



Regular Council Meeting
 to be held at the City Hall, Council Chambers
 171 Main Street, Penticton, B.C.
 To view the Council Meeting, visit www.penticton.ca

Tuesday, December 6, 2022
at 1:00 p.m.

1. **Call Regular Council Meeting to Order**
2. **Introduction of Late Items**
3. **Adoption of Agenda**
4. **Adoption of Minutes:**
 - 4.1 Minutes of the November 15, 2022 Regular Council Meeting 1-5 Adopt
5. **Staff Reports:**

Campbell	5.1	2023-2027 Financial Plan Update <i>Staff Recommendation: THAT Council receive into the record the report dated December 6, 2022 titled "2023-2027 Financial Plan Update".</i>	6-7
Hamming	5.2	Third Quarter 2022 Financial and Corporate Business Plan Update <i>Staff Recommendation: THAT Council receive into record the report dated December 6, 2022 titled "Third Quarter 2022 Financial and Corporate Business Plan Update" and; THAT Council amend the 2022-2026 Financial Plan to provide an additional \$121,000, for the purchase of a ½ ton pickup truck (\$40K), and for higher costs due to supply chain inflation increases for the Auto Hoist (\$6k) and Tandem Dump truck (\$75k) replacements, with funds coming from the Equipment Replacement Reserve and; AND THAT Council amend the 2022-2026 Financial Plan to provide an additional \$30,000, for additional subcontractor costs, for the repairs at the Skaha Marina, with funds coming from the Marina Reserve.</i>	8-29
Hamming	5.3	Signing Officers for 2022 and Subsequent Years <i>Staff Recommendation: THAT Council approve signing authorities at VALLEY FIRST CREDIT UNION as follows:</i> <u>A Signers</u> <ul style="list-style-type: none"> • Donny van Dyk, Chief Administrative Officer • Angela Campbell, Director of Finance and Administration • Elma Hamming, Manager of Finance • Courtney Jones, Financial Planning & Budget Specialist <u>B Signers</u>	30-31

- Julius Bloomfield, Mayor
- Amelia Boulton, Councillor
- Isaac Gilbert, Councillor
- Ryan Graham, Councillor
- Helena Konanz, Councillor
- James Miller, Councillor
- Campbell Watt, Councillor

Signing officers for memberships 2491165 and 2357879 (City of Penticton) will be for the calendar year ending December 31, 2022 and subsequent years until changed.

Dixon	5.4	2023 Utility Rate Review <i>Staff Recommendation: THAT Council receive into the record the report dated December 6, 2022 titled "2023 Utility Rate Review".</i>	32-34
Coates	5.5	General Fees and Charges Amendment Bylaw No. 2022-52 <i>Staff Recommendation: THAT Council give first, second, and third reading to "Fees and Charges Amendment Bylaw No. 2022-52", a bylaw to set the 2023 General Fees and Charges.</i>	35-93
Coates	5.6	Utility Fees and Charges Amendment Bylaw No. 2022-53 <i>Staff Recommendation: THAT Council give first, second, and third reading to "Fees and Charges Amendment Bylaw No. 2022-53", a bylaw to set the 2023 Utility Fees and Charges.</i>	94-112
Mercier	5.7	Traffic Amendment Bylaw No. 2022-54 <i>Staff Recommendation: THAT Council give first, second and third reading to "Traffic Amendment Bylaw No. 2022-54", a bylaw that addresses the elimination of validation decals on BC license plates.</i>	113-118
Capewell/ Tanguay	5.8	Official Community Plan Amendment Bylaw No. 2022-41 and Zoning Amendment Bylaw No. 2022-42 Development Permit PL2021-9246 Re: 770 Argyle Street <i>Staff Recommendation: THAT prior to consideration of "Official Community Plan Amendment Bylaw No. 2022-41", and in accordance with Section 475 of the Local Government Act, Council consider whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:</i> <ol style="list-style-type: none"> 1. One or more persons, organizations or authorities; 2. The Regional District of Okanagan Similkameen; 3. Local First Nations; 4. School District #67; 5. The provincial or federal government and their agencies. <p><i>AND THAT it is determined that the community engagement period carried out from April 7, 2022 to May 15, 2022 is sufficient;</i></p> <p><i>AND THAT Council give second and third reading to "Official Community Plan Amendment Bylaw No. 2022-41", a bylaw that amends Map 1: Future Land Use of Official Community Plan Bylaw No. 2019-08, by amending the future land use designation for Lot E District Lot 202 Similkameen Division Yale District and of District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 584, located at 770 Argyle Street, from 'Detached Residential' to 'Ground Oriented Residential';</i></p> <p><i>THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-42", for Lot E District Lot 202 Similkameen Division Yale District and of District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 584, located at 770 Argyle Street, a bylaw to rezone the subject property from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing);</i></p> <p><i>AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2022-42", require a 1.1m road dedication along the western property line (Argyle Street) to be registered with the Land Title Office;</i></p>	119-152

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-42", approve "Development Permit PL2021-9246", a permit to approve the form and character of the proposed development consisting of 8 dwelling units.

Capewell	5.9	Development Variance Permit PL2022-9420 Re: 400 Smythe Drive <i>Staff Recommendation: THAT Council approve "Development Variance Permit PL2022-9420", for Lot 1 District Lot 196 Similkameen Division Yale District Plan 14079 Except Plans 30619 and KAP89702, located at 400 Smythe Drive, a permit to vary Section 9.2.4.1.c of Zoning Bylaw 2021-01 to increase the area devoted to food and beverage service for a winery from 125m² outdoors to 305m²; AND THAT staff be directed to issue "Development Variance Permit PL2022-9420".</i>	153-168
Collyer	5.10	Development Variance Permit PL2022-9405 Development Permit PL2022-9404 Re: 302 Eckhardt Avenue West <i>Staff Recommendation: THAT Council approve "Development Variance Permit PL2022-9405" for Lot 1 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 2757 Except Plan H468), located at 302 Eckhardt Avenue West, a permit to vary Section 11.1.2.5 of Zoning Bylaw 2021-01 to reduce the minimum front yard setback from 3.0m to 2.0m, in order to facilitate the development of a three-storey office building; AND THAT Council direct staff to issue "Development Variance Permit PL2022-9405"; AND THAT Council, subject to approval of "Development Variance Permit PL2022-9405", approve "Development Permit PL2022-9404", for Lot 1 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 2757 Except Plan H468, located at 302 Eckhardt Avenue West, a permit to approve the form and character of a three-storey office building; AND THAT Council direct staff to issue "Development Permit PL2022-9404".</i>	169-206
Collyer	5.11	Zoning Amendment Bylaw No. 2022-55 Development Variance Permit PL2022-9433 Development Permit PL2022-9432 Re: 270 Riverside Drive <i>Staff Recommendation: THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-55", a bylaw to amend the following provisions of the CD2 (Comprehensive Development (270 Riverside Drive)) zone for Lot A District Lot 366 Similkameen Division Yale District Plan KAP91771, located at 270 Riverside Drive:</i> <ul style="list-style-type: none">• Section 14.2.2: To add 'Vacation Rental' as a permitted use,• Section 14.2.2: To add 'Mobile Vending Unit' as a permitted use, and• Section 14.2.3.9: To change the minimum rear yard (Wylie Street) setback from 25m to 2.5m; <i>AND THAT Council forward "Zoning Amendment Bylaw No. 2022-55" to the December 20, 2022 Public Hearing; AND THAT Council, subject to adoption of Zoning Amendment Bylaw No. 2022-55, consider "Development Variance Permit PL2022-9433" for Lot A District Lot 366 Similkameen Division Yale District Plan KAP91771, located at 270 Riverside Drive, a permit to vary the following sections of Zoning Bylaw 2021-01 to facilitate the proposed 234 unit strata apartment development:</i> <ul style="list-style-type: none">• Section 6.5: To reduce the minimum number of vehicle parking spaces from 291 to 290,• Section 14.2.3.3: To increase the maximum lot coverage from 65% to 76%,• Section 14.2.3.2: To reduce the minimum lot area from 9,000m² to 4,769m² (for phasing only), and• Section 14.2.3.9: To reduce the minimum rear yard from 2.5m to 0m (for phasing only); <i>AND THAT Council, subject to approval of "Development Variance Permit PL2022-9433", approve "Development Permit PL2022-9432" for Lot A District Lot 366 Similkameen Division Yale District Plan</i>	207-293

KAP91771, located at 270 Riverside Drive, a permit to approve the form and character of the proposed 6 storey, 234 unit strata apartment development on the subject property, AND THAT Council, subject to approval of "Development Permit PL2022-9432", approve the discharge of restrictive covenant LB436828 (High Rise Fire Protection Covenant) from the title of the property given that it relates to the previous 15 storey tower proposal and is no longer relevant to this current 6 storey proposal.

- Laven 5.12 Development Variance Permit PL2022-9418 294-305
Re: 278 South Beach Drive
Staff Recommendation: THAT Council approve "Development Variance Permit PL2022-9418" for Lot 6 District Lot 189 Similkameen Division Yale District Plan 5885, located at 278 South Beach Drive, a permit to vary Section 10.1.2.5 of Zoning Bylaw 2021-01, to reduce the minimum front yard from 6.0 m to 4.25 m, in order to facilitate the construction of an attached garage to the single family dwelling; AND THAT Council direct staff to issue "Development Variance Permit PL2022-9418".
- Laven 5.13 Development Variance Permit PL2022-9425 306-317
Re: 511 Duncan Avenue West
Staff Recommendation: THAT Council approve "Development Variance Permit PL2022-9425" for Lot 3 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 18131, located at 511 Duncan Ave W, a permit to vary Section 10.2.2.8.a of Zoning Bylaw 2021-01, to reduce the minimum rear yard setback from 6.0 m to 3.53 m, in order to facilitate the construction of a two-storey attached garage; AND THAT Council direct staff to issue "Development Variance Permit PL2022-9425".
- Laven 5.14 Development Variance Permit PL2022-9449 318-329
Re: 1666 Fairford Drive
Staff Recommendation: THAT Council approve "Development Variance Permit PL2022-9449" for Lot 11 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District and of District Lot 115 Similkameen Division Yale District Plan 13074, located at 1666 Fairford Drive, a permit to vary Section 8.1.4.1 of Zoning Bylaw 2021-01, to increase the maximum gross floor area of a secondary suite from 40% of the habitable area of the building to 49% of the habitable area of the building; AND THAT Council direct staff to issue "Development Variance Permit PL2022-9449".

6. **Public Question Period**

7. **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)

(c) labour relations or other employee relations;

(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; and Section 90(2)

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

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

9. **Bylaws and Permits:**

Collison	9.1	Zoning Amendment Bylaw No. 2022-50 Re: 565 Forestbrook Drive	330-331	2 nd /3 rd /Adopt
Collison	9.2	Council Procedure Amendment Bylaw No. 2022-51	332	Adopt

10. **Notice of Motion**

10.1 From Councillor Graham:

THAT the City suspend the on-street paid parking program effective December 7, 2022 to March 31, 2023;

AND THAT the previous two-hour parking limit in the downtown area be reinstated;

AND THAT Council discuss elimination of the on-street paid parking program during the 2023 budget deliberations.

11. **Business Arising**

12. **Public Question Period**

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

13. **Council Round Table**

14. **Adjournment**

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

Tuesday, November 15, 2022
at 1:00 p.m.

Present: Mayor Bloomfield
Councillor Boulton
Councillor Gilbert
Councillor Graham
Councillor Konanz
Councillor Miller
Councillor Watt

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

349/2022

It was MOVED and SECONDED

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

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

350/2022

It was MOVED and SECONDED

THAT Council recess to a Committee of the Whole meeting at 1:01 p.m.

CARRIED UNANIMOUSLY

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 1:11 p.m.

6. Adoption of Minutes:

6.1 Minutes of the October 18, 2022 Regular Meeting of Council

351/2022

It was MOVED and SECONDED

THAT Council adopt the Regular Council Meeting minutes of October 18, 2022 as presented.

CARRIED UNANIMOUSLY

6.2 Minutes of the November 1, 2022 Inaugural Meeting of Council

352/2022

It was MOVED and SECONDED

THAT Council adopt the Inaugural Council Meeting minutes of November 1, 2022 as presented.

CARRIED UNANIMOUSLY

7. Staff Reports:

7.1 2022 General Local Election Summary

353/2022

It was MOVED and SECONDED

THAT Council receive into the record the report titled "2022 General Local Election Summary" dated November 15, 2022.

CARRIED UNANIMOUSLY

7.2 Council Procedure Amendment Bylaw No. 2022-51

354/2022

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Council Procedure Amendment Bylaw No. 2022-51".

CARRIED UNANIMOUSLY

7.3 Animal Control Bylaw No. 2021-02, Bylaw Notice Enforcement Amendment Bylaw No. 2021-16 and Municipal Ticketing Information Amendment Bylaw No. 2021-17

355/2022

It was MOVED and SECONDED

THAT Council adopt "Animal Control Bylaw No. 2021-02", a bylaw that repeals the Responsible Dog Owner Bylaw No. 2015-27 and establishes regulations for the proper care of animals in the community;

AND THAT Council adopt "Bylaw Notice Enforcement Amendment Bylaw No. 2021-16" and "Municipal Ticketing Information Amendment Bylaw No. 2021-17", bylaws that regulate enforcement.

**CARRIED
Councillor Miller, Opposed**

7.4 Penticton Lawn Bowling Club – BC Gaming Grant Letter of Support

356/2022

It was MOVED and SECONDED

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

CARRIED UNANIMOUSLY

7.5 BC Active Transportation Fund – Grant Opportunity

357/2022

It was MOVED and SECONDED

THAT staff prepare and submit an application to the BC Active Transportation Fund for the section of the Lake-to-Lake bike route from Atkinson Street/Kinney Avenue, to the Point intersection at South Main Street/Galt Avenue;

AND THAT staff prepare and submit an application to the BC Active Transportation Fund for the sidewalk and traffic calming on Greenwood Drive and Dartmouth Road, which will provide a key connection from Pineview Road to Green Avenue;

AND THAT the City of Penticton confirms the above two projects are “shovel-ready” including:

- Completion of detail design work
- Approval of associated funding in the City’s 2022-2027 Financial Plan for construction in 2022/2023
- Completion of any necessary permitting or land acquisition
- Completion of community engagement, including consultation with large vehicle operators

AND FURTHER THAT Council authorize the General Manager of Infrastructure and the Director of Finance to sign and submit the grant applications.

CARRIED UNANIMOUSLY

7.6 Development Variance Permit PL2022-9442

Re: 1176 Queen Street

358/2022

It was MOVED and SECONDED

THAT Council approve “Development Variance Permit PL2022-9442” for Lot 1 District Lot 250 Similkameen Division Yale District Plan EPP62121, located at 1176 Queen Street, a permit to vary the following sections of Zoning Bylaw 2021-01 to allow the construction of a second storey addition onto the existing single detached dwelling:

- Section 10.2.2.6.a: to reduce the minimum interior side yard (north) from 1.5m to 1.2m, and
- Section 10.2.2.8.a: to reduce the minimum rear yard from 6.0m to 3.5m;

AND THAT Council direct staff to issue “Development Variance Permit PL2022-8442”.

CARRIED UNANIMOUSLY

7.7 Zoning Amendment Bylaw No. 2022-50

Development Permit PL2022-9371 (Proposed Lot 1)

Development Permit PL2022-9372 (Proposed Lot 2)

Re: 565 Forestbrook Drive

359/2022

It was MOVED and SECONDED

THAT Council give first reading to “Zoning Amendment Bylaw No. 2022-50”, a bylaw to rezone Lot 4 District Lots 202 and 249 Similkameen Division Yale District Plan 3375, located at 565 Forestbrook Drive as follows:

1. the western 9.145m portion from R2 (Small Lot Residential) to R3 (Small Lot Residential: Lane), and
2. the eastern 9.145m portion from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane), with the following site-specific provision:

- Two single detached dwellings shall be permitted.

To facilitate a future 2-lot subdivision of the property and development of a single detached dwelling and a secondary suite on Proposed Lot 1 and a back-to-back duplex on Proposed Lot 2; AND THAT Council forward "Zoning Amendment Bylaw No. 2022-50" to the December 6, 2022 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-50" and final subdivision registration of the two lots, approve "Development Permit PL2022-9371" and "Development Permit PL2022-9372" for Lot 4 District Lots 202 and 249 Similkameen Division Yale District Plan 3375, located at 565 Forestbrook Drive, permits to allow the construction of a single detached dwelling and a secondary suite on Proposed Lot 1 and a back-to-back duplex on Proposed Lot 2.

CARRIED UNANIMOUSLY

7.8 Strata Conversion PL2022-9439
Re: 2510 Government Street

360/2022

It was MOVED and SECONDED

THAT Council approves the strata conversion at 2510 Government Street to create two (2) new industrial strata lots in addition to the seven (7) existing strata lots on the subject property.

CARRIED UNANIMOUSLY

8. Notice of Motion

8.1 Notice of Motion from Councillor Konanz

361/2022

It was MOVED and SECONDED

THAT Council send a letter to the Minister of Public Safety and Attorney General responsible for BC Corrections requesting they provide the number of individuals in custody who have been released in the last 12 months from the Okanagan Correctional Centre in Oliver and dropped off in Penticton, as well as other relevant information; AND THAT Council direct staff to submit a Freedom of Information request for the information if a response is not received in a timely manner.

**CARRIED
Councillor Gilbert, Opposed**

9. Business Arising

9.1 Business Arising from the Notice of Motion

362/2022

It was MOVED and SECONDED

THAT Council invite the Warden from the Okanagan Correctional Centre in Oliver to a future meeting of Council to address the concerns related to dropping off individuals in Penticton and related topics.

CARRIED UNANIMOUSLY

10. Public Question Period

11. Council Round Table

12. Adjournment to a Closed Meeting

363/2022

It was MOVED and SECONDED

THAT Council adjourn to a closed meeting of Council at 2:29 p.m. pursuant to the provisions of the *Community Charter* as follows: *Section 90(1)*

(g) litigation or potential litigation affecting the municipality.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Angie Collison
Corporate Officer

Julius Bloomfield
Mayor

Council Report

penticton.ca

Date: December 6, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Angela Campbell, Director Finance and Administration
Subject: **2023-2027 Financial Plan Update**

File No:

Staff Recommendation

THAT Council receive into the record the report dated December 6, 2022 titled "2023-2027 Financial Plan Update".

Background

Section 165 of the *Community Charter* directs that a municipality must have a Five Year Financial Plan Bylaw adopted annually, this must be done before the Annual Tax Rate Bylaw and both prior to May 15. The *Community Charter* also provides that the Financial Plan Bylaw may be amended at any time to reflect changes that may occur throughout the year.

The City's financial plan development process includes updating the Fees & Charges Bylaw prior to budget, and compiling capital and operating budgets to present to Council during budget deliberations.

The process includes members of Council introducing any proposed priorities through a Notice of Motion (NoM) at a Council meeting. Notices that receive a majority vote are incorporated and considered as part of the budget deliberations.

Council's strategic planning sessions determine the City's Council Priorities and drive the focus of the budget. Council typically sets their priorities at the beginning of their term for the next four years.

As part of the financial planning process, historically Staff presented Council with a draft copy of the Financial Plan as well as the draft Business Plan. For 2023, these documents are being combined into one integrated document, the 2023 - 2027 Financial Plan and Corporate Business Plan.

Budget Process

The typical timelines for the City's financial planning has the process starting in late spring and concludes with Council deliberations in late fall. Due to the election in 2022, the process schedule has been altered in order to provide Council the ability to give further direction to staff on budget initiatives through the NoM process. During the 2023 budget process, funds will be allocated and set aside to fund the actions that Council determines out of their priority setting.

The key dates for the 2023 - 2027 financial planning process are as follows:

Date	Description
Dec 2022 – March 2023	Council Strategic Priorities Setting
December 20, 2022	Council Notice of Motions
February 27, 2023	Budget Documents Publically Released
March 7, 2023	Budget Primer Overview
Feb 27 – Mar 10, 2023	Community Engagement
March 14-16, 2023	Special Council Meetings – Budget Deliberations
April 4, 2023	First, second and third reading to “2023-2027 Five Year Financial Plan Bylaw”
April 18, 2023	Adopt “2023-2027 Five Year Financial Plan Bylaw”

In order to meet the timelines in the table above, further amendments to the budget cannot be incorporated into the Financial Plan past Jan 6, 2023. Initiatives identified through strategic planning and the setting of Council’s Priorities will be incorporated into the Financial Plan through budget amendments after the adoption of the Bylaw in April of 2023.

Public consultation is undertaken after the public release of the budget documents and is done through online feedback (Shape Your City), online budget engagement sessions and public engagement open houses. The results of these engagement sessions are presented during deliberations for Council to review and include prior to making final decisions on the budget.

The budget process for 2023 will include extended presentations to Council including enhanced information and presented in part by the manager for each respective area. Deliberations will be planned over three full days to provide Council the opportunity for detailed discussions and review. Once Council has approved the 2023-2027 Draft Financial Plan in principle, including the rate of tax increase, staff will present the Bylaw for first three readings on April 4, 2023 with adoption on April 18.

