

- Attachment A – Letter of Intent (applicant)
- Attachment B – North Wiltse Block Timeline
- Attachment C – Existing Official Community Plan Map
- Attachment D – Proposed Official Community Plan Map
- Attachment E – Existing Zoning Map
- Attachment F - Proposed Zoning Map
- Attachment G – Conceptual Landscape Drawings
- Attachment H – Green Spaces Plan

- Attachment I – Site Grading Plans
- Attachment J – Retaining Walls Plan
- Attachment K – Roads Plan
- Attachment L – Phasing Plan

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><b>DyD</b></p>
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February 8, 2022

Ecora File No.: 180225

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

**Attention: Planning Department**

**Reference: Community Plan Amendments and Rezoning of 850 Wiltse Boulevard and 160 Crow Place**

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Ecora Engineering and Resource Group Ltd. (Ecora) was requested to submit an application for Community Plan amendments and rezoning of the North Block Wiltse lands for a new residential community.

The subject properties include 2 large parcels:

- 850 Wiltse Blvd at 61.3 ha (151.5 acres) with road access from the eastern end of Wiltse Blvd; and
- 160 Crow Place at 67 ha (165.5 acres), with road access from Partridge Drive and Crow Place.

These lands have been designated for urban development in City of Penticton Community Plans since the 1970's and were previously called 'Upper Wiltse'. The Owner's prepared the Wiltse Area Structure Plan over a 5 year period and the Plan was adopted in 2014. This Area Plan was for the North Block lands, subject of this application and the South Block lands, for the Bluffs at Skaha project with 40 lots currently in the development stage. The Area Plan provided for 850 dwelling units on both the North and South Blocks with 670 units for the North Block. The North Block represents the last large urban growth area in the City and will provide for a significant number of new residential dwelling units over the next 10 or years.

With the adoption of the City's new Community Plan in 2019, the Wiltse Area Structure Plan was rescinded. The Community Plan established a revised development concept with somewhat more single family lots (277) and with somewhat less multiple family units (391), and no commercial area - but a similar total unit count at 668 units. The new Community Plan also established Hillside and Environmentally Sensitive Development Permit Areas over the North Block lands.

The Owners have refined the development concept to comply with the Hillside DPA and are now making application for a mixed use residential area with 183 single family, 28 duplex and 475 multiple family units for a total of 686 units in a 50 ha area. The goal of the owners is to meet City development

standards while maximizing the number of dwelling units in a comprehensively planned new community with extensive parkland and natural areas.

### **The Site**

The North Block is a forested hillside property that features rugged terrain with bedrock outcrops, knolls, undulating ridges, benches and bluffs. Extensive land disturbances have occurred over past years and includes gravel extraction on the northern area, logging, forest fire, fire guard, and dirt access roads and trails. The Fortis power line passes through the site from the southern west end of 160 Crow Place to the north eastern area of 850 Wiltse Boulevard.

### **Proposed Development**

The Development Plan, shown on the *Conceptual Zoning Plan*, consists of a main collector road between Wiltse Boulevard and Partridge Drive, with three crescent roads and several cul-de-sacs to serve the residential subdivisions. Two rear lanes are proposed for the single family lot areas in the northern area, due to hillside slopes and road access challenges. Neighbourhood parks, a park corridor and numerous wildlife trails and walkways are provided throughout the new development. Except for one multiple family site in the northeast corner and a proposed recreational park, all the development is located west of the Fortis right-of-way. The remaining land to the east of the Fortis is designated for Conservation and Rural Residential.

### **Proposed Community Plan Amendments**

The overall scope and character of the proposed North Block development remains very similar to that outlined on the Land Use Designations on the “Future Land Use Map” in the Community Plan. Most of the proposed changes are related to increasing or relocating areas for Parkland and changes to reduce single family development areas, designated as “Detached Residential”, and to increase multiple family units, designated as “Ground-Oriented Housing”. Key changes are noted below:

- Relocating the Neighbourhood Park at the Wiltse Boulevard entrance to the opposite side of the main Collector Road that was initially designated for multiple family housing and replacing with single family units (except for 1 lot);
- Replacing single family units with multiple family units located along the upper side of the Collector Road and Road G;
- Replacing multiple family housing with single family housing along Road D in the upper edge of the development and along Road E in the southern area;
- Redesignating a MF site along Road D to Bare Land Strata Housing;
- Removing the proposed Bare Strata Subdivision on the east side of the Fortis Right-of-Way and replacing with a large Park;
- A number of minor amendments to add previously designated Park areas to the adjacent multiple family development site, but the proposed corridor remains.

See attached *OCP Changes Plan*.

## Proposed Residential Zoning

The North Block development features a diversity of housing types, from large lot single family, small lot single family, duplexes and low and medium density multiple family units, as shown on *the Conceptual Zoning Plan*.

- R1, Large Lot Residential. Most of the single family is zoned R1 and totals 120 lots.
- R2, Small Lot Residential – There are 48 small lots in 2 development areas
- RD2, Duplex Housing – Lane – There are 14 duplex lots with 28 units
- RM1, Bare Land Strata Housing – 15 lots
- RM2, Low Density Multiple Housing – There are 5 Townhouse development sites with 211 units. These units are located along the main Collector Road and Road G. Units are a maximum of 3 storeys.
- RM3, Medium Density Multiple Housing – Five sites, including 1 east of the power line with RM3 zoning, and a total of about 264 units. These sites are generally located in the upper, eastern area of the development, but with one development adjacent to Hawthorne Drive. Units may be a maximum height of 6 storeys.

Site Specific RM1 Zone: The RM1 area is proposed to be a Site Specific Zone to limit development to single family dwellings with a maximum height of 10.5m (the same as the R1 and R2 zones).

Site Specific RM3 Zone: One Site Specific RM3 zone is proposed on Road E above Hawthorne Drive. Due to site slopes, this site well is suited to a 4 storey, stacked townhouse design. It is proposed that this Site Specific zone limit the use to “townhouses” and height to 4 storeys, due proximity to an newly developing single family area.

## Proposed Parks Zoning

- P2, Parks and Recreation. The entire Fortis right-of-way, plus a few adjacent areas, is to be zoned P2 for a linear corridor of 7.3 ha. While much of the Fortis corridor is of rugged topography, there is a useable area of 1.0 ha. There are also 4 park areas to be zoned P2 for neighbourhood parks – a park at the Wiltse Boulevard entrance area of 0.85 ha with .38ha of useable land, a second park of 0.8 ha (0.42 useable) to the east, a park corridor of 1500 m<sup>2</sup> that provides a link with sidewalks between these 2 parks, and a large active park of 2.9 ha (usable 1.8 ha) east of the Fortis right-of-way – this park would be suitable for a playing field (s), sports courts, dog park and other passive activities.
- Natural and Conservation Areas. A large block of conservation area with high environmental values land is located east of the Fortis right-of-way to be left in a natural condition and totals 26.7 ha. This area is proposed to be zoned P2. The Owners are proposing to donate this Natural Area to the City. A significant natural area comprised of rock faces and forest will be retained in area along the western edge of the Wiltse development, with a total of 1.5 ha and zoned P2 and provides a buffer adjacent to existing homes along Evergreen Drive.

- **Trail and Wildlife Corridors.** There are numerous trail corridors throughout the North Block to provide pedestrian and cycling linkages between streets and to connect to parks. A trail is located along the northern property line at the base of a slope and originating in the public park is to be zoned P2. A park corridor, in the northern area of the property, with a width of 10m will connect the 2 neighbourhood parks in and is to be zoned P2. There is also a wildlife corridor proposed in the southern area of the site, to connect an established wildlife corridor from the Hawthorne Drive area, to the Fortis right-of-way lands. All of these corridors will be zoned residential, which is a typical approach in the City for many local connection routes.

Even though this is private property, there is a well-established Mountain Bike Trail network throughout the North Block as well as along the Fortis powerline. The Development Plan provides linkages from the neighbourhood trail corridors to the Fortis and mountain bike trails in the upper sloped lands, which are designated for Conservation and beyond that will remain private property.

The Park and Trail Network is illustrated on the attached *Green and Natural Areas Plan*. In addition, the attached *Conceptual Landscape Plans* illustrate how the parks, park corridor and wildlife corridors will function and provide an attractive feature in the new neighbourhood, including developed trails and site restoration with native and ornamental plantings.

- **Open Space Summary:** There is a total area of 77.4 ha covered by the OCP and Rezoning application. Excluding the Conservation Area, the residential development area is 50.3 ha in size Parkland includes:

- 3 Neighbourhood Parks                      4.2 ha              2.6 ha useable
- Park Corridor                                      0.15 ha              0.15 ha useable
- Fortis Right-of-Way                              7.3 ha              1.0 ha useable
- Total Parks    11.7 ha              3.75 ha useable
- On an overall basis, 23% of the development site is dedicated for parks, of which 7.5% is useable parkland, considerably beyond the 5% subdivision requirement
- Conservation area                                      26.7 ha
- West slope natural area                              1.4 ha
- Total CA/Natural Areas                              28.1 ha
- When the total application area of 77.4 ha is considered, the above Parkland plus the Conservation/Natural Area totals:
  - **Total Open Space                                      39.8 ha – 51.4% of the land area**

- **Natural Features:** The *Green and Natural Areas Plan* illustrates graded slopes throughout the North Block required to create usable development sites. These slopes will be revegetated at the subdivision stage, either with full revegetation with trees (for 2 to 1 slopes) or without trees (for 1.5

to 1 slopes) and will add a considerable amount of greenspace and recreate a hillside appearance. These slopes will be addressed in more detail in the Hillside Development Permit.

- **P1, Public Assembly:** The existing Evergreen reservoir site is currently zoned P1. With this application, the remainder of the reservoir parcel will be zoned P1. The lands to the east will be zoned P2 as part of a natural slope area (that includes a walkway and reservoir access). A new dedicated lane is proposed at the rear of 4 lots fronting on Evergreen Drive, where there is currently an informal laneway.

## Agricultural

The existing A, Agricultural zoning is proposed to be retained for the upper hillside lands that are designated as **Rural Residential** in the Community Plan. Any development of these upper lands will require a future rezoning application with a review of environmental, hillside, land use and servicing components.

## Community Plan Policies

The proposed residential zoning reflects the Community Plan designations of **Detached Residential** and **Ground Oriented Residential**. The **Parks** and **Natural and Conservation Areas** also reflect the Community Plan designations.

The OCP identified a need for 929 new single family units over the next 30 years with an average of 31 new units per year. While the focus of the Community Plan is on accommodating much of the new development through intensification of Penticton's existing urban areas, the Plan provides for "A number of new hillside neighbourhoods ... to be developed to meet the demand for detached houses.". This includes "Upper Wiltse" that is adjacent to an established neighbourhood and is logical extension to existing City infrastructure.

Planning for a new hillside development area, such as the Wiltse North Block, is to be guided by protection of environmental values as well as consideration of natural hazards such as steep slopes and wildfire, that will be addressed through Environmental and Hillside Development Permit Areas and through the subdivision process at the development stage. New neighbourhoods are to be designed to support active transportation (walking, cycling), and include new parks, trails, and linkages and to provide a range of housing options to address different demographic and economic requirements. In this regard, the proposed rezoning of the North Block land is consistent with the Community Plan.

## Development Servicing

The following is a high-level design summary to service the Wiltse North subdivision located at 160 Crow Place and 850 Wiltse Boulevard. The proposed servicing plan includes:

### Water

Hydrant spacing and water main construction will be in accordance with Subdivision and Development Bylaw 2004-81 design standards and the requirements of the Fire Underwriters Survey. With construction of a new reservoir and booster pump station, there is adequate water supply from the existing system to service the first 244 units. For additional development, the general works will include

the installation of a watermain from the Carmi Reservoir through the Ellis Creek canyon to the reservoir. A return supply main will provide domestic water to individual properties.

### Sanitary System

Sanitary mains and service construction will be in accordance with Subdivision and Development Bylaw No. 2004-81. A gravity sanitary main will be installed on all roads and tie-into the existing sanitary mains on Wiltse Boulevard, Partridge Drive, and Hawthorne Drive.

### Storm System

Storm mains and service construction will be in accordance with Subdivision and Development Bylaw No. 2004-81. The subdivision will include conventional catch basins and a storm main along the new roads. A storm service will be provided for each individual property. A combination of stormwater detention facilities and overflow to existing Penticton stormwater infrastructure is planned.

### Transportation

The new roads will follow either a collector road or local road design standard with sidewalk on one side. Cul de sac's will be provided at turnarounds and lanes will be provided in the rear of some of the properties. The collector road will go from Wiltse Boulevard to Partridge Drive.

### Shallow Utilities

All utility services (CoP Electrical, Shaw, Telus, Fortis BC Gas) will be coordinated and will be designed to conform to the City of Penticton Standard Detail Drawings.

A separate, Pre-Design Report is submitted with this application and provides details on the water, sanitary and storms systems, road alignment and geometry, and site grading.

### **Public Consultation**

Public Open Houses were conducted in December 2017 and January 2018. About 50 attended the first meeting and 7 questionnaires were completed. At the second meeting about 30 were in attendance and 8 questionnaires completed. There were a variety of comments and concerns including extension of Redwood Drive, multiple family east of Evergreen Drive homes, need for more trail networks, green space and wildlife corridors.

A number of changes were made to the Development Plan to respond to these comments that include Redwood Drive not to be open to traffic, removal of townhouses and replacement with houses east of Evergreen Drive plus provision of buffer area, expansion of green spaces, conservation areas, wildlife corridors and trails.

Public Consultation report is attached.

Through the established Community Plan Amendment process, a comprehensive public engagement process will be carried out by City staff.

### Hillside Development Permit (HDP)

An HDP application is being submitted concurrently with this Community Plan and Zoning Bylaw amendment application. The purpose of the HDP will be to address the objectives of the Community Plan for development on hillside locations, and as follows:

- Minimize and mitigate hazards such as steep slopes, wildfire and floods
- Fit with the natural landscape and climate
- Protect and enhance views toward the valley and lakes from above
- Avoid necessary scarring of the hillside to protect views back to the hillside
- Create a sense of built form fitting with the land
- Create movement connections for both people and wildlife

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, MCIP, RPP  
Senior Planner  
Phone: 250 492 2227 x 1070  
Email: donna.butler@ecora.ca

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**NORTH BLOCK – WILTSE LANDS**  
**BACKGROUND TECHNICAL REPORTS**

A number of Technical Studies and Reports have been prepared in support of the proposed Wiltse North Block new residential development as follows.

Wiltse Estates Residential Development Traffic Impact Assessment, by CTS Traffic Engineering Specialists, November 2021.

This Traffic Study was carried out for the proposed development, expected to occur over a 15 year period in 4 phases. Traffic will enter the existing community at Wiltse Boulevard and from the Partridge Drive area. Phase 1 will be accessed from the latter area. The impact of the traffic was assessed over the Study Area consisting of 10 intersections in the existing Wiltse / Pineview, Industrial and Commercial area west to Skaha Lake Road and Main Street. Transit, bike network and pedestrian routes were also assessed.

The Study analysed traffic volumes from the development, plus a 40 new lot subdivision at the south end of Dartmouth Drive and a 0.5% increase in background volumes - for weekday morning, mid-day and afternoon peak hours. Each intersection was analysed over the horizon years of 2021 (base year) and 2025, 2030, 2035 and 2045 - the expected build out.

Intersection capacity analysis showed that all signalized intersections except one, are forecast to operate at Level of Service A (Excellent), B (Good) or C (Fair). At Government and Warren the east bound left turn lane will need lengthening in 2025. Analysis of the capacity of non-signalized intersections demonstrated that the majority are forecast to operate at Levels A, B or C. Dartmouth and Wiltse and Dartmouth and Pineview will require the addition of a turn lane in 2035 and 2045 respectively.

The Study also assessed a number of existing intersections in Wiltse / Pineview neighbourhood and made recommendations for minor improvements.

Environmental Addendum Report for the North Wiltse Property, Penticton BC by Ecora. April 2021

This Environmental Addendum Report is for the rezoning of the North Block Wiltse lands based on the land use designations in the Penticton Community Plan. The Report addresses mapped Critical Habitat as well as current Community Plan and Terms of Reference for Environmental Assessment Reports that have been updated since Ecora submitted the previous Environmental Mapping and Assessment Report in 2017. Minor amendments to the Report were also carried out in February 2022 to reflect the revised Development Plan.

The proposed development avoids impacts to sensitive environmental features including high value Environmentally Sensitive Areas (ESA), aquatic features and associated setbacks and important wildlife habitats associated with species of management concern. The development layout results in the protection of a substantial portion of the land east of the Fortis right-of-way – to be partially

protected by a conservation covenant. This conservation area will be continuous with lands to the east, including the Provincially designated Wildlife Management Area, Skaha Bluffs Provincial Park and lands to the south in the Skaha Bluffs development

The proposed development plan will avoid all areas designated as ESA1. A small area (6.5ha) overlaps a mapped ESA2. The remaining 67.5 ha of ESA2 will remain undeveloped. The majority of the lands to be developed at 31 ha overlaps low value ESA3.

The Report outlines an environmental management and mitigation strategy for the construction of the development.

Archaeological Inventory and Impact Assessment of North Wiltse Property in Penticton, BC by 4 Seasons Heritage Consulting, 2019

This Study was administered by the Penticton Indian Band. In 2017 a Preliminary Field Reconnaissance was carried out and an Archaeological Impact Assessment, under the *Heritage Conservation Act*, was deemed necessary. This Assessment was based on field work conducted in 2018 that comprehensively surveyed the site for archaeological potential. One hundred tests were excavated and all were negative for archaeological materials or features. Despite this, the study area is has known use and occupancy by indigenous peoples. No further work was recommended but ongoing communication with the PIB throughout the development process was recommended as well as establishing an Archaeological Chance Finds Procedure for during construction

Geohazard Assessment for Proposed North Wiltse Development, Penticton, BC by Ecora Engineering Ltd., 2019

The purpose of this assessment was to identify the presence and extent of geotechnical hazards with respect to soil, rockfall, drainage or topographic conditions that may pose risk to proposed development of the property located at 850 Wiltse Blvd and 160 Crow Place. The topography varies across the site, ranging from moderate to very steep slopes with the east and southeast sections increasing in slope.

The majority of the planned development is in very low to moderate terrain hazard areas. The Study identified H1, H2 and H3 geohazard zones including rockfall and flood hazard where the storm drainage channel is steep and constricted. Most of the high hazard areas are east of the Fortis power line. The Study recommends development avoidance of some areas and mitigation measures for other areas, as well as ongoing geotechnical field work, site grading and storm management and hydrological assessment.

# Attachment B - North Wiltse Block Timeline<sup>192-</sup>

## Year

## Event

1982

The first Official Community Plan (OCP) is adopted by City Council, designating the subject properties for future development.

2005

Comprehensive Development Plan (CDP) prepared to measure 20 year development potential of the City. The CDP identified infrastructure requirements and financing strategies to accommodate future growth in the City. The Upper Wiltse area was projected to have a potential build out of approximately 800 units.

2008

City Council endorses the Terms of Reference to prepare an area plan for the Upper Wiltse lands. The Terms of Reference outlined requirements of an area plan: to identify future land uses, residential densities, road patterns and required community services and parks in the Upper Wiltse area. The Terms of Reference originally considered a 9-hole golf resort as part of the development, but that was later removed.

2014

Wiltse Area Structure Plan adopted by City Council. The 2002 OCP was amended to refer to the area structure plan. North Wiltse Block (850 Wiltse Blvd & 160 Crow Pl) was envisioned to have 230 single detached homes, 290 townhouse units, 160 apartment units, 70 mixed use/seniors units (total: 670 units)

2019

Current OCP adopted by City Council. Future land use designations on the North Wiltse Block were updated, based on the Wiltse Area Structure Plan. Future land use designations: 'Rural Residential', 'Detached Residential', 'Ground Oriented Residential', 'Parks', and 'Natural and Conservation'.

2022

OCP Amendment, Rezoning, and Hillside Development Permit application package to be considered by Council. Proposal for 183 single detached homes, 28 duplex units, 475 townhouse units (total: 686 units).



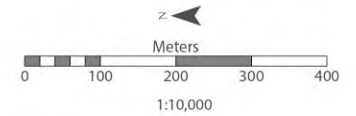
# Attachment C - Existing Official Community Plan Map

-193-



850 Wiltse Blvd & 160 Crow Pl

## Existing Official Community Plan Map



### Legend

- Subject Parcel
- Future Land Use**
- Detached Residential
- Natural and Conservation Areas
- Ground Oriented Residential
- Institutional and Civic
- Rural Residential
- Industrial
- Agriculture
- Parks
- Riparian Development Permit Area



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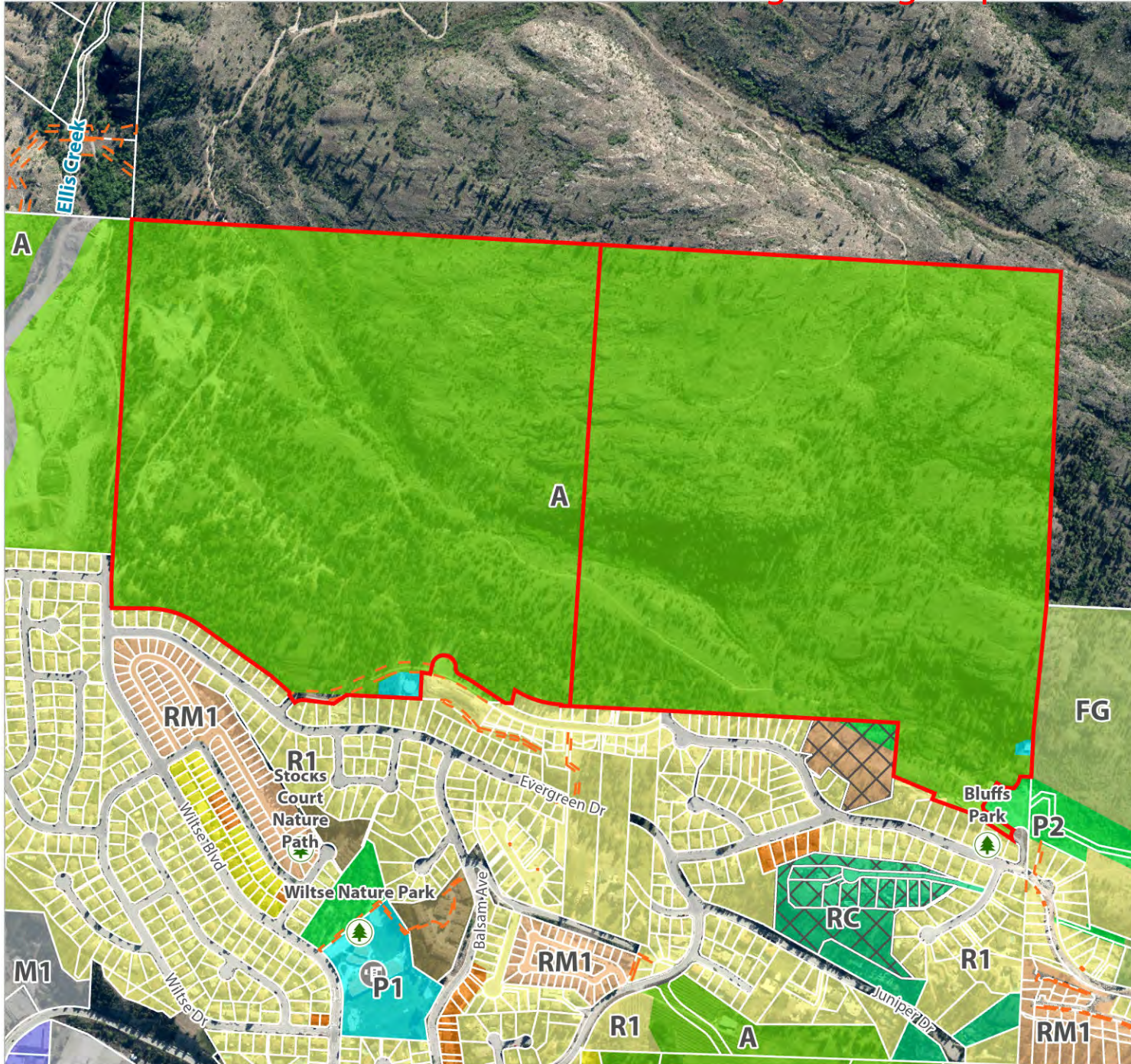


# Attachment E - Existing Zoning Map



850 Wiltse Blvd & 160 Crow Pl

## Existing Zoning Map



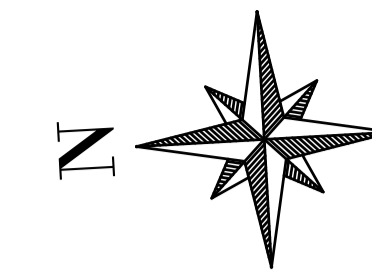
### Legend

- Subject Parcel
- Site Specific Zoning
- Zoning Bylaw**
- No Zoning - No Zoning
- FG - Forestry and Grazing
- A - Agriculture
- RC - Country Residential Housing
- R1 - Large Lot Residential
- R2 - Small Lot Residential
- RD1 - Duplex Housing
- RM1 - Bareland Strata Housing
- RM2 - Low Density Multiple Housing
- C7 - Service Commercial
- M1 - General Industrial
- P1 - Public Assembly
- P2 - Parks and Recreation

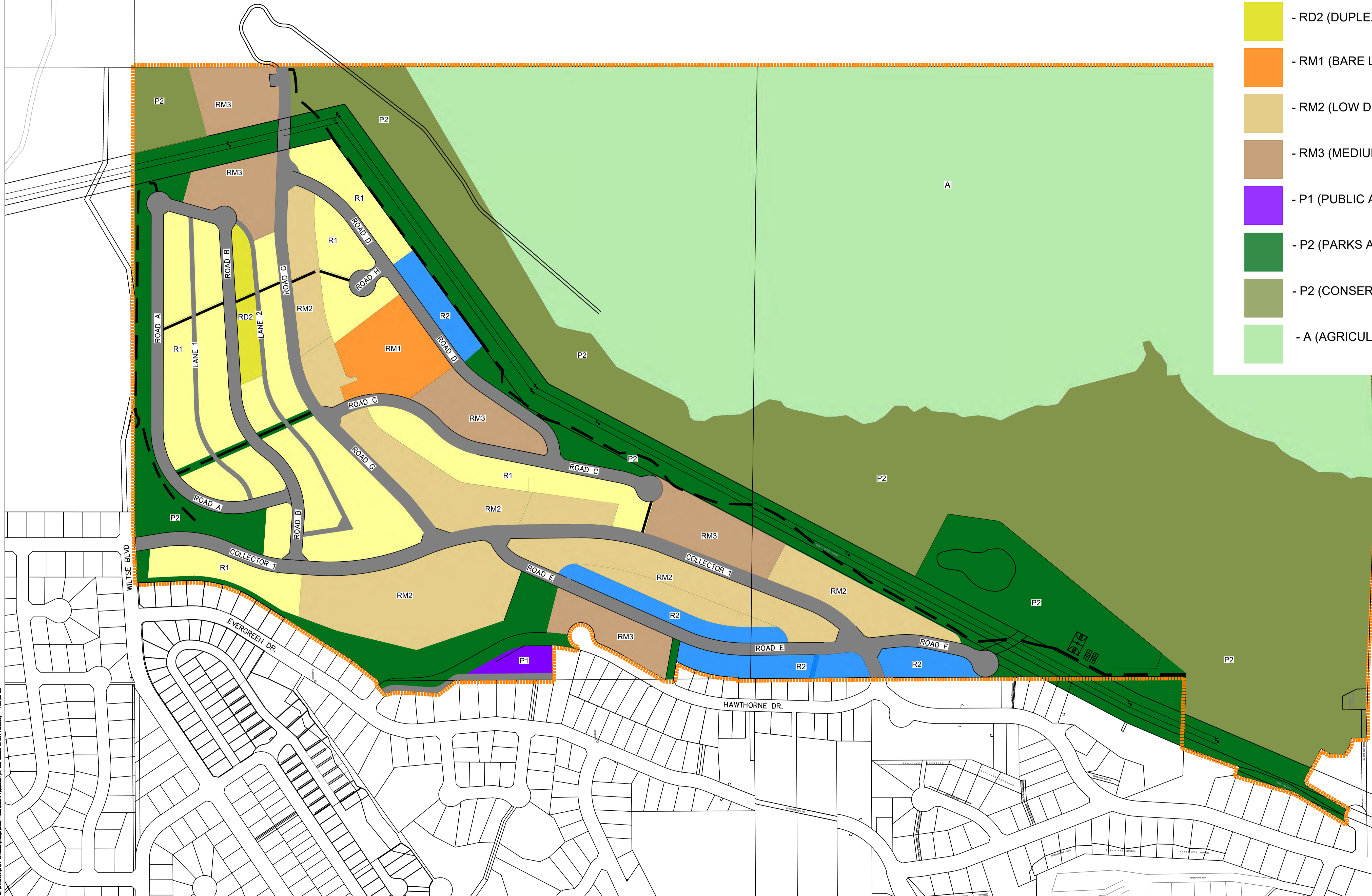
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March 18, 2022 9:58 AM

# Attachment F - Proposed Zoning Map



- R1 (LARGE LOT RESIDENTIAL)
- R2 (SMALL LOT RESIDENTIAL)
- RD2 (DUPLEX HOUSING: LANE)
- RM1 (BARE LAND STRATA HOUSING)
- RM2 (LOW DENSITY MULTIPLE HOUSING)
- RM3 (MEDIUM DENSITY MULTIPLE HOUSING)
- P1 (PUBLIC ASSEMBLY)
- P2 (PARKS AND RECREATION)
- P2 (CONSERVATION AREA)
- A (AGRICULTURE)



NO.	DATE (YY/MM/DD)	DRN	REVISION	CHKD
B	22/02/25	RT	FOR REVIEW	MDY
A	21/11/09	RT	PRELIMINARY DESIGN - FOR REVIEW	SB

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APPROVED FOR CONSTRUCTION	DATE
PUBLIC WORKS Mgr.	
ELECTRICAL DIV. Eng.	
PARKS DIVISION Super.	
CITY ENGINEER	
AS-BUILT APPROVAL	

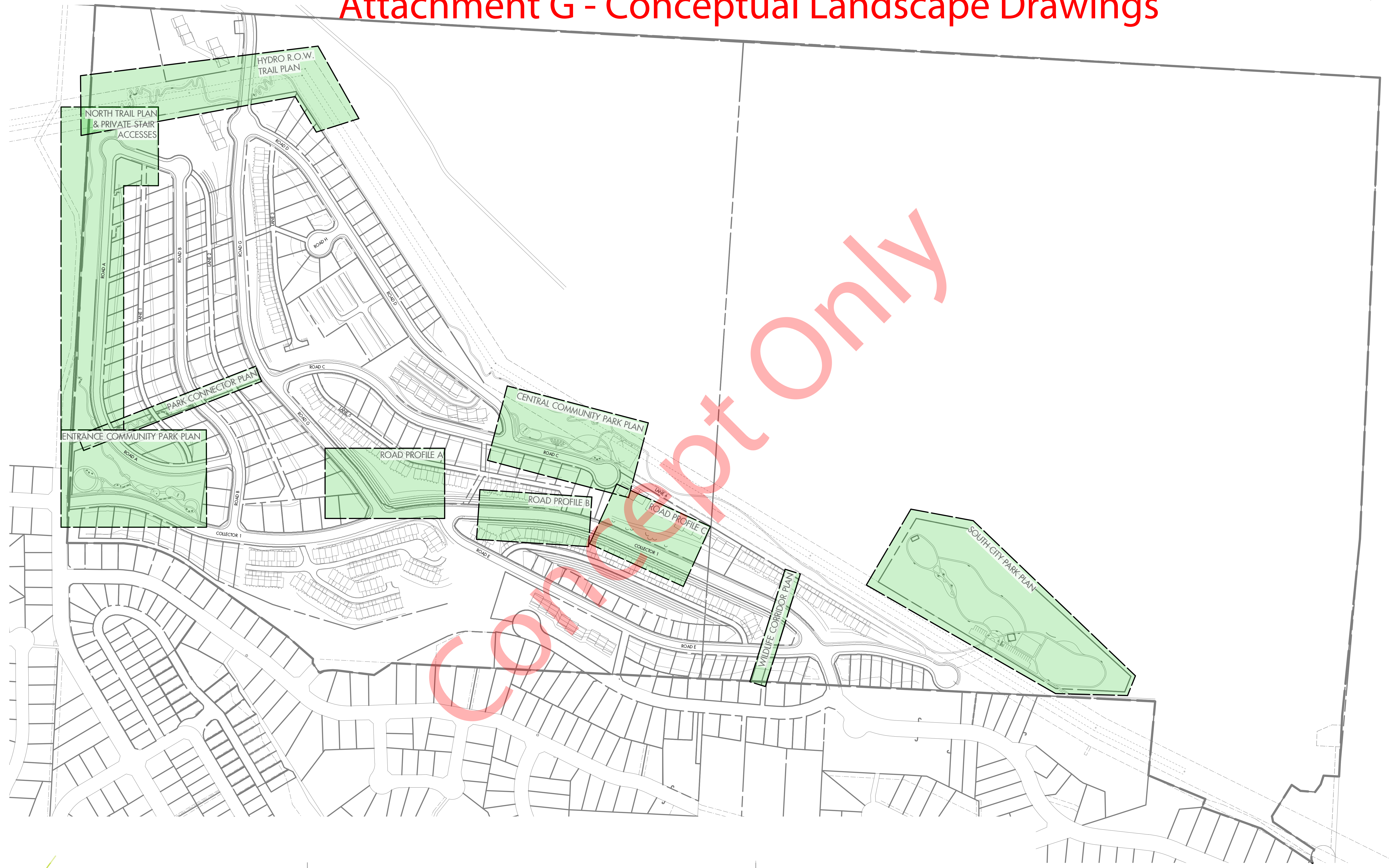
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DATE: 2021/11/08
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**CITY OF PENTICTON**  
 850 WILTSE BOULEVARD  
 WILTSE HOLDINGS LTD.  
 ZONING PLAN

**THE CITY OF Penticton**  
 Drawing No. 18-225-C101.1  
 Rev.No B

PLANNING DIVISION / 2021-11-08 / 1:2500 / WILTSE HOLDINGS LTD. / ZONING PLAN / RT / 18-225-C101.1 / B

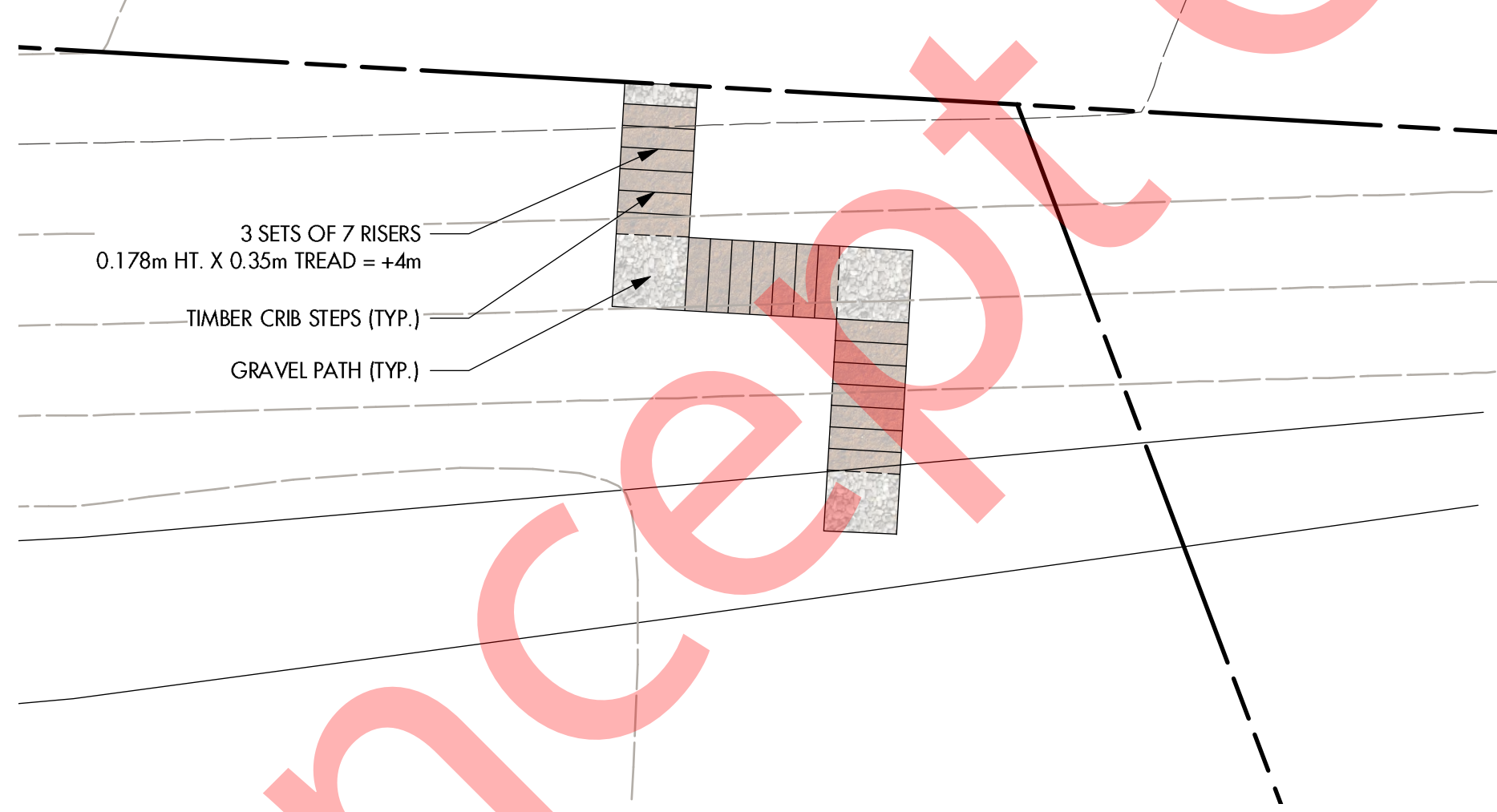
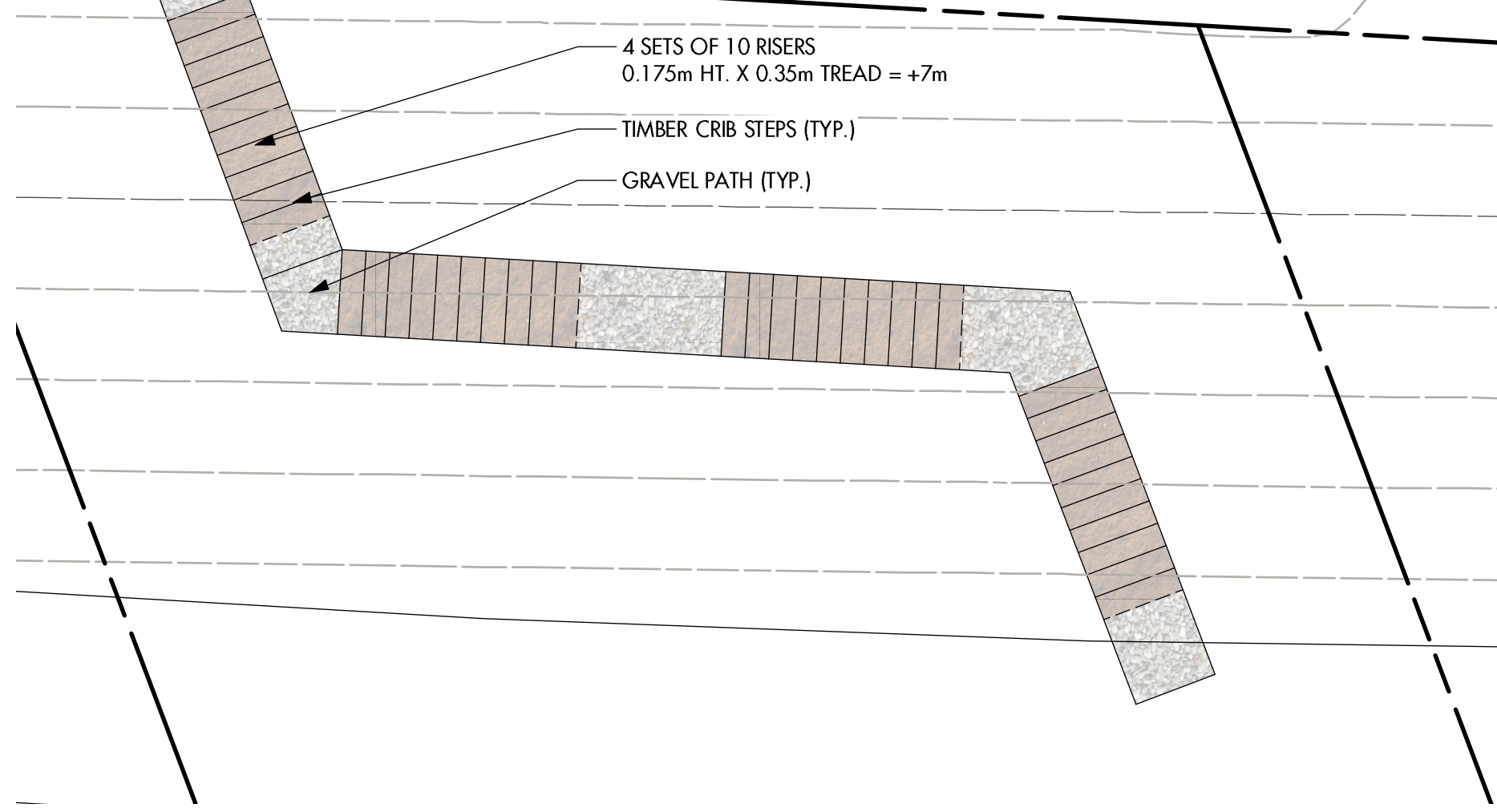
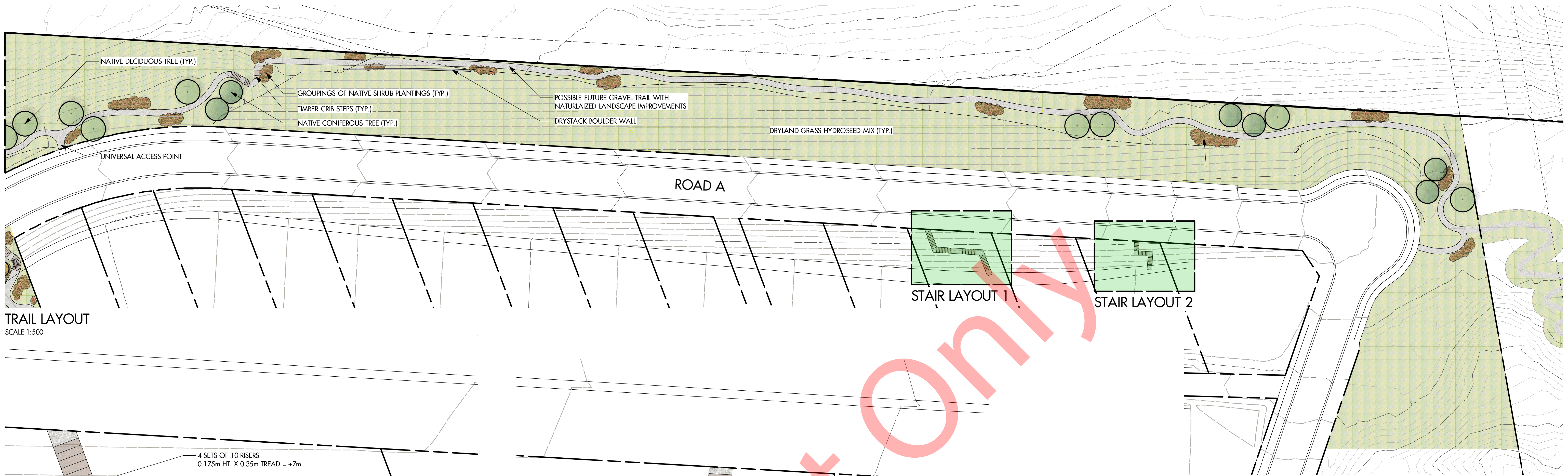
# Attachment G - Conceptual Landscape Drawings



SEE TRAIL CONTINUATION ON NORTH TRAIL & PARK CONNECTOR PLANS



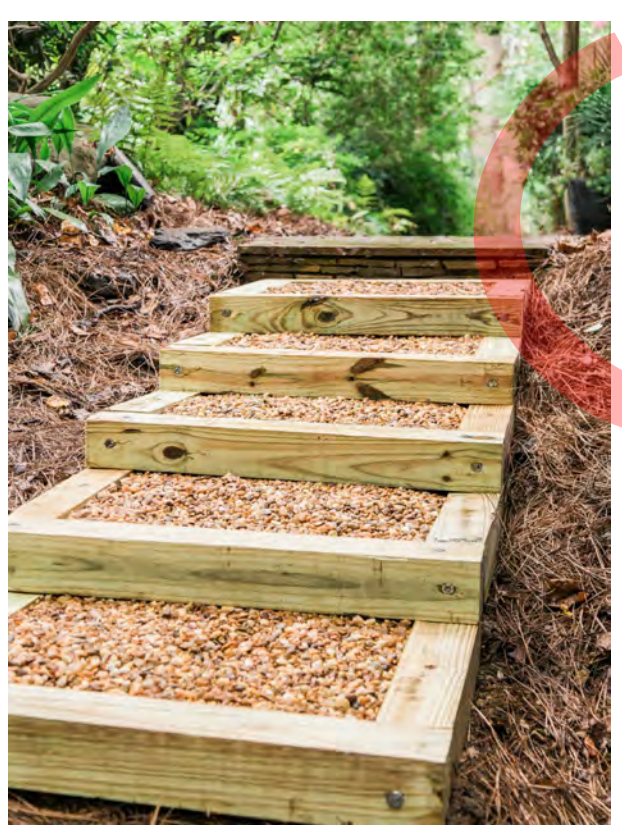
SEE TRAIL CONTINUATION ON ENTRY PARK PLAN



TRAIL LAYOUT  
SCALE 1:500



PRECEDENT IMAGERY - TIMBER CRIB STEPS



PRECEDENT IMAGERY  
TIMBER CRIB STEPS



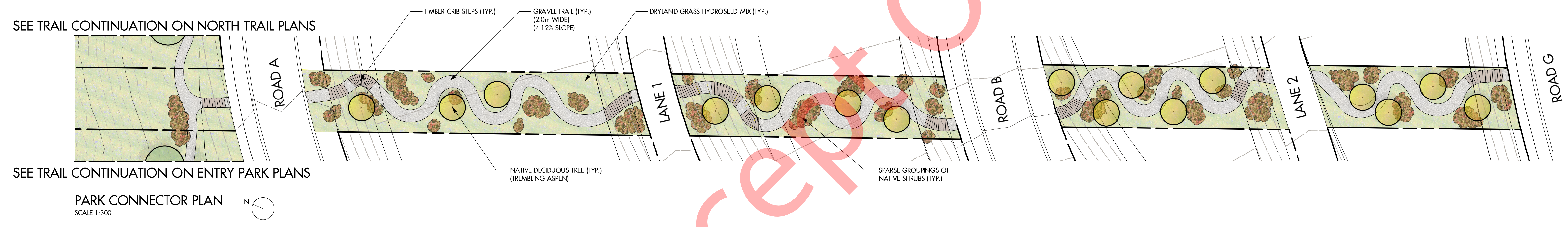
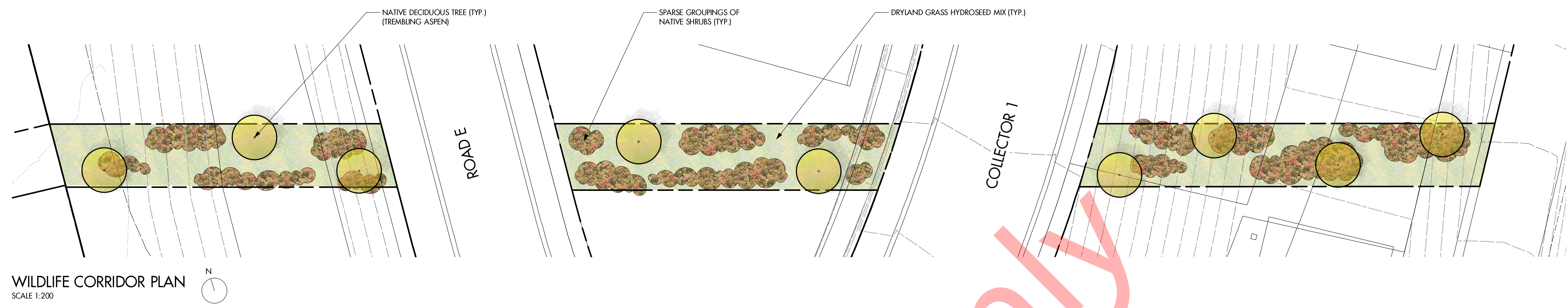
PRECEDENT IMAGERY  
PRIVATE STAIR ACCESS



PRECEDENT IMAGERY - TRAIL



PRECEDENT IMAGERY - TRAIL



PRECEDENT IMAGE - TRAIL



PRECEDENT IMAGE - TRAIL SWITCHBACK



PRECEDENT IMAGE - TRAIL



PRECEDENT IMAGE - TRAIL



PRECEDENT IMAGE - NATIVE DECIDUOUS TREE





PRECEDENT IMAGERY - COMMUNITY GARDEN



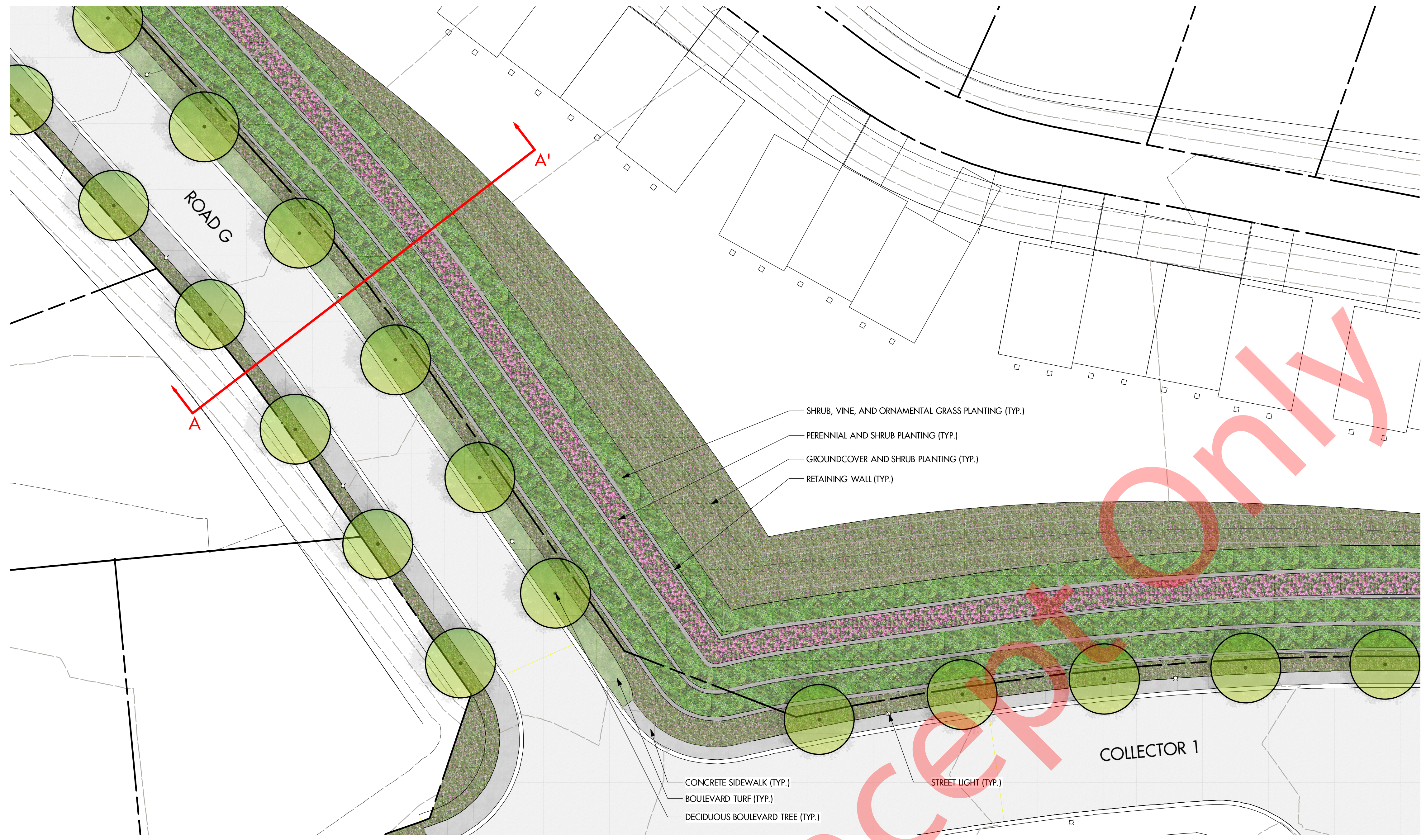
PRECEDENT IMAGERY - POST AND RAIL FENCE



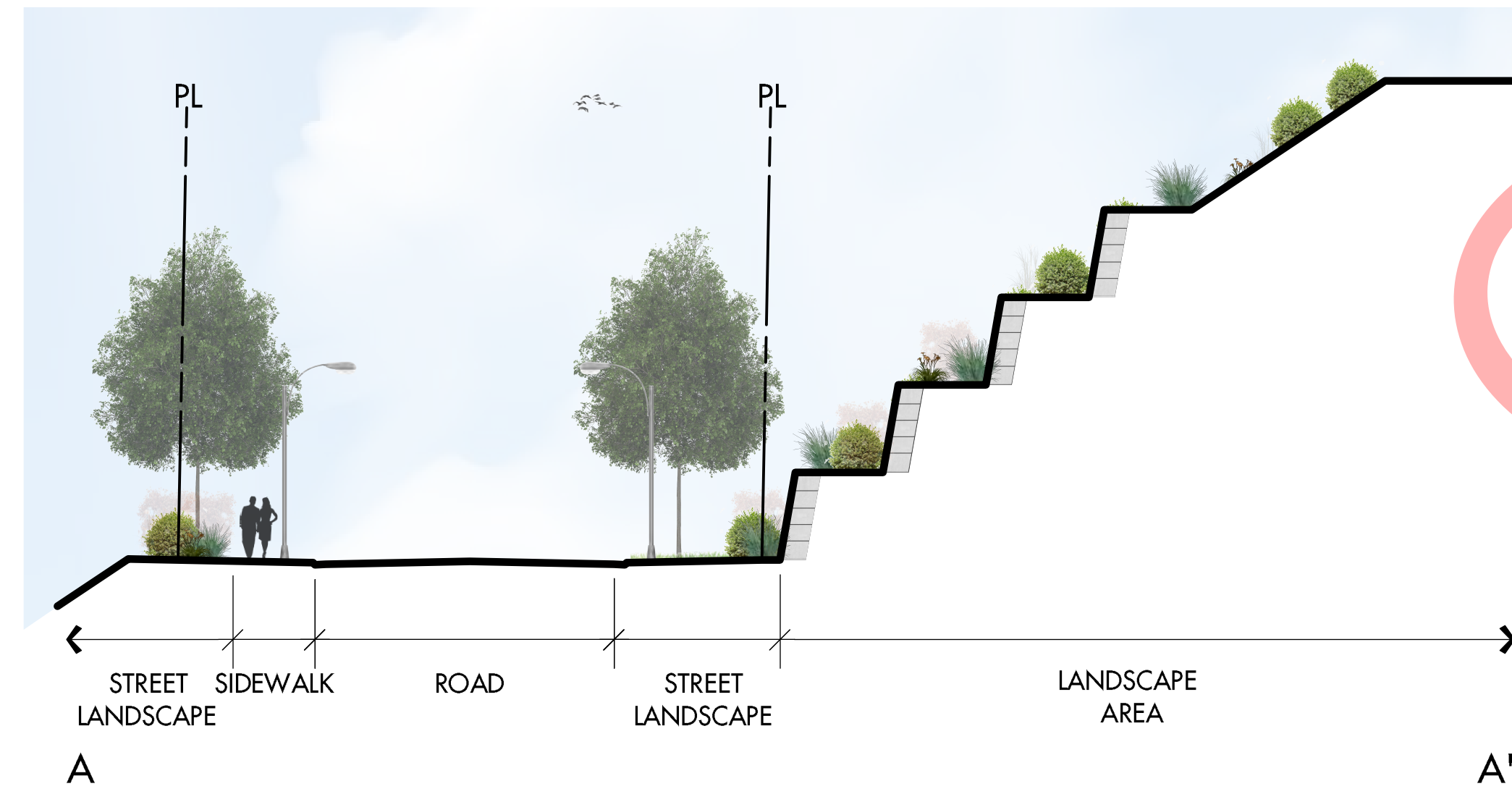
PRECEDENT IMAGERY - DOG RUN



PRECEDENT IMAGERY - PLAYGROUND



PLAN A - A'  
SCALE 1:250



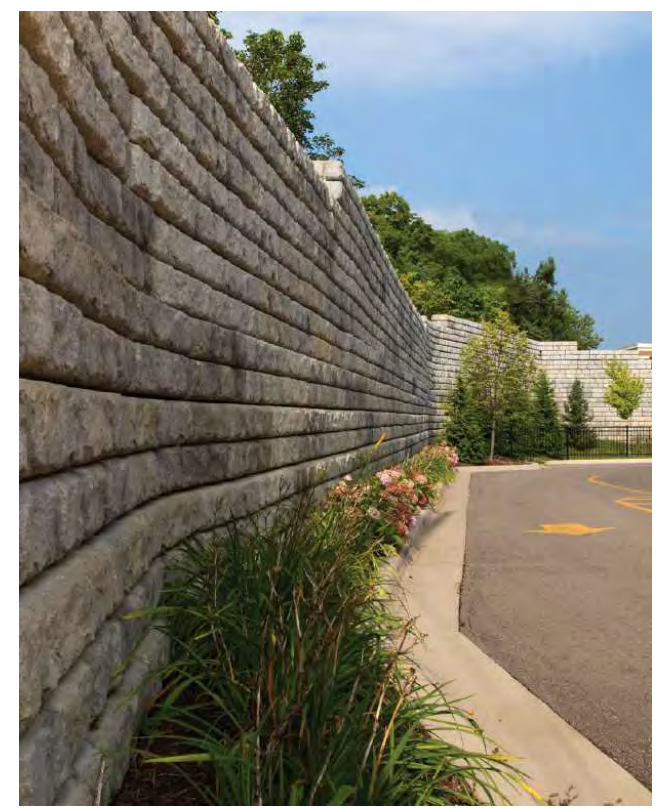
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SCALE 1:150



PRECEDENT IMAGE - RETAINING WALL

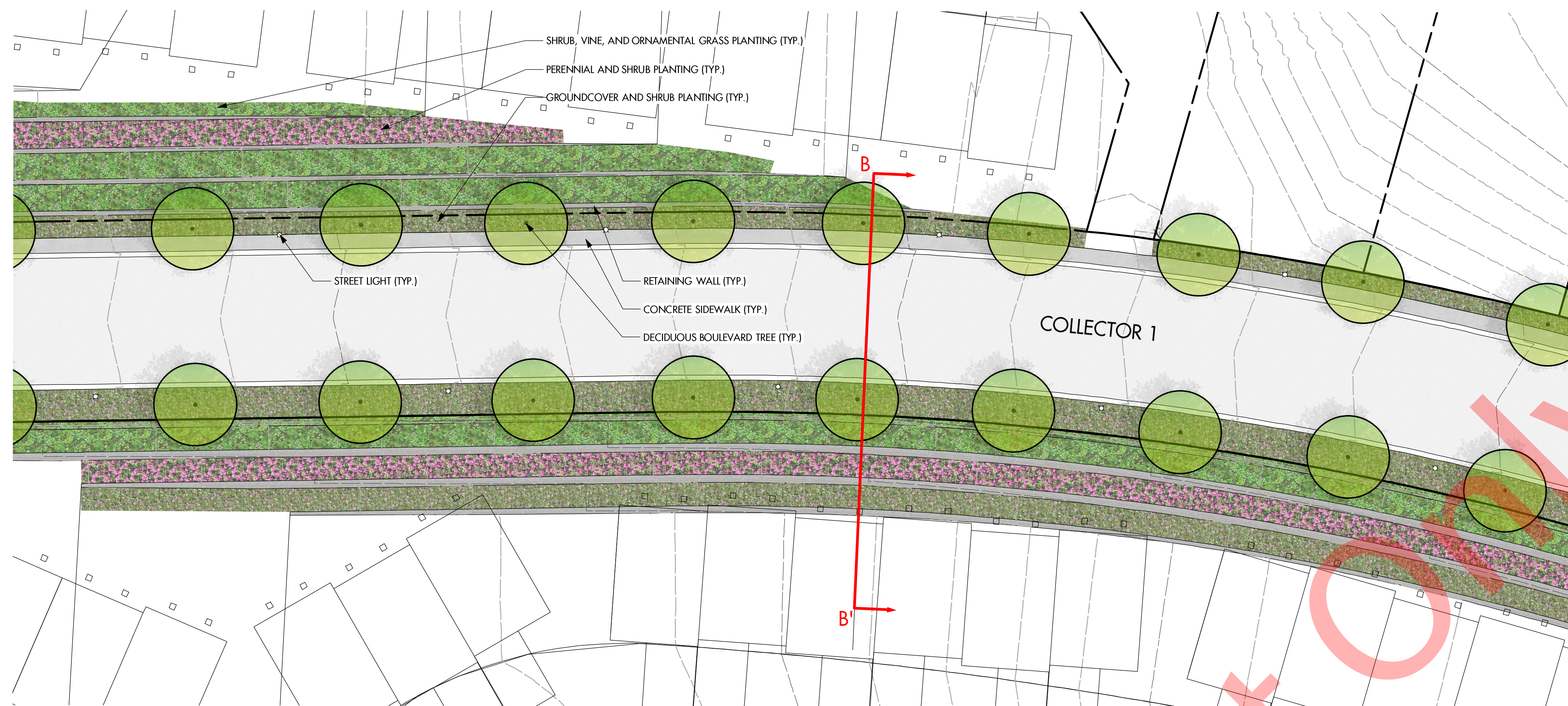


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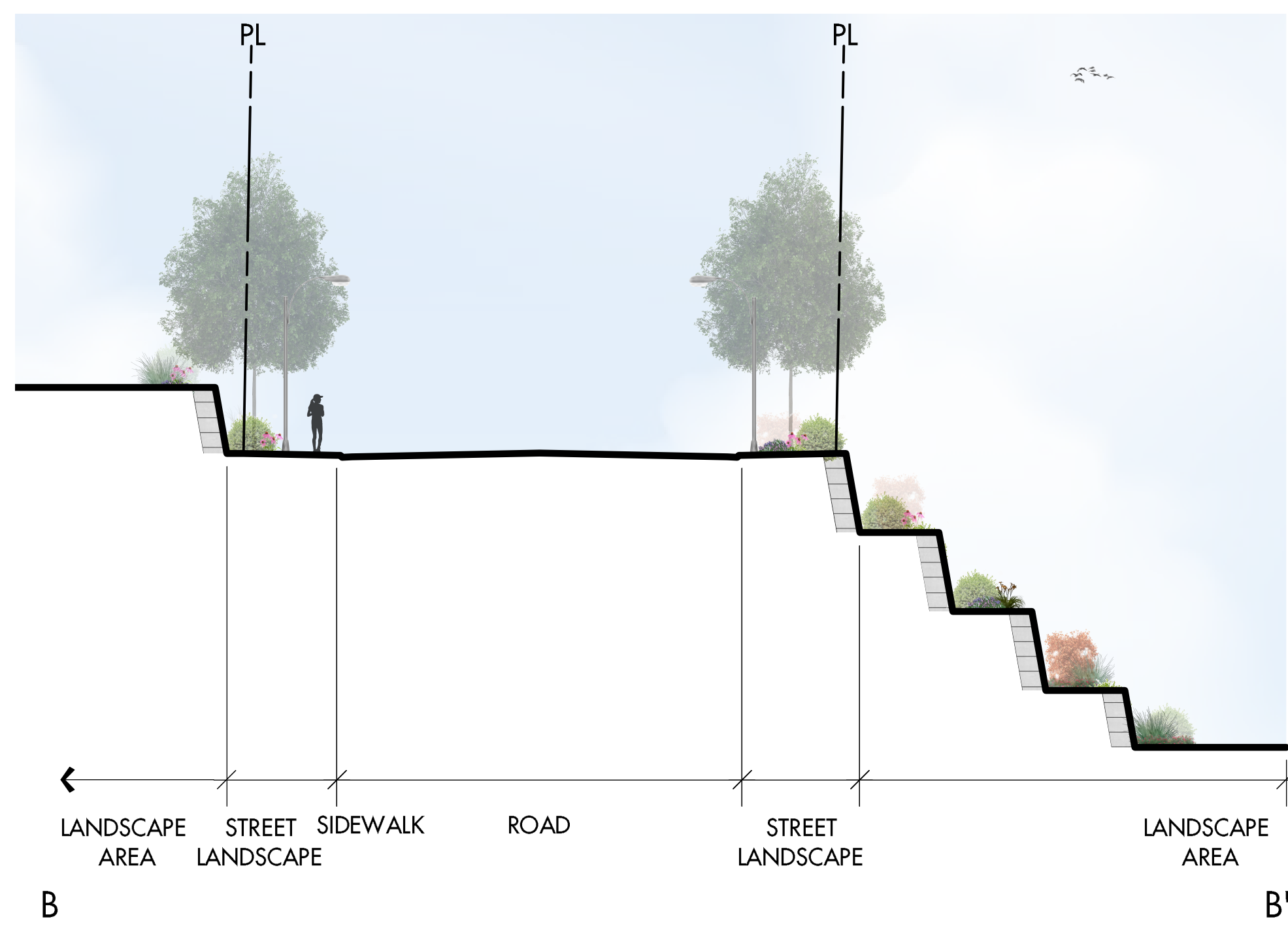


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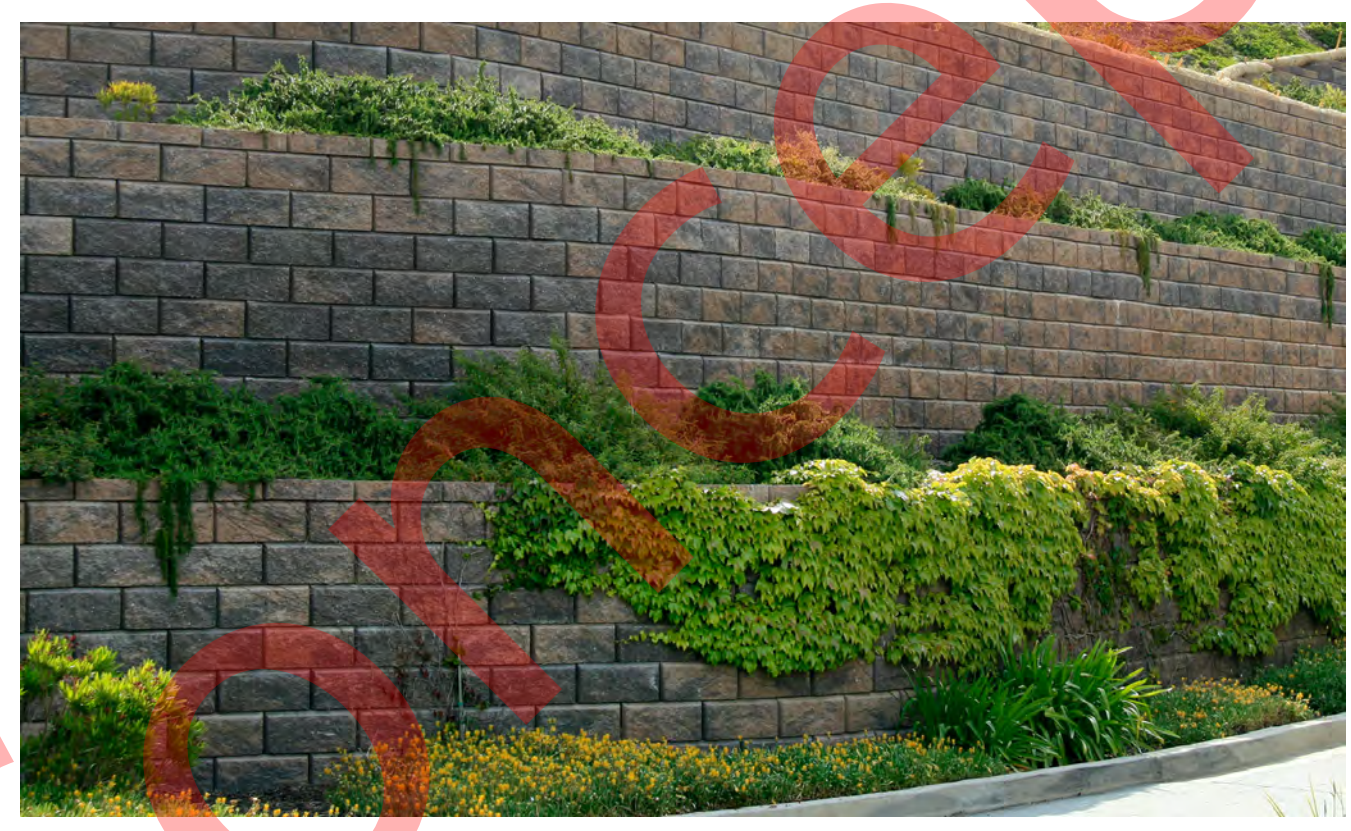




PLAN B - B'  
SCALE 1:250



SECTION B - B'  
SCALE 1:1.50



PRECEDENT IMAGE - RETAINING WALL

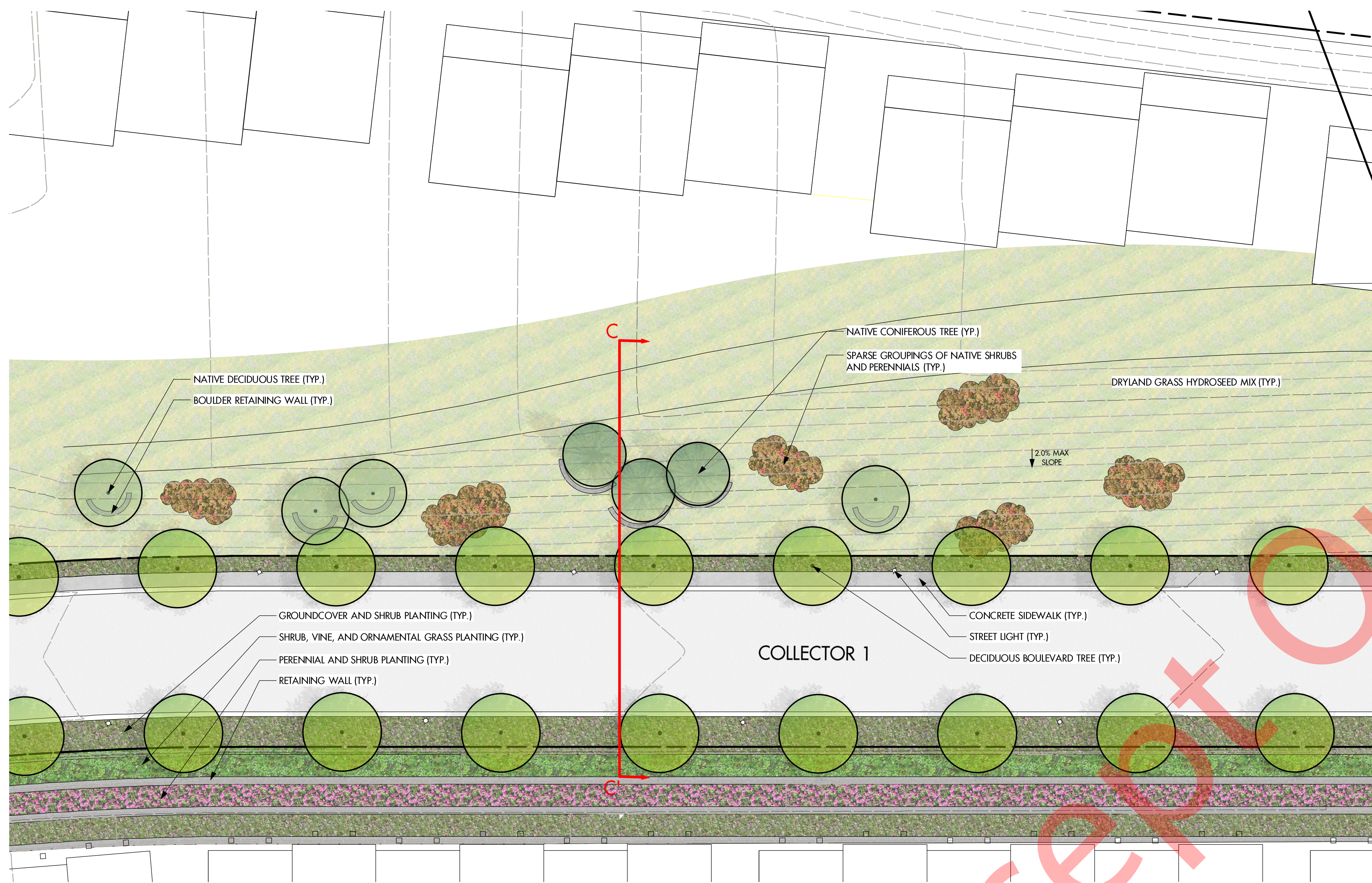


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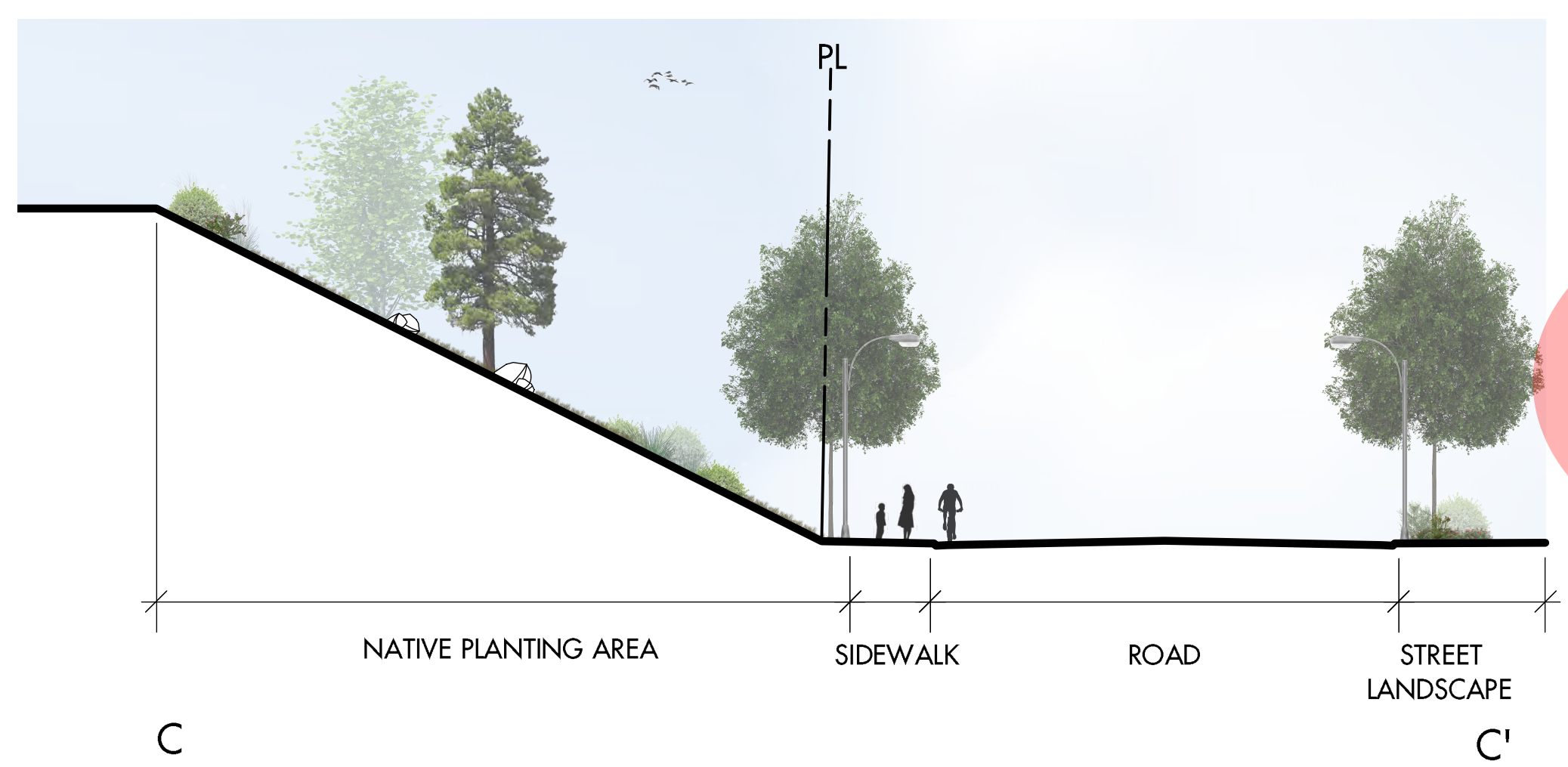


PRECEDENT IMAGE - RETAINING WALL





PLAN C - C'  
SCALE 1:250



SECTION C - C'  
SCALE 1:1.50



PRECEDENT IMAGE - NATURALIZED SLOPE WITH BOULDER RETAINING WALL



PRECEDENT IMAGE NATURALIZED SLOPE



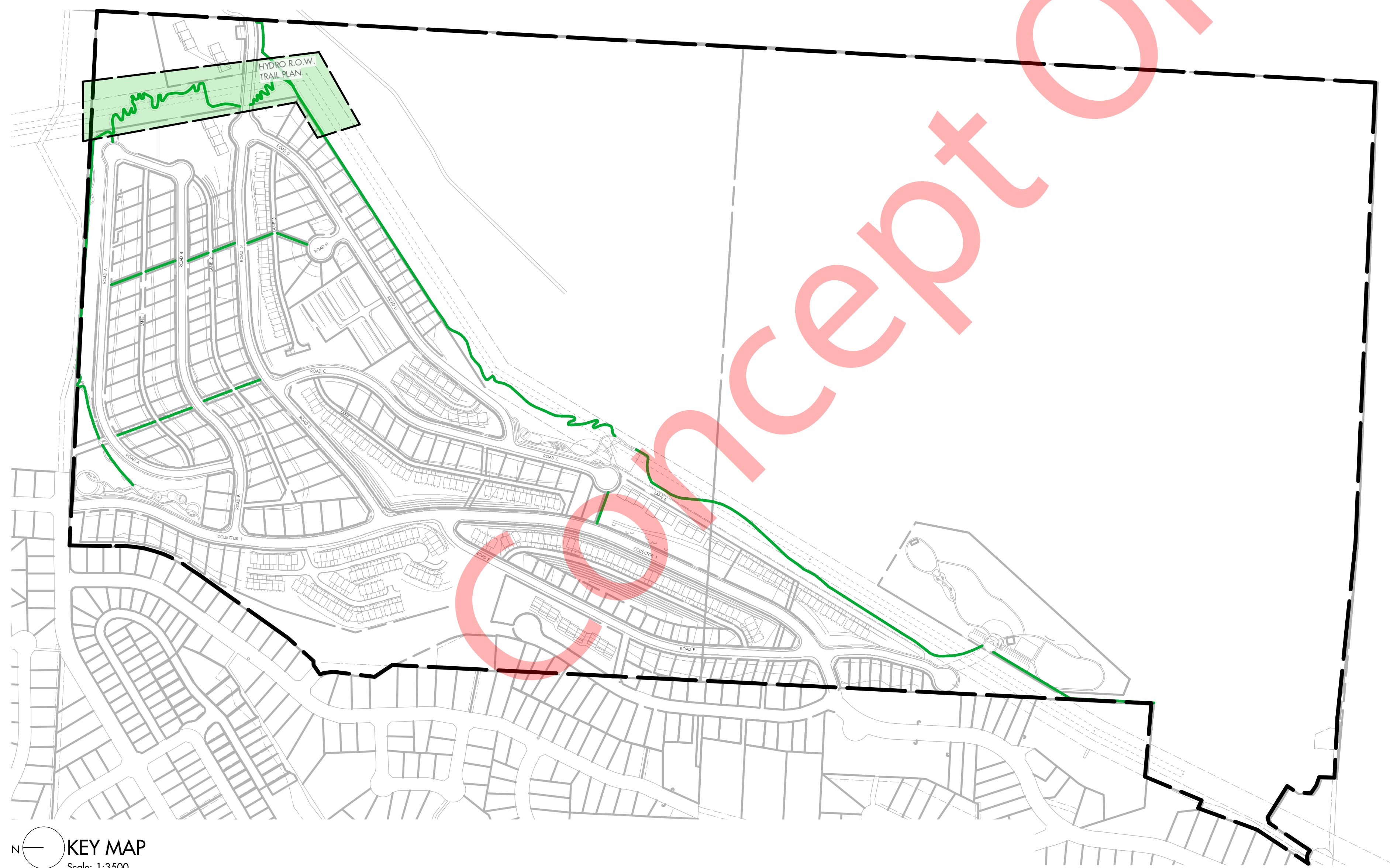
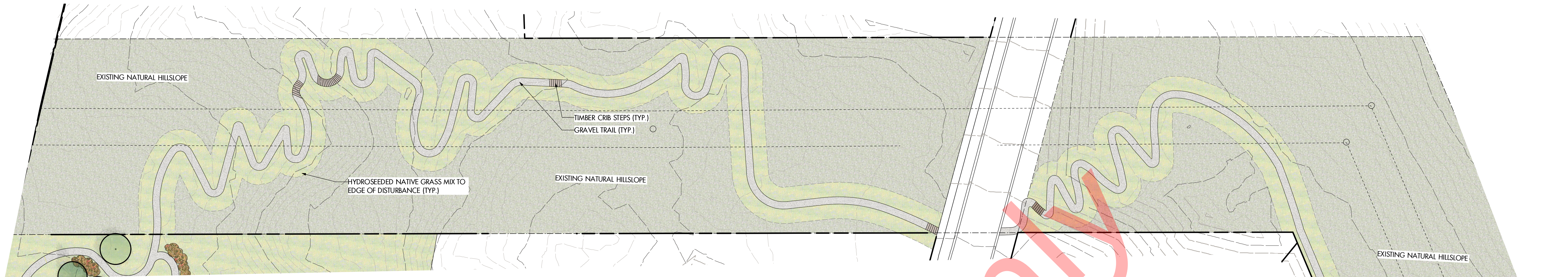
PRECEDENT IMAGE NATURALIZED SLOPE



PRECEDENT IMAGE - RETAINING WALL





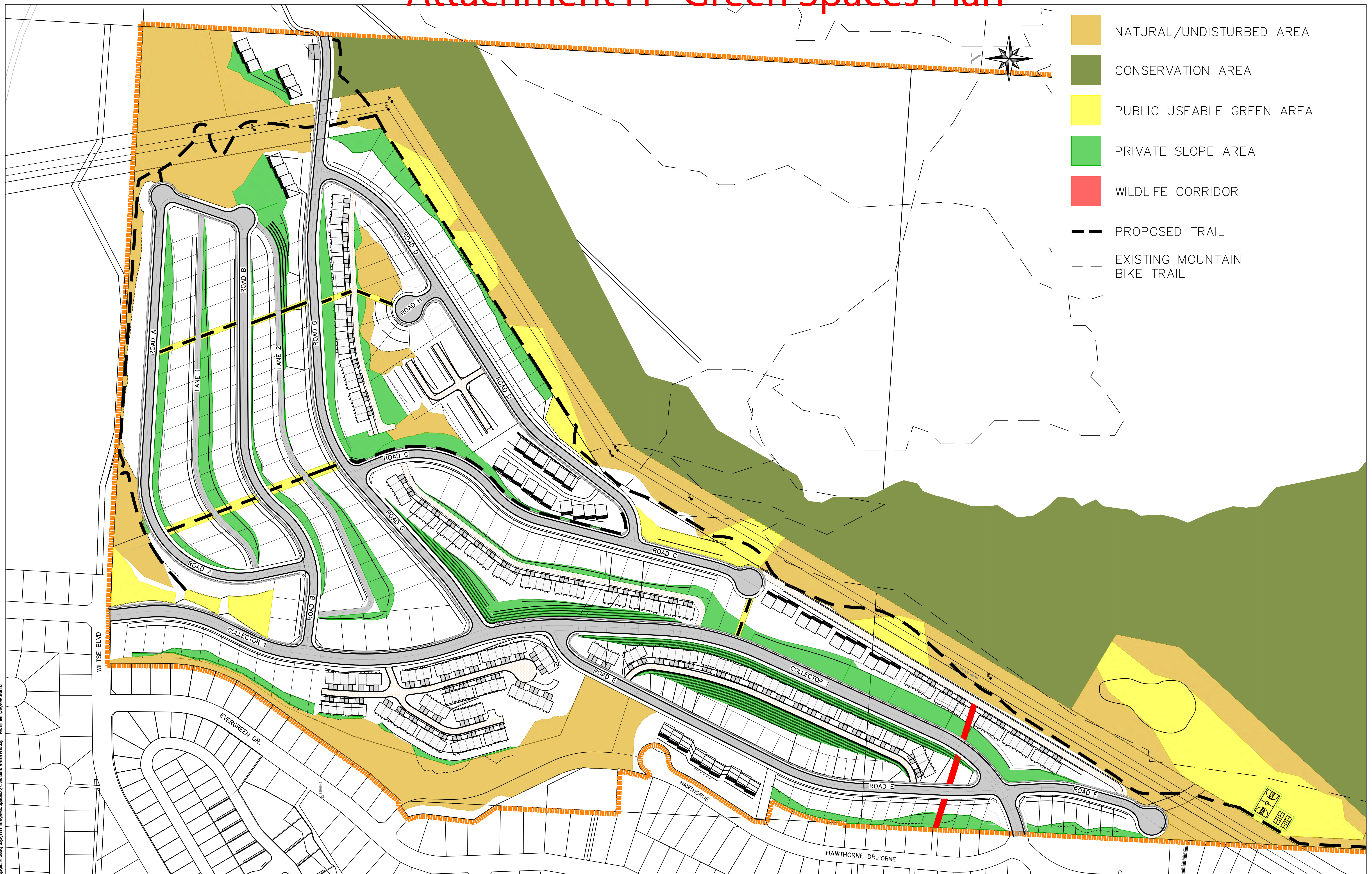


PARTIAL TRAIL LAYOUT  
Scale: 1:400

KEY MAP  
Scale: 1:3500

Concept Only

# Attachment H - Green Spaces Plan



- NATURAL/UNDISTURBED AREA
- CONSERVATION AREA
- PUBLIC USEABLE GREEN AREA
- PRIVATE SLOPE AREA
- WILDLIFE CORRIDOR
- PROPOSED TRAIL
- EXISTING MOUNTAIN BIKE TRAIL

REVISION: 11/21/2021 11:25:00 AM  
 PRINTED ON: 11/22/2021 11:25:00 AM  
 PLOT SIZE: 34.00 x 42.00  
 SCALE: 1:2000  
 SHEET: 18-225-C109.0

NO.	DATE (YY/MM/DD)	DRN	REVISION	CHKD
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B	22/02/25	RT	FOR REVIEW	MDY
A	21/11/09	RT	PRELIMINARY DESIGN - FOR REVIEW	SB

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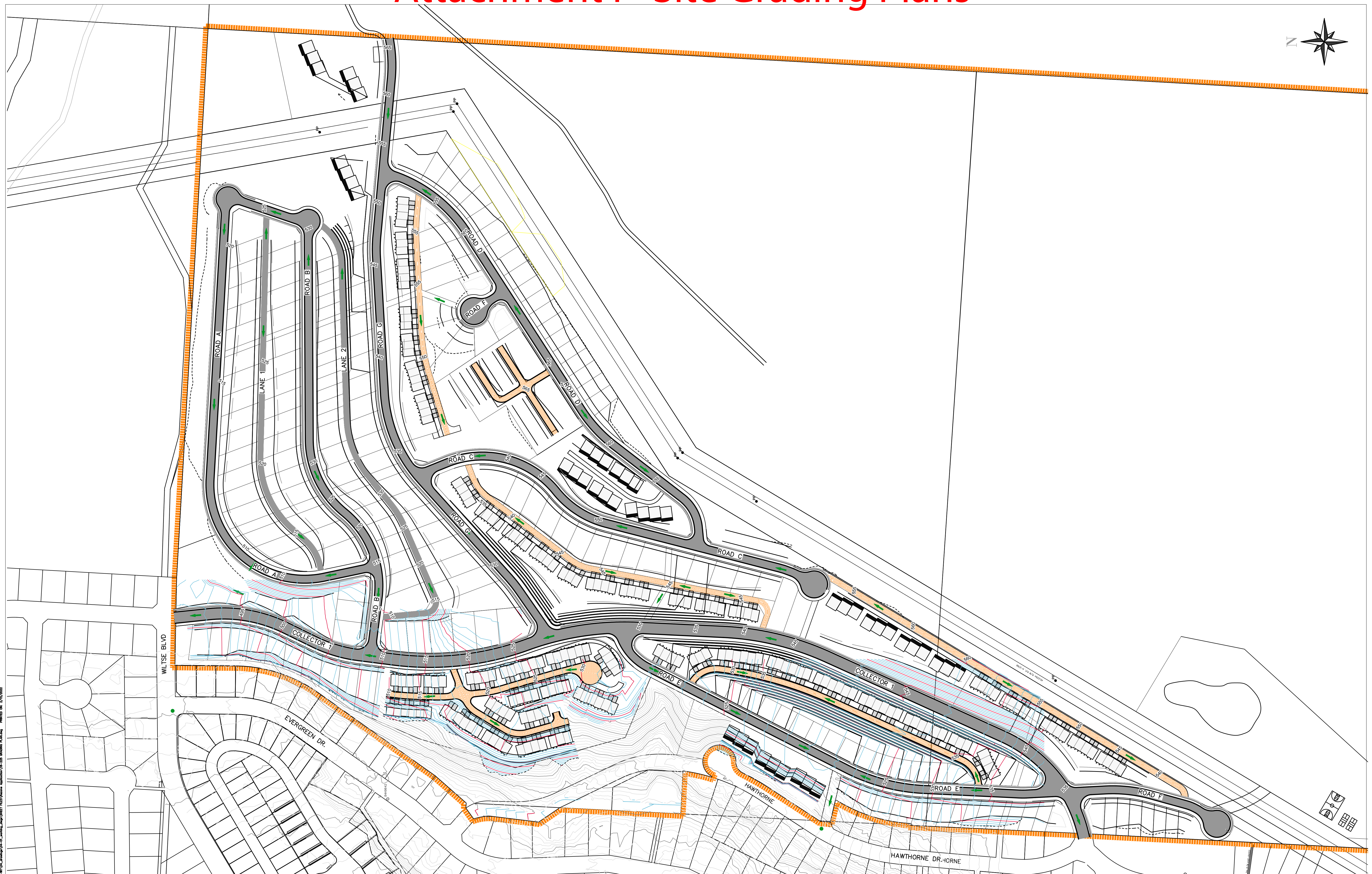
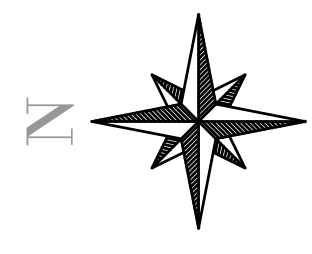
APPROVED FOR CONSTRUCTION	DATE
PUBLIC WORKS Mgr.	
ELECTRICAL DIV. Eng.	
PARKS DIVISION Super.	
CITY ENGINEER	
AS-BUILT APPROVAL	

DESIGN: RT
DRAWN: RT
CHECKED: -
DATE: 2021/11/08
SCALE: 1:2000

**CITY OF PENTICTON**  
 850 WILTSE BOULEVARD  
 WILTSE HOLDINGS LTD.  
 GREEN AND NATURAL AREAS PLAN

Drawing No. 18-225-C109.0  
 Rev.No C

# Attachment I - Site Grading Plans



RE: 18-225-C103.0 - 850 Wiltse Boulevard, Penticton, BC V2A 5B2  
 DATE: 2021/09/16  
 DRAWN BY: RT  
 CHECKED BY: -  
 DESIGN BY: RT  
 SCALE: 1:1500  
 DATE: 2021/09/16  
 DRAWN BY: RT  
 CHECKED BY: -  
 DESIGN BY: RT  
 SCALE: 1:1500

LEGEND  
OVERLAND FLOW ROUTE

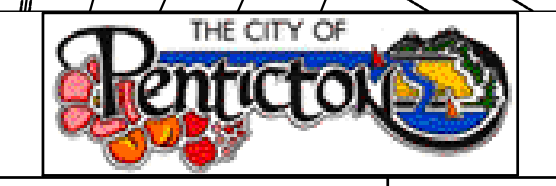
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B	22/02/25	RT	FOR REVIEW	MDY
A	21/11/09	BD	PRELIMINARY DESIGN - FOR REVIEW	RT

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APPROVED FOR CONSTRUCTION	DATE
PUBLIC WORKS Mgr.	
ELECTRICAL DIV. Eng.	
PARKS DIVISION Super.	
CITY ENGINEER	
AS-BUILT APPROVAL	

DESIGN: RT
DRAWN: RT
CHECKED: -
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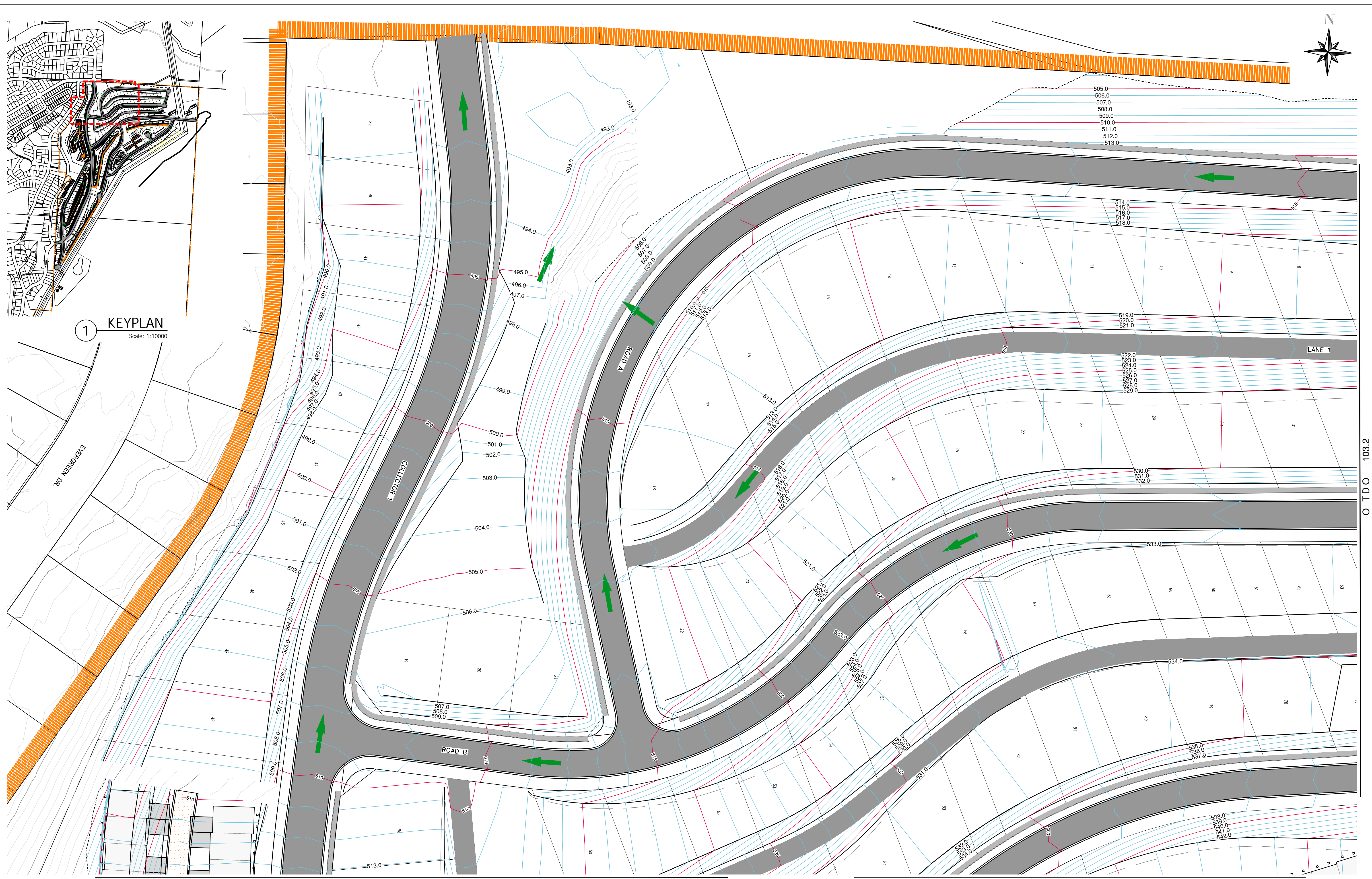
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 WILTSE HOLDINGS LTD.  
 GRADING PLAN OVERVIEW



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LEGEND  
OVERLAND FLOW ROUTE

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B	22/02/25	RT	FOR REVIEW	MDY
A	21/11/09	BD	PRELIMINARY DESIGN - FOR REVIEW	RT

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CITY ENGINEER	
AS-BUILT APPROVAL	

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PENTICTON  
850 WILTSE BOULEVARD  
WILTSE HOLDINGS LTD.  
GRADING PLAN SHEET 1

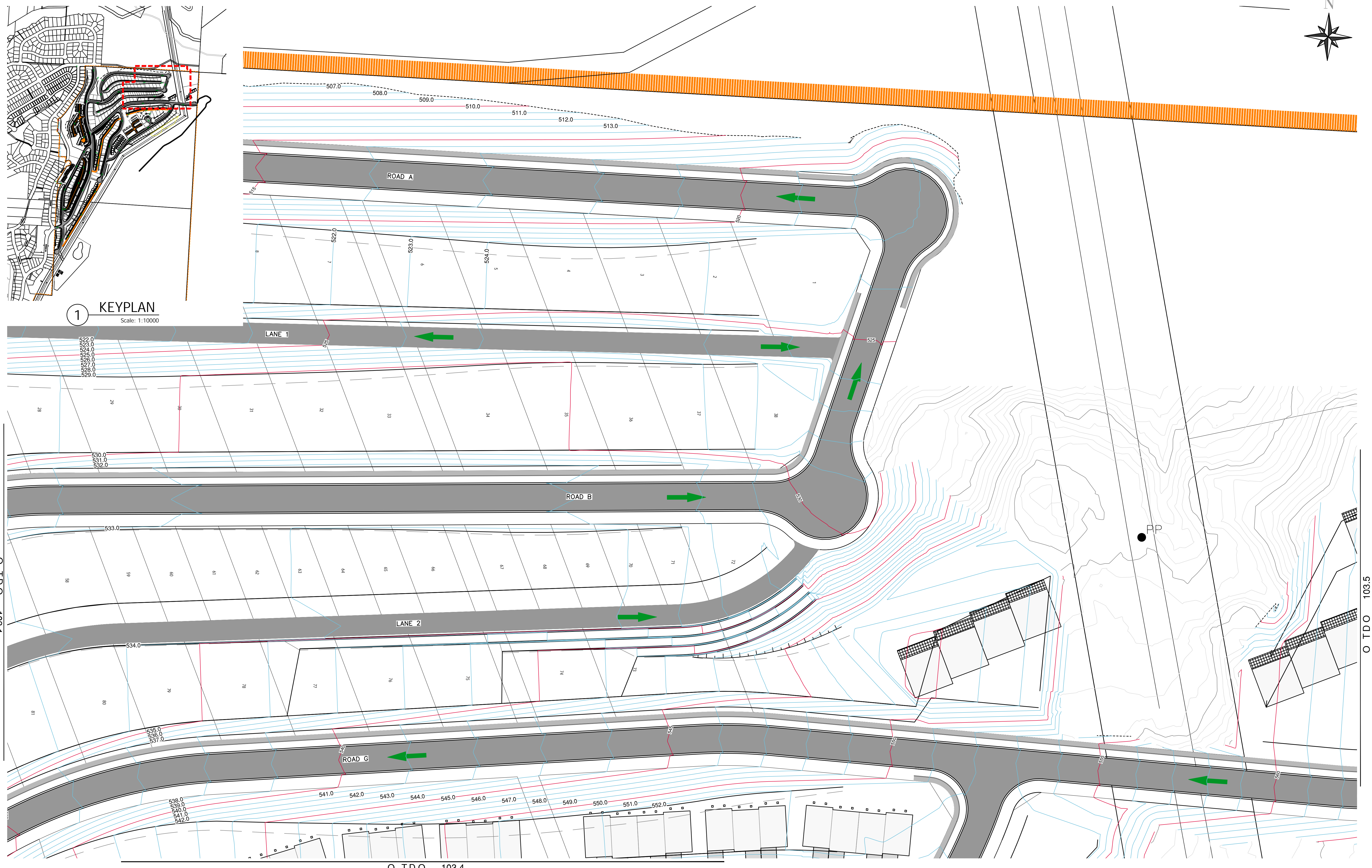
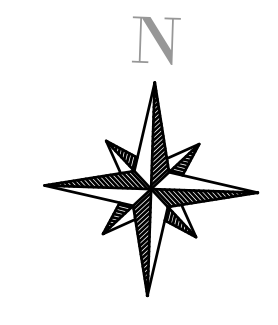
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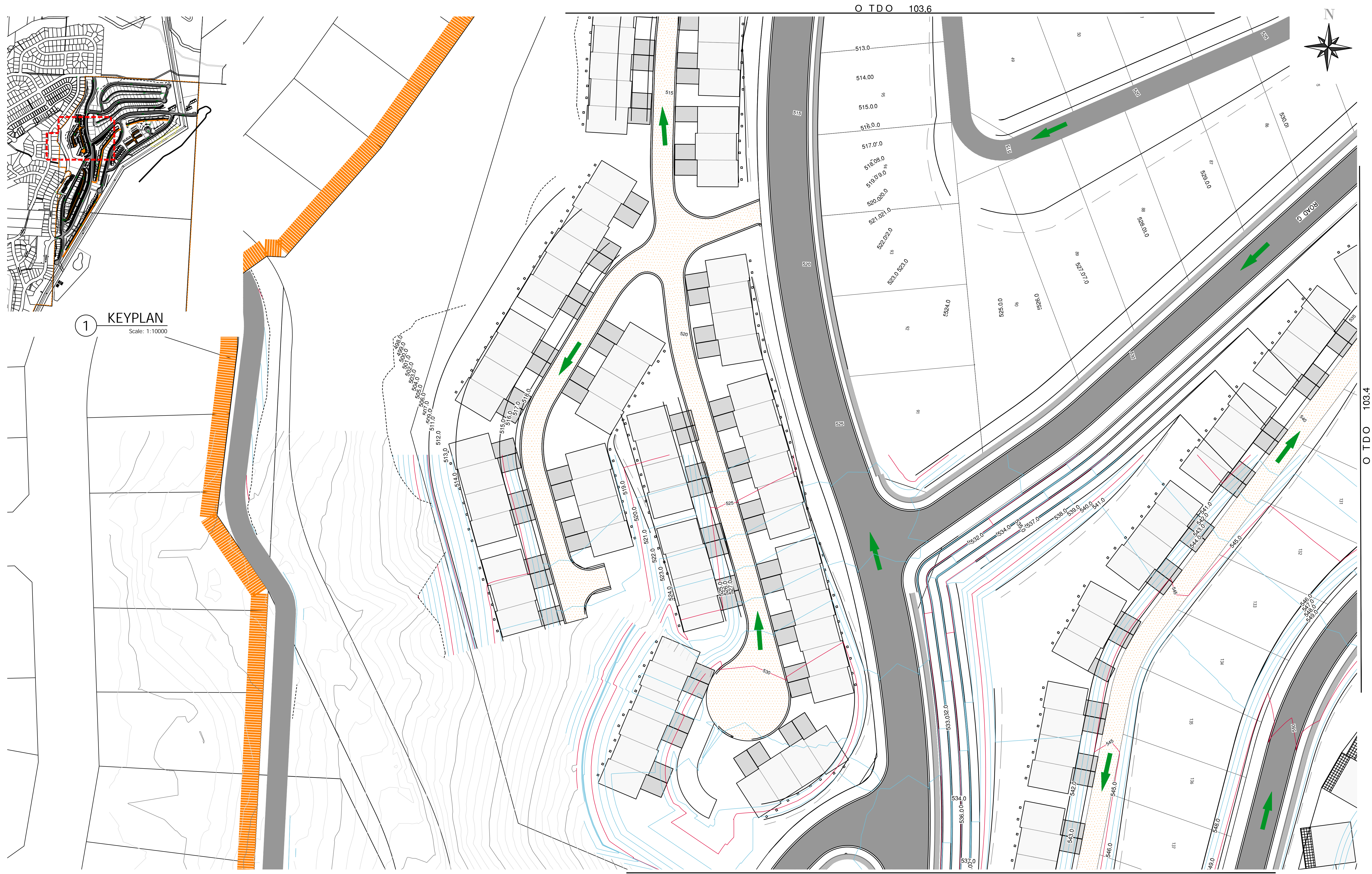
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850 WILTSE BOULEVARD  
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GRADING PLAN SHEET 2

THE CITY OF  
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A	21/11/09	BD	PRELIMINARY DESIGN - FOR REVIEW	RT

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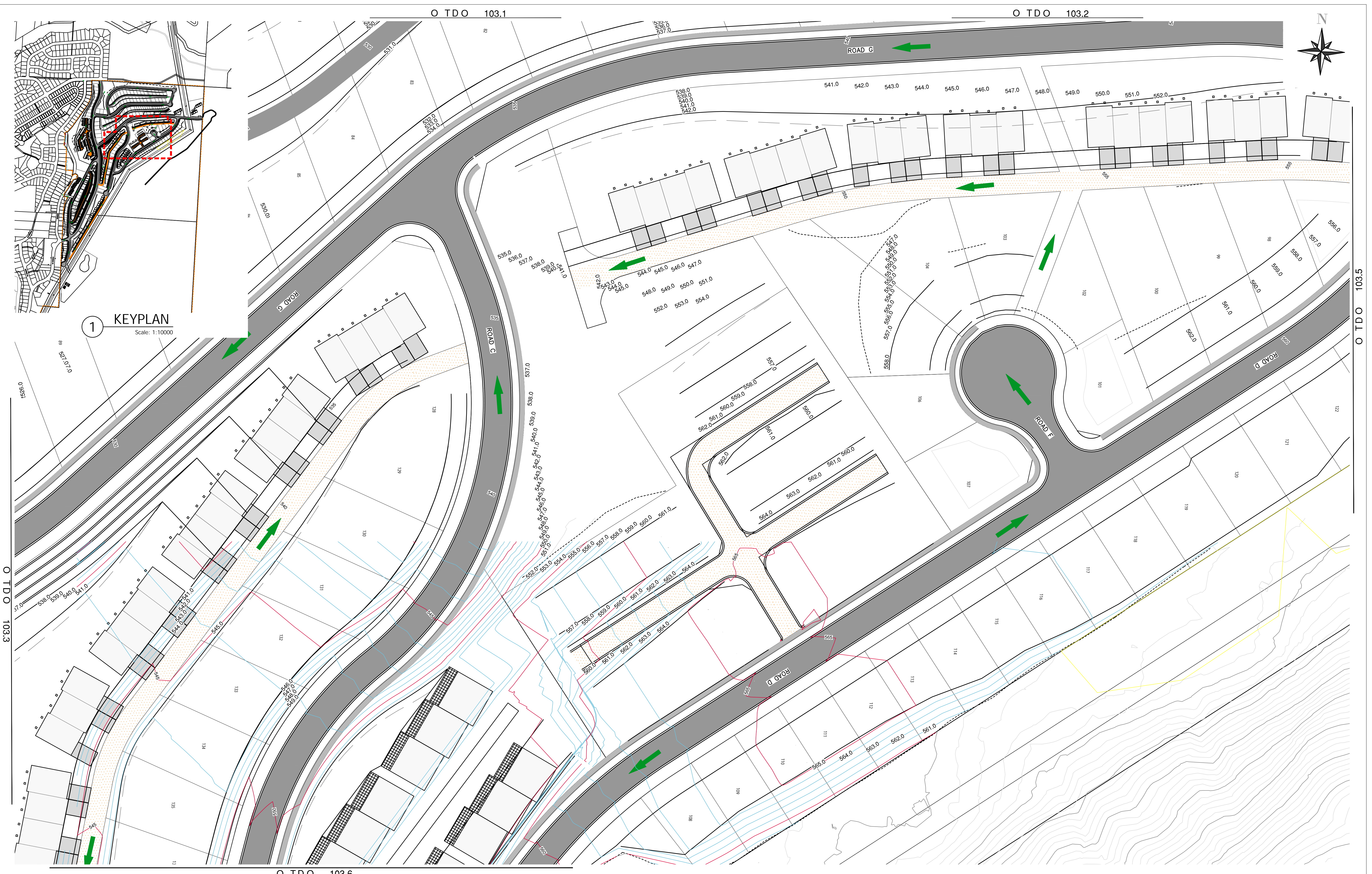
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**PENTICTON**  
 850 WILTSE BOULEVARD  
 WILTSE HOLDINGS LTD.  
 GRADING PLAN SHEET 3

THE CITY OF  
  
 Drawing No. 18-225-C103.3  
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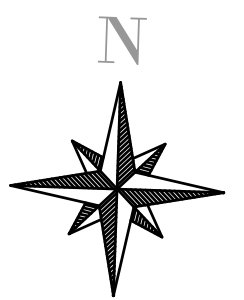
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PENTICTON  
850 WILTSE BOULEVARD  
WILTSE HOLDINGS LTD.  
GRADING PLAN SHEET 4

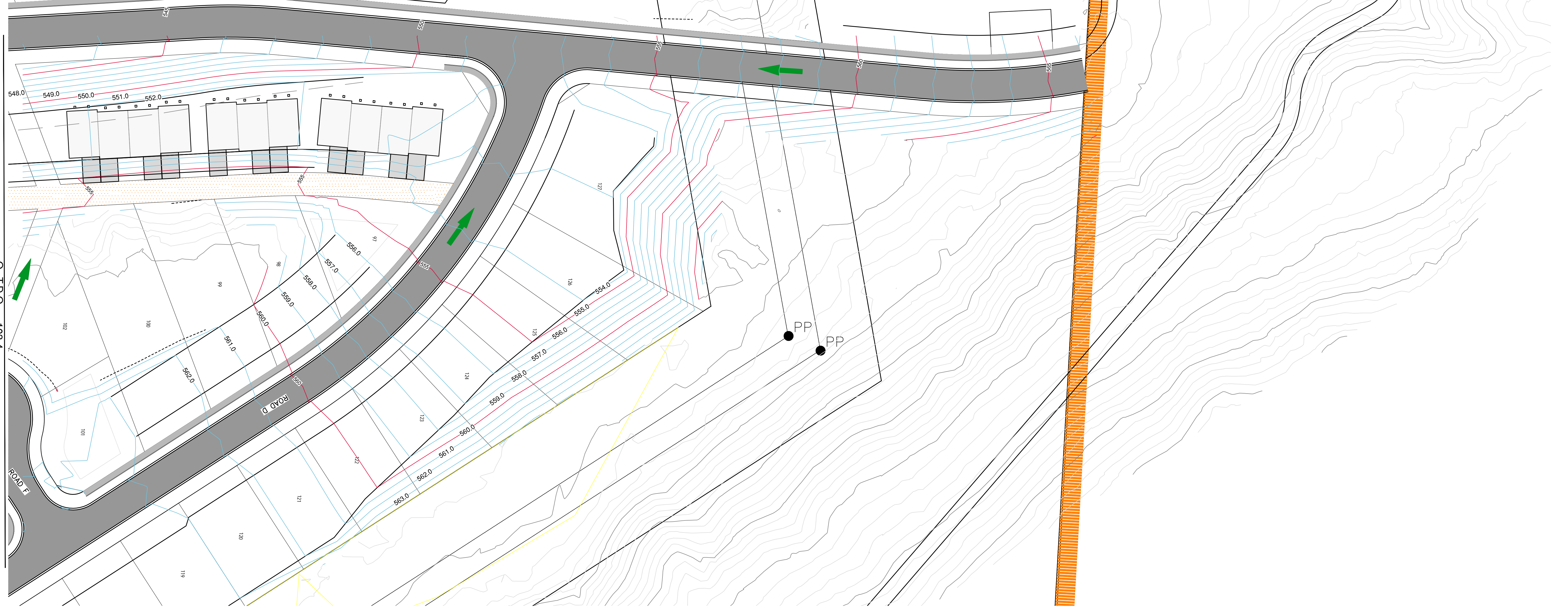
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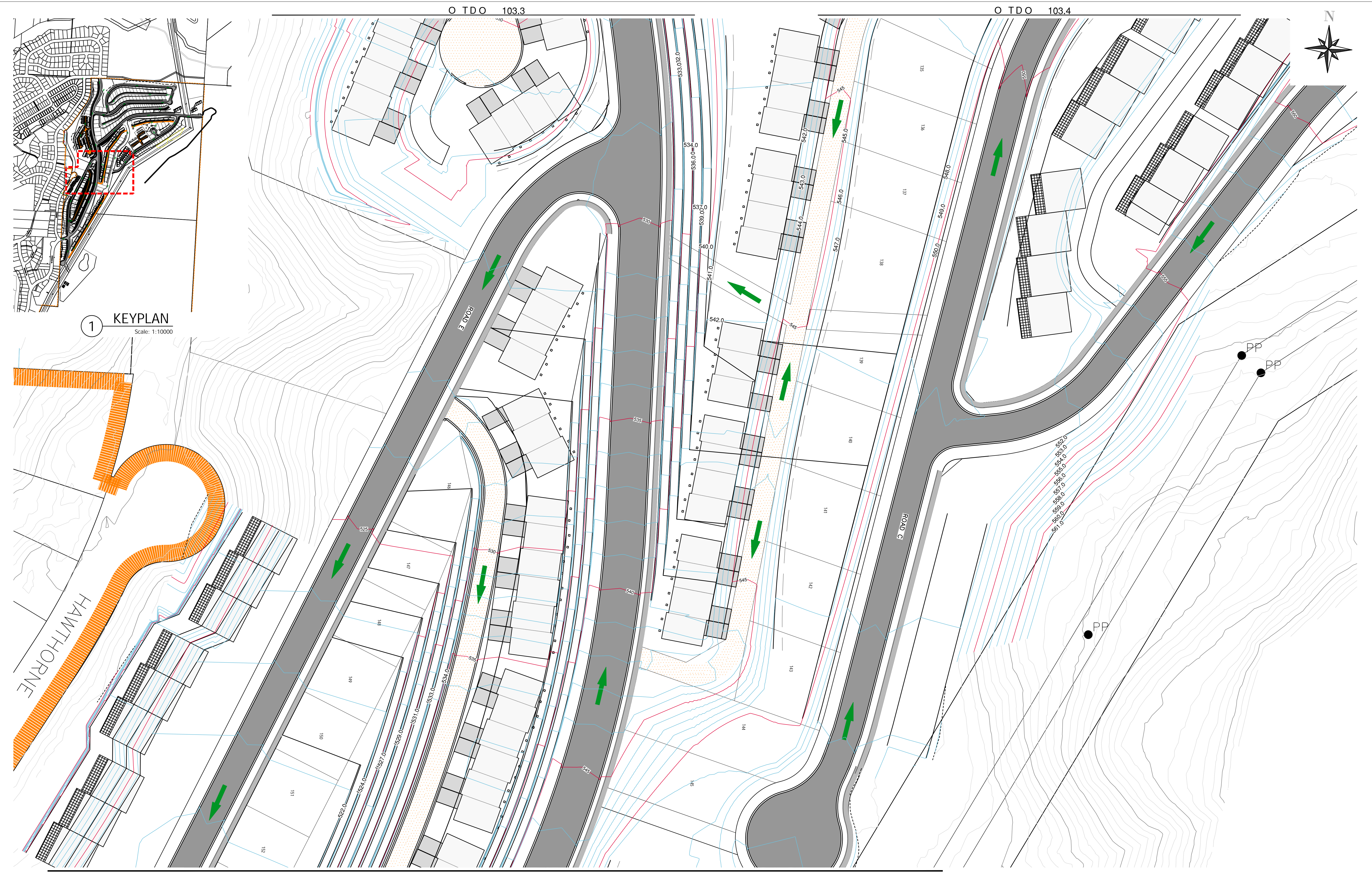
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PENTICTON  
 850 WILTSE BOULEVARD  
 WILTSE HOLDINGS LTD.  
 GRADING PLAN SHEET 5

THE CITY OF  
  
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OVERLAND FLOW ROUTE

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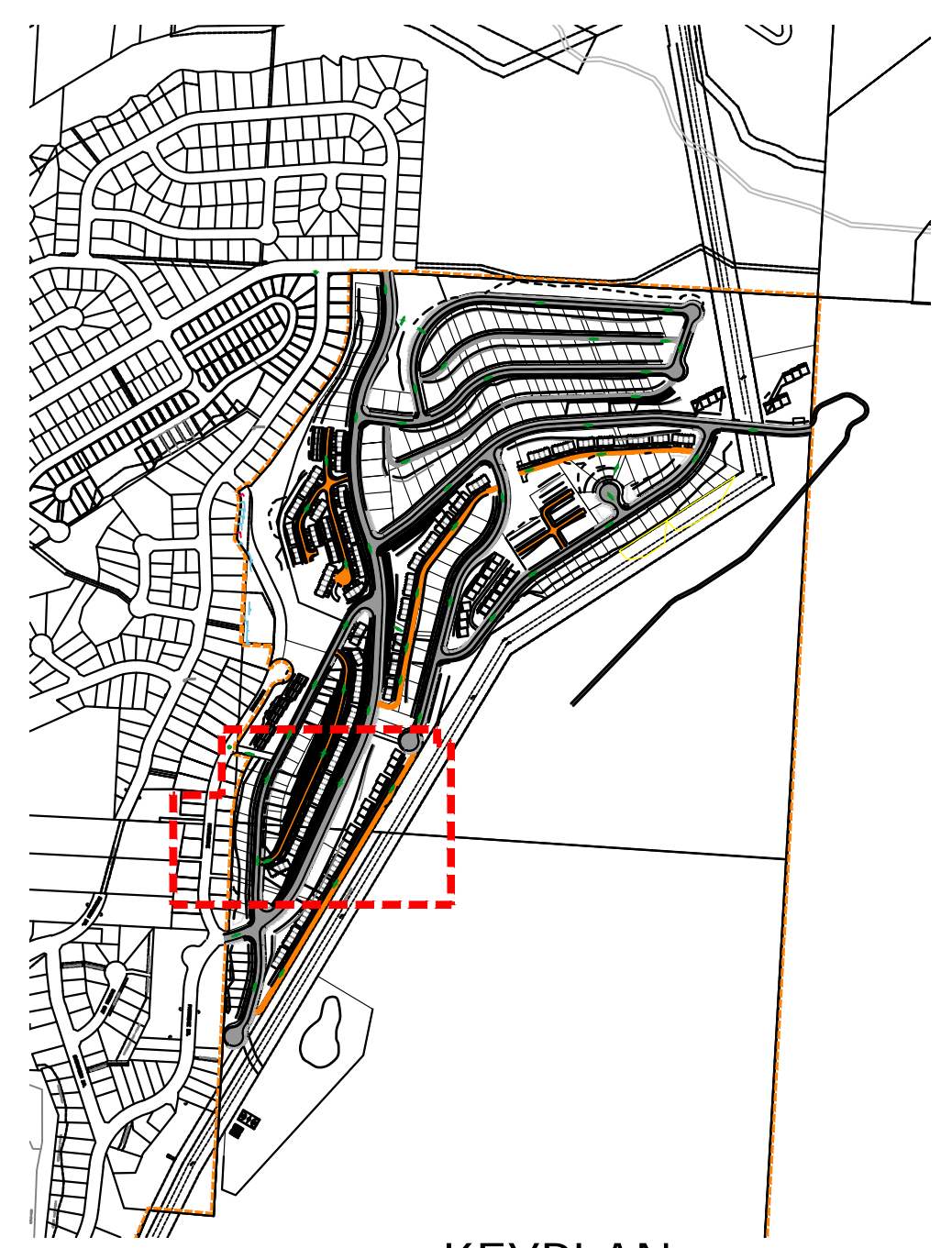
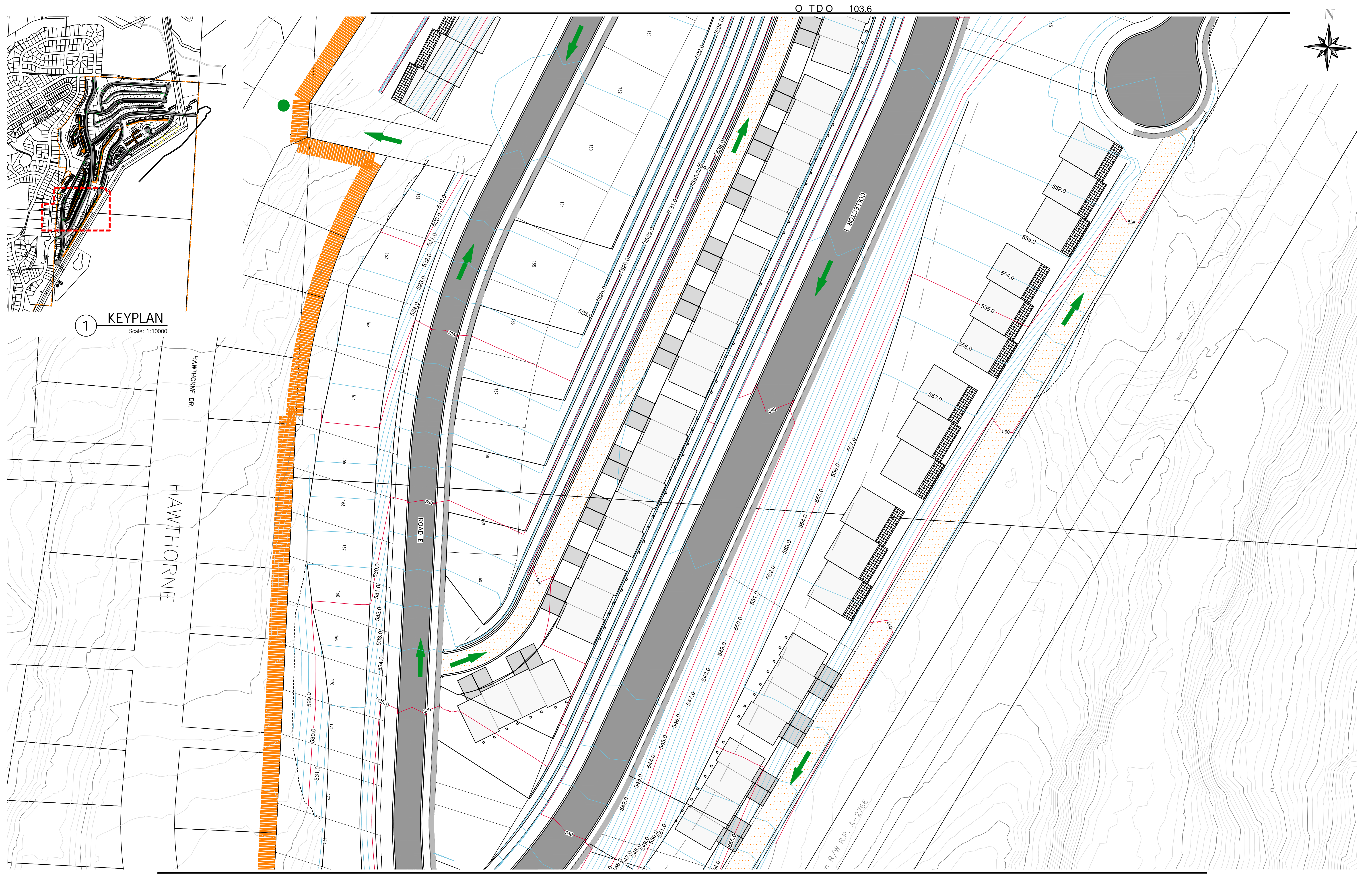
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**PENTICTON**  
 850 WILTSE BOULEVARD  
 WILTSE HOLDINGS LTD.  
 GRADING PLAN SHEET 6

THE CITY OF  
**Penticton**  
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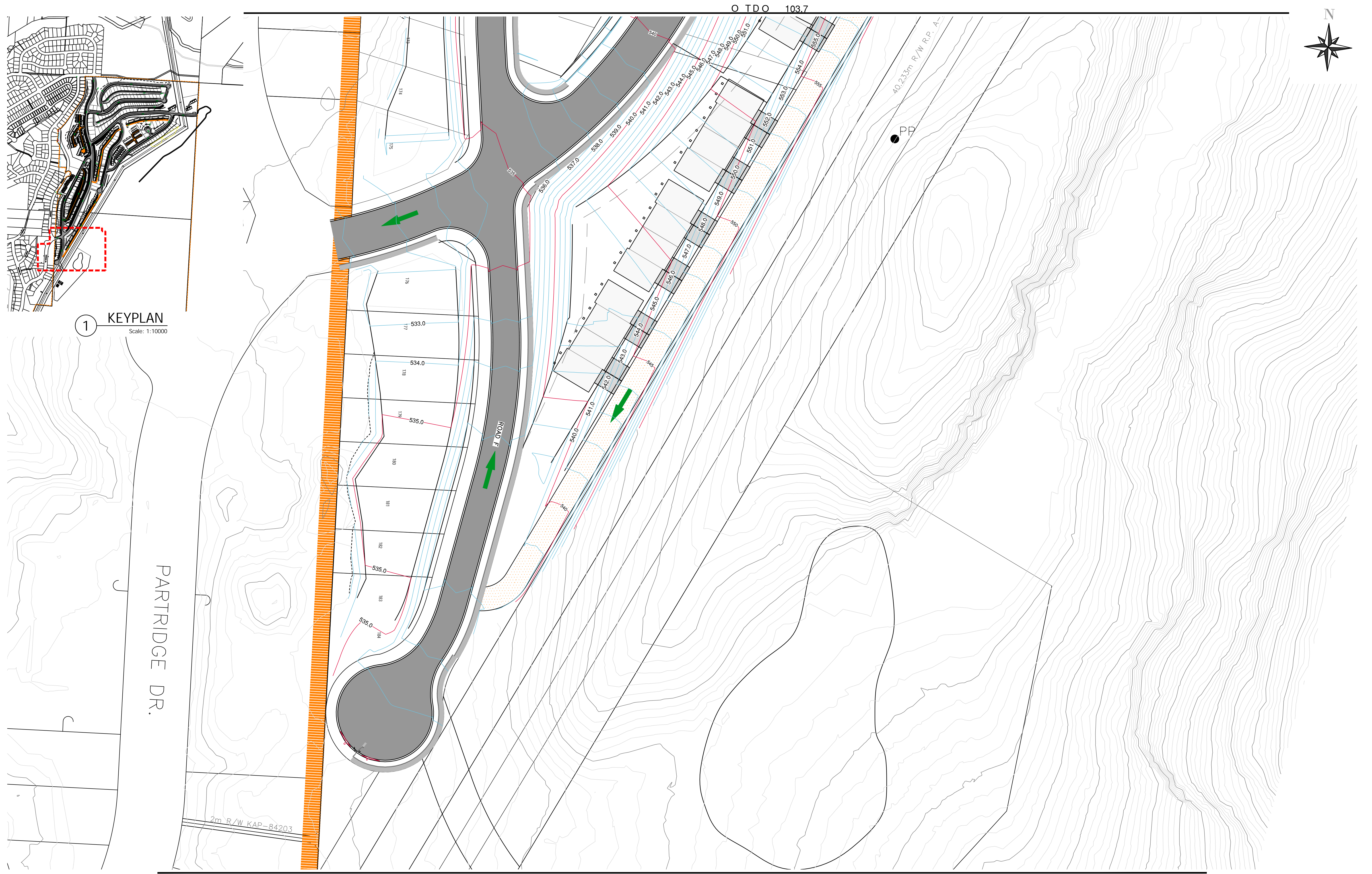
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**850 WILTSE BOULEVARD**  
 850 WILTSE BOULEVARD  
 WILTSE HOLDINGS LTD.  
 GRADING PLAN SHEET 7

THE CITY OF  
  
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OVERLAND FLOW ROUTE

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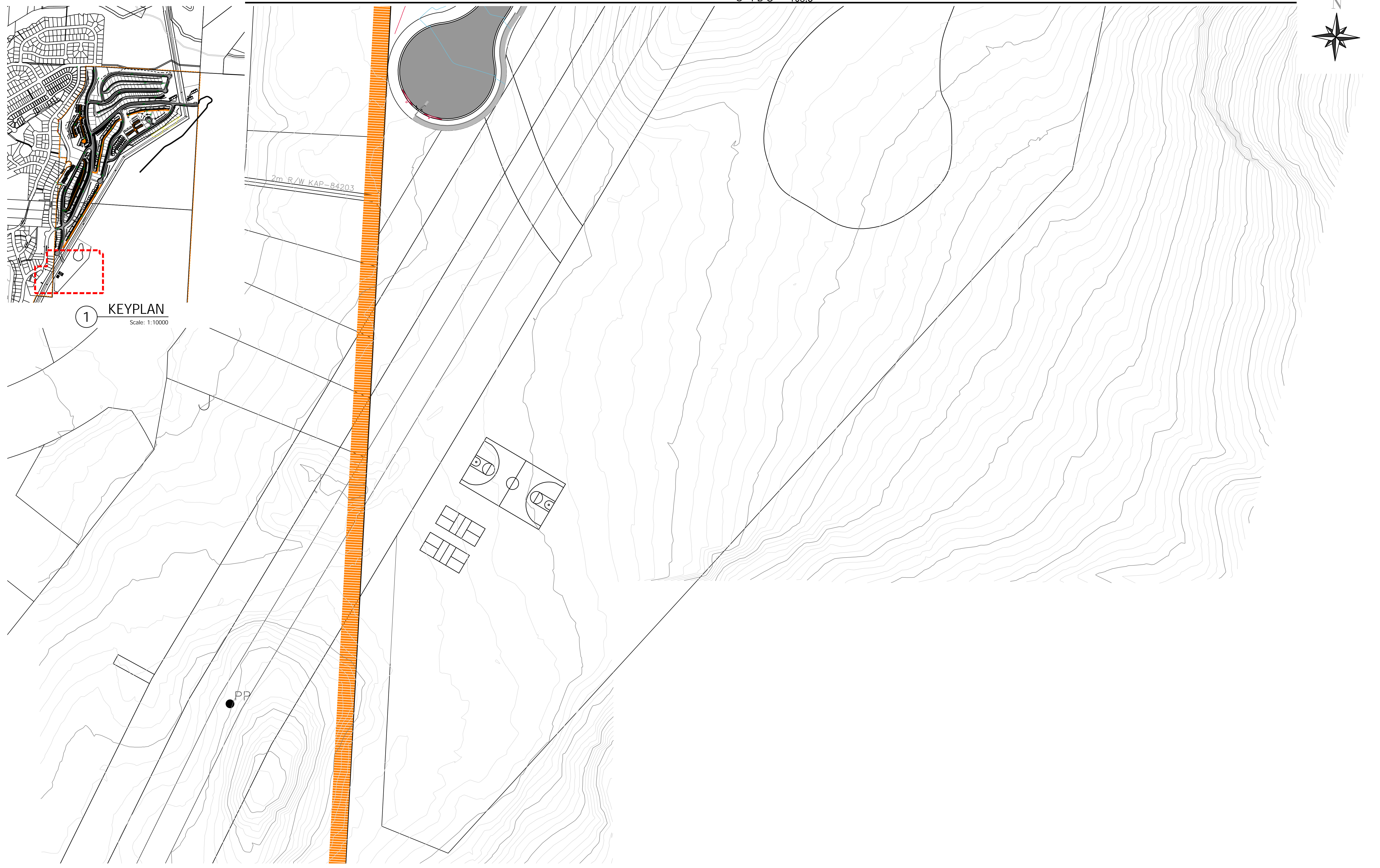
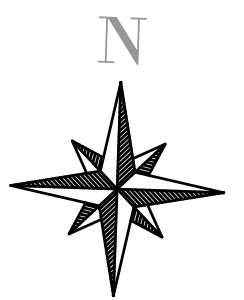
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 850 WILTSE BOULEVARD  
 WILTSE HOLDINGS LTD.  
 GRADING PLAN SHEET 8

THE CITY OF  
  
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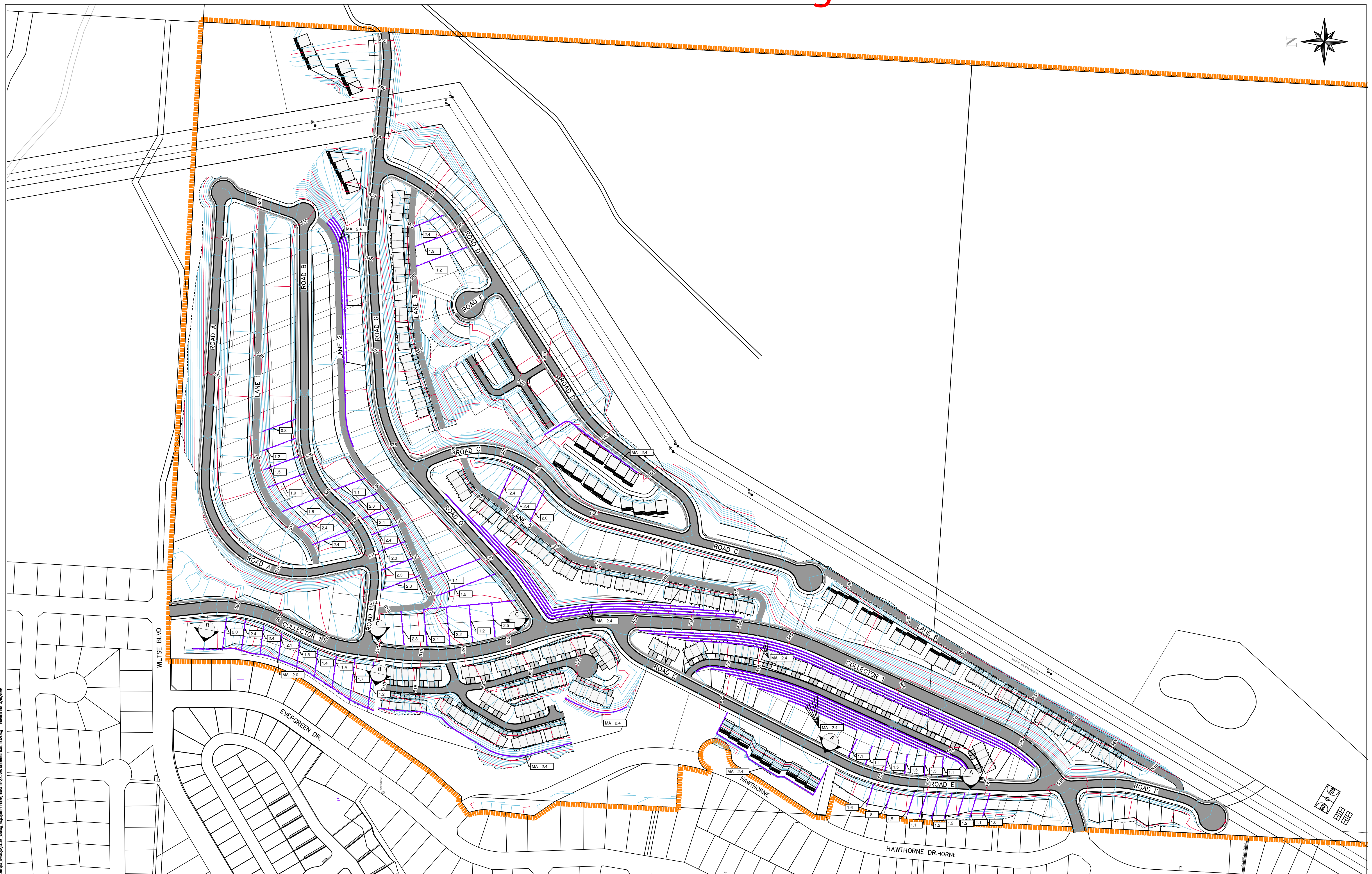
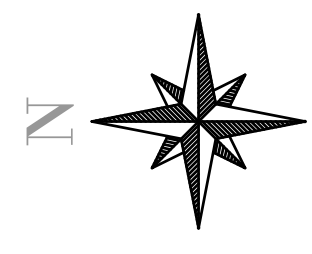
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GRADING PLAN SHEET 9

Drawing No. 18-225-C103.9  
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REVISION: 01/11/2022  
PROJECT: 18-225-C103.8  
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# Attachment J - Retaining Walls Plan



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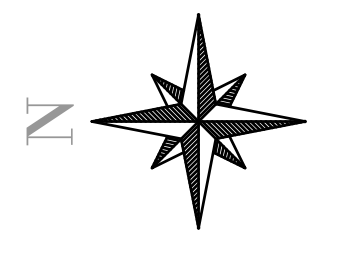
850 WILTSE BOULEVARD  
 WILTSE HOLDINGS LTD.  
 RETAINING WALL PLAN OVERVIEW

THE CITY OF  
**Penticton**

Drawing No. 18-225-C113.0  
 Rev.No C



# Attachment K - Roads Plan



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AS-BUILT APPROVAL	

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DATE: 2021/11/09
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**CITY OF PENTICTON**  
 850 WILTSE BOULEVARD  
 WILTSE HOLDINGS LTD.  
 ROADS LAYOUT PLAN



Drawing No. 18-225-C108.0  
 Rev.No C



# Council Report

penticton.ca

**Date:** April 5, 2022  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Nicole Capewell, Planner II  
**Address:** 770 Argyle Street

File No: RMS/770 Argyle St

**Subject: Official Community Plan Amendment Application for 770 Argyle Street**

## Staff Recommendation

THAT Council, following the *Community Engagement for OCP Amendments Procedure*, direct staff to commence public engagement for a proposed Official Community Plan future land use designation change from 'Detached Residential' to 'Ground Oriented Residential', in support of a multi-family development for 770 Argyle Street.

## 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 applicants are proposing a multi-family development on the property located at 770 Argyle Street. The development would consist of 5 duplex buildings, totaling 10 dwellings units on the property. In order to facilitate the proposed development, the applicants have applied to amend the Official Community Plan (OCP) future land use designation on the property from 'Detached Residential' to 'Ground Oriented Residential'. The purpose of this report is to outline an engagement plan for the proposed OCP amendment request to understand public opinion of the proposed development.



Figure 1 - Rendering of Proposed Development

## Background

### Official Community Plan

Official Community Plan 2019-08 was adopted in August 2019, establishing a vision for Penticton’s growth over the next 30 years and beyond. It provides strategic policies and direction for meeting that vision, as well as assigning future land use designations on all properties to guide development decisions. The plan, however, is not meant to be a static document; it includes a process, through meaningful community consultation, where amendments to the plan may be considered as long as the vision and intent remains intact.

Council, in 2021, adopted the *Community Engagement for OCP Amendments Procedure*, which outlines how public engagement for Official Community Plan amendments should occur. The process outlined in this report follows the procedure.

### Property Description

770 Argyle Street is centrally located (Figure 2) and currently contains an older, single family home that was constructed in the 1930s. The property is not listed on the City’s Heritage Registry (or other level of recognition). The property is located south of Eckhardt Ave W and is twice as large as the average property size along Argyle Street (with the exception of 784 Argyle St, directly south, which is the same size as the subject property).

There are two properties along Argyle St that are significantly larger than the surrounding properties on Argyle Street, at just under 0.5 acres (Figure 3). These properties are 770 and 784 Argyle Street. In 2016, Council approved an OCP and Zoning Amendment for 784 Argyle Street to allow for a multi-family development (4 duplex buildings; total 8 dwelling units) to be constructed. This application was completed under the (previous) 2002 OCP, and the lot was re-designated to MR (Medium Density) and rezoned as RM2 (Low Density Multiple Housing) at the time.

Under the 2019 OCP, both properties, along with the general neighbourhood of Argyle Street, have been designated as ‘Detached Residential’, which supports lower density areas of single detached houses and/or duplexes in primarily residential neighbourhoods including single-detached bareland stratas. This designation supports the neighbourhood as a primarily single family neighbourhood, with some duplexes to gradually increase density.

Given the size of the subject property (0.5 acres), the lot would be significantly underutilized if it were to remain as a single family property.

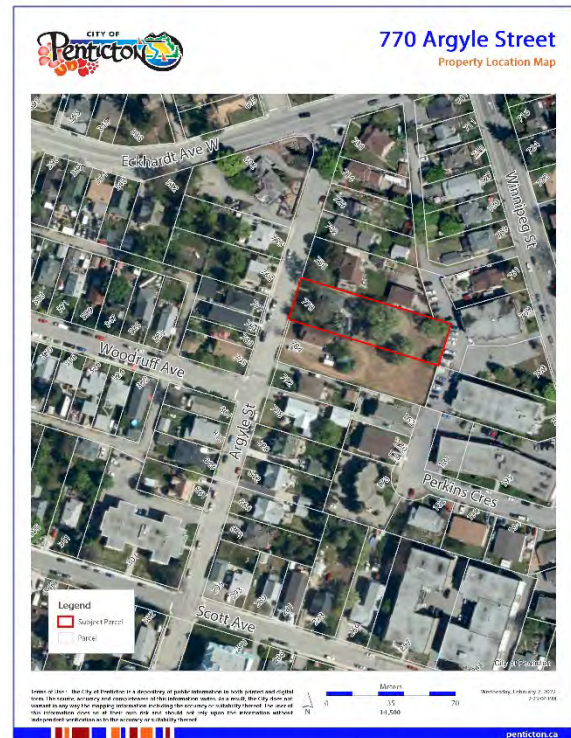


Figure 2 - Property Location Map

Address	Size	Units
783 Argyle St	0.090 acres	
777 Argyle St	0.110 acres	
801 Argyle St	0.110 acres	
815 Argyle St	0.143 acres	
843 Argyle St	0.143 acres	
714 Argyle St	0.160 acres	
792 Argyle St	0.160 acres	
861 Argyle St	0.172 acres	
728 Argyle St	0.180 acres	
293 Scott Ave	0.186 acres	
860 Argyle St	0.199 acres	
878 Argyle St	0.199 acres	
742 Argyle St	0.210 acres	
820 Argyle St	0.214 acres	
842 Argyle St	0.214 acres	
795 Argyle St	0.215 acres	
700 Argyle	0.250 acres	
798 Argyle St	0.250 acres	
755 Argyle St	0.275 acres	
763 Argyle St	0.312 acres	
756 Argyle St	0.390 acres	
784 Argyle St	0.493 acres	
770 Argyle St	0.495 acres	
301 Scott Ave	0.722 acres	
<b>Average</b>	<b>0.246 acres</b>	

Figure 3 - Lot Sizes on Argyle Street

*Required Applications*

The proposal is to allow for multifamily residential development on the subject property. The following table outlines the planning applications that are required for the proposed development to proceed (prior to any building permits being issued):

Application Required	Description	Approval Authority
Official Community Plan Amendment Bylaw	To amend the future land use designation on the subject property from 'Detached Residential' to 'Ground Oriented Residential'	Council with community engagement. Public Hearing required.
Zoning Amendment Bylaw	To amend the zoning on the subject property from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing).	Council Public Hearing required.
Development Permit	To approve the form and character of the multi-family residential development	Council

**Financial Implication**

City staff will be leading the public engagement period. In 2021, a new fee (\$5,500.00) was introduced to account for the required engagement for OCP Amendments in the City. The applicant has paid the required application fees, which account for the required staff time.

**Development Statistics**

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

	RM2 Zone Requirement	Provided on Plans
<b>Minimum Lot Width*:</b>	18 m	23.7 m
<b>Minimum Lot Area*:</b>	540 m <sup>2</sup>	2,014 m <sup>2</sup>
<b>Maximum Lot Coverage:</b>	40%	32%
<b>Maximum Density:</b>	0.8 Floor Area Ratio (FAR)	0.7 Floor Area Ratio (FAR)
<b>Maximum Building Height</b>	12 m	10.06 m
<b>Vehicle Parking:</b>	Total Required: 12 spaces - 1 per unit (10) - 0.25 visitor per unit (2)	Total provided: 18 spaces (6 extra) - 1 per unit (10) - 8 spaces provided
<b>Bicycle Parking</b>	<b>Class 1</b> Total Required: 5 spaces - 0.5 per unit	<b>Class 1</b> Total Provided: 10 spaces (5 extra) - 1 per unit (provided in garages)
	<b>Class 2</b> Total Required: 1 space - 0.1 per unit	<b>Class 2</b> Total Provided: 2 space (1 extra) - 0.2 per unit
<b>Required Setbacks</b> Front Yard (Argyle St):	3.0 m	3.1 m

Side Yard (north):	3.0 m	10.36 m
Side Yard (south):	3.0 m	3.0 m
Rear Yard (east):	6.0 m	6.34 m
<b>Amenity Space</b>	Total Required 20 m <sup>2</sup> per unit - 20% must be at grade	Total Provided: 21.62 m <sup>2</sup> per unit - 88% provided at grade
<b>Other Information:</b>	*Lot width and lot area are only applicable at the time of subdivision.	

*Detached Residential Land Use Designation*

The subject property’s OCP future land use designation is ‘Detached Residential’ (Attachment ‘B’). The ‘Detached Residential’ land use designation is described in the OCP as lower-density areas of single-detached houses and/or duplexes in primarily residential neighbourhoods including single detached bareland stratas (Figure 4). This designation supports up to 1-2 units per lot, and supports single detached houses, secondary suites, carriage houses, duplexes, as well as small scale neighbourhood commercial.

This land use designation supports the existing RD1 zone on the property, which allows for one single family dwelling, or one duplex building to be constructed.

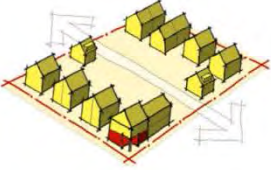
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
 <p>Detached Residential</p>	Lower-density areas of single detached houses and/or duplexes in primarily residential neighbourhoods including single-detached bareland stratas	<ul style="list-style-type: none"> <li>• Single detached houses with secondary suites or carriage houses</li> <li>• Duplexes</li> <li>• Small-scale neighbourhood commercial building (e.g., corner store, coffee shop)</li> <li>• Manufactured homes</li> </ul>	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Limited retail/ service</li> </ul>	<ul style="list-style-type: none"> <li>• 1 or 2 units per lot</li> <li>• Generally up to 2 ½ storeys to reflect 30’ maximum in Zoning Bylaw</li> </ul>	<ul style="list-style-type: none"> <li>• R1</li> <li>• R2</li> <li>• R3</li> <li>• RD1</li> <li>• RSM</li> <li>• C2</li> </ul>
<p><b>Site-Specific Detached Residential Policy Statement:</b>                      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 4 - Detached Residential Land Use Designation

*Ground Oriented Residential Land Use Designation*

The question for the community and Council to consider is whether the ‘Ground Oriented Residential’ land use designation is suitable at this location for multifamily development. This designation envisions medium-density residential areas with multifamily developments. This includes duplexes with suites, cluster housing, fourplexes, row housing, and townhouses (Figure 5). This change would allow for the rezoning of the lands to support a medium-density development. The current proposal would allow for 5 duplex buildings, totaling 10 dwelling units on the subject property.

Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Ground Oriented Residential 	Medium-density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas.	<ul style="list-style-type: none"> <li>• Duplexes with suites</li> <li>• Cluster housing</li> <li>• Fourplexes higher-density rowhouses</li> <li>• Townhouses and stacked townhouses</li> <li>• Bareland strata developments</li> </ul>	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Limited Service/ Retail</li> </ul>	<ul style="list-style-type: none"> <li>• Up to 3 ½ storeys</li> </ul>	<ul style="list-style-type: none"> <li>• RM2</li> <li>• RM5</li> <li>• C2</li> </ul>

Figure 5 - Ground Oriented Residential Land Use Designation

### Community Engagement

Following the *Community Engagement for OCP Amendments Procedure*, staff have outlined an engagement plan that ensures community consultation occurs in a meaningful way and is aligned with Council direction. The community engagement will be led by the Planning Department, with assistance from the Communications Department. The following list summarizes the main methods that will be used to inform, educate and collect comments and feedback on the proposed development. Many opportunities will be provided over a variety of platforms and formats for the community to be able to meaningfully engage in the process, including:

1. Targeted agency and stakeholder groups (i.e., Regional District of Okanagan Similkameen, Local First Nations, School District, , among others);
2. Notice sign posted on the subject property;
3. Media release from the City;
4. Newspaper advertisements;
5. Notices mailed to neighbours within a minimum 100m distance of the subject property; and
6. A project page on the [www.shapeyourcitypenticton.ca](http://www.shapeyourcitypenticton.ca) webpage, which will serve as the central location for sharing information and gathering feedback from the public; and
7. Email distribution to the Shape Your City Penticton email group.

Staff will be proceeding with community engagement prior to presenting the complete development application package to Council for further consideration. This will allow staff to review and assess the public comments received on the proposed land use change and multi-family development through the engagement period. The engagement period will be open to the community for a one-month period to ensure adequate time is provided for stakeholders and citizens can learn more about the application and share their feedback, comments and/or concerns.

After the engagement period, next steps will be determined in consultation with the property owner/developer. This may involve changes to the plans based on feedback, or proceeding through to next steps of the development approval process

**Analysis**

The subject lands are unique in that they are substantially sized, and located in a serviced area, near commercial, and residential. The change in land use from detached residential to ground oriented residential would allow for multifamily residential housing units on the property, better utilizing the significantly sized property in a well-serviced area of the City.