Respectfully submitted,



Angela Campbell
Director Finance and Administration

Concurrence

Chief Administrative Officer
DyD

Council Report

penticton.ca

Date: December 6, 2022 File No: RMS 1610
To: Donny van Dyk, Chief Administrative Officer
From: Courtney Jones, Financial Planning and Budget Specialist
Subject: **Third Quarter 2022 Financial and Corporate Business Plan Update**

Staff Recommendation

THAT Council receive into record the report dated December 6, 2022 titled "Third Quarter 2022 Financial and Corporate Business Plan Update" and;

THAT Council amend the 2022-2026 Financial Plan to provide an additional \$121,000, for the purchase of a ½ ton pickup truck (\$40K), and for higher costs due to supply chain inflation increases for the Auto Hoist (\$6k) and Tandem Dump truck (\$75k) replacements, with funds coming from the Equipment Replacement Reserve and;

AND THAT Council amend the 2022-2026 Financial Plan to provide an additional \$30,000, for additional subcontractor costs, for the repairs at the Skaha Marina, with funds coming from the Marina Reserve.

Background

The 2022-2026 Financial Plan was adopted December 14, 2021, with updates received by Council on May 3, 2022 for the first quarter and August 16, 2022 for second quarter. The third quarter report, found in Attachment A, includes activities up to September 30 and outlines the impacts to the City's revenues and expenses as a result of the budget amendments year to date, includes an end of year forecast and an update on the Corporate Business Plan initiatives. The City of Penticton's 2022 Corporate Business Plan outlines 51 initiatives that advance strategic and operational priorities as well as projects that have been identified by the Senior Leadership Team which will improve service delivery and business functions for the City.

Financial Implication

The City's financial position for the year overall is strong with total revenues expected to be higher than budget, and expenses anticipated to be lower than budgeted.

The following financial implications are expected as a result of the budget amendments and forecasts made during the year:

- General Operating Fund – forecasted surplus of \$402k, which is \$1.66M lower than the budgeted draw of \$1.26M. This substantial decrease is primarily due to increased revenue from building and licensing, recreation fees, successful grants and decreased expenses for staffing vacancies.

- Electric Operating Fund - forecasted draw of \$2.2M, is the same as the adopted budget.
- Sewer Operating Fund - forecasted surplus of \$2.3M, an increased transfer of \$421k, from the adopted budget of \$1.85M. This increased transfer is for the North Penticton interceptor project, which has been cancelled at this time.
- Water Operating Fund - forecasted surplus of \$622k, compared to the budgeted surplus of \$1.5M. This decrease in surplus is due to increased costs related to higher than anticipated water main repairs and water treatment chemicals.

Analysis

Some significant highlights from the report include:

Budget Amendments

- Overall revenues are \$525k higher than adopted budget, with amendments of \$362k in third quarter, for successful grant applications and increased sales of service revenue.
- Total expenses have increased \$1.0M over the adopted budget. Included within the third quarter amendments are personnel costs, CN tug emergency repairs, grant expenses that offset the revenue received, and additional civic grants approved.
- Capital has decreased \$569k overall year to date, with the third quarter increasing by \$1.2M in General Capital. Third quarter amendments were for increased costs related to fleet acquisitions of Auto Hoist and Tandem Dump truck, additional sub-contractor costs for the repairs at Skaha Marina, electric vehicle rapid charging infrastructure project, and a land acquisition. These third quarter increases were in addition to first and second quarter decreases of \$1.8M.

Amended Budget to Forecast Variances

- Revenues are forecasted \$1.16M higher than amended budget for increased building permit and licensing revenue and additional grant funding.
- Expenses are forecasted \$307k lower than amended budgeted for staffing vacancies, lower South Okanagan Event Center (SOEC) deficit than budget, offset by higher fuel costs, water treatment chemical costs and unexpected water main repair costs.
- Capital budgets are forecasted at budget, as funds not spent, may be carried forward into the year.

Strategic Initiatives

- 15 initiatives have been completed to-date including 12 completed in the third quarter. Highlights of completed initiatives for the third quarter include:
 - Successfully hosted return of the IRONMAN Canada triathlon event.
 - Downtown Penticton Business Improvement Association's remote guard pilot was successfully completed and plans are underway for its expansion.
 - Penticton Library Holds Locker was installed at the Penticton Community Centre to expand library services in the community.
 - Section 2 of the Lake-to-Lake bike route completed construction and is open for cyclists.
 - FireSmart team had a busy and successful second season. FireSmart Canada is currently accepting grant applications for 2023.
- 29 initiatives are on track to be completed by the end of 2022.

- 7 initiatives are delayed for reasons such as land use approvals, fish window openings and coordination of concurrent reports and reviews.
- Attachment B includes more detail on 2022 strategic initiatives.

Alternate Recommendations

THAT Council direct staff to provide them with further information prior to receiving into record the report dated December 6, 2022 titled “Third Quarter 2022 Financial and Business Plan Update”.

Attachments

- Attachment A – 2022 Third Quarter Update
- Attachment B – Detailed Corporate Business Plan Update

Respectfully submitted,

Courtney Jones

Courtney Jones
Financial Planning & Budget Specialist

Director Finance and Administration <i>AMC</i>	GM Infrastructure <i>KD</i>	Director Development Services <i>BL</i>	Chief Administrative Officer DyD
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City of Penticton
Third Quarter
Update
Financial Plan
Corporate Business Plan



December 6, 2022

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 Budget Amendments 10

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Introduction to Quarterly Updates

The Corporate Quarterly report is produced three times a year to present the City's financial position for the quarter and communicate progress made on Strategic Initiatives.

There are 4 components within this report:

1. Financial Summary - provides a quarterly update on the City's financial position. Included in this section of the report are summaries for the City's operating and capital funds as well as details on cash & investments, reserves, debt, and a summary of revenue and expenses.
2. Operating Variance Analysis – provides highlights on operating funds for current forecast variances as well as budget amendments made during the quarter.
3. Capital Variance Analysis - provides highlights on capital funds budget amendments made during the quarter.
4. Strategic Initiatives - includes progress update on the initiatives detailed in the City's Corporate Business Plan.

Financial Summary

This third quarter report summarizes the City's overall financial activities up to September 30, 2022. The City's financial position for the year to date is strong overall with total revenues expected to be higher than budget by 0.9%, and expenses anticipated to be lower than budgeted by 0.3%.

General Fund

After the third quarter, the 2022 forecast is estimating a General Fund surplus of \$402k, which is a \$1.66M improvement over the budgeted draw of \$1.26M. This substantial decrease is primarily due to increased revenue from building and licensing, recreation fees, successful grants and decreased expenses due to staffing vacancies.

Operating - forecasted surplus of \$402k

Actual revenue received, to the end of third quarter, is \$61M, 96% of amended budget. The majority of the annual revenue is received mid-year for property taxes. End of third quarter, actual expenses are \$43M, 71% of amended budget.

Capital - \$18M

The General Fund 2022 Capital amended budget is \$18M, with an additional \$9M of carry forward projects from 2021, for a total of \$27M. To date, \$12M has been expended or committed with some significant projects having been delayed including the Point Intersection Kinney and South Main of \$3.4M, a portion of the Bike Network, and the remainder of the Penticton Creek rehabilitation project.

Utilities

Electric Fund

Operating – forecasted draw of \$2.2M

The forecasted draw from the Electric reserve is the same as the adopted budget of \$2.2M. Actual electric sales and purchases, for the first three quarters, are at 77% and 73% of budgeted amounts, respectively.

Capital - \$8.2M

2022 amended budget is \$8.2M, with an additional \$856k of carry forward projects from 2021, for a total of \$9.1M. Spending and commitments to date total \$2.3M. Delayed or postponed projects include Point Intersection Kinney and South Main \$1.2M, Utility Scale Battery \$1.7M and City Yard Building upgrades \$1.5M.

Sewer Fund

Operating – forecasted surplus of \$2.3M

The forecasted transfer to Sewer surplus is \$2.3M, an increased transfer of \$421k, from the adopted budget of \$1.85M. Third quarter, actual revenue is 78% of the amended budget and actual expenses are 65% of amended budget.

Capital - \$8.1M

The 2022 amended budget is \$8.1M, with an additional \$1.1M of carry forward projects from 2021, for a total of \$9.2M. To date spending and commitments are at \$871k, which is a reflection of the early stages of the Advance Waste Water Treatment Plant upgrades project for \$6.2M, which makes up the majority of the capital budget for 2022.

Water Fund

Operating – forecasted surplus of \$622k

The adopted 2022 budget included a transfer to Water surplus \$1.5M, which is higher than the third quarter forecasted transfer of \$622k. Actual water revenues to the end of third quarter are 71% of amended budget, while expenses are 95% of amended budget.

Capital - \$11.7M

The 2022 amended budget is \$11.7M, with \$2.3M of carried forward projects from 2021, for a total of \$14M. Spending to date is \$3.3M due to significant projects such as Ridgedale Reservoir \$4.2M and Penticton Ave Pressure Reducing Valve (PRV) upgrade \$2.9M being in early stages.

Cash & Investments

As at the end of September 2022, the City’s cash and term deposit balance is \$143M, an increase of \$14M over the beginning of year balance of \$129M. These investments have earned \$1.1M in investment income to date, which is 69% of budgeted amount.

Diversification of current investments can be seen in the table below: Table 1 Portfolio Allocations (in millions)

Financial Institution	2021 Portfolio Amount	2021 Percentage	2022 Q3 Portfolio Amount	2022 Q3 Percentage
MFA Pooled Investment Funds	\$ 40.2	31.1%	\$ 40.7	28.4%
DUCA Financial	15.5	12.0%	16.4	11.4%
Agrave	2.6	2.0%	2.5	1.7%
FNBK	2.5	1.9%	2.5	1.7%
Tandia Financial	5.0	3.9%	5.0	3.5%
Haventree Bank	5.0	3.9%	5.0	3.5%
Meridian Credit Union	0.0	0.0%	9.1	6.3%
Kindrid	14.8	11.5%	-	0.0%
Affinity	5.3	4.1%	-	0.0%
Valley First Credit Union	38.4	29.7%	62.2	43.4%
Total	\$ 129.3	100.0%	\$ 143.4	100.0%

Reserves

The City’s statutory reserve balances, at the beginning of 2022, were \$30M, and are forecasted to be \$41M, at the end of 2022. Non-statutory reserve balances, at the beginning of 2022, were \$68M, and are forecasted to be \$52M, at the end of 2022.

The City's reserve balances are detailed in the table below and forecasted based on year to date results as well as transfers as approved in the City’s 2022-2026 Financial Plan:

TABLE 2 RESERVE FORECAST SUMMARY (IN THOUSANDS OF DOLLARS)

Reserve	2021 Financial Statement	2022 Forecast	2023 Forecast	2024 Forecast	2025 Forecast	2026 Forecast
Statutory	30,069	41,014	52,750	64,850	75,522	91,873
Mandatory	19,050	17,822	17,468	17,112	16,907	16,701
Non- Statutory	68,219	52,420	53,427	57,029	61,129	63,916
Total	117,337	111,257	123,645	138,991	153,559	172,490

Debt

The City’s forecasted debt balance to the end of 2022 is \$22M. Debt is currently represented by issues for the General, Water and Sewer funds. Liability Servicing Cost is legislatively limited to 25% where debt servicing costs cannot exceed 25% of specific municipal revenues of the previous year. A five year forecast of long-term debt is included in the table below:

Table 3 Long term external Debt Budget Forecast (in millions of dollars)

	2022	2023	2024	2025	2026
	Forecast	Forecast	Forecast	Forecast	Forecast
Opening balance	\$24.2	\$22.0	\$32.7	\$30.3	\$28.0
Principal Repayment	\$2.2	\$2.2	\$2.3	\$2.3	\$2.3
New debt	\$0.0	\$12.9	\$0.0	\$0.0	\$0.0
Ending balance	\$22.0	\$32.7	\$30.3	\$28.0	\$25.7
Liability servicing cost	11.3%	14.4%	14.1%	13.4%	12.7%

In October 2022, Council approved (Council resolutions 339/2022, 340/2022, 341/2022) up to \$12.9M in new debt, for upgrades and expansions at the Advanced Waste Water Treatment Plant, Penticton Ave PRV, and Ridgedale Reservoir. These loan authorizations are expected to be drawn on in the spring 2023 offering.

In June 2022, Council approved (Council resolution 224/2022) up to \$7.4M in internal borrowing for the Bike Network, Point Intersection Kinney Ave & South Main St, and Fire Hall 2 – 2 bay garage, with repayment over 10 years. Repayments are to be funded from existing reserves, currently these borrowings are the City’s only internal debt.

Revenue & Expenses Summary

	2022 Adopted Budget	2022 Budget Amendments	2022 Amended Budget	2022 Forecast	Amended Budget to Forecast Variance
Revenue					
Municipal Taxation	\$ (39,026,932)	\$ -	\$ (39,026,932)	\$ (38,927,461)	\$ 99,471
Sale of Services	(11,887,942)	(115,000)	(12,002,942)	(12,955,503)	(952,561)
Electric Utility Revenue	(42,577,253)	-	(42,577,253)	(42,593,021)	(15,768)
Sewer Utility Revenue	(8,567,580)	-	(8,567,580)	(8,562,580)	5,000
Water Utility Revenue	(10,262,600)	-	(10,262,600)	(10,262,600)	-
Storm Water Utility Revenue	(966,000)	-	(966,000)	(968,600)	(2,600)
Fiscal Services	(1,856,516)	-	(1,856,516)	(1,975,446)	(118,930)
Grants	(4,201,862)	(409,870)	(4,611,732)	(4,753,250)	(141,518)
Other Contributions	(4,682,303)	-	(4,682,303)	(4,718,772)	(36,469)
Development Cost Charges	(1,195,000)	-	(1,195,000)	(1,195,000)	-
Donations	(19,500)	-	(19,500)	(19,500)	-
Total Revenues	(125,243,488)	(524,870)	(125,768,358)	(126,931,733)	(1,163,375)
Operating Expenses					
General Operating	59,428,583	960,901	60,389,484	59,435,188	(954,296)
Storm Sewer	551,173	-	551,173	556,173	5,000
Electrical Supply	37,934,940	51,350	37,986,290	37,968,316	(17,974)
Sewer System	4,927,650	-	4,927,650	4,942,650	15,000
Water Utility	4,554,918	-	4,554,918	5,199,918	645,000
Total Operating Expenses	107,397,264	1,012,251	108,409,515	108,102,245	(307,270)
Other Entities Net Taxes	-	-	-	(23,151)	(23,151)
Net Operating Surplus	(17,846,224)	487,381	(17,358,843)	(18,852,639)	(1,493,796)
Capital Expenses					
General Capital	16,133,300	2,113,800	18,247,100	18,247,100	-
Electric Capital	8,190,169	48,014	8,238,183	8,238,183	-
Sewer Capital	11,004,000	(2,941,000)	8,063,000	8,063,000	-
Water Capital	11,448,000	210,000	11,658,000	11,658,000	-
Total Capital Expenses	46,775,469	(569,186)	46,206,283	46,206,283	-
Debt Proceeds	(9,618,519)	-	(9,618,519)	(9,618,519)	-
Debt Servicing - Principal Repayments	2,211,126	-	2,211,126	2,211,126	-
Capital Grant Funding	(410,000)	(267,500)	(677,500)	(677,500)	-
Transfer To (From) Surplus/Reserve	(21,111,852)	349,305	(20,762,547)	(19,268,751)	1,493,796
Financial Plan Balance	\$ -	\$ -	\$ -	\$ -	\$ -

Operating Variance Analysis (In Thousands of Dollars)

Budget Amendments

Revenue - \$525k increase over budget

- Sales of Service
 - Budgeted revenue has been increased for the City assuming operation of the Sportsplex late 2021 and an increase for public swimming revenue.
- Grants
 - The City has received larger grants for the Climate Action Program and the UBCM Strengthening Services grant. The City was also successful in receiving multiple smaller grants in 2022, totaling \$108k, for E-mobility strategy, Fortis Energy Code Funding, 2022 Emergency Support Services (ESS), Union of BC Municipalities (UBCM) Poverty Reduction Planning & Action, Age Friendly, and Housing policy.

Expense - \$1.0M increase over budget

- General Operating
 - Grant expenses, of \$340k, for multiple successful grants for Social Development, Climate action and Emergency Services;
 - Salaries and wage expenses related to positions, such as the Sustainability Supervisor and Community Mobilizer, to date this year total \$255k.
 - Council approved additional Civic Grants of \$38k, in addition to the \$1.0M in grants approved during budget deliberations.
 - Other expenses include a larger order of waste and recycle receptacles due to supply chain and shipping requirements, emergency repairs on CN Tug, Sportsplex maintenance and multiple facilities requiring smaller maintenance or safety projects.
- Electrical Supply
 - Cost sharing of the Occupational Health and Safety Administrator position

Forecast Variances

Revenue - \$1.16M forecasted increase over amended budget

Revenue is forecasted \$1.16M higher than anticipated attributed to the following:

- Sales of Service:
 - Building permit and licensing revenues forecasted higher for increased revenue, based on year to date trending.
 - Swim lesson revenues have decreased substantially due to lifeguard availability, while Pool rental, fitness programs, and adult programs are recognizing higher revenue than budgeted, however still lower than pre-pandemic levels.
 - Transit revenue is higher than anticipated, partly due to increased ridership and partly for the continuation of the Safe Restart and Recovery funding.
- Fiscal Services – higher than budgeted tax penalty revenue
- Grants - Increased grants funds were received for the Museum from the Arts and Culture resiliency grant and the Department of Canadian Heritage reopening grant.

Expenses - \$307k decrease from amended budget

Expenses are forecasted to be \$307k lower than the amended budget.

- General Fund
 - Decreased expenses attributed to staffing vacancies in the RCMP, Bylaw and Recreation.
 - Fuel costs are anticipated to be \$220k higher than budget for increased fuel prices.
 - The South Okanagan Event Center (SOEC) is forecasting a lower deficit than budget, as more concerts and events are occurring than originally planned and deferment of large event.
- Water Utility
 - Increased costs for unexpected water main repairs costs, partly due to colder temperatures for longer durations than normal over the winter increased breakage.
 - Higher chemical water treatment costs to treat the alternative to optimal mixture of inflow water sources related to raw water line supply breakage, as well as the Creek restoration project water flow requirements.
 - Lower Okanagan Lake pump station utilities costs for lower usage during Penticton Ave raw water main break.

Capital Variance Analysis (In Thousands of Dollars)

Budget Amendments

- *General Capital \$2.1M*
 - Land acquisitions and dispositions net expense of \$575k.
 - Increased project costs for Point Intersection Kinney & South Main \$450k (Council resolution 224/2022).
 - Penticton Electric Vehicle Rapid Charging Infrastructure Project \$395k (Largely grant funded).
 - Increased Sportsplex turf costs of \$180k.
 - Increased subcontractor costs for the Skaha Marina repairs \$30k.
 - Increased fleet purchase budgets totaling \$106k for Auto Hoist \$6k, Tandem Dump truck \$75k, 1/2 Ton Pick Up (replacing unit #94) by \$8k, and \$17k for Digger Derrick. Increased costs due to supply chain constraints.
 - Energy Audit - FortisBC's Custom Efficiency Program \$90k, Council resolution 58/2022.
 - Increase of \$100k for the decorative scroll lighting project.
 - There have been several other minor General capital budget amendments totaling \$188k for Okanagan Marina asphalt repair, road works at Alberni St., Lakeview Cemetery Septic System Replacement, electric bikes and vehicles, parking machine software upgrades, city yard minor construction costs and PTCC apron repairs.
- *Electric Capital \$48k* - Increase \$48k for stringing machine for higher than budgeted cost
- *Sewer Capital (\$2.9M)* – Decrease of \$2.9M for North Penticton interceptor project which has been cancelled at this time. Staff will have further flow monitoring studies conducted, which may result in a different project scope.
- *Water Capital \$210k* – Increase of \$210k for Ellis Creek diversion dam bridge replacement due to higher tender costs.

Forecast Variances

Capital budgets are not forecasted quarterly as funding for projects that will continue into future years may be carried forward to fund the completion of the project.

Strategic Initiatives

Corporate Business Plan

To ensure strong public accountability each year the City's Strategic Initiatives are published in the Corporate Business Plan. In 2022, there were a total of 51 strategic priorities and initiatives outlined for completion across City divisions and departments.

Strategic priorities and initiatives are items that focus on visible delivery of service, advance Council Priorities or utilize significant cross functional resources.

In 2022, the Community Safety Council Priority was at the forefront of identified strategic initiatives. The previous Council's priorities focused on Asset & Amenity Management, Community Safety and Community Vitality.

Q3 Update

To date, a total of 29 initiatives are on track and City Divisions have successfully completed a total of 15 strategic and operational initiatives.

A total of seven (7) initiatives are delayed, reasons cited for delays range from land use approvals, fish window openings and coordination with concurrent reports and reviews, such as: Community Safety Review and Network Restructure Plan. Below is a summary of delayed projects:

- **Partnership with RDOS to Address Sanitary Sewer Plant Residuals and Organics Waste Management:** ALC did not approve the non-farm use of 1313 Greyback Mountain Road property. RDOS is currently appealing this decision.
- **Penticton Creek Naturalization Project:** Construction for 2022 has concluded. A remaining portion of the project will be completed in 2023 as it could not complete within the 2022 fish window.
- **Development of an Urban Forestry Master Plan:** Request for Proposal (RFP) will be issued in November 2022. Work will commence in Q1 2023.
- **Create a New Points Intersection:** RFP has been issued and work will begin in early 2023.
- **Refresh the Okanagan-Similkameen Transit Future Plan:** Scheduled to complete in early 2023, to coincide with Network Restructure Plan, being led by BC Transit.
- **Explore City Sponsored Monitoring Devices for Repeat Offenders:** On hold awaiting completion of Community Safety Review.
- **Traffic and Safety Road Enforcement:** Penticton RCMP have paused this initiative to focus available members on prolific offender management.

Summary Tables Strategic Initiatives

Community Safety		
Initiative	Status	Lead
Increase Information Technology Capacity	☑	Finance and Administration
Community Safety Review	↑	Community Services
Evaluate Results of the DPA's Remote Guard Service Pilot Project	☑	Community Services
Upgrade Washrooms to Address Vandalism and Safety Issues	↑	Community Services
Water Treatment Plant (WTP) Arc Flash Study	☑	Infrastructure
Expand Bylaw Services and Community Safety Capacity	☑	Development Services
Explore City Sponsored Monitoring Devices for Repeat Offenders	↓	Development Services
Strengthening Penticton's Housing Response	↑	Development Services
Ratify New Collective Agreement with the International Association of Fire Fighters, Local 1399	↑	Penticton Fire Department
Continue FireSmart Penticton Program for 2022	☑	Penticton Fire Department
Host Wildfire Training Symposium 2022	☑	Penticton Fire Department
Expand Internal Training Strategy and Resources	↑	Penticton Fire Department
Enhancing Fire Fighting Apparatus Program	↑	Penticton Fire Department
Enhance Proactive Policing through Prolific Offender Management and Traffic Services	↑	RCMP
Crime Reduction: Property Crime and Drugs	↑	RCMP
Family and Sexual Violence Support	↑	RCMP
Mental Health and Substance Use Support for the Community	↑	RCMP
Traffic and Road Safety Enforcement	↓	RCMP
Employee Wellness Strategy (RCMP)	↑	RCMP

Status	Definition
☑	Complete Initiative was successfully completed
↑	On Track Initiative is on schedule and progress continues towards milestones
↓	Delayed Initiative is experiencing challenges or delays

Asset & Amenity Management		
Initiative	Status	Lead
Implement Asset Retirement Obligations	↑	Finance and Administration
Finalize and Implement the Asset & Amenity Management Project	↑	Community Services
RCMP Building Mechanical Upgrades	↑	Community Services
Construct New 2-Bay Storage Building at Fire Hall 202	↑	Community Services
Skaha Park Splash Pad Replacement	↑	Infrastructure
Partnership with RDOS to Address Sanitary Sewer Plant Residuals and Organics Waste Management	↓	Infrastructure
Upgrades for Dam Safety Compliance	↑	Infrastructure
Wastewater Treatment Plan Expansion	↑	Infrastructure
Penticton Creek Naturalization Project	↓	Infrastructure

Status		Definition
<input checked="" type="checkbox"/>	Complete	Initiative was successfully completed
↑	On Track	Initiative is on schedule and progress continues towards milestones
↓	Delayed	Initiative is experiencing challenges or delays

Community Vitality		
Initiative	Status	Lead
Continue COVID-19 Business Community Support and Recovery	↑	Community Services
Support Event Portfolio and Future Destination Development	☑	Community Services
Online Accommodation Platform (OAP) Housing Study	↑	Community Services
Expansion of Library Holds Program to Penticton Community Centre	☑	Library
Develop an Urban Forestry Master Plan	↓	Infrastructure
Cleanliness Initiative for Parks and Core City Areas	☑	Infrastructure
Conduct Distribution System Resiliency Study	☑	Infrastructure
Introduction of a Fully Electric Vehicle to Fleet Department	☑	Infrastructure
Installation of a New Lighted Landmark for the Nighttime Landscape	↑	Infrastructure
Completion of Section 2 of the Lake-to-Lake Bike Route	☑	Infrastructure
Create a New Points Intersection to Address Traffic Congestion	↓	Infrastructure
Refresh the Okanagan-Similkameen Transit Future Plan	↓	Infrastructure
New Online Application Software for Developers and Homeowners	↑	Development Services
Complete a Housing Policy Review	↑	Development Services
Implementing the Community Climate Action Plan	↑	Development Services

Status	Definition
☑	Complete Initiative was successfully completed
↑	On Track Initiative is on schedule and progress continues towards milestones
↓	Delayed Initiative is experiencing challenges or delays

City Mission		
Initiative	Status	Lead
Conduct 2022 General Local Election	☑	Finance and Administration
Facilitate New Council Orientation and Strategic Planning	↑	Finance and Administration
Implement a City Mental Health Strategy	↑	Finance and Administration
Implement IRONMAN Canada Event	☑	Community Services
Continue Rec and Culture Service Recovery Plan	↑	Community Services
Implement Cleland Theatre Optimization Plan	↑	Community Services
Installation of Penticton Heritage Plaques	↑	Community Services
Improve RCMP Investigation Capacity through Technical and Administrative Support	☑	RCMP

Status	Definition
☑	Complete Initiative was successfully completed
↑	On Track Initiative is on schedule and progress continues towards milestones
↓	Delayed Initiative is experiencing challenges or delays

Attachment B - Corporate Business Plan Q3 Initiative Details

City of Penticton Corporate Business Plan Update				Q1 Update	Q2 Update	Q3 Update
Priority	Tracking Status	Owner	Finance and Administration Asset and Amenity Management			
AAMP	On Track	Angela	Implement Asset Retirement Obligations	In progress, work to resume in Q2 after annual legislated reporting completed.	In progress, compilation of impacted assets and determination of responsibility is underway	In progress, compilation of impacted assets and determination of responsibility is underway
Mission						
Mission	Completed	Angela	Conduct 2022 General Local Election	Hired an election consultant and attended election training workshops and seminars hosted by LGMA	Appointed Chief Election Officer and Deputy Chief Election Officers, adopted Election & Assent Voting Bylaw, adopted Political Signage Regulation Bylaw and held pre-candidate workshop in May	Advertised for and trained election officials, placed all statutory advertisements, nomination period was August 30 - September 9, campaign period was September 17 - October 15, 2022
Mission	On Track	Angela	Facilitate New Council Orientation and Strategic Planning	Will occur later in 2022	Will occur later in 2022	Finance participated in Council Orientation sessions in late October and early November. Finance will continue to support Council's Strategic Planning for 2023.
Mission	On Track	Angela	Implement a City Mental Health Strategy	Strategy drafted, shared with SLT/PLT, feedback received. Next steps compiling feedback & including in strategy, developing action plans.	Next steps compiling feedback & including in strategy, developing action plans.	Including mental health strategy into employee focus group chats to determine priorities/action plans.
Community Safety						
Safety	Completed	Angela	Increase Information Technology Capacity	IT Operations Supervisor was on boarded March 7th this new position will improve the City's detection and response to cyber threats as well as other IT operations. IT Manager is currently recruiting for a new Help Desk Analyst.	All recruitment and onboarding is completed	This initiative was completed successfully in Q2.
Community Services						
Asset and Amenity Management						
AAMP	On Track	Anthony	Finalize and Implement the Asset & Amenity Management Project	AAMP presented to Council on April 5th with direction received to bring back work plan and budget for commencement of Public Safety and Protective Services Centre	Work plan for Public Safety and Protective Services Centre under development and scheduled for introduction to Council in August 2022	First phase of Public Safety and Protective Services Centre underway with Space Planning and Best Practice Analysis commencing in Q3 2022
AAMP	On Track	Anthony	RCMP Building Mechanical Upgrades	Design/equipment replacement in progress	Procurement to commence in Q3	Delta T consulting preparing technical specifications for tender. Tender to be issued first week of December. Assuming 90 day lead time on material delivery and install estimated for March 2023.
AAMP	On Track	Anthony	Construct New 2-Bay Storage Building at Fire Hall 202	Preliminary site analysis underway	Architectural design work to commence in Q3	Design work completed, cost estimates to be completed in Q4. MAD Engineering engaging consultants for pricing and are in the process of preparing a Class C estimate based on design drawings. Meeting scheduled for mid-November with PFD Leadership and Cal Meiklejohn.
Mission						
Mission	Completed	Anthony	Implement IRONMAN Canada Event	In progress, contract dates amended and planning meetings are underway. Anticipated event date is August 28, 2022.	Event preparation underway and on track for end of August 2022	Event completed and review and preparation for 2023 underway
Mission	On Track	Anthony	Continue Rec and Culture Service Recovery Plan	Services continue to adjust to changes in public health orders.	Services continue to adjust to changes in public health orders.	Services continue to adjust to changes in public health orders.
Mission	On Track	Anthony	Implement Cleland Theatre Optimization Plan	A/V Equipment upgrade project is underway. Grant application submitted. Preliminary carpentry completed. RFQ issued for electrical upgrades. RFP issued for audio equipment upgrades.	A/V Equipment upgrade project under way. Grant application submitted. RFQ issued for electrical upgrades. RFP issued for audio equipment upgrades.	Audio equipment delivered and installed. Electrical upgrades underway.
Mission	On Track	Anthony	Installation of Penticton Heritage Plaques	In progress. Staff preparing to mail out the letters of interest to owners of heritage properties. Informational poster and brochures are in the design process.	Staff report coming to Council in August for review.	Council endorsed project to commence. Museum & Archives leading project.
Community Safety						
Safety	On Track	Anthony	Community Safety Review	Community stakeholder and staff consultation underway. Draft recommendations expected in early June 2022.	Final phase of engagement underway	Report in process of being finalized.
Safety	Completed	Anthony	Evaluate Results of the DPA's Remote Guard Service Pilot Project	Waiting to hear from DPA on first quarter results.	Ongoing discussions with DPA around future expansion.	Project analysis s completed and work underway for future expansion
Safety	On Track	Anthony	Upgrade Public Washrooms to Address Vandalism and Safety Issues	Investment in washroom facilities underway to improve safety and security.	Investment in washroom facilities underway to improve safety and security.	Investment in washroom facilities underway to improve safety and security.
Community Vitality						
Vitality	On Track	Anthony	Continue COVID-19 Business Community Support and Recovery	In progress, all remaining COVID-19 Re-Start Task Force recommendations are planned for execution 2022, in partnership with DPA/Chamber/Visit Penticton	Economic development work plan underway to implement action items	Economic development work plan underway to implement action items
Vitality	Completed	Anthony	Support Event Portfolio and Future Destination Development	At least ten new events are on the calendar for 2022. Continuing to build the endurance sport brand for new and prospective events. Working with SOEC/Visit Penticton to identify and attract new future events.	Event season well underway with staff working closely with event organizes on implementation of 2022 events.	Event season completed and preparation for 2023 underway
Vitality	On Track	Anthony	Online Accommodation Platform (OAP) Housing Study	To commence in Q3 2022	Project to commence in Q3 2022	Project underway

City of Penticton Corporate Business Plan Update				Q1 Update	Q2 Update	Q3 Update
Library						
Community Vitality						
Vitality	Completed	Heather	Expansion of Library Holds Program to Penticton Community Centre	Locker has been ordered and location for installation selected. Rough installation date planned. Graphic wrapping design is in-progress.	Preliminary design underway for implementation in Q3	Project completed.
Infrastructure						
Asset and Amenity Management						
AAMP	On Track	Kristen	Skaha Park Splash Pad Replacement	Staff is currently working with local First Nations En'owkin Center to develop content that will be incorporated into the design of the new splash pad.	Staff is currently working with local First Nations En'owkin Center to develop content that will be incorporated into the design of the new splash pad. Environmental management plan being developed.	Consultant has been engaged to develop concept plans which will be circulated to stakeholders including First Nations and Rotary. Detail design will follow this consultation. Project completion scheduled for June 2023.
AMMP	Delayed	Kristen	Partnership with RDOS to Address Sanitary Sewer Plant Residuals and Organics Waste Management	ALC did not approve the non-farm use of 1313 Greyback Mountain Road property and the RDOS is currently appealing the decision. Pending the outcome of this decision, the RDOS will be in a position to determine the potential site for this facility.	ALC did not approve the non-farm use of 1313 Greyback Mountain Road property and the RDOS is currently appealing the decision. Pending the outcome of this decision, the RDOS will be in a position to determine the potential site for this facility.	ALC did not approve the non-farm use of 1313 Greyback Mountain Road property and the RDOS is currently appealing the decision. Pending the outcome of this decision, the RDOS will be in a position to determine the potential site for this facility.
AAMP	On Track	Kristen	Upgrades for Dam Safety Compliance	Detailed Design work for the 2023/24 Upgrades to Ellis 4 dam are currently under way. The RFP to secure a qualified professional for the required upgrades to the Ellis 2 Dam will be advertised in the next couple of weeks.	Detailed Design work for the 2023/24 Upgrades to Ellis 4 dam are currently under way. The RFP to secure a qualified professional for the required upgrades to the Ellis 2 Dam was awarded to CIMA+ and design work is about to commence.	Ellis 4 Dam detail design has been submitted to the Ministry for approval. An application for the Green ARDM Grant has been submitted. Ellis 2 Dam design is underway.
AAMP	On Track	Kristen	Wastewater Treatment Plant Expansion	Concept design for the upgrades at the Wastewater Treatment Plant are currently underway. Concept drawings will be finalized by the end of April. Pre-design report to be finalized at the end of May.	Pre-design report expected at end of July. Working with Penticton Indian Band for approvals and flows for design considerations.	Pre-design reports have been finalized. Detailed design has been awarded to AECOM. Detailed design to commence immediately with construction scheduled to start late spring 2023.
AAMP	Delayed	Kristen	Penticton Creek Naturalization Project	Discussions with adjacent landowners concerning project impacts are continuing. Still awaiting FLNRO/DFO regulatory approval. Tree removal prior to bird nesting season is in progress. Consultant working on completion of utility crossing, creek diversion and tender document details.	Contract Awarded to H&M Construction. Construction underway	Construction concluded for 2022, a portion of the work that could not be completed in the fish window will carry forward to 2023.
Community Safety						
Safety	Completed	Kristen	Water Treatment Plant (WTP) Arc Flash Study	Kick-off meeting occurred at the end of March.	Completed and awaiting final report	Final Report Received.
Community Vitality						
Vitality	Delayed	Kristen	Develop an Urban Forestry Master Plan	Work has commenced on the development of an RFP to secure a qualified professional to undertake this project.	This project is delayed due to staffing shortage and recruitment..	Engaged City Staff to develop RFP criteria. RFP will be issued November 2022. Work will commence in First Quarter in 2023.
Vitality	Completed	Kristen	Cleanliness Initiative for Parks and Core City Areas	Recruitment is underway to secure the 4 staff required to enhance the current program as requested	Staff Hired - program implemented	This program was successful and is now complete. The supplemental work force is laid off for this year.
Vitality	Completed	Kristen	Conduct Distribution System Resiliency Study	Contract has been awarded through an RFP process. Final report is scheduled for end of May 2022.	Draft report received and will be finalized by end of July.	Study is complete.
Vitality	Completed	Kristen	Introduction of a Fully Electric Vehicle to Fleet Department	Opportunities are being investigated. Current global supply chain issues have introduced significant challenges into the Fleet procurement processes.	3 EV's have been ordered, 1 scheduled for delivery in August 2022 and the remainder in 2023.	1 EV has been delivered and has been deployed to the Building Dept. The remaining 2 EV are expected to arrive in late December 2022.
Vitality	On Track	Kristen	Installation of a New Lighted Landmark for the Nighttime Landscape	The decorative scroll project is currently underway. Staff has sought engagement from the Arts, Creative & Cultural Innovation Committee as well as the Heritage and Museum Committee. Generally the committees suggested designing the new piece based on the historical design of the past scrolls and have identified 3 potential locations for consideration. An architect has been secured to undertake work that can be used for public engagement and detailed engineering design work.	Location selected is Power Street and Lakeshore Drive. Conceptual drawings have been created, and detailed engineering designs are required. Detailed design scheduled for Q3. Fabrication and installation planned for 2023.	Budget has been amended and design work is underway. Fabrication and installation planned for 2023.
Vitality	Completed	Kristen	Completion of Section Two of the Lake-to-Lake Bike Route	RFP for construction was issued on March 30, and will close on April 20, 2022.	Under construction, on-schedule and on-budget.	Work has been substantially completed. Contractor is approximately 6 weeks delayed from original schedule due to supply chain issues.
Vitality	Delayed	Kristen	Create a New Point Intersection to Address Traffic Congestion	RFP drawings will be finalized in April 2022, and an RFP for construction will be issued shortly after.	Scheduled to tender late summer/early fall, with construction to follow in to next year.	RFP has been issued and work will begin in early 2023.
Vitality	Delayed	Kristen	Refresh the Okanagan-Similkameen Transit Future Plan	This project was delayed due to limited engagement turn-out resulting from Covid-19. Additional engagement is planned for this spring, with completion of the project scheduled for later this year.	Still scheduled for completion by end of year.	Scheduled for completion in early 2023, to coincide with the Network Restructure Plan.
Development Services						
Community Safety						
Safety	Completed	Blake	Expand Bylaw Services and Community Safety Capacity	All new Bylaw staff that were supported through the 2022 budget process have now been recruited and are in training, including 1 new Bylaw Intake Administrator, 4 new Community Safety Officers, 1 new Bylaw Enforcement Officer and additional Relief Officers. We expect the bylaw expanded hours (7AM - 11PM, 7 days a week) to be operational in May.	New bylaw staff (Bylaw Officers, Community Safety Officers and Intake) are all hired and trained. Bylaw is currently covering the desired 7 AM - 11 PM hours of operation.	No change to the Q2 update
Safety	Delayed	Blake	Explore City Sponsored Monitoring Devices for Repeat Offenders	No progress has occurred on this initiative at this time.	Scheduled for research and reporting back in Q3	On hold for Community Safety Resource Review work to complete

City of Penticton Corporate Business Plan Update			Q1 Update	Q2 Update	Q3 Update	
Safety	On Track	Blake	Strengthening Penticton's Housing Response	Development Services staff continue to process housing applications at historically high levels supporting all aspects of the housing spectrum. Housing policy and the City's future housing needs is planned to be reviewed in Q3 this year, once more of the 2021 census data is released.	Initial research and analysis is underway for further work in Q3 - Q4	Short term rental housing review underway to be presented to Council in early 2023. Zoning Bylaw update underway to support development processes to be presented to Council in December
Community Vitality						
Vitality	On Track	Blake	New Online Application Software for Developers and Homeowners	A contract has been signed with Cloud Permit, a leading software provider of on-line application software. Integration of Cloud Permit into the City's system is ongoing with staff training to commence after integration. We have also purchased Blue Beam software which allows for the digital review of pdf building plan submissions, further enabling fully digital application submissions.	Work on integrating both Cloud Permit and Bluebeam into City systems is underway. On track for launch in Q4 this year	Both Cloud Permit, the new online application portal and Blue Beam the digital plan review software are in testing at the staff level and will be ready to be live by end of year.
Vitality	On Track	Blake	Complete a Housing Policy Review	This work is scheduled for Q3 when more details from the 2021 census are released.	Initial research and analysis is underway for further work in Q3 - Q4	Short term rental review is currently underway.
Vitality	On Track	Blake	Implementing the Community Climate Action Plan	Several initiatives are underway with regard to implementing the CCAP, including the development of an Electric Vehicle (EV) strategy and a review of development processes to increase the 'Step' level of new development.	Recruitment underway for a Climate Action Supervisor. Several initiatives are underway with regard to implementing the CCAP, including the development of an Electric Vehicle (EV) strategy and a review of development processes to increase the 'Step' level of new development.	Recruitment for a Climate Action Coordinator is complete and another new staff member has been brought in. Several implementation initiatives are underway in this area, including a review of EV charging requirements in our zoning bylaw
Fire Department						
Community Safety						
Safety	On Track	Larry	Ratify New Collective Agreement with the International Association of Fire Fighters, Local 1399	Planning for Bargaining in Q4.	Planning for Bargaining in Q4.	Deferred bargaining until after new Mayor and Council were elected. Bargaining planned for Q1 2023.
Safety	Completed	Larry	Continue FireSmart Penticton Program for 2022	Funding of \$150,000 was approved from UBCM for continuation of the Penticton FireSmart Program. The FireSmart team has been very active this spring with a lot of interest from the community completing Home evaluations and mitigation	The FireSmart team has been very active this early summer with a lot of interest from the community completing Home evaluations and mitigation. The team has been engaged in many public events and education sessions.	This was a successful initiative in 2022. Applications are now being accepted for FireSmart grants in 2023 through FireSmart Canada.
Safety	Completed	Larry	Host Wildfire Training Symposium 2022	April 22-24 Penticton Fire dept. is hosting over 300 firefighters from over 40 jurisdictions and will provide wildfire training to promote higher level training for all provincial fire services.	April 22-24 Penticton Fire dept. is hosted over 300 firefighters from over 40 jurisdictions and provided wildfire training to promote higher level training for all provincial fire services. The BC Wildfire Service will now take on the Penticton created symposium as a Provincial Lead Training event based on the success of Penticton.	This initiative was successfully completed in Q2.
Safety	On Track	Larry	Expanding Internal Training Strategy and Resources	PFD is continuing discussion with the Justice Institute of BC to participate in a partnership in hosting Provincial Firefighter training at the PFD Training Grounds.	PFD is continuing discussion with the Justice Institute of BC to participate in a partnership in hosting Provincial Firefighter training at the PFD Training Grounds.	Waiting for agreement from Justice Institute of BC to be a partner on site. JIBC had leadership changes in Q2 which deferred finalization of this agreement.
Safety	On Track	Larry	Enhancing Fire Fighting Apparatus Program	Anticipating the arrival of the New Rescue Engine September 2022.	Anticipating the arrival of the New Rescue Engine September 2022.	Due to supply chain issues the delivery date has been delayed. Anticipated delivery in January 2023.
RCMP						
Mission						
Mission	Complete	Brian	Improve RCMP Investigation Capacity through Technical and Administrative Support	The newly approved IT position is filled and work is being done in support of the members. We are currently in the midst of filling the additional Admin Support position.	This initiative has been completed. The Penticton detachment was successful in recruiting and hiring a Detachment Support Clerk who will assist with administrative support to members.	This initiative was successfully completed in Q2.
Community Safety						
Safety	On Track	Brian	Enhance Proactive Policing through Prolific Offender Management and Traffic Services	Prolific Offender Management program is established and functioning as expected.	Identifying and managing prolific offenders continues to be a top priority for Penticton RCMP in 2022.	Efforts and energies continue to target and manage prolific offenders in our community.
Safety	On Track	Brian	Crime Reduction: Property Crime and Drugs	Work continues toward a reduction in Property Crime and Drugs in the community. This is correlated to our Prolific Offender Management program.	The start of 2022, shows that property crime is trending downward compared to 2021 with respect to calls for mischief, fraud and residential break and enters.	Penticton RCMP continues to make progress on crime reduction. Property crimes are down 8-percent year-to-date as of October 1, 2022.
Safety	On Track	Brian	Family and Sexual Violence Support	Our Special Victims Unit continue to work with our community partners in reducing Family and Sexual violence.	The RCMP Special Victims Unit continues work to create a supportive environment for victims of family and sexual violence.	This initiative is ongoing.
Safety	On Track	Brian	Mental Health and Substance Use Support for the Community	The detachment's Mental Health Liaison Officer is working with shelter operators, Interior Health and BC Housing in reducing the impact of homelessness in our community.	Mental Health Liaison Officer continues to work with community partners to reduce the impact of homelessness and substance use in our community.	This initiative is ongoing.
Safety	Delayed	Brian	Traffic and Road Safety Enforcement	Members are continually working with Highway Patrol (Keremeos), ensuring our roadways are safe for motorists, cyclists and pedestrians.	Penticton RCMP continue to work on ensuring roadways are safe. In Q2, Penticton RCMP issued media releases reminding drivers to be aware of their speed in Playground Zones as spring and summer arrive.	In response to the high case load and available members the traffic enforcement initiative has been paused to focus energies on prolific offender management. Penticton RCMP continues to work collaboratively with the City's Communication & Engagement team to remind public of road safety, specifically school and playground zones.
Safety	On Track	Brian	Employee Wellness Strategy	We continue to focus on mental wellness amongst all employees.	Penticton RCMP continues to focus on mental wellness for all employees.	Penticton RCMP is committed to employee wellness, work continues on this initiative.