Considering an amendment to the OCP future land use designation for the property should be done with involvement from the neighbouring residents, key stakeholders and the community, with thoughtful opportunities for discussion and feedback. This report outlines the engagement process that will be completed and follows the procedure policy adopted by Council to ensure opportunities are provided for valuable community feedback before Council makes a decision on whether to proceed forward with the application(s).

Staff are recommending that Council support the plan as outlined.

**Next Steps**

Should Council support the staff recommendation to proceed with public engagement, staff would commence the engagement period. In moving to public engagement, this does not signify that Council has endorsed, supported or approved the proposed development. Rather, this indicates that Council would like to engage with neighbours and stakeholders to see what the community’s thoughts are for the proposal. Once engagement has been completed, staff will prepare a summary of the results that will be shared with the applicant, Council and the public.

Should the applicant wish to proceed with their proposed development after the engagement has completed, staff would prepare subsequent staff reports for Council to consider formal bylaws for the OCP and Zoning Bylaw amendment. As part of this process, a legislated Public Hearing would be held after 1<sup>st</sup> Reading, where neighbours would have another opportunity to provide comments on the proposed development directly to Council, prior to further consideration of the bylaws by Council

**Attachments**

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Letter of Intent
- Attachment E – Preliminary Development Plans

Respectfully submitted,

Nicole Capewell, RPP, MCIP  
Planner II

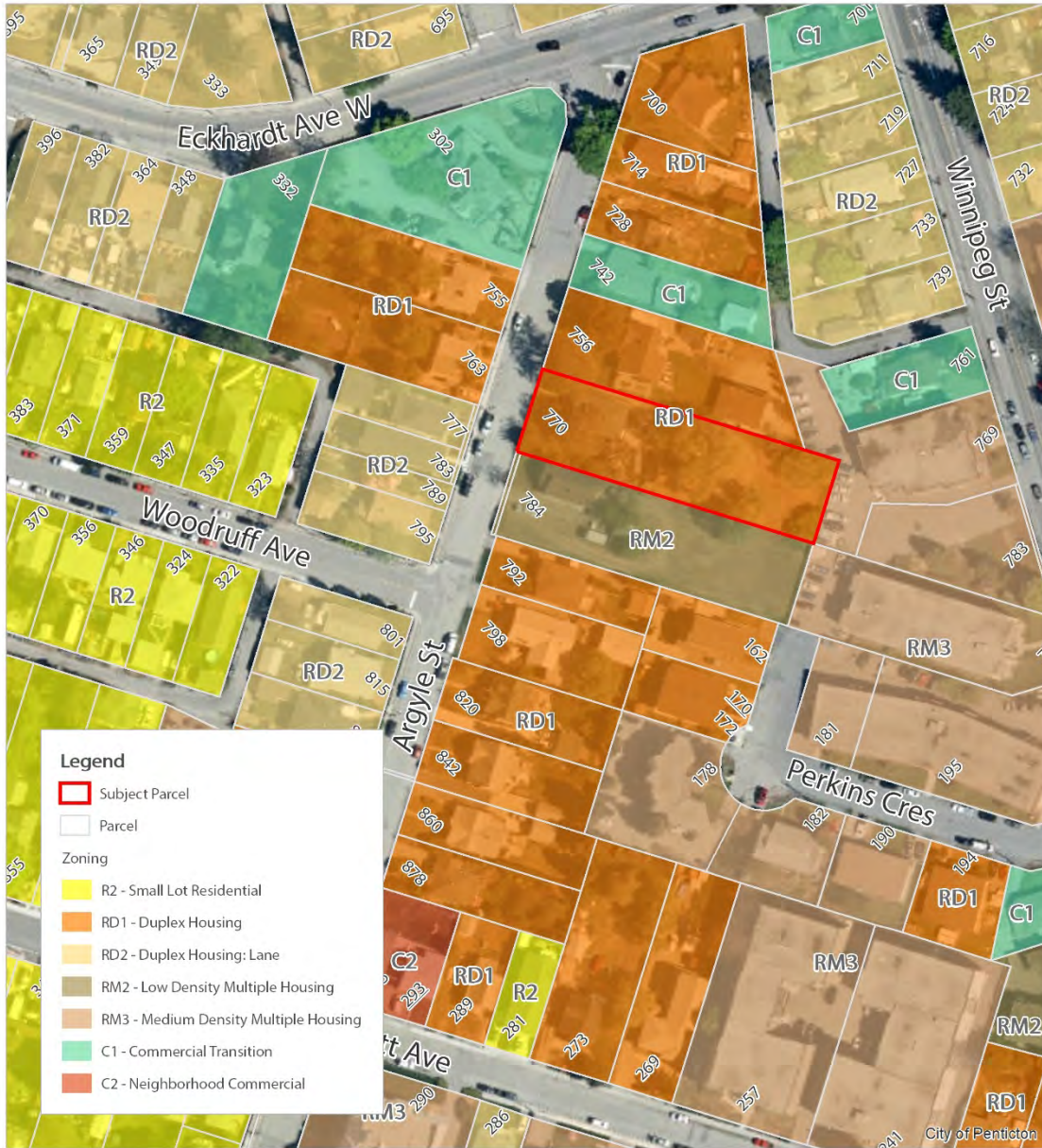
Director of Development Services  <i><b>BL</b></i>	Chief Administrative Officer  <b>DyD</b>
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Attachment A – Zoning Map



# 770 Argyle Street

Zoning Map



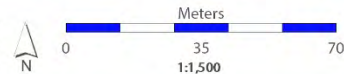
**Legend**

- Subject Parcel
- Parcel

Zoning

- R2 - Small Lot Residential
- RD1 - Duplex Housing
- RD2 - Duplex Housing: Lane
- RM2 - Low Density Multiple Housing
- RM3 - Medium Density Multiple Housing
- C1 - Commercial Transition
- C2 - Neighborhood Commercial

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Wednesday, February 2, 2022  
2:21:31 PM

Attachment B – Official Community Plan Map

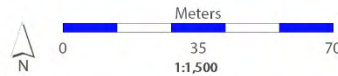


# 770 Argyle Street

Official Community Plan Map



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Wednesday, February 2, 2022  
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penticton.ca

Attachment C – Photos of Property



*Looking towards subject property from Argyle St*



*Looking towards subject property from Argyle St*



1236 Duncan Avenue East Penticton, BC V2A 2X2  
Phone: (250) 770-0050 Email: designbyllewelyn@gmail.com

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## Letter of Intent

### **Project: Proposed 5 Duplex Development at 770 Argyle Street, Penticton, BC**

To the City of Penticton Staff and Council,

We are looking for support when reviewing our proposal to develop an existing lot at 770 Argyle Street. The proposed development is a 5-unit duplex development, which has been designed to compliment the historical architecture of the neighborhood.

The proposed 3 storey design strives to achieve a minimal impact on the privacy of the adjacent dwellings, while minimizing views from the proposed dwelling towards neighbouring properties. The project will require the removal of existing trees and vegetation while putting back an equal number of appropriately sized trees that will compliment the development and the neighbourhood.

We feel that this development will compliment the aesthetic and heritage of the neighbourhood with respect to the massing and exterior material selections. The building's modern look will be inviting through the use of architectural detailing at both the front and sides.

This is certainly a challenging property to develop, given its narrow frontage. We have worked closely with the Planning Department staff to ensure that all Zoning Bylaw requirements are met, while achieving a quality residence to add to the character of this neighbourhood.

Sincerely,

Llewelyn Lloyd

Attachment E - Preliminary Development Plans



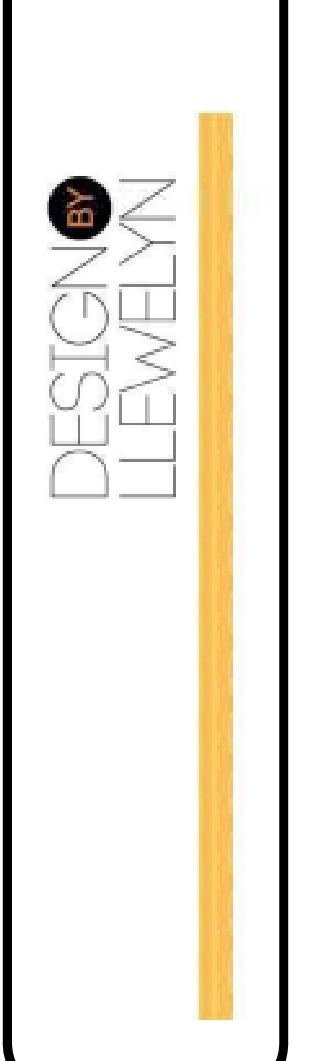
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PROJECT:  
 5 Duplex Development  
 Matt & Karen Properties Ltd.  
 770 Argyle Street, Peniticon, BC  
 DESIGN BY: L.W.L.  
 DRAWN BY: L.W.L.  
 DATE: 14 December 2021  
 REVISED: 15 March 2022

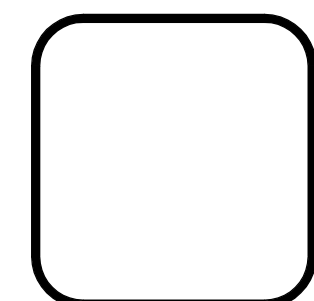
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Peniticon, B.C., Canada  
 Telephone (604) 770-0350  
 www.designbyleweilyn.com



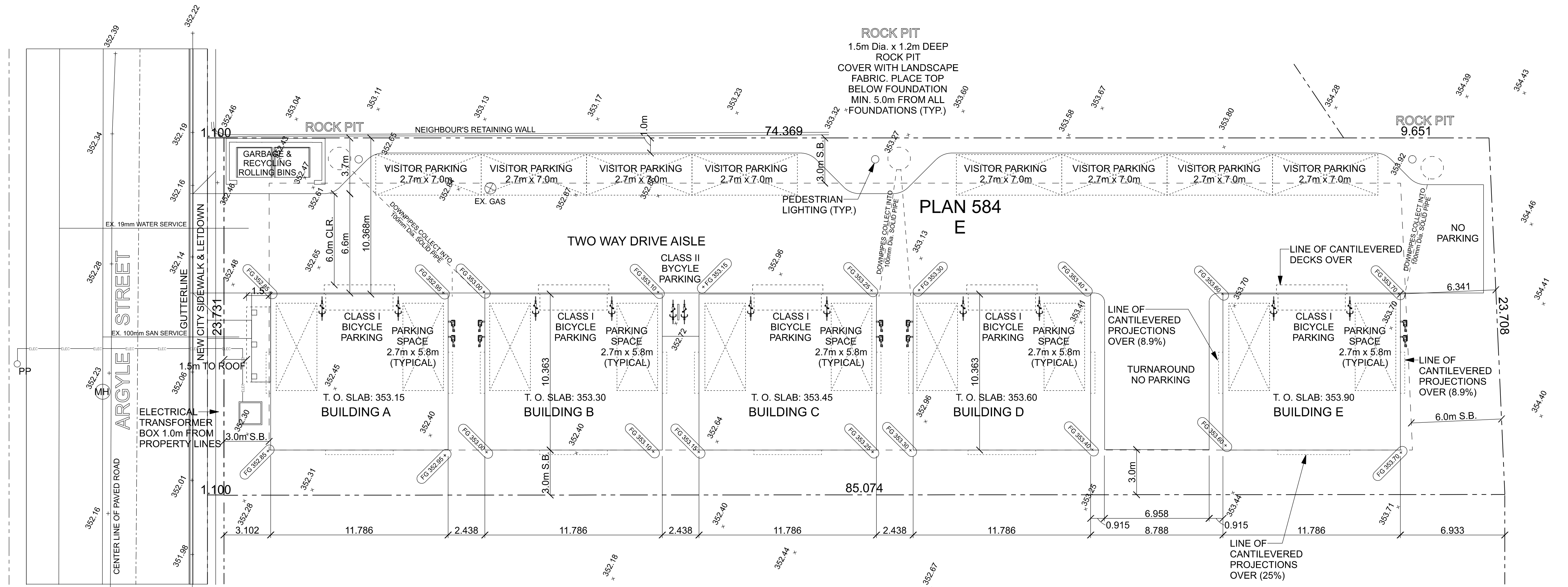
RENDERINGS



PLAN NO.  
**21550**  
 SHEET NO.  
**19 of 19**

PLAN 584  
REM D

PLAN 23635  
1



SITE PLAN  
SCALE: 1:150

PLAN 584  
REM F

PLAN 23635  
REM 2

PLAN 584  
REM C

LOT E, DISTRICT LOT 202 SIMLKAMEEN DIVISION  
YALE DISTRICT AND OF DISTRICT LOT 4 GROUP 7  
SIMLKAMEEN DIVISION YALE (FORMERLY YALE LYTTON) DISTRICT PLAN 584

Folio: 00730-000  
PID: 002-555-964

CIVIC ADDRESS:  
770 ARGYLE STREET, PENTICTON, BC

LOT A: ZONING COMPLIANCE TABLE (CURRENT ZONING RD1 - REZONE TO RM2)			
REGULATION	REQUIRED PER RM2	PROVIDED ON PLANS	VARIANCE REQUIRED
LOT AREA	540m <sup>2</sup>	1997m <sup>2</sup>	N/A
NET FLOOR AREA		1392.6m <sup>2</sup>	N/A
MINIMUM LOT WIDTH	18m	23.7m	N/A
MAXIMUM LOT COVERAGE	40%	33.8%	NO
MAXIMUM DENSITY	0.8 FAR	0.70 FAR	NO
MAXIMUM HEIGHT	12.0m	10.25m	NO
MINIMUM FRONT YARD (WEST)	3.0m	3.102m	NO
MINIMUM INTERIOR SIDE YARD (NORTH)	3.0m	10.368m	NO
MINIMUM INTERIOR SIDE YARD (SOUTH)	3.0m	3.0	NO
MINIMUM EXTERIOR SIDE YARD	4.5m	N/A	N/A
MINIMUM REAR YARD (EAST)	6.0m	6.341m	NO
PARKING SPACES (1 PER UNIT + 0.25 VISITOR)	10 + 3	10 + 10	NO
BICYCLE PARKING (CLASS I/CLASS II)	5/1	10/2	NO
AMENITY AREA (20m <sup>2</sup> PER UNIT)	220m <sup>2</sup>	283m <sup>2</sup>	NO

SITE PLAN

PROJECT:  
5 Duplex Development  
Matt & Karen Properties Ltd.  
770 Argyle Street, Penticton, BC  
DESIGN BY: L.V.L.  
DATE: 14 December 2021  
DRAWN BY: L.V.L.  
REVISED: 17 March 2022

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Telephone (250) 770-0050  
www.designbylewelyn.com

DESIGN BY  
LEWELYN

PLAN NO.  
21550  
SHEET NO.  
1 of 19

PROJECT:  
5 Duplex Development  
Matt & Karen Properties Ltd.  
770 Argyle Street, Penticton, BC  
DESIGN BY: L.V.L.  
DATE: 14 December 2021  
DRAWN BY: L.V.L.  
REVISED: 17 March 2022

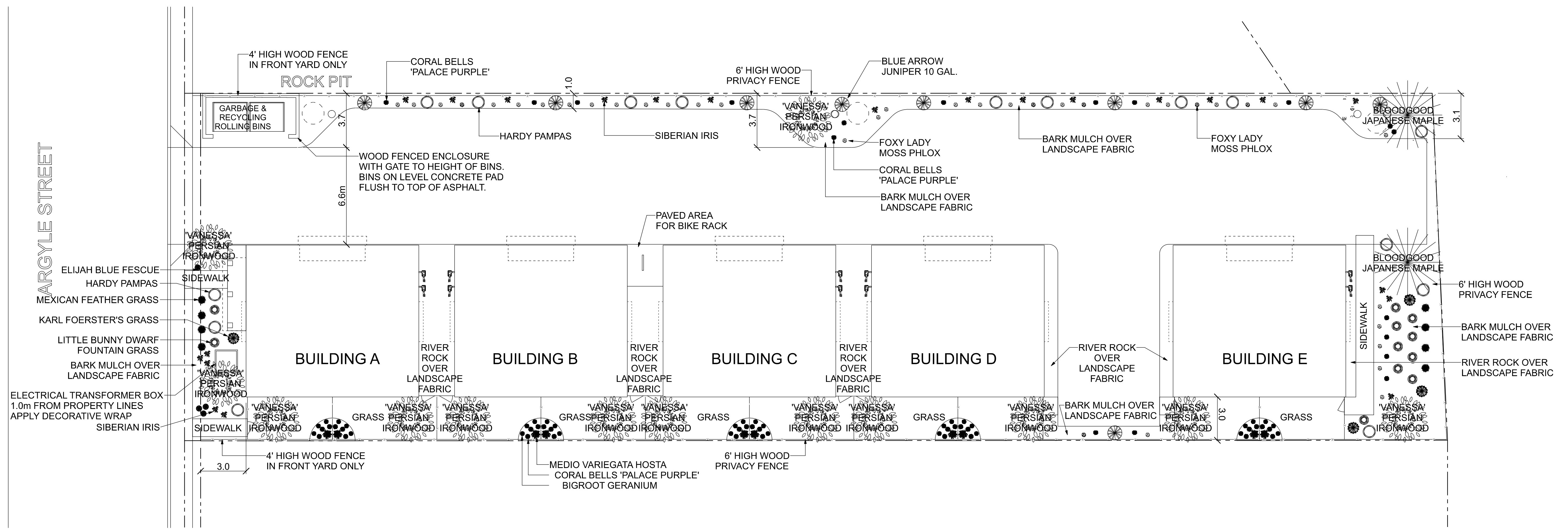
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DESIGN BY  
LLEWELLYN

PLAN NO.  
21550  
SHEET NO.  
2 of 19



**LANDSCAPE PLAN**  
SCALE: 1:150

**LANDSCAPE SCHEDULE**

- PLANTINGS:**
- Coral Bells 'Palace Purple' (Heuchera micrantha 'Palace Purple') 47 qty.
  - Elijah Blue Fescue (Festuca glauca 'Elijah Blue') 4 qty.
  - Foxy Lady Moss Phlox (Phlox 'Foxy Lady') 40 qty.
  - Hardy Pampas (Erianthus ravennae) 15 qty.
  - Karl Foerster's Grass (Calamagrostis x acutiflora Karl Foerster) 7 qty.
  - Little Bunny Dwarf Fountain Grass (Pennisetum alopecuroides 'Little Bunny') 11 qty.
  - Mexican Feather Grass (Stipa tenuissima) 8 qty.
  - Siberian Iris (Iris sibirica) 22 qty.
  - Medio Variegata Hosta 10 qty.
  - Bigroot Geranium 30 qty.
- TREES:**
- Bloodgood Japanese Maple (Acer palmatum var. atropurpureum 'Bloodgood') 2 qty.
  - 'Vanessa' Persian Ironwood (Parrotia persica 'Vanessa') 12 qty.
  - Blue Arrow Juniper (Juniperus scopulorum 'Blue Arrow') 10 qty.
- GARBAGE DISPOSAL:**
- Garbage Tote - 1 Per Unit
  - Recycling Tote - 1 Per Unit
- GROUND COVER/HARD SURFACES:**
- Property Area 1997m<sup>2</sup>
  - Asphalt 825m<sup>2</sup>
  - Grass 191m<sup>2</sup>
  - Planting Beds - Bark Mulch 135m<sup>2</sup>
  - River Rock - 2" Rainbow 120m<sup>2</sup>
  - Landscape Fabric 255m<sup>2</sup>
  - Sidewalks 64m<sup>2</sup>
- FENCING:**
- 4' High Wood Fence 6m
  - 6' High 'Good Neighbour' Privacy Fence 220m
  - Bike Ring Stand 1 qty.

**LANDSCAPE NOTES:**

SHRUBS SHALL BE A MINIMUM OF No.2 POT SHRUBS

ALL TREES ARE TO BE A MINIMUM CALIPER OF 60mm WITH A CLEAR STEM HEIGHT OF 1.5m.

NO TREES, FENCES OR STRUCTURES WITHING ROAD DEDICATION  
NO RETAINING WALLS OVER 1.2m IN HEIGHT ARE PERMITTED WITHING ANY SETBACK AREA.

LANDSCAPED AREAS TO BE EQUIPPED WITH UNDERGROUND IRRIGATION SYSTEM COMPLETE WITH MOISTURE SENSORS AND TIMERS.

LANDSCAPING AND IRRIGATION TO EXTEND TO EDGE OF CITY SIDEWALKS, CURBS, AND ASPHALT. INCLUSIVE OF LANDSCAPING ON CITY BOULEVARD)

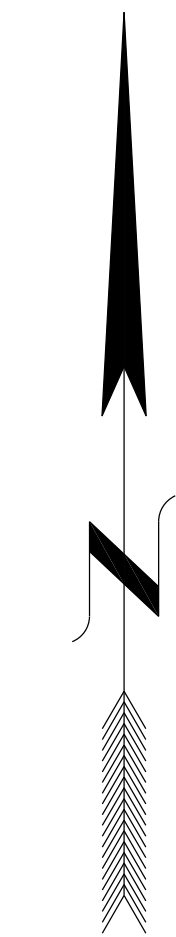
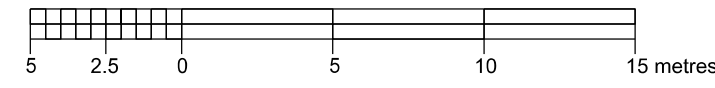
DRIVEWAY ASPHALT TO EXTEND TO STREET AND LANE ASPHALT.

**LANDSCAPE PLAN**

# SITE PLAN OF LOT E, DL 202, SDYD & DL 4, Gp 7, SDYD, PLAN 584

CIVIC ADDRESS: 770 ARGYLE STREET, PENTICTON, B.C.  
PID: 002-555-964

SCALE 1:250



NOTE: SUBJECT TO THE NON-FINANCIAL CHARGES AND INTERESTS WHICH MAY AFFECT THE PROPERTY. SEE CERTIFICATE OF TITLE AND RELATED CHARGE DOCUMENTS FOR CONFIRMATION.

THIS PLAN IS BASED ON LAND TITLE AND SURVEY AUTHORITY RECORDS AND A FIELD SURVEY. UNREGISTERED INTERESTS HAVE NOT BEEN CONSIDERED.

LAND SURVEYING COMPANY AND SURVEYOR ACCEPT NO RESPONSIBILITY FOR AND HEREBY DISCLAIM ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES INCLUDING, BUT NOT LIMITED TO, DIRECT, INDIRECT, SPECIAL, AND CONSEQUENTIAL DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY DIRECT OR INDIRECT USE.

THIS PLAN IS PREPARED SOLELY FOR A LIMITED CONTRACTUAL USE BETWEEN MANDEVILLE LAND SURVEYING AND OUR CLIENT. IT IS NOT TO BE USED FOR THE LOCATION OF PROPERTY LINES. WE ACCEPT NO RESPONSIBILITY FOR ANY UNAUTHORIZED USE.

FIELD SURVEY COMPLETED THIS 03rd DAY OF DECEMBER, 2021.

ELEVATIONS ARE GEODETIC (ORTHOMETRIC HTV2.0) DERIVED FROM PENTICTON MONUMENT #4315

ALL DIMENSIONS ARE IN METRES AND DECIMALS THEREOF UNLESS OTHERWISE NOTED

### LEGEND

- SPOT ELEVATION
- GAS SERVICE
- FENCE

**MANDEVILLE LAND SURVEYING INC.**  
PROFESSIONAL B.C. AND CANADA LAND SURVEYORS  
582 MARTIN STREET, PENTICTON, B.C.  
PH: 250-488-6377 WEB: MANSURVEYING.COM

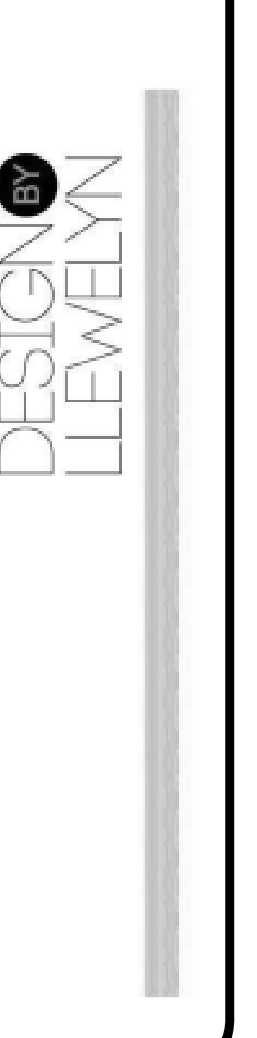
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PROJECT:  
5 Duplex Development  
Matt & Karen Properties Ltd.  
770 Argyle Street, Penticton, BC  
DESIGN BY: L.V.L.  
DRAWN BY: L.V.L.  
DATE: 14 December 2021  
REVISED: 15 March 2022

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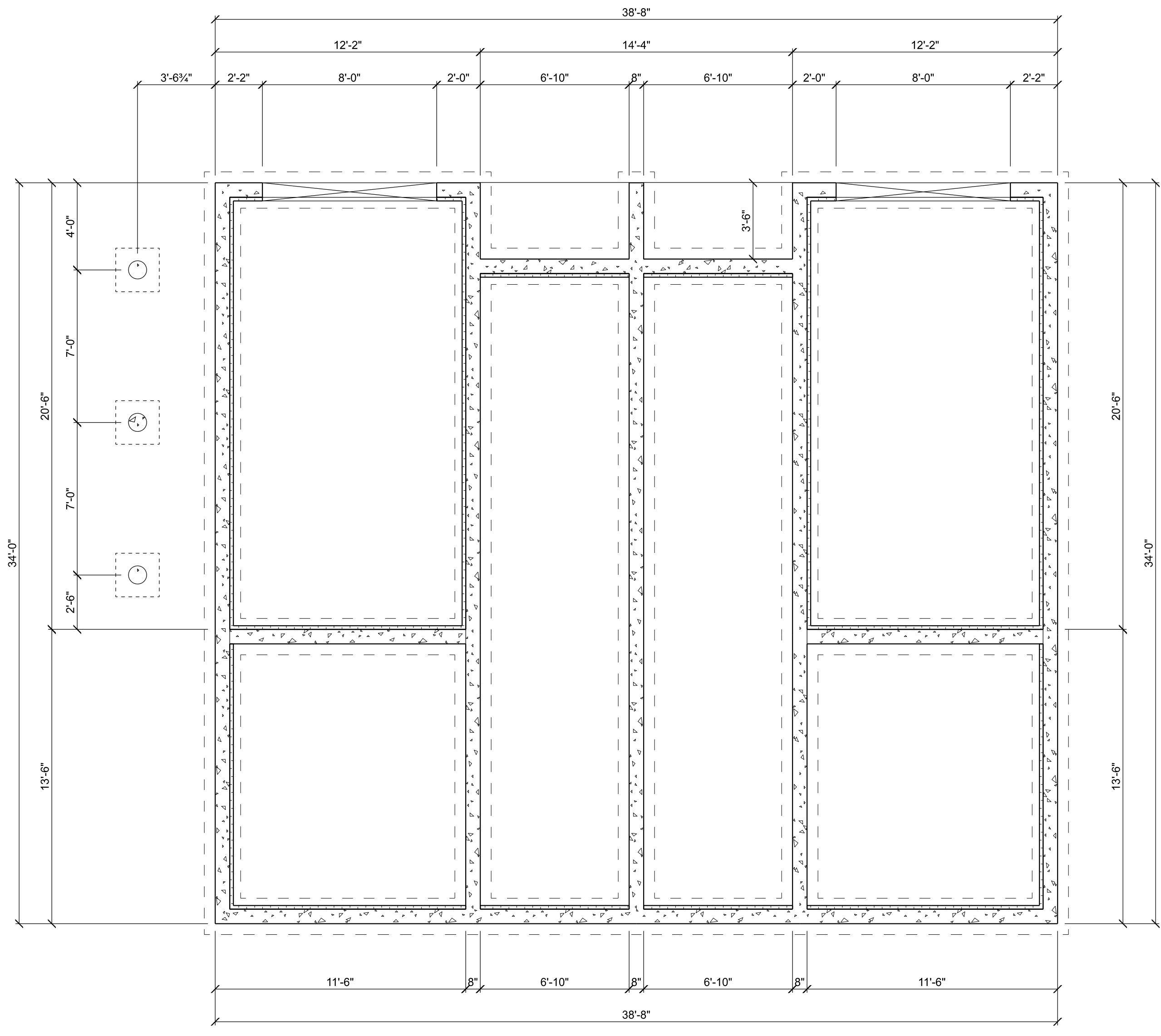
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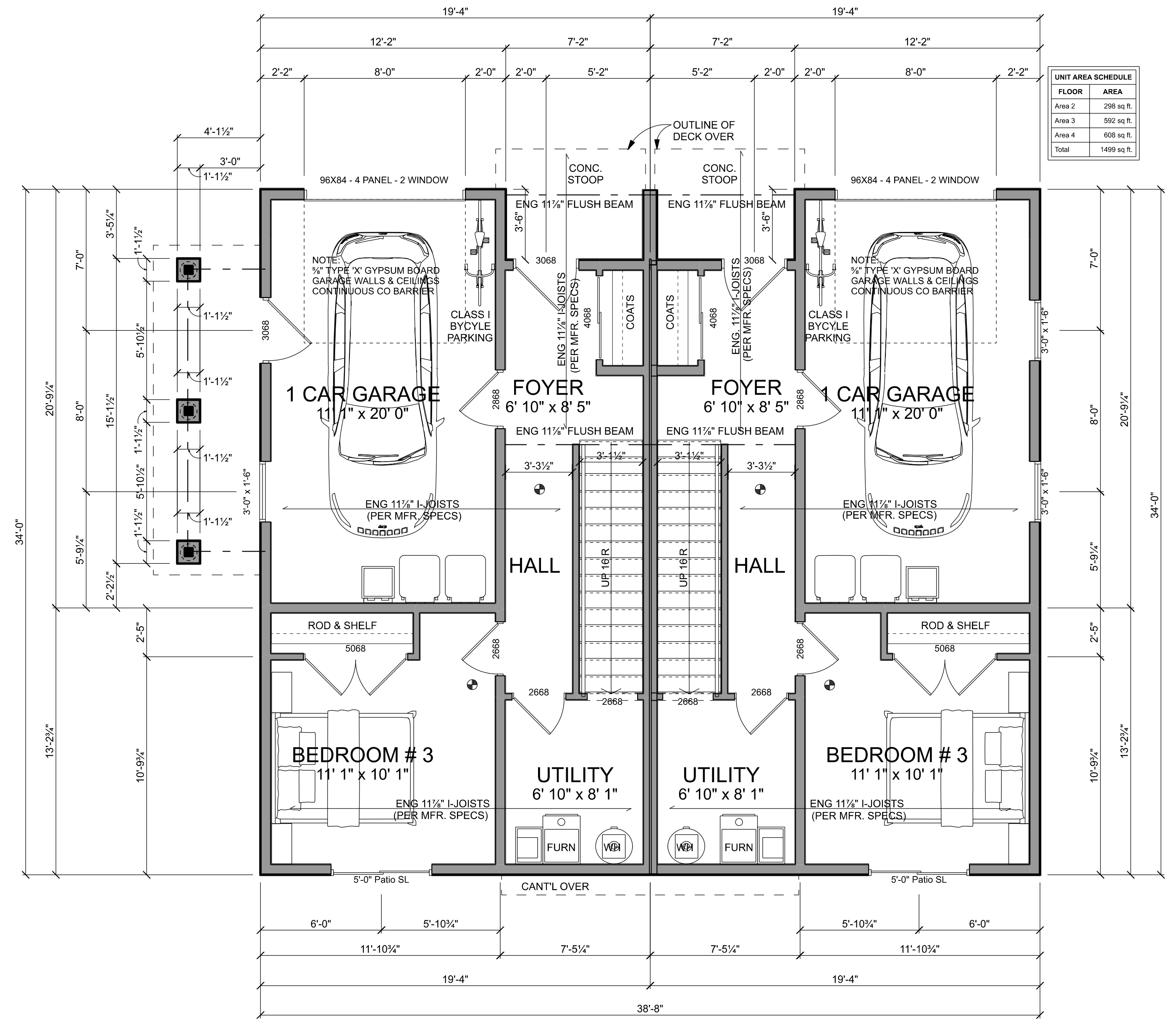


PLAN NO.  
**21550**  
SHEET NO.  
**3 of 19**

# SURVEYORS SITE PLAN



**FOUNDATION PLAN - BUILDING A**  
SCALE: 1/4" = 1'-0"



**FIRST FLOOR PLAN - BUILDING A**  
SCALE: 1/4" = 1'-0"

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Telephone: (250) 770-0050  
design@leweyn.com  
www.designbyleweyn.com

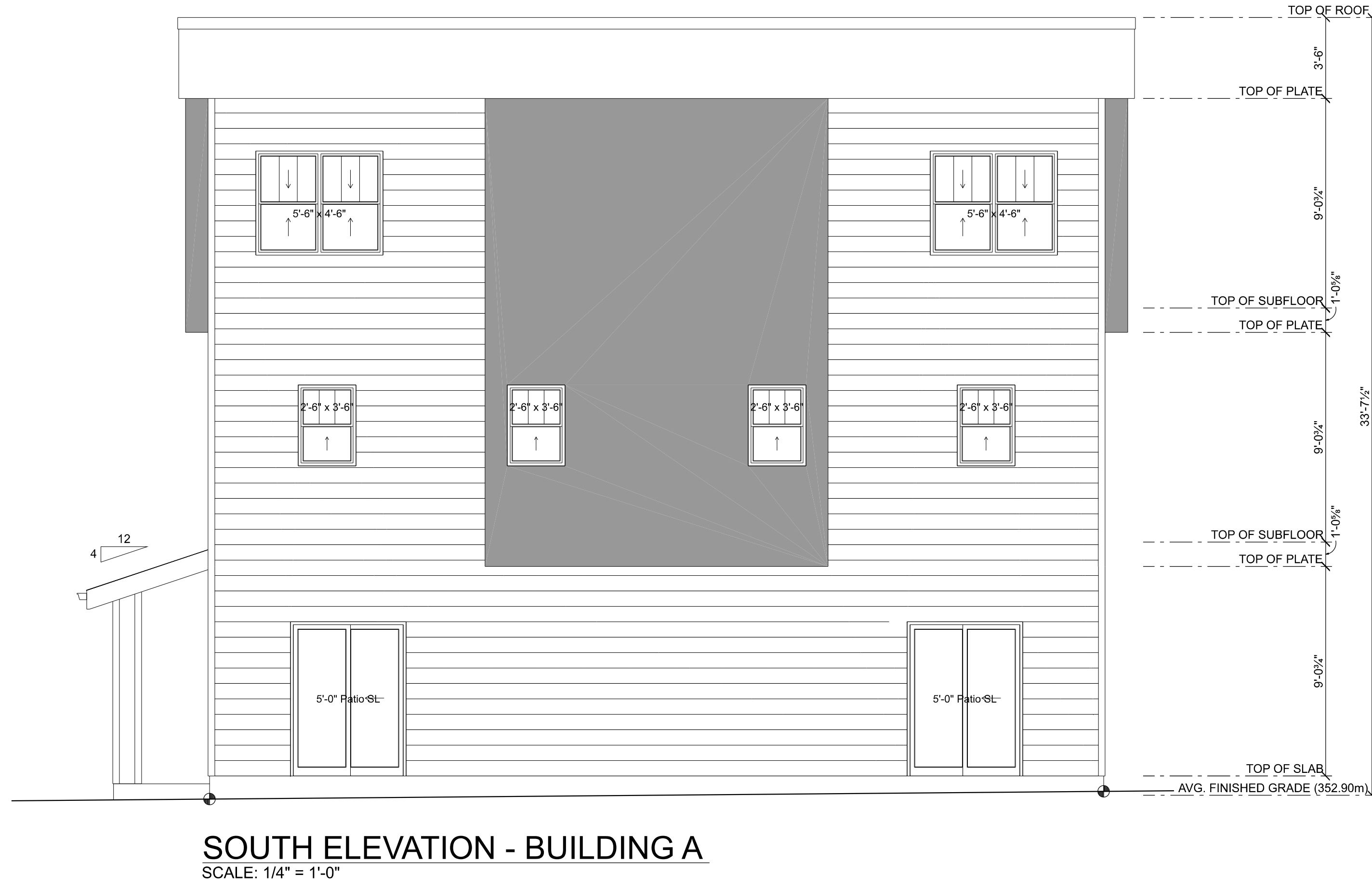
DESIGN BY  
LLEWELYN

# FOUNDATION & MAIN FLOOR PLAN - BUILDING A





**WEST ELEVATION - BUILDING A**  
SCALE: 1/4" = 1'-0"



**SOUTH ELEVATION - BUILDING A**  
SCALE: 1/4" = 1'-0"



**EAST ELEVATION - BUILDING A**  
SCALE: 1/4" = 1'-0"

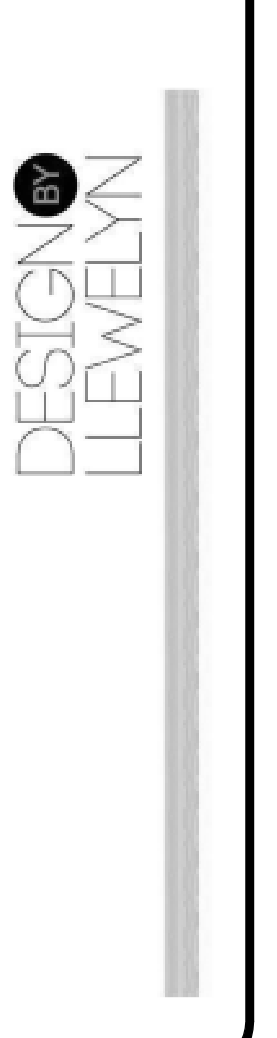
**ELEVATIONS - BUILDING A**

PROJECT:  
5 Duplex Development  
Matt & Karen Properties Ltd.  
770 Argyle Street, Penticton, BC  
DESIGN BY: LVL  
DRAWN BY: LVL  
DATE: 14 December 2021  
REVISED: 16 March 2022

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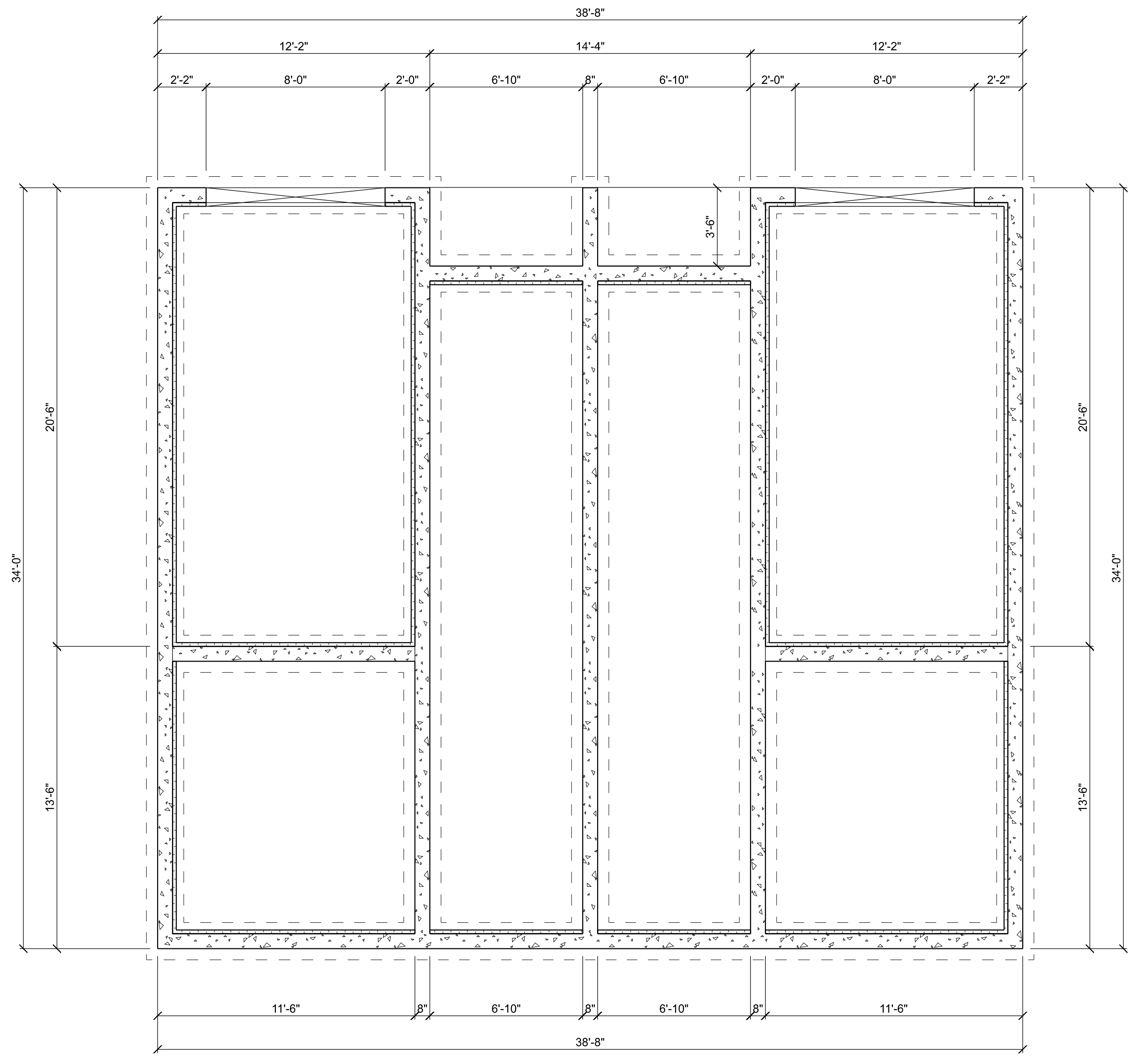
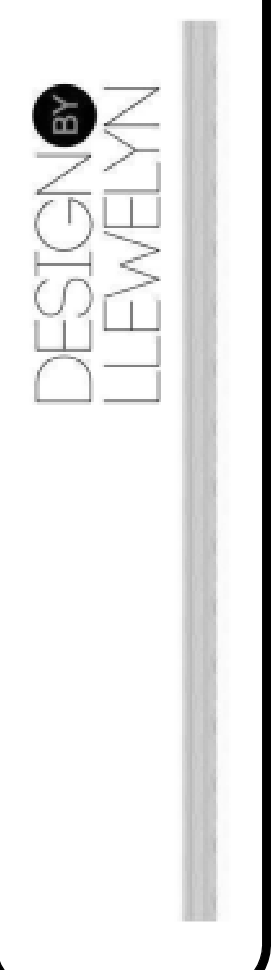


PLAN NO.  
**21550**  
SHEET NO.  
**6 of 19**

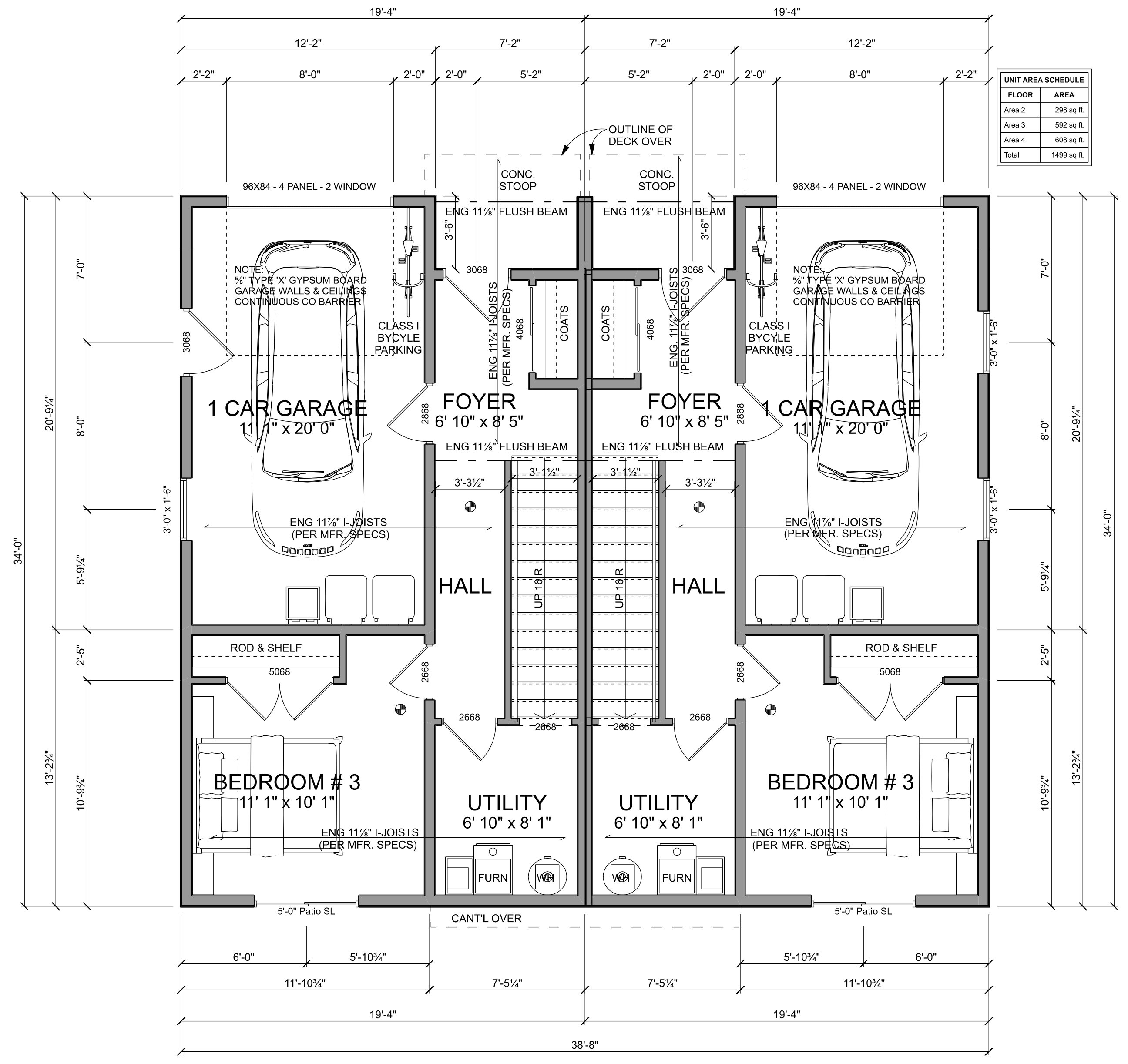
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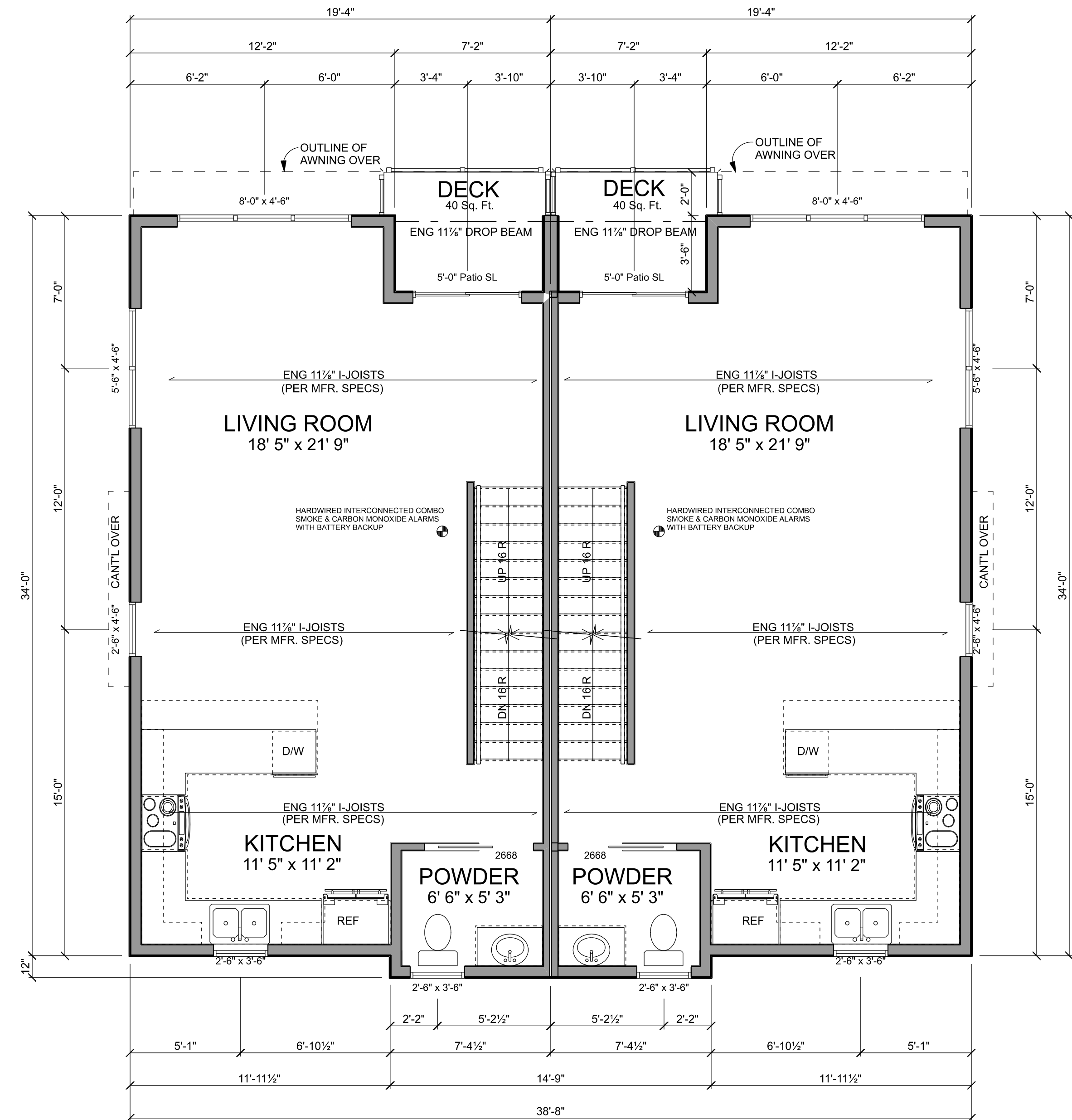


**FOUNDATION PLAN - BUILDING B**  
 SCALE: 1/4" = 1'-0"

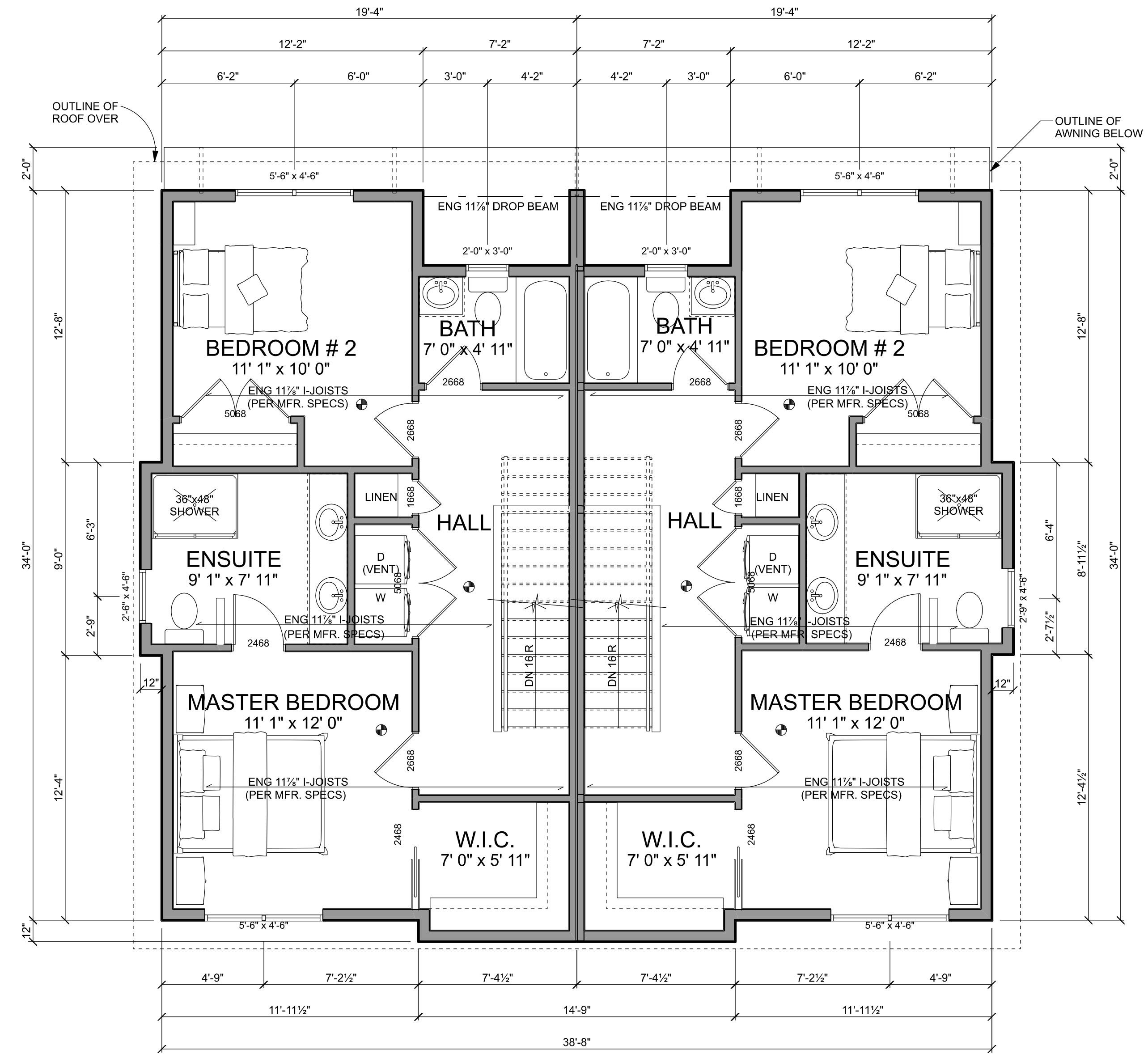


**FIRST FLOOR PLAN - BUILDING B**  
 SCALE: 1/4" = 1'-0"

# FOUNDATION & MAIN FLOOR PLAN - BUILDING B



**SECOND FLOOR PLAN - BUILDING B**  
 SCALE: 1/4" = 1'-0"



**THIRD FLOOR PLAN - BUILDING B**  
 SCALE: 1/4" = 1'-0"

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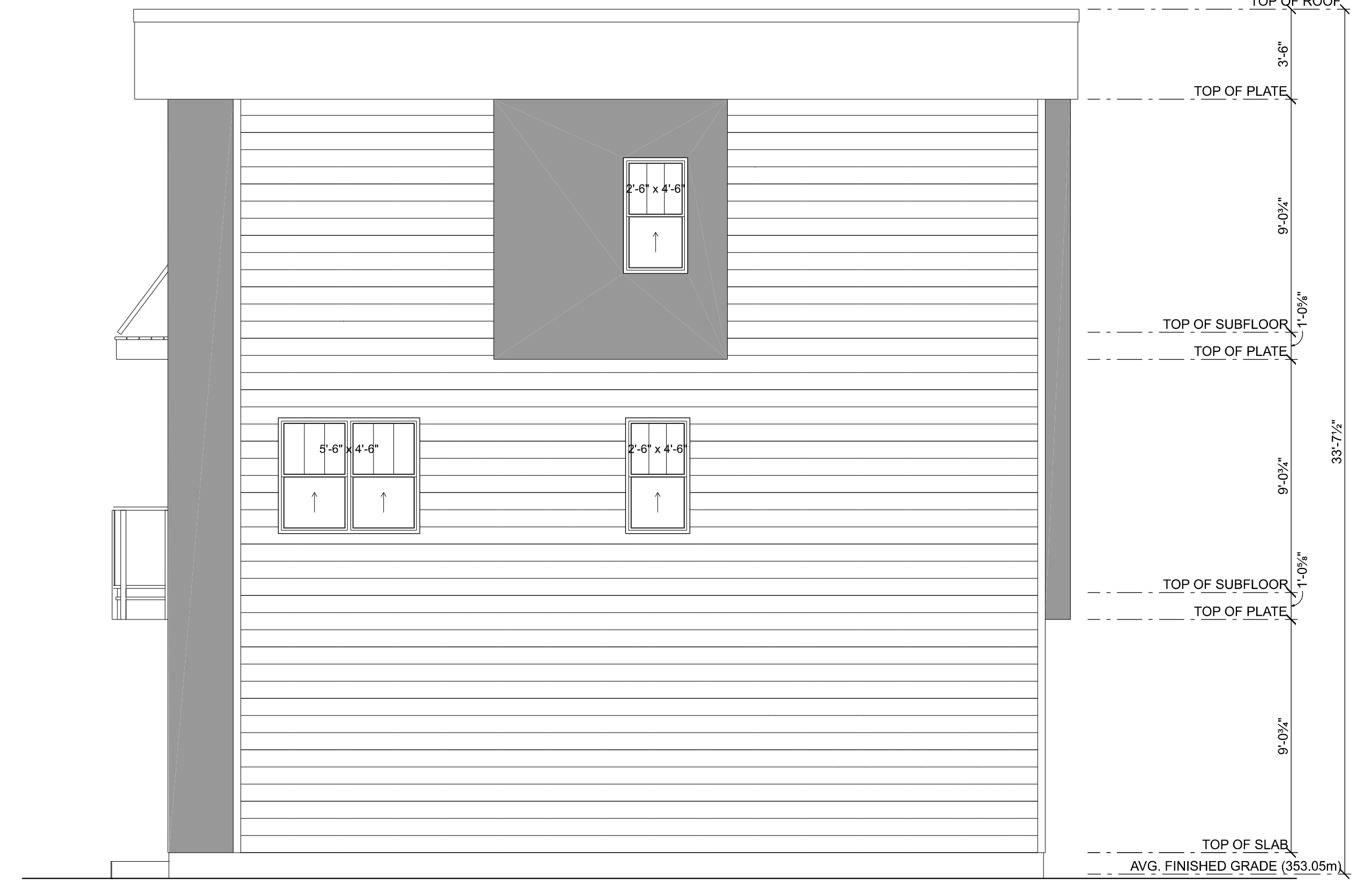
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**LLEWELYN**

SECOND & THIRD FLOOR PLANS - BUILDING B



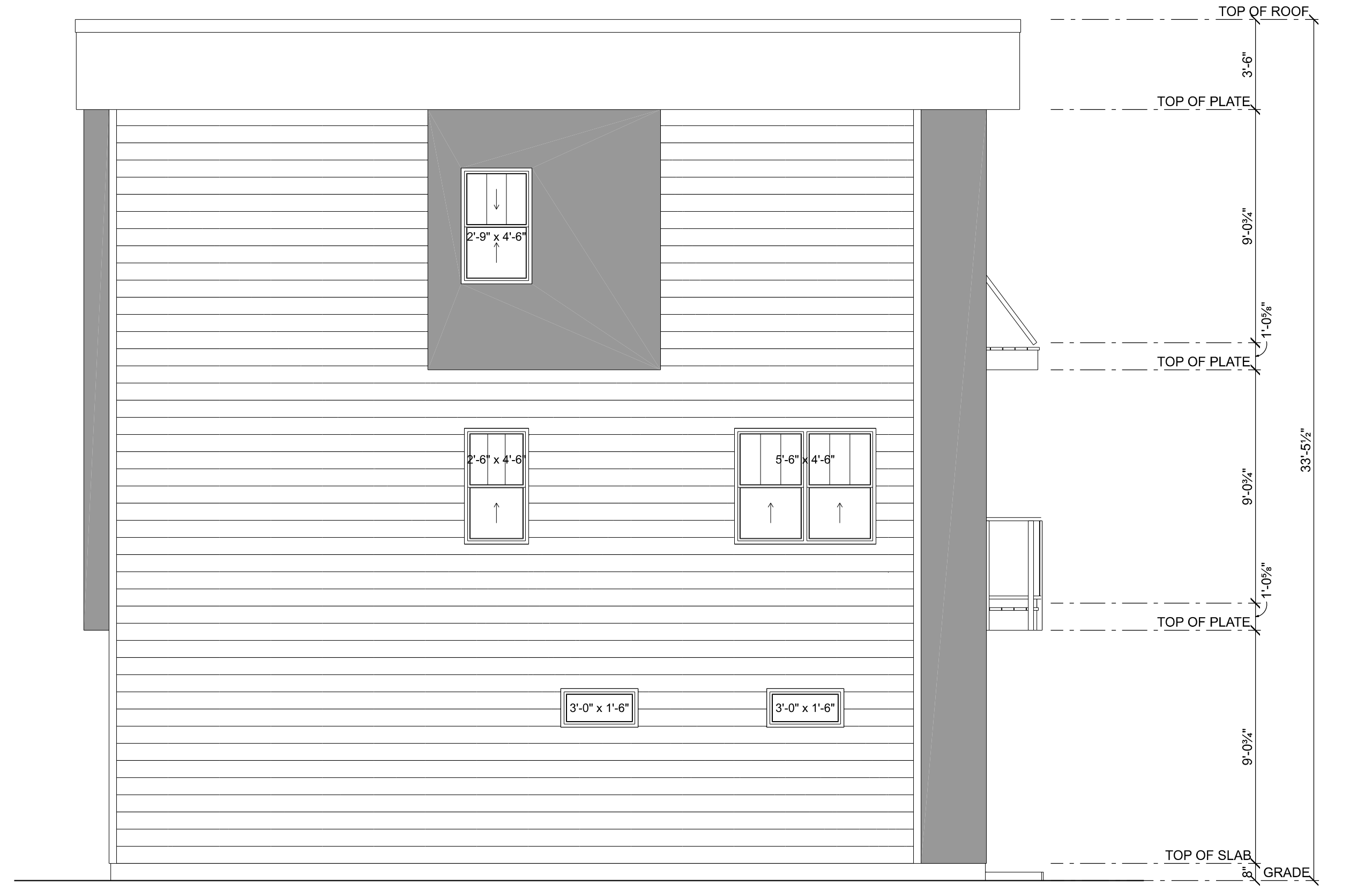
**NORTH ELEVATION - BUILDING B**  
SCALE: 1/4" = 1'-0"



**WEST ELEVATION - BUILDING B**  
SCALE: 1/4" = 1'-0"



**SOUTH ELEVATION - BUILDING B**  
SCALE: 1/4" = 1'-0"



**EAST ELEVATION - BUILDING B**  
SCALE: 1/4" = 1'-0"

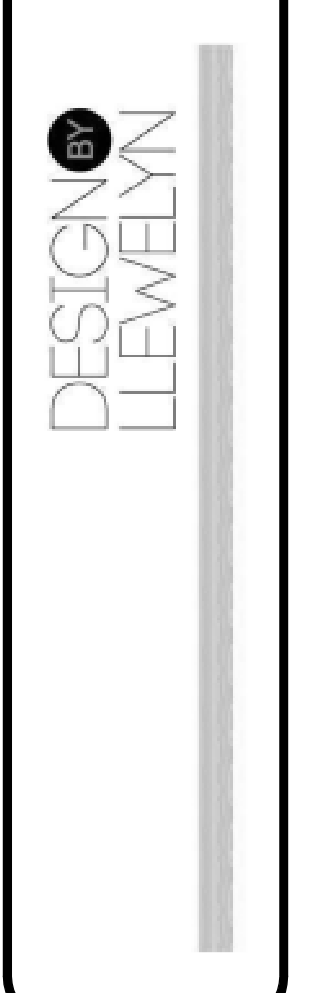
# ELEVATIONS - BUILDING B

PROJECT:  
5 Duplex Development  
Matt & Karen Properties Ltd.  
770 Argyle Street, Penticton, BC  
DESIGN BY: L.V.L.  
DATE: 14 December 2021  
DRAWN BY: L.V.L.  
REVISED: 15 March 2022

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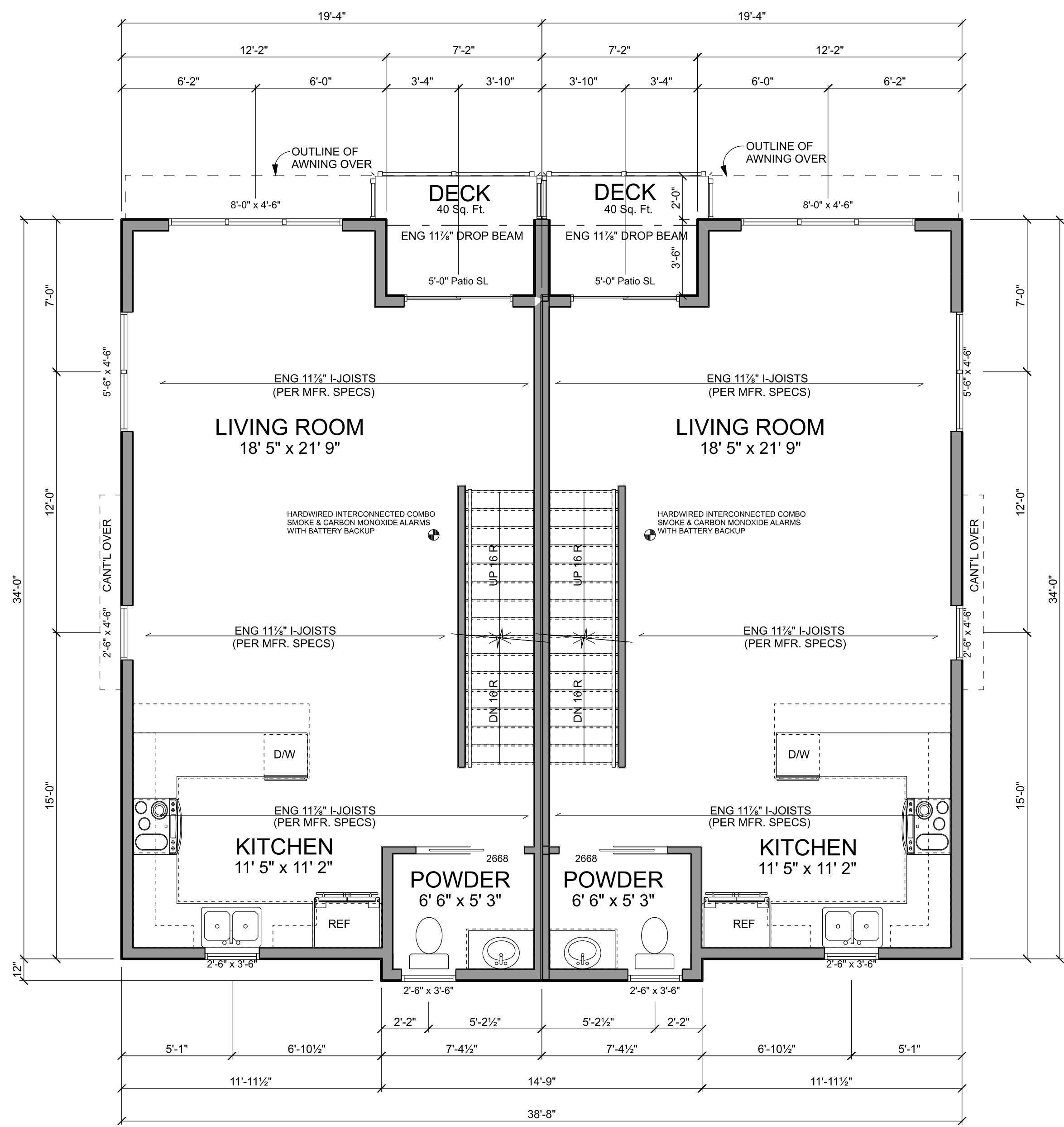
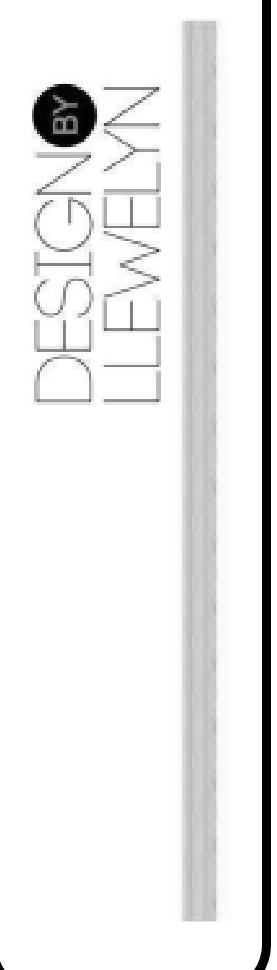
PLAN NO.  
**21550**  
SHEET NO.  
**9 of 19**



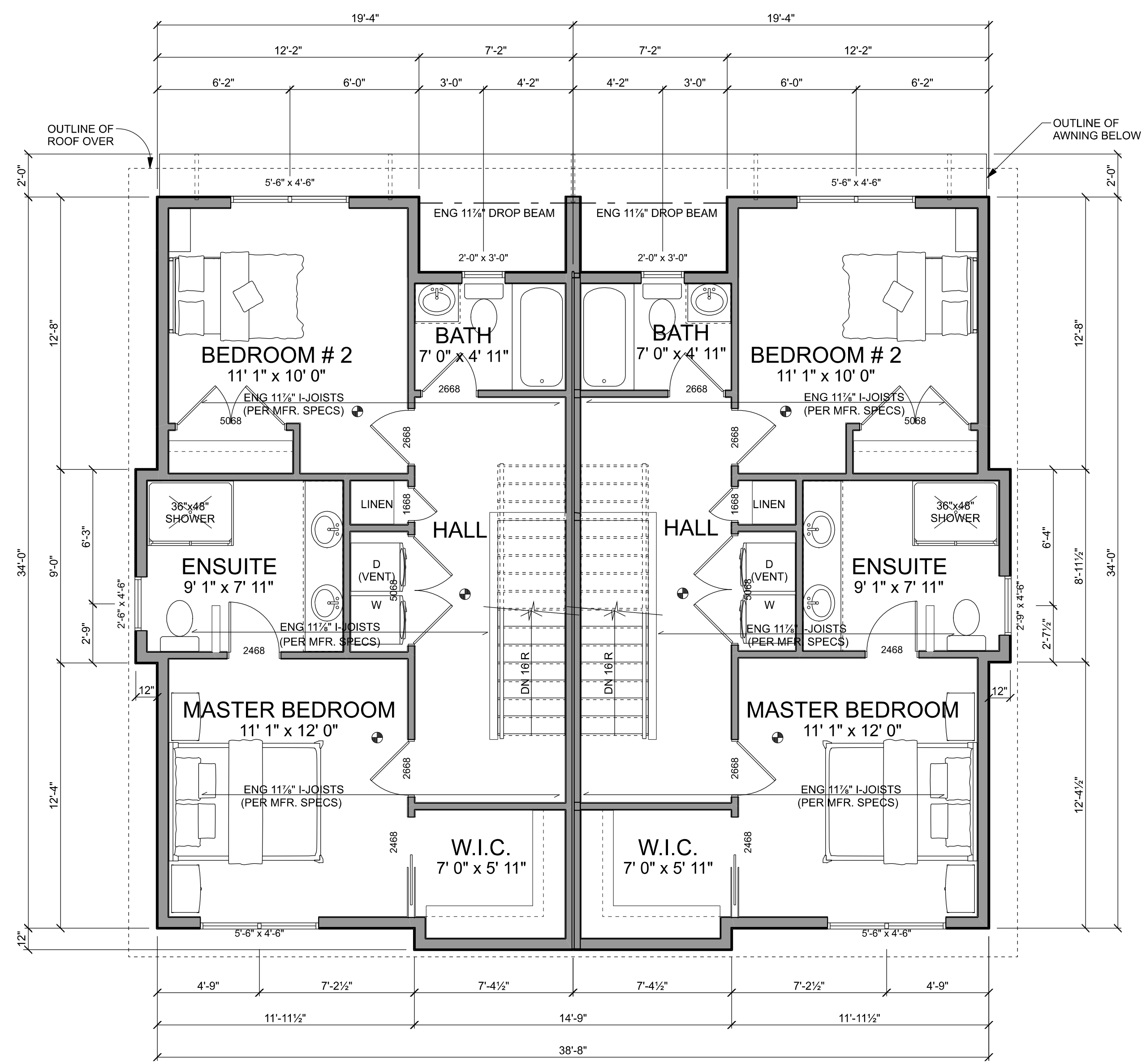
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**SECOND FLOOR PLAN - BUILDING C**  
 SCALE: 1/4" = 1'-0"

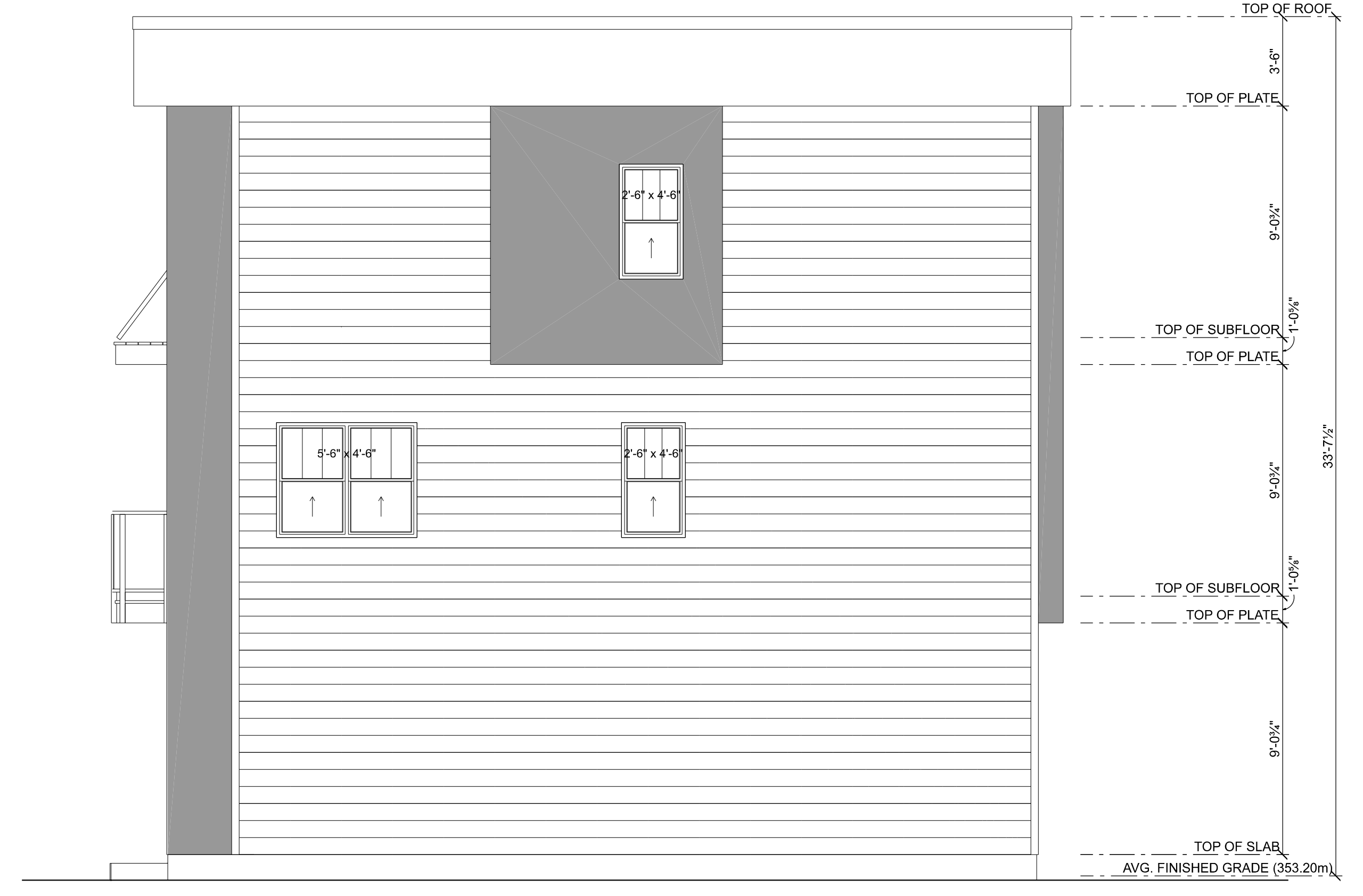


**THIRD FLOOR PLAN - BUILDING C**  
 SCALE: 1/4" = 1'-0"

SECOND & THIRD FLOOR PLANS - BUILDING C



**NORTH ELEVATION - BUILDING C**  
SCALE: 1/4" = 1'-0"



**WEST ELEVATION - BUILDING C**  
SCALE: 1/4" = 1'-0"



**SOUTH ELEVATION - BUILDING C**  
SCALE: 1/4" = 1'-0"



**EAST ELEVATION - BUILDING C**  
SCALE: 1/4" = 1'-0"

# ELEVATIONS - BUILDING C

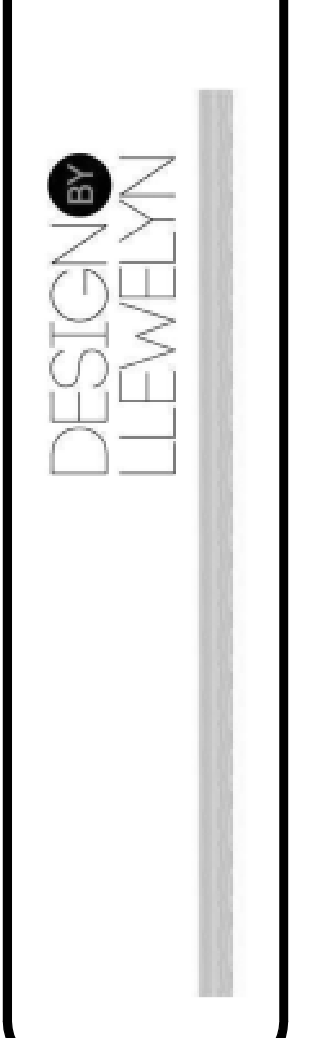
PROJECT:  
5 Duplex Development  
Matt & Karen Properties Ltd.  
770 Argyle Street, Penticton, BC

DESIGN BY: L.V.L.  
DATE: 14 December 2021  
DRAWN BY: L.V.L.  
REVISED: 15 March 2022

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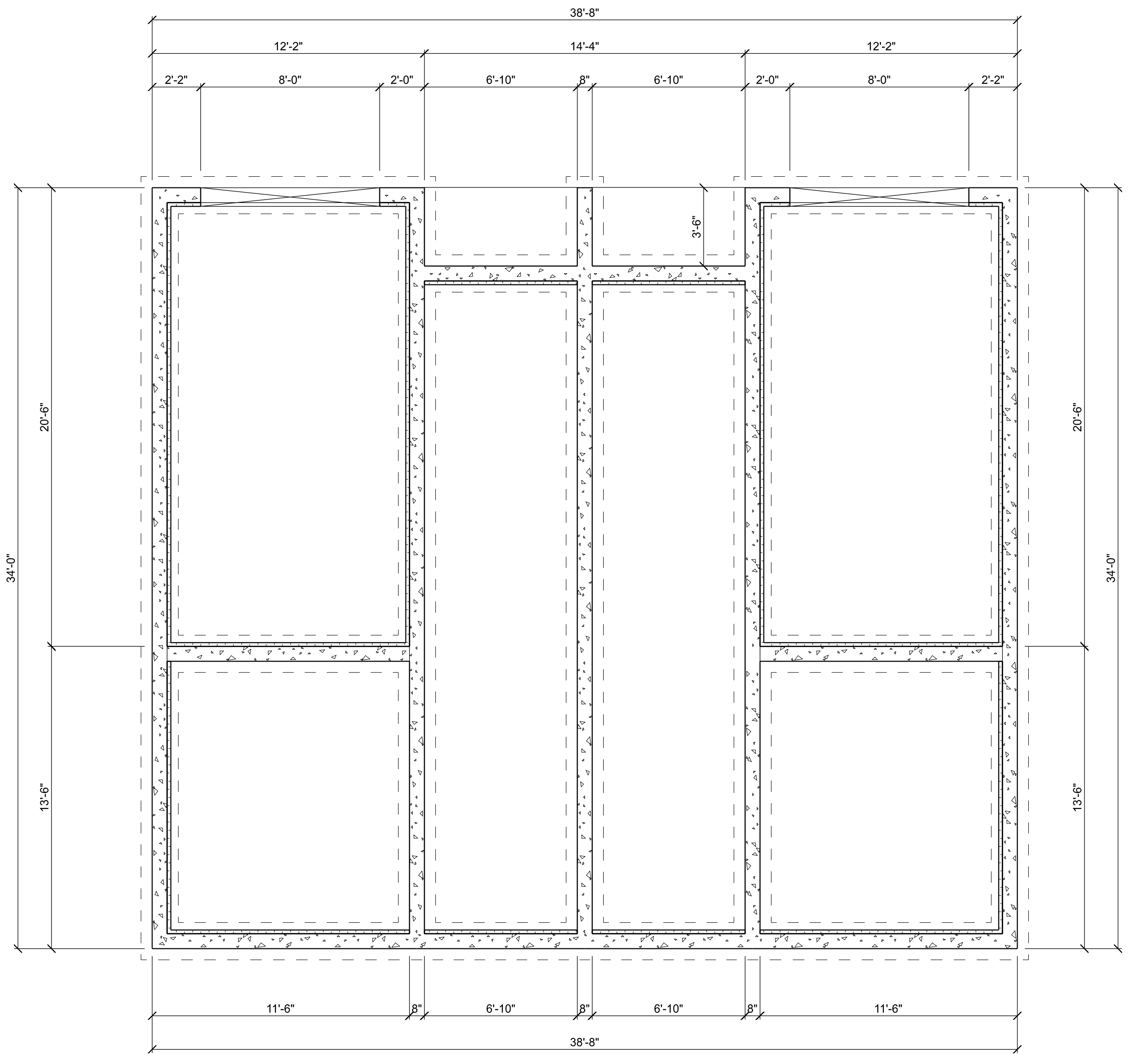
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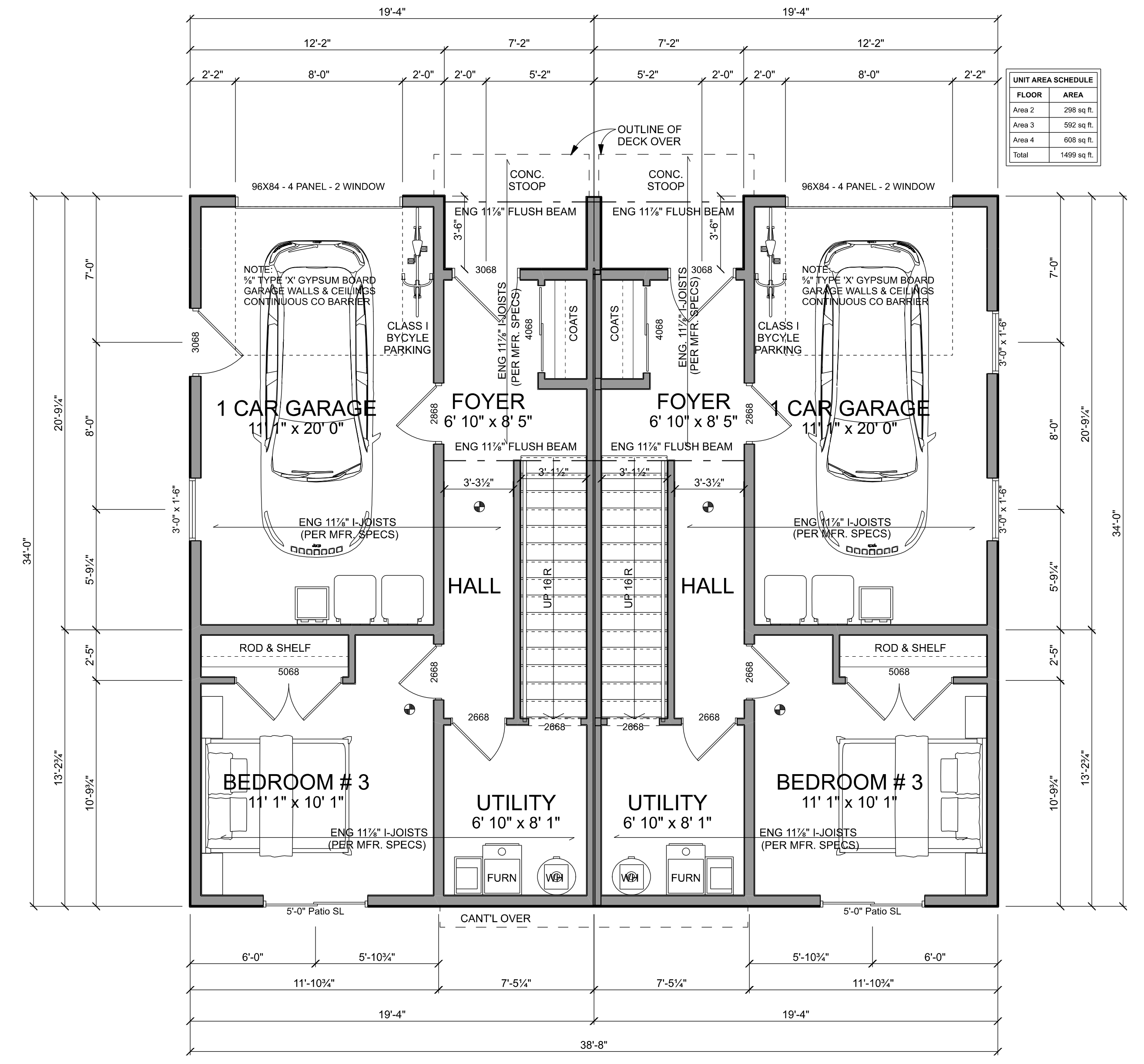
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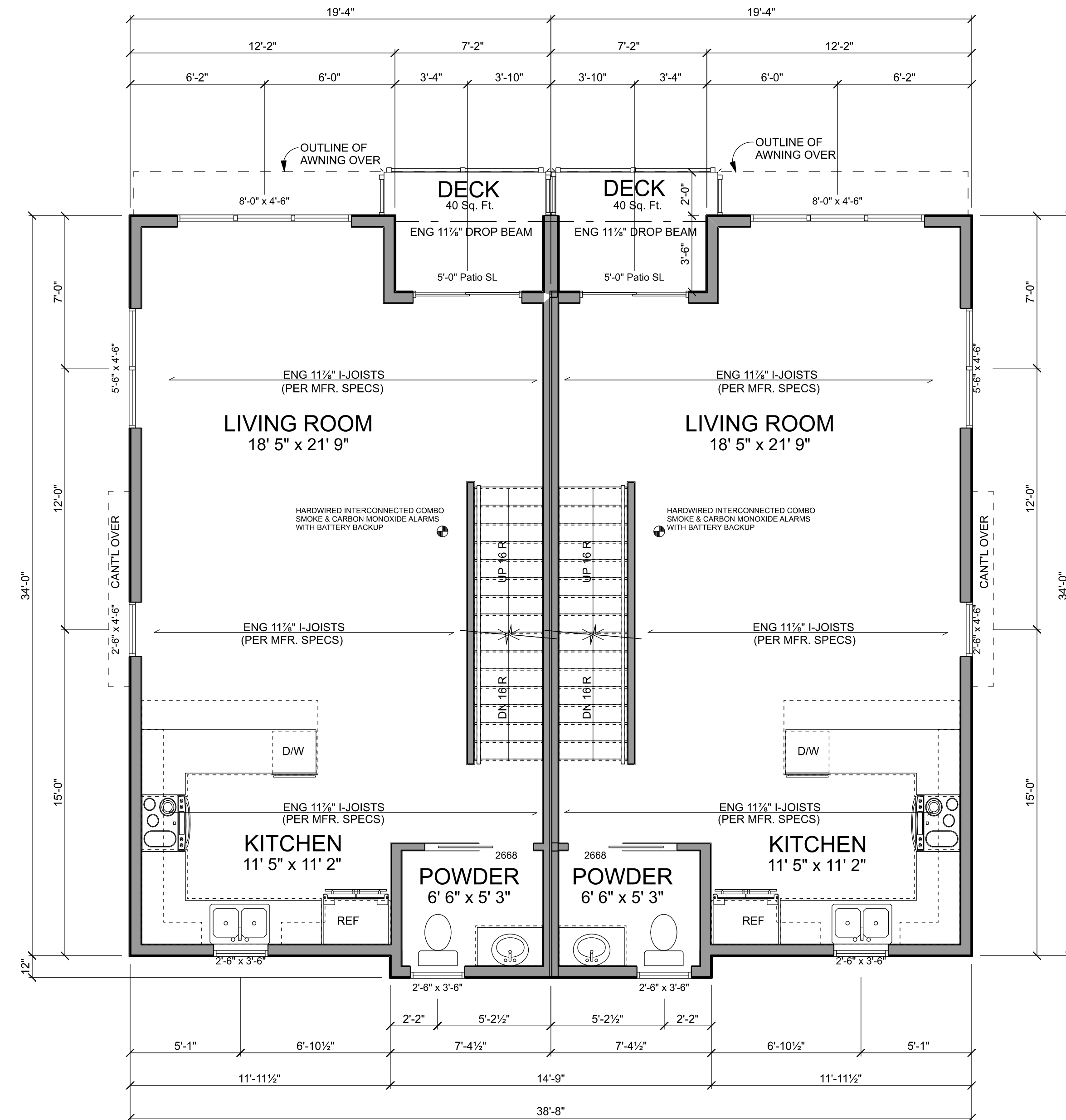


**FOUNDATION PLAN - BUILDING D**  
 SCALE: 1/4" = 1'-0"

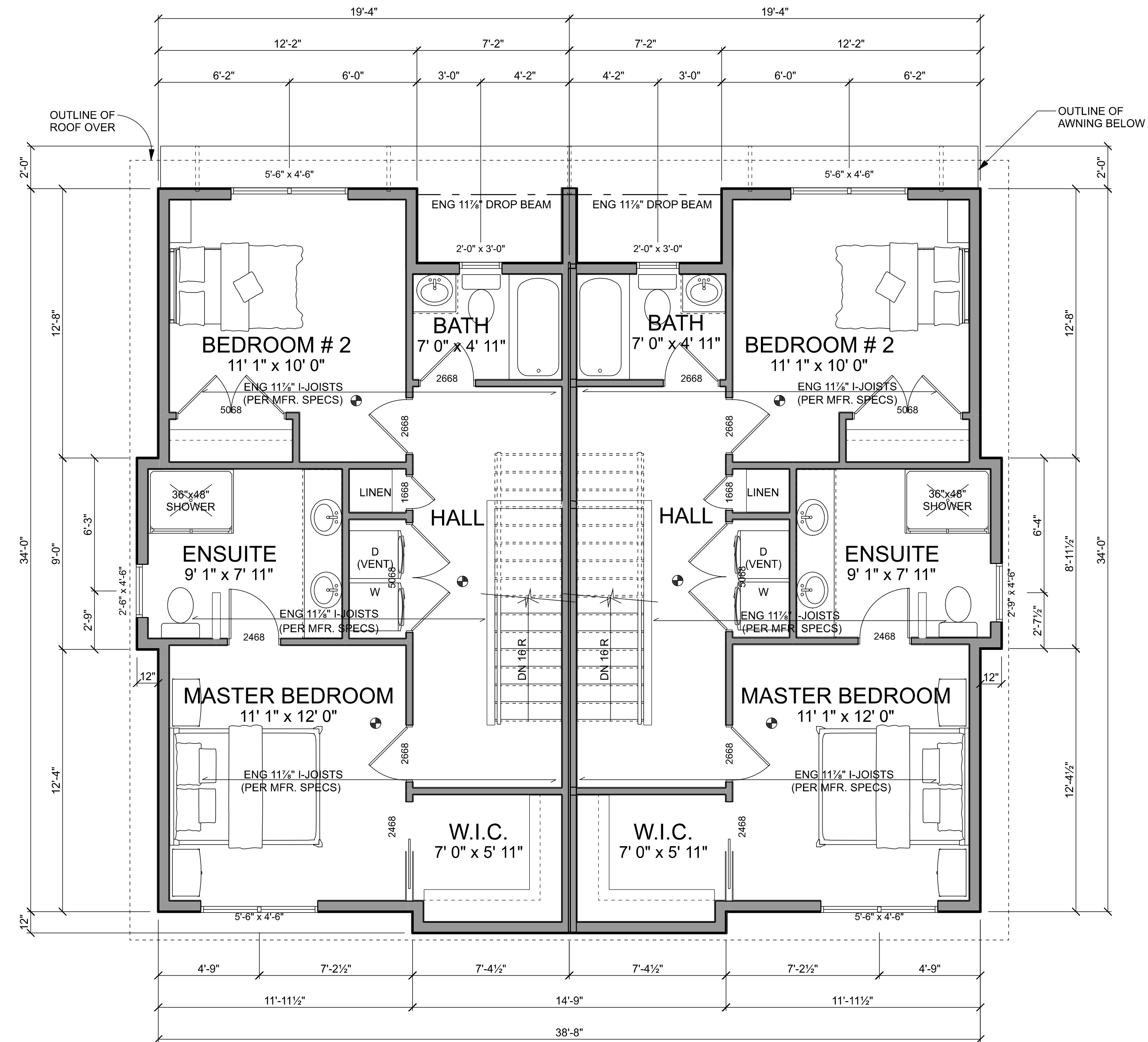


**FIRST FLOOR PLAN - BUILDING D**  
 SCALE: 1/4" = 1'-0"

# FOUNDATION & MAIN FLOOR PLAN - BUILDING D



**SECOND FLOOR PLAN - BUILDING D**  
 SCALE: 1/4" = 1'-0"



**THIRD FLOOR PLAN - BUILDING D**  
 SCALE: 1/4" = 1'-0"

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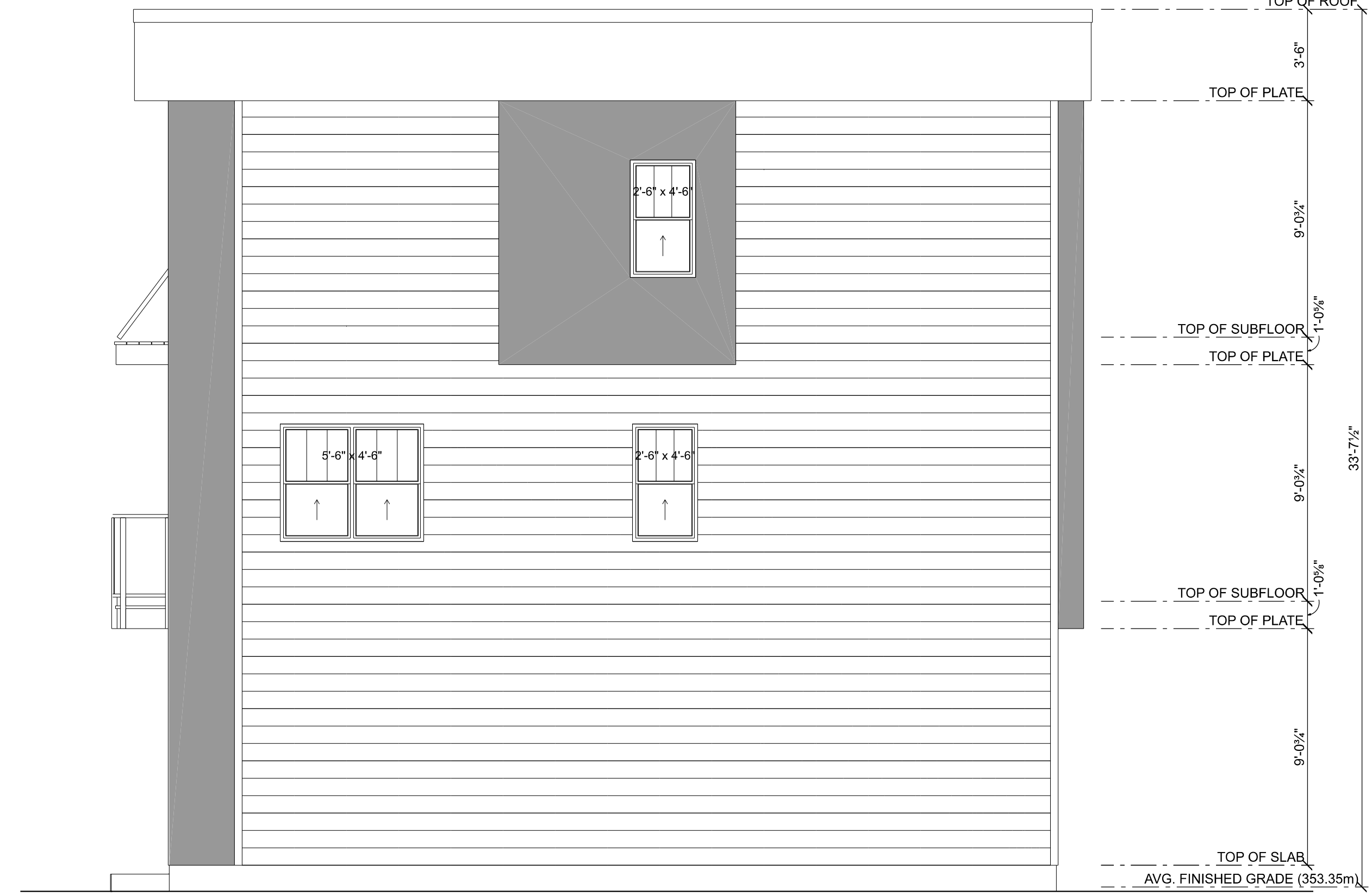
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SECOND & THIRD FLOOR PLANS - BUILDING D



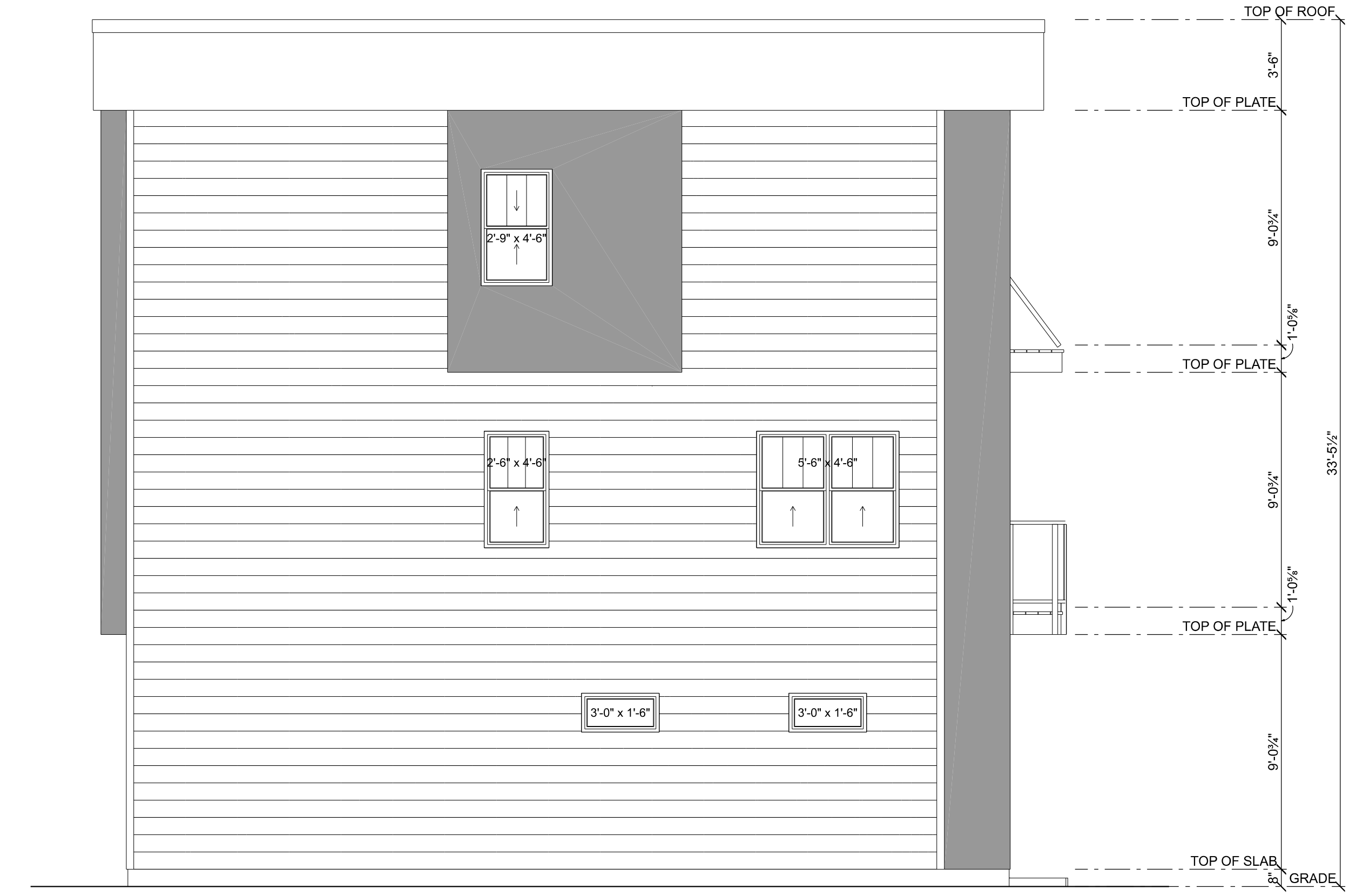
**NORTH ELEVATION - BUILDING D**  
SCALE: 1/4" = 1'-0"



**WEST ELEVATION - BUILDING D**  
SCALE: 1/4" = 1'-0"



**SOUTH ELEVATION - BUILDING D**  
SCALE: 1/4" = 1'-0"



**EAST ELEVATION - BUILDING D**  
SCALE: 1/4" = 1'-0"

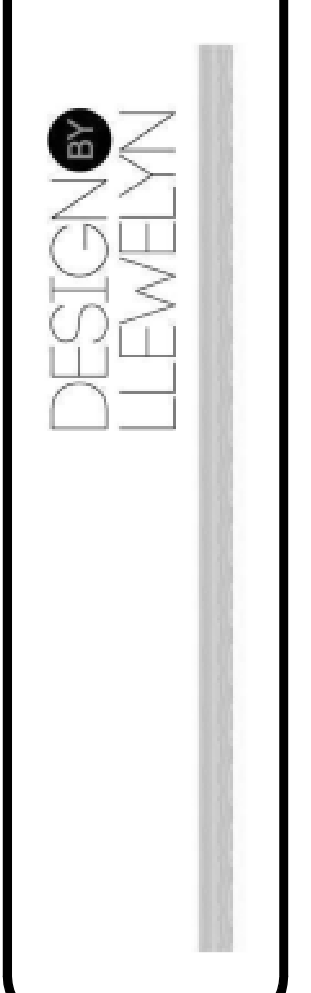
**ELEVATIONS - BUILDING D**

PROJECT:  
5 Duplex Development  
Matt & Karen Properties Ltd.  
770 Argyle Street, Penticton, BC  
DESIGN BY: L.V.L.  
DRAWN BY: L.V.L.  
DATE: 14 December 2021  
REVISED: 15 March 2022

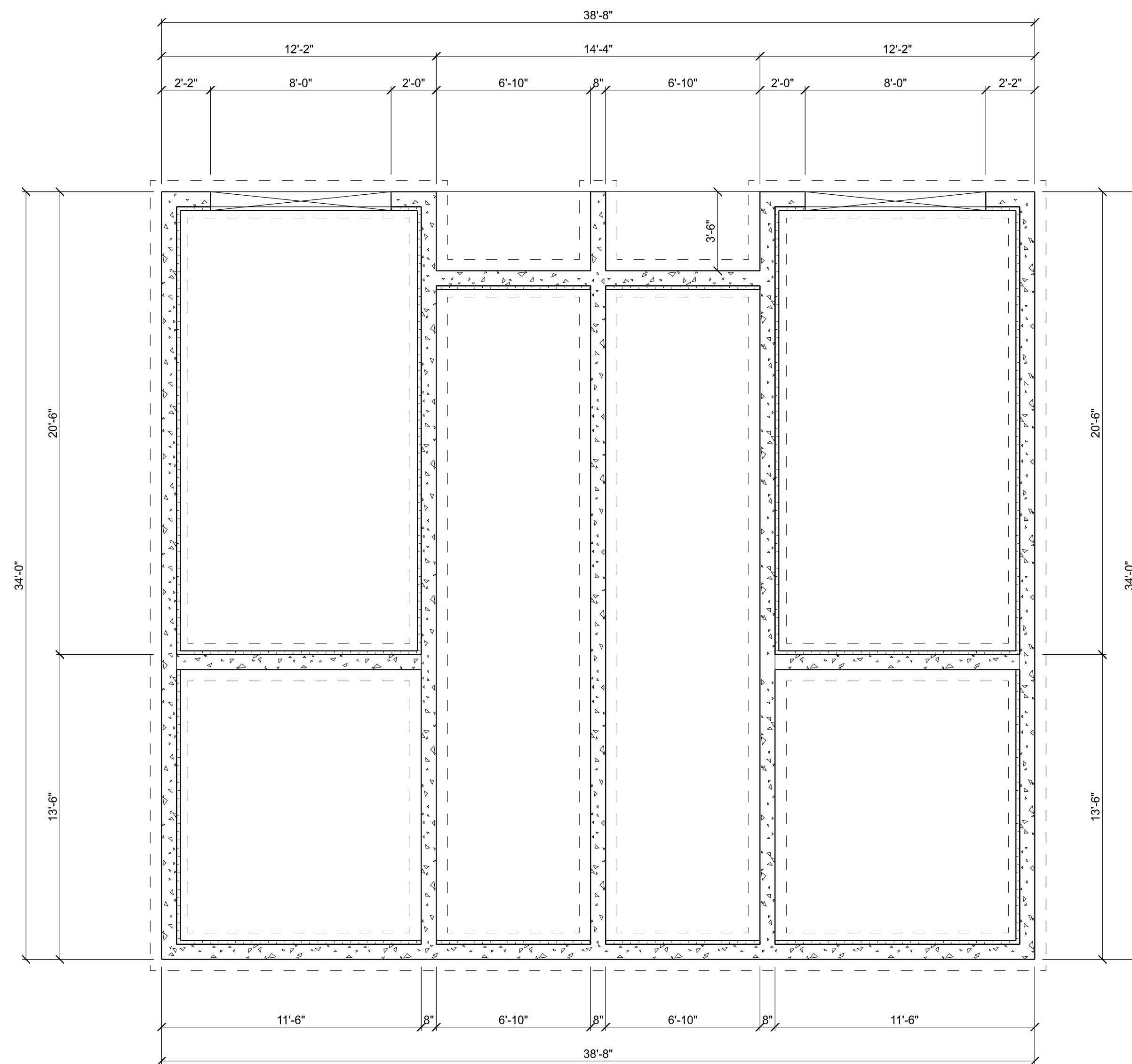
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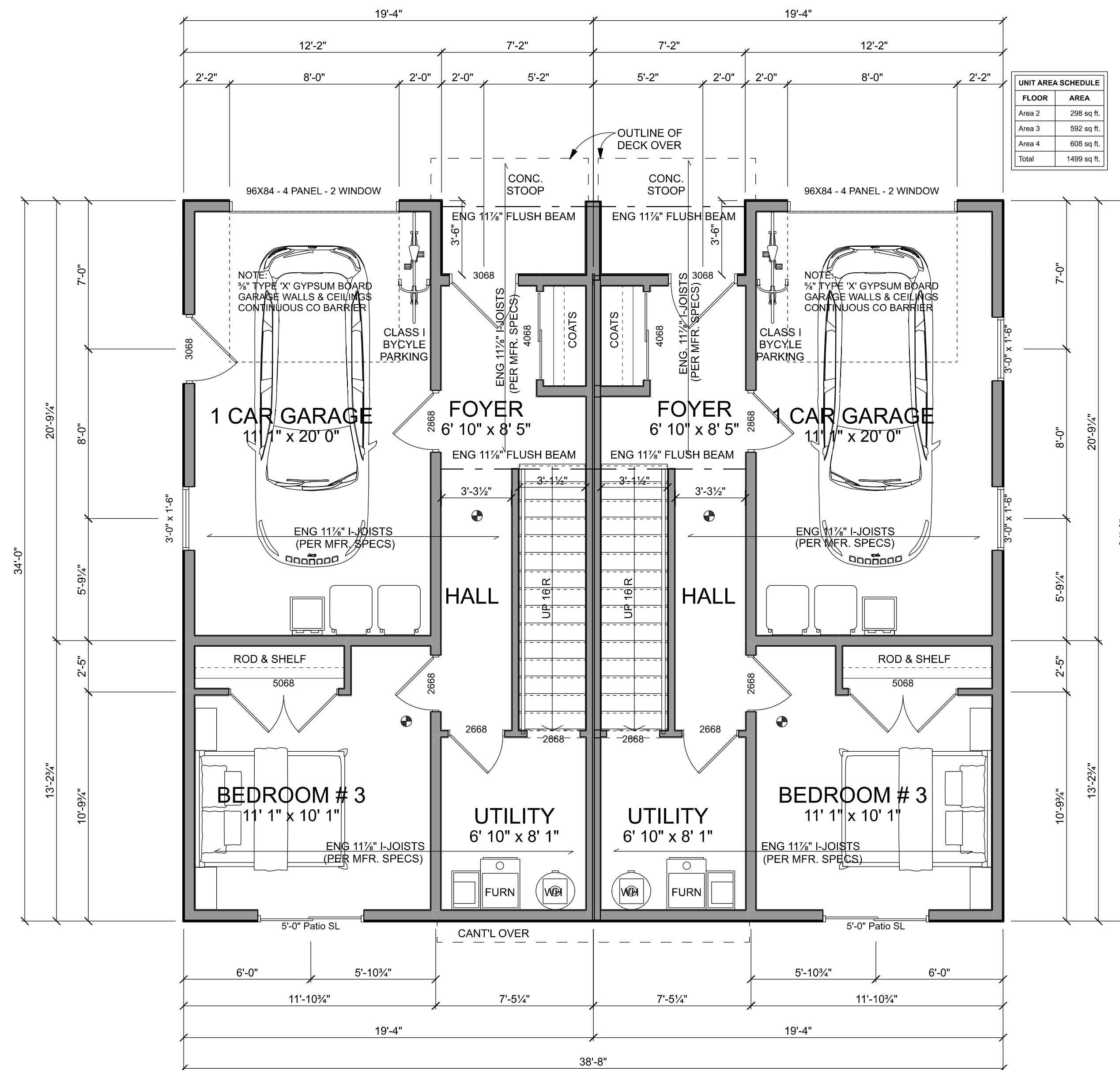
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PLAN NO.  
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SHEET NO.  
**15 of 19**



**FOUNDATION PLAN - BUILDING E**  
SCALE: 1/4" = 1'-0"



**FIRST FLOOR PLAN - BUILDING E**  
SCALE: 1/4" = 1'-0"

FLOOR	AREA
Area 2	286 sq. ft.
Area 3	582 sq. ft.
Area 4	608 sq. ft.
<b>Total</b>	<b>1499 sq. ft.</b>

**PROJECT:**  
5 Duplex Development  
Matt & Karen Properties Ltd  
770 Argyle Street, Pentiction, BC

**DESIGN BY:** L.W.L.  
**DATE:** 14 December 2021  
**DRAWN BY:** L.W.L.  
**REVISED:** 15 March 2022

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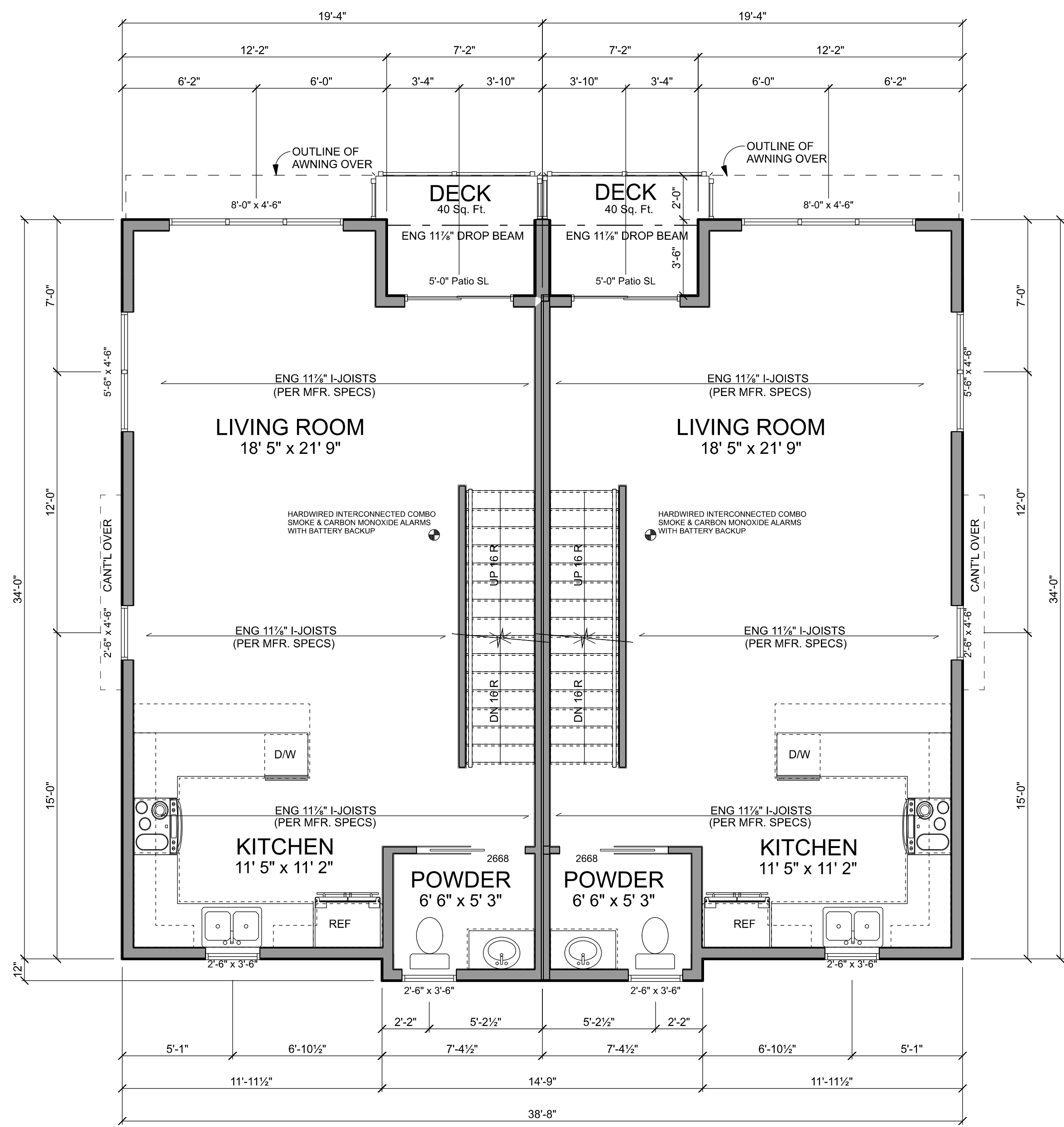
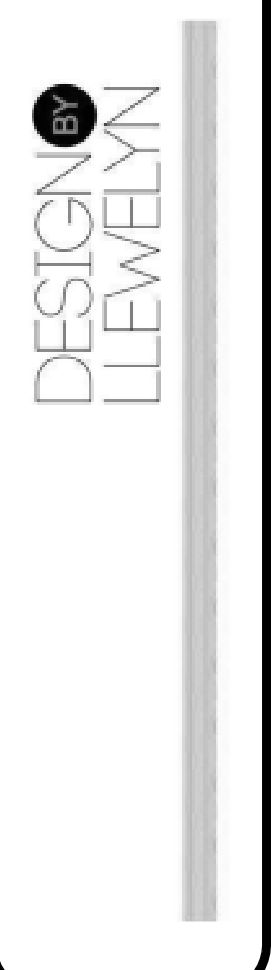
**SHEET NO.**  
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# FOUNDATION & MAIN FLOOR PLAN - BUILDING E

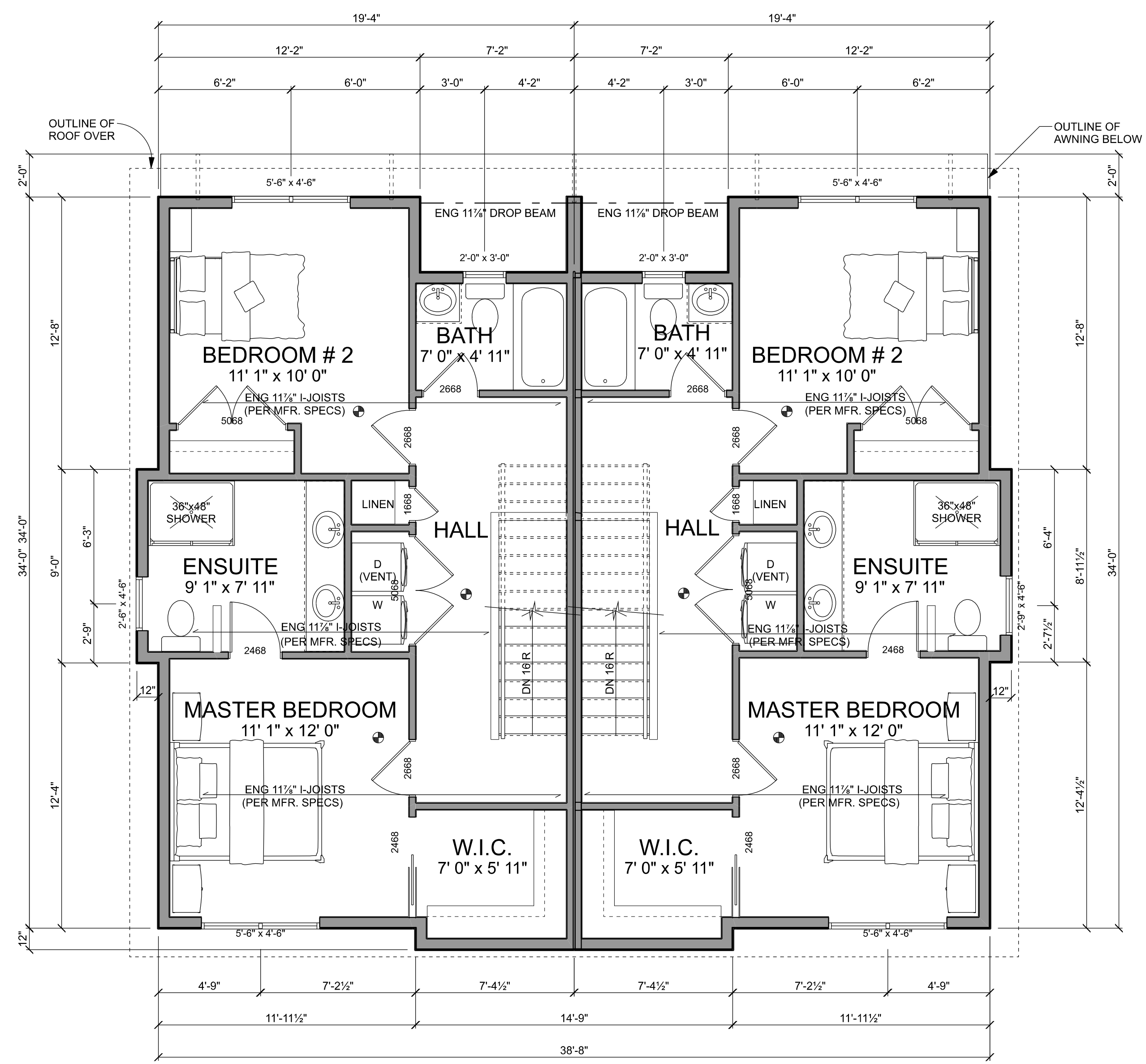
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**SECOND FLOOR PLAN - BUILDING E**  
 SCALE: 1/4" = 1'-0"

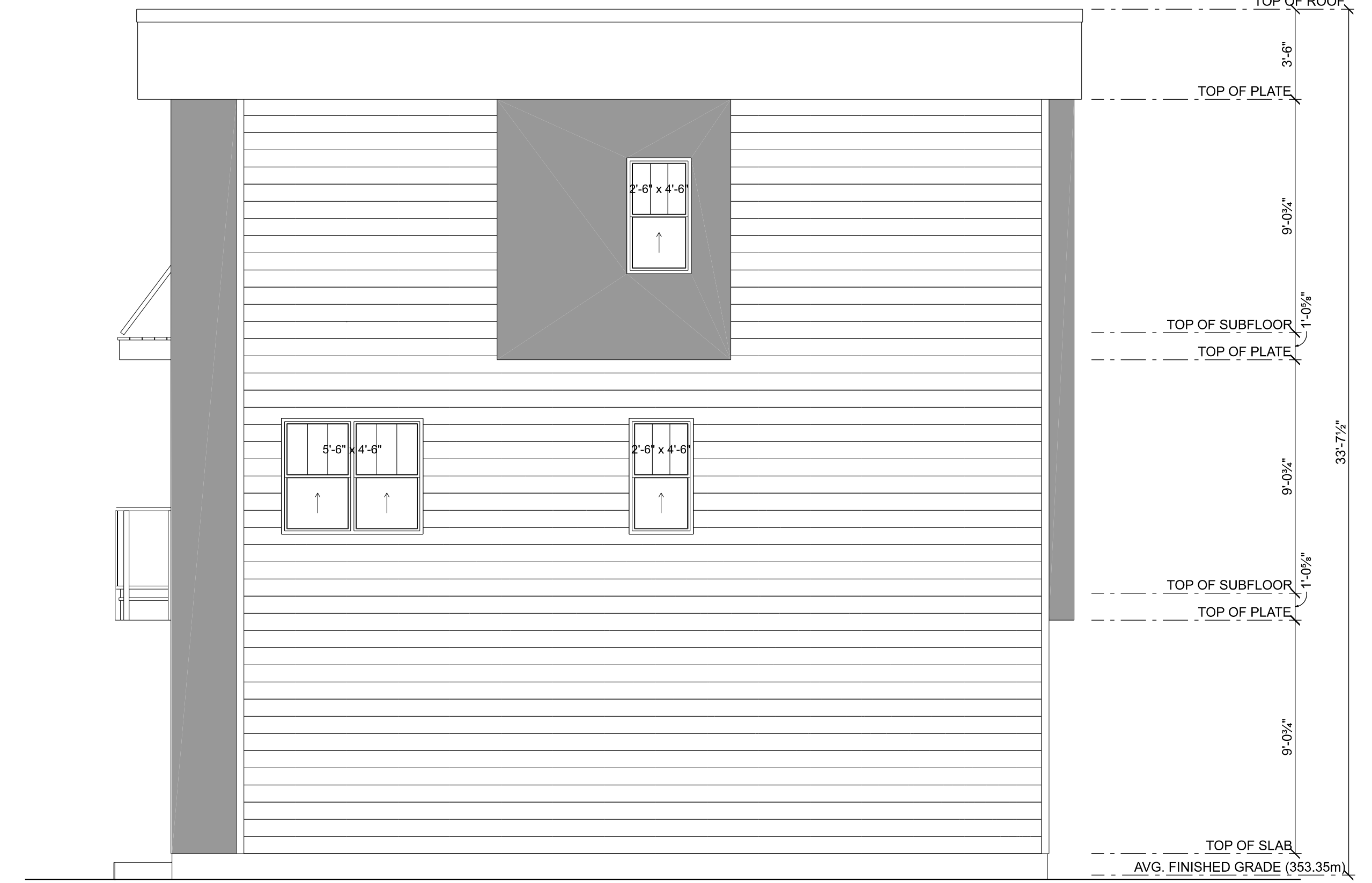


**THIRD FLOOR PLAN - BUILDING E**  
 SCALE: 1/4" = 1'-0"

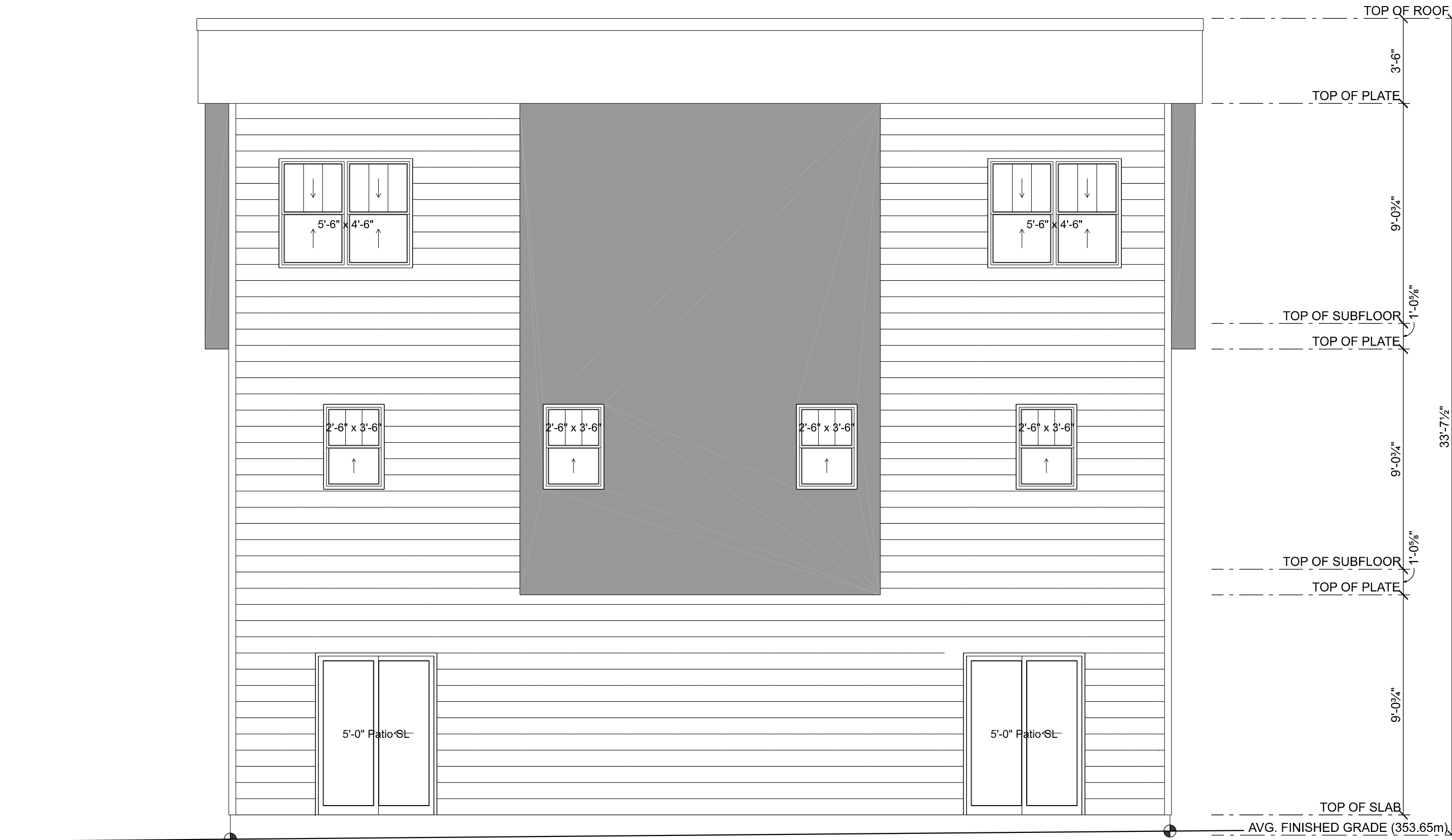
# SECOND & THIRD FLOOR PLANS - BUILDING E



**NORTH ELEVATION - BUILDING E**  
SCALE: 1/4" = 1'-0"



**WEST ELEVATION - BUILDING E**  
SCALE: 1/4" = 1'-0"



**SOUTH ELEVATION - BUILDING E**  
SCALE: 1/4" = 1'-0"



**EAST ELEVATION - BUILDING E**  
SCALE: 1/4" = 1'-0"

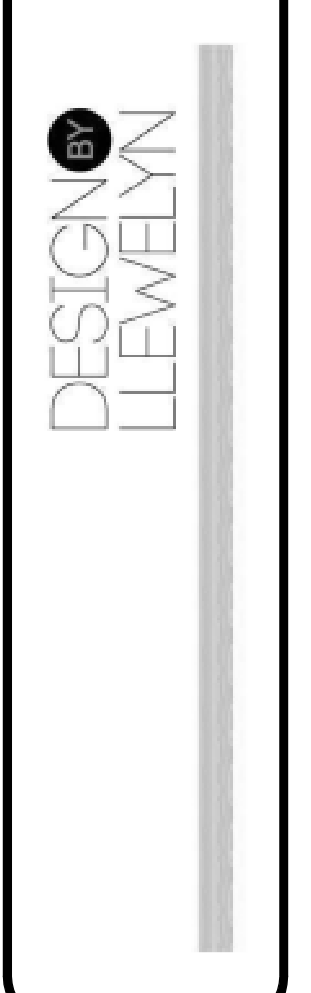
# ELEVATIONS - BUILDING E

PROJECT:  
5 Duplex Development  
Matt & Karen Properties Ltd.  
770 Argyle Street, Penticton, BC  
DESIGN BY: L.V.L.  
DATE: 14 December 2021  
DRAWN BY: L.V.L.  
REVISED: 16 March 2022

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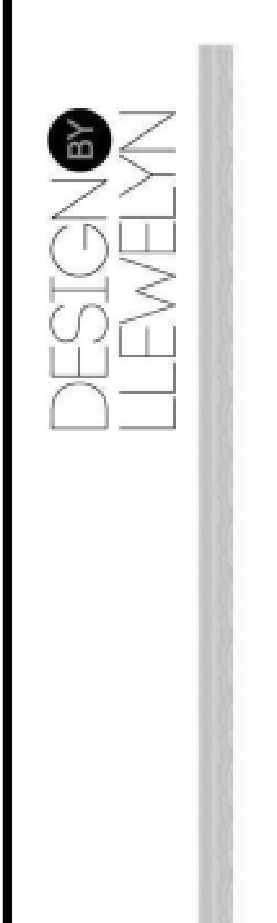


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PROJECT:  
 5 Duplex Development  
 Matt & Karen Properties Ltd.  
 770 Argyle Street, Peniticon, BC  
 DESIGN BY: L.W.L.  
 DRAWN BY: L.W.L.  
 DATE: 14 December 2021  
 REVISED: 15 March 2022

Peniticon, B.C., Canada  
 Telephone (604) 770-0350  
 www.designbylewelyn.com



PLAN NO.  
**21550**  
 SHEET NO.  
**19 of 19**

RENDERINGS

The Corporation of the City of Penticton

Bylaw No. 2022-12

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. 2022-12".

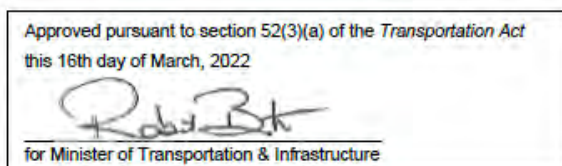
2. Amendment:

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

- 2.1 Rezone Lot 2 District Lot 115 Similkameen Division Yale District Plan KAP48734, located at 1701 Fairford Drive, from R2 (Small Lot Residential) to RD3 (Residential Infill).
2.2 Add the following heading 10.6.4 SITE SPECIFIC PROVISIONS and add: .1 "In the case of Lot 2 District Lot 115 Similkameen Division Yale District Plan KAP48734, located at 1701 Fairford Drive, a maximum of two dwelling units shall be permitted on each lot."
2.3 Schedule 'A' attached hereto forms part of this bylaw.

READ A FIRST time this 1 day of March, 2022
A PUBLIC HEARING was held this 15 day of March, 2022
READ A SECOND time this 15 day of March, 2022
READ A THIRD time this 15 day of March, 2022
RECEIVED the approval of the 16 day of March, 2022
Ministry of Transportation on the
ADOPTED this day of , 2022

Notice of intention to proceed with this bylaw was published on the 8 day of March, 2022 and the 9 day of March, 2022 in the Penticton newspaper, pursuant to Section 94 of the Community Charter.



John Vassilaki, Mayor

Angie Collison, Corporate Officer



# Schedule A: Zoning Amendment Bylaw 2022-12

Date:

Corporate Officer:

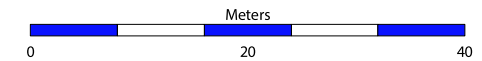


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1:696

February 24, 2022 8:43:36 AM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

The Corporation of the City of Penticton

Bylaw No. 2022-14

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. 2022-14".

2. Amendment:

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

2.1 Rezone Lot 1 District Lots 202 and 250 Similkameen Division Yale District and of District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 8161, located at 273 Scott Avenue, from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing).

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

READ A FIRST time this 15 day of March, 2022
A PUBLIC HEARING was held this 5 day of April, 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 March, 2022 and the 30 day of March, 2022 in the Penticton newspaper, pursuant to Section 94 of the Community Charter.

John Vassilaki, Mayor

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

Angie Collison, Corporate Officer



# Schedule A: Zoning Amendment Bylaw 2022-14

Date:

Signature:

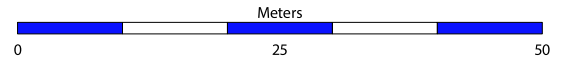


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1:720

March 9, 2022 8:48:40 AM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

# Memo

penticton.ca

**Date:** April 5, 2022 File No: 0550-20  
**To:** Mayor and Council  
**From:** Angie Collison, Corporate Officer  
**Subject:** **Reconsideration – DVP at 2703 Hawthorn Drive**

Per section 131 of the *Community Charter*, the Mayor has requested that Council reconsider resolution 88/2022 from the Regular Council meeting of March 15, 2022:

8.8 Development Variance Permit PL2022-9262  
Re: 2703 Hawthorn Drive

88/2022 **It was MOVED and SECONDED**  
THAT Council deny "Development Variance Permit PL2022-9262";  
AND THAT Council encourage the applicant to provide an alternate plan.

**CARRIED**  
**Councillor Watt, Opposed**

The motion to be reconsidered is on the floor worded exactly as it was when passed - it can be debated, amended and postponed to a certain time.

**Should Council wish to proceed, staff recommend the following:**

When staff recommend that Council deny a Development Variance Permit, the applicant is invited to the meeting to address Council. Before Council reconsiders the motion from March 15, Council may want to invite a representative for 2703 Hawthorn Drive to an upcoming meeting to address any concerns raised.

*THAT Council postpone reconsideration of resolution 88/2022 to the next meeting of Council and invite the DVP applicant for 2703 Hawthorn Drive to speak to the variance request.*

**Attachments**

Attachment A – Reconsideration Request

**Paula McKinnon**

---

**Subject:** FW: 2703 Hawthorne  
**Attachments:** PANORAMA LOT 15 PLAN AND SECTIONS RETAINING WALL.pdf

**From:** Donna Butler  
**Sent:** March 22, 2022 2:13 PM  
**To:** Council <[Council@penticton.ca](mailto:Council@penticton.ca)>  
**Cc:** alex kim  
**Subject:** FW: 2703 Hawthorne

Caution! This message was sent from outside your organization.

To Penticton Mayor and Council.

Re: Variance Permit for a Retaining Wall – 2703 Hawthorne Drive

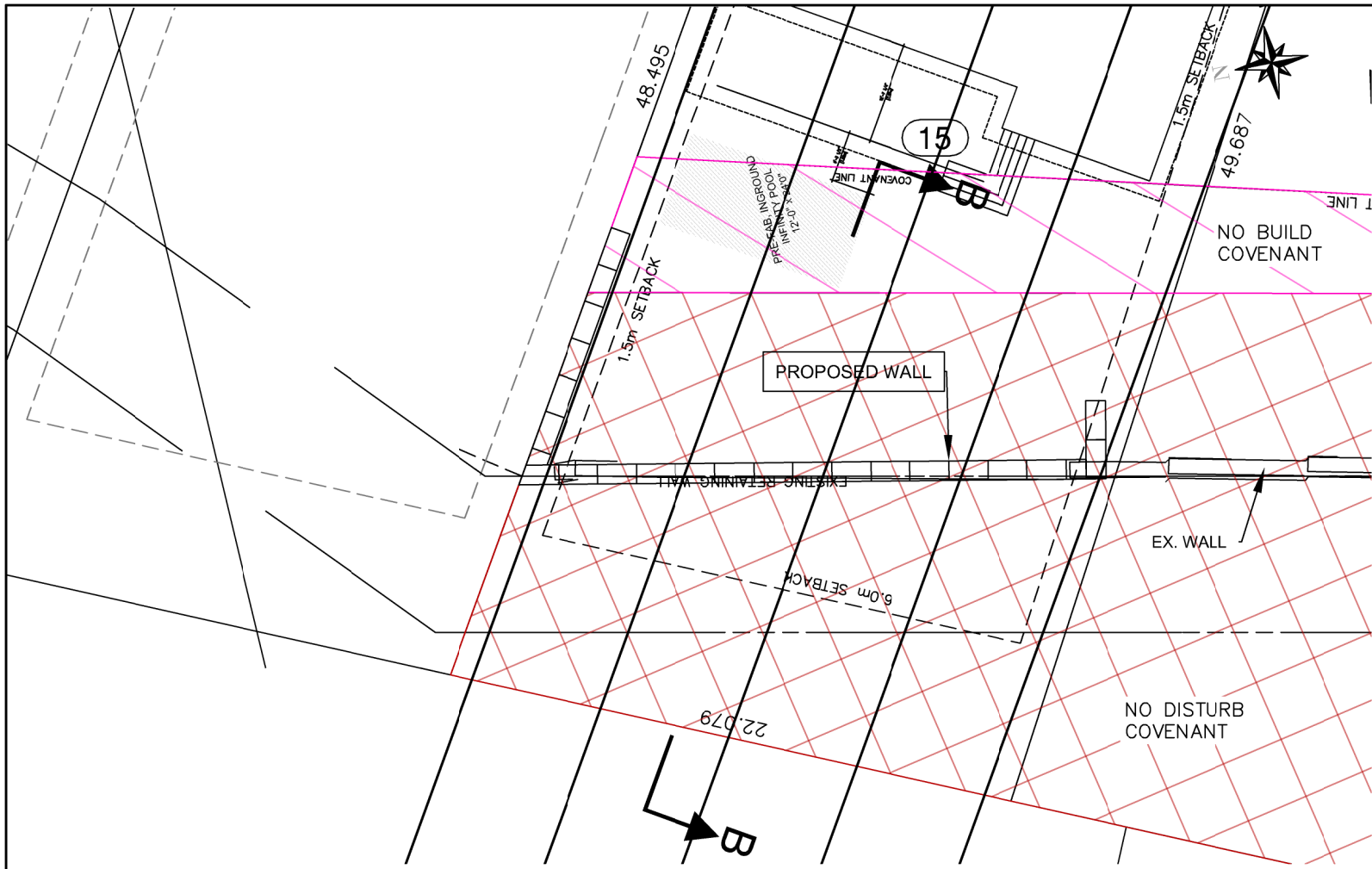
At the Council meeting of March 15, when considering the above DVP application, Council asked questions about the requested variance to the wall height of 3.4 m and what alternatives were available and the impact on the Owner if the variance was denied. We believe that Council was not aware of important background information about the proposed wall and the significant negative impact this will have on the Owner and are requesting that Council reconsider this DVP in light of this information.

Background Information:

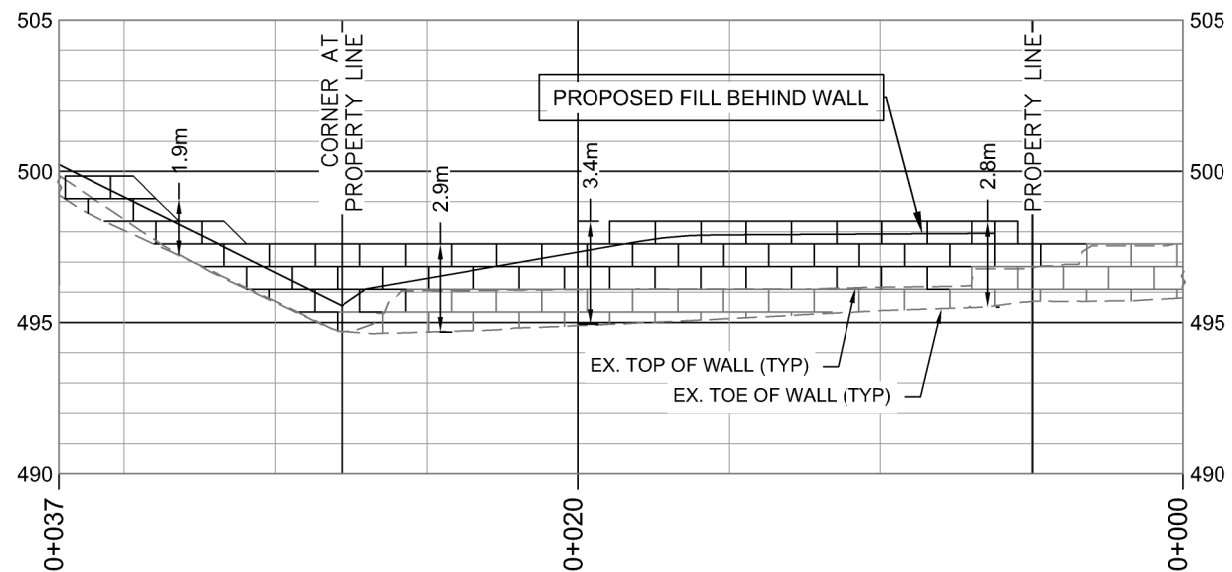
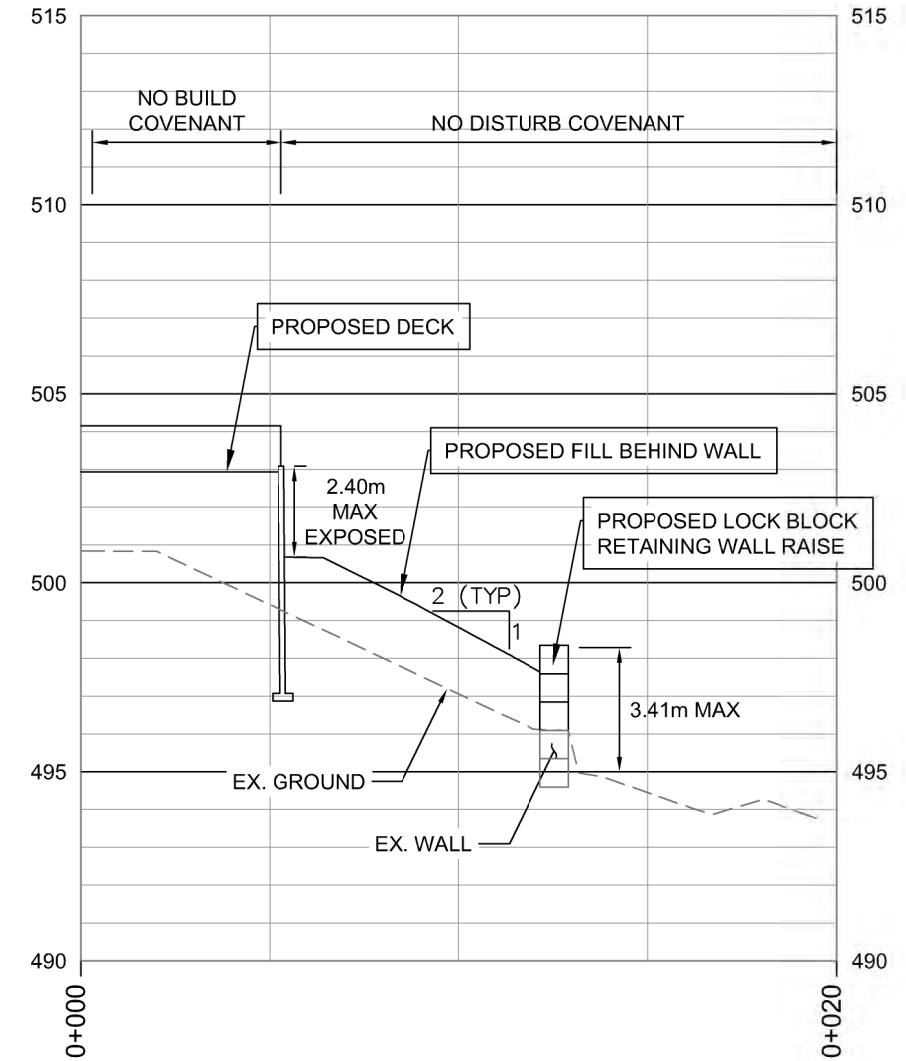
- This lot is part of the first phase of the Panorama single family subdivision, completed in 2017. At the subdivision stage, a wall of up to 7.5 m exposed height (11 lockblocks) was designed and approved to retain the slopes along the west side of Hawthorne Drive. For this lot, a wall approximately 1.5 m high was constructed at the subdivision stage, with provisions for a possible future wall to be built by the home owner up to 11 blocks high
- Mr. Alex Kim purchased the lot in the spring of 2021 and retained architectural and geotechnical professionals for a cost of \$30,000 to design a new 2 storey home with a swimming pool. It was intended to apply for a building permit and begin construction of the home in the fall of 2021.
- The initial plan was to construct an upper wall around the pool and patio in compliance with the City of Penticton Zoning Bylaw at the time, up to 4.3 m maximum height.
- When the Owner proceeded with obtaining a building permit in the fall of 2021, it was discovered that the Zoning Bylaw had been amended to limit the height of retaining walls to 2.4m
- A Variance Permit was submitted in early 2022 for the 3.4m wall.
- Based on the geotechnical challenges of the site and the design of the home, a lower and upper wall height of 2.4m cannot be met. The home has been lowered from the street as much as City driveway bylaws allow, and extensive efforts and measures have been taken to lower the patio elevation and minimize wall heights as much as possible. The alternatives are to start over and design a completely new home or to apply for another variance permit for an upper wall height of approximately 4.1m
- The base of the lower wall is already in place, so adding to its height to the 3.4m requested can be carried out without any impact on the Wildlife Corridor and is consistent with existing retaining walls on the lots abutting the site to the south.

The Owner would appreciate if Council would agree to reconsider their decision to deny the requested wall height variance and allow an opportunity to review the background information provided at the upcoming Council Meeting.

Thank you for your time.



**NOTES:**  
 -GEOTECH COVENANTS REFER TO ECORA'S "GEOTECHNICAL ASSESSMENT PROPOSED RESIDENTIAL SUBDIVISION 2740 EVERGREEN DRIVE, PENTICTON, B.C." PE-15-224-PAN REV 2, DATED MAY 15, 2017  
 -LOCKBLOCK WALL FROM ECORA'S "2740 EVERGREEN DRIVE RETAINING WALL DETAILS" DRAWING NO. 15-224-A-D003, D004 REV 12 RECORD DRAWINGS



A	22/01/19	GMW	VARIANCE APPLICATION	BL
NO.	DATE	DRN	REVISION	CH'KD

PERMIT

SEAL

DESIGN: BL  
 DRAWN: GMW  
 CHECKED: BL  
 DATE: JAN 18, 2022  
 SCALE: AS SHOWN

2703 HAWTHORNE DRIVE - PANORAMA  
 NEW RESIDENCE (LOT 15)  
 RETAINING WALL DETAILS

**ecora**  
 #201-284 MAIN STREET  
 PENTICTON, B.C.  
 V2A 5B2  
 PHONE: 250-492-2227  
 www.ecora.ca

Drawing No. 213207-C2.0  
 Rev.No A

# Council Report

A decorative horizontal bar consisting of a series of vertical stripes in blue, orange, and red colors.

penticton.ca

**Date:** April 5, 2022  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Steven Collyer, Planner II  
**Address:** 719 Alexander Avenue

File No: RMS/719 Alexander Ave

**Subject: Zoning Amendment Bylaw No. 2022-16  
Development Permit PL2021-9205**

---

## Staff Recommendation

THAT Council give first reading to “Zoning Amendment Bylaw No. 2022-16”, a bylaw to rezone That Part of Lot 2 Shown on Plan B5522; District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1913, located at 719 Alexander Avenue, to from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane) with the following site-specific provision:

1. Two single detached dwellings shall be permitted.

AND THAT Council forward “Zoning Amendment Bylaw No. 2022-16” to the May 3, 2022 Public Hearing;

AND THAT Council, prior to adoption of “Zoning Amendment Bylaw No. 2022-16”, require that a 1.9m road dedication along the Churchill Avenue frontage be registered with the Land Title Office;

AND THAT Council, subject to adoption of “Zoning Amendment Bylaw No. 2022-16”, approve “Development Permit PL2021-9205” for That Part of Lot 2 Shown on Plan B5522; District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1913, located at 719 Alexander Avenue, a permit to approve the form and character of the proposed 2-unit residential development on the subject property.

## Strategic Priority Objective

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

## Proposal

The applicant is proposing to build one residential unit fronting Alexander Avenue and one residential unit fronting Churchill Avenue on the subject property (Figure 1). The applicant intends to stratify each home under separate ownership but with common interest in the shared property. In order to proceed with the proposed development, the applicant has requested to rezone the subject property from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane) to allow two strata dwelling units with a site-specific provision

that allows the dwelling units to be built in separate buildings, as single detached dwellings. The proposed development is considered within the Intensive Residential Development Permit Area outlined within the Official Community Plan (OCP). As such, the applicant has also applied for their Development Permit along with the rezoning application in order for Council to approve the form and character of the proposed development.



Figure 1 - Renderings of proposed buildings: Alexander Avenue frontage (left), and Churchill Avenue frontage (right).

### Background

The subject property is a double-fronting lot between Alexander Avenue and Churchill Avenue, east of Power Street (Figure 2). The property contained a single detached dwelling which was recently demolished. Surrounding land uses are residential in nature, consisting primarily of single detached dwellings along Alexander Avenue and a mix of single detached dwellings and duplexes on Churchill Avenue.

The subject property is currently zoned R2 (Small Lot Residential) and is designated 'Infill Residential' by the OCP.