Council Report

penticton.ca

Date: December 6, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Elma Hamming, Manager of Finance
Subject: **Signing Officers for 2022 and Subsequent Years**

File No:

Staff Recommendation

THAT Council approve signing authorities at VALLEY FIRST CREDIT UNION as follows:

A Signers

- Donny van Dyk, Chief Administrative Officer
- Angela Campbell, Director of Finance and Administration
- Elma Hamming, Manager of Finance
- Courtney Jones, Financial Planning & Budget Specialist

B Signers

- Julius Bloomfield, Mayor
- Amelia Boulton, Councillor
- Isaac Gilbert, Councillor
- Ryan Graham, Councillor
- Helena Konanz, Councillor
- James Miller, Councillor
- Campbell Watt, Councillor

Signing officers for memberships 2491165 and 2357879 (City of Penticton) will be for the calendar year ending December 31, 2022 and subsequent years until changed.

Background

With each change in Mayor or Council, or changes in senior managers with signing authorities', financial institutions require a resolution approving the new signing authorities. If no changes occur in a calendar year a resolution for that year is not required by the financial institution. Charges against any of the City's accounts must be signed by two signers.

Signing authorities on the City of Penticton membership 2491165 and 2357879 consist of two groups – A signers and B signers. Charges against the City's account must be signed by two A signers or by one A signer and one B signer.

Normal City practice is that all cheques are signed by two A signers. Only in rare circumstances when two A signers are not available will a B signer be requested to sign.

The signing authority for this purpose is to legally validate the charges against the account as required by the financial institution and is distinct from authorities to expend as set out in the City's purchasing policy.

Respectfully submitted,



Elma Hamming
Manager of Finance

Approvals

Director of Finance and Administration <i>AMC</i>	Chief Administrative Officer DyD
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Council Report

penticton.ca

Date: December 6, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Kristen Dixon, P.Eng, MBA, General Manager of Infrastructure
Subject: **2023 Utility Rate Review**

File No: 1820-30

Staff Recommendation

THAT Council receive into the record the report dated December 6, 2022 titled "2023 Utility Rate Review".

Background

The City owns and operates three utilities including the Electric Utility, Sanitary Sewer Utility, and Water Utility. The Water Utility encompasses both treated water as well as irrigation water. In addition, the City manages the Storm Water system in a similar fashion to the utilities (through a user fee structure), but it is still managed through the General fund. For each area, Electric, Sanitary Sewer, Water, and Storm Water, the rates are designed to fund all associated operating and capital costs respectively.

Over the years, the City has done a number of independent rate reviews to ensure fairness and equity amongst rate payers, and to assist with forecasting future rates for each of the areas over the coming years. The last rate review was conducted in 2019, and made recommendations for rates for 2020 through to 2022.

The following recommendations were made as part of the 2019 rate review:

- No rate increases for 2020 through 2022 for the electric utility
- 0.6% rate increases for treated water customers and 4% increases for agricultural water customers each year for 2020 through 2022
- 9.4% average increases for the sanitary sewer utility for each year from 2020 through 2022 (note difference increases are proposed for different customer classes so the range of increases is between 8.9% and 11.4% depending on the customer class)

An analysis of the Storm Water rates was not completed as part of the 2019 review, as this work had been done in 2018 as part of the initial creation of the Storm Water rate structure.

Given the impacts of COVID, and other external factors, the recommendations were largely followed for 2020, but deviated for 2021 and 2022. The following table shows the actual average increases over the same three years, with further commentary on the deviations below:

Utility	Year		
	2020	2021	2022
Electric	0%	-3%	0%
Water	0.6%	6.9%	0.6%
Sewer	9.4%	22.9%	2%
Storm	52.04%	34%	25.30%

As noted above, in 2020, Electric, Water and Sewer rate increases for the utilities were applied using what was proposed in the 2019 Rate Review. Storm Water increases have been consistent with the 2018 Storm Water Rate review with a phased implementation that is still underway.

In 2021, Council approved a 3% decrease to Electric rates based on the prior year’s financial results and lower than anticipated Fortis increases. For Water and Sewer, a more significant review was done internally on the Water and Sewer rates based on revenue forecasts, consumption history and planned capital projects, which resulted in a staff recommendation that differed from the rate review, and was ultimately approved by Council. In addition, in 2021 the City incorporated the former 10% early payment discount into the rates while moving into a less imposing penalty model.

In 2022, a further internal review was prepared which was based on upcoming capital projects. This was also tied into the Development Cost Charge (DCC) financial analysis which had been completed for the DCC Bylaw review. This review highlighted further adjustments required which offset anticipated utility rate increases for Water and Sewer, and were ultimately approved by Council.

Since completion of the previous rate reviews, the City has updated all of its Master Plans, adopted an updated DCC bylaw, and is currently updating its Asset Management Plans for the respective areas. This information is critical in accurately forecasting future capital costs for each area. Fortis BC is also completing its regulatory hearings that will provide forecasted bulk electricity costs for the next few years. The City is therefore now in a position to complete an updated rate review analysis to incorporate all of this updated information, and to guide the recommended rates for the next three years 2024 through to 2026.

Analysis

In addition to the general review of revenues and expenditures, staff proposes to do a more detailed analysis of some specific items that have come up over the past few years as it relates to rate equity, including:

- a review of the electrical dividend and how it is determined
- a review of how expenses are split between the basic and variable elements of the rates, and
- potential implementation of a variable rate structure for treated water to support conservation goals.

Rates will also be compared internally to ensure rate equity amongst the various rate classes (residential, commercial and industrial), as well as externally to assess rate competitiveness. Finally, the review will set out an implementation plan, if required, to facilitate the recommended rate changes.

The proposed process for the rate review largely mirrors the process that was used for updating the DCC bylaw, including a high degree of public engagement, working with several internal departments and external stakeholders, and various check-ins and updates to Council and Committees (as applicable). Similar to the DCC update, the City will utilize a Steering Committee comprised of senior staff to guide the project, led by the GM of Infrastructure, and establish a staff working committee that will act as a resource group to assist the successful consultant in their analysis.

The general schedule for the review (subject to confirmation through the request for proposal process) is as follows:

- December 2022, issuance of request for proposal to select a consultant
- January 2023, award and project kick-off
- February/March, consultant background work and preparation of draft report
- April, draft report to Council and kick-off of engagement
- May, engagement
- June/July, finalize report with engagement results and present to Council

The schedule is quite tight, but would ensure the City has the study in advance of setting rates for 2024 which is scheduled to be completed in August 2023. A more detailed plan outlining the engagement strategy will be brought forward for endorsement by Council once a consultant has been selected.

Of note, a similar rate review exercise is tentatively scheduled for the Recreation Fees and Charges. Staff initially considered completing this work with the Utility rate review, however, it was determined that the timing, scope of work and nature of the projects were not suitable to complete together. In addition, retaining a consultant that is an expert in both these areas is unlikely.

Financial implication

The funding for the rate review will be included in the 2023-2027 Financial Plan, split between the various utilities appropriately for a total project budget of approximately \$150,000.

Alternate recommendations

That Council direct staff to perform all utility calculations internally for 2024 based on available information.

Respectfully submitted,

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

Concurrence

<p>Director of Finance and Administration</p> <p><i>AMC</i></p>	<p>Chief Administrative Officer</p> <p>DvD</p>
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Council Report

penticton.ca

Date: December 6, 2022 **File No:** 1810-01
To: Donny van Dyk, Chief Administrative Officer
From: Amber Coates, Financial Analyst
Subject: **General Fees and Charges Amendment Bylaw No. 2022-52**

Staff Recommendation

THAT Council give first, second, and third reading to “Fees and Charges Amendment Bylaw No. 2022-52”, a bylaw to set the 2023 General Fees and Charges.

Background

As provided for in the *Community Charter*, fees and charges are used to recover the cost of services provided by the City wherever possible as an alternative to property taxation. On an annual basis, staff consider the following factors when setting fees and charges:

- Inflation and contractual changes,
- Changes that bring the City’s fees in line with other neighboring markets,
- Changes that are intended to bring the City closer to full cost recovery or address revenue shortfall,
- New or deleted Fees and Charges related to new services or billing methodologies, and
- *Community Charter* restrictions.

The annual process typically begins in early summer for the following year and involves collaboration between the Finance and Administration Division and all departments that generate revenue through user fees. Over the course of several months all appendices are reviewed individually with the above factors in mind (as applicable) and then the recommended changes are compiled for Council consideration.

Financial implication

The revised Fees and Charges rates are an important component in finalizing the proposed 2023-2027 Financial Plan as they directly impact budgeted revenues. The overall anticipated revenue increase for the general fees and charges appendices is \$275,000, which is mainly attributed to inflationary increases.

Analysis

The information presented in this section deals specifically with changes to all General Fund appendices excluding the Utilities: Appendix 7 – Electrical, Appendix 25 - Sanitary Sewer, Appendix 29 – Water, and Appendix 31 – Storm Water. These are addressed in a separate report and bylaw amendment. Standard contractual increases (generally 2.0% - 3.0% per year) are not highlighted below due to the inflationary

nature and volume of changes. Some rates may have higher inflationary increases in 2023 if the rate reflects a change for more than one year. Please refer to the bylaw appendices for details on all rate changes (all 2023 rate changes are highlighted in yellow), highlights of the changes that are included in this year's annual update are as follows:

Appendix 2: Animal Control

The updated Animal Control bylaw allows for the provision of additional fees in Appendix 2, including new types of annual license fees for guard, designated aggressive, designated biting, and designated dangerous dogs. Surrender and adoption fees have also been added for a variety of animals in line with the updated animal control bylaw.

Appendix 4: Building Department Fees

There are two updates to this appendix outside of the general update for contractual increases:

1. Removal of the refund for building and/or plumbing permit application submitted but permit not issued section, where the fee paid is less than the administration fee. In these instances there would not be an amount remaining to refund, and
2. Update of all references of "Director of Development Services" to "Director of Development Services or their designate".

Appendix 5: Business Licence Fees

There are two updates to this appendix outside of the general update for contractual increases:

1. A reduction of the business licence application fee to reflect the staff time savings realized due to the successful implementation of online business licence applications, and
2. An increase in short term vacation rental fees for minor, major, and major high occupancy properties ensures the program is generating sufficient revenue to recover the costs of administering it. Currently the program generates \$80,000 annually, but requires \$150,000 to administer properly, including enforcement of non-compliant operators. The anticipated increase of revenue from these fee adjustments is \$70,000. Fully funding the program will allow for better monitoring, enforcement, and compliance. In addition the increases bring the program closer in alignment to the fees charged in similar neighbouring municipalities.

Appendix 6: Cemetery

Significant increases are proposed for many of the cemetery rates as staff reviewed remaining capacity as well as completed a market review of the fees charged in neighbouring municipalities. Current rates are below market and in consideration of the attractiveness of Lakeview Cemetery and a desire to ensure capacity is available for the future, increasing rates to be more aligned with the market is being proposed.

Additions to cemeteries require significant investment and are limited by the surrounding properties, as well as the requirement to maintain the properties in perpetuity. Over the next couple of years, an updated assessment of future capital needs and operating costs will be undertaken in order to ensure full cost recovery into the future.

Appendix 8: Equipment Rates

Equipment rates are set based on a cost recovery basis and to reflect replacement cost to ensure adequate funding in the equipment replacement reserve.

Appendix 15: Marinas

Fee duplication for Overnight Parking was identified and the fee updated to direct readers to Appendix 23: RCMP.

Appendix 17: Museum

There are two updates to this appendix outside of the general update for contractual increases:

1. The maximum per group rates have not been increased for five years and so have been adjusted accordingly, and
2. The Curator Kid Program is being removed as it is no longer offered. It has been replaced with programming that has been found to be more popular with youths.

Appendix 18: Parking

The administration fees collected by the towing contractor have been removed as the result of negotiations during contract renewal. This contract change results in a minor revenue loss of approximately \$5,000 per year.

Appendix 19: Parks & Sports Fields Hourly Rate per Field

The rates for the Sportsplex Indoor Turf have not been changed as staff recommends no changes for the first two full operating seasons in order to properly evaluate the new fees and if projected field usage is in line with actual usage.

Duplication of the fee for Delivery/Removal Garbage Cans & Bags was identified within the appendix and one instance was removed.

Appendix 24: Recreation - Miscellaneous

The fees for Theatre Tickets have been removed as this is a service the City no longer provides. As well, the description of the “Refillable Water Bottle Station” has been updated to “Refillable Water Bottle Station Rentals (per day)” for clarity.

Appendix 26: Theatre

The fees for Theatre Tickets are also in this appendix and have also been removed as this is a service the City no longer provides.

Inflationary or Contractual Adjustments

The following appendices have inflationary or contractual adjustments:

- Appendix 1: Administrative Rates
- Appendix 3: Arena Hourly Rates (McLaren)
- Appendix 9: Fire Department
- Appendix 10: Fitness Room
- Appendix 11: Garbage Rates
- Appendix 13: Information Technology
- Appendix 14: Liquor Licences
- Appendix 16: Meeting Rooms/Activity Spaces Hourly Rate
- Appendix 20: Planning and Development (referenced Development Cost Charges Bylaw updated)
- Appendix 21: Pool/Aquatics
- Appendix 22: Public Works
- Appendix 23: RCMP
- Appendix 28: Vending Fees
- Appendix 30: Excessive Nuisance Abatement Fee

Unmodified Appendices

The following appendices remain unchanged from the last Fees and Charges update:

- Appendix 12: Human Resources
- Appendix 27: Transit

Alternate Recommendations

THAT Council provide alternative direction to staff.

Attachments

Attachment – General Fees and Charges Amendment Bylaw No. 2022-52

Respectfully submitted,

Amber Coates

Amber Coates, Financial Analyst

Director of Finance & Administration <i>AMC</i>	GM of Community Services <i>ASH</i>	GM of Infrastructure <i>KD</i>	Director of Development Services <i>BL</i>	Chief Administrative Officer DyD
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The Corporation of the City of Penticton

Bylaw No. 2022-52

A bylaw to amend the Fees and Charges Bylaw No. 2014-07

WHEREAS the Council of the City of Penticton has adopted a Fees and Charges Bylaw pursuant to the *Community Charter*;

AND WHEREAS the Council of the City of Penticton wishes to amend "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. 2022-52".

2. **Amendment:**

2.1 Amend "Fees and Charges Bylaw No. 2014-07" by deleting and replacing the following appendices in their entirety:

Appendix 1	Administrative Rates	Appendix 16	Meeting Rooms/Activity Spaces
Appendix 2	Animal Control	Appendix 17	Museum
Appendix 3	Arena Rates (McLaren)	Appendix 18	Parking
Appendix 4	Building Department Fees	Appendix 19	Parks and Sports Fields
Appendix 5	Business Licence Fees	Appendix 20	Planning and Development
Appendix 6	Cemetery	Appendix 21	Pool/Aquatics
Appendix 8	Equipment Rates	Appendix 22	Public Works
Appendix 9	Fire Department	Appendix 23	RCMP
Appendix 10	Fitness Room	Appendix 24	Recreation – Miscellaneous
Appendix 11	Garbage Rates	Appendix 26	Theatre
Appendix 13	Information Technology	Appendix 28	Vending Fees
Appendix 14	Liquor Licences	Appendix 30	Excessive Nuisance Abatement Fee
Appendix 15	Marinas		

2.2 Appendices 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 26, 28, 30 attached hereto forms part of this bylaw.

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

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer

Appendix 1		
ADMINISTRATIVE RATES	2022	2023
Historical Information Search (per hour, 1 hour minimum)	\$37.00	\$40.00
Mortgage Roll Register (hard or electronic copy) - price per folio*	\$10.00	\$10.00
N.S.F. Cheques	\$30.00	\$30.00
Manual Tax Search - written*	\$40.00	\$40.00
Online Tax Search - per tax roll*	\$20.00	\$20.00
Online Tax Search - per utility account*	\$20.00	\$20.00
Monthly Billing/Postage Fee for Electric and Water Bills*	\$1.00	\$1.00
Interest rate on Accounts Receivable in arrears	2% per Month	2% per Month

Freedom of Information Protection of Privacy - Requests for Information

Non Commercial and Media Applicants	<i>Per Regulation B.C. Reg. 155/2012</i>	
Commercial Applicants	Actual Cost	Actual Cost

Transferring payments

Account Transfer (first time - fee waived)	\$25.00	\$25.00
Refund overpayment (excludes final overpaid utility accounts)	\$25.00	\$25.00

Requests for photocopies

Photocopying (black and white) - per page (letter and legal)*	\$0.30	\$0.35
Photocopying (black and white) - per page (ledger)*	\$0.50	\$0.55
Photocopying (colour) - per page (letter and legal)*	\$1.00	\$1.05
Photocopying (colour) - per page (ledger)*	\$1.25	\$1.30

* GST applicable

Appendix 2

ANIMAL CONTROL	2022	2023
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Annual Licence Fee:*

Unspayed or Unneutered Dog**	\$65.00	\$65.00
Licence fees for new dogs brought into the City after June 30th	50% off the licence fee	50% off the licence fee
Spayed or Neutered Dog (where proof from a veterinarian or sworn declaration is provided)	\$32.50	\$32.50
Guard Dog		\$100.00
Designated Aggressive Dog		\$100.00
Designated Biting Dog		\$200.00
Designated Dangerous Dog		\$500.00
Service, Guide or RCMP Dog (where certification is provided)	No Charge	No Charge

* Annual Licence Fee Renewal due January 31st of each year

** If an owner provides proof of spaying or neutering after licence purchase in that year, the difference in the fee will be credited

Renewal Late Charge (paid after January 31st):

Late Charge	Additional \$10 to licence fee	Additional \$10 to licence fee
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Replacement Tag:

Replacement for lost or damaged tag	\$10.00	\$10.00
Owner holding a valid and current licence from another BC Local Government	\$10.00	\$10.00

Impoundment of a dog with a valid licence:

First offence	\$75.00	\$75.00
Second offence	\$150.00	\$150.00
Third offence	\$175.00	\$175.00
Fourth and each subsequent offence***	\$250.00	\$250.00

*** Increasing by \$200.00 for each subsequent impoundment

Impoundment of a dog without a valid licence:

First offence	\$125.00	\$125.00
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Impoundment of designated aggressive, biting, or dangerous dog with a valid licence:

Designated aggressive or guard dog	\$200.00	\$200.00
Designated biting dog	\$300.00	\$300.00
Designated dangerous dog	\$500.00	\$500.00

Impoundment of other animals:

Unspayed or Unneutered Cat	\$25.00	\$25.00
Spayed or Neutered Cat (where proof from a veterinarian or sworn declaration is provided)	\$15.00	\$15.00
All other domestic animals	\$10.00	\$10.00

Impoundment Maintenance Fee:

Maintenance fee per day or part day of impoundment	\$30.00	\$30.00
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Surrender Fee:

Surrender a dog		\$60.00
Surrender a cat		\$25.00

Appendix 2		
ANIMAL CONTROL	2022	2023

Adoption of Animals (licence fee required, if applicable):

Adult dog	\$275.00	\$275.00
Small breed dog	\$375.00	\$375.00
Mature dog (7 years and older)	\$145.00	\$145.00
Puppy (under 6 months)	\$375.00	\$375.00
Small breed puppy	\$425.00	\$425.00
Adult cat		\$140.00
Mature cat (8 years and older)		\$70.00
Kitten (under 6 months)		\$150.00
Rabbits		\$50.00
Guinea pig		\$15.00
Rat		\$10.00
Hamster/Gerbil		\$5.00

Disposal Fees:

Euthanasia (varies due to weight)	Actual Cost	Actual Cost
Cremation Services (varies based on weight)	Actual Cost	Actual Cost
Pick up dog carcass	\$30.50	\$30.50

Veterinarian Exam/Treatment:

Examination or treatment by a licenced veterinarian	Actual Cost	Actual Cost
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Other Permits:

Commercial Kennel Operation Permit	Requires Business licence	Requires Business licence
Hen Permit (one-time fee)	\$50.00	\$50.00
Bee Keeping Permit (one-time fee)	\$50.00	\$50.00

Appendix 3		
Arena Hourly Rates (McLaren)	Effective April 1, 2022	Effective April 1, 2023

Ice in

Non Profit/Local

Child/Youth	\$94.17	\$96.06
Adult	\$173.19	\$176.65
Non School District 67 Schools*	\$47.09	\$48.03
Local Private	\$175.35	\$178.86
Local Commercial	\$190.51	\$194.32
Non Resident	\$178.60	\$182.17

Ice Out (Dry Floor)

Non Profit/Local

Child/Youth	\$38.17	\$38.93
Adult	\$57.21	\$58.35
Non School District 67 Schools*	\$19.08	\$19.46
Commercial Day Rate (8 hours)	\$832.32	\$848.97
Local Private	\$57.21	\$58.35
Local Commercial	\$148.27	\$151.24
Non Resident	\$60.02	\$61.22

Admission Rates - Public Skating

Single Admission

Preschool	\$1.90	\$1.90
Child	\$2.86	\$2.86
Youth	\$3.81	\$3.81
Adult	\$4.52	\$4.52
Senior	\$3.81	\$3.81
Super Senior	\$2.86	\$2.86
Family	\$11.43	\$11.43
Parent & Tot -Adult	\$2.86	\$2.86
Parent & Tot -preschooler	\$1.90	\$1.90
Skate Rentals	\$3.81	\$3.81
Skate Rentals preschooler	\$2.86	\$2.86
Skate rentals - school	\$2.86	\$2.86

10 Tickets

Preschool	\$17.14	\$17.14
Child	\$25.71	\$25.71
Youth	\$34.29	\$34.29
Adult	\$40.00	\$40.00
Senior	\$34.29	\$34.29
Super Senior	\$25.71	\$25.71
Family	\$102.86	\$102.86
Parent & Tot -Adult	\$25.71	\$25.71
Parent & Tot -preschooler	\$17.14	\$17.14

Appendix 3		
Arena Hourly Rates (McLaren)	Effective April 1, 2022	Effective April 1, 2023
Community Centre/McLaren Arena Meeting Room		
Non Profit/Local		
Child/Youth	\$12.87	\$13.13
Adult	\$12.87	\$13.13
Non School District 67 Schools*	\$9.66	\$9.85
Local Private	\$16.29	\$16.62
Local Commercial	\$28.50	\$29.07
Non-Resident	\$40.72	\$41.53

Non School District 67 Schools are defined as grade schools (K-12) located within City of Penticton boundaries and Penticton Indian Band lands. The Non School District 67 Schools rates are applicable during school hours.*

Appendix 4		
BUILDING DEPARTMENT FEES	2022	2023
Building Application Fees		
A non-refundable fee is required at time of building permit application (applied to final Building Permit Fee total)	\$190.00	\$195.00
Building Permit Fee Calculations		
\$1.00 - \$10,000	Included in application fee	Included in application fee
additional fee for every \$1,000 of permit value from \$10,001 to \$500,000	\$12.00	\$12.00
additional fee for every \$1,000 of permit value from \$500,001 to \$1,500,000	\$11.00	\$11.00
additional fee for every \$1,000 of permit value over \$1,500,000	\$10.00	\$10.00
Security Deposits		
Foundation Only Permit Security (Complex Buildings only)	\$25,000.00	\$25,000.00
Relocating a home, including a manufactured home	\$530.00	\$530.00
Temporary Building Permit Security	the greater of \$500.00 or 10% of the value of the temporary building.	the greater of \$500.00 or 10% of the value of the temporary building.
Partial Occupancy security (maximum \$10,000)	the greater of \$500.00 or 10% of the original value of the building permit fee.	the greater of \$500.00 or 10% of the original value of the building permit fee.
Plumbing Fees		
Minimum application (up to 10 Fixtures - including water/sanitary/storm service replacement)	\$84.00	\$86.00
Per Fixture thereafter	\$10.50	\$10.50
For Alteration to an existing system where there are no fixture count changes	\$84.00	\$86.00
Site Plumbing		
Single and Two family dwellings		
Water service inspection fee per unit	\$37.00	\$37.00
Sanitary service inspection fee per unit	\$37.00	\$37.00
Storm service inspection fee per unit	\$37.00	\$37.00
Combined water and sewer service inspection fee per unit	NA	NA
Combined water, sewer and storm service inspection fee per unit	NA	NA
Water service inspection fee, except single and two family dwellings		
First 15 m, or part thereof, plus	\$37.00	\$37.00
Each additional 15 m, or part thereof	\$26.00	\$26.00
Sanitary service inspection fee, except single and two family dwellings		
First 15 m, or part thereof, plus	\$37.00	\$37.00
Each additional 15 m, or part thereof	\$26.00	\$26.00
Storm service inspection fee, except single and two family dwellings		
First 15 m, or part thereof, plus	\$37.00	\$37.00
Each additional 15 m, or part thereof	\$26.00	\$26.00
Each storm catch basin, sump or oil/grease interceptor	\$26.00	\$26.00
Sprinkler Permits (Including site works)		
For first ten (10) sprinkler heads	\$190.00	\$195.00
For each additional sprinkler head	\$2.25	\$2.25
For each Siamese connection, standpipe, hose cabinet, hose outlet	\$26.00	\$26.00
First 15 m of underground fire lines of portion thereof, plus	\$79.00	\$79.00
each additional 15 m of fire lines of portion thereof.	\$26.00	\$26.00
Each private fire hydrant on private property	\$26.00	\$26.00
Mechanical Permits (Building)		
New or Replacement of Mechanical System in a Single or Two Family Dwelling	\$87.00	\$89.00
New installation or replacement of a spray booth or commercial cooking ventilation system	\$270.00	\$275.00

Appendix 4		
BUILDING DEPARTMENT FEES	2022	2023
Demolition Fees		
Removal of Building(s) on a property	\$190.00	\$195.00
Security Deposit - refunded upon completion of works and confirmation of hazardous material assessment and appropriate disposal of waste	\$500.00	\$500.00
Security Deposit - pre-utility disconnect agreement- refunded upon completion of works and confirmation of hazardous material assessment and appropriate disposal of waste	\$1,000.00	\$1,000.00
Locating/Relocating a Building or Structure		
Minimum Fee for relocating/placement of mobile home or accessory structure, plus	\$270.00	\$275.00
Minimum Fee for relocating/placement of an existing building or manufactured home, plus	\$1,090.00	\$1,110.00
Additional Building Permit Fee for new work on site for foundations, cribbing, etc.	Calculated as per building application fees above	Calculated as per building application fees above
Permit Reductions and Additional Charges		
Reductions		
Complex (Part 3) Building Projects - Where the City has stated in writing that it is relying on the Certification by a Professional Engineer or Architect, registered as such under Provincial Legislation, that the plans or the aspects of the plans, complied with the Building Code or other applicable enactment.	5%	5%
Simple (Part 9) Building Projects - Where the City has stated in writing that it is relying on the Certification by Professional Engineers, registered as such under Provincial Legislation, that the plans or the aspects of the plans, complied with the Building	10% for every Registered Professional Discipline up to 20% maximum.	10% for every Registered Professional Discipline up to 20% maximum.
Plumbing Permit Homeowner Surcharge	\$50 or 25% (whichever is greater) surcharge for Single Family new construction and renovation projects completed by home owners	\$50 or 25% (whichever is greater) surcharge for Single Family new construction and renovation projects completed by home owners
BC Energy Step Code - building permit refund for residential projects designed and certified to Step 04 at time of Occupancy.	5%	5%
Mid-construction blower door test refund for all new Simple (Part 9) residential projects, issued as of January 01, 2020.	\$250 (per residential building)	\$250 (per residential building)
Permit Fee reduction for delay in permit issuance denial notice.	5%	5%
Additional Fees		
Plan Check Fee - For review of revised drawings where more than two plan checks have been submitted or substantial changes to the approved design during construction that requires additional Building Code or Zoning Reviews	\$110.00 (Plus GST)	\$115.00 (Plus GST)
Re-Inspection Penalty	\$190.00 where more than two inspections have been called for. Fee must be paid in full prior to any additional inspections or completion certificate granted. (Plus GST)	\$195.00 where more than two inspections have been called for. Fee must be paid in full prior to any additional inspections or completion certificate granted. (Plus GST)
Alternative Building Code Solutions Review	\$220.00 per alternate solution or substantial revision to approved alternate solution. (Plus GST)	\$225.00 per alternate solution or substantial revision to approved alternate solution. (Plus GST)
After hours inspections or permit application review (minimum one hour)	\$190.00 for first hour and \$85.00 for every subsequent hour. (Plus GST)	\$195.00 for first hour and \$85.00 for every subsequent hour. (Plus GST)
Preliminary Application Reviews - For Stratifications and potential change of use inquiries, file searches and / or site inspections prior to permit applications.	\$270.00	\$275.00
Earthworks	\$270.00	\$275.00
Annual Backflow test filing fee per device	Backflow Solutions Incorporated (BSI Online) fee plus \$5 handling fee	Backflow Solutions Incorporated (BSI Online) fee plus \$5 handling fee
Blasting Permit	\$270.00	\$275.00

Appendix 4		
BUILDING DEPARTMENT FEES	2022	2023

Other Miscellaneous Building Permit Fees

Permit to install a fireplace/stove or chimney	\$190.00	\$195.00
Swimming Pool Permit (Private)	\$190.00	\$195.00
Foundation Permit - Additional Application to above grade Building Permit, plus	\$190.00	\$195.00
Additional Fee shall be charged based on the estimated cost of construction	Calculated as per Section 3	Calculated as per Section 3
Secondary Suite	\$420.00	\$430.00
Crane Permits	\$190.00	\$195.00
Change of Use or Occupancy when a Building Permit is not required	\$190.00	\$195.00
Permit Extension Fee - when existing Building Permit has expired	\$110 or 10% of original permit fee(s), whichever is greater	\$115 or 10% of original permit fee(s), whichever is greater
Permit Transfer Fee	\$110.00 (Plus GST)	\$115.00 (Plus GST)
Solar Panel Permit	\$190.00	\$195.00

Development Application Refunds –

Refunds with respect to development application are to be addressed in the following manner:

Building and Plumbing Permit Fee Refund:

Building and or Plumbing Permit application submitted, permit not issued – Upon cancellation of the Building and or Plumbing Permit application, **refund Building Permit and or Plumbing Permit fees less an administrative fee of** _____.

For Single Family, Duplex and smaller developments	\$520.00 plus \$220.00 for each Alternative Solution requested	
For all other larger developments –	\$1040.00 plus \$220.00 for each Alternative Solution Requested	
Building and or Plumbing Permit issued, no construction started as determined by the Director of Development Services or their designate – Upon cancellation of the Building and or Plumbing Permit, refund Building Permit and or Plumbing Permit fees less an administrative fee of:		
For Single Family, Duplex and smaller developments	\$790.00 plus \$220.00 for each Alternative Solution Requested	\$805.00 plus \$225.00 for each Alternative Solution Requested
For all other larger developments	\$1575.00 plus \$220.00 for each Alternative Solution	\$1600.00 plus \$225.00 for each Alternative Solution
Building and or Plumbing Permit issued, construction started as determined by the Director of Development Services or their designate	No Refund	No Refund

Vacant Building Registration Fees

Fee for special safety inspection prior to registration permit	\$520.00 (Plus GST)	\$540.00 (Plus GST)
Fee for subsequent inspections not related to Vacant Building Registration Permit	\$180.00 (Plus GST) per inspection	\$195 (Plus GST) per inspection
Fee for Vacant Building Registration Permit (12 months maximum) for each building or structure located on a single and two family zoned properties	\$2,600.00	\$2,650.00
Fee for Vacant Building Registration Permit (24 months maximum) for each building or structure located on all other zoned properties.	\$5,200.00	\$5,300.00
Fee for additional Vacant Building Registration (12 month maximum)	\$2,600.00	\$2,650.00
Attendance by City of Penticton Fire Services	Actual costs incurred by the City for related labour, materials and equipment	Actual costs incurred by the City for related labour, materials and equipment
Refund	75% of Vacant Building Permit Fee may be refunded if it is remediated or demolished within first six (6) months of registration.	75% of Vacant Building Permit Fee may be refunded if it is remediated or demolished within first six (6) months of registration.

Appendix 4

BUILDING DEPARTMENT FEES	2022	2023
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City infrastructure ¹ requirements as part of Building Permit:

Building permit and/or plumbing permit application submitted, permit not issued – Upon cancellation of the building permit and/or plumbing permit application refund City infrastructure costs paid by the developer less an administrative fee of:

For Single Family, Duplex and smaller developments	\$500.00	\$510.00
For all other larger developments	\$1,050.00	\$1,075.00

Building permit and/or plumbing permit issued, construction not started as determined by the Director of Development Services or their designate and the City infrastructure has not been installed – Upon cancellation of the building permit and or plumbing permit refund City infrastructure costs paid by the developer less an administrative fee of:

For Single Family, Duplex Triplex and smaller developments	\$500.00	\$510.00
For all other larger developments	\$1,050.00	\$1,075.00

Building permit and/or plumbing permit issued, construction not started as determined by the Director of Development Services or their designate and the City infrastructure has been installed – No refund.

No Refund	No Refund
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Building permit and/or plumbing permit issued, construction started as determined by the Director of Development Services or their designate and the City infrastructure has not been installed – The person seeking a refund must make a submission for a refund in the prescribed form to the Director of Development Services or their designate who will prepare a report for Council's consideration.

Council consideration	Council consideration
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Council will consider the matter and may by resolution:

- a. authorize the density bonus refund subject to conditions as;
- b. refuse the request for a density bonus refund;
- c. refer the matter to staff or a future Council meeting; or
- d. such other determination as Council may direct.

As a requirement of any density bonus refund the development permit and building permit must be cancelled and the development Permit must be discharged from the title of the lands.

Admin. Fee for Single Family, Duplex, Triplex and small Development	\$500.00	\$510.00
For all larger Developments will be held	\$1,050.00	\$1,075.00

Building permit and/or plumbing permit issued, construction started as determined by the Director of Development Services or their designate and the City infrastructure has been installed.

No Refund	No Refund
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Notes:

1. City Infrastructure is defined as:

- a. Any items related to the City of Penticton water, sanitary, storm system including main line pipe, appurtenances, services etc.
- b. Any items related to roads, sidewalks, curb, gutter, signs etc.

Sidewalk Uses*

Type 1 Sidewalk Café- Annual Fee	\$310.00 (Plus GST)	\$320.00 (Plus GST)
Type 2 Sidewalk Café - Annual Fee	\$310.00 (Plus GST)	\$320.00 (Plus GST)
For each parking space or portion thereof occupied by a temporary sidewalk café - Annual Fee	\$210.00 (Plus GST)	\$220.00 (Plus GST)
Sidewalk Sales Area or sidewalk seating area - (maximum of 2 tables and 8 seats)	\$105.00 (Plus GST)	\$110.00 (Plus GST)
Martin Street and Westminster Avenue Revitalization Project Area - Storefront sales/seating	\$105.00 (Plus GST)	\$110.00 (Plus GST)
Martin Street and Westminster Avenue Revitalization Project Area - Storefront Café	\$310.00 (Plus GST)	\$320.00 (Plus GST)
Main Street Revitalization Project Area - Storefront Sales/Seating (100 & 200 blocks)	\$105.00 (Plus GST)	\$110.00 (Plus GST)
Main Street Revitalization Project Area - Storefront Café (100 and 200 blocks)	\$310.00 (Plus GST)	\$320.00 (Plus GST)
Main Street Revitalization Project Area - Storefront Sales/Seating (300 block)	\$310.00 (Plus GST)	\$320.00 (Plus GST)
Main Street Revitalization Project Area - Storefront Café (300 block)	\$310.00 (Plus GST)	\$320.00 (Plus GST)

Appendix 5		
BUSINESS LICENCE FEES	2022	2023
Application Fee: Non-refundable deposit is required at time of application (credited towards end of Business Licence Fee)	\$87.00	\$30.00
Application Fee: Short Term Rental - Major High Occupant - Non-refundable deposit is required at time of application (credited towards end of Business Licence Fee)	\$260.00	\$265.00
Business Licence Base Fee	\$190.00	\$195.00
Accommodation	Base fee plus \$2.00 per room	Base fee plus \$2.00 per room
Adult Only	Base fee plus Criminal Record Check	Base fee plus Criminal Record Check
Criminal Records Checks	As set out in the RCMP section of this bylaw	As set out in the RCMP section of this bylaw
Bed and Breakfast (Bylaw 2017-16)	\$190.00	\$195.00
Vacation Rental (Home Stay) (Bylaw 2017-16)	No Fees	No Fees
Short Term Vacation Rental (Minor) (Bylaw 2017-16)(per year)	\$190.00	\$250.00
Short Term Vacation Rental (Major) (Bylaw 2017-16) (per year)	\$260.00	\$500.00
Short Term Vacation Rental (Major High Occupant) (Bylaw 2017-16) (per year)	\$420.00	\$750.00
Seasonal - Six month maximum	\$107.00	\$109.00
Seasonal - Short Term 30 day - no location	\$41.00	\$42.00
Change of Owner Fee	\$0.00	\$0.00
Change of Location Fee	\$107.00	\$109.00
Penalty (late payment)	\$50.00	\$50.00
Secondary Suites and Carriage houses (per year)	\$190.00	\$195.00
Agricultural Business (seasonal)	\$112.00	\$114.00
Downtown Farmers Market (per year)	\$520/per yr.	\$530.00
Downtown Community Market (per year)	\$1300/per yr.	\$1,325.00
Inter-Community Business Licence fee	\$150.00	\$150.00

Appendix 6		
CEMETERY	2022	2023
Grave Space		
Standard Size Plot - Flat Marker Section		
Residents (including Care Fund contribution of 25%)	\$1,582	\$1,750
Non-Residents (including Care Fund contribution of 25%)	\$2,136	\$2,350
Standard Size Plot - Up-Right Marker Section		
Residents (including Care Fund contribution of 25%)	\$2,303	\$2,600
Non-Residents (including Care Fund contribution of 25%)	\$3,109	\$3,500
Small Size Plot (includes infants less than 2 years) - Flat Marker Section		
Residents (including Care Fund contribution of 25%)	\$516	\$750
Non-Residents (including Care Fund contribution of 25%)	\$696	\$1,000
Small Size Plot (includes infants less than 2 years) - Up-Right Marker Section		
Residents (including Care Fund contribution of 25%)	\$752	\$1,100
Non-Residents (including Care Fund contribution of 25%)	\$1,014	\$1,500
Cremation Size Plot - Flat Marker Section		
Residents (including Care Fund contribution of 25%)	\$507	\$750
Non-Residents (including Care Fund contribution of 25%)	\$685	\$1,000
Green Burial Plot		
Residents (including Care Fund contribution of 25%)	\$1,582	\$1,750
Non-Residents (including Care Fund contribution of 25%)	\$2,136	\$2,350
Family Estate Plot - Traditional In-ground		
Residents (including Care Fund contribution of 25%)	\$31,973	\$33,571
Non-Residents (including Care Fund contribution of 25%)	\$43,163	\$45,321
Family Estate Plot - Cremation		
Residents (including Care Fund contribution of 25%)	\$2,536	\$3,000
Non-Residents (including Care Fund contribution of 25%)	\$3,423	\$4,000
Any plots reserved as per The Corporation of the City of Penticton Cemetery Management Bylaw No. 2010-09, may be bought back by the Corporation at 80% of the purchase price.		
Services Internment		
Standard size - Traditional In-ground or Green Burial - First Interment per Plot	\$1,561	\$1,607
Standard size - Traditional In-ground or Green Burial - Second Interment	\$1,065	\$1,097
Small size	\$529	\$545
Infant under 2 years	\$529	\$545
Cremation size	\$331	\$341
Opening and Closing Grave for Exhumation		
Standard size	\$2,023	\$2,084
Small size	\$814	\$838
Infant under 2 years	\$814	\$838
Cremation size	\$429	\$441
Less than 24 Hours Notice – Charge	\$262	\$270
Installation of Memorials (each time) - including care fund contribution of 25%	\$306	\$315
Reset Fee	\$208	\$214
Reservation of Side by Side Graves for Extended Family		
One time Administration Fee	\$82	\$84
Annual Reservation Fee	\$31	\$32
Fairview Internment		
Fairview Cemetery Fee	\$412	\$500

Appendix 6		
CEMETERY	2022	2023
Goods		
Grave Liners – Regular	\$510	\$575
Grave Liners – Child	\$215	\$250
Concrete Slab for Lanterns	\$215	\$220
Marker Disposal		\$100
Columbarium		
Resident		
Level I	\$3,443	\$3,800
Level I Care Fund Per Niche Unit Sold (10% of above)	\$344	\$380
Level II	\$3,327	\$3,600
Level II Care Fund Per Niche Unit Sold (10% of above)	\$333	\$360
Level III	\$3,212	\$3,500
Level III Care Fund Per Niche Unit Sold (10% of above)	\$321	\$350
Non-Resident		
Level I	\$4,648	\$5,100
Level I Care Fund Per Niche Unit Sold (10% of above)	\$465	\$510
Level II	\$4,492	\$4,900
Level II Care Fund Per Niche Unit Sold (10% of above)	\$449	\$490
Level III	\$4,337	\$4,650
Level III Care Fund Per Niche Unit Sold (10% of above)	\$434	\$465
The rates include a one-time opening/closing rate, and initial engraving		
Care Fund Per Niche Sold		
Marker	\$29	\$50
Other Charges		
Additional Opening/closing (includes 2nd engraving)	\$331	\$341
Niche Flower Vase	\$81	\$83
Exhumation	\$363	\$374
Overtime	\$464	\$478
Mausoleum		
Basic Rate per unit		
Resident		
Level I	\$23,816	\$26,198
Level I Care Fund Per Mausoleum Unit Sold (10% of above)	\$2,382	\$2,620
Level II	\$22,900	\$25,191
Level II Care Fund Per Mausoleum Unit Sold (10% of above)	\$2,290	\$2,519
Level III	\$21,984	\$24,183
Level III Care Fund Per Mausoleum Unit Sold (10% of above)	\$2,198	\$2,418
Non-Resident		
Level I	\$32,153	\$35,369
Level I Care Fund Per Mausoleum Unit Sold (10% of above)	\$3,215	\$3,537
Level II	\$30,916	\$34,007
Level II Care Fund Per Mausoleum Unit Sold (10% of above)	\$3,092	\$3,401
Level III	\$29,679	\$32,647
Level III Care Fund Per Mausoleum Unit Sold (10% of above)	\$2,968	\$3,265
The rates include a one-time opening/closing rate, and initial engraving		
Care Fund Per Unit Sold		
Marker	\$29	\$50
Opening and Closing for Exhumation		
Level I, II and III	\$1,921	\$1,979

Appendix 6		
CEMETERY	2022	2023

Ossuary / Scattering Garden / Green Burial Memorials

Basic Rate per Unit:

Ossuary - Resident	\$467	\$481
Ossuary - Non-resident	\$630	\$649
Green Burial & Ossuary Memorial Inscription	\$300	\$320

Lakeview Cemetery – Cost of Saturday burials is the same as on weekdays

Fairview Cemetery – Cost of Saturday burials is subject to additional labour charges

No Sunday or Statutory Holiday Burials

Appendix 8		
EQUIPMENT RATES	2022	2023
Passenger Vehicle (<5,500 kg)	\$7.50	\$8.00
Single / Tandem Dump	\$38.00	\$39.00
Trailers	\$5.00	\$5.00
Small Aerial	\$31.00	\$35.00
1 Ton Dump	\$10.00	\$10.00
1 Ton with Utility Box	\$10.00	\$10.00
Litter Truck	\$22.00	\$25.00
AWWTP - Crane Truck	\$10.00	\$10.00
Parks Tractor	\$27.50	\$27.50
Electrical Line Truck	\$45.00	\$58.00
Grader	\$75.00	\$75.00
Back Hoe	\$36.00	\$43.00
Sewer Flush Truck	\$68.50	\$68.50
Street Sweeper	\$55.00	\$55.00
Wheel Loader	\$45.00	\$50.00
Rotary Mower - Large	\$38.00	\$45.00
Rotary Mower - Small	\$22.00	\$27.00
Chipper	\$20.00	\$20.00
Tractor	\$13.00	\$13.00
Fork Lift	\$40.50	\$40.50
Beach Cleaner	\$48.00	\$48.00
Air Compressor	\$10.00	\$10.00
Large Sander & Blade	\$42.00	\$55.00
Small Sander & Blade	\$25.00	\$25.00
Ice Resurfacers	\$6.50	\$6.50
Leaf Vac	\$27.00	\$40.00
Utility Truck (Water/Sewer)	\$18.00	\$20.00
Passenger Van (15 Passenger)	\$8.00	\$8.00
ATV	\$6.00	\$6.00
Compost Screener - Trommel	\$120.00	\$120.00
Small Equipment	\$4.00	\$4.00
Valve Machine	\$12.00	\$12.00
Flat Deck Crane Truck	\$33.00	\$35.00
Barge - Water Craft	\$32.00	\$35.00
Pick-Up Utility Box	\$7.50	\$8.00
Municipal Tractor		\$45.00
Large Pump		\$51.50

Appendix 9

Fire Department	2022	2023
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The fees hereinafter specified shall be paid to the City by all applicants for any permit required by this bylaw, or under the Code adopted by this bylaw, or by the regulations passed pursuant to the provisions of the Fire Services Act, as amended from time to time, and for inspection of any work or thing for which the said permit is required:

Installation of compressed gas systems, gasoline tanks, oil tanks, diesel tanks and dispensing pumps or refueling station:

<2500L	\$106.00	\$108.00
>2500L-<5000L	\$265.00	\$270.00
>5000L	\$371.00	\$378.00

Underground Tank

<2500L	\$106.00	\$108.00
>2500L-<5000L	\$265.00	\$270.00
>5000L	\$371.00	\$378.00
Each dispensing pump	\$53.00	\$54.00
Tank removal or decommission*	\$159.00	\$162.00

* all installation and removal are subject to an environmental assessment to accompany application

Inspection and installation of domestic and commercial oil burners:

each domestic installation	\$16.50	\$16.75
each commercial installation	\$27.75	\$28.25

Permits

Public Fireworks Display permit

Low Hazard	\$53.00	\$54.00
High Hazard	\$265.00	\$270.00
Burning Permit as allowed by bylaw	\$53.00	\$54.00
Permanent Outdoor Fireplace	\$53.00	\$54.00

Emergency Assist Calls

Charge for responding to Jaws of Life	as per Provincial Emergency Program Fee Schedule	as per Provincial Emergency Program Fee Schedule
Ambulance Assist	as per Provincial Emergency Program Fee Schedule	as per Provincial Emergency Program Fee Schedule
Public Service	Actual Cost	Actual Cost
False Alarms	1st - n/c 2nd - \$225 3rd - \$325 4th+ \$425	1st - n/c 2nd - \$225.00 3rd - \$325.00 4th+ \$425.00

Other Fees

File Search for Building Deficiencies/Incident Reports/Investigations	\$175.00	\$180.00
Fire Investigation (for Fire Damage greater than \$5,000.00)	\$520.00	\$530.00
Requested on-site inspection/consultation for commercial purposes	Actual Cost	Actual Cost
Fire Extinguisher Training (per person)	\$5.00	\$5.00
Failure to keep fire under control and Fire Dept must attend pursuant to Fire and Life Safety Bylaw 2004-57 Section 9.04(g) as amended or superseded	Rates are based on the Office of the Fire Commissioner inter agency reimbursement rates as it changes from time to time	Rates are based on the Office of the Fire Commissioner inter agency reimbursement rates as it changes from time to time
Drive over fire hose pursuant to Fire and Life Safety Bylaw 2004-57 Section 8.01 as amended or superseded	Actual cost to repair or replace damaged hose	Actual cost to repair or replace damaged hose
Flat rate per fill for both Self Contained Breathing Apparatus (SCBA) and Self Contained Underwater Breathing Apparatus (SCUBA)	\$10.00	\$10.00
Fire Flow Testing	Actual Cost	Actual Cost
Re-Inspection after Order	\$105.00	\$105.00
Fire Safety Plan Review - Initial	\$105.00	\$105.00
Fire Safety Plan Review - Subsequent	\$51.00	\$51.00
Mobile Vending Permit (Annual)	\$52	\$52.00
Failure of Property Owner or Agent to attend Emergency Incident Scene	\$305	\$305.00
Fire Department control of life safety system until Owner or Agent takes responsibility	Actual Cost	Actual Cost
Fire Smart Burning Permit	No Charge	No Charge
Fire Smart Home Assessment	\$105	\$105.00

Appendix 9		
Fire Department	2022	2023
Training Centre Rental Rates		
Classroom (projector/screen/TV/sound/flipcharts) / day	\$122	\$124.00
Live Fire Burn Building / day	\$545	\$556.00
Search Building / day	\$122	\$124.00
Full Facility - one day (including Engine)	\$855	\$875.00
Full Facility - two days (including Engine)	\$1,710	\$1,745.00
Instructor	\$365	\$372.00
Safety Officer	\$365	\$372.00
Technician (Rehab/Fire Control/Pump Operator)	\$365	\$372.00
Consumables (artificial smoke, generator, pallets, propane)	Actual Cost	Actual Cost
Natural Gas/Fuels	Actual Cost	Actual Cost
Student User Fee (Consumable Supplies) / day / student	\$6	\$6.00
Fog Machine / per day	\$52	\$52.00

Appendix 10		
FITNESS ROOM	Effective April 1, 2020	Effective April 1, 2023
Single Admission		
Youth	\$4.76	\$5.00
Adult	\$6.67	\$7.14
Senior	\$4.76	\$5.00
Super Senior	\$3.81	\$4.05
Family	\$15.24	\$16.19
10 Tickets		
Youth	\$40.95	\$45.00
Adult	\$59.05	\$64.29
Senior	\$40.95	\$45.00
Super Senior	\$31.43	\$36.43
Family	\$136.19	\$145.71
1 Month		
Youth	\$40.95	\$45.00
Adult	\$59.05	\$64.29
Senior	\$40.95	\$45.00
Super Senior	\$31.43	\$36.43
Family	\$136.19	\$145.71
3 Months		
Youth	\$110.48	\$119.05
Adult	\$155.24	\$166.67
Senior	\$110.48	\$119.05
Super Senior	\$87.62	\$94.29
Family	\$359.05	\$380.95
6 Months		
Youth	\$188.57	\$200.00
Adult	\$267.62	\$285.71
Senior	\$188.57	\$200.00
Super Senior	\$154.29	\$161.90
Family	\$614.29	\$647.62
12 Month Annual Pass		
Youth	\$300.00	\$319.05
Adult	\$422.86	\$452.38
Senior	\$300.00	\$319.05
Super Senior	\$243.81	\$257.14
Family	\$975.24	\$1,038.10

Appendix 10		
FITNESS ROOM	Effective April 1, 2020	Effective April 1, 2023
Fitness Room/Pool Combined		
Single Admission		
Youth	\$7.86	\$8.10
Adult	\$10.95	\$11.43
Senior	\$7.86	\$8.10
Super Senior	\$6.90	\$7.14
Family	\$25.71	\$26.67
10 Tickets		
Youth	\$70.48	\$72.86
Adult	\$98.10	\$102.86
Senior	\$70.48	\$72.86
Super Senior	\$60.95	\$64.29
Family	\$228.57	\$240.00
1 Month		
Youth	\$70.48	\$72.86
Adult	\$98.10	\$102.86
Senior	\$70.48	\$72.86
Super Senior	\$60.95	\$64.29
Family	\$228.57	\$240.00
3 Months		
Youth	\$185.71	\$195.24
Adult	\$250.48	\$261.90
Senior	\$185.71	\$195.24
Super Senior	\$152.38	\$157.14
Family	\$585.71	\$619.05
6 Months		
Youth	\$326.67	\$338.10
Adult	\$435.24	\$452.38
Senior	\$326.67	\$338.10
Super Senior	\$260.95	\$271.43
Family	\$1,018.10	\$1,047.62
12 Month Annual Pass		
Youth	\$513.33	\$533.33
Adult	\$687.62	\$714.29
Senior	\$513.33	\$533.33
Super Senior	\$414.29	\$428.57
Family	\$1,604.76	\$1,666.67

Appendix 10		
FITNESS ROOM	Effective April 1, 2020	Effective April 1, 2023

FITNESS ROOM / PUBLIC SWIMMING DAY PASS - Admission Rates

Single Admission

Youth	\$11.67	\$11.90
Adult	\$15.71	\$16.19
Senior	\$11.67	\$11.90
Super Senior	\$9.76	\$10.00
Family	\$37.14	\$38.10

Clinic Rates

Weekly Fitness

Senior	\$11.19	\$11.43
Adult	\$16.43	\$16.90

Weekly Fitness/Pool

Senior	\$19.29	\$20.00
Adult	\$27.14	\$28.57

Monthly Fitness

Senior	\$30.48	\$31.43
Adult	\$44.29	\$45.71

Monthly Fitness/Pool

Senior	\$52.86	\$54.29
Adult	\$73.33	\$75.24

Fitness 10 Ticket

Senior	\$32.62	\$33.33
Adult	\$46.90	\$48.57

Fitness/Pool 10 Ticket

Senior	\$56.19	\$58.10
Adult	\$78.57	\$80.95

Appendix 11		
GARBAGE RATES	2022	2023

The scale of charges by The Corporation of the City of Penticton for the collection, removal and disposal of solid waste and recyclable materials as provided for in the City of Penticton Garbage "Solid Waste Collection and Recyclable Materials Disposal Bylaw", shall be as follows and will be billed by the City as current taxes on the property for which the premises were served by solid waste and recycling collection.

Annual Fee - Solid Waste Collection Includes one (1) 120L Garbage Cart and one (1) 240L Yard Waste Cart	\$149.00	\$152.00
Annual Fee - Recycling Collection - Bi-Weekly Includes one (1) 240L Recyclable Cart	\$34.00	\$35.00
Annual Fee - Multi-Family Weekly Recycling Collection (per unit, per year)	\$68.00	\$70.00
Administration Fee for Sewer and Garbage Extension - for first unit	\$16.25	\$16.50
- Each Additional Unit in same complex	\$5.50	\$5.75
Tag a Bag - Additional Curb Side Collection bag - price per tag	\$3.57	\$3.62
25 Tag a Bag Coupons	\$68.75	\$65.48
Application for Curb Side Collection from a Multi-Family Dwelling	\$85.00	\$87.00
Application fee for Multi-Family Residential Weekly Recycle Collection	\$85.00	\$87.00

Base Cart Program

Base Cart Program includes: one (1) 120 Litre Garbage Cart, one (1) 240 Litre Recyclables Cart, and one (1) 240 Litre Yard Waste Cart

Cart Change Administration Fee Per property visit, any quantity of carts (Commences January 1, 2017)	\$31.50	\$32.14
Disability Exemption Application	No charge	No charge
Garbage Cart - upgrade to two (2) 120L Carts In addition to the Annual Fee - Solid Waste Collection	\$126.00	\$128.50
Garbage Cart - upgrade to a 240L Cart In addition to the Annual Fee - Solid Waste Collection	\$126.00	\$128.50
Recyclables Cart - upgrade to a 360L Cart	No charge, part of Annual Fee	No charge, part of Annual Fee
Recyclables Cart - upgrade to two (2) 240L Carts	No charge, part of Annual Fee	No charge, part of Annual Fee
Recyclables Cart - upgrade to two (2) 360L Carts	No charge, part of Annual Fee	No charge, part of Annual Fee
Recyclables Cart - downgrade to a 120L Cart	No charge, part of Annual Fee	No charge, part of Annual Fee
Yard Waste Cart - upgrade to 360L Cart In addition to the Annual Fee - Solid Waste Collection	\$36.00	\$37.00
Yard Waste Cart - upgrade to two (2) 240L Carts In addition to the Annual Fee - Solid Waste Collection (max 2 carts allowed)	\$72.00	\$74.00
Yard Waste Cart - upgrade to two (2) 360L Carts In addition to the Annual Fee - Solid Waste Collection (max 2 carts allowed)	\$72.00	\$74.00
Yard Waste Cart - downgrade to 120L Cart	No charge, part of Annual Fee	No charge, part of Annual Fee
Yard Waste Cart - opt out of Yard Waste Program	No charge, part of Annual Fee	No charge, part of Annual Fee
Wildlife Resistant Cart Upgrade - 120L Garbage Cart only (one time fee)	\$75.00/Cart	\$100.00/Cart
Repeated or willful damage to Carts will be charged to property owner	Actual Cost of replacement and Cart Change Administration Fee	Actual Cost of replacement and Cart Change Administration Fee

Screened Compost Sales*

Bulk / Wholesale - (greater than 5 tonnes)	\$12.50 / tonne	\$12.50 / tonne
Less than 5 tonnes	\$20.00 / tonne	\$20.00 / tonne
Individual Bags	\$2.50 / bag	\$2.50 / bag

* Compost fees may be waived at the discretion of the Public Works Manager or their designate in the event of site congestion or operational necessity.

Appendix 13		
INFORMATION TECHNOLOGY	2022	2023

Provision of Dark Fibre Services

Dark Fibre - per fibre optic strand (per month)	355.00	362.10
Administration Fee	included	included
One Time Connection Fee	880.00	897.60
Physical Connection Costs	As quoted	As quoted
Co-location Services (per month)	165.00	168.30

Provision of Telephone and Internet Services

High-end 8861 (Gigabit, Bluetooth, Wifi)	44.00	44.75
High-end 8851 (Gigabit, Bluetooth)	34.00	34.75
Mid-range 8841(Gigabit)	29.00	29.75
Low-end greyscale 8811 (Gigabit)	19.00	19.75
Wireless portable phone Model 8821 (Bluetooth)	50.00	51.00
Conference phone Model 8832	44.00	44.75
D-A Convertor Allows for analog devices on City digital phone network Model ATA 190 (fee per ATA device)	10.80	11.00
Extra DID external phone number added to existing hardware	5.40	5.50
Internet	100.00	102.00
Wireless Internet Services add-on (where available)	10.80	11.00
Connection/Configuration Charge	110.00	112.20

Electronic Data Fees

GIS Electronic Data	share data free of charge	share data free of charge
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Appendix 14		
LIQUOR LICENCES	2022	2023
A non-refundable application review for Local Government confirmation for Receipt Application or Zoning Confirmation. (credited towards end of Liquor Licence Review Fee)	\$190.00	\$195.00
New Food Primary review or Occupant load reviews	\$190.00	\$195.00
New Liquor Primary Licence (Public Consultation)	\$740.00 + public notice sign	\$760.00 + public notice sign
Permanent Change including change in hours, occupant load, addition of a winery, brewery or distillery lounge or special event area.	\$740.00 + public notice sign	\$760.00 + public notice sign
Structural Change - with public consultation	\$740.00 + public notice sign	\$760.00 + public notice sign
Structural Change - no public consultation	\$380.00	\$390.00
Structural Change - Zoning confirmation including Picnic Area Endorsement	\$190.00	\$195.00
Temporary Change or Request to extend hours for a Special Event Permit	\$190.00	\$195.00
Appeal to Council of a Staff Decision on a Liquor Application Review	\$380.00	\$390.00

Public Notice Signs

Initial Public Consultation Notice Sign	\$280 (plus GST)	\$286 (plus GST)
Repair of Damaged Signs	\$280 (plus GST)	\$286 (plus GST)
Replacement of damaged signs	\$280 (plus GST)	\$286 (plus GST)

Appendix 15		
MARINAS	2021	2023

Penticton Marina (Okanagan Lake)

Moorage Fees – January 1 st to December 31 st	Moorage fees, land storage, and parking fee increases as per lease agreement	Moorage fees, land storage, and parking fee increases as per lease agreement
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Skaha Lake Marina

Moorage Fees	Moorage and land storage fees to be determined by the operator based on market value	Moorage and land storage fees to be determined by the operator based on market value
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DEFINITIONS:

- A. Moorage season – March 1 to November 30 inclusive (9 months)
- B. Storage season – October 1 to March 31 inclusive (6 months)
- C. Penticton residents and taxpayers acquire moorage on a first come first served basis until May 1st annually, after which any available moorage may be rented to non-resident or non-taxpayer.

Overnight Parking

A window permit is issued to those user groups requiring an RV on site for **special event security** – pending approval by the PRC Director or designate. Permit is issued through the RCMP.