The applicant originally considered subdividing the property to create two separate lots. However, staff noted that there is no municipal sanitary main along Churchill Avenue in front of the property, resulting in substantial expense to the applicant if they proceeded to subdivide the property as they would be responsible to extend the municipal sanitary main approximately 29m (95 feet) to service a proposed lot off Churchill Avenue. Instead, the applicant is proceeding with keeping the lot as-is and developing a strata consisting of two single detached dwellings with a shared yard space in between. The strata arrangement will allow common interest in maintaining the yard and swimming pool between the two buildings. This arrangement is similar to a strata duplex, however each unit will be in its own building.



Figure 2 - Property location map

**Technical Review**

This proposed development was reviewed by the Technical Planning Committee, a group of City staff from various departments who review planning applications. The committee recommended that a 1.9m wide road dedication be registered on the Churchill Avenue frontage of the subject property (Figure 3) in order to achieve the desired right-of-way width on Churchill Avenue and enable future public sidewalk construction on the south side of the street. Additional items were addressed after the Committee reviewed the development proposal. Future comments related to the building permit requirements have been forwarded to the applicant in order to help expedite that future approvals process, should this proposed development ultimately be approved by Council.



*Figure 3 - Proposed road dedication along Churchill Ave frontage (orange)*

**Development Statistics**

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

	<b>RD2 Zone Requirement</b>	<b>Provided on Plans</b>
<b>Minimum Lot Width*:</b>	9.1 m	12.5m
<b>Minimum Lot Area*:</b>	275 m <sup>2</sup>	679 m <sup>2</sup>
<b>Maximum Lot Coverage:</b>	40%	39%
<b>Maximum Density:</b>	0.95 Floor Area Ratio (FAR)	0.77 FAR
<b>Vehicle Parking:</b>	1 parking space per unit Total: 2 parking spaces required	4 parking spaces per unit Total: 8 parking spaces provided
<b>Required Setbacks</b>		
Front Yard (Alexander Ave):	4.5 m	6.0 m
Front Yard** (Churchill Ave):	4.5 m	4.9 m
Interior Side Yard (east):	1.5 m	1.5 m
Interior Side Yard (west):	1.5 m	1.5 m
<b>Maximum Building Height</b>	10.5 m	10.2 m
<b>Other Information:</b>	*Lot width and lot area are only applicable at the time of subdivision. **This lot is a double fronting lot (meaning it has street frontage on both sides), therefore the front yard setback is measured on both sides.	

**Financial Implication**

The City is responsible for the surveying and registration costs associated with the recommended road dedication

**Analysis**

The Official Community Plan (OCP) designation for the subject property is 'Infill Residential', which supports lower-height residential areas with new housing types compatible with existing single detached houses in character and scale but providing more units per lot (Figure 3). The applicant is proposing to build two single detached dwellings in separate buildings on the subject property, which is a compatible housing form with the surrounding neighbourhood while providing two dwelling units per lot. The proposed development is a consistent building form with the forms envisioned by the 'Infill Residential' OCP designation.

Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Infill Residential 	Transitional lower-height residential areas with new housing types compatible with existing single detached houses in character and scale but providing more units per lot.	<ul style="list-style-type: none"> <li>• Single detached houses with or without secondary suites and/or carriage houses</li> <li>• Duplexes with or without suites</li> <li>• Triplexes</li> <li>• Lower-density rowhouses</li> <li>• Small-scale neighbourhood commercial building (e.g., corner store, coffee shop).</li> </ul>	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Limited retail/service</li> </ul>	<ul style="list-style-type: none"> <li>• 1 to 4 units per single lot</li> <li>• Consolidation of lots possible for lower scale multifamily developments</li> <li>• Generally up to 2 ½ storeys</li> </ul>	<ul style="list-style-type: none"> <li>• R1</li> <li>• R2</li> <li>• R3</li> <li>• RD1</li> <li>• RD2</li> <li>• RD3</li> <li>• C2</li> </ul>

Figure 4 - Excerpt from Land Use Designations table (OCP)

Staff consider that the proposed zoning amendment will allow for development that is supported through the following OCP Goals and Policies:

OCP Policy 4.1.1.1	Focus new residential development in or adjacent to existing developed areas.
OCP Policy 4.1.3.1	Encourage more intensive “infill” residential development in areas close to the Downtown, to employment, services and shopping, through zoning amendments for housing types compatible with existing neighbourhood character, with form and character guided by Development Permit Area Guidelines.
OCP Policy 4.1.3.5	Ensure through the use of zoning that more-intensive forms of residential development are located close to transit and amenities, such as parks, schools and shopping.
OCP Policy 4.1.4.1	Work with the development community – architects, designers and buildings – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.
OCP Policy 4.1.5.1	Recognize that some traditionally single-family neighbourhoods will see intensification as the city grows, but ensure that new forms of residential development are compatible with the neighbourhood in scale and design, and are appropriately located (e.g., greater density closer to collector roads, services and amenities).
OCP Policy 4.2.5.2	Encourage land use planning that results in neighbourhoods that can be easily serviced by transit.

Staff consider that the application proposes an appropriately-scaled development for the neighbourhood. The subject property is located within walking distance of Okanagan Lake, Lakawanna Park, the Community Centre, South Okanagan Events Centre, the downtown and other commercial uses. Building forms in this neighbourhood are primarily single detached homes, however recent duplex developments have occurred close to the subject property. The development will allow for one single detached home from each street based on the development's design taking advantage of both street facades, with the courtyard-like yard located being the buildings. The proposed rezoning is consistent with the 'Infill Residential' OCP designation which envisions more units per lot in building forms compatible with single detached dwellings.

The applicant has not requested any variances from the Zoning Bylaw requirements for the proposed development.

Given that there is adequate policy through the OCP to support the proposal, staff recommend Council give first reading to "Zoning Amendment Bylaw No. 2022-16", and forward the bylaw to the May 3, 2022 Public Hearing to gather comments and feedback from the public.

### *Development Permit*

The proposed development is considered within the Intensive Residential Development Permit Area outlined by the OCP, which is established to manage form and character that strengthens livability, neighbourliness, and visual interest.

The proposed development has been designed with the OCP design guidelines in mind (Attachments 'E' and 'F'). The development proposes a building form and density that is aligned with the 'Infill Residential' OCP designation, and provides a design that meets all Zoning Bylaw regulations for setbacks, parking and building height. The street-facing facades are designed with interesting architectural features, facing Alexander Avenue and Churchill Avenue in a positive way. Both buildings are set close to the streets and provide a large, private courtyard and pool area in the middle of the property.

Staff have completed a development permit analysis that shows how the development conforms to the applicable design guidelines (Attachment 'D'). The applicant has also provided an analysis with their submission which outlines the project and its conformance to the OCP design guidelines (Attachment 'F'). As such, staff recommend that Council approve "Development Permit PL2021-9205", subject to adoption of the Zoning Amendment Bylaw.

### **Alternate Recommendations**

Council may consider that the proposed rezoning is not suitable for this site. If this is the case, Council should deny the bylaw amendment. Staff are not recommending this option, as the proposal is well aligned with the OCP policies by gently increasing density in a high-amenity area of the City with a site-specific provision to allow two dwelling units in separate buildings each with vehicle access onto the street, which is a development form consistent with the Infill Residential OCP designation.

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2022-16".

### **Attachments**

Attachment A – Zoning Map

- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Development Permit Analysis (staff)
- Attachment E – Letter of Intent (applicant)
- Attachment F – Development Permit Analysis (applicant)
- Attachment G – Draft Development Permit PL2021-9205
- Attachment H – Zoning Amendment Bylaw No. 2022-16

Respectfully submitted,

Steven Collyer, RPP, MCIP  
Planner II

Concurrence

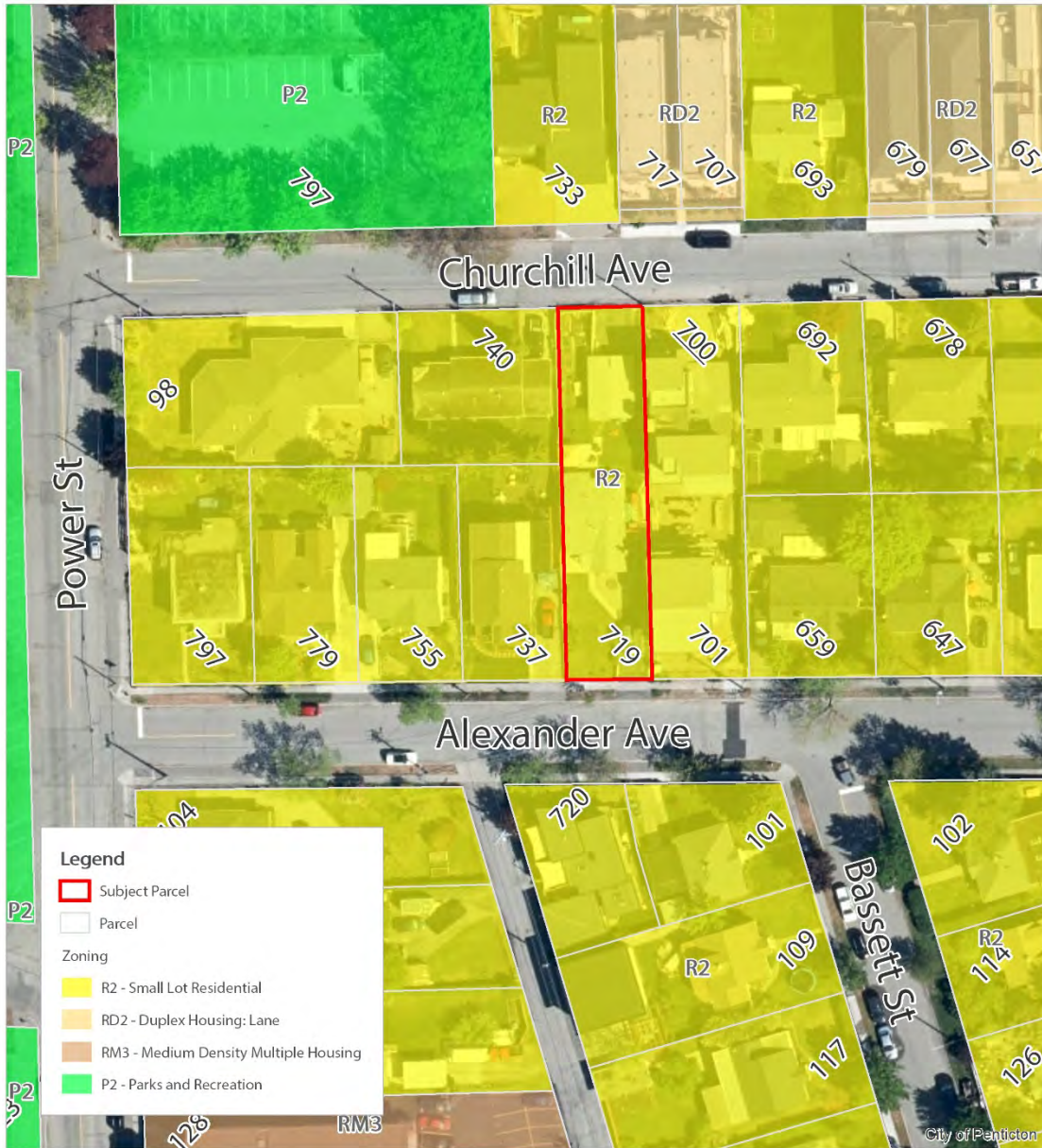
<p>Director of Development Services</p> <p><i>BL</i></p>	<p>Chief Administrative Officer</p> <p><b>DyD</b></p>
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Attachment A – Zoning Map

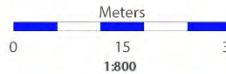


# 719 Alexander Ave

Zoning Map



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November 24, 2021  
3:41:47 PM

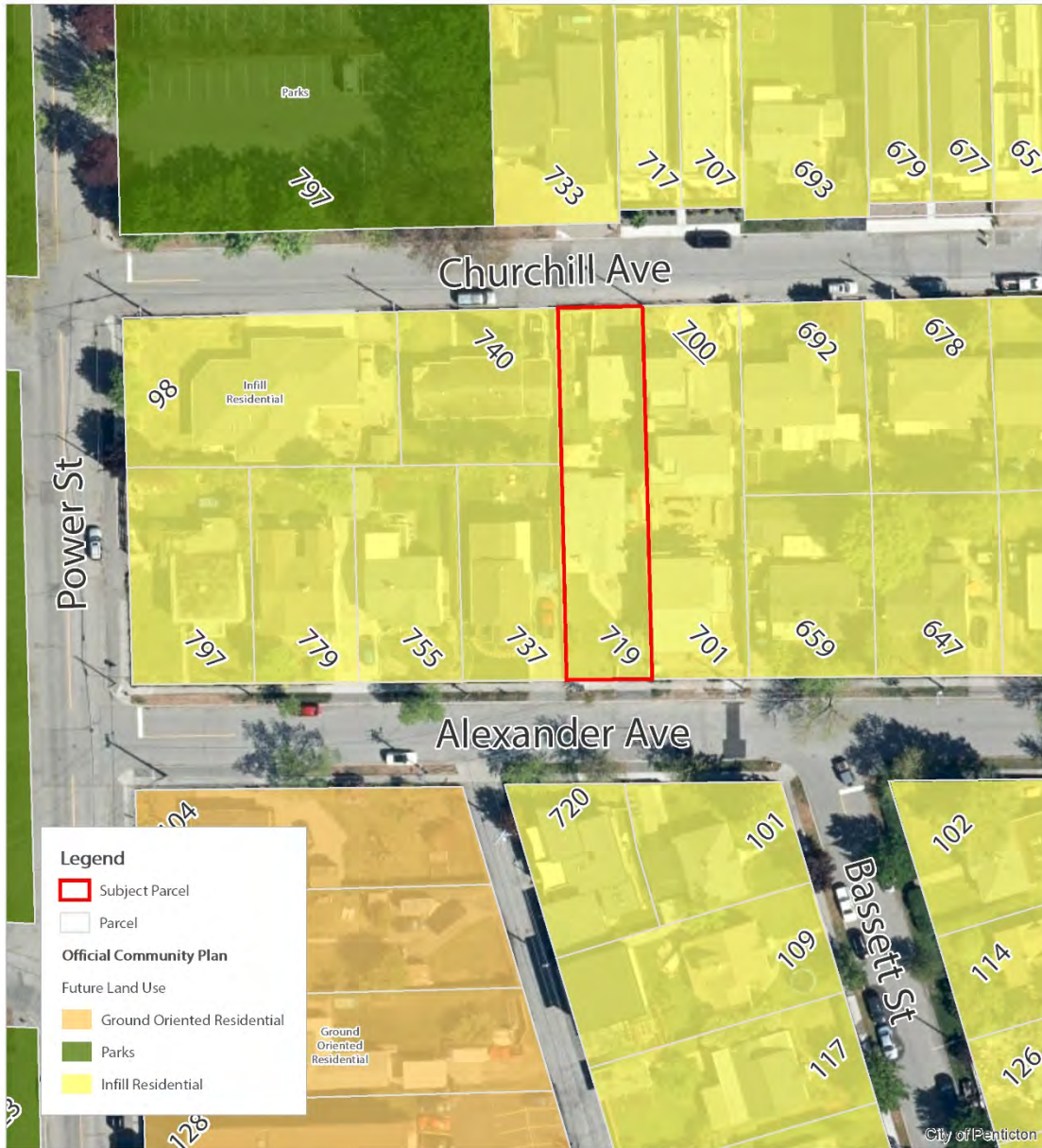
penticton.ca

Attachment B – Official Community Plan Map

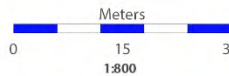


# 719 Alexander Ave

Official Community Plan Map



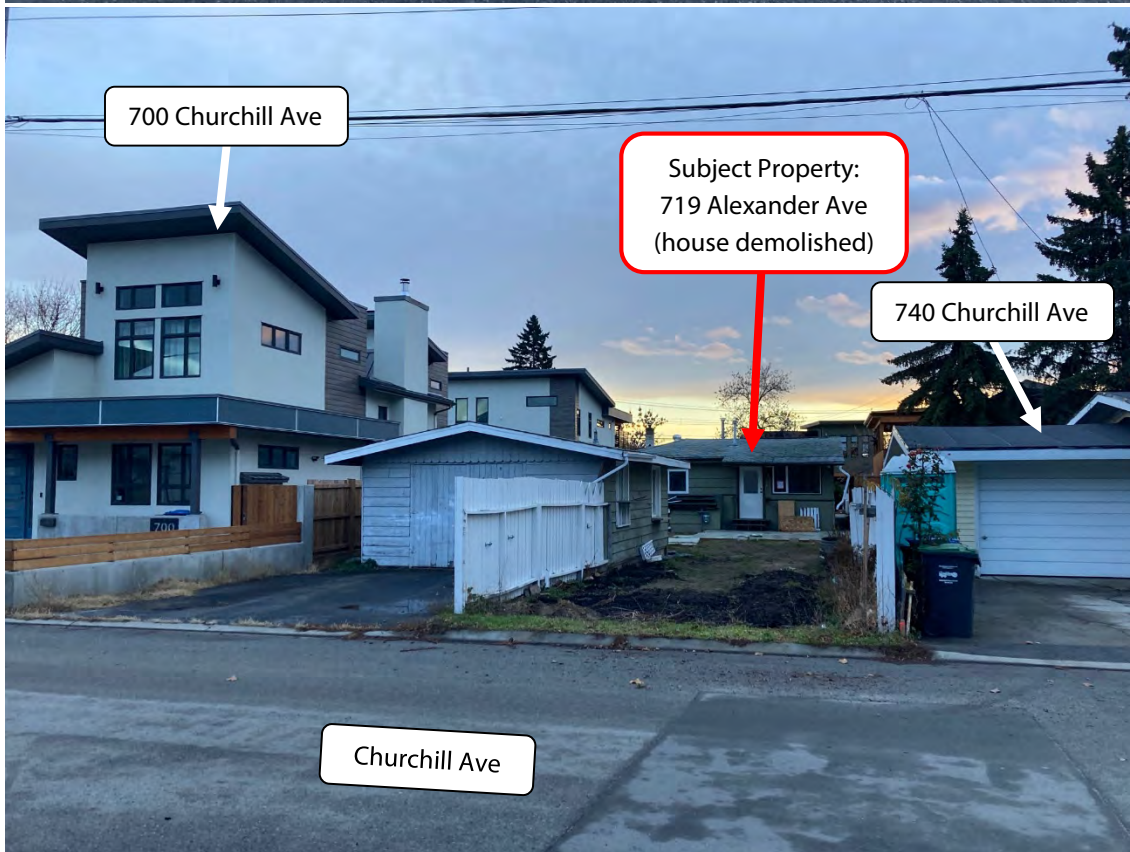
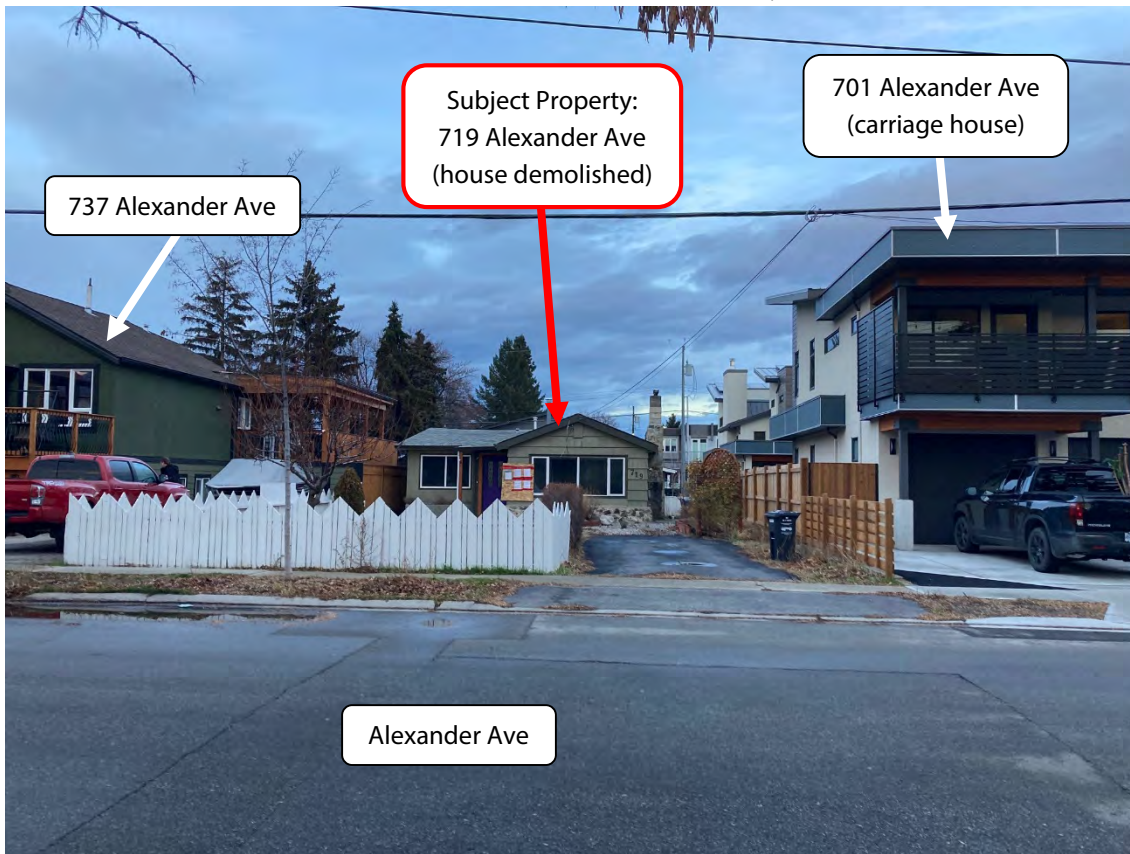
Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user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



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Attachment C – Photos of Property



Attachment D – Development Permit Analysis (staff)

**Development Permit Analysis**

The proposed development is located within the Intensive Residential Development Permit Area. The following analysis demonstrates how the proposal is aligned with the applicable design guidelines.

- Guideline G1*     *Prior to site design, analysis shall be undertaken to identify significant on-site and off-site opportunities and constraints, including built and natural elements (e.g., structures, slopes and drainage, significant landscape features, etc.).*
- The development was designed with the recommended 1.9m road dedication along the Churchill Ave frontage in mind. The Churchill-facing building was set back slightly to account for this road dedication area, while still providing sufficient room for parking in front of the garage. The development was also informed based on the architectural style of new development in the surrounding area, including on the property immediately to the east (refer to Attachment 'C').
- Guideline G5*     *Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighbouring building setbacks.*
- The two buildings are set close to each fronting street. This design provides strong street definition while providing enough room between the garage door and the sidewalks for vehicles to park. These setbacks (4.9m and 6m) are close to the setbacks of new construction in the surrounding neighbourhood, and meet the required setbacks as per the Zoning Bylaw.
- Guideline G11*     *Barrier-free pedestrian walkways to primary building entrances must be provided from municipal sidewalks, parking areas, storage, garbage and amenity areas.*
- A barrier-free pedestrian walkway is provided along the west side of the property to connect each building to the street, and to provide level access to the rear yard.
- Guideline G13*     *Entry to ground-level residential units should be no more than 1.8m above the grade of adjacent public sidewalks and walkways.*
- Entrances to each building are approximately 0.5m above the grade of each fronting street, accessed by 1-2 steps.
- Guideline G16*     *Site and building access must prioritize pedestrian movement, minimize conflict between various modes of transportation and optimize use of space...*
- A path is proposed along the west property line to provide pedestrian access to the rear yard. In addition, each unit fronts onto a public street with the main entrances located close to the public sidewalk on Alexander Ave, and the future public sidewalk on Churchill Ave.
- Guideline G23*     *Articulation of building mass should include horizontal (minor) setbacks and setbacks (along upper storeys) to provide visual interest and enrich the pedestrian experience. Balconies and/or cantilever upper floors may be considered as a means to breaking up massing while promoting overlook and/or weather protection.*
- The proposed building designs include covered entries that face the street as well as roof projections, minor cantilevers, and a stepped-back third floor. These features provide architectural interest and help break up the mass of the 3-storey building faces.

- Guideline G24 Street-facing units should utilize a layering of elements – including but not limited to street-facing entries, stairs, stoops, porches, patios and landscape elements – to create transitions between the public (e.g., street, sidewalk), semi-public (e.g., walkway, ramp, stair), semi-private (e.g., stoop, balcony) and private areas.*
- As shown on the development plans, the entries to the units are about 1-2 steps above grade, leading to a covered porch over the entrances. The roof overhanging this area breaks up the building face and provides architectural interest.
- Guideline G26 Building designs should minimize impacts on the privacy of adjacent dwellings, including private open spaces.*
- The building designs show fewer, smaller windows on the sides facing the neighbouring properties. Decks on the second floor face towards the shared rear yard. A rooftop patio is proposed on each building which is setback from the edge of the building and provides some additional separation from neighbouring properties.
- Guideline G29 Development should orient windows, porches, balconies and patios toward the public realm, allowing for casual overlook of parks, open spaces, and parking areas.*
- Large windows, main unit entries and covered entries on each building face towards the street to provide visual overlook onto the public realm.
- Guideline G35 Tree planting...*
- The landscaping plan shows two new trees in the front yard of each building, contributing to a visually-appealing streetscape. In addition, two new boulevard trees are proposed on the Alexander Avenue frontage. The landscape plan shows other plantings in the front yards, rear yard, and along the sides of the property.
- Guideline G38 Screening & Buffering...*
- The plans show fencing along the side property lines, as well as pedestrian gates on the pathway to the courtyard. The fencing screens the courtyard from the neighbouring properties and acts as a privacy buffer in addition to landscaping along both sides of the property.
- Guideline G43 Address both fronting streets in a pedestrian-friendly way, preferably with pedestrian entrances and/or windows on both facades.*
- The main entrance to each building faces a public street and is easily accessed along the driveway. Multiple windows and architectural design features such as roof projections and cantilevers are incorporated into the design of both buildings.
- Guideline G58 Garbage/recycling areas and other similar structures should be located out of public view in areas that mitigate noise impacts and which do not conflict with pedestrian traffic.*
- The garbage/recycling carts will be stored in the garages of both buildings, screening them from adjacent properties.
- Guideline IR1 Building Siting: Front and rear yard setbacks should relate to those of existing neighbouring buildings. The primary building's front setback should be no greater than 6.0m so that homes engage with the street.*
- The proposed buildings are setback 4.9m and 6m from the fronting streets. This design provides strong street connection with both Churchill Ave and Alexander Ave, while providing sufficient depth for a parking space off the street and a similar building setback as other homes in the immediate area.

Attachment E – Letter of Intent (applicant)



City of Penticton, Property Development  
Letter of Intent for Proposed Development  
719 Alexander Ave, Penticton

It is our pleasure to submit this letter of Intent to pursue land use and related approvals for the redevelopment (Infill Project) of the PID 009-318-712.

**Project Summary**

The project will include two, three story residential dwellings facing back to back with a pool in the middle of the two dwellings for both residential occupants to access and enjoy. ***We are asking that this property be rezoned from a single family residential property to RD2 (Duplex Housing: Lane) to allow two dwelling units in separate buildings on this one lot.***

The dwellings have been designed to accommodate three levels with most of the third level being a rooftop patio which is recessed back, blending nicely into the surrounding neighborhood. Dwellings will be modern in style, similar in color and architecture to the new neighboring properties along Churchill Ave and Alexander Ave. This property will be an excellent addition to this amazing and beautiful, up and coming premium area. This large property works well as a two dwelling property as the property to the left is subdivided back to front with a single family on both sides, as well as the property to the right is a new construction build with a carriage home which also provides a very similar appearance to what we are proposing.

We will be communicating with neighboring property owners during the build and will be available to address any concerns that may arise.

**Existing Site Conditions**

Currently zoned as a single family residential property, accommodating an older home that was built in 1947. This older home is currently undergoing abatement and in the process for demolition.

Respectfully,  
VLS Developments

Attachment F – Development Permit Analysis (applicant)



City of Penticton, Property Development  
Development Permit Analysis  
719 Alexander Ave, Penticton  
PID 009-318-712

- G.2 Dwellings will be modern in style and will be similar in color and architecture to the new neighboring properties along Churchill Ave and Alexander Ave. This property will be an excellent addition to this amazing, beautiful, up and coming premium area.
- G.6 The dwellings will have three levels with most of the third level being a rooftop patio which is recessed back, blending nicely into the surrounding neighborhood and not impeding on the privacy of the adjacent dwellings.
- G.7 This new development will have no unsecured outbuildings on the property, and has been design to have adequate lighting which will help with the reduction of crime in the area. Landscaping has also been taken into consideration with this design as there will be no tall shrubs lining the street which eliminates potential hiding areas for nuisance opportunities.
- G.8 This proposed project is designed as two, three story residential dwellings facing back to back with a pool in the middle of the two dwelling for both residential occupants to access and enjoy. This design provides a private, secure, comfortable space.
- G.14 Dwelling that is facing Churchill Ave will be using this street as its main access and on street parking. Dwelling that is facing Alexander Ave will be using this street as its main access and on street parking. This will alleviate multi vehicles accessing, and being situated on just one street – which allows for better traffic flow and less disruption to pedestrian traffic.
- G.15 Fencing at the front of both dwellings will be a lower, semi transparent design which will allow an esthetically clean view of the property but allowing the homeowners some privacy.
- G.16 Both dwellings are situated on the property to accommodate a larger driveway which will allow off street parking for all residents and guest vehicles.

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- G.17 Driveways at each dwelling have been designed to incorporate a well lighted, safe, hard surface connection for pedestrians to access the residences.
- G.20 Both dwellings are designed to be energy efficient; well insulated and airtight, with high-efficiency heating and cooling equipment. Dwelling will be outfitted with low-flow accessories to lower water consumption and water-heating costs. Windows will also be energy efficient.
- G.28 Both dwellings will be visible and clearly identifiable from their fronting public streets. Each dwelling will be accessible from their own lane ways and be visually inviting through the beautiful architectural detailing at the front entry. Both dwellings will keep the same visual appearance allowing structures to flow esthetically.
- G.33 Landscape will be eco friendly, using low water consumption drought tolerant plant species, staying away from high consuming water plans and vegetation. Plants will be selected on their hardiness towards Penticton's desert climate.
- G.48 Dwellings are designed with sufficient lighting that will ensure safe vehicular access, parking and maneuvering but not impose as a nuisance on neighboring properties.

We will be communicating with neighboring property owners during the build and being available to address any concerns that may arise.

Respectfully,  
VLS Developments

## Development Permit

Permit Number: DP PL2021-9205

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: That Part of Lot 2 Shown on Plan B5522; District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1913
  - Civic: 719 Alexander Avenue
  - PID: 009-318-712
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of two dwelling units on the subject property as shown in the plans attached in Schedule 'A'.
4. In accordance with Section 502 of the *Local Government Act* a deposit or irrevocable letter of credit, in the amount of \$\_\_\_\_\_ must be deposited prior to, or in conjunction with, an application for a building permit for the development authorized by this permit. The City may apply all or part of the above-noted security in accordance with Section 502 of the *Local Government Act*, to undertake works or other activities required to:
  - a. correct an unsafe condition that has resulted from a contravention of this permit,
  - b. satisfy the landscaping requirements of this permit as shown in Schedule 'A' or otherwise required by this permit, or
  - c. repair damage to the natural environment that has resulted from a contravention of this permit.
5. The holder of this permit shall be eligible for a refund of the security described under Condition 4 only if:
  - a. The permit has lapsed as described under Condition 8, or
  - b. A completion certificate has been issued by the Building Inspection Department and the Director of Development Services is satisfied that the conditions of this permit have been met.
6. Upon completion of the development authorized by this permit, an application for release of securities (Landscape Inspection & Refund Request) must be submitted to the Planning Department. Staff may carry out inspections of the development to ensure the conditions of this permit have been met. Inspection fees may be withheld from the security in accordance with the City of Penticton Fees

and Charges Bylaw (as amended from time to time).

**General Conditions**

- 7. In accordance with Section 501(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
- 8. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
- 9. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
- 10. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
- 11. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the \_\_\_\_ day of \_\_\_\_\_, 2022.

Issued this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
 Angela Collison  
 Corporate Officer

# 719 ALEXANDER AVE - 2 DWELLING PROPOSAL

## PENTICTON, BC

### RESIDENTIAL DEVELOPMENT

#### PROJECT INFO:

CIVIC ADDRESS: 719 ALEXANDER AVE, PENTICTON, BC  
 PID: 009-318-712  
 LEGAL DESCRIPTION: PLAN KAP1913, LOT 2  
 CURRENT ZONING: R2 SMALL LOT RESIDENTIAL  
 PROPOSED ZONING: RD2 - DUPLEX HOUSING

PROPOSED: 2 SINGLE DETACHED HOUSES

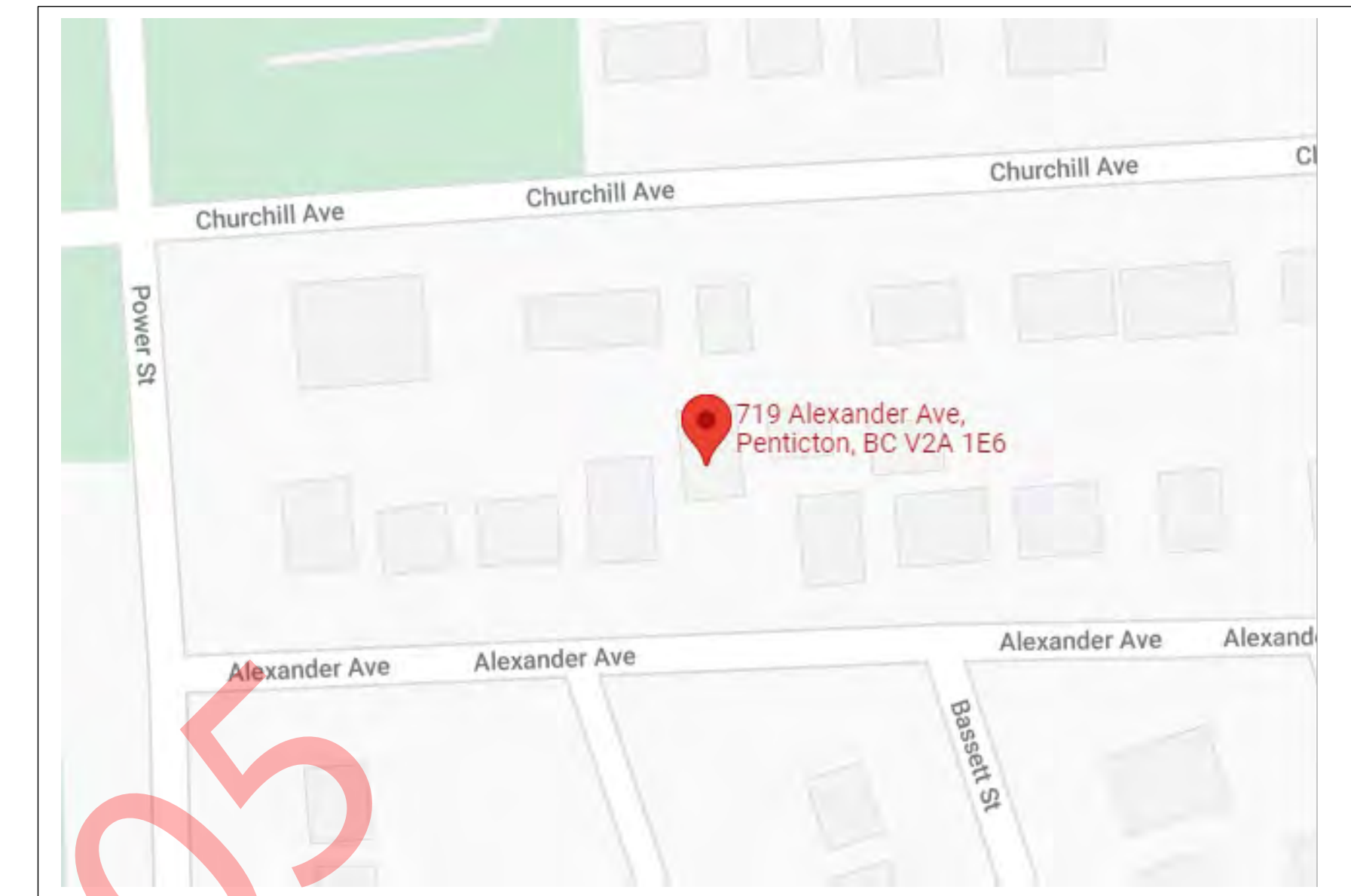
LOT AREA: 680.02 SQ.M / 7,319.64 SQ.FT.

#### CONTACT:

DESIGN: Saba Wolfe  
 INARTIFEX DESIGN LTD.  
 778.403.1055  
 saba@inartifex.com

DEVELOPER: Jamela Van Steinburg  
 VLS DEVELOPMENTS  
 250.869.5260  
 jamela@vlsdevelopments.com

LANDSCAPE ARCHITECT: Fiona Barton  
 MBCSLA, CSLA, President, Landscape Architect  
 OUTLAND DESIGN  
 250.868.9270  
 fiona@outlanddesign.ca



VICINITY MAP

#### DATA SUMMARY:

	PERMITTED	PROPOSED
MIN. SITE AREA:	275 SQ.M.	680.02 SQ.M.
MAX. SITE COVERAGE:	40%	40%
MIN. FRONT YARD:	4.5m	6.0m
SIDE YARD EAST:	1.5m	1.5m
SIDE YARD WEST:	1.5m	1.5m
MIN. REAR YARD:	6.0m	6.0m
BUILDING HEIGHT:	10.5m	10.22m
DENSITY:	0.95 FAR	0.77 FAR
PROPOSED UNITS:	2 DWELLINGS	
OFF-STREET PARKING:	2 SPACES IN GARAGES, 2 SPACES ON DRIVEWAYS	
PRIVATE AMENITY SPACE:	BLDG 1 452 SQ.FT/42.0 SQ.M + BLDG 2 452 SQ.FT/42.0 SQ.M +	
<b>FLOOR AREA:</b>	<b>GROSS AREA</b>	<b>NET AREA</b>
BLDG 1	3,291 SQ.FT. (305.74 SQ.M)	2,836 SQ.FT. (263.47 SQ.M)
BLDG 2	3,291 SQ.FT. (305.74 SQ.M)	2,836 SQ.FT. (263.47 SQ.M)



STREETVIEW SOUTH (ALEXANDER AVE)



STREETVIEW NORTH (CHURCHILL AVE)



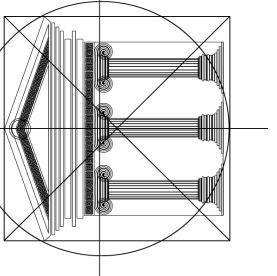
STREETVIEW SOUTHEAST



OVERVIEW

#### LIST OF DRAWINGS:

- A1 COVER PAGE
- A2 PERSPECTIVES
- A3 SITE PLAN
- A4 MAIN & UPPER FLOOR PLANS - BLDG 1&2
- A5 THIRD FLOOR PLANS - BLDG 1&2
- A6 ROOF PLAN - BLDG 1&2
- A7 SOUTH & EAST ELEVATIONS - BLDG 1
- A8 NORTH & WEST ELEVATIONS - BLDG 1
- A9 NORTH & WEST ELEVATIONS - BLDG 2
- A10 SOUTH & EAST ELEVATIONS - BLDG 2
- A11 SOUTH & EAST COLORED RENDERINGS - BLDG 1
- A12 NORTH & WEST COLORED RENDERINGS - BLDG 1
- A13 NORTH & WEST COLORED RENDERINGS - BLDG 2
- A14 SOUTH & EAST COLORED RENDERINGS - BLDG 2
- A15 SITE COLORED RENDERINGS - BLDG 1&2
- A16 ACCESSORY BUILDINGS PLANS
- A17 SITE SECTIONS



Proposed Project For:  
 719 ALEXANDER AVE PENTICTON, BC

LOT 2  
 PLAN KAP1913

Sheet Title:  
 COVER PAGE

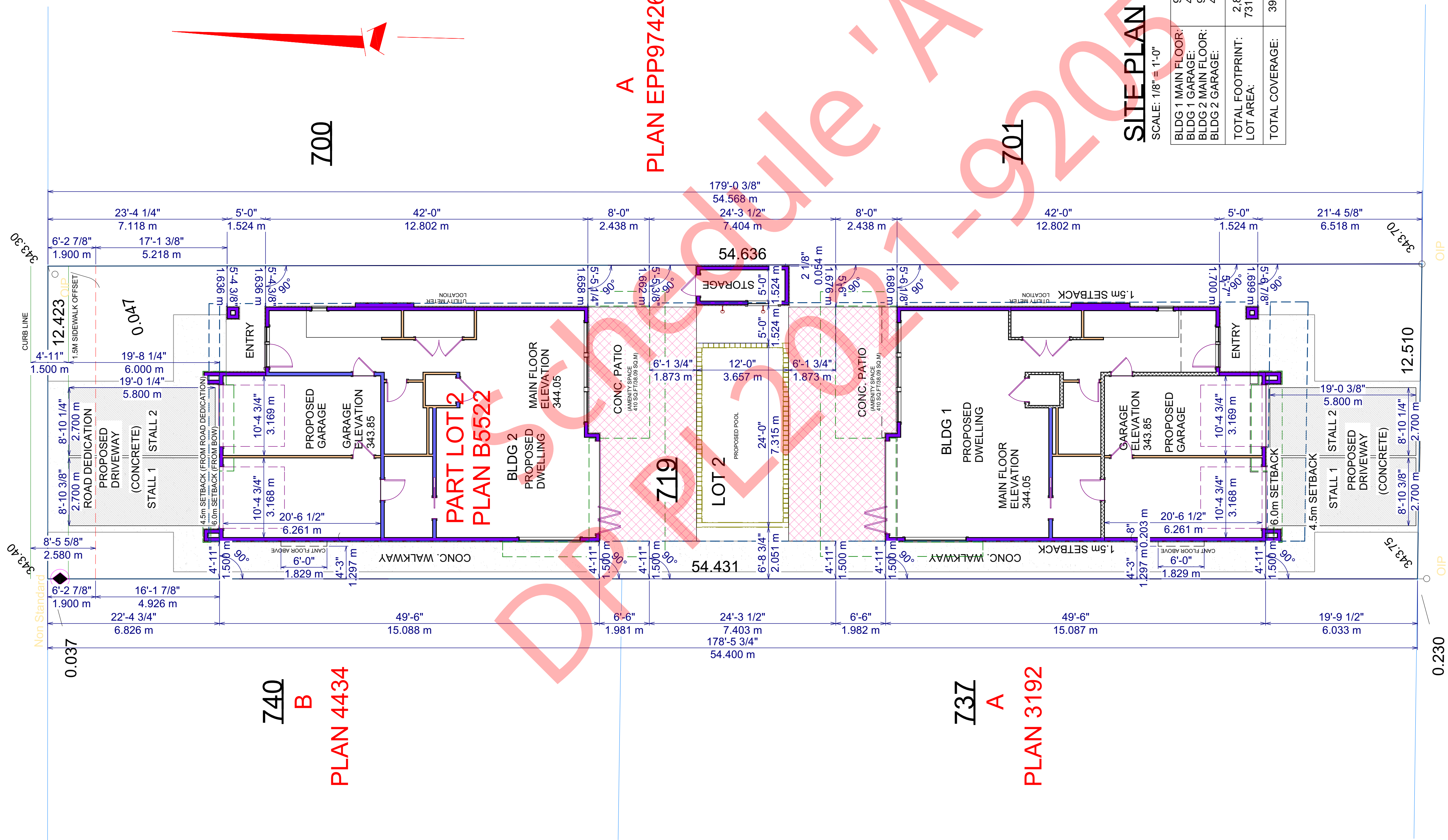
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 2021-11-01  
 REV 2: 2022-2-28  
 REV 1: 2022-2-24

SCALE: 1/4" = 1'-0"  
 (UNLESS OTHERWISE NOTED)

SHEET NO.:

**A1**  
 Page 3 of 17

CHURCHILL AVENUE



**740**  
**B**  
**PLAN 4434**

**A**  
**PLAN EPP97426**

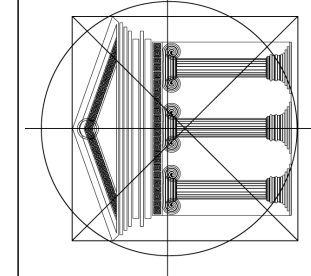
**737**  
**A**  
**PLAN 3192**

**SITE PLAN**  
SCALE: 1/8" = 1'-0"

FAR CALCULATION	
BLDG 1	983 SQ.FT.
BLDG 2	983 SQ.FT.
TOTAL	1,966 SQ.FT.
LOT AREA	7,310.7 SQ.FT.
FAR	0.27

BLDG 1 MAIN FLOOR:	983 SQ.FT.
BLDG 1 GARAGE:	455 SQ.FT.
BLDG 2 MAIN FLOOR:	983 SQ.FT.
BLDG 2 GARAGE:	455 SQ.FT.
TOTAL FOOTPRINT:	2,876 SQ.FT.
LOT AREA:	7,310.7 SQ.FT.
TOTAL COVERAGE:	39.33 %

ALEXANDER AVENUE



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(778) 403-1051 | www.inartifex.com | info@inartifex.com



Proposed Project For:  
719 ALEXANDER AVE PENTICTON, BC  
LOT 2 PLAN KAP1913

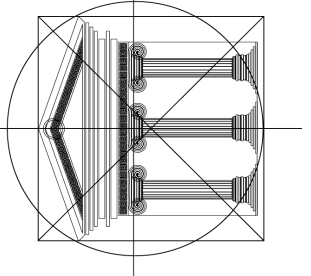
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SITE PLAN

DATE:  
2021-11-01  
REV 2: 2022-2-28  
REV 1: 2022-2-24

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SHEET NO.:

**A3**  
Page 4 of 17



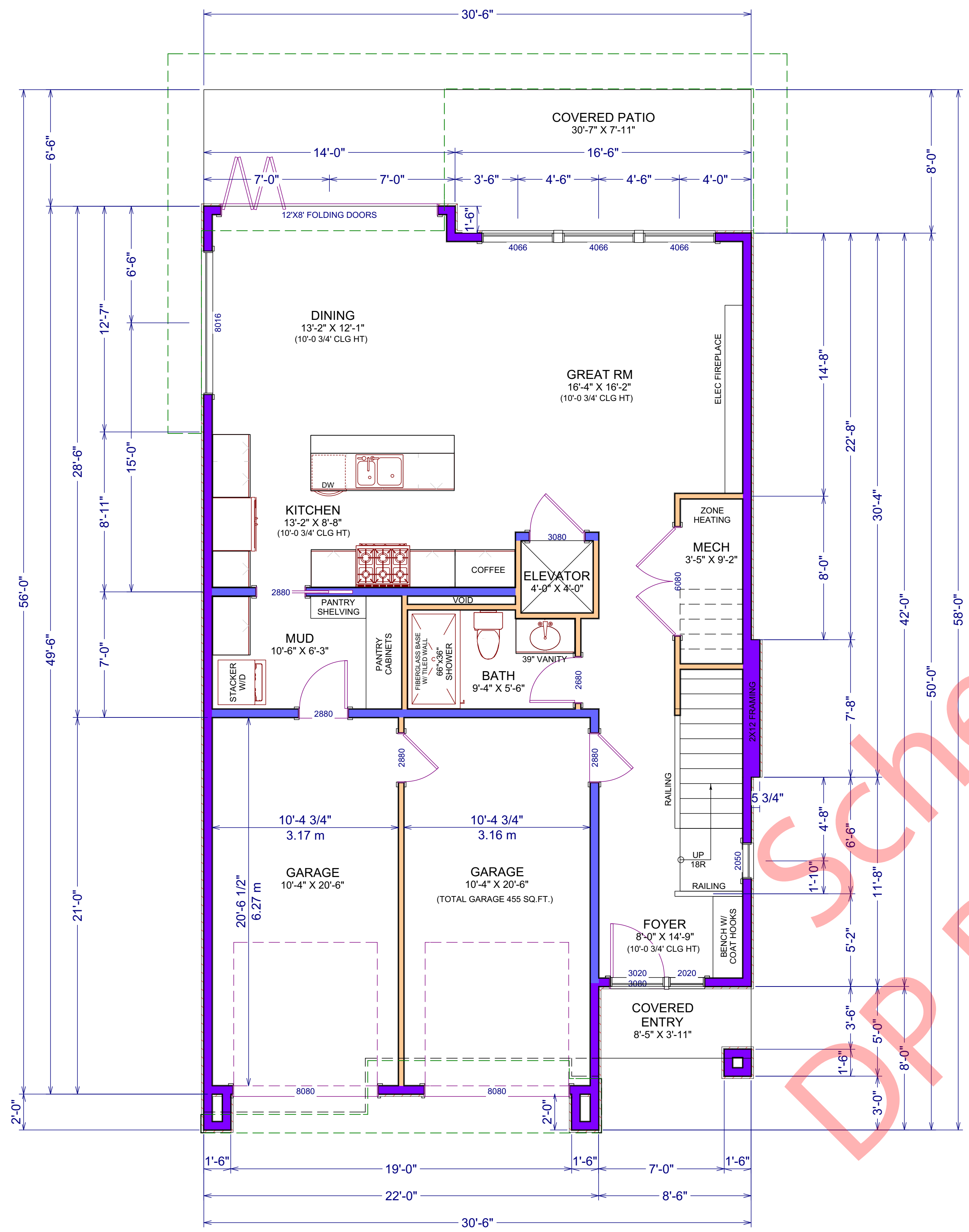
Proposed Project For:  
719 ALEXANDER AVE PENTICTON, BC  
LOT 2 PLAN KAP1913

Sheet Title:  
MAIN & UPPER FLOOR PLANS - BLDG 1 & 2

DATE:  
2021-11-01  
REV 2: 2022-2-28  
REV 1: 2022-2-24

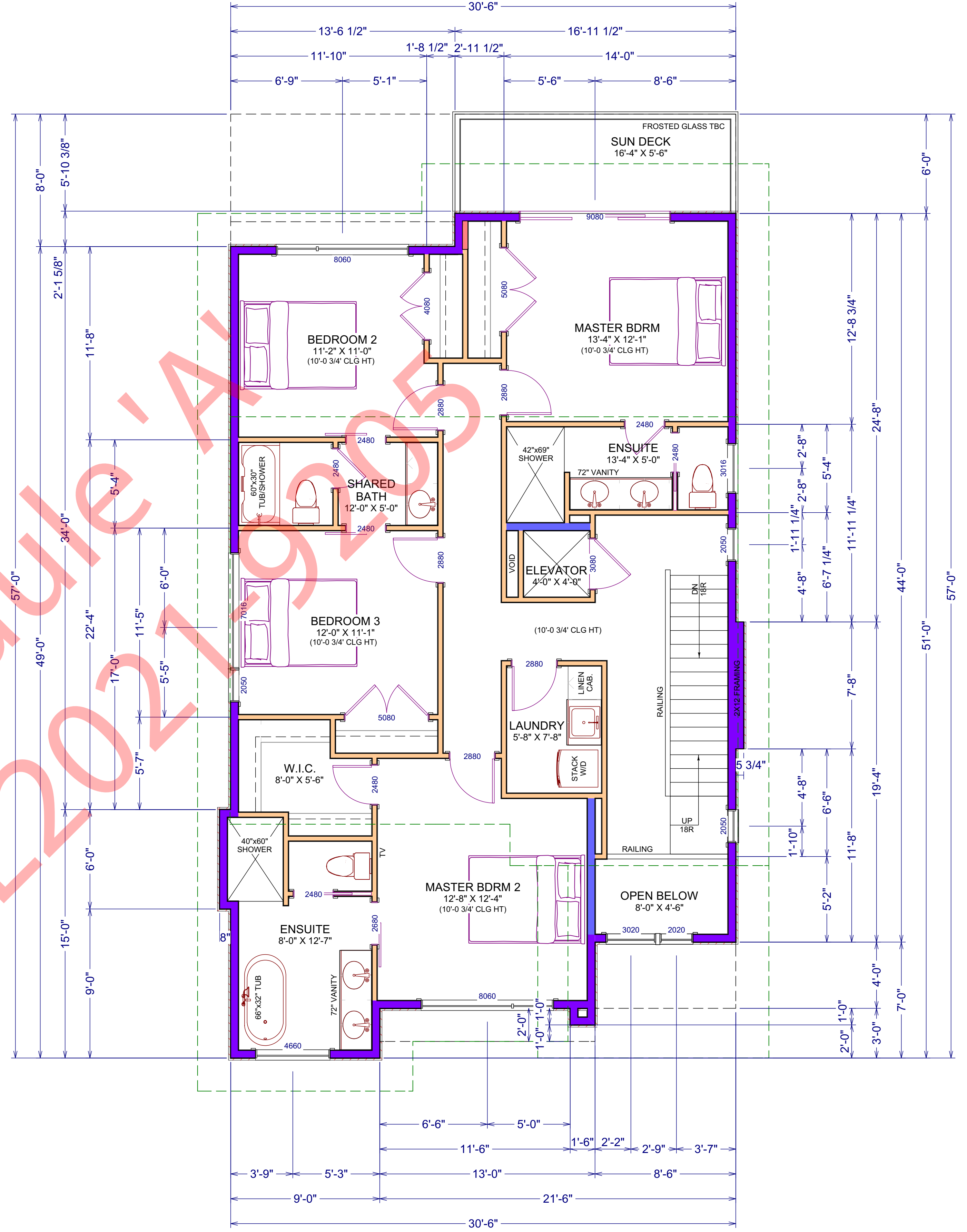
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SHEET NO.:  
**A4**  
Page 5 of 17



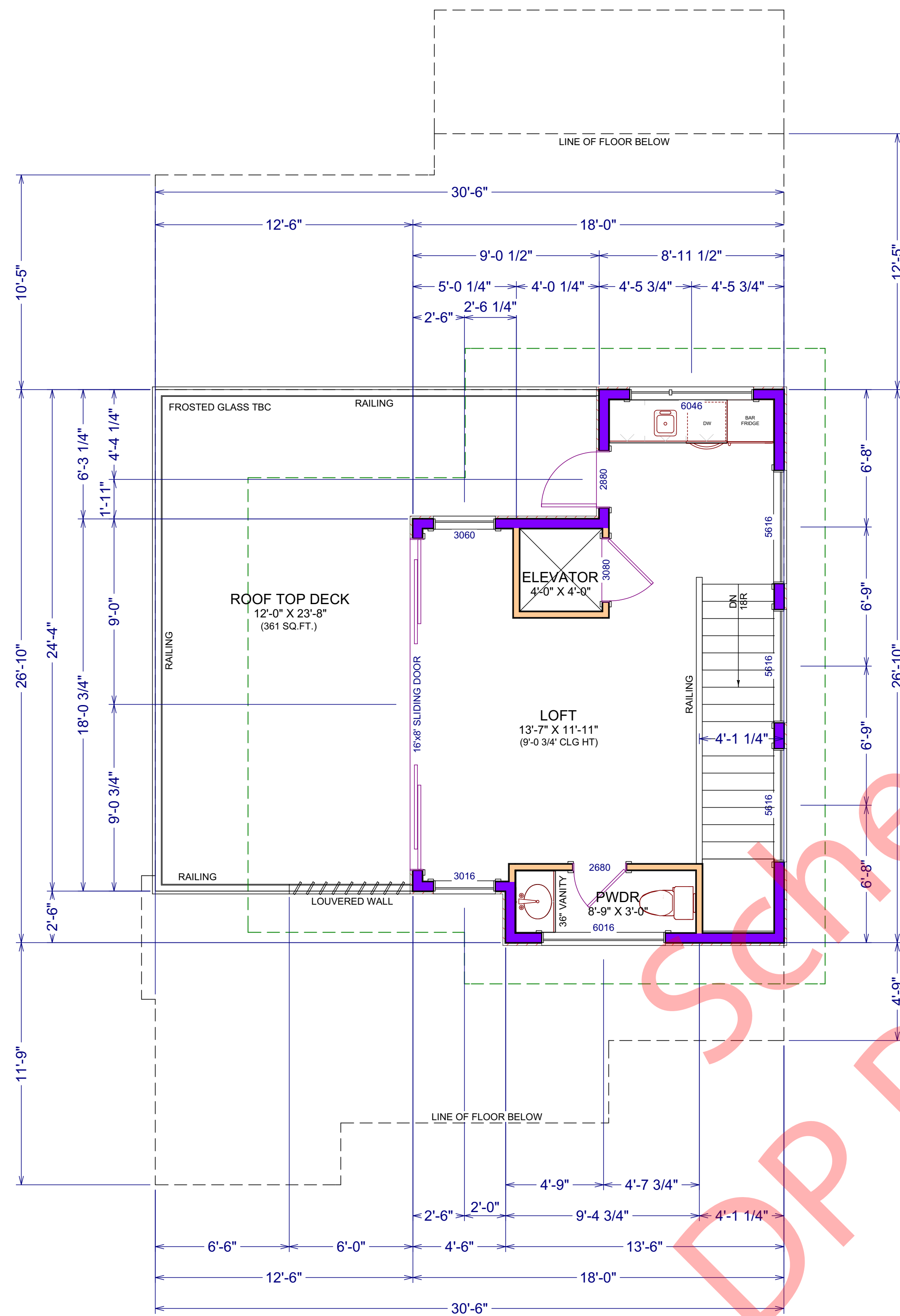
**MAIN FLOOR: TYPICAL BLDG 1&2**

GROSS AREA: 1,438 SQ.FT.  
NET AREA: 983 SQ.FT.



**UPPER FLOOR: TYPICAL BLDG 1&2**

GROSS AREA: 1,438 SQ.FT.  
NET AREA: 1,438 SQ.FT.

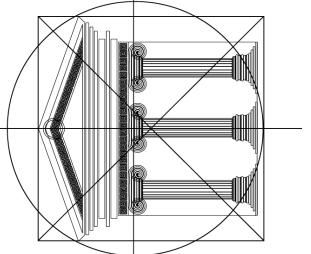
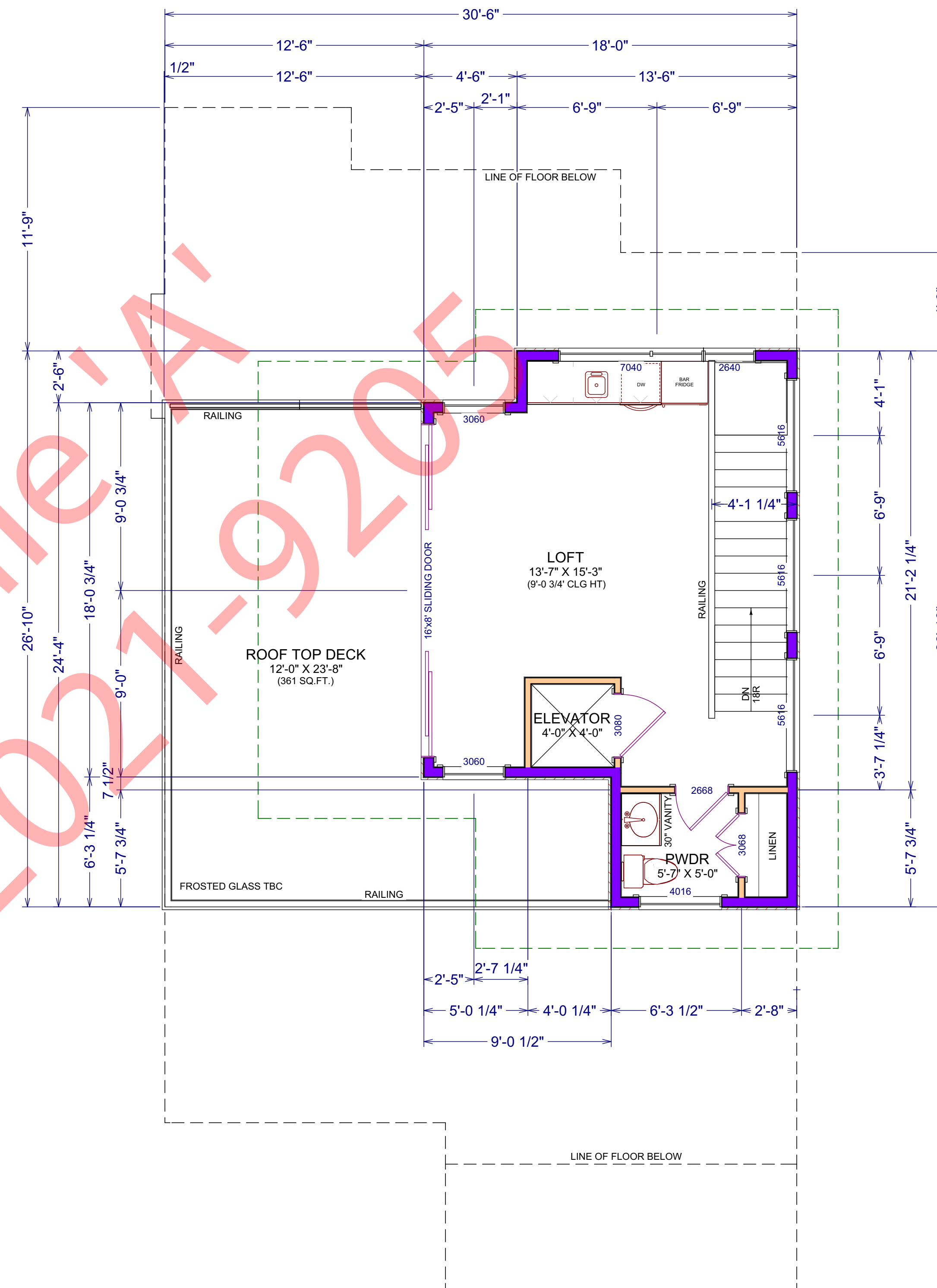


**THIRD FLOOR: BLDG 1**

GROSS AREA: 415 SQ.FT.  
NET AREA: 415 SQ.FT.

**THIRD FLOOR: BLDG 2**

GROSS AREA: 415 SQ.FT.  
NET AREA: 415 SQ.FT.



Proposed Project For:

719  
ALEXANDER AVE  
PENTICTON, BC

LOT 2  
PLAN KAP1913

Sheet Title:

THIRD FLOOR  
PLANS -  
BLDG 1 & 2

DATE:

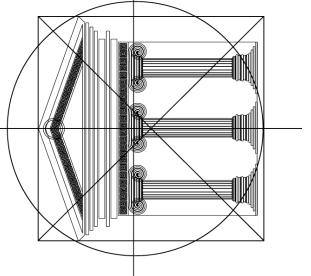
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REV 1: 2022-2-24

SCALE: 1/4" = 1'-0"  
(UNLESS OTHERWISE NOTED)

SHEET NO.:

**A5**  
Page 6 of 17



Proposed Project For:

719 ALEXANDER AVE PENTICTON, BC

LOT 2 PLAN KAP1913

Sheet Title:  
SOUTH & EAST ELEVATIONS - BLDG 1

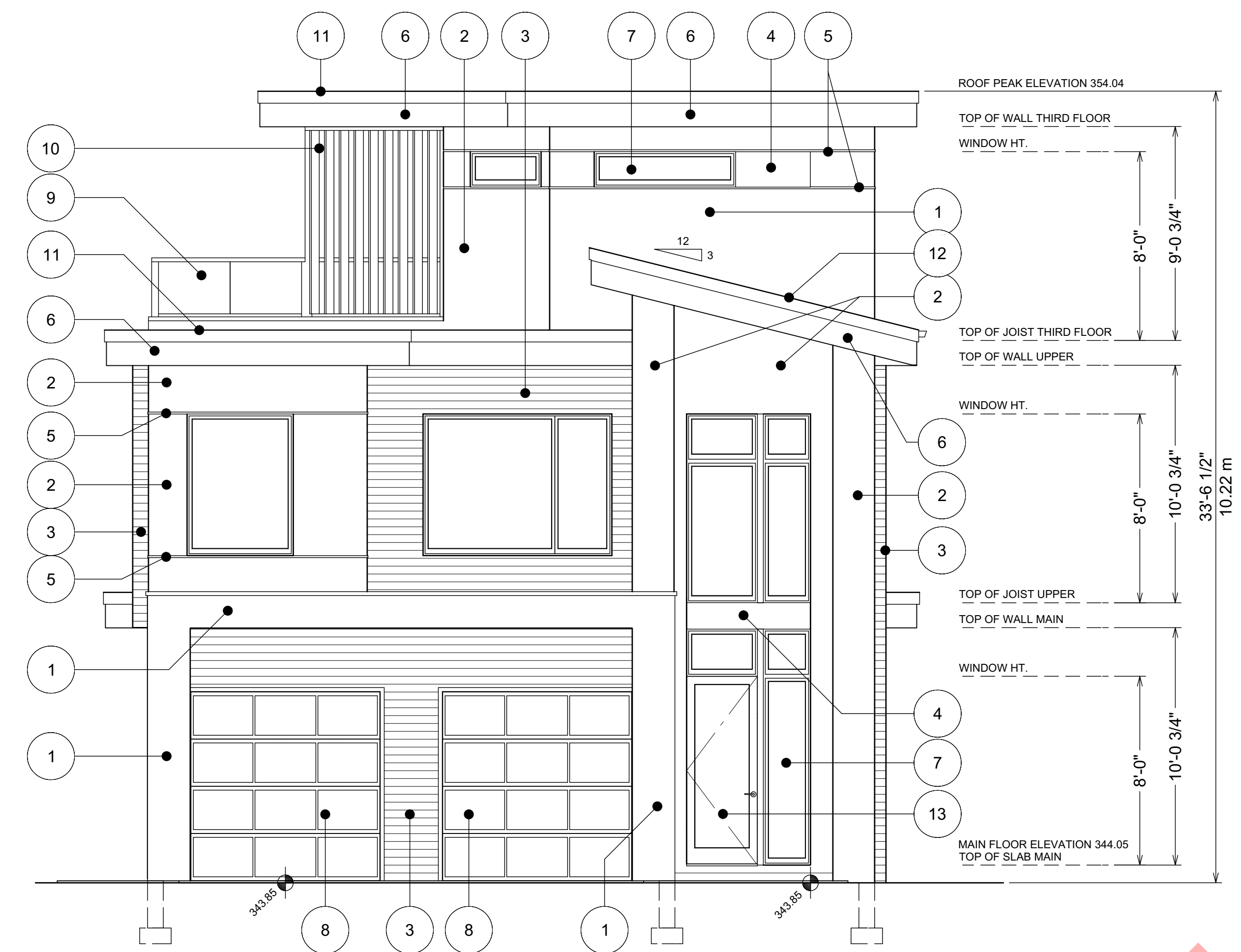
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2021-11-01

REV 2: 2022-2-28  
REV 1: 2022-2-24

SCALE: 1/4" = 1'-0"  
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SHEET NO.:

A7  
Page 7 of 17



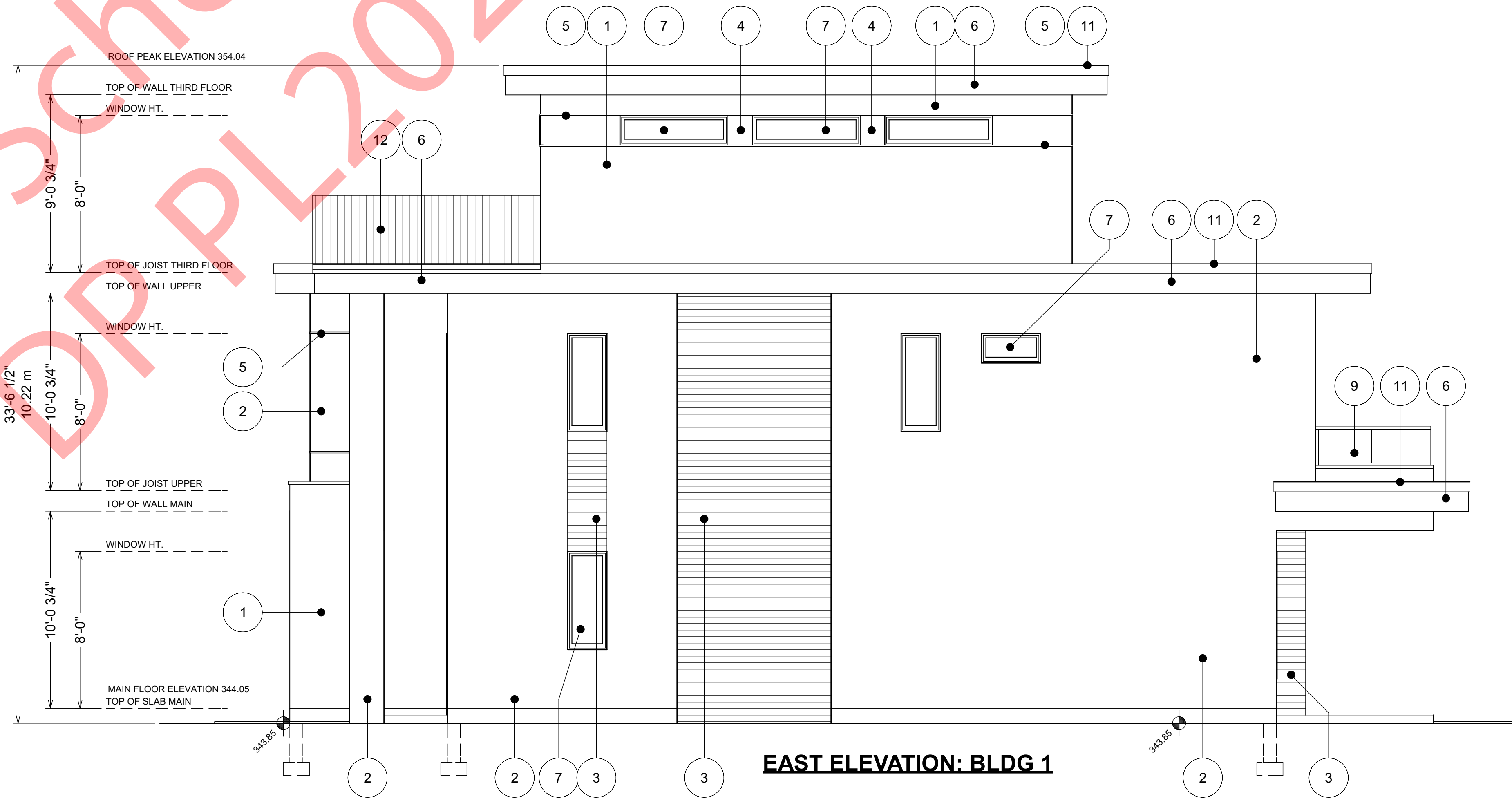
ALEXANDER AVE -  
SOUTH ELEVATION: BLDG 1

**MATERIAL LEGEND:**

1. STUCCO IN BLUE COLOR
2. STUCCO IN CREAM COLOR
3. WOOD LOOK SIDING IN WOODTONE
4. SMART TRIM PANEL IN BLACK
5. STUCCO REVEAL IN BLACK
6. SMOOTH SMART TRIM FASCIA IN BLACK
7. VINYL WINDOW IN BLACK
8. GARAGE DOOR IN BLACK & GLASS
9. FROSTED GLASS RAILING
10. LOUVERED WALL IN WOODTONE
11. TORCH ON ROOFING
12. METAL ROOFING IN BLACK
13. EXTERIOR DOOR IN BLACK

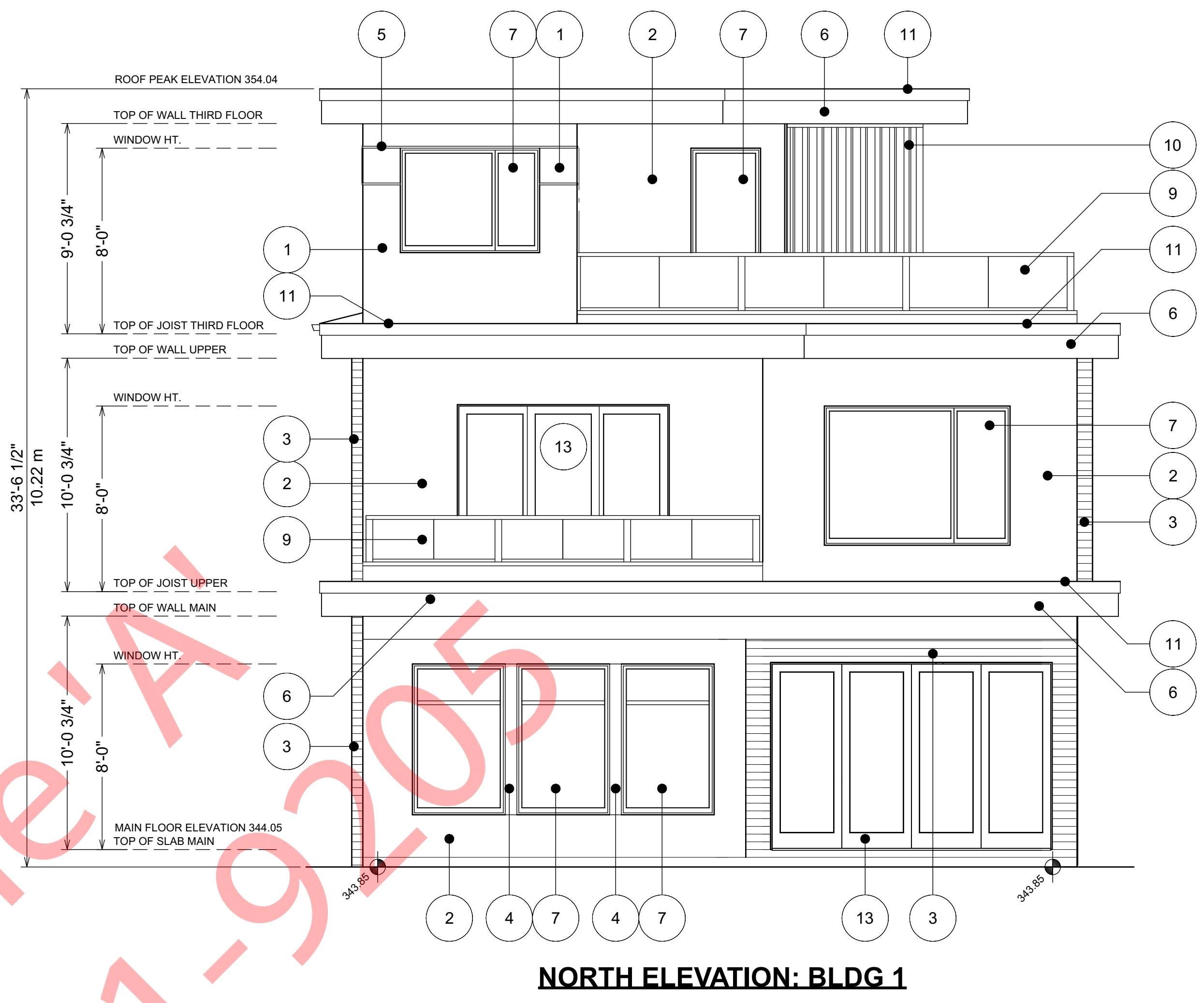
**MATERIAL LEGEND:**

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2. STUCCO IN CREAM COLOR
3. WOOD LOOK SIDING IN WOODTONE
4. SMART TRIM PANEL IN BLACK
5. STUCCO REVEAL IN BLACK
6. SMOOTH SMART TRIM FASCIA IN BLACK
7. VINYL WINDOW IN BLACK
8. GARAGE DOOR IN BLACK & GLASS
9. FROSTED GLASS RAILING
10. LOUVERED WALL IN WOODTONE
11. TORCH ON ROOFING
12. METAL ROOFING IN BLACK
13. EXTERIOR DOOR IN BLACK