RV Overnight Parking Permit	\$30.25	See Appendix 23 - RCMP
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Appendix 16		
Meeting Rooms/Activity Spaces Hourly Rate	Effective April 1, 2022	Effective April 1, 2023
Community Centre/McLaren Arena Meeting Room		
Non Profit/Local/ Regular		
Child/Youth	\$12.87	\$13.13
Adult	\$12.87	\$13.13
Non School District 67 Schools*	\$9.66	\$9.85
Local Private	\$16.29	\$16.62
Local Commercial	\$28.50	\$29.07
Non-Resident	\$40.72	\$41.53
Community Centre Large Meeting Room		
Note: Meeting Room #4, Meeting Room #7, and Combined #2 & #3 Rate is 1.75X Meeting Room Rate		
Non Profit/Local/ Regular		
Child/Youth	\$21.85	\$22.98
Adult	\$21.85	\$22.98
Non School District 67 Schools*	\$16.39	\$17.24
Local Private	\$28.09	\$29.08
Local Commercial	\$48.64	\$50.87
Non-Resident	\$69.71	\$72.68
Community Centre Conference Room		
Note: Conference Room Rate is 75% X Meeting Room Rate		
Non Profit/Local/ Regular		
Child/Youth	\$9.36	\$9.85
Adult	\$9.36	\$9.85
Non School District 67 Schools*	\$7.02	\$7.39
Local Private	\$11.96	\$12.46
Local Commercial	\$20.81	\$21.80
Non-Resident	\$29.91	\$31.15
Library/Museum Auditorium		
Non Profit/Local/ Regular		
Child/Youth	\$19.51	\$19.90
Adult	\$27.32	\$27.86
Non School District 67 Schools*	\$14.57	\$14.86
Local Private	\$31.73	\$32.37
Local Commercial	\$56.44	\$57.57
Non-Resident	\$80.63	\$82.24
Activity Spaces		
Community Centre Dance Studio		
Non Profit/Local/ Regular		
Child/Youth	\$21.85	\$22.29
Adult	\$21.85	\$22.29
Non School District 67 Schools*	\$16.39	\$16.71
Local Private	\$27.83	\$28.39
Local Commercial	\$48.64	\$49.61
Non-Resident	\$69.45	\$70.84

Appendix 16		
Meeting Rooms/Activity Spaces Hourly Rate	Effective April 1, 2022	Effective April 1, 2023

Community Centre Gymnasium

Non Profit/Local/ Regular

Child/Youth	\$18.99	\$19.37
Adult	\$39.80	\$40.59
Non School District 67 Schools*	\$14.31	\$14.59
Local Private	\$53.06	\$54.12
Local Commercial	\$92.60	\$94.45
Non-Resident	\$132.65	\$135.30

Community Centre 1/2 Gymnasium

Note: 1/2 Gymnasium Rate 66.7% X Gymnasium Rate

Non Profit/Local/ Regular

Child/Youth	\$12.74	\$12.92
Adult	\$26.53	\$27.07
Non School District 67 Schools*	\$9.62	\$9.73
Local Private	\$35.37	\$36.10
Local Commercial	\$61.90	\$63.00
Non-Resident	\$88.43	\$90.25

Non School District 67 Schools* are defined as grade schools (K-12) located within City of Penticton boundaries and Penticton Indian Band lands.

The Non School District 67 Schools rates are applicable during school hours.

NOTE: For all after hours bookings a security premium will be added to the base rate at actual cost

Appendix 17

MUSEUM	2021	2023
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Museum Exhibits

Entrance Fee	By Donation-suggested donations: Adult: \$2.00 Child:\$1:00	By Donation-suggested donations: Adult: \$2.00 Child:\$1:00
Exhibit Openings	By Donation-suggested donations: Adult: \$2.00 Child:\$1:00	By Donation-suggested donations: Adult: \$2.00 Child:\$1:00

Museum Programs

School & Group Visits (Guided)

Public & Private schools - per student	\$3.00	\$3.00
- maximum per group	\$25.00	\$30.00
Service Groups, Clubs & Societies - per person	\$3.00	\$3.00
- maximum per group	\$50.00	\$55.00
School & group visits (self-guided) - per student	\$1.00	\$1.00
- per adult	\$3.00	\$3.00

Curator Kid Program

- Curator Kid Yearly Membership - individuals	\$20.00	\$20.00
- per family	\$50.00	\$50.00
- Curator Kid Programs - drop in; non members - per child	\$5.00	\$5.00
- per family	\$20.00	\$20.00
- Curator Kid Programs - offsite	Cost dependent on activities	Cost dependent on activities
- Curator Kid Programs - summer specials - per child	\$5.00	\$5.00
- per family	\$20.00	\$20.00

Adult Programs

Onsite - Museum	\$25/per person + supplies	\$25/per person + supplies
	\$25 min; activity dependent	\$25 min; activity dependent

Lectures

Brown Bag - per person	admission by donation	admission by donation
Custom Guest	Cost dependent on lecture	Cost dependent on lecture

Archives

Self-guided research	By donation-suggested min. \$10/ph	By donation-suggested min. \$10/ph
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Staff-assisted research

Non-commercial clients - first hour	Free	Free
- each additional hour	\$30.00	\$30.50
Commercial clients (first hour)	\$50.00	\$51.00
(every additional 60 minutes) - per hour	\$30.00	\$30.50

Photograph Reproductions (Print format)

From existing digital file (up to 8x10 only)	\$17.00	\$17.50
Outsource (paper type and size dependent)	Actual Cost	Actual Cost
Outsource (paper type and size dependent)	Actual Cost	Actual Cost

Photographic reproductions (digital format only - 1200 dpi jpg)

By email	\$20.00	\$20.50
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Non-photographic reproductions (maps, plans, manuscripts)

From existing digital file - In House (up to 32" only)	\$16.00	\$16.50
Outsource (paper type and size dependent)	Actual Cost	Actual Cost
Outsource (paper type and size dependent)	Actual Cost	Actual Cost

Appendix 17		
MUSEUM	2021	2023
Publication & Commercial Fees (supplement)		
Fee for print, negative or digital copies for : Reports, calendars, brochures, magazines, newsletter, websites - per image	\$20.00	\$20.50
Fee for Print, negative or digital copies for : Books, films, videos - per image	\$50.00	\$51.00
Fee for Print, negative or digital copies for : Postcards, T-shirts, mugs etc. merchandise - per image	\$50.00	\$51.00
Photocopy Fees (black and white only)	see Administration services for fee	see Administration services for fee
Archival Supplies (boxes, tissue, encapsulation etc.)	Retail price plus 35%	Retail price plus 35%

Gift shop

Books & other Publications	Retail suggested price; minimum 35% markup	Retail suggested price; minimum 35% markup
Souvenirs & crafts	Wholesale price plus 35%	Wholesale price plus 35%
Photographic posters & postcard books	Style and format dependent	Style and format dependent

Museum Curatorial Services & Presentations

On-site consultation	By donation-suggested min. \$35/ph	By donation-suggested min. \$35/ph
Off-site consultation	By donation-(suggested \$35/ph plus travel)	By donation-(suggested \$35/ph plus travel)

Appendix 18		
PARKING	2022	2023
Off Street Scramble Parking permit (unassigned stall lots) per month	\$50.00	\$51.00
Off Street Reserved Parking Permit - monthly rate	\$60.00	\$61.00
Meters Bagged, No Parking or Reserved Parking - first day	\$11.20	\$11.40
- each day thereafter	\$11.20	\$11.40
Sidewalk closure and parking meter rental permit	\$11.20	\$11.40
- administration fee per application	\$25.50	\$26.00

Resident Only Parking Areas

Resident Parking Only Application - non refundable deposit	\$175.00	\$175.00
Resident Parking Only Sign and Each Timed Parking Sign	\$90.00	\$90.00
Resident Parking Only Permit	\$0.00	\$0.00
Replacement Parking Only Permit	\$0.00	\$0.00

Parking Meters

For one (1) hour	\$2.00	\$2.00
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Ticket Spitters

For one (1) hour	\$2.00	\$2.00
Daily maximum rate (excluding Downtown)	\$10.00	\$10.00

Parking Lot Rental

Not for Profit - Stall rate per day	\$11.20	\$11.40
Commercial - Stall rate per day	\$14.00	\$14.25
- administration fee per application	\$25.50	\$26.00

Proration for partial day rental may be requested

Electric Vehicle Charging Stations

Level II electric vehicle charging (Bylaw No.2020-47; 2022-15)	First two hours are free then \$2.00 per hour	First two hours are free then \$2.00 per hour
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Appendix 18		
PARKING	2022	2023

Boat Trailer Parking (South Main & Skaha Parking Lot)

Half Day Permit (up to 5 hours)	\$5.00	\$5.10
Full Day Permit (5 or more hours)	\$10.00	\$10.20
Annual Permit for Residents of Penticton	\$70.00	\$71.40
Annual Permit for Non-Residents	\$105.00	\$107.10

Parking Violations

Towing and Impound Charges (made payable to the "Contractor" as designed in the Municipal Towing Contract)	As set under: Motor Vehicle Act Regulations, or ICBC Payment Schedule	As set under: Motor Vehicle Act Regulations, or ICBC Payment Schedule
Administration Fee: collected by the "Contractor" payable to the City of Penticton	\$50.00	\$50.00
Storage of Materials or Impounding per 30 days	\$50.00	\$50.00

Bike Lockers

Bike Locker rental (Monthly)	\$10.00	\$10.00
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Permit Parking Sign Installation Fees

Supply of Placard (each)	\$2.00	\$2.05
Supply of sign post (each)	\$20.00	\$20.50
Supply of sign post sleeve (each)	\$10.00	\$10.20
Supply of Residential Parking Only or Special Event Parking Only sign (each)	\$10.50	\$10.75
Labour to erect a sign and post (each)	\$21.00	\$21.50
Labour to erect and remove a sign from existing infrastructure (each)	\$7.00	\$7.25

Note: i) In all instances Public Works Staff will endeavor to erect permit Parking Signs on existing sign posts; ii) In instances where Special Event Permit Parking signs are being erected in areas where it is likely that multiple or re-occurring Special Events will occur there will be no charge for the sign, or post of sleeve. The only charge will be for the labor to erect and remove the sign.

Appendix 19		
Parks & Sports Fields Hourly Rate per Field	Effective April 1, 2022	Effective April 1, 2023

Sports Fields

Non Profit/Local

Child/Youth	\$4.05	\$4.14
Adult	\$12.15	\$12.40
Non School District 67 Schools*	\$3.04	\$3.10
Local Private	\$16.21	\$16.53
Local Commercial	\$28.36	\$28.93
Non-Resident	\$40.50	\$41.31

Kings Park

Non Profit/Local

Child/Youth	\$5.31	\$5.42
Adult	\$13.64	\$13.91
Non School District 67 Schools*	\$3.99	\$4.07
Local Private	\$20.48	\$20.89
Local Commercial	\$35.84	\$36.55
Non-Resident	\$51.21	\$52.24

Major Event Park

Non Profit/Local

Child/Youth	\$6.49	\$6.62
Adult	\$19.45	\$19.84
Non School District 67 Schools*	\$4.87	\$4.96
Local Private	\$25.94	\$26.46
Local Commercial	\$45.37	\$46.28
Non-Resident	\$64.83	\$66.13

Major Event Park (duplicate event - non prime - Before May 1 and After Sept 30)

Non Profit/Local

Child/Youth	\$5.19	\$5.30
Adult	\$15.56	\$15.87
Non School District 67 Schools*	\$3.89	\$3.97
Local Private	\$20.75	\$21.16
Local Commercial	\$36.30	\$37.02
Non-Resident	\$51.87	\$52.90

Major Event Parks: Okanagan Lake Park, Gyro Park/Bandshell, Rotary Park, Skaha

Minor Event Park

Non Profit/Local

Child/Youth	\$5.78	\$5.89
Adult	\$17.32	\$17.67
Non School District 67 Schools*	\$4.33	\$4.42
Local Private	\$23.09	\$23.55
Local Commercial	\$40.41	\$41.22
Non-Resident	\$57.73	\$58.89
*Major event users	\$24.39	\$24.87

Appendix 19

Parks & Sports Fields Hourly Rate per Field	Effective April 1, 2022	Effective April 1, 2023
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Minor Event Park (additional/second event - non prime - Before May 1 and After Sept 30)

Non Profit/Local

Child/Youth	\$4.62	\$4.71
Adult	\$13.86	\$14.13
Non School District 67 Schools*	\$3.47	\$3.54
Local Private	\$18.47	\$18.84
Local Commercial	\$32.33	\$32.98
Non-Resident	\$46.19	\$47.11
*Major event users	\$19.51	\$19.90

Minor Event Parks: Penticton Youth Park, Lakawanna, Gyro South Lawn, Rose Garden and Marina Way

Wedding Ceremony Rate - Minimum 4 hour booking (additional hours subject to hourly park rates)	\$239.02	\$243.80
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Passive Parks and Play Courts

Passive Parks

Non Profit/Local

Child/Youth	\$3.51	\$3.59
Adult	\$10.54	\$10.76
Non School District 67 Schools*	\$2.64	\$2.69
Local Private	\$14.04	\$14.32
Local Commercial	\$24.56	\$25.05
Non-Resident	\$35.10	\$35.81
Admin Rate User	\$9.59	\$9.78

Passive Parks (additional/second event - non prime - Before May 1 and After Sept 30)

Non Profit/Local

Child/Youth	\$2.81	\$2.87
Adult	\$8.44	\$8.60
Non School District 67 Schools*	\$2.11	\$2.15
Local Private	\$11.23	\$11.45
Local Commercial	\$19.65	\$20.04
Non-Resident	\$28.08	\$28.64
Admin Rate User	\$7.67	\$7.83

Passive Parks: Neighbourhood parks, Parking lots with park rental, Riverside and Beaches

Play Courts

Non Profit/Local

Child/Youth	\$1.84	\$1.87
Adult	\$5.51	\$5.62
Non School District 67 Schools*	\$1.38	\$1.41
Local Private	\$12.84	\$13.10
Local Commercial	\$14.69	\$14.99
Non-Resident	\$18.36	\$18.72
Penticton Pickleball Society seasonal court usage (per player)	\$15.12	\$15.42

Appendix 19		
Parks & Sports Fields Hourly Rate per Field	Effective April 1, 2022	Effective April 1, 2023

Play Courts (additional/second event - non prime - Before May 1 and After Sept 30)

Non Profit/Local

Child/Youth	\$1.47	\$1.50
Adult	\$4.41	\$4.50
Non School District 67 Schools*	\$1.10	\$1.12
Local Private	\$10.27	\$10.48
Local Commercial	\$11.75	\$11.99
Non-Resident	\$14.68	\$14.98

Non School District 67 Schools* are defined as grade schools (K-12) located within City of Penticton boundaries and Penticton Indian Band lands. The Non School District 67 Schools rates are applicable during school hours.

Parking Space Rental (per parking space/per day)	\$5.97	\$6.09
Specialty Vehicle Event Parking Permits (minimum 50 permits); per vehicle; per day	\$2.16	\$2.21

Sportsplex Indoor Turf (Prime Time)

Weekdays, 3:00pm-11:00pm; Weekends, 8:00am-11:00pm	\$140.00	\$140.00
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Sportsplex Indoor Turf (Non-Prime Time)

Weekdays, 6:00am-3:00pm; Weekends, 6:00am-8:00am	\$90.00	\$90.00
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Misc. Park Fees

Garbage Removal	Actual Cost	Actual Cost
Beach Cleaning Services - Regular Working Hours - Min 4 Hour Charge (incl. admin fees)	\$1,100.00	\$1,120.00
Beach Cleaning Services - Regular Working Hours - Hourly Rate After 4 Hours (incl. admin fees)	\$270.00	\$275.00
Beach Cleaning Services - Outside Regular Working Hours - Min 4 Hour Charge (incl. admin fees)	\$1,550.00	\$1,580.00
Beach Cleaning Services - Outside Regular Working Hours - Hourly Rate After 4 Hours (incl. admin fees)	\$380.00	\$388.00
Double Cut and Tournament Preparation for Sports Fields on Weekends	Actual Cost	Actual Cost
Field Mowing - Regular Time - Soccer / Field	\$89.00	\$91.00
Field Mowing - Over Time - Soccer / 2 Fields - First 2 Fields	\$265.00	\$270.00
Field Mowing - Over Time - Soccer / Additional Field	\$129.50	\$132.00
Field Lining - Regular Time - Soccer / First Field	\$219.50	\$224.00
Field Lining - Regular Time - Soccer / Additional Field	\$168.50	\$172.00
Field Lining - Over Time - Soccer / First Field	\$306.00	\$312.00
Field Lining - Over Time - Soccer / Additional Field	\$209.00	\$213.00

Rates listed are per day

Picnic Table (per table)	\$8.96	\$9.14
Delivery/Removal Picnic Table (per table)	\$35.15	\$35.85
Garbage/Recycling Cans (per pair of 2)	\$8.96	\$9.14
Delivery/Removal Garbage Can/Recycling Can (per pair of 2)****	\$35.20	\$35.90
All other Parks Delivery, Connect, Disconnect, Return	\$527.24	\$537.78

Note: Additional washroom cleaning charges are applied (when required for an event) as set by contracted cleaning company.

Appendix 19		
Parks & Sports Fields Hourly Rate per Field	Effective April 1, 2022	Effective April 1, 2023

Rates listed are per day

Three - Five Tiered Bleacher Rental

Non Profit/Local	\$11.44	\$11.67
Local Private/ Commercial	\$26.01	\$26.53
Moving and Set Up One Time Fee	\$208.08	\$212.24

Rates listed are per day

Ten Tiered Bleacher Rental

Non Profit/Local	\$26.01	\$26.53
Local Private/ Commercial	\$57.22	\$58.37
Moving and Set Up One Time Fee	\$436.97	\$445.71

*Moving and set up costs are in addition to rental fees. A damage deposit may be required.

Mobile Stage (Rates listed are per day)

Non Profit/Local	\$166.46	\$169.79
Local Private/ Commercial	\$353.74	\$360.81
Moving and Set Up One Time Fee	\$213.28	\$217.55

Mobile Stage with Awning (Rates listed are per day)

Non Profit/Local	\$192.47	\$196.32
Local Private/ Commercial	\$447.37	\$456.32
Moving and Set Up One Time Fee	\$1,175.65	\$1,199.17

**Mobile stage daily rates to be calculated annually as part of the City Fleet and approved by Council. Moving and set up costs are in addition to rental fees. Actual Costs of labour and equipment to be added. Prior to confirmation of the booking, users will receive a quote for the estimated moving charges. Users may receive permission to move on their own. A damage deposit may be required.

Delivery/Removal 1-10 Barricades/Signs*** (one-time fee)	\$98.84	\$100.81
Delivery/Removal 11-20 Barricades/Signs*** (one-time fee)	\$145.66	\$148.57
Delivery/Removal 21-40 Barricades/Signs*** (one-time fee)	\$192.47	\$196.32
Delivery/Removal 40+ Barricades/Signs*** (one-time fee)	Actual Cost	Actual Cost
Delivery/Removal Garbage Cans & Bags**** (one time fee)	\$35.14	

***No charge if paying for delivery/removal of picnic table or bleachers

****No charge if paying for delivery/removal of picnic tables or bleachers

Park Donation Program

Park Bench Donation - New Bench - 15 year - Council Policy 1037 - December 17, 2012 as amended from time to time.	\$2,650.00	\$2,700.00
Park Bench Donation - Refurbished Bench - 10 year renewal - Council Policy 1037 - December 17, 2012 as amended from time to time.	50% of current donation	50% of current donation
Picnic Table Donation - New Table - 15 year - Council Policy 1037 - December 17, 2012 as amended from time to time.	\$3,160.00	\$3,220.00
Picnic Table Donation - Refurbished Table - 10 year renewal - Council Policy 1037 - December 17, 2012 as amended from time to time.	50% of current donation	50% of current donation
Plaque Addition or Replacement	\$435.00	\$444.00
Tree Donation	\$435.00	\$444.00
Bike Rack - New Rack - 15 year - Council Policy 1037 - December 17, 2012 as amended from time to time.	\$1,100.00	\$1,120.00
Bike Rack - Refurbished Rack - 10 year renewal - Council Policy 1037 - December 17, 2012 as amended from time to time.	50% of current donation	50% of current donation
Pet Stand - New Pet Stand - 5 year - Council Policy 1037 - December 17, 2012 as amended from time to time.	\$335.00	\$342.00
Hanging Basket Sponsor - 1 season - location determined by City	\$260.00	\$265.00

Appendix 19		
Parks & Sports Fields Hourly Rate per Field	Effective April 1, 2022	Effective April 1, 2023
Park Stewardship - contribution towards favorite park, trail or beach	\$210.00	\$214.00
Floral Display Sponsor - 1 season - Sponsor one of the City's garden displays	\$2,600.00	\$2,650.00
Park Improvement Projects - Platinum Sponsor	\$10,000.00	\$10,200.00
Park Improvement Projects - Gold Sponsor	\$3,000.00	\$3,060.00
Park Improvement Projects - Silver Sponsor	\$750.00	\$765.00

Electrical Fees

Gyro Park - seasonal per 50 amp receptacle	\$337.85	\$344.61
Gyro Park - seasonal per 15 amp receptacle	\$168.92	\$172.30
Gyro Park - Saturday market only (seasonal) per receptacle	\$114.82	\$117.12
Nanaimo Square - Saturday market only (season) per receptacle	\$57.41	\$58.56

Appendix 20

PLANNING AND DEVELOPMENT	2022 Updated	2023
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Subdivision and Development Costs

Every person who obtains:

- a) approval of the subdivision of a parcel of land under the "Land Registry Act" or the "Strata Titles Act" for any purpose other than the creation of three (3) or less lots to provide sites for a total of three (3) or less self-contained dwelling units; or
- b) a Building Permit authorizing the construction or alteration of buildings or structures for any purpose other than the construction of three (3) or less self-contained dwelling units; or
- c) a building Permit authorizing construction, alteration or extension of a building or structure, other than a building or portion of it used for residential purposes, where the value of the work exceeds Twenty-five Thousand Dollars (25,000) or;
- d) any subdivision or building permit where offsite works exceed Fifty Thousand Dollars (50,000);

Shall:

- 1) prior to commencement of the construction or installation of any works or services required under the Subdivision and Development Bylaw 2004-81, the owner shall pay to the City an administration fee of 3% of all works and services to be provided;
- 2) prior to commencement of the construction or installation of any works or services required under the Subdivision and Development Bylaw 2004-81, as amended from time, the owner shall pay to the City a Rectification and Repair Contingency fee of 2% of the estimated cost of construction. This fee shall be used to repair or replace existing City infrastructure that has been altered or damaged by activity related to the installation of the works and services for the development. The remainder of the fee will be returned to the owner upon issuance of the Total Performance Certificate.