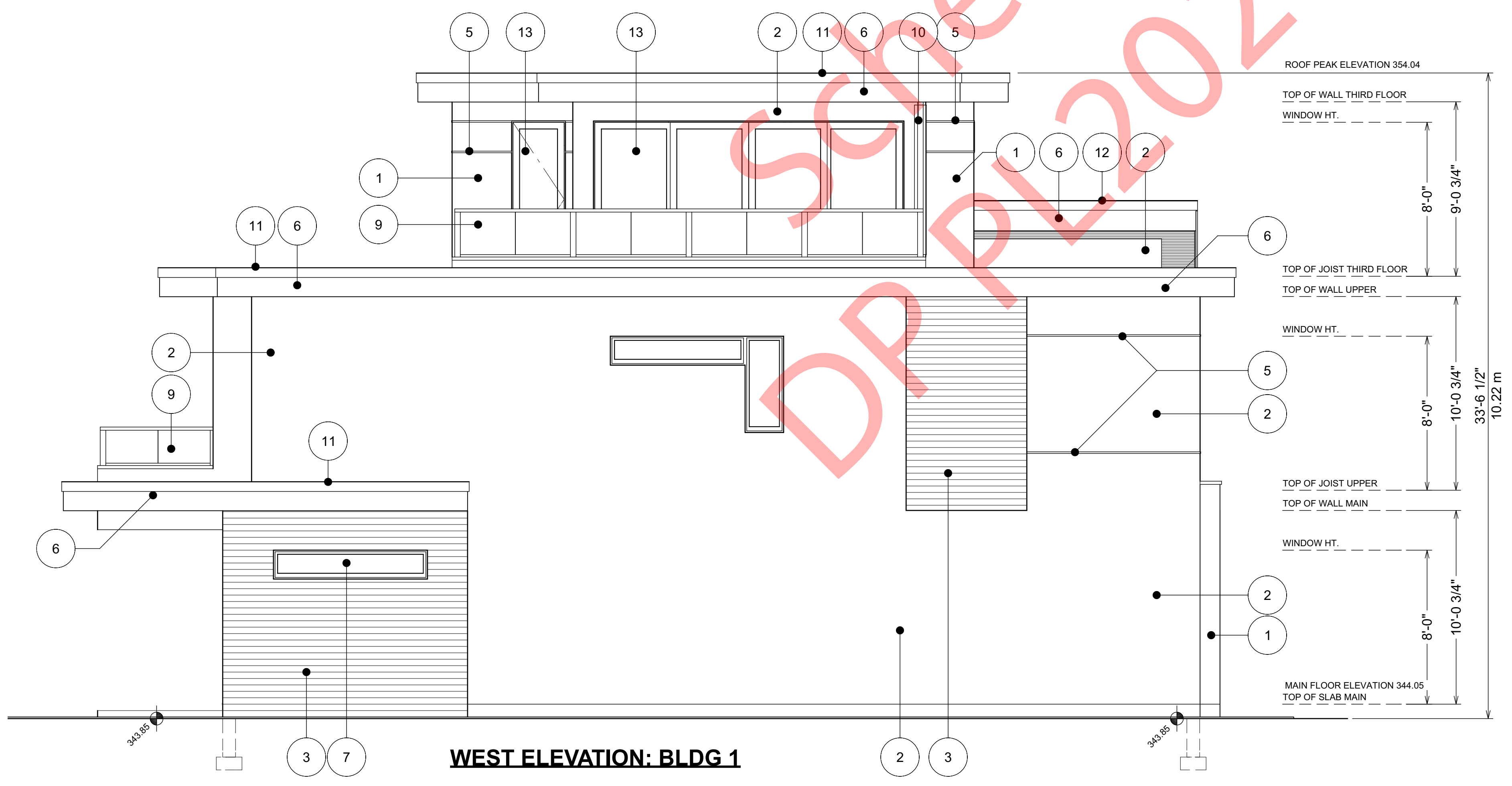
EAST ELEVATION: BLDG 1

- MATERIAL LEGEND:**
1. STUCCO IN BLUE COLOR
  2. STUCCO IN CREAM COLOR
  3. WOOD LOOK SIDING IN WOODTONE
  4. SMART TRIM PANEL IN BLACK
  5. STUCCO REVEAL IN BLACK
  6. SMOOTH SMART TRIM FASCIA IN BLACK
  7. VINYL WINDOW IN BLACK
  8. GARAGE DOOR IN BLACK & GLASS
  9. FROSTED GLASS RAILING
  10. LOUVERED WALL IN WOODTONE
  11. TORCH ON ROOFING
  12. METAL ROOFING IN BLACK
  13. EXTERIOR DOOR IN BLACK

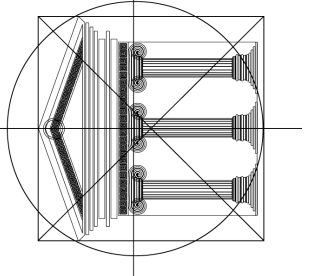


**NORTH ELEVATION: BLDG 1**

- MATERIAL LEGEND:**
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  2. STUCCO IN CREAM COLOR
  3. WOOD LOOK SIDING IN WOODTONE
  4. SMART TRIM PANEL IN BLACK
  5. STUCCO REVEAL IN BLACK
  6. SMOOTH SMART TRIM FASCIA IN BLACK
  7. VINYL WINDOW IN BLACK
  8. GARAGE DOOR IN BLACK & GLASS
  9. FROSTED GLASS RAILING
  10. LOUVERED WALL IN WOODTONE
  11. TORCH ON ROOFING
  12. METAL ROOFING IN BLACK
  13. EXTERIOR DOOR IN BLACK



**WEST ELEVATION: BLDG 1**



Proposed Project For:  
  
719 ALEXANDER AVE  
PENTICTON, BC  
  
LOT 2  
PLAN KAP1913

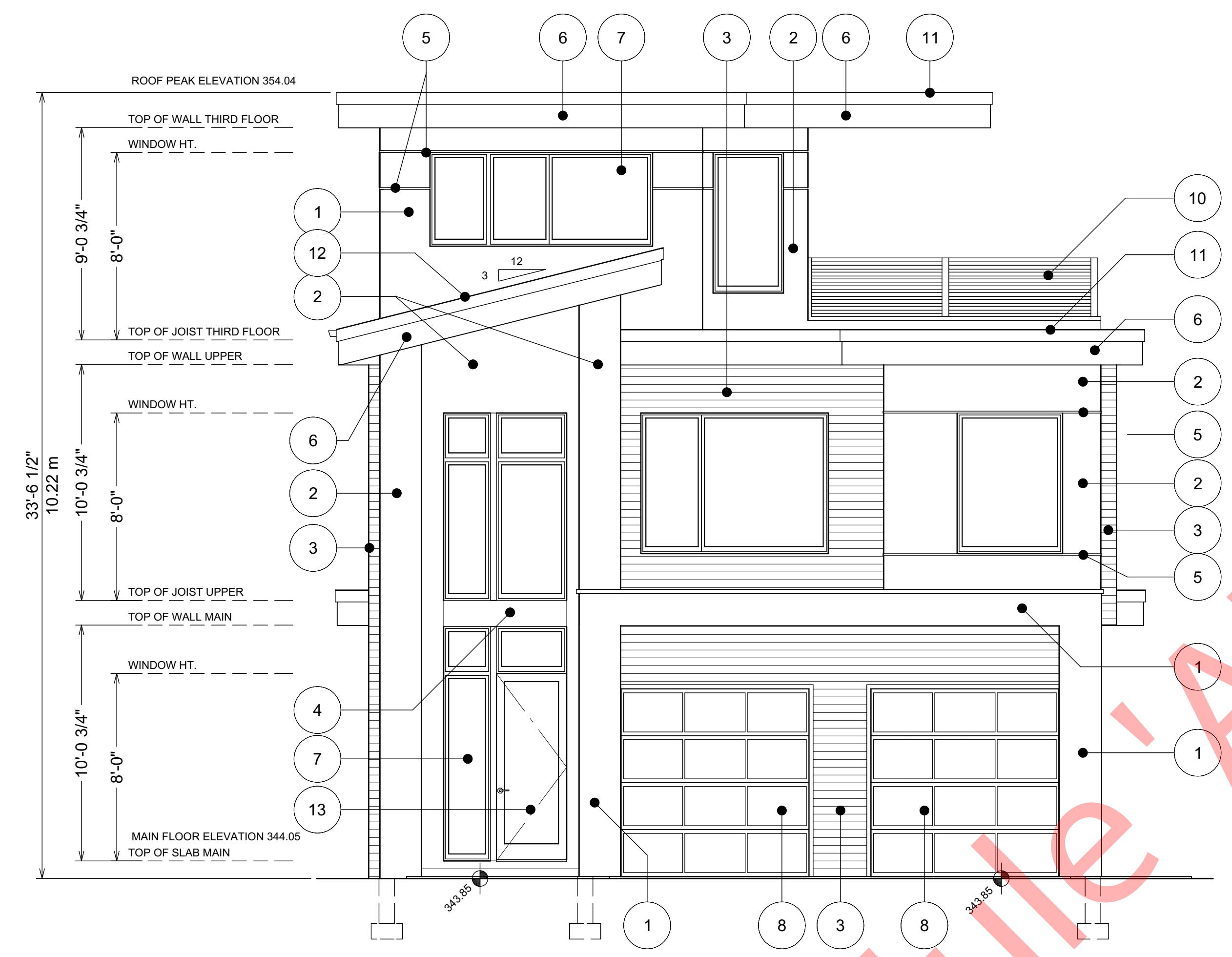
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**NORTH & WEST ELEVATIONS - BLDG 2**

DATE:  
2021-11-01  
REV 2: 2022-2-28  
REV 1: 2022-2-24

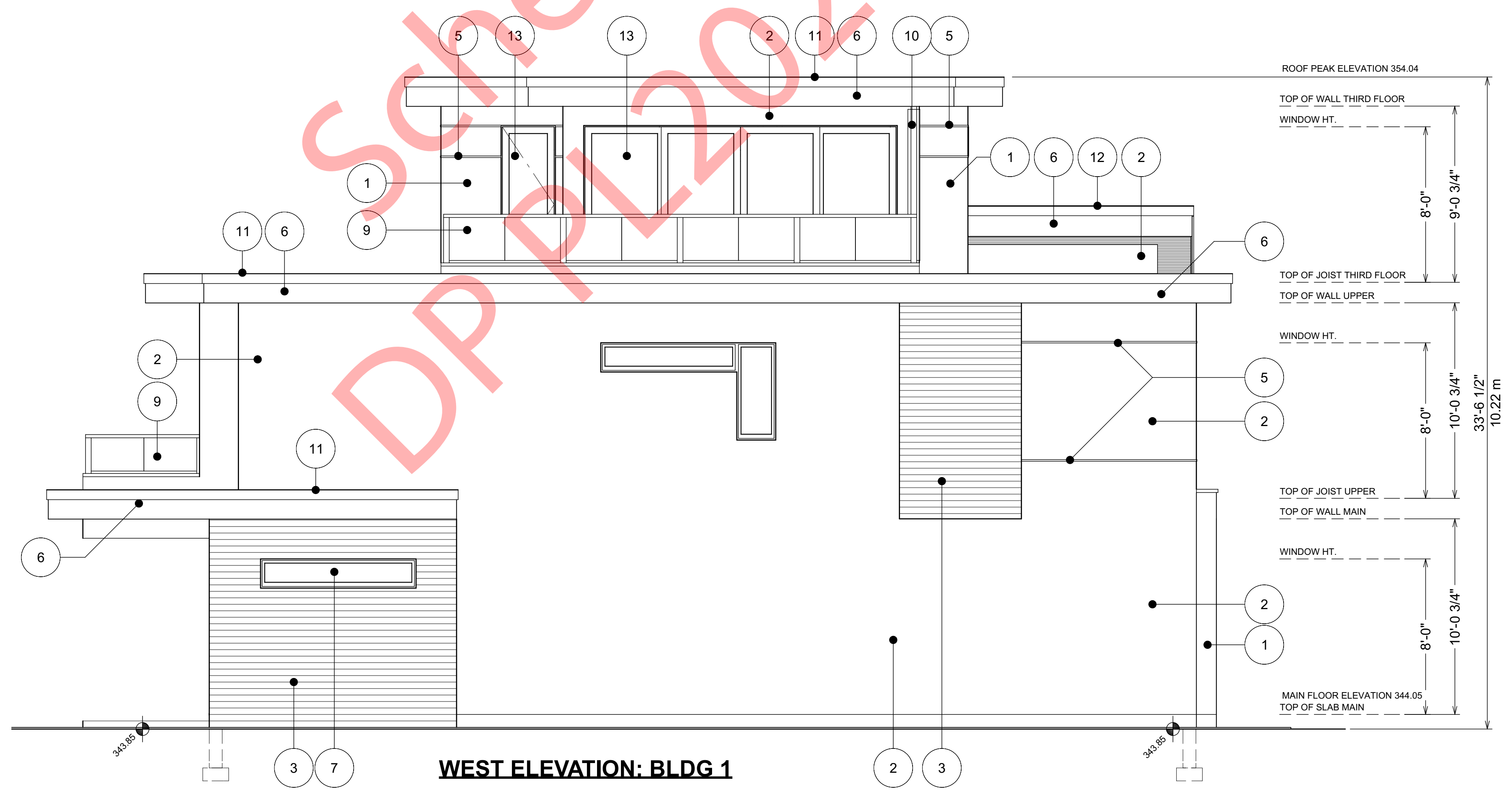
SCALE: 1/4" = 1'-0"  
(UNLESS OTHERWISE NOTED)

SHEET NO.:  
**A9**  
Page 9 of 17

- MATERIAL LEGEND:**
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  2. STUCCO IN CREAM COLOR
  3. WOOD LOOK SIDING IN WOODTONE
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  5. STUCCO REVEAL IN BLACK
  6. SMOOTH SMART TRIM FASCIA IN BLACK
  7. VINYL WINDOW IN BLACK
  8. GARAGE DOOR IN BLACK & GLASS
  9. FROSTED GLASS RAILING
  10. WOOD SLAT RAILING IN WOODTONE
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  12. METAL ROOFING IN BLACK
  13. EXTERIOR DOOR IN BLACK

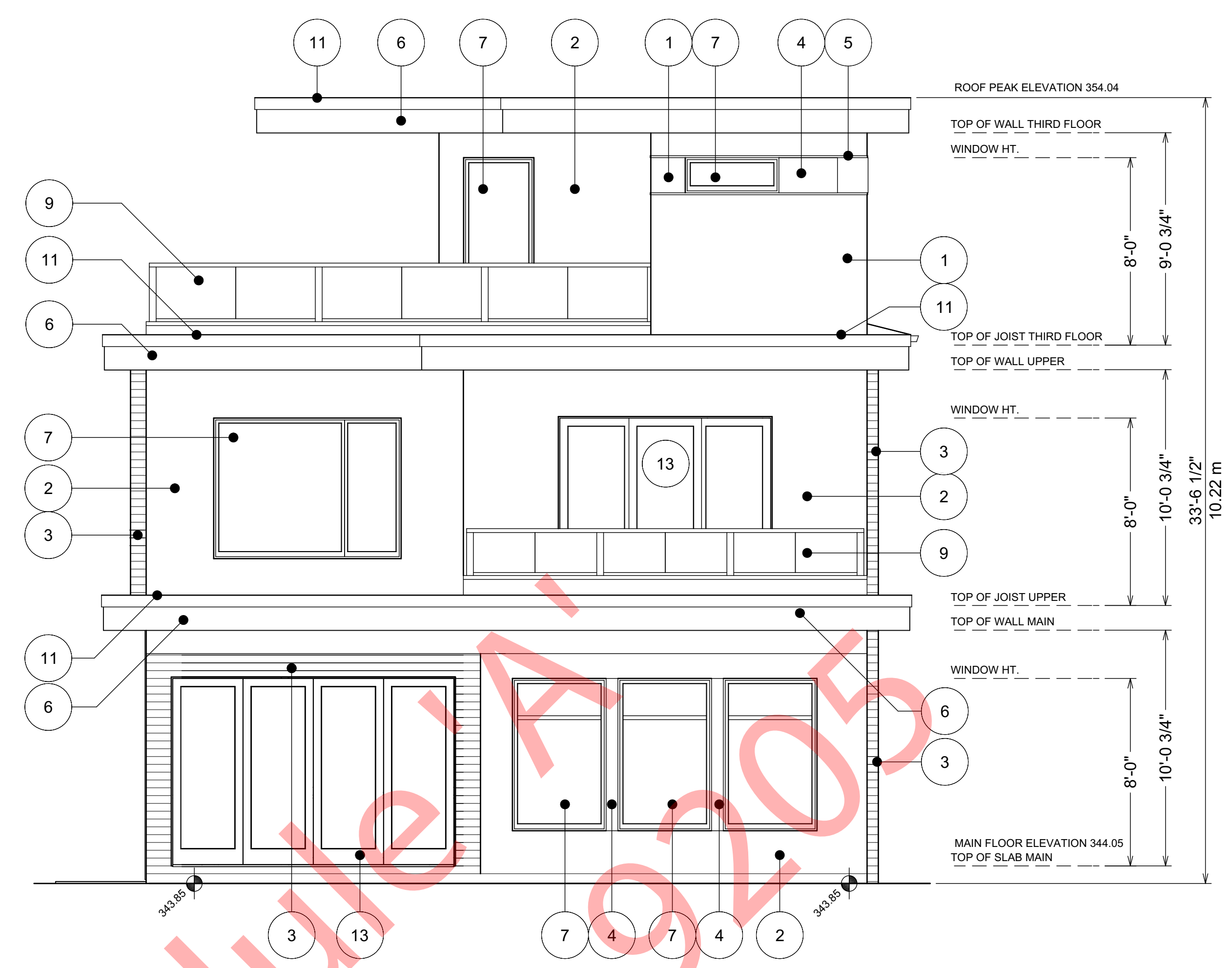


**CHURCHILL AVE -  
NORTH ELEVATION: BLDG 2**



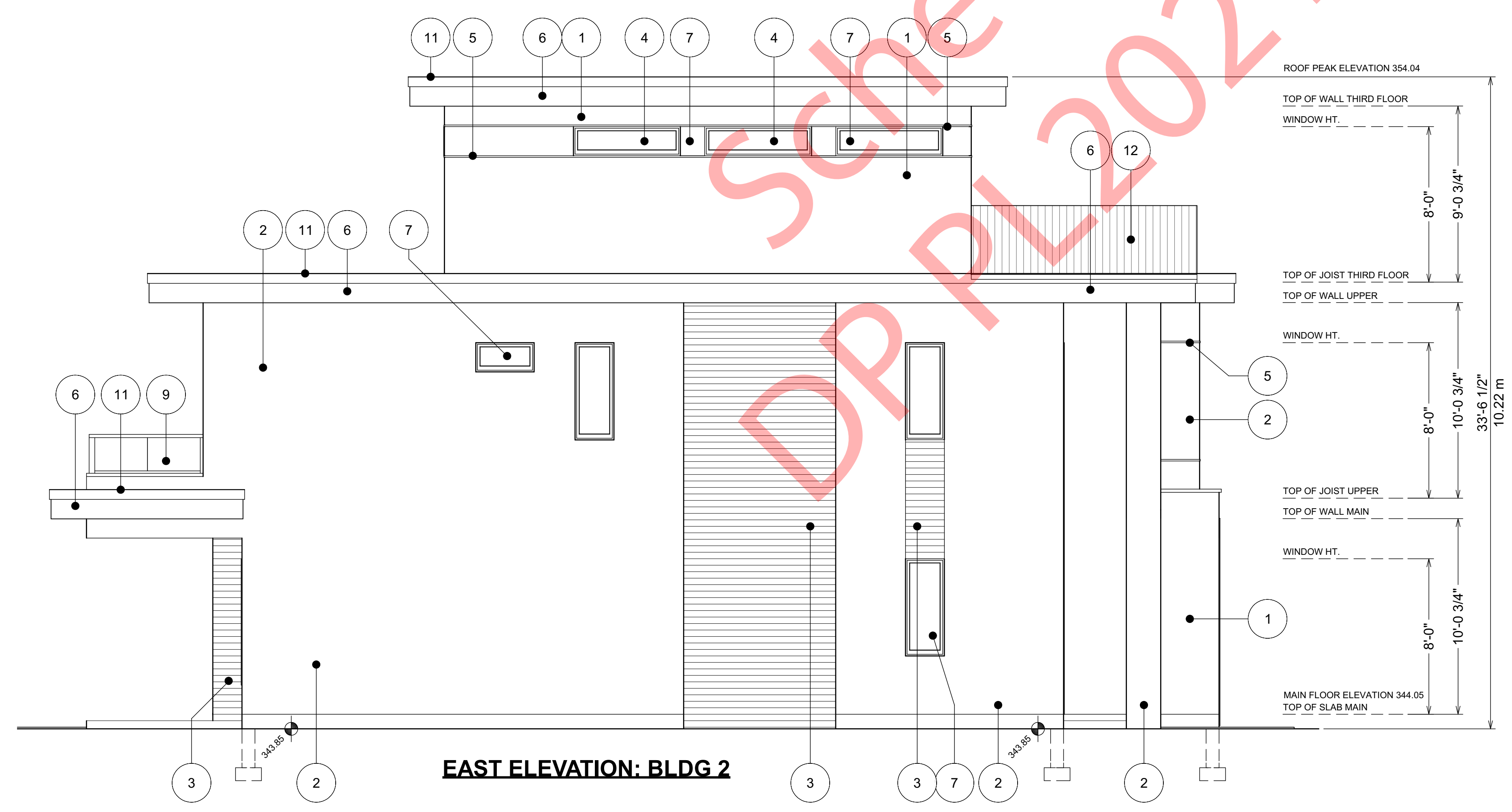
**WEST ELEVATION: BLDG 1**

- MATERIAL LEGEND:**
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  4. SMART TRIM PANEL IN BLACK
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  6. SMOOTH SMART TRIM FASCIA IN BLACK
  7. VINYL WINDOW IN BLACK
  8. GARAGE DOOR IN BLACK & GLASS
  9. FROSTED GLASS RAILING
  10. LOUVERED WALL IN WOODTONE
  11. TORCH ON ROOFING
  12. METAL ROOFING IN BLACK
  13. EXTERIOR DOOR IN BLACK



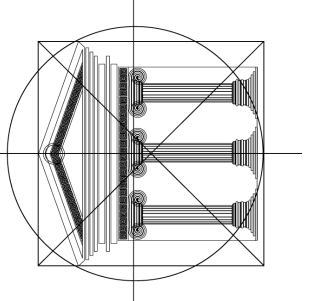
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3. WOOD LOOK SIDING IN WOODTONE
4. SMART TRIM PANEL IN BLACK
5. STUCCO REVEAL IN BLACK
6. SMOOTH SMART TRIM FASCIA IN BLACK
7. VINYL WINDOW IN BLACK
8. GARAGE DOOR IN BLACK & GLASS
9. FROSTED GLASS RAILING
10. LOUVERED WALL IN WOODTONE
11. TORCH ON ROOFING
12. METAL ROOFING IN BLACK
13. EXTERIOR DOOR IN BLACK



**MATERIAL LEGEND:**

1. STUCCO IN GREY COLOR
2. STUCCO IN CREAM COLOR
3. WOOD LOOK SIDING IN WOODTONE
4. SMART TRIM PANEL IN BLACK
5. STUCCO REVEAL IN BLACK
6. SMOOTH SMART TRIM FASCIA IN BLACK
7. VINYL WINDOW IN BLACK
8. GARAGE DOOR IN BLACK & GLASS
9. FROSTED GLASS RAILING
10. WOOD SLAT RAILING IN WOODTONE
11. TORCH ON ROOFING
12. METAL ROOFING IN BLACK
13. EXTERIOR DOOR IN BLACK



Proposed Project For:  
719 ALEXANDER AVE PENTICTON, BC  
LOT 2 PLAN KAP1913

Sheet Title:  
SOUTH & EAST COLORED RENDERINGS - BLDG 1

DATE:  
2021-11-01  
REV 2: 2022-2-28  
REV 1: 2022-2-24

SCALE: 1/4" = 1'-0"  
(UNLESS OTHERWISE NOTED)

SHEET NO.:



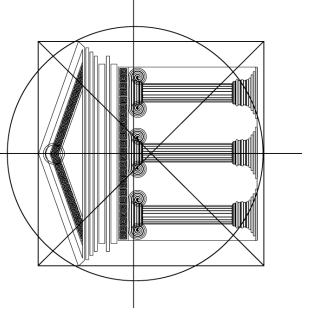
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SOUTH ELEVATION COLORED RENDERING -  
BUILDING 1



EAST ELEVATION COLORED RENDERING -  
BUILDING 1



FINISH NOTES:  
RENDERINGS ARE NOT TO SCALE; ALL RENDERINGS ARE FOR ARTISTIC DEPICTION ONLY. PLAN UPDATES MAY NOT BE REFLECTED IN RENDERINGS. RENDERINGS SHALL NOT BE USED FOR CONSTRUCTION.



Proposed Project For:

719  
ALEXANDER AVE  
PENTICTON, BC

LOT 2  
PLAN KAP1913

Sheet Title:  
NORTH & WEST  
COLORED  
RENDERINGS -  
BLDG 1

DATE:  
2021-11-01

REV 2: 2022-2-28  
REV 1: 2022-2-24

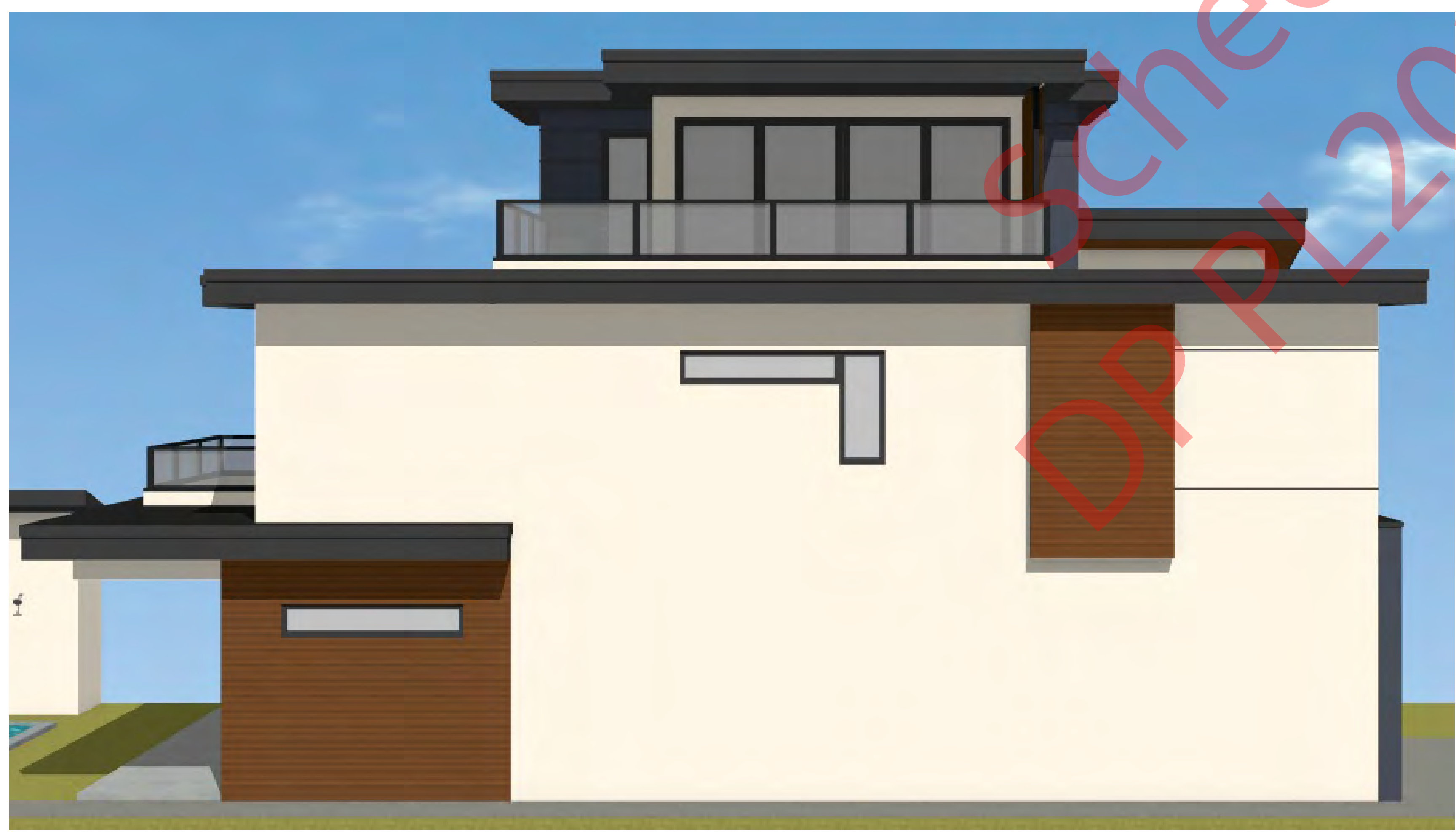
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(UNLESS OTHERWISE NOTED)

SHEET NO.:

**A12**  
Page 12 of 17



NORTH ELEVATION COLORED RENDERING -  
BUILDING 1

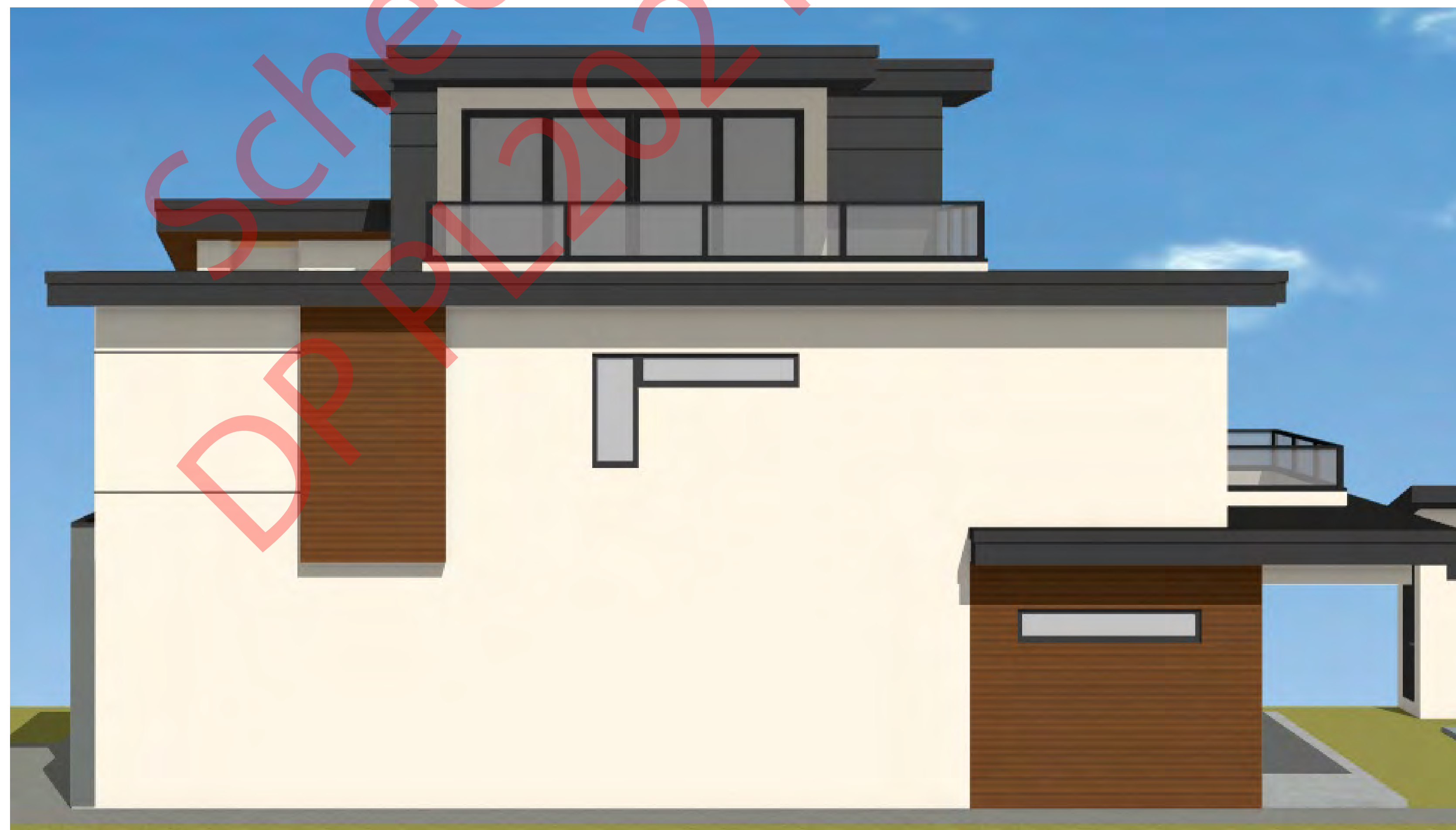


WEST ELEVATION COLORED RENDERING -  
BUILDING 1

FINISH NOTES:  
RENDERINGS ARE NOT TO SCALE; ALL RENDERINGS ARE FOR ARTISTIC DEPICTION ONLY. PLAN UPDATES MAY NOT BE REFLECTED IN RENDERINGS. RENDERINGS SHALL NOT BE USED FOR CONSTRUCTION.



CHURCHILL AVE -  
NORTH ELEVATION COLORED RENDERING -  
BUILDING 2



WEST ELEVATION COLORED RENDERING -  
BUILDING 2



SOUTH ELEVATION COLORED RENDERING -  
BUILDING 2



EAST ELEVATION COLORED RENDERING -  
BUILDING 2

Proposed  
Project For:

719  
ALEXANDER AVE  
PENTICTON, BC

LOT 2  
PLAN KAP1913

Sheet Title:  
SOUTH & EAST  
COLORED  
RENDERINGS -  
BLDG 2

DATE:  
2021-11-01

REV 2: 2022-2-28  
REV 1: 2022-2-24

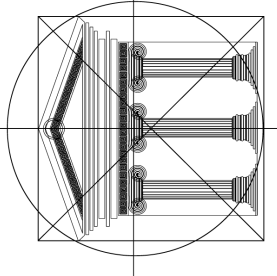
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(UNLESS OTHERWISE NOTED)

SHEET NO.:

**A14**

Page 14 of 17

FINISH NOTES:  
RENDERINGS ARE NOT TO SCALE; ALL RENDERINGS ARE FOR ARTISTIC DEPICTION ONLY. PLAN UPDATES MAY  
NOT BE REFLECTED IN RENDERINGS. RENDERINGS SHALL NOT BE USED FOR CONSTRUCTION.



Proposed  
Project For:  
  
719  
ALEXANDER AVE  
PENTICTON, BC  
  
LOT 2  
PLAN KAP1913

Sheet Title:  
SITE COLORED  
RENDERINGS -  
BLDG 1 & 2

DATE:  
2021-11-01  
REV 2: 2022-2-28  
REV 1: 2022-2-24

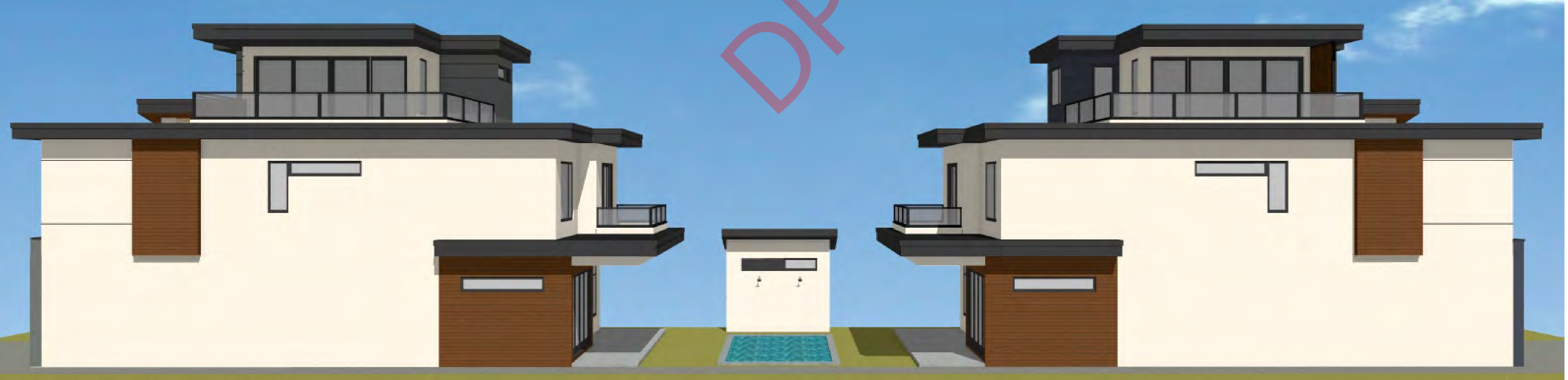
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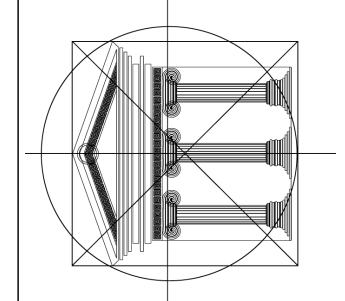
SHEET NO.:  
**A15**  
Page 15 of 17



**SITE COLORED RENDERINGS -  
BUILDING 1 & 2**

FINISH NOTES:  
RENDERINGS ARE NOT TO SCALE; ALL RENDERINGS ARE FOR ARTISTIC DEPICTION ONLY. PLAN UPDATES MAY NOT BE REFLECTED IN RENDERINGS. RENDERINGS SHALL NOT BE USED FOR CONSTRUCTION.





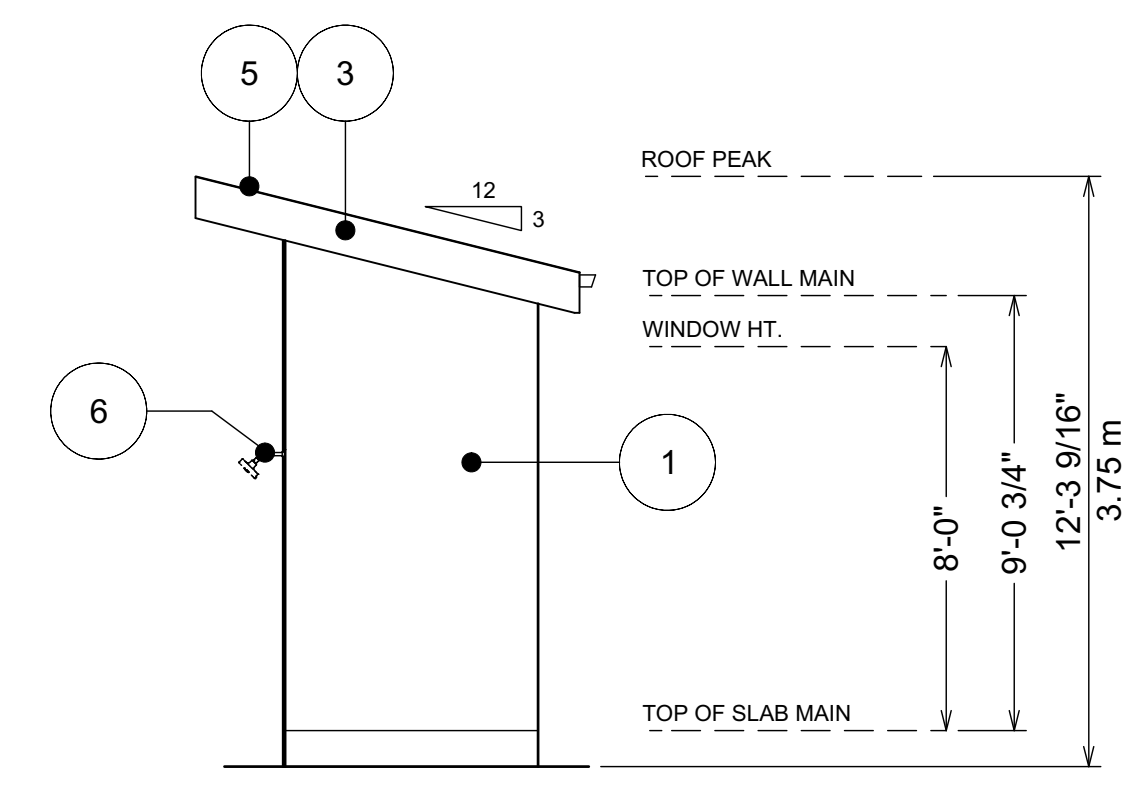
Proposed Project For:  
719 ALEXANDER AVE  
PENTICTON, BC  
LOT 2  
PLAN KAP1913

Sheet Title:  
**ACCESSORY BUILDING PLAN**

DATE:  
2021-11-01  
REV 2: 2022-2-28  
REV 1: 2022-2-24

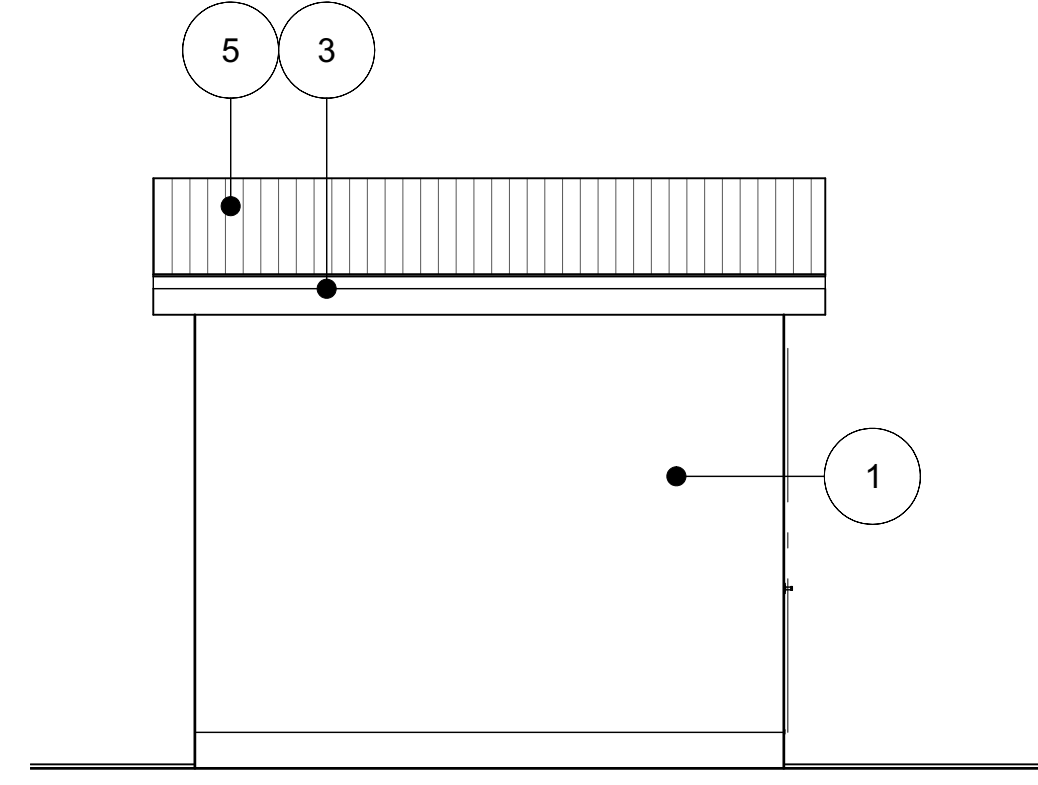
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SHEET NO.:  
**A16**  
Page 16 of 17



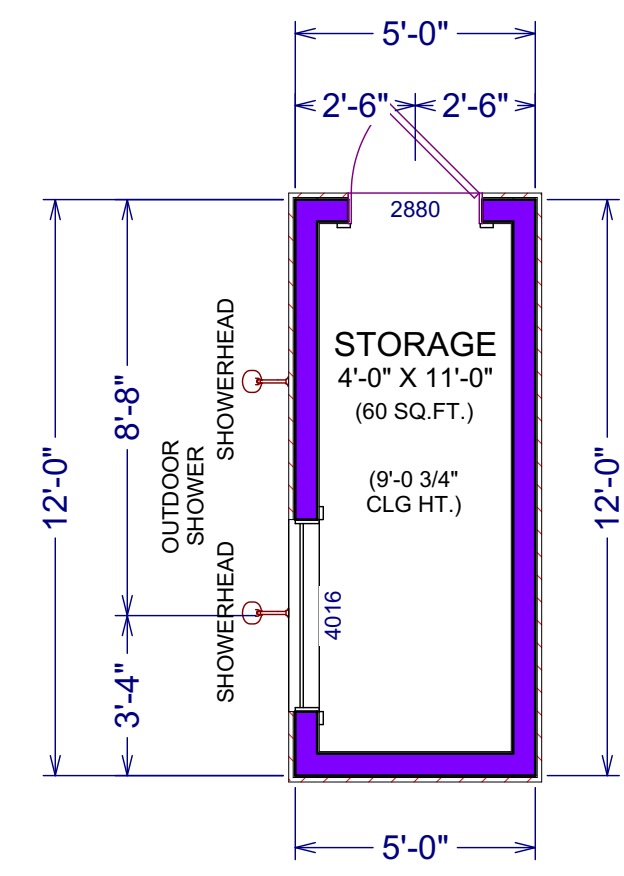
**SOUTH ELEVATION:  
ACCESSORY BLDG**

- MATERIAL LEGEND:
- 1. STUCCO IN CREAM COLOR
  - 2. SMART TRIM PANEL IN BLACK
  - 3. SMOOTH SMART TRIM FASCIA IN BLACK
  - 4. VINYL WINDOW IN BLACK
  - 5. METAL ROOFING IN BLACK
  - 6. OUTDOOR SHOWER HEAD
  - 7. EXTERIOR DOOR IN BLACK



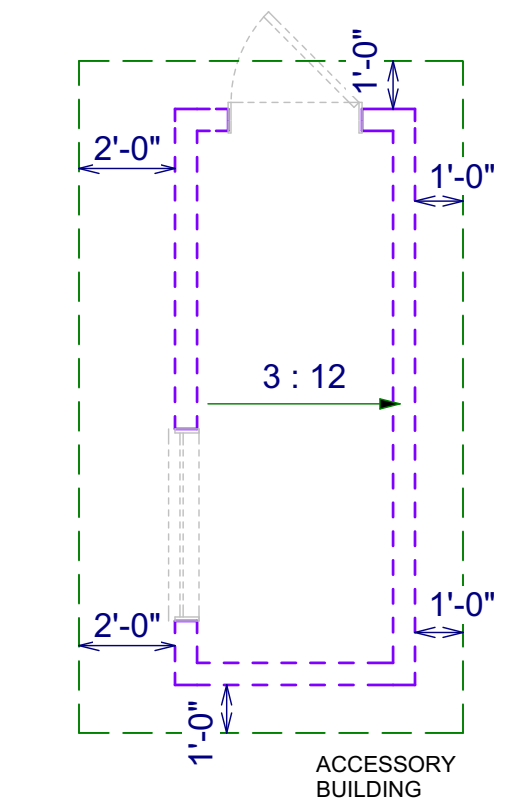
**EAST ELEVATION:  
ACCESSORY BLDG**

- MATERIAL LEGEND:
- 1. STUCCO IN CREAM COLOR
  - 2. SMART TRIM PANEL IN BLACK
  - 3. SMOOTH SMART TRIM FASCIA IN BLACK
  - 4. VINYL WINDOW IN BLACK
  - 5. METAL ROOFING IN BLACK
  - 6. OUTDOOR SHOWER HEAD
  - 7. EXTERIOR DOOR IN BLACK

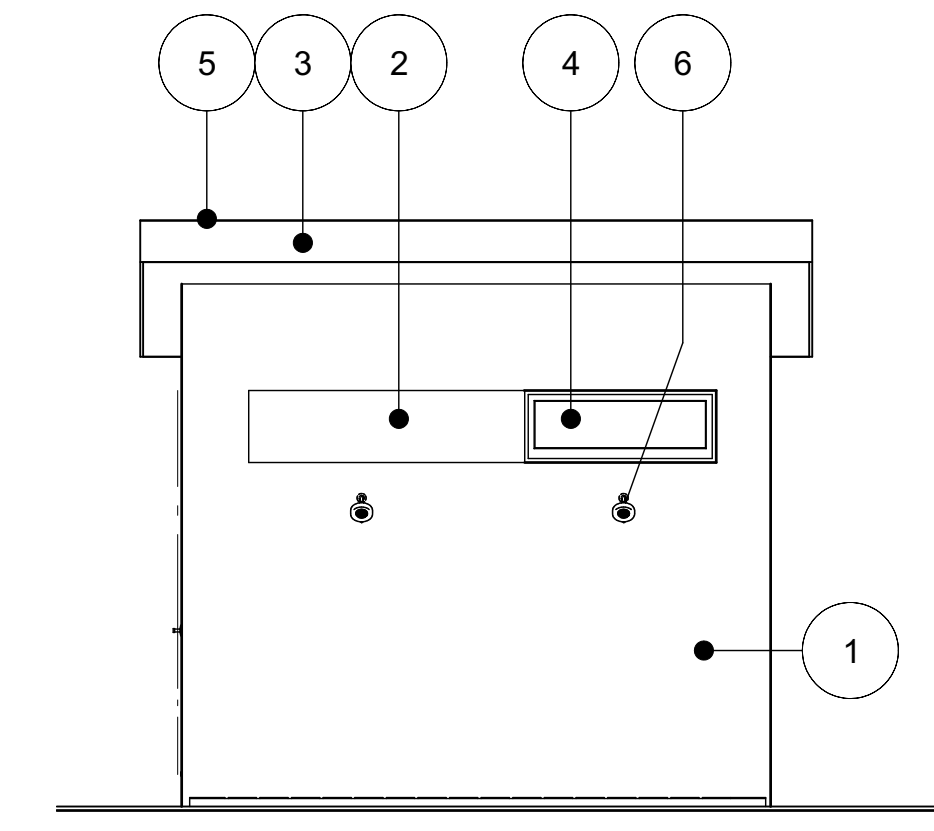


**ACCESSORY BLDG:**

GROSS AREA: 60 SQ.FT.  
NET AREA: 60 SQ.FT.

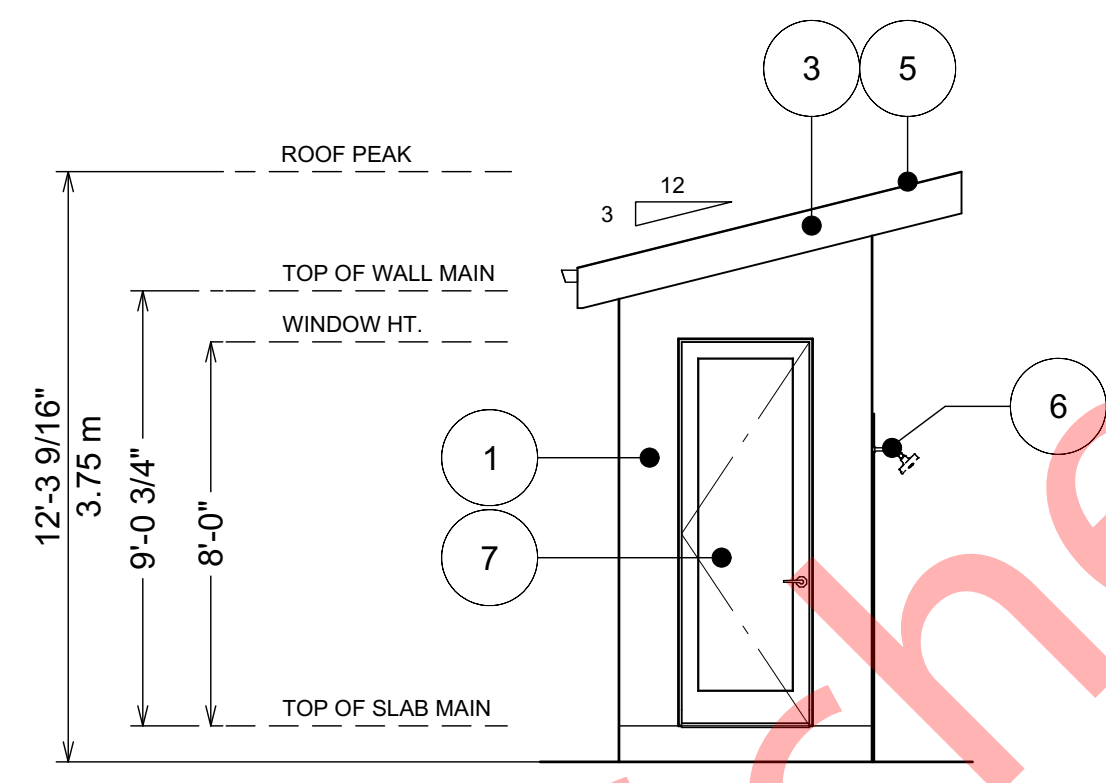


**ROOF PLAN:  
ACCESSORY BLDG**  
ROOF TRUSS SYSTEM AS  
PER MANUFACTURER



**WEST ELEVATION:  
ACCESSORY BLDG**

- MATERIAL LEGEND:
- 1. STUCCO IN CREAM COLOR
  - 2. SMART TRIM PANEL IN BLACK
  - 3. SMOOTH SMART TRIM FASCIA IN BLACK
  - 4. VINYL WINDOW IN BLACK
  - 5. METAL ROOFING IN BLACK
  - 6. OUTDOOR SHOWER HEAD
  - 7. EXTERIOR DOOR IN BLACK



**SOUTH ELEVATION:  
ACCESSORY BLDG**

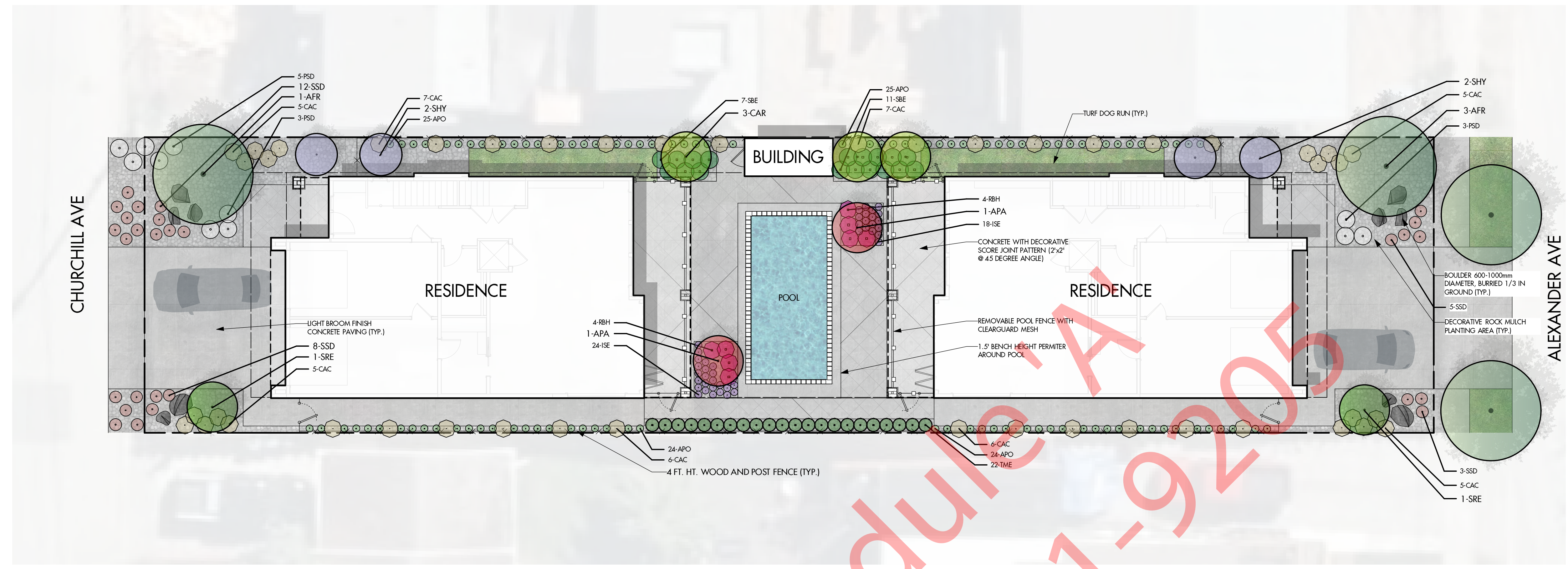
- MATERIAL LEGEND:
- 1. STUCCO IN CREAM COLOR
  - 2. SMART TRIM PANEL IN BLACK
  - 3. SMOOTH SMART TRIM FASCIA IN BLACK
  - 4. VINYL WINDOW IN BLACK
  - 5. METAL ROOFING IN BLACK
  - 6. OUTDOOR SHOWER HEAD
  - 7. EXTERIOR DOOR IN BLACK



**COLORING RENDERING -  
ACCESSORY BLDG**

FINISH NOTES:  
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DEPICTION ONLY. PLAN UPDATES MAY NOT BE REFLECTED IN RENDERINGS.  
RENDERINGS SHALL NOT BE USED FOR CONSTRUCTION.

DP PL2021-9205



SCHEDULE A  
 DP PL2021-9205

**PLANT LIST - OFFSITE**

KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
<b>TREES</b>				
AFR	ACER X FREMANII 'JEFFERSRED'	AUTUMN BLAZE MAPLE	2	6m CAL.
<b>SHRUBS</b>				
PSD	PHILADELPHUS 'SNOW DWARF'	SNOW DWARF MOCKORANGE	2	#02 CONT./ 0.75M O.C. SPACING
<b>PERENNIALS &amp; ORNAMENTAL GRASSES</b>				
SSD	SEDUM SPURIUM 'DRAGON'S BLOOD'	DRAGON'S BLOOD STONECROP	12	#01 CONT./ 0.75M O.C. SPACING

**PLANT LIST - ONSITE**

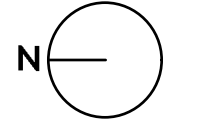
KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
<b>TREES</b>				
AFR	ACER X FREMANII 'JEFFERSRED'	AUTUMN BLAZE MAPLE	2	6m CAL.
APA	ACER PALMATUM 'INABA SHIDARE'	INABASHIDARE CUTLEAF JAPANESE MAPLE	2	4m CAL.
CAR	CARAGANA ARBORSCEENS	SIBERIAN PEA-TREE	3	4m CAL.
SHY	SYRINGA HYACINTHIFLORA 'SMNSHBL'	DOUBLE BLUE LILAC TREE	4	4m CAL.
SRE	SYRINGA RETICULATA	JAPANESE LILAC	2	6m CAL.
<b>SHRUBS</b>				
PSD	PHILADELPHUS 'SNOW DWARF'	SNOW DWARF MOCKORANGE	9	#02 CONT./ 0.75M O.C. SPACING
RBH	RHODODENDRON 'BLACK HAT'	BLACK HAT RHODODENDRON	8	#02 CONT./ 0.75M O.C. SPACING
SBE	SPIRAEA BETULIFOLIA	BIRCHLEAF SPIREA	18	#02 CONT./ 0.75M O.C. SPACING
TME	TAXUS X MEDIA 'STONEHENGE'	STONEHENGE YEW	22	#02 CONT./ 0.6M O.C. SPACING
<b>PERENNIALS &amp; ORNAMENTAL GRASSES</b>				
APO	AEGOPIDIUM PODOGRARIA 'VAREIGATUM'	BISHOP'S WEED	98	#01 CONT./ 0.3M O.C. SPACING
CAC	CALAMAGROSIS ACUTIFLORA 'OVERDAM'	OVERDAM FEATHER REED GRASS	47	#01 CONT./ 0.75M O.C. SPACING
ISE	IRIS SETOSA	BRISTLE-POINTED IRIS	42	#01 CONT./ 0.3M O.C. SPACING
SSD	SEDUM SPURIUM 'DRAGON'S BLOOD'	DRAGON'S BLOOD STONECROP	16	#01 CONT./ 0.75M O.C. SPACING

**LEGEND**

- DECIDUOUS TREE PLANTING
- DECORATIVE SHRUB, PERENNIAL, & ORNAMENTAL GRASS PLANTINGS
- SYNTHETIC TURF DOG RUN
- CONCRETE PAVING
- CONCRETE PAVING WITH DECORATIVE SAWCLITS
- PLANTING AREA WITH DECORATIVE ROCK MULCH
- ACCESS GATE
- REMOVABLE POOL FENCE WITH CLEARGUARD MESH
- 4 FT. HT. WOOD AND POST FENCE
- BOULDER 600-1000mm DIAMETER, BURIED 1/3 IN GROUND

**NOTES**

- PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED CSLA STANDARDS.
- ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
- TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm ROCK MULCH AS SHOWN IN PLANS. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
- TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
- SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE AND THAT NO WATER OR LOOSE IMPEDIMENTS WILL BE DISCHARGED FROM THE LOT ONTO ADJACENT PUBLIC, COMMON, OR PRIVATE PROPERTIES.



PROJECT TITLE  
**719 ALEXANDER AVENUE**

Pertition BC  
 DRAWING TITLE

**CONCEPTUAL LANDSCAPE PLAN**

ISSUED FOR / REVISION

NO.	DATE	REVISION
1	21.12.07	Review
2	22.03.08	Review
3		
4		
5		

PROJECT NO. 21-215  
 DESIGN BY JP  
 DRAWN BY NG/TR  
 CHECKED BY FB  
 DATE MAR. 08, 2021  
 SCALE 1:75  
 PAGE SIZE 24x36"

SEAL



DRAWING NUMBER

**L1/1**

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The Corporation of the City of Penticton

Bylaw No. 2022-16

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. 2022-16".

2. **Amendment:**

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

2.1 Rezone That Part of Lot 2 Shown on Plan B5522, District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1913, located at 719 Alexander Avenue, from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane).

2.2 Add the following to 10.5.4 SITE SPECIFIC PROVISIONS:  
.8 "In the case of That Part of Lot 2 Shown on Plan B5522, District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1913, located at 719 Alexander Avenue, a maximum of two single detached dwelling units shall be permitted."

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

READ A FIRST time this	day of	, 2022
A PUBLIC HEARING was held this	day of	, 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 \_\_ day of \_\_\_\_, 2022 and the \_\_ day of \_\_\_\_, 2022 in the Penticton newspaper, pursuant to Section 94 of the *Community Charter*.

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

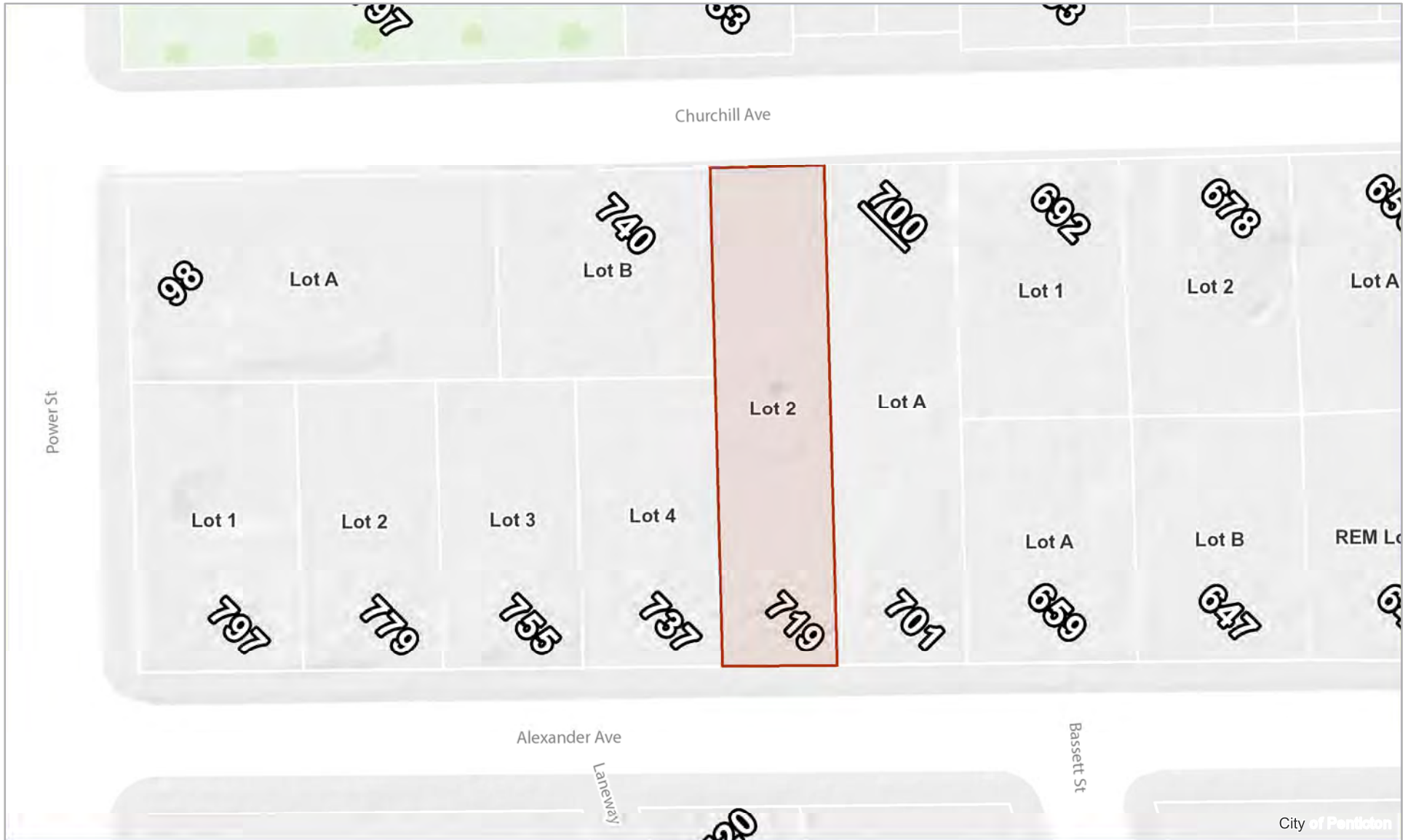
\_\_\_\_\_  
Angie Collison, Corporate Officer



# Schedule A: Zoning Amendment Bylaw 2022-16

Date:

Corporate Officer:

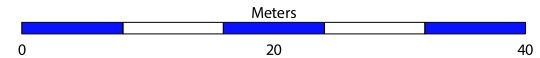


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1:600

March 29, 2022 2:18:07 PM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

# Council Report

penticton.ca

**Date:** April 5, 2022  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Nicole Capewell, Planner II  
**Address:** 909 Government Street

File No: RMS/909 Government St

**Subject:** **Development Variance Permit PL2022-9273**  
**Development Permit PL2022-9272**

## Staff Recommendation

THAT Council approve "Development Variance Permit PL2022-9273" for Lot 4 District Lot 249 Similkameen Division Yale District Plan 3392 Except Plan EPP89301, located at 909 Government Street, a permit to vary the following sections of Zoning Bylaw No. 2021-01:

1. Section 10.9.2.9: to reduce the minimum rear yard from 6.0m to 3.0m; and
2. Section 10.9.2.3: to increase the maximum lot coverage from 40% to 42%

AND THAT Council, subject to approval of "Development Variance Permit PL2022-9273", approve "Development Permit PL2022-9272", for Lot 4 District Lot 249 Similkameen Division Yale District Plan 3392 Except Plan EPP89301, located at 909 Government Street, a permit to allow for the construction of two duplexes (total four dwelling units) on the subject property.

## Strategic Priority Objective

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

## Proposal

The applicant is proposing to construct two side-by-side duplexes at 909 Government Street. To facilitate this development, the applicant is requesting two variances to the Zoning Bylaw:

1. Section 10.9.2.9: to reduce the minimum rear yard from 6.0m to 3.0m; and
2. Section 10.9.2.3: to increase the maximum lot coverage from 40% to 42%.



Figure 1 - Proposed Rendering of Development

The applicant also requires a Development Permit for the form and character of the development, which has been included for Council’s consideration.

**Background**

The subject property was rezoned in 2018 from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing) in conjunction with the property directly to the south, 931 Government Street, to facilitate a multifamily development on each property. Both properties had variances approved to allow for a reduced rear yard setback of 3.0m. The proposed development at 931 Government Street began construction in 2021, however the development at 909 Government Street did not. As a result, the previous Development Variance Permit and Development Permit associated with 909 Government Street expired, as these permits are only valid if works begin within two years of issuance.

The current applications before Council are to construct the same development as proposed in 2018. No changes have occurred to the plans. However, a second variance has been added to the application. As a result of the road dedication that was taken at the time of rezoning the lot is smaller in size and the building size puts the development slightly over the maximum lot coverage permitted.

The subject property is located in an area identified for increased density, located along the Government Street corridor that includes businesses such as IGA, the Canco gas station, Government Street Liquor Store & Wine Shoppe and the Penticton Dental Centre. Government Street also serves as a corridor for alternative modes of transportation, offering bike lanes and sidewalks on both sides of the street, as well as transit service. The surrounding neighbourhood contains a variety of zoning already in place including C1 (Commercial Transition), RM2 (Low Density Multiple Housing), and RM3 (Medium Density Multiple Housing).

**Technical Review**

This application was reviewed by the City’s Technical Planning Committee. Vehicle access to the property was reviewed to ensure that the proposed driveways are located a minimum distance (10m) back from the Forestbrook Drive and Government Street intersection. Typical frontage upgrades and servicing requirements have been identified for the Building Permit stage of the project. A required road dedication and corner cut were taken at the time of rezoning in 2018, and are already completed. The development is required to conform to the BC Building Code. These items have been communicated to the applicant.

**Development Statistics**

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



Figure 2 - Property Location Map

	RM2 Zone Requirement	Provided on Plans
<b>Minimum Lot Width*:</b>	18 m	24.5 m
<b>Minimum Lot Area*:</b>	540 m <sup>2</sup>	833.9 m <sup>2</sup>
<b>Maximum Lot Coverage:</b>	40%	42% <b>Variance Requested</b>
<b>Maximum Density:</b>	0.8 Floor Area Ratio (FAR)	0.7 FAR
<b>Vehicle Parking:</b>	5 (1 per unit, plus 0.25/unit for visitor parking)	7 spaces provided onsite
<b>Required Setbacks</b>		
Front Yard (Government St):	3.0 m	3.0 m
Exterior Side Yard (north):	4.5 m	4.5 m
Interior Side Yard (south):	3.0 m	3.0 m
Rear Yard (west):	6.0 m	3.0m <b>Variance Requested</b>
<b>Maximum Building Height</b>	12 m Federal Airport Height maximum = 5.867 m	5.84 m (within Federal Airport Height)
<b>Other Information:</b>	*Lot width and lot area are only applicable at time of subdivision.	

### Analysis

When considering a variance to a City bylaw, staff encourage 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 variances and are recommending support for the following reasons:

1. Section 10.9.2.9: to reduce the minimum rear yard from 6.0m to 3.0m  
As noted within the original variance request from 2018, the following comments apply:
  1. There are benefits that come with having a larger rear yard setback, including:
    - o Maintaining privacy for both properties and users of properties;
    - o Increased greenery and yard space;
    - o When a higher density is introduced, larger setbacks can assist in reducing the impact of a larger building close to neighbouring properties.
  2. While there are benefits to larger setbacks, the proposed development is minimizing the impacts to the neighbours by:
    - o Limiting the height of the new buildings to only two storeys (5.84m);
    - o Limiting the number of windows facing towards the neighbouring property;
    - o Orienting the units towards Forestbrook Drive rather than Government Street, and using the rear yard for parking or a drive aisle;
    - o Landscaping the remaining 3.0m setback with trees and shrubs.
  3. The approval of the variance would allow the applicant to create adequately sized units (~1,440 sq. ft.) each being , without having to add a 3<sup>rd</sup> storey onto the building. The reduced setback increases the allowable building envelope on the property.

4. The applicant has maintained a 3.0m setback, which allows for adequate screening and landscaping to take place and does not sacrifice any of the required 3.0m landscaping buffer between uses.
2. Section 10.9.2.3: to increase the maximum lot coverage from 40% to 42%  
A new variance is being requested with the subject application, related to lot coverage. The need for an increased lot coverage is a direct result of the road dedication and corner cut taken at the previous developments time of rezoning (2018). As a result of the dedications, the property size has been reduced, thus reducing the lot coverage permitted.

Staff are supporting the variance for the following reasons:

1. The proposed development is limited in size, proposing 4 duplex units (3 beds, 2.5 baths) with attached garages.
2. Requiring the applicant to meet the lot coverage calculation would require them to redesign the development, which was previously approved by Council in 2018.
3. Redesigning the development to meet the lot coverage would likely result in a loss of deck space off of the southern part of the building. Decks are often the easiest places to remove in order to meet lot coverage. Having adequate outdoor living space is a desirable amenity to all developments.
4. The development is in keeping with the area, limited to 2 storeys in height and will suit to the development under construction at 931 Government Street.
5. Ultimately, staff consider that the additional 2% lot coverage (14m<sup>2</sup>) will likely not negatively impact the surrounding area, and rather, will provide desirable and livable dwelling units in a great area of the City.

Staff consider both requested variances to be reasonable in this instance. The proposed development is considerate in size and does not overpower the existing neighbourhood. As such, staff are recommending that Council approve the Development Variance Permit and direct staff to issue the permit.

*Development Permit*

The proposed development is considered within the Multifamily Residential Development Permit Area, which is established to enhance neighbourhoods undergoing densification and create sensitive transitions in scale and density by addressing issues such as privacy, landscape retention and neighbourliness. Staff have completed an analysis of how the proposed development conforms to the Development Permit Guidelines (Attachment 'D'). As shown within the analysis, there is alignment between the plans and the intent of the Development Permit Area. The applicant also provided an analysis with their submission, which is included as Attachment 'E'.

Staff also consider that the proposed development is aligned with the following OCP policies:

OCP Policy 4.1.1.1	Focus new residential development in or adjacent to existing developed areas.
OCP Goal 4.1.3	Ensure a range of housing types, sizes, tenures and forms exist throughout the city to provide housing options for all ages, household types, and incomes.
OCP Policy 4.1.3.1	Encourage more intensive 'infill' residential development in areas close to the downtown, to employment, services and shopping, through zoning amendments for

	housing types compatible with existing neighbourhood character, with form and character guided by Development Permit Area Guidelines.
--	---

The proposed development has been designed with the OCP policies in mind and is a project aimed at achieving the desired density for this area of the City, while being courteous to the surrounding neighbours. As such, staff recommend that Council approve the Development Permit, subject to approval of the Development Variance Permit.

**Alternate Recommendations**

Council may consider that the requested variances are not warranted and that the applicant should redesign to meet the Zoning Bylaw. If this is the case, staff recommend that Council postpone a decision on the file, until such time as the applicant is able to appear before Council and provide any further justification or answer any questions that Council may have. Alternatively, Council may deny the application without hearing from the applicant (Alternative 2)

1. THAT Council postpone a decision on “Development Variance Permit PL2022-9273”, until after hearing from the applicant.
2. THAT Council deny “Development Variance Permit PL2022-9273”.

**Attachments**

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Development Permit Analysis (staff)
- Attachment E – Letter of Intent and Development Permit Analysis (applicant)
- Attachment F – Draft Development Permit PL2022-9272
- Attachment G – Draft Development Variance Permit PL2022-9273

Respectfully submitted,

Nicole Capewell, RPP, MCIP  
Planner II

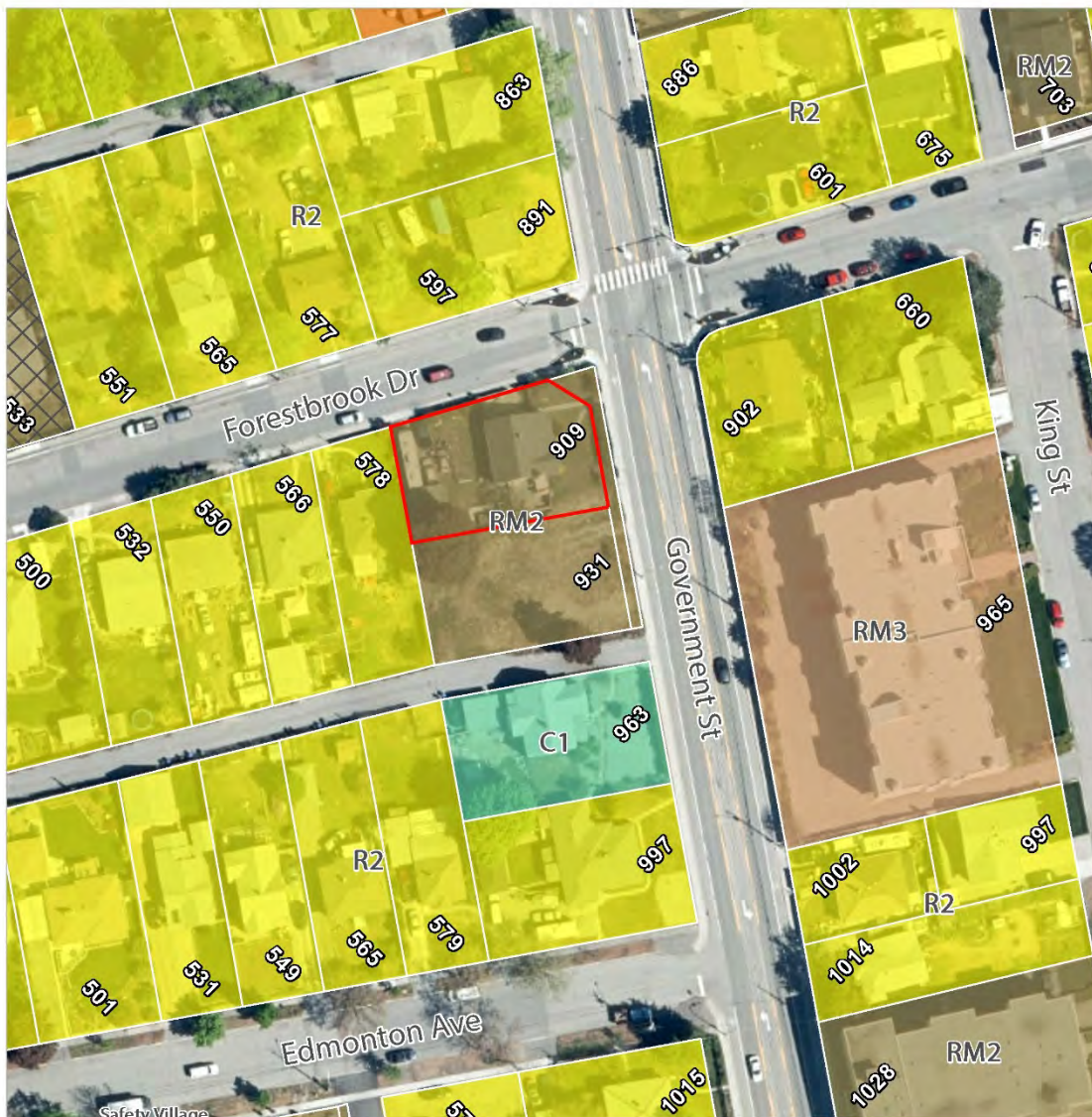
Concurrence

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

Attachment A – Zoning Map

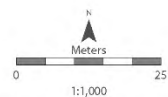


# 909 Government Street Zoning Map



**Legend**

- Subject Parcel
- Site Specific Zoning
- Zoning Bylaw**
- R2 - Small Lot Residential
- RD1 - Duplex Housing
- RM2 - Low Density Multiple Housing
- RM3 - Medium Density Multiple Housing
- C1 - Commercial Transition



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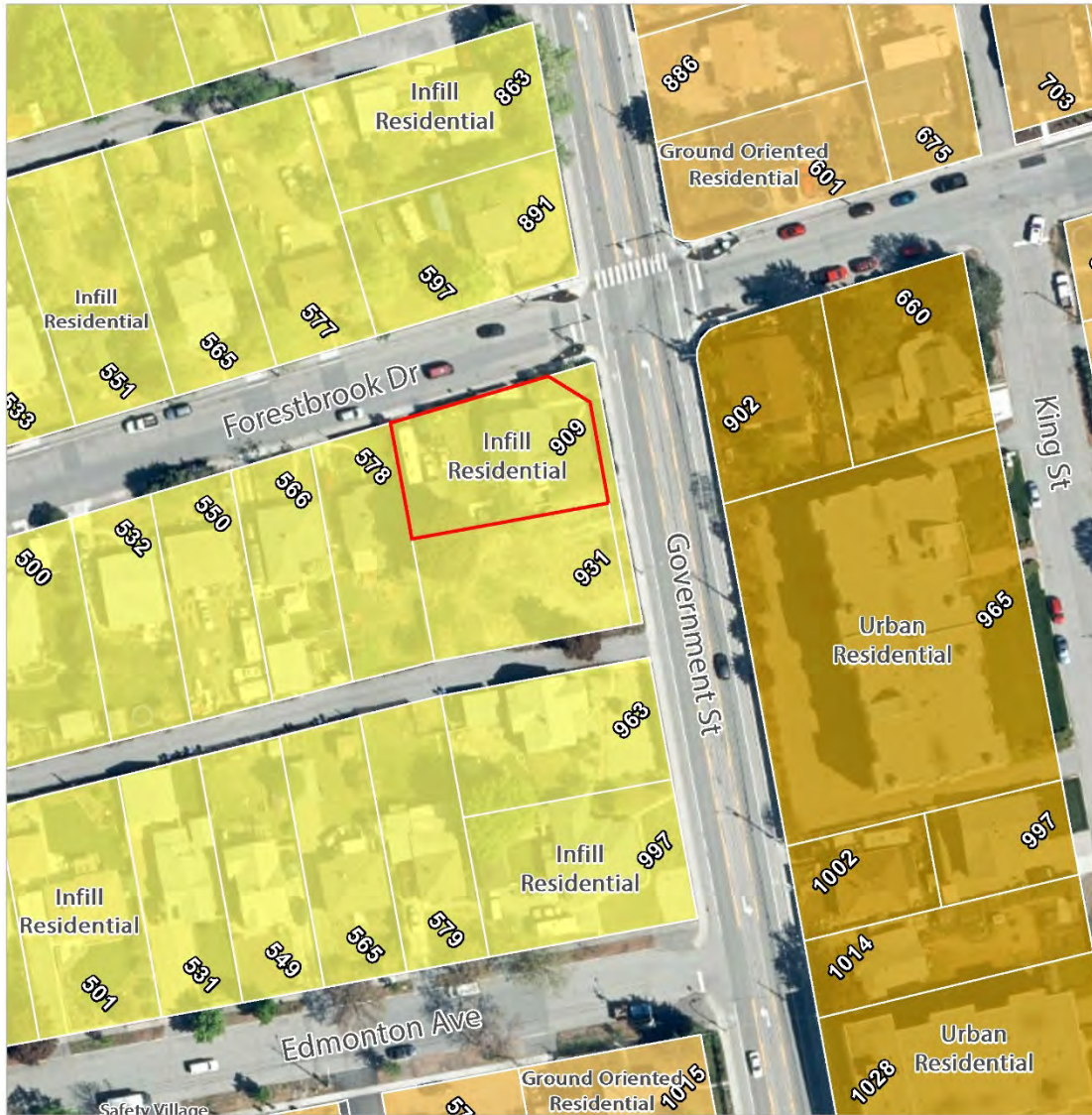
Thursday, March 3, 2022 2:06:20 PM

Attachment B – Official Community Plan Map



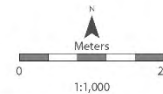
# 909 Government Street

## Official Community Plan Map



### Legend

- Subject Parcel
- Future Land Use
- Ground Oriented Residential
- Urban Residential
- Infill Residential



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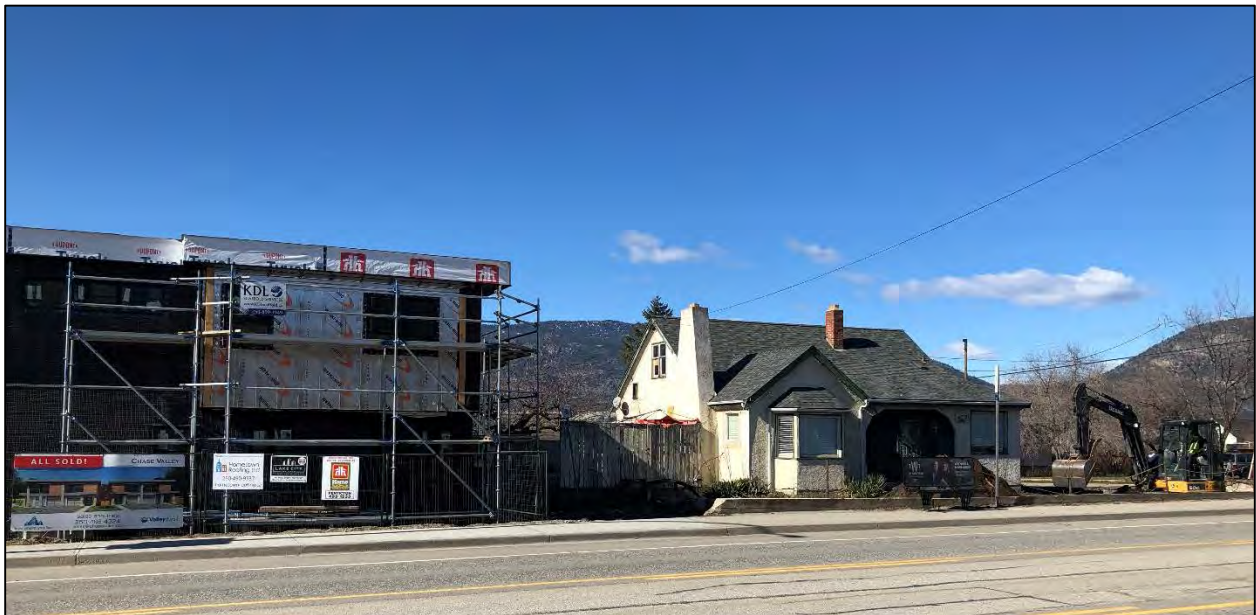
Thursday, March 3, 2022 2:06:20 PM

penticton.ca

Attachment C – Photos of Property



*Looking towards subject property from Government Street*



*Looking towards subject property from Government Street (and neighbouring 931 Government Street – similar development underway)*



*Looking along western property line, where variance has been requested. Building will align with the new development underway on property seen behind garage.*

Attachment D – Development Permit Analysis (staff)

**Development Permit Analysis**

The proposed development is located within the Multifamily Residential Development Permit Area. The following analysis demonstrates how the proposal is aligned with this development permit area.

*Guideline G1 Prior to site design, analysis shall be undertaken to identify significant on-site and off-site opportunities and constraints, including built and natural elements (e.g., structures, slopes and drainage, significant landscape features, etc.).*

- The proposed development considered the site. Originally both 909 and 931 Government Street were designed together. The development considers the neighbouring properties as well as the Federal Airport Height limitations.

*Guideline G5 Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighbouring building setbacks.*

- The front yard setback proposed is at the minimum required along Government Street, and a doorway to the corner unit has been provided to create a connection between Government Street and the proposed development.

*Guideline G13 Entry to ground-level residential units should be no more than 1.8m above the grade of adjacent public sidewalks and walkways.*

- The proposed entrances will be roughly at the same elevation as the sidewalk and streets.

*Guideline G16 Site and building access must prioritize pedestrian movement, minimize conflict between various modes of transportation and optimize use of space...*

- Pedestrian connections have been designed to connect the parking areas, main entrances, garbage and recycling areas and both street frontages.

*Guideline G21 Orientation of buildings should face public spaces (e.g., street and lane) with a preference for ground-oriented types (e.g., a front door for everyone or every business).*

- The development has utilized the corner lot and created main entrances on both of the streets.

*Guideline G28 Entries should be visible and clearly identifiable from the fronting public street.*

- The proposed development has entrances facing both Government Street and Forestbrook Dr to activate both streets.

*Guideline G35 Tree planting*

- The landscaping plan proposed includes all areas with trees and shrubs to be irrigated. While boulevard trees are not proposed, there are adequate trees and shrubs planted throughout the development, including along the front property along Government Street.



February 10, 2022

Giroux Design Group Inc.  
23216 Garnet Valley Rd.  
Summerland, BC V0H 1Z3

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

Re: 909 Government Street Development Permit Re-Application

To City of Penticton Planning Department,

This letter is regarding the re-application for Development Permit for 909 Government Street. This project along with the neighbouring property at 931 Government was originally approved by council in November of 2018, but due to uncertainties in the market caused by COVID the project was put on hold. The original developer was able to begin construction at 931 Government before the Development Permit expired, but was not able to start the construction of 909 Government in time. Subsequently the property has been sold to another developer who wishes to build the project. No changes have been made to the originally approved plans, however as a condition of the original Development Permit the City took a road dedication and corner cut that now require an additional variance to the application for parcel coverage. The new developer is eager to start construction, if at all possible in the spring of 2022. The buildings at 931 Government are well along in the construction process and will be completed soon. The plans for the development is to stratify the lots for sale of the individual units.

As this project was already approved and will compliment the neighbouring development we are hoping to see the re-approval of the Development Permit along with the variances needed.

Thank you for considering our proposal.

Best regards,

A handwritten signature in black ink, appearing to read "Tony", written over a light blue horizontal line.

Tony Giroux **ASTTBC.CTech, RBD, BCABD**  
Owner/Registered Building Designer  
Giroux Design Group Inc.

## **909 GOVERNMENT STREET: DEVELOPMENT PERMIT ANALYSIS**

### **PEDESTRIAN CONNECTIVITY**

The development is on a major road with pedestrian sidewalks on the street and nearby bicycle lanes. The location allows for easy walking or cycling to the nearby shopping, parks and schools. City Bus stops are also located in close proximity to allow easy transit use.

### **PARKING**

Each duplex has an enclosed garage for secure parking, as additional parking in front of the garage doors. Bicycle spaces are provided at the centre of the property and in the enclosed garages. No variances are required for parking as the proposal exceeds the required number of spaces. Vehicular access to the property is provided from Forestbrook Drive. Landscape strips are located between the driveways of each unit.

### **DESIGN FOR CLIMATE**

The building will meet the requirements of Step 3 of the BC Building Code. Trees to be planted along the property lines are deciduous trees which will provide shade during the summer and sunlight during the winter as the leaves fall. The trees are also placed to allow for maximum privacy between the development and neighbours. Each property has its own private rear yard to allow for outdoor living.

### **ORIENTATION & MASSING**

Each unit has its own entry door and covered porch, the unit closest to Government Street has the entry door oriented towards Government St. to improve the street appeal. The entry doors of the other units face the common driveway with a covered porch for each door. The property falls into an unusually high area of Penticton that is adversely affected by the Airport Height restrictions. The maximum height of the buildings has been shown on the plans to stay below the height allowed. The buildings match the size and style of the neighbouring buildings at 931 Government as well as the character of the area.

### **LANDSCAPING (ENHANCING THE URBAN FOREST)**

Note: Additional plants were added since the original submission. The proposed number of plants and trees exceed the minimum requirements set forth by the City of Penticton. Deciduous trees are planted along all property lines of varying sizes and colours. Planting beds are also distributed along the west north and east property lines, with a variety of ornamental grasses, flowers and shrubs. Each rear yard is private, separated with a 6' privacy and a ground level concrete or paving stone patio. All amenity space is provided at the ground level along the south side of the property. All planting beds and grassed areas are to be equipped with automatic irrigation systems on timers and with moisture sensors. The majority of the plants chosen are drought resistant plants to reduce the need for water. A door from each unit provides access into the back yard.

### **WASTE MANAGEMENT**

Garbage and recycling collection is provided by individual roll out bins, with a concrete pad placed at the centre the development between the two building for storage. Space is provided in each garage for the bins on non-collection days. A 4' high wood fence screen will be placed on three sides of the concrete pad to keep the area tidy on collection day.

## FENCES

6' high wood privacy fences will be placed along the west and south property lines, with the exception of the front yard and exterior side yard where a 4' high wood fence will be constructed. No fence will be placed on the north or east property lines. Each rear yard will also be separated by 6' high privacy fences. A 4' high fence and gate will be provided between the two buildings to screen the garbage and recycling.

We believe that this proposal will be an enhancement to the neighbourhood and add provide much needed family housing. As this development was recently approved we are hopeful for the same outcome.

Thank you for considering our proposal.

Best regards,

A handwritten signature in black ink, appearing to read 'Tony', with a stylized flourish at the end.

Tony Giroux **ASTTBC.RBD**

Owner/Registered Building Designer

Giroux Design Group Inc.



## Development Permit

Permit Number: DP PL2022-9272

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 4 District Lot 249 Similkameen Division Yale District Plan 3392 Except Plan EPP89301
  - Civic: 909 Government Street
  - PID: 008-531-722
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of two duplex buildings (total 4 dwelling units) as shown in the plans attached in Schedule 'A'.
4. In accordance with Section 502 of the *Local Government Act* a deposit or irrevocable letter of credit, in the amount of \$\_\_\_\_\_ must be deposited prior to, or in conjunction with, an application for a building permit for the development authorized by this permit. The City may apply all or part of the above-noted security in accordance with Section 502 of the *Local Government Act*, to undertake works or other activities required to:
  - a. correct an unsafe condition that has resulted from a contravention of this permit,
  - b. satisfy the landscaping requirements of this permit as shown in Schedule 'A' or otherwise required by this permit, or
  - c. repair damage to the natural environment that has resulted from a contravention of this permit.
5. The holder of this permit shall be eligible for a refund of the security described under Condition 4 only if:
  - a. The permit has lapsed as described under Condition 8, or
  - b. A completion certificate has been issued by the Building Inspection Department and the Director of Development Services is satisfied that the conditions of this permit have been met.

6. Upon completion of the development authorized by this permit, an application for release of securities (Landscape Inspection & Refund Request) must be submitted to the Planning Department. Staff may carry out inspections of the development to ensure the conditions of this permit have been met. Inspection fees may be withheld from the security in accordance with the City of Penticton Fees and Charges Bylaw (as amended from time to time).

### General Conditions

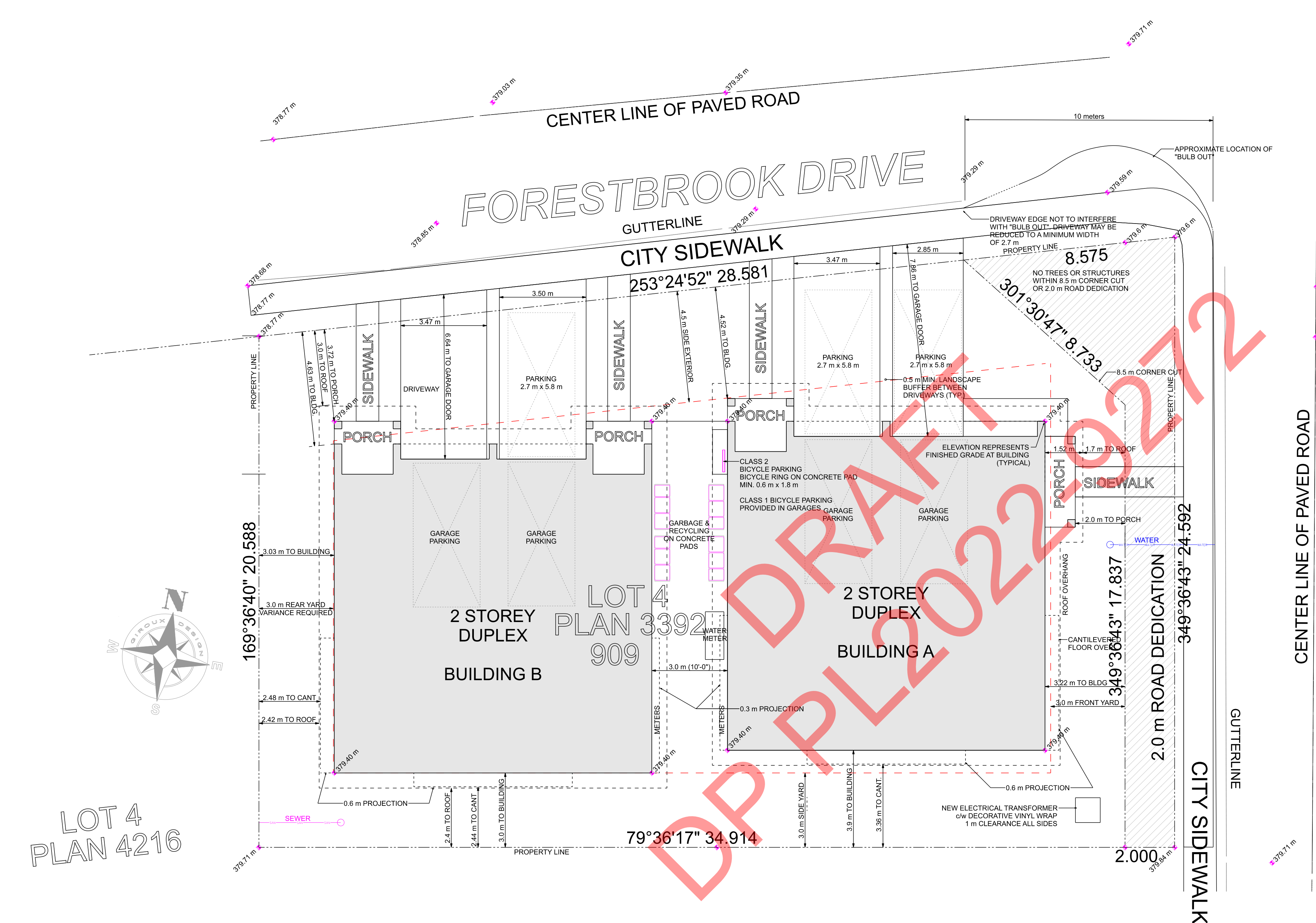
7. In accordance with Section 501(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
8. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
9. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
10. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
11. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the 5th day of April, 2022.

Issued this \_\_\_\_ day of Month, Year.

---

Angela Collison  
Corporate Officer



LOT 4  
PLAN 4216

**SITE PLAN**  
SCALE: 1:100  
CIVIC ADDRESS: 909 GOVERNMENT STREET, PENTICTON, B.C.  
LEGAL DESCRIPTION: LOTS 4, DL 5, GROUP 7, SDY(Y-L)D, PLAN 3392  
PID: 008-531-722

SITE DRAINAGE AS PER GEOTECH DRAWINGS  
MANDEVILLE LAND SURVEYING INC. PROFESSIONAL LAND SURVEYORS DWG, No. 18-041  
FIELD SURVEY COMPLETED THIS 20th DAY OF FEBRUARY, 2018.  
ELEVATIONS ARE GEODETIC (ORTHOMETRIC), DERIVED FROM PENTICTON MONUMENT #82H5345

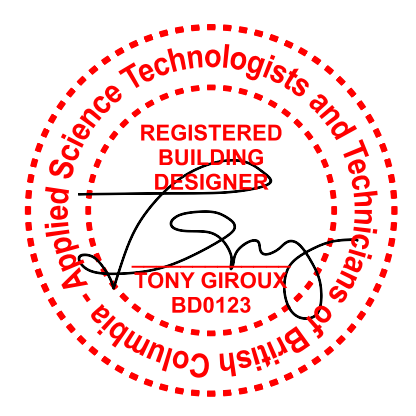
ZONING COMPLIANCE TABLE (CURRENT ZONING RM2)			
REGULATION	REQUIRED	PROVIDED ON PLANS	VARIANCE REQUIRED
LOT AREA	540 m <sup>2</sup>	763.67 m <sup>2</sup>	N/A
MAXIMUM LOT COVERAGE	40%	42% (319.5 m <sup>2</sup> )	YES
MAXIMUM DENSITY	0.80 FAR	0.70 FAR (534.0 m <sup>2</sup> )	NO
MAXIMUM HEIGHT	12.0 m	5.84 m	NO
MINIMUM FRONT YARD (EAST)	3.0 m	3.0 m	NO
MINIMUM INTERIOR SIDE YARD (SOUTH)	3.0 m	3.0 m	NO
MINIMUM EXTERIOR SIDE YARD (NORTH)	4.5 m	4.5 m	NO
MINIMUM REAR YARD (WEST)	6.0 m	3.0 m	YES
PARKING SPACES (1 PER UNIT + 1 GUEST)	5	7	NO
AMENITY AREA (20 m <sup>2</sup> PER UNIT)	80 m <sup>2</sup>	145 m <sup>2</sup>	NO

RAJ DHILLON  
909 GOVERNMENT STREET  
PENTICTON, BC  
DESIGN BY: AJG DATE: 3/02/22  
DRAWN BY: AJG/JMG REVISED:

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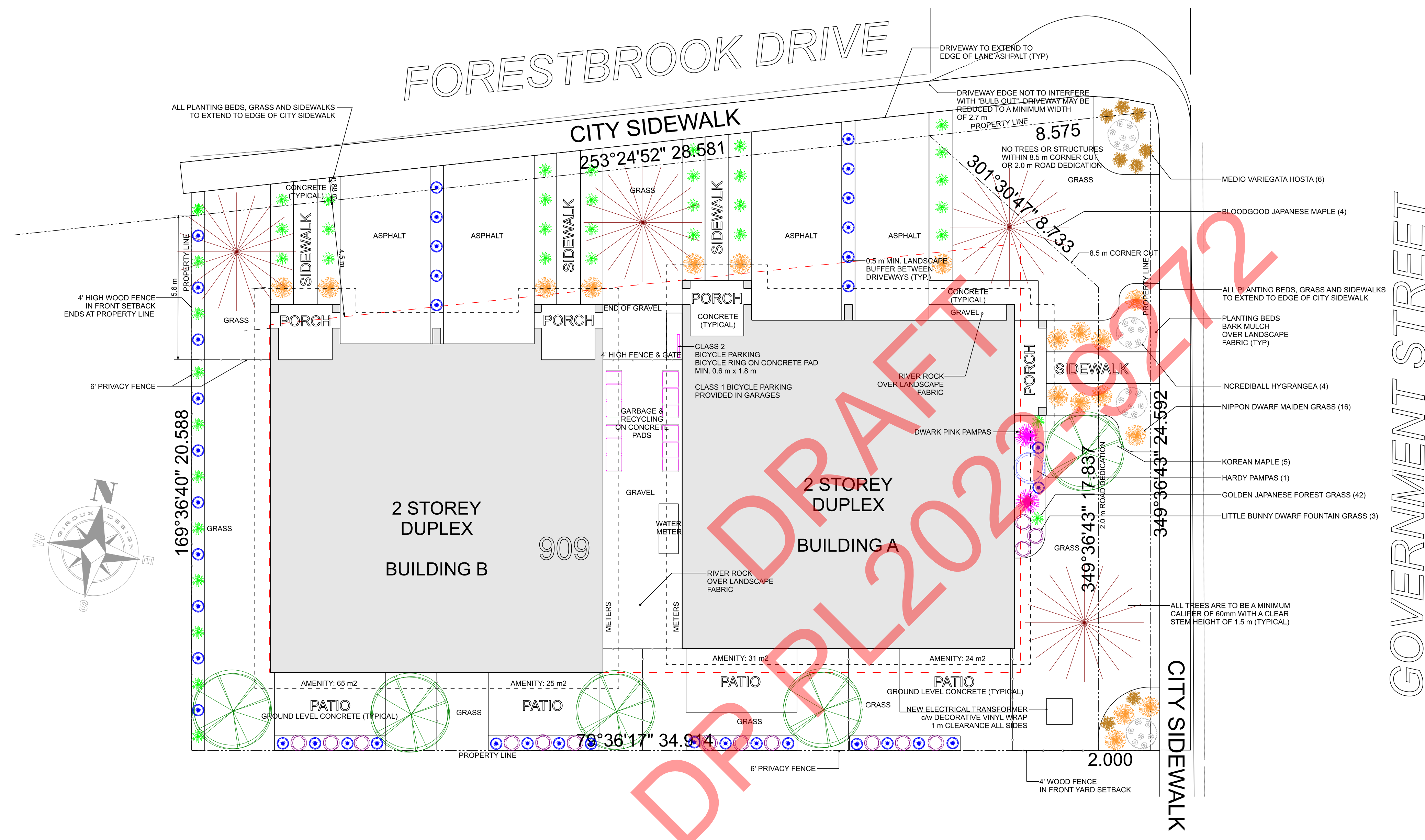


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PLAN NO.  
**WP-5561**  
SLAB  
SHEET NO.  
**DP1**

Site Plan & Zoning Table



**LANDSCAPE PLAN**  
SCALE: 1:100

**LANDSCAPING SCHEDULE:**

- BULBOUS OAT GRASS - 39 qty
  - BLOODGOOD JAPANESE MAPLE - 4 qty
  - DWARF PINK PAMPAS - 2 qty
  - LITTLE BUNNY DWARF FOUNTAIN GRASS - 15 qty
  - GOLDEN JAPANESE FOREST GRASS - 40 qty
  - HARDY PAMPAS GRASS - 1 qty
  - KOREAN MAPLE - 5 qty
  - NIPPON DWARF MAIDEN GRASS - 16 qty
  - INCREDIBALL HYDRANGEA - 4 qty
  - MEDIO VARIEGATA HOSTA - 8 qty
  - GRASS - 3034 sq. ft.
  - CRUSHED GRAVEL - 451 sq. ft.
  - BARK MULCH - 780 sq. ft.
  - LANDSCAPE FABRIC - 1210 sq. ft.
  - SIDEWALKS & PATIOS - 914 sq. ft.
  - ASPHALT DRIVEWAY - 1081 sq. ft.
  - 6" PRIVACY FENCE - 210 lin. ft.
  - 4" WOOD FENCE - 29 lin. ft.
- LANDSCAPING NOTES:**
- PLANTING BEDS TO BE BARK MULCH OVER LANDSCAPE FABRIC.
  - CRUSHED GRAVEL OVER LANDSCAPE FABRIC.
  - LANDSCAPED AREAS TO BE EQUIPPED WITH UNDERGROUND IRRIGATION SYSTEM COMPLETE WITH MOISTURE SENSORS AND ON TIMERS.
  - ALL TREES ARE TO BE A MINIMUM CALIPER OF 60mm WITH A CLEAR STEM HEIGHT OF 1.5 m.
  - SHRUBS SHALL BE A MINIMUM No.2 POT SHRUB
  - NO RETAINING WALLS OVER 1.2 m ARE PERMITTED WITHIN ANY SETBACK AREA
  - NO TREES OR STRUCTURES WITHIN 8.5 m CORNER CUT OR 2.0 m ROAD DEDICATION



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RAJ DHILLON  
909 GOVERNMENT STREET  
PENTICTON, BC  
DESIGN BY: AJG DATE: 3/02/22  
DRAWN BY: AJG/JMG REVISED:

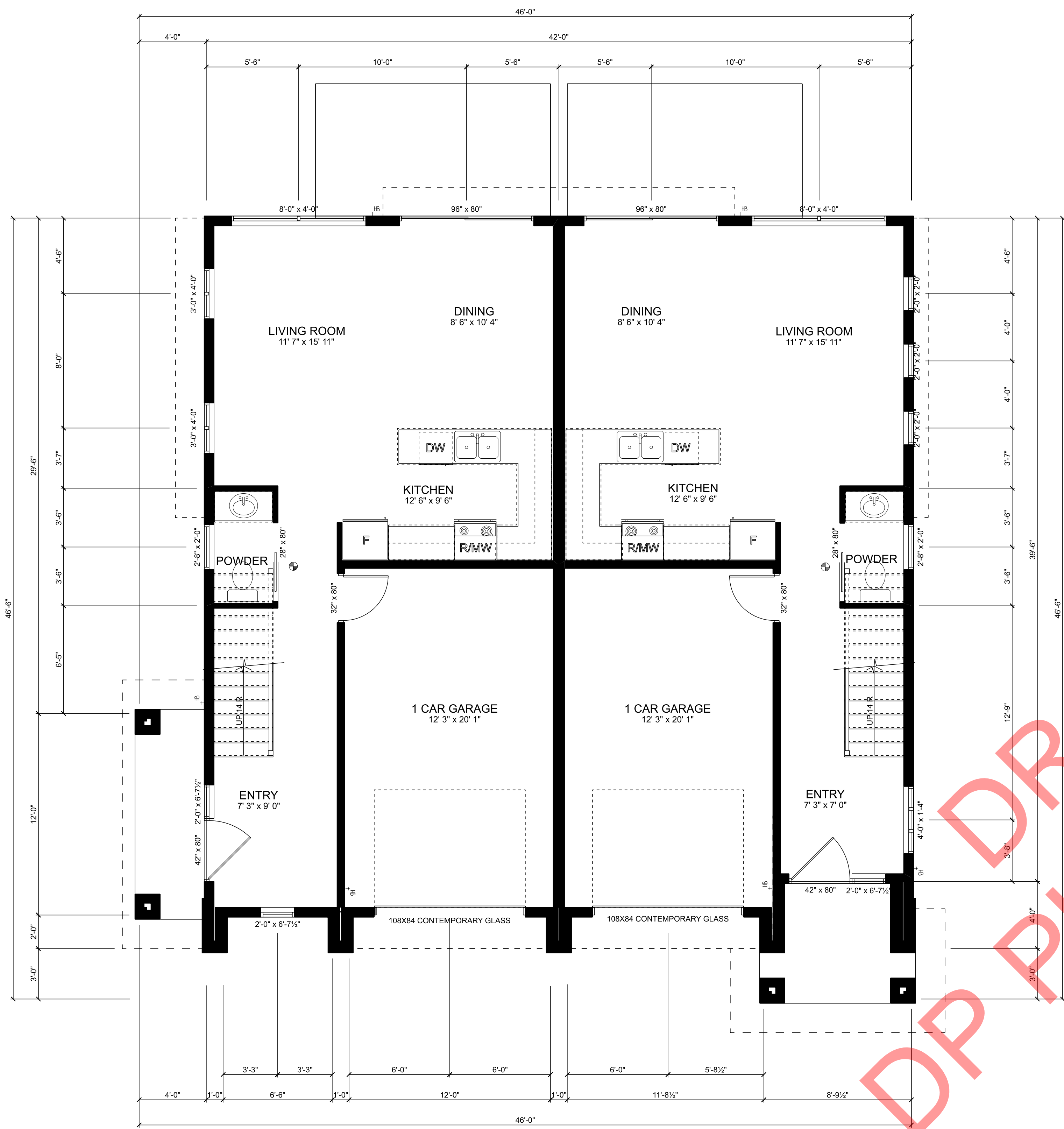
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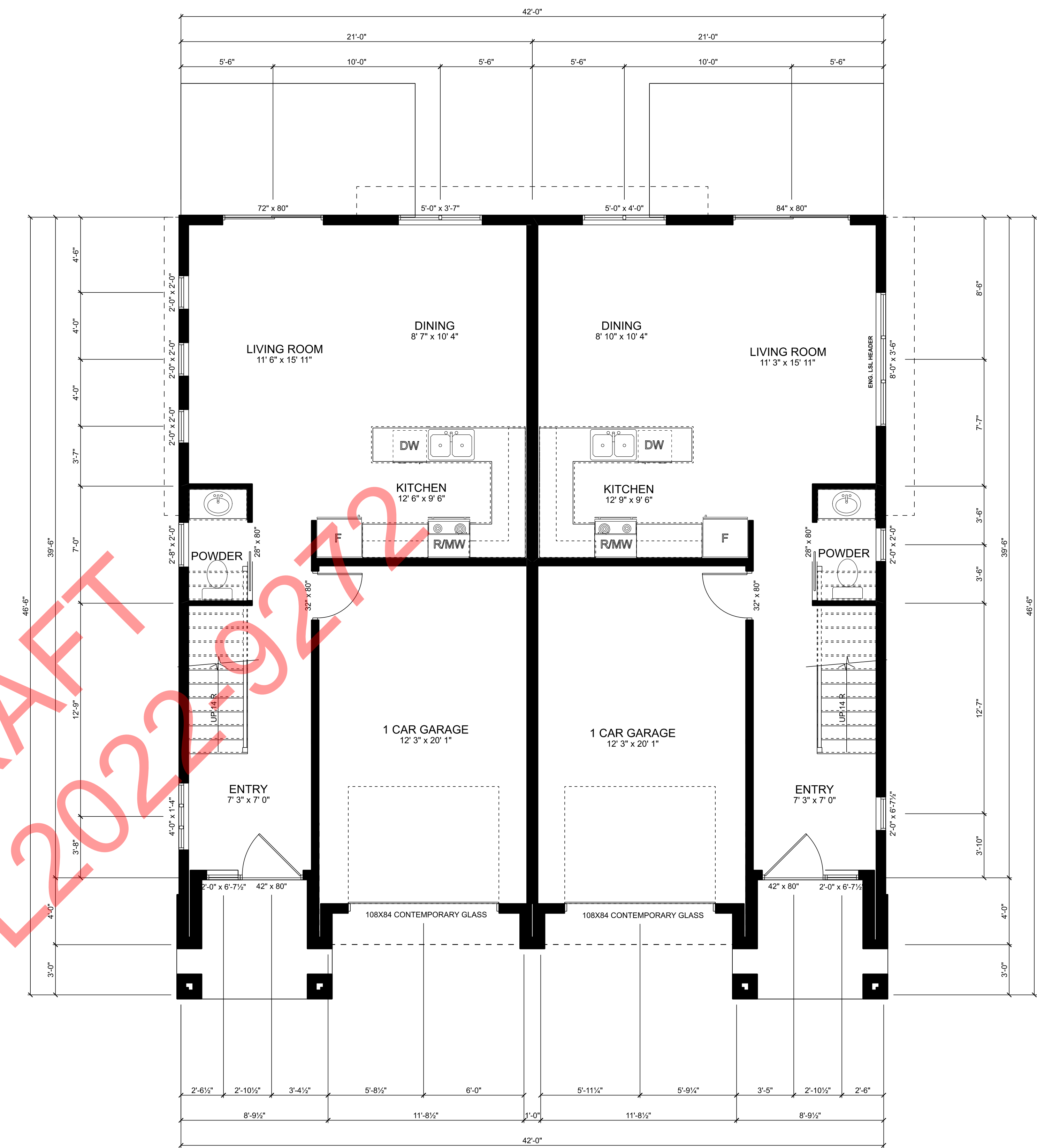
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PLAN NO. **WP-5561**  
SLAB  
SHEET NO. **DP2**

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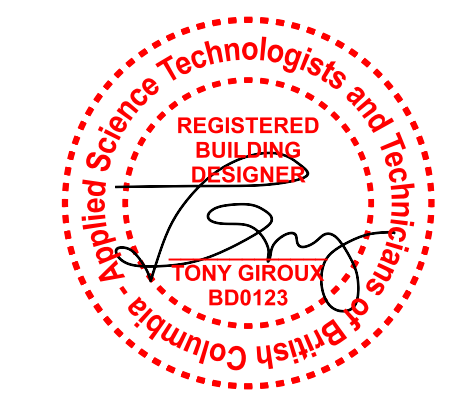


**MAIN FLOOR PLAN A**  
 SCALE: 1/4" = 1'-0"  
 TOTAL MAIN FLOOR LIVING AREA: 1175 sq.ft.  
 TOTAL GARAGE AREA: 558 sq.ft.



**MAIN FLOOR PLAN B**  
 SCALE: 1/4" = 1'-0"  
 TOTAL MAIN FLOOR LIVING AREA: 1154 sq.ft.  
 TOTAL GARAGE AREA: 558 sq.ft.

DRAFT  
 2022-09-22



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**PLEASE READ CAREFULLY  
 BEFORE BEGINNING PROJECT:**

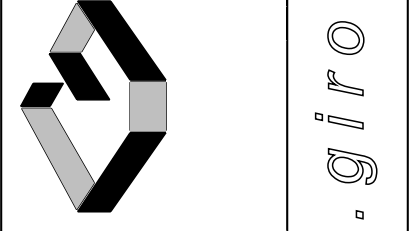
- ALL FRAMING MATERIAL OTHER THAN STUDS SHALL BE No. 1 & 2 S.P.F.
- ALL WORK IS TO BE DONE IN ACCORDANCE WITH & STUDS SHALL CONFORM TO THE LATEST EDITION OF THE BRITISH COLUMBIA BUILDING CODE AND LOCAL CODES, BYLAWS AND REGULATIONS WHERE THESE TAKE PRECEDENCE.
- ALL WORK MUST BE DONE ACCORDING TO THE ACCEPTED PRACTICE OF THE DAY. THIS IS APPLICABLE TO THE GENERAL CONTRACTOR AND ALL SUBTRADES.
- THE INTENT IS TO CONSTRUCT A SOUND, ADEQUATE BUILDING.
- ALL MATERIALS SHALL BE NEW AND THE BEST OF THEIR RESPECTIVE KIND UNLESS OTHERWISE SPECIFIED TO THE GENERAL CONTRACTOR AND ALL SUBTRADES.
- ANYTHING NOT COVERED IN THE PLANS WILL BE OPEN FOR NEGOTIATION BETWEEN THE CONTRACTOR AND THE OWNER.
- WHILE EVERY ATTEMPT HAS BEEN MADE IN THE PREPARATION OF THIS PLAN TO AVOID MISTAKES, THE DESIGNER CANNOT GUARANTEE AGAINST HUMAN ERROR.
- THE CONTRACTOR OR BUILDER ON THE JOB MUST CHECK ALL DETAILS AND DIMENSIONS AND REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE ORDERING MATERIALS OR COMMENCING CONSTRUCTION.
- ALL SITE DIMENSIONS AND MEASUREMENTS ARE TO BE GOVERNED AND APPROVED BY MUNICIPAL AUTHORITIES BEFORE STARTING CONSTRUCTION.

RAJ DHILLON  
 909 GOVERNMENT STREET  
 PENTICTON, BC  
 DESIGN BY: AIG  
 DRAWN BY: AJJ/JMG  
 DATE: 3/02/22  
 REVISED:

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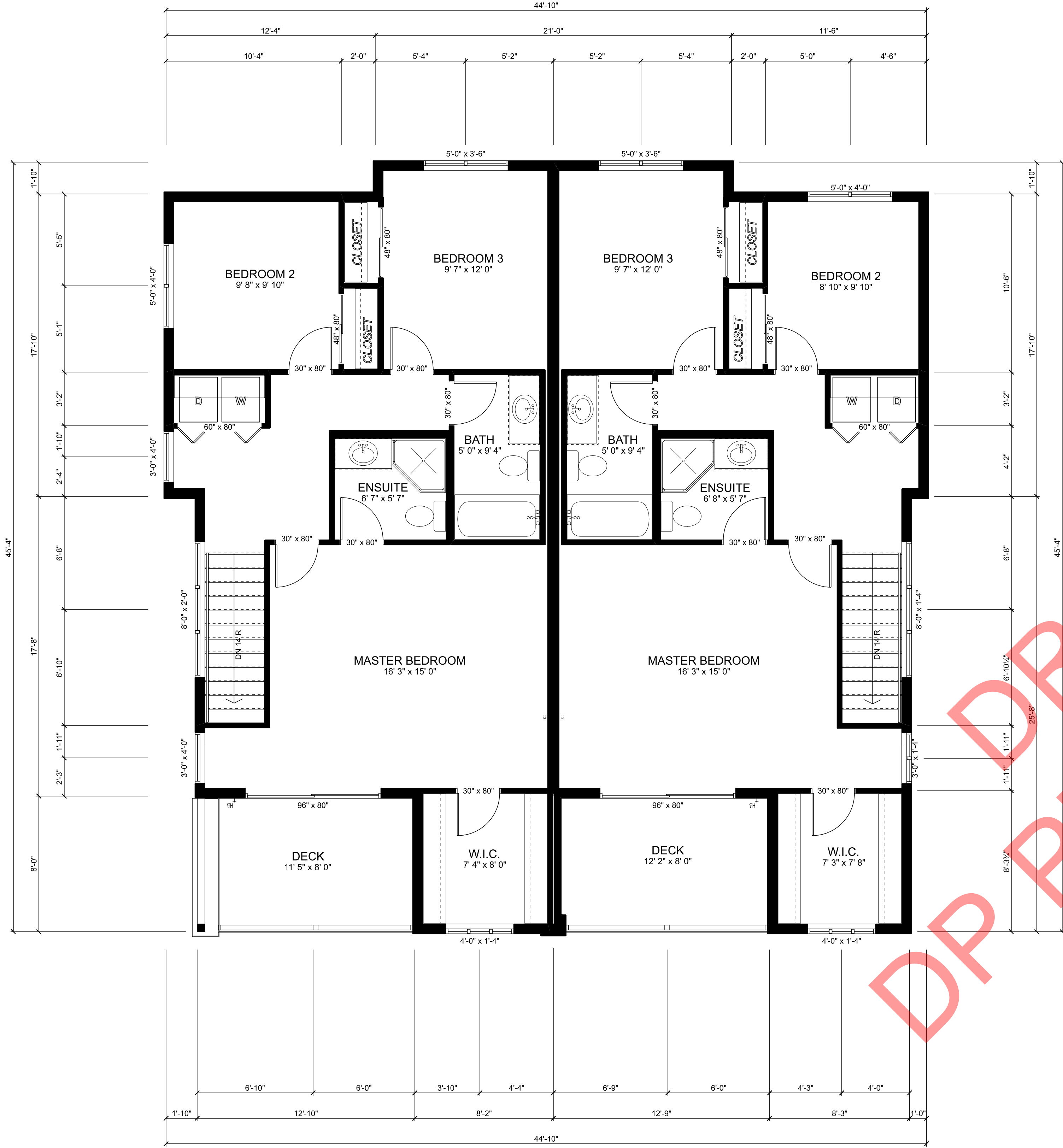
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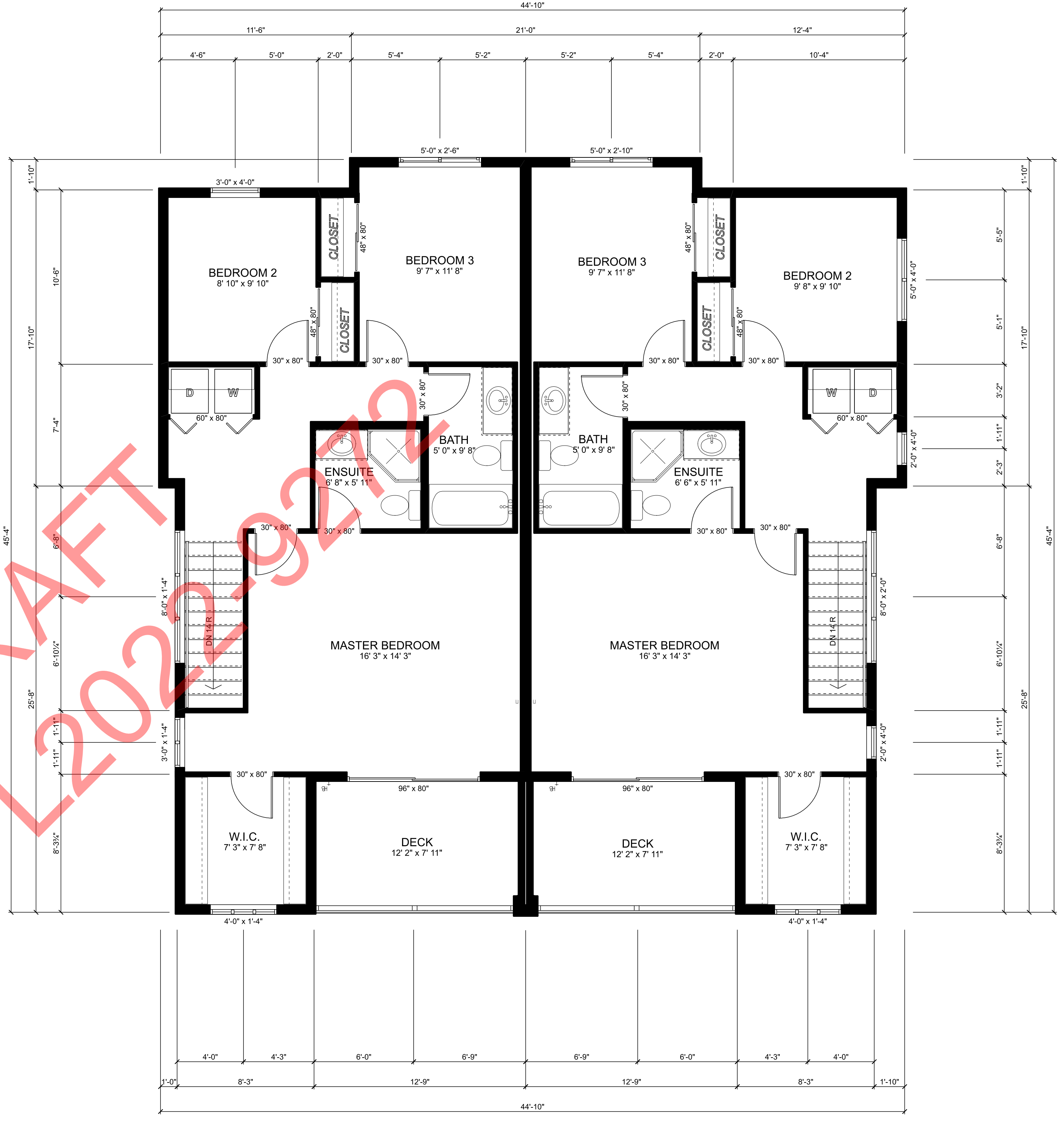
PLAN NO.  
**WP-5561**  
 SLAB  
 SHEET NO.  
**DP3**

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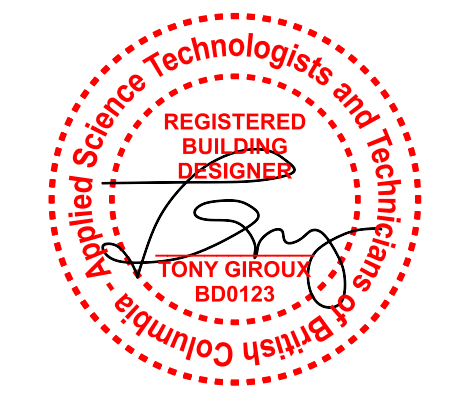
Main Floor Plans



**SECOND FLOOR PLAN A**  
 SCALE: 1/4" = 1'-0"  
 TOTAL SECOND FLOOR LIVING AREA: 1714 sq.ft.



**SECOND FLOOR PLAN B**  
 SCALE: 1/4" = 1'-0"  
 TOTAL SECOND FLOOR LIVING AREA: 1710 sq.ft.



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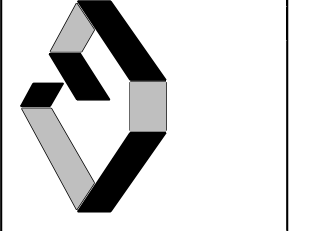
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 909 GOVERNMENT STREET  
 PENTICTON, BC  
 DESIGN BY: AJG  
 DRAWN BY: AJG/JMG  
 DATE: 3/02/22  
 REVISED:

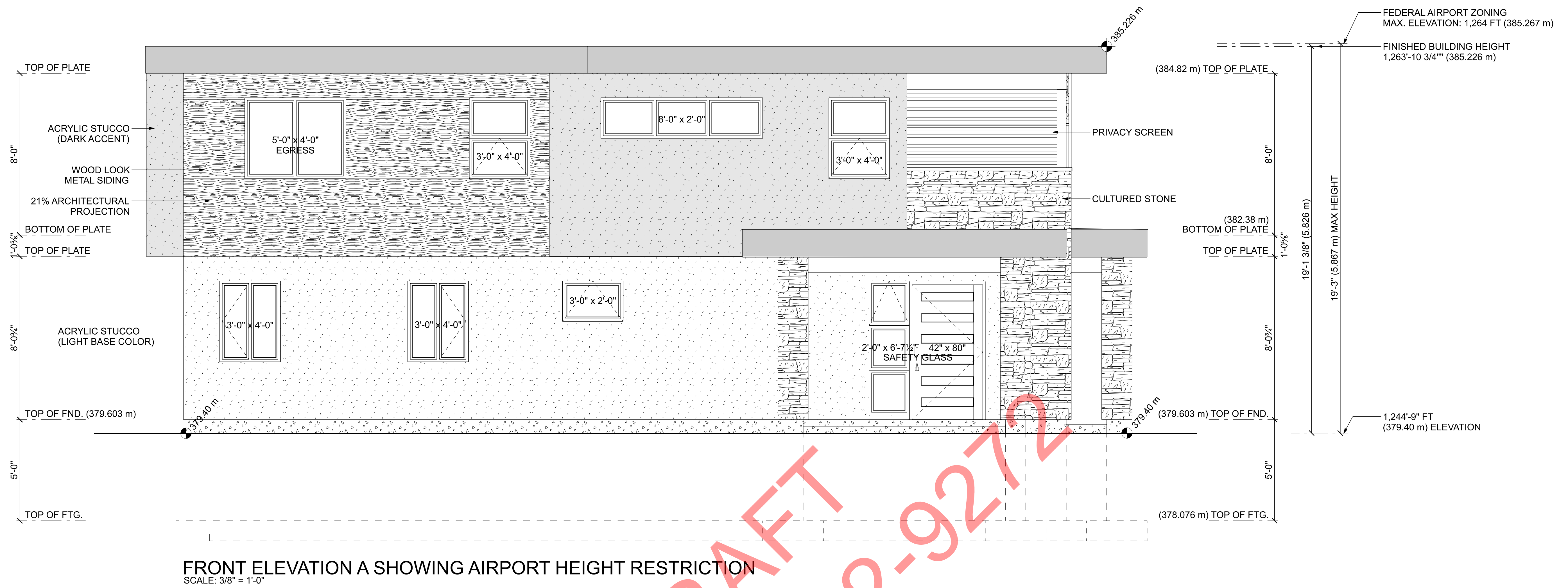
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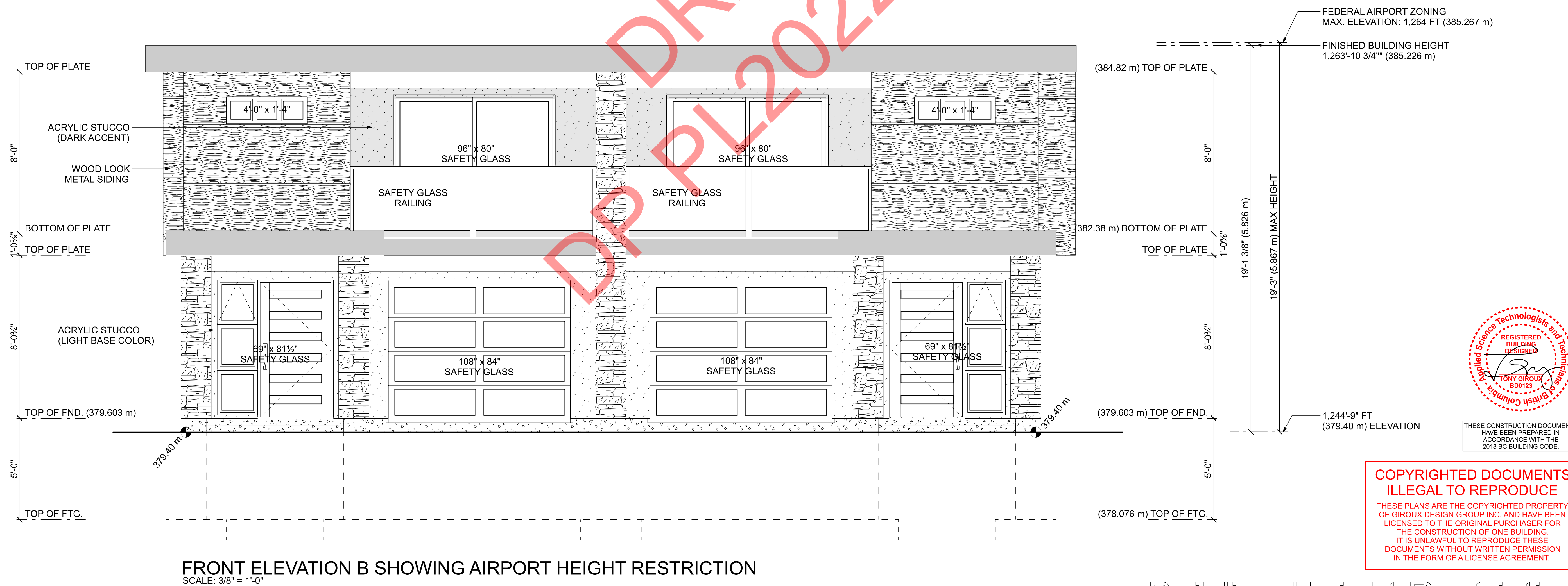
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PLAN NO.  
**WP-5561**  
 SLAB  
 SHEET NO.  
**DP4**



**FRONT ELEVATION A SHOWING AIRPORT HEIGHT RESTRICTION**  
SCALE: 3/8" = 1'-0"



**FRONT ELEVATION B SHOWING AIRPORT HEIGHT RESTRICTION**  
SCALE: 3/8" = 1'-0"

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909 GOVERNMENT STREET  
PENTICTON, BC  
DESIGN BY: AIG DATE: 3/02/22  
DRAWN BY: AJJ/JMG REVISED:

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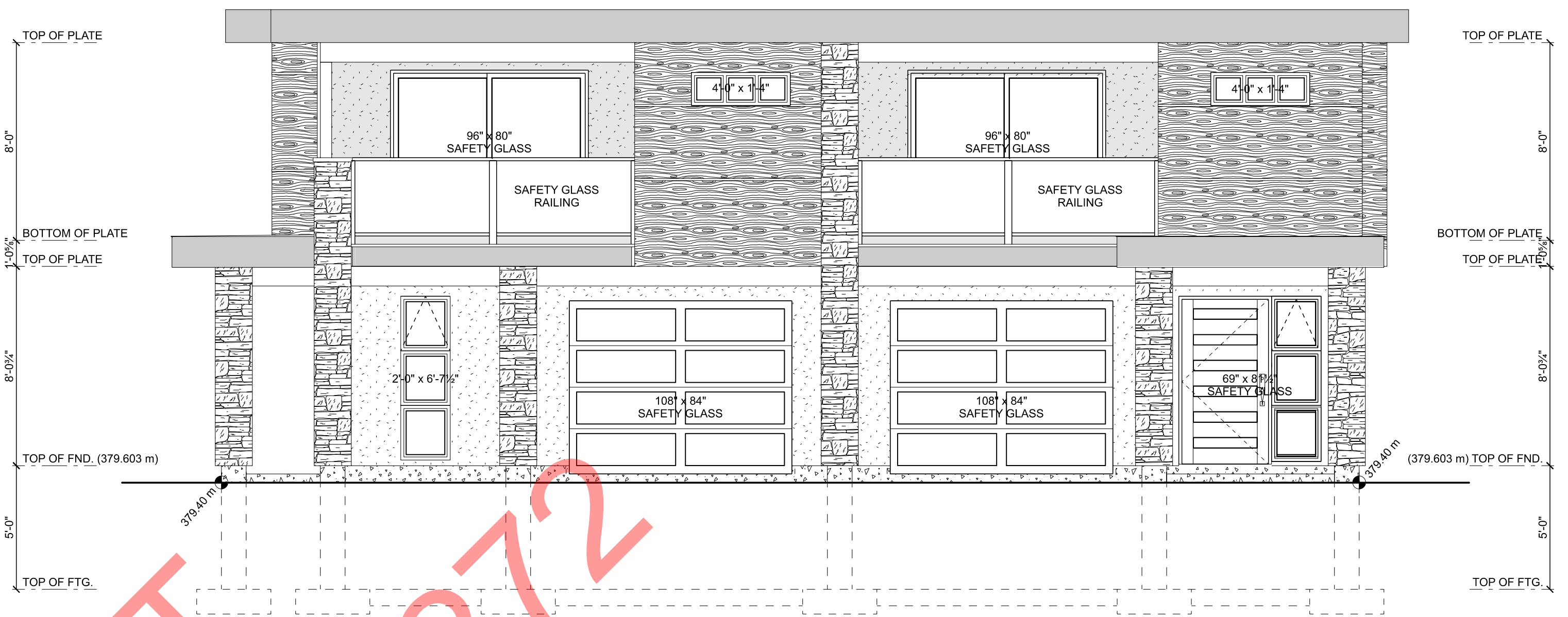
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SLAB  
**SHEET NO.  
DP5**

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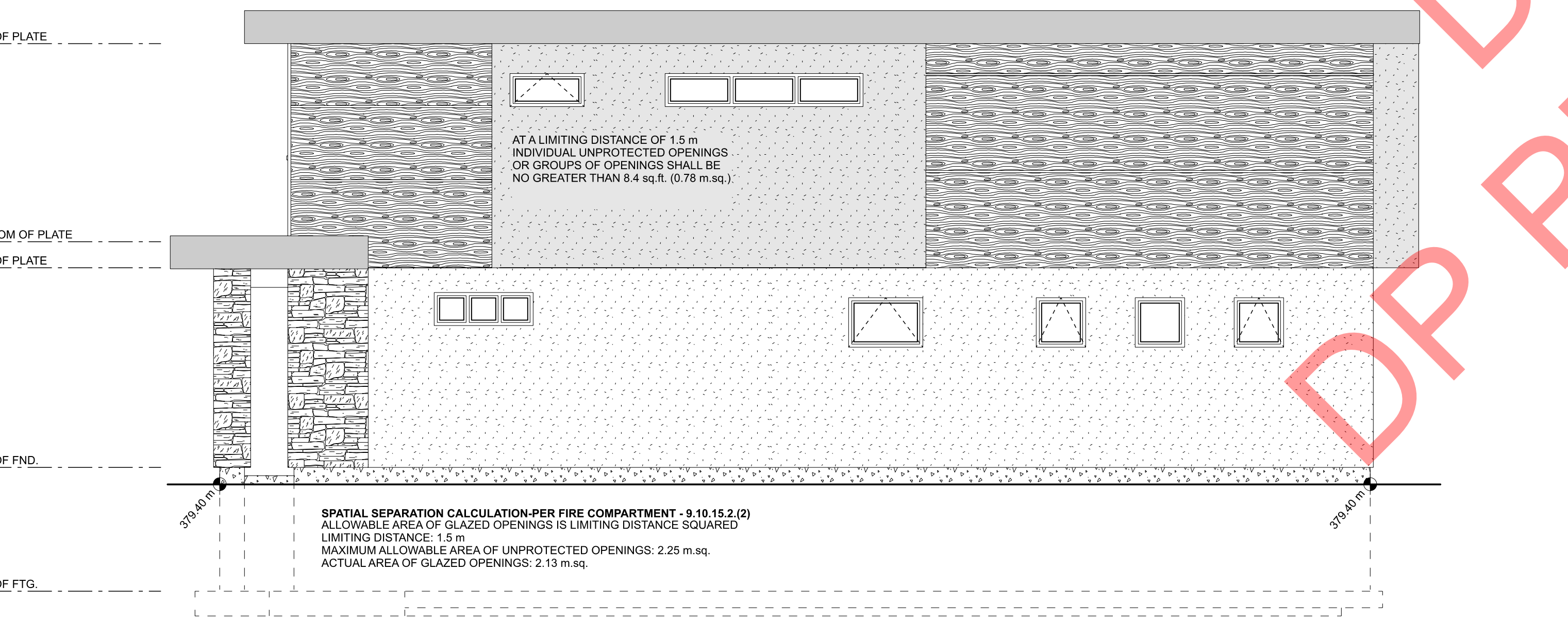
Building Height Restriction



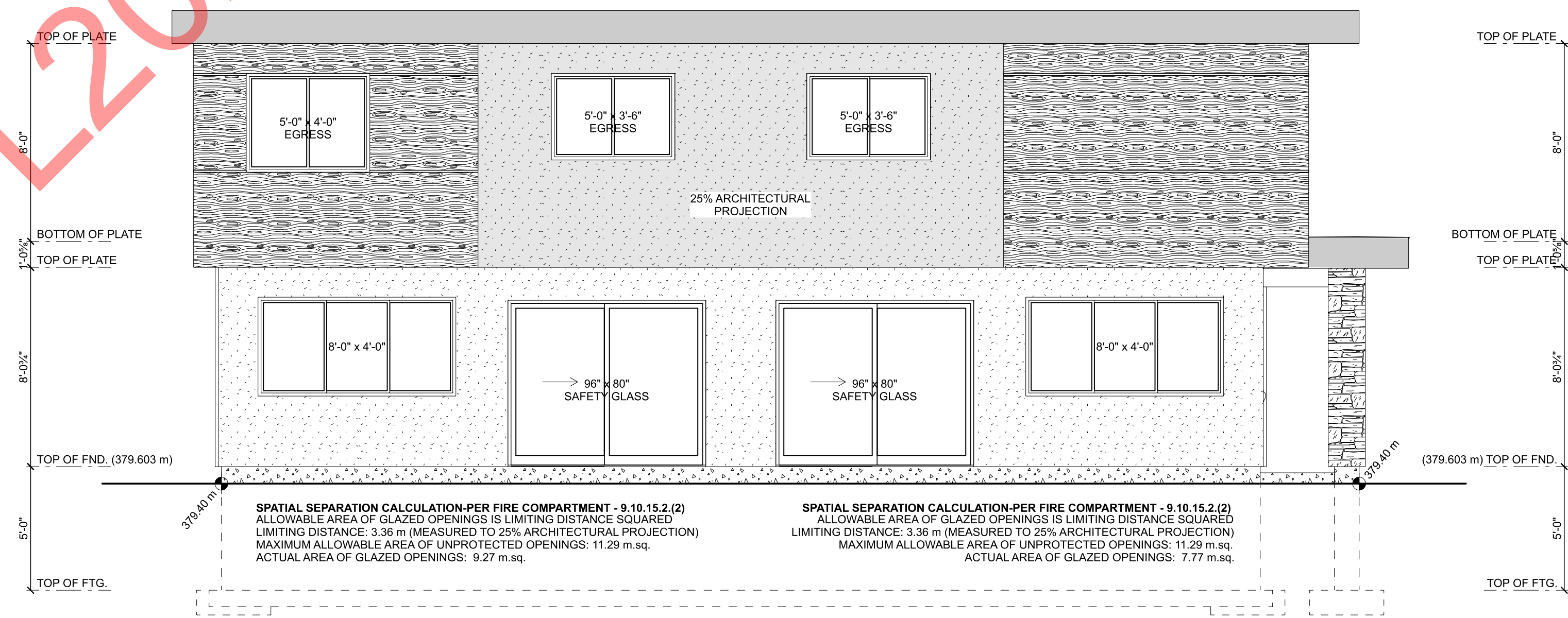
**FRONT ELEVATION (FACING EAST TO GOVERNMENT STREET)**  
SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION (FACING NORTH TO FORESTBROOK AVE)**  
SCALE: 1/4" = 1'-0"



**REAR ELEVATION (FACING WEST TO BUILDING B))**  
SCALE: 1/4" = 1'-0"



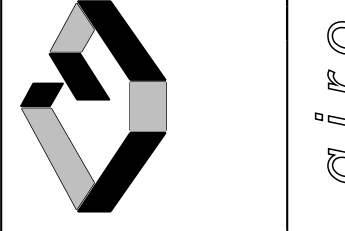
**LEFT ELEVATION (FACING SOUTH)**  
SCALE: 1/4" = 1'-0"

RAJ DHILLON  
909 GOVERNMENT STREET  
PENTICTON, BC  
DESIGN BY: AIG DATE: 3/02/22  
DRAWN BY: AIG/JMG REVISION:

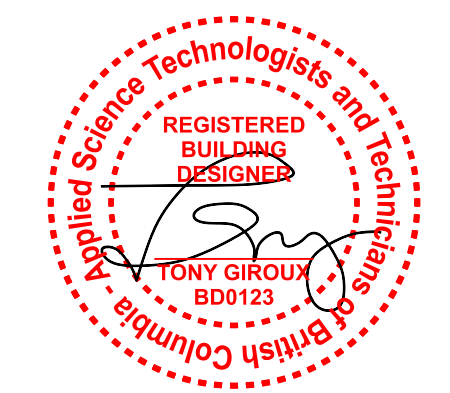
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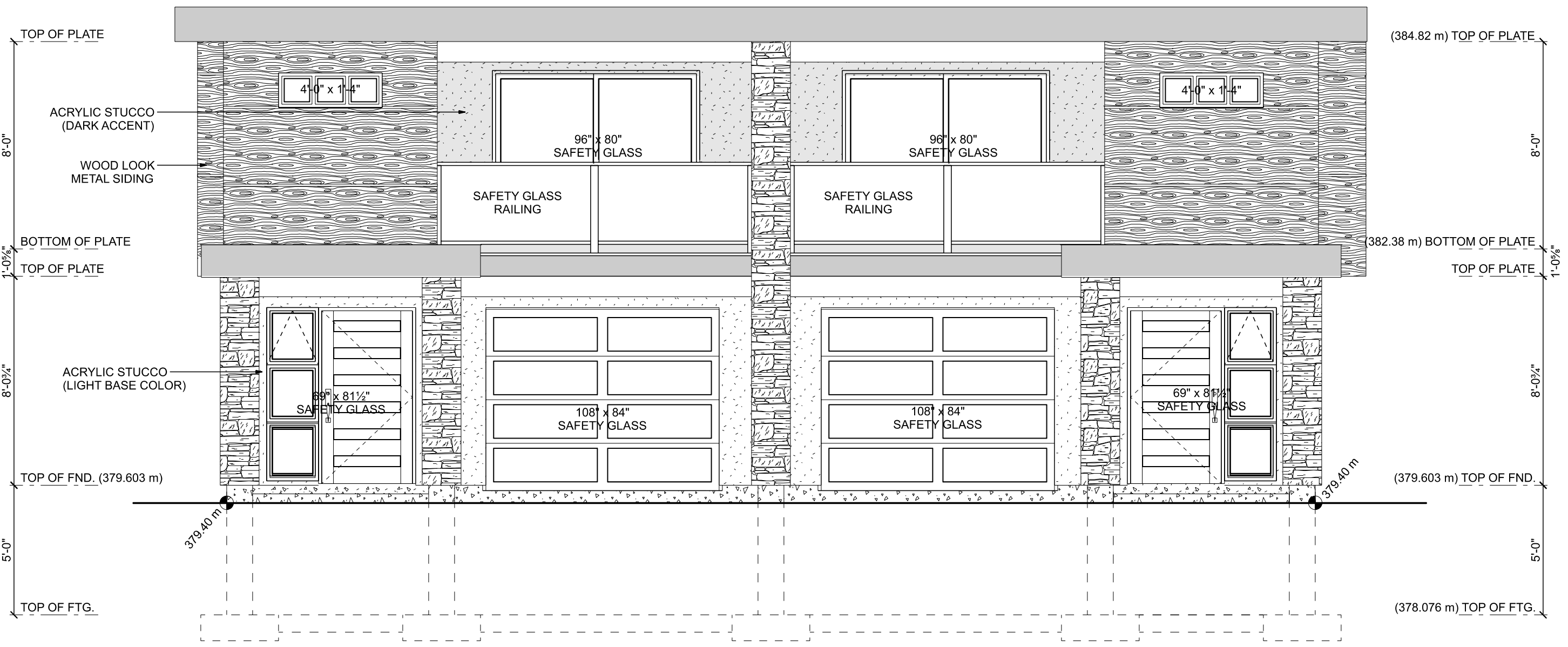
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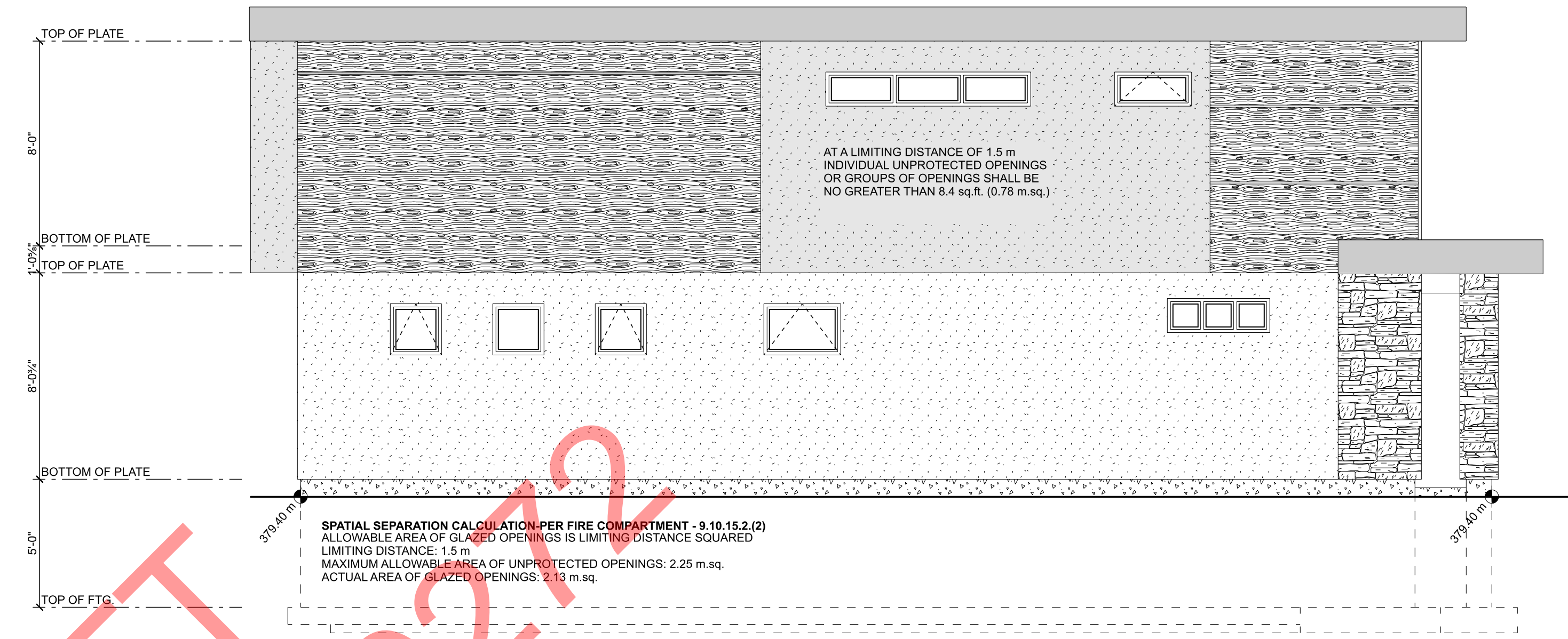
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SHEET NO.  
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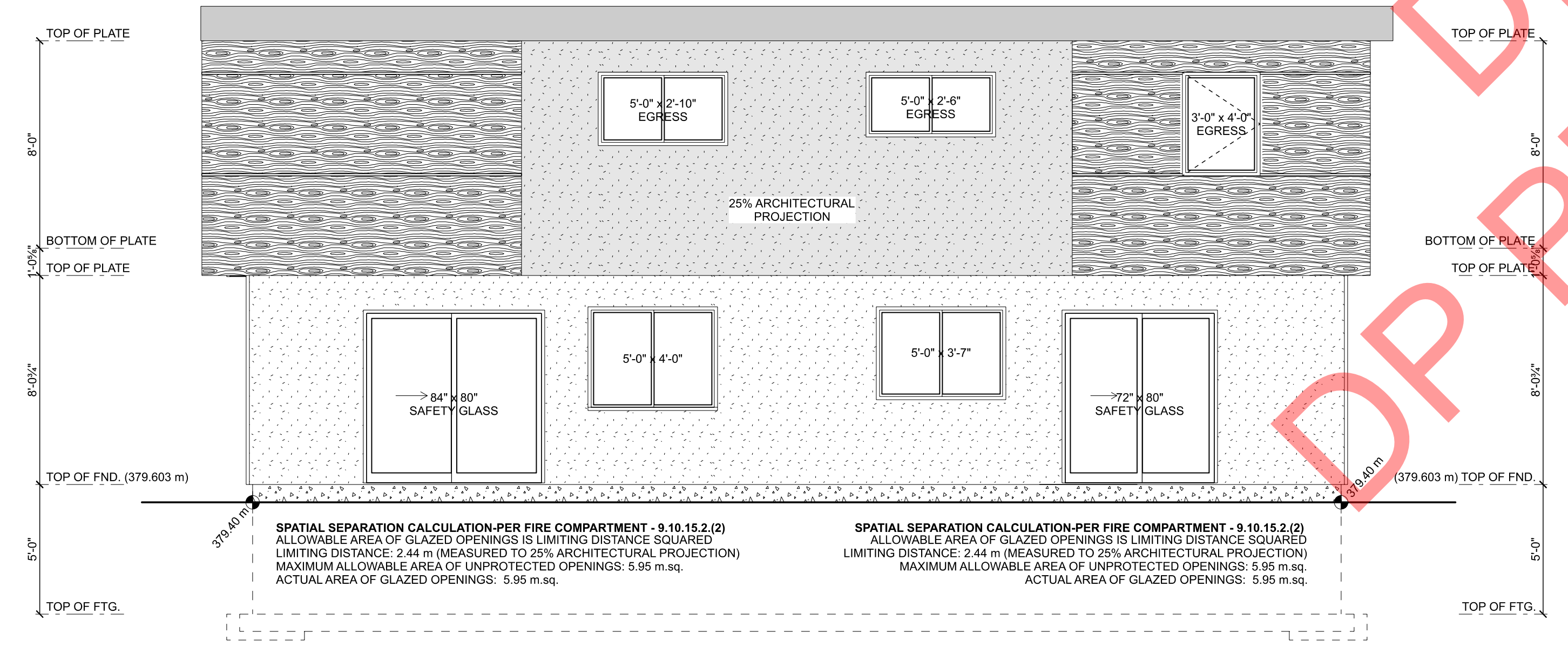
Exterior Elevations-Building A



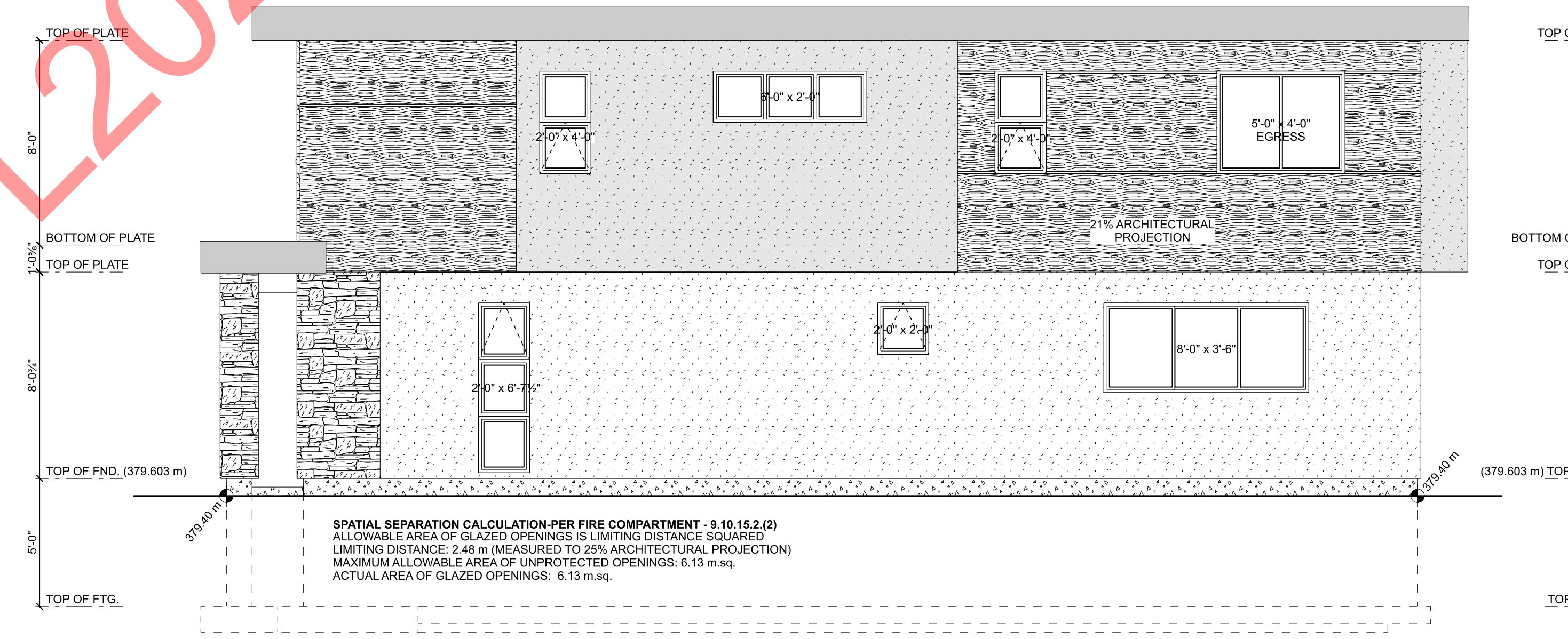
**FRONT ELEVATION (FACING NORTH TO FORESTBROOK DRIVE)**  
SCALE: 1/4" = 1'-0"



**LEFT ELEVATION (FACING EAST)**  
SCALE: 1/4" = 1'-0"



**REAR ELEVATION (FACING SOUTH)**  
SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION (FACING WEST)**  
SCALE: 1/4" = 1'-0"

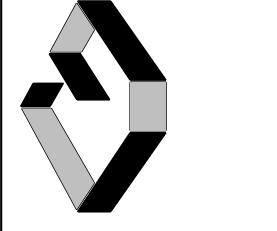
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DP-PL2022-022

RAJ DHILLON  
909 GOVERNMENT STREET  
PENTICTON, BC

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## Development Variance Permit

Permit Number: DVP PL2022-9273

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 4 District Lot 249 Similkameen Division Yale District Plan 3392 Except Plan EPP89301
  - Civic: 909 Government Street
  - PID: 008-531-722
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 two duplex buildings (total 4 dwelling units), as shown in the plans attached in Schedule 'A':
  - a. Section 10.9.2.9: to reduce the minimum rear yard from 6.0m to 3.0m; and
  - b. Section 10.9.2.3: to increase the maximum lot coverage from 40% to 42%.

### 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.

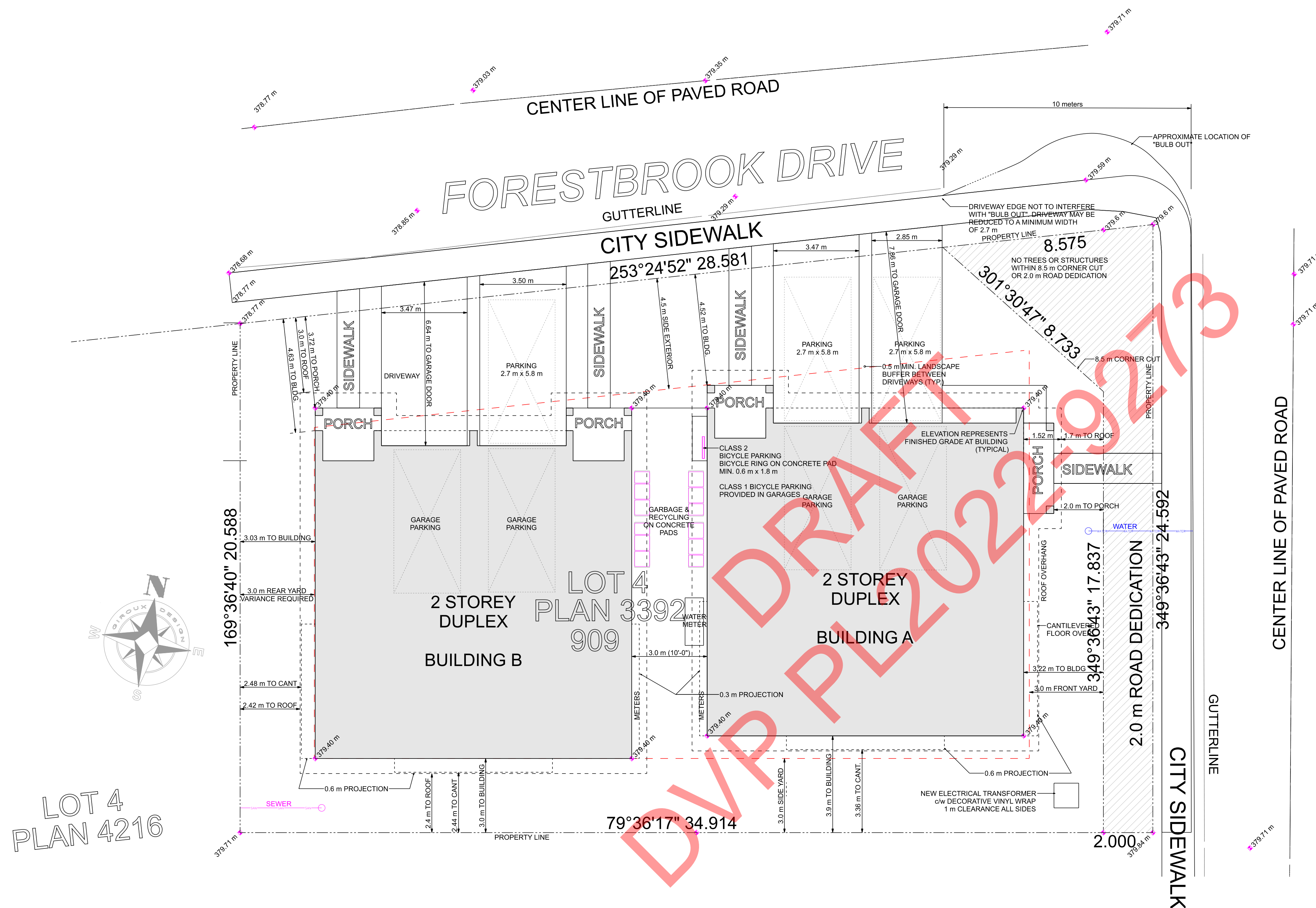
Authorized by City Council, the 5th day of April, 2022.

Issued this \_\_\_\_ day of \_\_\_\_\_, 2022.

---

Angela Collison  
Corporate Officer

DRAFT  
DVP PL2022-9273



**SITE PLAN**  
 SCALE: 1:100  
 CIVIC ADDRESS: 909 GOVERNMENT STREET, PENTICTON, B.C.  
 LEGAL DESCRIPTION: LOTS 4, DL 5, GROUP 7, SDY(Y-L)D, PLAN 3392  
 PID: 008-531-722

SITE DRAINAGE AS PER GEOTECH DRAWINGS  
 MANDEVILLE LAND SURVEYING INC. PROFESSIONAL LAND SURVEYORS DWG, No. 18-041  
 FIELD SURVEY COMPLETED THIS 20th DAY OF FEBRUARY, 2018.  
 ELEVATIONS ARE GEODETIC (ORTHOMETRIC), DERIVED FROM PENTICTON MONUMENT #82H5345

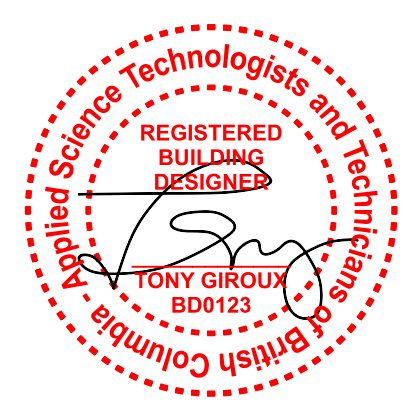
ZONING COMPLIANCE TABLE (CURRENT ZONING RM2)			
REGULATION	REQUIRED	PROVIDED ON PLANS	VARIANCE REQUIRED
LOT AREA	540 m <sup>2</sup>	763.67 m <sup>2</sup>	N/A
MAXIMUM LOT COVERAGE	40%	42% (319.5 m <sup>2</sup> )	YES
MAXIMUM DENSITY	0.80 FAR	0.70 FAR (534.0 m <sup>2</sup> )	NO
MAXIMUM HEIGHT	12.0 m	5.84 m	NO
MINIMUM FRONT YARD (EAST)	3.0 m	3.0 m	NO
MINIMUM INTERIOR SIDE YARD (SOUTH)	3.0 m	3.0 m	NO
MINIMUM EXTERIOR SIDE YARD (NORTH)	4.5 m	4.5 m	NO
MINIMUM REAR YARD (WEST)	6.0 m	3.0 m	YES
PARKING SPACES (1 PER UNIT + 1 GUEST)	5	7	NO
AMENITY AREA (20 m <sup>2</sup> PER UNIT)	80 m <sup>2</sup>	145 m <sup>2</sup>	NO

RAJ DHILLON  
 909 GOVERNMENT STREET  
 PENTICTON, BC  
 DESIGN BY: AIG DATE: 3/02/22  
 DRAWN BY: AIG/JMG REVISED:

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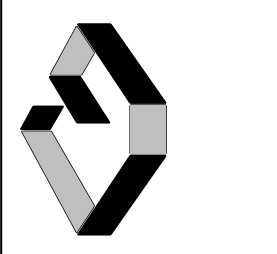
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PLAN NO.  
**WP-5561**  
 SLAB  
 SHEET NO.  
**DP1**



**Date:** April 5, 2022  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Nicole Capewell, Planner II  
**Address:** 3917 Lakeside Road  
**Subject:** **Development Variance Permit PL2022-9269**

File No: RMS/3917 Lakeside Rd

### Staff Recommendation

THAT Council approve “Development Variance Permit PL2022-9269”, for Lot A District Lot 190 Similkameen Division Yale District Plan KAP72460, located at 3917 Lakeside Road, a permit to vary the following sections of Zoning Bylaw No. 2021-01:

1. Section 8.2.3.3: to increase the maximum building footprint for a carriage house in the R1 zone from 90m<sup>2</sup> to 97 m<sup>2</sup>; and
2. Section 8.2.3.5: to increase the maximum carriage house building height in the R1 zone, where no lane exists from 5.0m and one floor to 6.5m and two floors.

AND THAT staff be directed to issue “Development Variance Permit PL2022-9269”.

### 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 single family dwelling and carriage house on the subject property at 3917 Lakeside Road. The proposed design of the carriage house exceeds the regulations of the City’s Zoning Bylaw, and therefore the applicant has requested a variance to the following sections of Zoning Bylaw No. 2021-01:

1. Section 8.2.3.3: to increase the maximum building footprint for a carriage house in the R1 zone from 90m<sup>2</sup> to 97 m<sup>2</sup>; and



- Section 8.2.3.5: to increase the maximum carriage house building height in the R1 zone, where no lane exists from 5.0m and one floor to 6.5m and two floors.

The carriage house will also require Development Permit approval of its form and character. The applicant has applied for the Development Permit, which will be processed and issued by staff should Council approve the requested variances.

**Background**

The subject property (Figure 1) is located along Lakeside Road, directly south of the Skaha Lake Marina, at the southern end of Penticton. The property is a remainder portion of a larger panhandle lot (subdivided in ~2002). The property is currently zoned R1 (Large Lot Residential) and is designed as ‘Detached Residential’ (Figure 2) by the City’s Official Community Plan. The surrounding neighbourhood consists of R1 (Large Lot Residential) properties to the south along Skaha Lake Road, and P2 (Parks and Recreation) in Skaha Lake Park to the north (Attachment ‘A’).

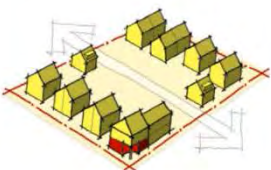
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
 <p>Detached Residential</p>	<p>Lower-density areas of single detached houses and/or duplexes in primarily residential neighbourhoods including single-detached bareland stratas</p>	<ul style="list-style-type: none"> <li>• Single detached houses with secondary suites or carriage houses</li> <li>• Duplexes</li> <li>• Small-scale neighbourhood commercial building (e.g., corner store, coffee shop)</li> <li>• Manufactured homes</li> </ul>	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Limited retail/service</li> </ul>	<ul style="list-style-type: none"> <li>• 1 or 2 units per lot</li> <li>• Generally up to 2 ½ storeys to reflect 30’ maximum in Zoning Bylaw</li> </ul>	<ul style="list-style-type: none"> <li>• R1</li> <li>• R2</li> <li>• R3</li> <li>• RD1</li> <li>• RSM</li> <li>• C2</li> </ul>
<p><b>Site-Specific Detached Residential Policy Statement:</b>                      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 - Future Land Use Designation

Council approved a Temporary Use Permit (TUP) on the subject property in 2019 to allow the use ‘outdoor storage’ to occur for an 18-month period. The purpose was to allow for the owners of 3919 Lakeside Road (the adjacent property) to store building materials at 3917 Lakeside Road, while they reconstructed their house, which was destroyed in a fire. The two properties were owned by the same party, which continues to own both properties today.

In 2019, Council approved a variance permit was issued for the construction of a carriage house at 3919 Lakeside Road, directly west of the subject property. The variance allowed for the carriage house to be 7.0m and two floors in height, where a lane did not exist, and also allowed the carriage house to be located closer to the street than the principal residence (Attachment ‘C’).

**Technical Review**

This application was forwarded to the City’s Technical Planning Committee. Servicing and building code requirements have been identified and will be addressed as part of the building permit process. It is the

property owner’s responsibility to provide services and/or upgrade existing services as required for the carriage house.

**Development Statistics**

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

	<b>Carriage House Requirement R1 Zone</b>	<b>Provided on Plans</b>
<b>Minimum Lot Width*:</b>	16 m	19 m
<b>Minimum Lot Area*:</b>	560 m <sup>2</sup>	732 m <sup>2</sup>
<b>Minimum Lot Area for Carriage House</b>	370 m <sup>2</sup>	732 m <sup>2</sup>
<b>Maximum Lot Coverage:</b>	40%	38.15%
<b>Maximum Building Footprint:</b>	90 m <sup>2</sup>	97 m <sup>2</sup> – variance requested
<b>Maximum Carriage House Floor Area</b>	135 m <sup>2</sup>	130 m <sup>2</sup>
<b>Vehicle Parking:</b>	Total 3 required 2 – single family dwelling 1 – carriage house	6+ There is ample parking provided onsite through surface and inside the garages proposed.
<b>Required Setbacks</b>		
Front Yard (east):	6.0 m and behind the principal house	24.0m – behind house
Side Yard (north):	1.5 m	2.57 m
Side Yard (south):	1.5 m	6.5 m
Rear Yard (west):	1.5 m	1.51 m
<b>Maximum Building Height</b>	5.0 m and one floor	7.0m and two floors – variance requested
<b>Other Information:</b>	*Lot width and lot area are only applicable at time of subdivision.	

**Analysis**

When considering a variance to a City bylaw, staff encourage 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 variances and are recommending support for the following reasons:

1. Section 8.2.3.3: to increase the maximum building footprint for a carriage house in the R1 zone from 90m<sup>2</sup> to 97 m<sup>2</sup>.
  - a. The request to increase the maximum building footprint allows for a total increase of 7 m<sup>2</sup> (or ~75 sq. ft.).

- b. The increase of building footprint can be primarily attributed to the covered porch at the main entrance of the carriage house.
- c. The additional building footprint has not resulted in additional internal floor area that would result in a larger carriage house.
- d. The covered porch is an extension on the first storey of the carriage house (Figure 3) and provides a covered location for accessing the carriage house. This can assist in providing a protected point of access to the unit, allowing occupants to be covered from the elements of rain, snow or other weather.
- e. The covered porch also serves as an architectural feature of the building, which is desirable to create variation and interest, and helps break up the massing of the building.



*Figure 3 - Proposed Rendering of Front of Carriage House*

2. Section 8.2.3.5: to increase the maximum carriage house building height in the R1 zone, where no lane exists from 5.0m and one floor to 6.5m and two floors.
  - a. In providing a second storey, the carriage house is able to accommodate adequate parking on the property, providing a garage under the suite, which helps to alleviate any concerns regarding potential of on-street parking.
  - b. The carriage house is within the maximum carriage house floor area size of 135m<sup>2</sup>, and the design proposed allows for a 3 bedroom, 2 bathroom carriage house. 1 bedroom and 1 bathroom are included on the main floor, which assists with accessibility of future tenants or occupants of the carriage house. Providing a living space and washroom on ground levels are helpful for those with mobility challenges who may not be able to access the second floor.
  - c. The property that may be most impacted by a two-storey carriage house is 3919 Lakeside Road. The owner has prepared a letter of support for the application. Given that it is the same owner, staff are confident that the owner(s) has designed the property to not impact their neighbouring property at 3919 Lakeside Road.
  - d. As previously mentioned, the property directly west (3919 Lakeside Road) received a variance in 2019 that allowed for a two-storey carriage house where a lane did not exist. There were minimal concerns at the time, as both properties (3919 and 3917 Lakeside Road) were and still are owned by the same owner(s).
  - e. The property directly to the north is a parking lot associated with the Skaha Lake Marina. Providing a unit that overlooks this property, including a deck that looks towards the parking lot, helps to provide casual surveillance to an area that is often unoccupied after hours. This can help to increase natural security of the area.

In addition to the justification provided above, staff also consider the following OCP Goals and Policies applicable to support the proposed development:

OCP Goal 4.1.3	Ensure a range of housing types, sizes, tenures and forms exist throughout the city to provide housing options for all ages, household types, and incomes.
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	<ul style="list-style-type: none"> <li>The proposed development adds another form of housing for either long or short term rentals.</li> </ul>
OCP Policy 4.1.3.2	Increase housing options in low-density single family areas through development of secondary suites and carriage houses, and ensure carriage houses are sensitively integrated and designed according to the Intensive Residential Development Permit Area Guidelines.
	<ul style="list-style-type: none"> <li>The proposed carriage house would add a unit to an existing low-density single family area of the City. The carriage house has been designed at the same time as the main house on the subject property, and with consideration of the direct neighbouring property of 3919 Lakeside Road.</li> </ul>
OCP Policy 4.1.2.4	Encourage developments that include one-bedroom and two-bedroom units in suitable neighbourhoods to enable people to downsize as they age and to provide entry-level housing for those people entering the housing market. At the same time, provide 3-bedroom units, or larger, to accommodate families.
	<ul style="list-style-type: none"> <li>The proposed carriage house provides 3 bedrooms that could potentially be able to accommodate families or households of this size.</li> </ul>

Given the reasons above as well as the OCP Policy support, staff consider the variance requests are reasonable in this instance. As such, staff are recommending that Council approve the variances and direct staff to issue the permit.

Should Council approve the variance, staff would proceed with processing the required Development Permit prior to construction occurring.

**Alternate Recommendations**

Council may consider that the requested variances are unreasonable in this instance and may negatively impact the surrounding neighbourhood. If this is the case, staff recommend that Council postpone a decision on the file, until such time as the applicant is able to appear before Council and provide any further justification or answer any questions that Council may have. Alternatively, Council may deny the application without hearing from the applicant (Alternative 2).

1. THAT Council postpone a decision on “Development Variance Permit PL2022-9269”, until after hearing from the applicant
2. THAT Council deny “Development Variance Permit PL2022-9269”

**Attachments**

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Letter of Intent
- Attachment E – Letter of Support (3919 Lakeside Road)

Director of Development Services	Chief Administrative Officer
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Attachment F – Draft Development Variance Permit

<i>BL</i>	<b>DvD</b>
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Respectfully submitted,

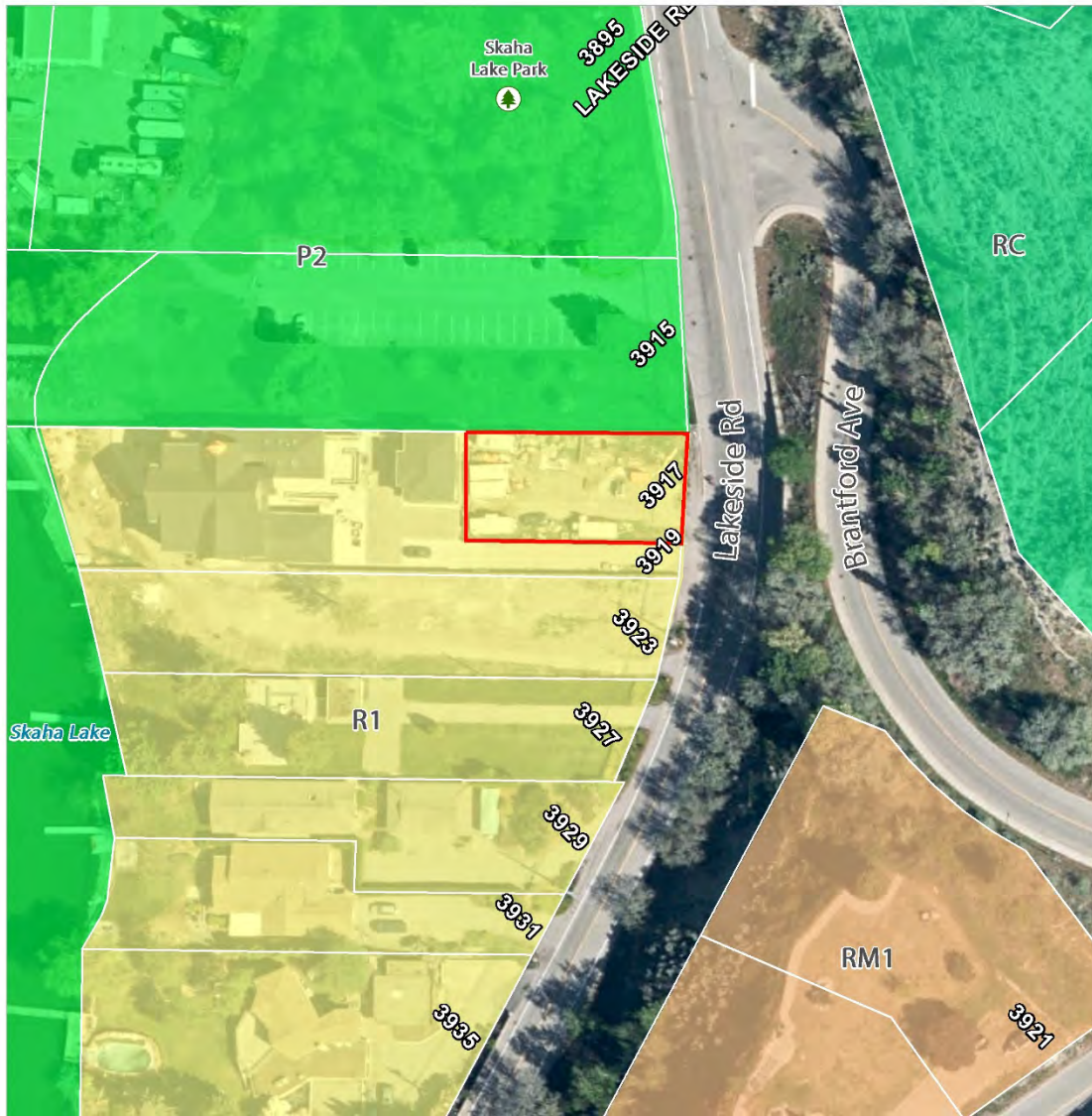
Nicole Capewell, RPP, MCIP  
Planner II

Attachment A – Zoning Map



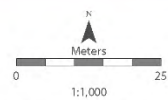
# 3917 Lakeside Road

## Zoning Map



### Legend

- Subject Parcel
- Zoning Bylaw
- RC - Country Residential Housing
- P2 - Parks and Recreation
- RM1 - Bareland Strata Housing
- R1 - Large Lot Residential



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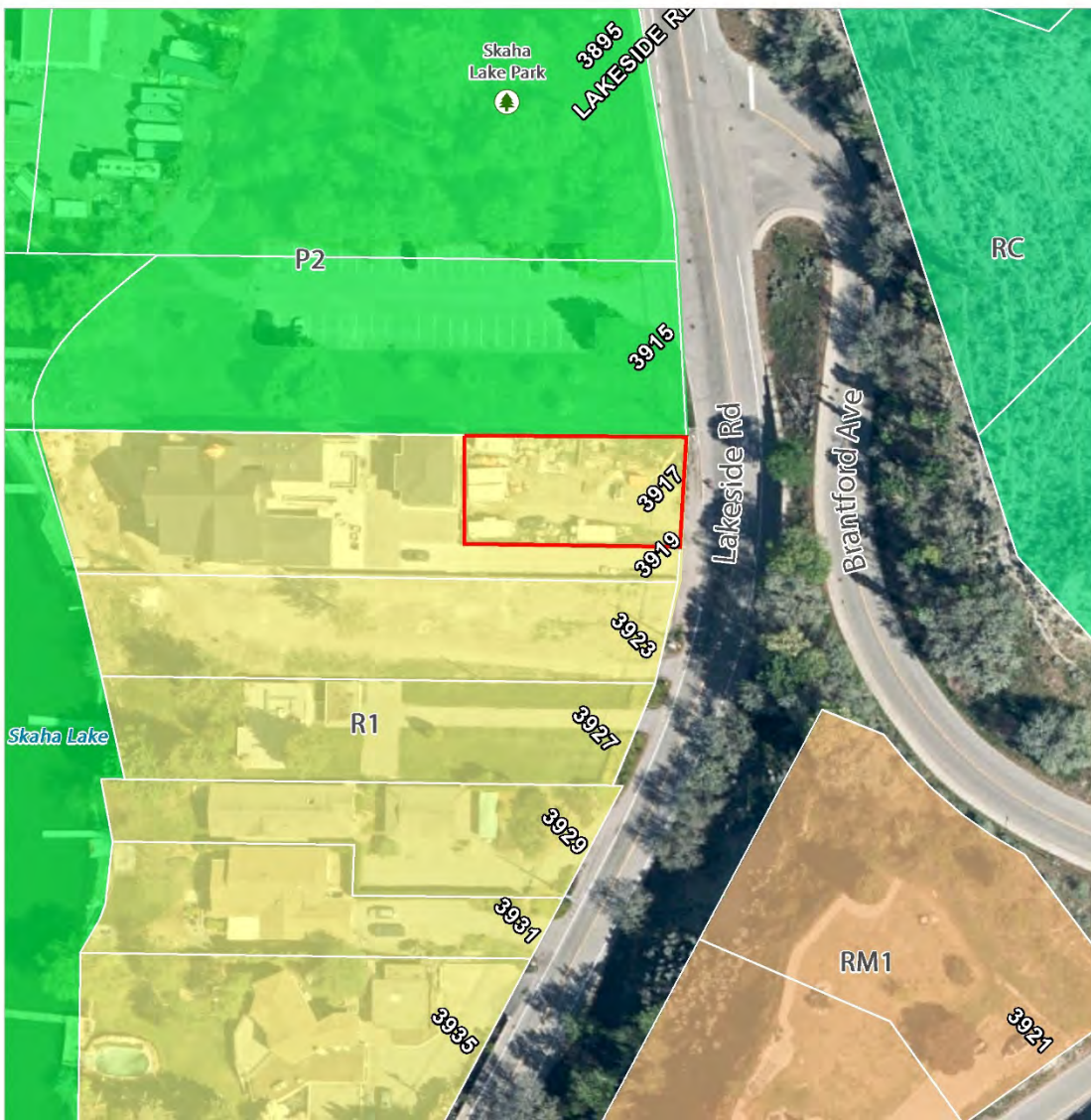
Thursday, March 3, 2022 2:13:59 PM

Attachment B – Official Community Plan Map



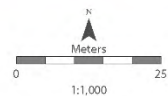
# 3917 Lakeside Road

## Official Community Plan Map



**Legend**

- Subject Parcel
- RC - Country Residential Housing
- R1 - Large Lot Residential
- RM1 - Bareland Strata Housing
- P2 - Parks and Recreation

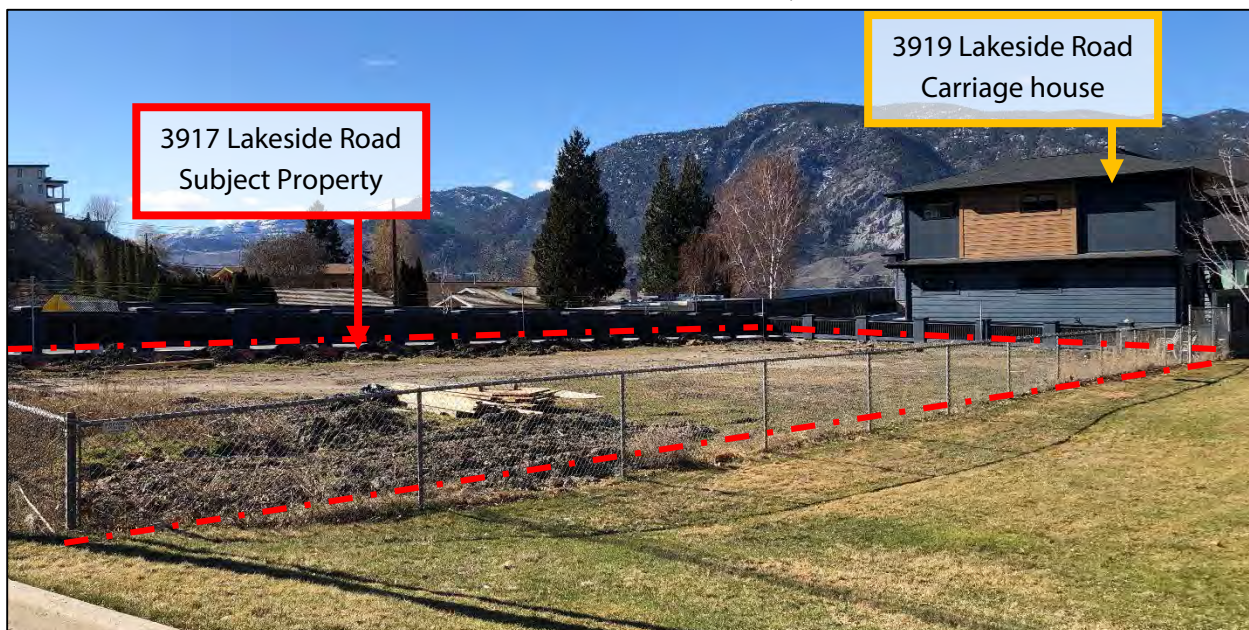


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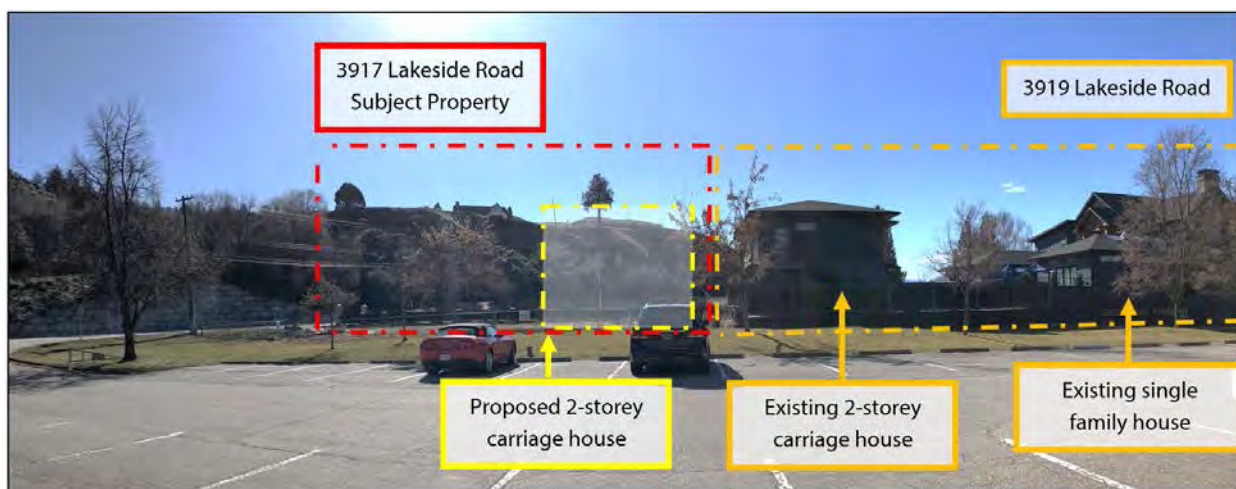
Thursday, March 5, 2022 2:14:30 PM

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

Attachment C – Photos of Property



*Looking toward subject property from Lakeside Road*



*Looking toward subject property from Lakeside Road*

## Letter of Intent

Re: 3917 Lakeside Road

Dear Recipient,

Hague Construction Inc. is proposing to develop new structures to create increased housing opportunities at the above address. Our goal with this application is to have the current zoning height increased to allow for a two-storey carriage home on the lot. As well as increase the building footprint to 97m<sup>2</sup> to allow for a covered entrance.

### **Objective**

Increase the current zoning of (ONE STOREY ALLOWANCE) to (TWO STOREY ALLOWANCE). This will increase total square footage of the building and create a more functional living space.

To raise the building footprint, it allows us to construct a better covered front entrance, with a 6' overhang instead of the 2' allowance to stay within the maximum footprint. This roof is designed to help keep rain and snow away from the front door for obvious reasons.


### **Impacts on Neighboring lots**

Currently the lot is undeveloped. It is being maintained by the owner to keep the weeds and dust down. The proposed new structures will compliment surrounding properties by creating an even sightline and have been carefully designed to match the aesthetic of the surrounding homes. There is plenty of room on the lot for adequate parking along with carefully chosen landscaping to tie in the adjoining properties. The two-storey structure will not obstruct any views of surrounding properties as there are no homes built on the north, east or south of the lot.

Neither of these will impact the immediate neighbor on the west as both properties are owned by the same person. 3917 and 3919

### **Contribution to the Community**

This project will create more available housing in Penticton along with creating a better tax space for the CoP. This project will also add to the aesthetic of the Skaha Lake Park area as the property shares a border with the parking lot adjoining the Skaha Marina.

403-850-6592 

hagueconstructioninc@gmail.com 





## Letter of Intent

Thank you for your consideration,

**Steven Hague**

Hague Construction Inc.

403-850-6592 

[hagueconstructioninc@gmail.com](mailto:hagueconstructioninc@gmail.com) 



March 10, 2022

To whom it may concern,

I currently own the properties: 3919 Lakeside Road and 3917 Lakeside Road. The new construction that is proposed at 3917 Lakeside Road will have no adverse affects on the property at 3919 Lakeside Road.

The planned new structures at 3917 Lakeside Road are complimentary to the area and were designed to uplift the neighbourhood and raise its value.

Regards,

Al Mansfield

A handwritten signature in blue ink that reads "Al Mansfield". The signature is written in a cursive style with a large initial "A" and a long, sweeping underline.

## Development Variance Permit

Permit Number: DVP PL2022-9269

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 A District Lot 190 Similkameen Division Yale District Plan KAP72460
  - Civic: 3917 Lakeside Road
  - PID: 025-558-692
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 carriage house, as shown in the plans attached in Schedule 'A':
  - a. Section 8.2.3.3: to increase the maximum building footprint in the R1 zone from 90m<sup>2</sup> to 97 m<sup>2</sup>; and
  - b. Section 8.2.3.5: to increase the maximum building height in the R1 zone, where no lane exists from 5.0m and one floor to 6.5m and two floors.

### 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 April, 2022.

Issued this \_\_\_\_ day of April, 2022.

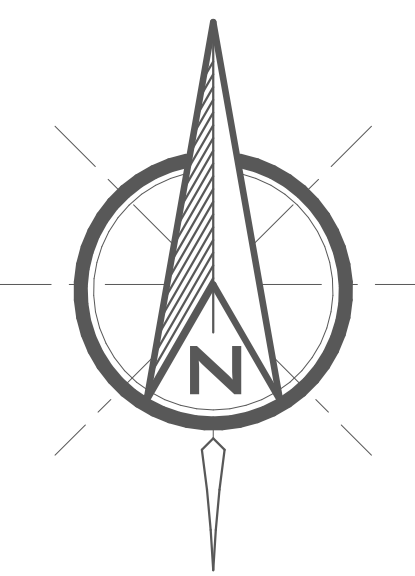
---

Angela Collison  
Corporate Officer

DRAFT  
DVP PL2022-9269



GARTNER'S CUSTOM HOUSE DESIGNS  
168 - 1458 PENTICTON AVE  
PENTICTON, BC V8A 8L3  
(250) 487-8278  
WWW.GARTNERDESIGNS.COM  
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NO.	DATE	REVISION
1	02/02/2022	Issue for Variance

DATE: MARCH 09, 2022  
JOB NO.: 211106  
SCALE: AS INDICATED

PROJECT TITLE  
**MANSFIELD CARRIAGE HOUSE**

SHEET NUMBER  
**A101**

DRAWING TITLE  
**SITE PLAN & SITE INFORMATION**

1 SITE  
1/8" = 1'-0"

# PROJECT / ZONING DATA

PROJECT ADDRESS: 3917 LAKESIDE ROAD, PENTICTON, BC  
 LEGAL DESCRIPTION: LOT A DISTRICT LOT 190 SIMILKAMEEN DIV YALE DISTRICT PLAN KAP72460  
 ZONING: R1 (RM2)  
 SITE AREA: 0.181 ACRES (7,884 SQFT)  
 FOOTPRINTS:  
 PRINCIPAL DWELLING: 1,963 · SQFT (182.4M<sup>2</sup>)  
 CARRIAGE HOUSE: 1,045 · SQFT (97.1M<sup>2</sup>)

NOTES\*\*\*  
 BUILDER IS TO CONFIRM BUILDING LOCATIONS WITH OWNER PRIOR TO CONSTRUCTION & CONFIRM EXISTING CONDITIONS  
 ROOF DRAINAGE SYSTEM SPLASH PADS REQUIRED FOR ROOF RAIN WATER LEADERS AS PER GEOTECH.  
 NO VENTED SOFFITTING AN ANY OVERHANG THAT IS WITHIN 1.2M OF PROPERTY LINE. IF SOFFIT IS VENTED WITHIN 1.2M FIRE BLOCKING AT EAVES IS REQUIRED.

PROPOSED CARRIAGE HOUSE ELEVATIONS  
 GARAGE · 340.838  
 LOWER FLOOR · 341.143  
 UPPER FLOOR · 344.191  
 DECK · 344.089  
 MID POINT OF ROOF · 347.300  
 TOP OF ROOF · 347.960

PENTICTON BYLAW REQUIREMENTS FOR CARRIAGE HOUSES IN R1:

MINIMUM LOT AREA:	560M <sup>2</sup>
MINIMUM LOT WIDTH:	16M
MAXIMUM LOT COVERAGE:	40% (292.98M <sup>2</sup> )
MAXIMUM HEIGHT:	5.0M & 1 STOREY
MAXIMUM FOOTPRINT:	90M <sup>2</sup>
MAXIMUM FLOOR AREA:	135M <sup>2</sup>

SETBACKS:

FRONT YARD:	6.0M
REAR YARD:	1.5M
INTERIOR SIDE YARD:	1.5M
EXTERIOR SIDE YARD:	3.0M

MINIMUM AMENITY SPACE: 15M<sup>2</sup>

REQUIRED PARKING: 3 STALLS

PROJECT BYLAW SUMMARY:

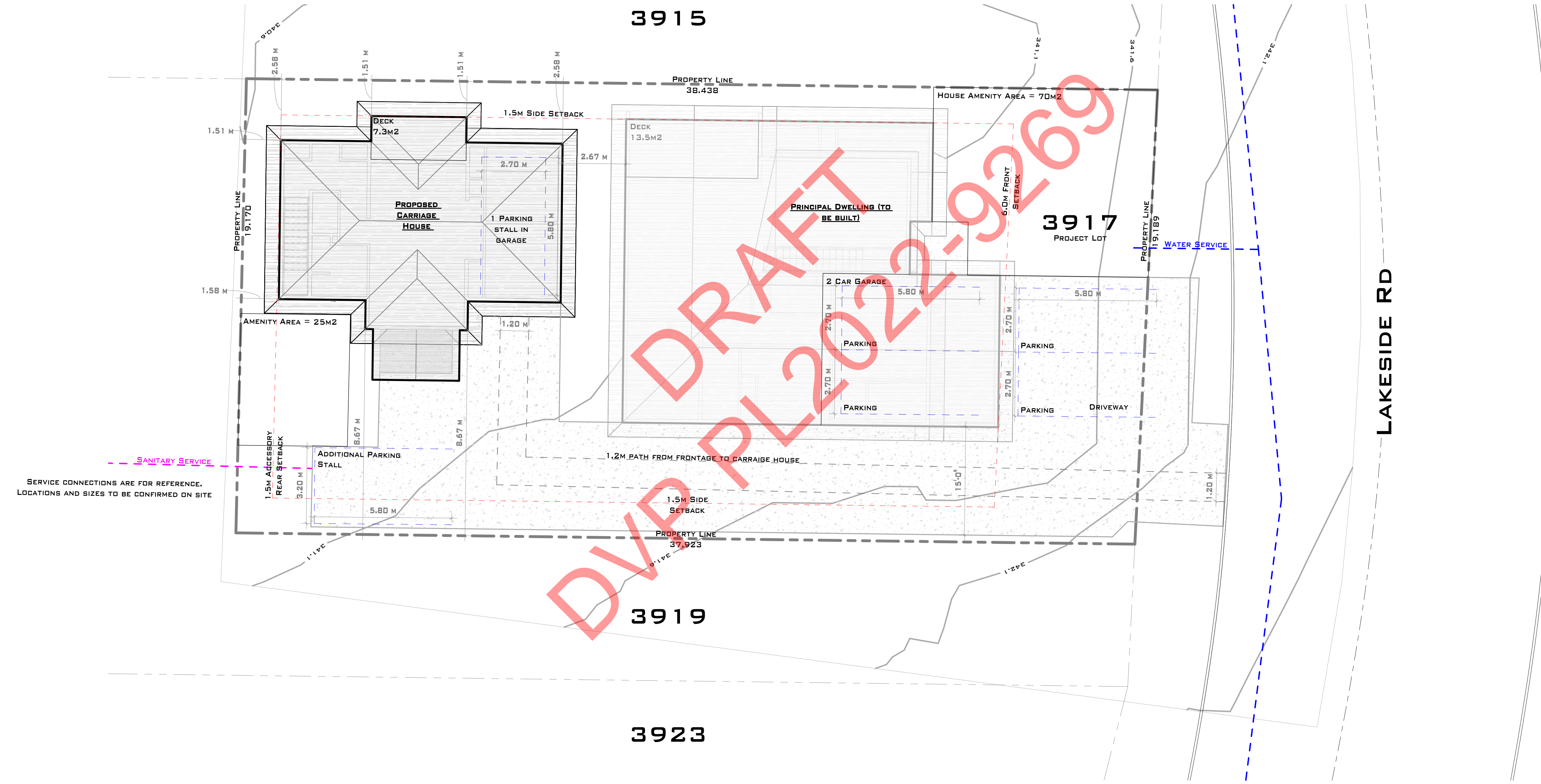
LOT AREA:	732.48M <sup>2</sup>
LOT WIDTH:	19.170M
LOT COVERAGE:	279.5M <sup>2</sup> (38.15%)
HEIGHT:	6.46M & 2 STOREYS (VARIANCE)
FOOTPRINT:	97.1M <sup>2</sup> (VARIANCE)
FLOOR AREA:	130.3M

SETBACKS:

FRONT YARD:	24.95M
REAR YARD:	1.51 M
INTERIOR SIDE YARD:	1.51M
EXTERIOR SIDE YARD:	N/A

AMENITY SPACE: 27M<sup>2</sup>

PROVIDED PARKING STALLS: 6 STALLS



THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE DESIGNER. DO NOT SCALE ANY OF THE DRAWING SHEETS. THIS DRAWING SHALL NOT BE REPRODUCED OR REVISED WITHOUT THE WRITTEN CONSENT FROM THE DESIGNER.



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PENTICTON, BC V5A 6L3  
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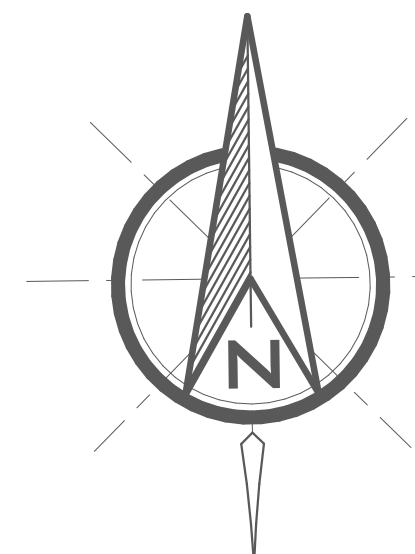
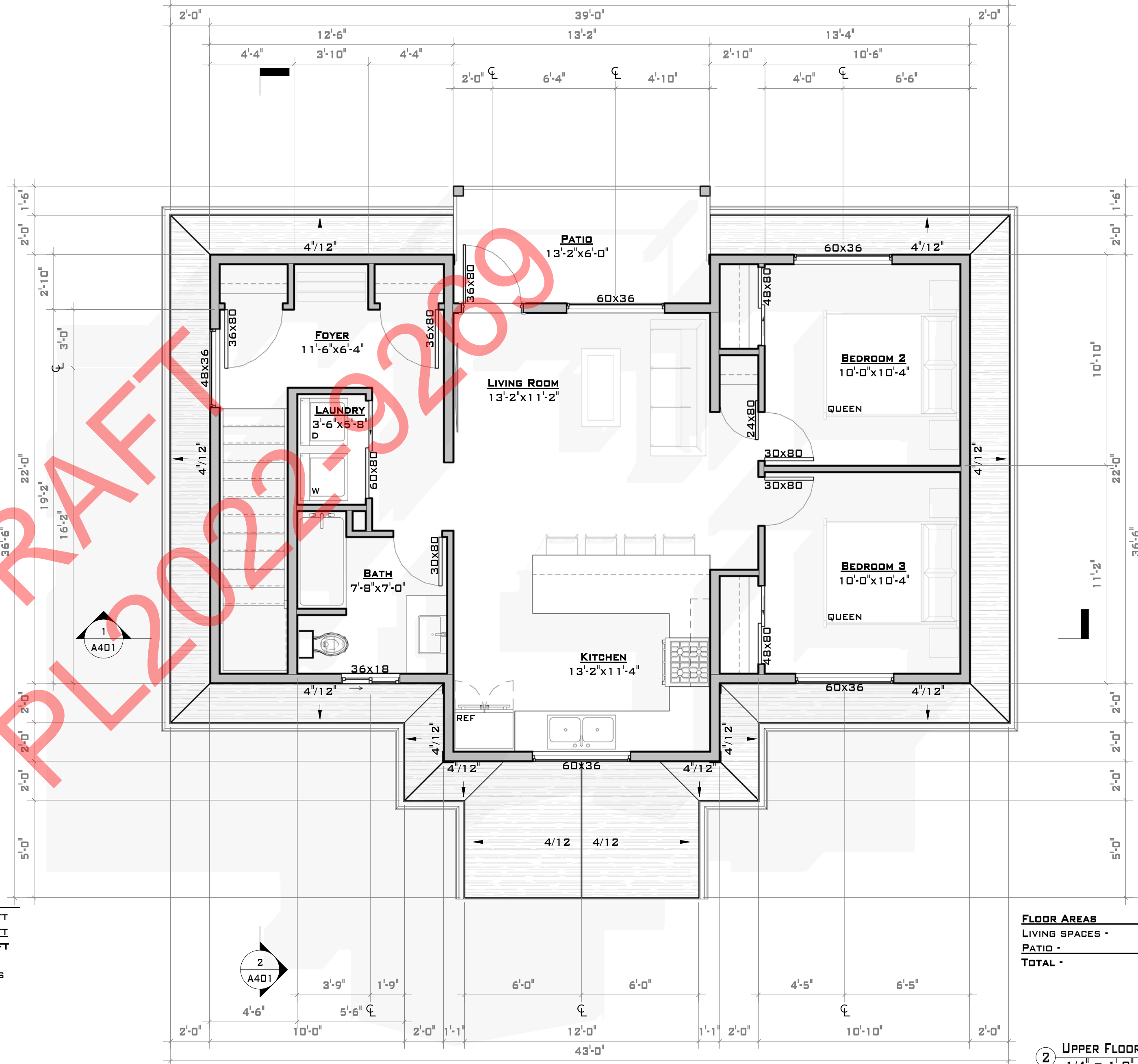
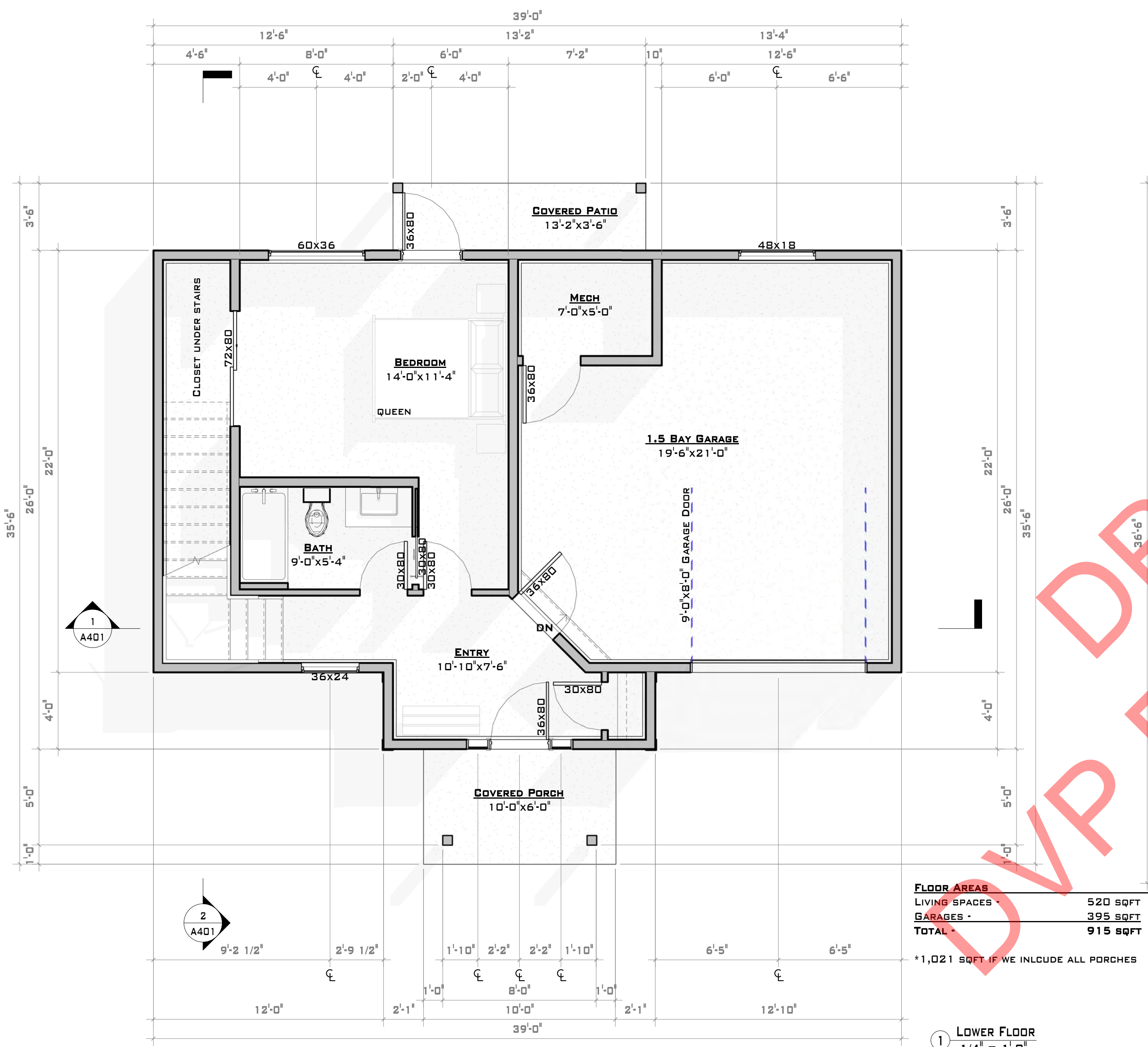
# FLOOR PLAN NOTES

1. ALL WINDOW AND DOOR ROUGH OPENING SIZES TO BE SHOWN IN INCHES (30X80) FIRST DIMENSION BEING WIDTH, SECOND DIMENSION BEING HEIGHT.
2. TOP OF WINDOWS ARE ASSUMED TO BE 6'-9" ABOVE SUBFLOOR EXCEPT WHERE INDICATED ON ELEVATIONS.
3. IF ANY ELEMENTS SHOWN ON THESE PLANS CONFLICT WITH STRUCTURAL NOTES OR SPECIFICATIONS, STRUCTURAL TAKES PRECEDENCE.
4. ALL SMOKE ALARMS AND CO DETECTORS TO BE HARD WIRED & INTERCONNECTED.
5. ROOF TRUSSES ABOVE ARE TO PROVIDE FLAT CEILINGS UNLESS OTHERWISE NOTED UNDER ROOM TAG.

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NO.	DATE	REVISION
1	02/02/2022	Issue for Variance

DATE - MARCH 09, 2022  
JOB NO. - 211106  
SCALE - AS INDICATED

PROJECT TITLE  
**MANSFIELD CARRIAGE HOUSE**

SHEET NUMBER  
**A201**

DRAWING TITLE  
**FLOOR PLANS**



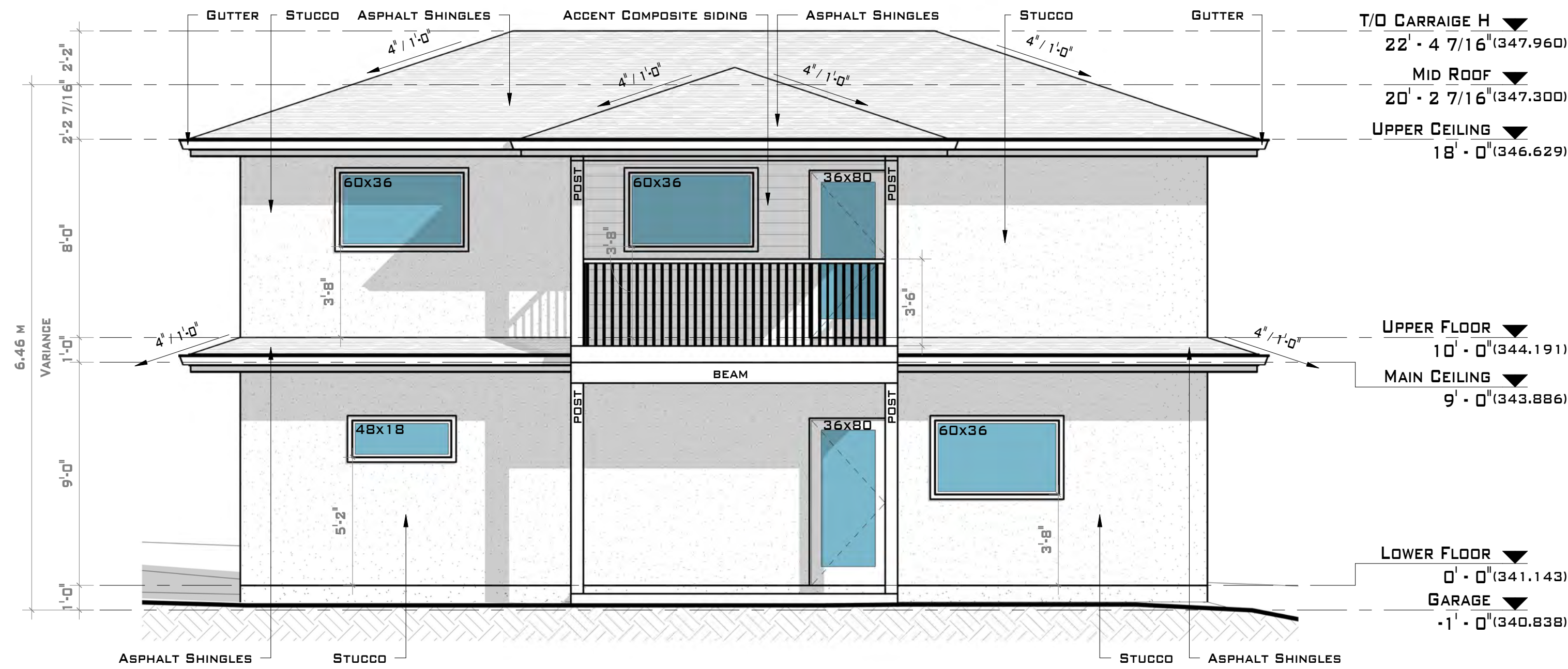
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GARTNERDESIGN@GMAIL.COM

# ELEVATION & EXTERIOR NOTES

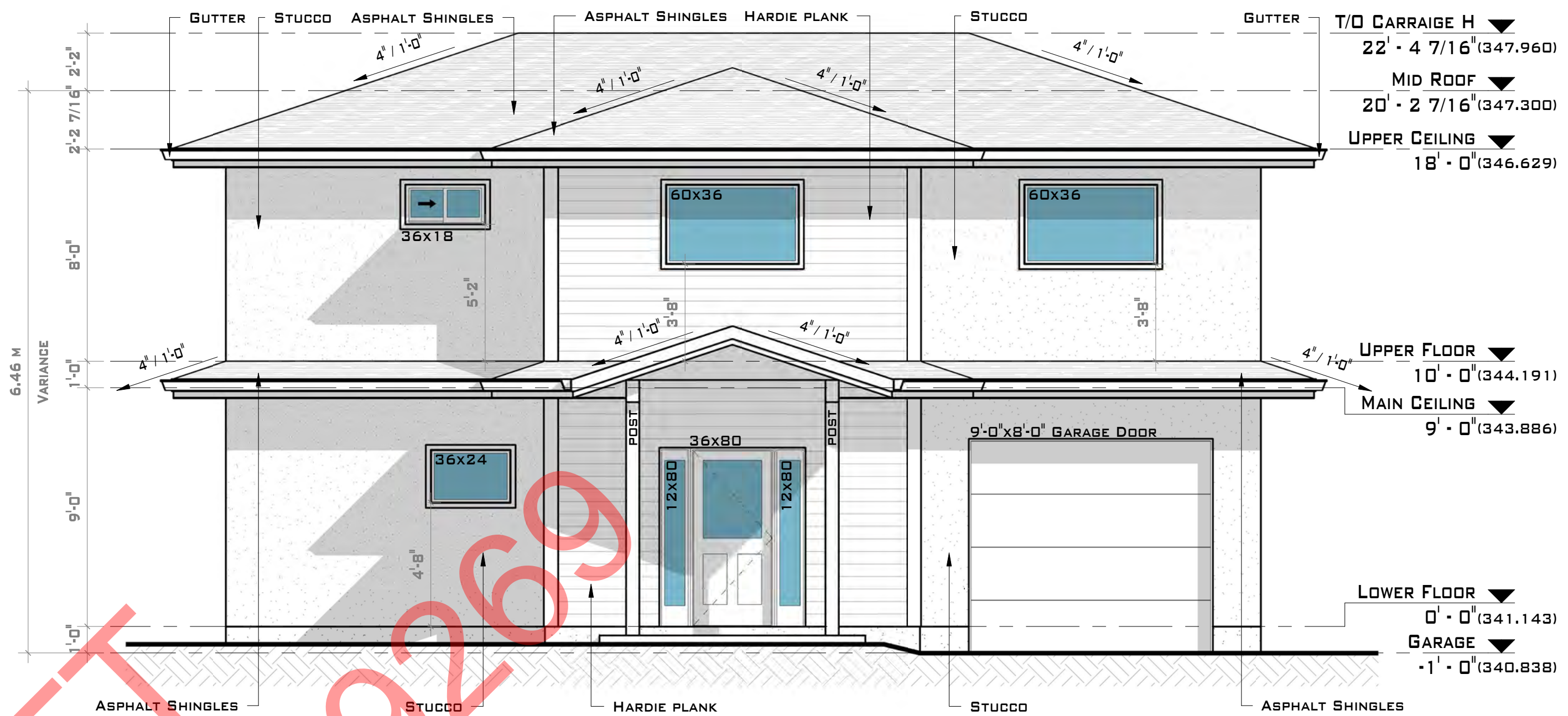
1. ALL WINDOWS & DOORS SHALL CONFORM TO CBC 9.7.
2. TOP OF WINDOWS ARE ASSUMED TO BE 6'-0" ABOVE SUBFLOOR EXCEPT WHERE INDICATED.
3. RESISTANCE TO FORCED ENTRY REQUIRED FOR WINDOWS WITHIN 2.0M OF FINISHED GRADE
4. FLASHING REQUIRED ABOVE & BELOW ALL UNPROTECTED OPENINGS & HORIZONTAL TRANSITIONS
5. NO SOFFIT MAY BE VENTED WITHIN 1.2M OF INTERIOR SIDE LOT LINES
6. STRUCTURAL WOOD ELEMENTS WITHIN 1'-6" OF FINISHED GRADE MUST BE PRESSURE TREATED
7. CONCRETE SHALL NOT BE PLACED AGAINST WOOD FRAMING
8. ALL GRADES TO SLOPE AWAY FROM PROJECT

**EXPOSED NORTH FACE:**

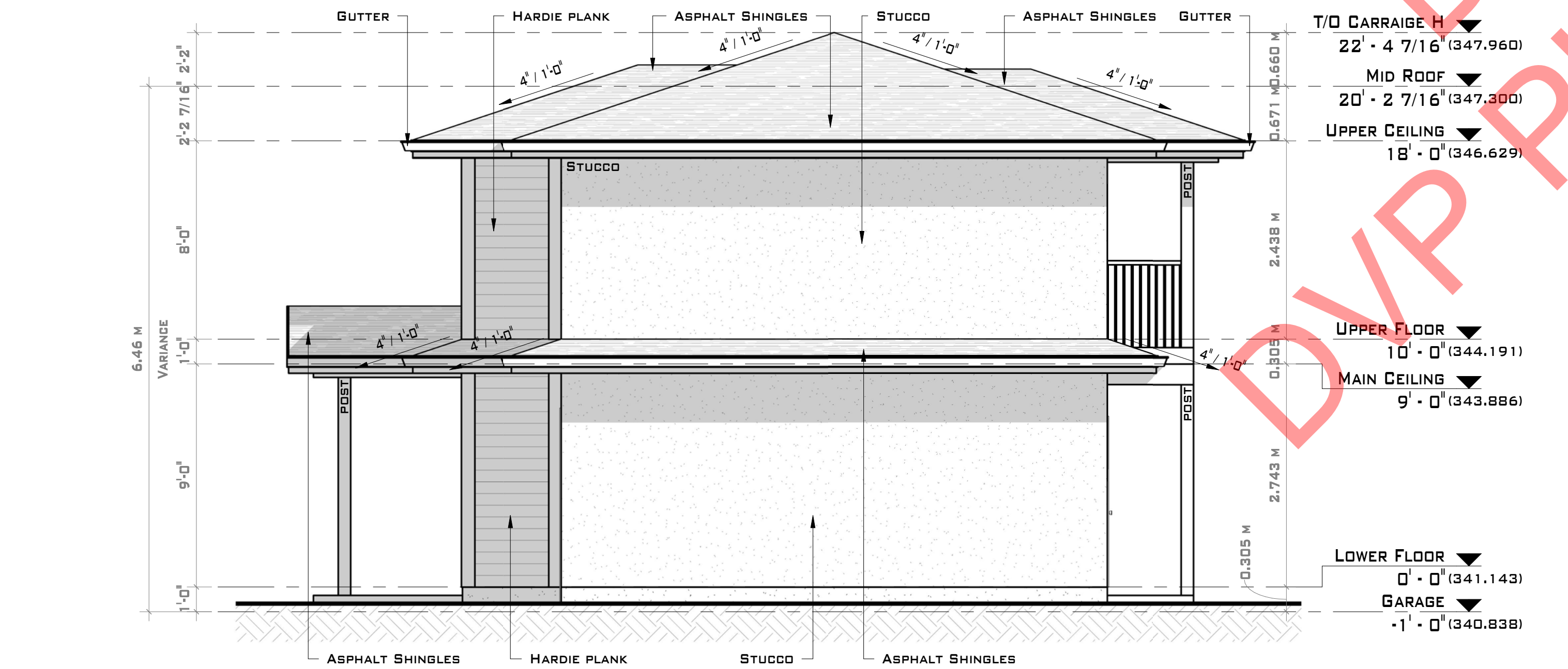
EXPOSED WALL SURFACE AREA -	741 SQFT
AREA OF GLAZING -	93 SQFT
% OF GLAZING TO WALL AREA -	12.55%
LIMITING DISTANCE -	2.57M
% OF ALLOWABLE GLAZING -	13.3%



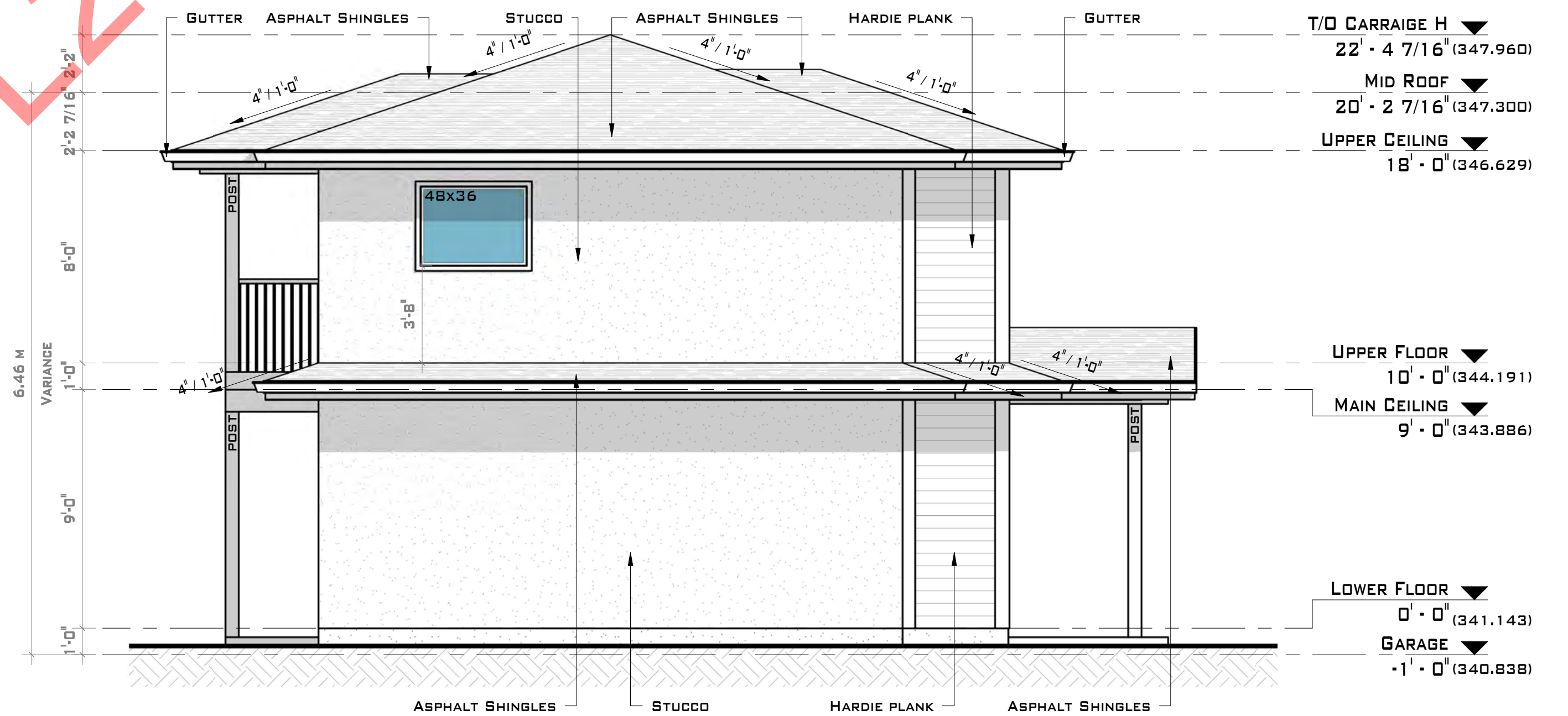
1 NORTH  
1/4" = 1'-0"



2 SOUTH  
1/4" = 1'-0"



3 EAST  
1/4" = 1'-0"



4 WEST  
1/4" = 1'-0"

**EXPOSED NORTH FACE:**

EXPOSED WALL SURFACE AREA -	419 SQFT
AREA OF GLAZING -	12 SQFT
% OF GLAZING TO WALL AREA -	2.86%
LIMITING DISTANCE -	1.51M
% OF ALLOWABLE GLAZING -	8.10%

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NO.	DATE	REVISION
1	02/02/2022	Issue for Variance

DATE: MARCH 09, 2022  
JOB NO.: 211106  
SCALE: 1/4" = 1'-0"

PROJECT TITLE  
**MANSFIELD CARRIAGE HOUSE**  
SHEET NUMBER  
**A301**

DRAWING TITLE  
**ELEVATIONS**

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