OCP Amendments

OCP Amendments	\$2,333.00	\$2,380.00
OCP Amendments (where in conjunction with a Rezoning Application)	\$1,460.00	\$1,490.00
OCP Amendment in conjunction with Public Engagement	\$5,610.00	\$5,725.00

Rezoning

All other stand alone Rezoning applications.	\$2,053.00	\$2,094.00
Zoning Bylaw Text Amendments	\$1,488.00	\$1,518.00
Comprehensive Development Zone	\$5,698.00	\$5,812.00

Public Notice Signs (OCP and Zoning Amendments)

Initial OCP or Zoning Bylaw Sign	\$280.00	\$286.00
Repair of Damaged Signs	\$280.00	\$286.00
Replacement of damaged signs	\$280.00	\$286.00
Additional Public Hearing Fee	\$648.00	\$665.00

Development Permit Application per lot

Major Development Permit (Council Decision)	\$1,345.00	\$1,375.00
Minor Development Permit (Staff issuable)	\$785.00	\$800.00
Major Amendments to Development Permits (Council Decision)	\$670.00	\$685.00
Minor Amendments to Development Permits (Staff issuable)	\$390.00	\$400.00
Appeal to Council of a Staff Decision on a Development Permit	\$780.00	\$795.00
Hillside Development Permit	\$1,340.00	\$1,365.00
Riparian / Environmental Assessment Development Permit	\$670.00	\$685.00

Appendix 20

PLANNING AND DEVELOPMENT	2022 Updated	2023
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Development Variance Permit Application or Board of Variance Application

Major Variance (3+ Variances per development)	\$1,433.00	\$1,465.00
Major Variance (3+ Variances per development) if in conjunction with a Development Permit Application	\$873.00	\$890.00
Minor Variance (1 or 2 Variances per development)	\$873.00	\$890.00
Minor Variance (1 or 2 Variances per development) if in conjunction with a Development Permit Application	\$648.00	\$665.00

Note: No additional fee is required for a Variance where it is issued under Section 490 (1)(a) of the *Local Government Act*.

Board of Variance	\$560.00	\$570.00
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Temporary Use Permit

Temporary Use Permit	\$983.00	\$1,003.00
Temporary Use Permit Renewal	\$450.00	\$459.00

Cannabis Retail Store

Application for local government support or relocation of a Cannabis Retail Store	\$2,800.00	\$2,856.00
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Subdivision (Fee Simple & Bareland Strata)

Preliminary Layout Approval Review

1-2 Lots	\$1,125.00	\$1,150.00
3-10 Lots	\$1125.00 + \$330.00 per lot in excess of 2 lots	\$1150.00 + \$335.00 per lot in excess of 2 lots
11-20 Lots	\$3,765.00 + \$240.00 per lot in excess of 10 lots	\$3,830.00 + \$245.00 per lot in excess of 10 lots
21-30 Lots	\$6,165.00 + \$220.00 per lot in excess of 20 lots	\$6,230.00 + \$225.00 per lot in excess of 20 lots
31-40 Lots	\$8,365.00 + \$200.00 per lot in excess of 30 lots	\$8,430.00 + \$205.00 per lot in excess of 30 lots
41 Lots or Greater	\$10,365.00 + \$120.00 per lot in excess of 40 lots	\$10,480.00 + \$125.00 per lot in excess of 40 lots
Preliminary Layout Approval (PLA) Renewal or Amendment	\$245.00	\$250.00
Legal Plan Approval Fee	\$60.00	\$61.00
Early Registration Agreement (Applicable to Fee Simple Subdivisions)	\$890.00	\$910.00
Latecomer Agreement (Applicable to any excess or extended services as a result of Subdivision or Building)	\$840.00	\$855.00

Appendix 20

Appendix 20		
PLANNING AND DEVELOPMENT	2022 Updated	2023

Strata Conversion

First lot	\$560.00	\$570.00
Each Additional Lot	\$560 + \$150 per strata lot to a max. of \$2,060.	\$570 + \$155 per strata lot to a max. of \$2,100.
Report Inspection Fees	\$280.00	\$285.00
Third Party Review of Professional Reports submitted with an Application	Actual Cost	Actual Cost

Phased Strata

Phasing Approval Fee	\$670.00	\$685.00
Form P Approval	\$110.00	\$112.50
Preliminary Layout Approval (PLA) Renewal or Amendment	\$245.00	\$250.00
Legal Plan Approval Fee	\$60.00	\$61.00

ALR

ALR Exclusion/Inclusion/Subdivision/Non Farm Use	As established by the Agricultural Land Commission	As established by the Agricultural Land Commission
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Other Administrative Fees

Boulevard Trees - Planted within a soft scape environment such as a park or turf boulevard. All trees planted within a hardscape boulevard such as a sidewalk or other hard surface shall be charged at estimated actual cost.	\$485.00	\$495.00
Ministry of Environment-Site Profile Referral	\$100.00	\$100.00
Address Number Change Request (owner initiated)	\$156.00	\$159.00
Road Name Change Fee (owner initiated)	\$520.00	\$530.00
Land Title Search (when not provided at time of application)	\$20.00	\$20.00
File Search or comfort letter initial fee for first hour	\$260.00	\$265.00
File search hourly rate (minimum 1/2 hour charge)	\$62.00	\$63.00
Property File review request - Basic	\$27.00	\$28.00
Property File Review Request - Commercial/Multi-family	\$54.00	\$56.00
Developer initiated address change affecting other properties (fee charged per unit affected)	\$260.00	\$265.00

Landscape inspection fees:

First inspection	No charge	No charge
2nd inspection	\$77.00	\$78.00
Additional inspections	\$154.00	\$157.00

Appendix 20

PLANNING AND DEVELOPMENT	2022 Updated	2023
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Map and Bylaw Rates

Plotter Printing Fees for all documents over 11" X 17"/ per sq/m (A1 page = 0.5 sq/m)	\$13.00	\$14.00
Bylaws (OCP, Zoning, Subdivision and Development)/page (note: large bylaw maps shall be charges separately as above)	As outlined in Appendix 1 Administrative Rates	As outlined in Appendix 1 Administrative Rates

Land Administration Services

Prepare document and register with Land Titles Office	\$1250 min or actual cost ¹	\$1275 min or actual cost ¹
Prepare amended document and register with LTO	\$875 min. or actual cost ¹	\$895 min. or actual cost ¹
Prepare discharge document and register with LTO	\$875 min. or actual cost ¹	\$895 min. or actual cost ¹
Prepare document (lease, licence, sub-licence) not registered with LTO	\$310.00	\$315.00
Amend or renew document (lease, licence, sub-licence)	\$156.00	\$159.00
Location Certificate (Licenced BC Land Surveyor prepared)	Actual Cost	Actual Cost
Use of City Owned Lands	Market Value	Market Value
Application for Unsolicited Acquisition of City Property	\$2,473.00	\$2,523.00
Appraisals	Actual Cost	Actual Cost
To raise title on Park or Road for the purposes of Disposition	\$1250 min or actual cost ¹	\$1275 min or actual cost ¹
Road Closure Permit (excluding GST)	\$145.00	\$148.00
City Survey Costs	Actual Cost	Actual Cost
Removal of Section 57 Notice on Title	\$520.00	\$530.00

¹ Any additional city legal and/or survey costs which are required in the processing of any of the applications listed in this Application Fee Schedule will be borne by the applicant including but not limited to the preparation and registration of restrictive covenants, land use Contract Amendments, Statutory Rights-of-Way, Road Closure and Disposition, etc.

Appendix 20

Appendix 20		
PLANNING AND DEVELOPMENT	2022 Updated	2023

Development Applications Refunds

Development Cost Charges, DCC, Refund:

Refunds for development cost charges are to be addressed as per City of Penticton Development Cost Charges Bylaw No. 2022-38 as amended or superseded.

Density Bonus Refund:

Density bonus paid as part of building permit issuance, construction beyond the footings not started, as determined by the Director of Development Services – Upon cancellation of the building permit or building permit application refund all density bonus paid less an administrative fee of \$250.

Density bonus paid as part of building permit issuance, construction beyond the footings started as determined by the Director of Development Services – The person seeking a refund must make a submission for a refund in the prescribed form to the Director of Development Services or the designate who will prepare a report for Council's consideration.

Council will consider the matter and may by resolution:

- a. authorize the density bonus refund subject to conditions as; or
- b. refuse the request for a density bonus refund;
- c. refer the matter to staff or a future Council meeting; or
- d. such other determination as Council may direct.

As a requirement of any density bonus refund the development permit and/or building permits must be cancelled and the development permit must be discharged from the title of the land – all density bonus paid shall be refunded less an administration fee of:	\$250.00 and a discharge notice of fee of \$250.00	\$250.00 and a discharge notice of fee of \$250.00
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City infrastructure ¹ requirements as part of Subdivision:

Subdivision not approved and infrastructure not installed – Upon cancellation of the preliminary layout approval, refund infrastructure charges less an administrative fee of:

For Single Family, Duplex and smaller developments	\$530.00	\$540.00
For all other larger developments	\$1,110.00	\$1,130.00
Subdivision not approved and infrastructure installed	No Refund	No Refund
Subdivision approved	No Refund	No Refund

City infrastructure ¹ requirements as part of Zoning:

Zoning Bylaw amendment not adopted and infrastructure not installed – Upon rescinding all readings of the Zoning Bylaw amendment refund infrastructure charges less an administrative fee of:

For Single Family, Duplex and smaller developments	\$530.00	\$540.00
For all other larger development	\$1,110.00	\$1,130.00
Zoning Bylaw amendment not adopted and infrastructure installed	No Refund	No Refund
Zoning Bylaw Amendment adopted	No Refund	No Refund

Appendix 20

PLANNING AND DEVELOPMENT	2022 Updated	2023
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Development Variance Permit Application Fee:

Cancellation of a development variance permit application not reviewed at a Technical Planning Committee meeting	\$560.00	\$570.00
Cancellation of a development variance permit application, discussed at a Technical Planning Committee meeting but not scheduled for delegations and submissions at Council	\$280.00	\$285.00
Development variance permit application scheduled for Council consideration	No Refund	No Refund

Development Permit Application Fee:

Cancellation of a development permit application not reviewed at a Technical Planning Committee meeting	\$560.00	\$570.00
Cancellation of a development permit application discussed at a Technical Planning Committee meeting but not scheduled for Council consideration.	\$280.00	\$285.00
Development permit application considered by Council	No Refund	No Refund

Rezoning Application Fee:

Cancellation of a rezoning application not reviewed at a Technical Planning Committee meeting	\$1125.00 + associated Public Hearing signage fees	\$1150.00 + associated Public Hearing signage fees
Cancellation of a rezoning application discussed at a Technical Planning Committee meeting but has not considered by Council	\$675.00 + associated Public Hearing signage fees	\$690.00 + associated Public Hearing signage fees
Rezoning application considered by Council	No Refund	No Refund

Official Community Plan, (OCP) Amendment Application Fee:

Cancellation of an OCP amendment application not reviewed at a Technical Planning Committee meeting	\$1125.00 + associated Public Hearing signage fees	\$1150.00 + associated Public Hearing signage fees
Cancellation of an OCP amendment without Public Engagement	\$2000.00 + associated Public Hearing signage fees	\$2040.00 + associated Public Hearing signage fees
Cancellation of an OCP amendment application reviewed by the Technical Planning Committee but not considered by Council	\$675.00 + associated Public Hearing signage fees	\$690.00 + associated Public Hearing signage fees
OCP amendment application considered by Council	No Refund	No Refund

Subdivision Application Fee Refund

Cancellation of a subdivision application that has not been reviewed at a Technical Planning Committee meeting	75% of original application fee	75% of original application fee
Cancellation of a subdivision application reviewed by the Technical Planning Committee but has not been issued preliminary layout approval (PLA)	50% of original application fee	50% of original application fee
Subdivision has been issued or refused Preliminary Layout Approval (PLA)	No Refund	No Refund

Landscaping Security Refund:

In the case where a development has paid a landscape bond, but the development has not proceeded.	full refund minus a \$350.00 administration fee	full refund minus a \$350.00 administration fee
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Appendix 20

PLANNING AND DEVELOPMENT	2022 Updated	2023
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Agriculture Land Reserve (ALR) Application Fee:

Cancellation of an ALR application that has not been forwarded to the Agricultural Land Commission (ALC)	As per the Agricultural Land Commission	As per the Agricultural Land Commission
Cancellation of an ALR application that has been forwarded to the Agricultural Land Commission	No Refund	No Refund

Notes:

1. City Infrastructure is defined as:

- a. Any items related to the City of Penticton water, sanitary, storm system including main line pipe, appurtenances, services etc.
- b. Any items related to roads, sidewalks, curb, gutter, signs etc.

Sign Permit Fees:

For the purpose of calculating the fee for a sign permit, the value of construction shall be the total contract price for the work, including all subcontractors, or the value of construction as determined by the Building Inspector on the basis of the plans, specifications and information available, whichever value shall be the greater.

for enlargement, conversion, alteration or relocation of a sign for which a permit has been issued	\$32.00	\$32.50
signs with a value of \$1,000 or less (per sign)	\$52.00	\$53.00
for each \$1,000 of part thereof, by which the value exceeds the sum of \$1,000 (per sign)	\$10.00	\$10.20
Variance to the Sign Bylaw	\$725.00	\$740.00
Where any sign has been erected without a permit having previously been obtained, the fee for obtaining such permit shall be double the amount of the regular permit fee	minimum \$100 fine	minimum \$100 fine

Appendix 21		
POOL/AQUATICS	Effective April 1, 2022	Effective April 1, 2023

1 Lane (minimum 3 lane rental required for booking unless special permission)

Non Profit/Local

Child/Youth	\$5.65	\$5.77
Adult	\$13.38	\$13.65
Local Private	\$16.94	\$17.27
Local Commercial	\$29.61	\$30.20
Non-Resident	\$42.30	\$43.15

3 Lanes

Non Profit/Local

Child/Youth	\$16.79	\$17.30
Adult	\$39.74	\$40.94
Local Private	\$50.78	\$51.82
Local Commercial	\$88.84	\$90.61
Non-Resident	\$126.92	\$129.44

Note: Lifeguard/Instructor wages + 5% Admin Fee to be added to rental rate when appropriate

4 Lanes to a Maximum of 13 Lanes Multiply # of Lanes X 1 Lane Rate

Leisure Pool

Note: Leisure Pool Rate is 7 Lane Rate

Non Profit/Local

Child/Youth	\$39.57	\$40.36
Adult	\$93.62	\$95.53
Local Private	\$118.51	\$120.92
Local Commercial	\$207.31	\$211.43
Non-Resident	\$296.16	\$302.02

Full Aquatic Facility

Note: Full Aquatic Facility Rate is 15 Lane Rate

Non Profit/Local

Child/Youth	\$84.77	\$86.48
Adult	\$200.59	\$204.70
Local Private	\$253.96	\$259.11
Local Commercial	\$444.21	\$453.06
Non-Resident	\$634.64	\$647.18

Appendix 21		
POOL/AQUATICS	Effective April 1, 2022	Effective April 1, 2023

Public Swimming

Single Admission

Preschool	\$1.43	\$1.67
Child	\$4.52	\$4.76
Youth	\$5.48	\$5.71
Adult	\$6.43	\$6.90
Senior	\$5.48	\$5.71
Super Senior	\$4.52	\$4.76
Family	\$16.19	\$17.14

10 Tickets

Preschool	\$11.43	\$15.00
Child	\$39.05	\$42.86
Youth	\$47.62	\$51.43
Adult	\$57.14	\$62.14
Senior	\$47.62	\$51.43
Super Senior	\$39.05	\$42.86
Family	\$146.67	\$154.29

1 Month

Preschool	\$11.43	\$15.00
Child	\$39.05	\$42.86
Youth	\$47.62	\$51.43
Adult	\$57.14	\$62.14
Senior	\$47.62	\$51.43
Super Senior	\$39.05	\$42.86
Family	\$146.67	\$154.29

3 Months

Preschool	\$27.62	\$33.33
Child	\$95.24	\$104.76
Youth	\$104.76	\$123.81
Adult	\$147.62	\$152.38
Senior	\$104.76	\$123.81
Super Senior	\$95.24	\$104.76
Family	\$352.38	\$376.19

Appendix 21		
POOL/AQUATICS	Effective April 1, 2022	Effective April 1, 2023

6 Months

Preschool	\$50.48	\$57.14
Child	\$170.48	\$180.95
Youth	\$190.48	\$209.52
Adult	\$256.19	\$261.90
Senior	\$190.48	\$209.52
Super Senior	\$170.48	\$180.95
Family	\$641.90	\$652.38

12 Month Annual Pass

Preschool	\$76.19	\$85.71
Child	\$266.67	\$280.95
Youth	\$299.05	\$323.81
Adult	\$404.76	\$419.05
Senior	\$299.05	\$323.81
Super Senior	\$266.67	\$280.95
Family	\$995.24	\$1,014.29

Fitness Room/Pool Combined

Single Admission

Youth	\$7.86	\$8.10
Adult	\$10.95	\$11.43
Senior	\$7.86	\$8.10
Super Senior	\$6.90	\$7.14
Family	\$25.71	\$26.67

10 Tickets

Youth	\$70.48	\$72.86
Adult	\$98.10	\$102.86
Senior	\$70.48	\$72.86
Super Senior	\$60.95	\$64.29
Family	\$228.57	\$240.00

1 Month

Youth	\$70.48	\$72.86
Adult	\$98.10	\$102.86
Senior	\$70.48	\$72.86
Super Senior	\$60.95	\$64.29
Family	\$228.57	\$240.00

Appendix 21		
POOL/AQUATICS	Effective April 1, 2022	Effective April 1, 2023

3 Months

Youth	\$185.71	\$195.24
Adult	\$250.48	\$261.90
Senior	\$185.71	\$195.24
Super Senior	\$152.38	\$157.14
Family	\$585.71	\$619.05

6 Months

Youth	\$326.67	\$338.10
Adult	\$435.24	\$452.38
Senior	\$326.67	\$338.10
Super Senior	\$260.95	\$271.43
Family	\$1,018.10	\$1,047.62

12 Month Annual Pass

Youth	\$513.33	\$533.33
Adult	\$687.62	\$714.29
Senior	\$513.33	\$533.33
Super Senior	\$414.29	\$428.57
Family	\$1,604.76	\$1,666.67

FITNESS ROOM / PUBLIC SWIMMING DAY PASS - Admission Rates

Single Admission

Youth	\$11.67	\$11.90
Adult	\$15.71	\$16.19
Senior	\$11.67	\$11.90
Super Senior	\$9.76	\$10.00
Family	\$37.14	\$38.10
Agency Activity Pass - Annual	\$633.33	\$647.62

Access Passes	Eligible Persons with disabilities: 25% off 10 Ticket, 1, 3, 6, 12, month passes for pool and fitness room	Eligible Persons with disabilities: 25% off 10 Ticket, 1, 3, 6, 12, month passes for pool and fitness room
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Appendix 21		
POOL/AQUATICS	Effective April 1, 2022	Effective April 1, 2023
CLINIC RATES		
Weekly Pool		
Senior	\$13.33	\$13.57
Adult	\$15.95	\$16.19
Weekly Fitness/Pool		
Senior	\$19.29	\$20.00
Adult	\$27.14	\$28.57
Monthly Pool		
Senior	\$36.19	\$37.14
Adult	\$43.10	\$44.05
Monthly Fitness/Pool		
Senior	\$52.86	\$54.29
Adult	\$73.33	\$75.24
10 Ticket Pool		
Senior	\$38.81	\$39.76
Adult	\$45.95	\$47.14
Fitness/Pool 10 Ticket		
Senior	\$56.19	\$58.10
Adult	\$78.57	\$80.95

Appendix 22		
PUBLIC WORKS	2022	2023

Concrete Rates:

Note: costs involving concrete will be estimated by the Engineering Department (with the exception being all flat rate fees for water, sewer and storm sewer for which concrete costs are included)

Asphalt Rates:

Note: costs involving asphalt will be estimated by the Engineering Department (with the exception being all flat rate fees for water, sewer and storm sewer for which concrete costs are included)

Minimum Work Order Charge:

The minimum charge for any work order shall be:	\$420.00	\$430.00
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Appendix 23		
RCMP	2020	2023
Criminal Record Checks (includes VISA and Liquor Control Board Applications)	\$45.00	\$50.00
Volunteers – require stamped self addressed envelope	n/c	n/c
Private Investigators Applications	\$45.00	\$50.00
Canadian Police Certificate (any agency including Visa applications Foreign Travel/Work Permits) Admin Fee	\$30.00	\$35.00
Fingerprinting Fee*	\$30.00	\$35.00
RV Overnight Parking Permit (a window permit is issued to those user groups requiring an RV on site for special event security - pending approval by the PRC Director of designate. Permit is issued through the RCMP.	\$35.00	\$40.00
Disclosure of Information - Ministry of Children & Families (per hour, min 1/2 hour charge)	\$55.00	\$60.00

* Waived for reclaiming an Indigenous name for citizenship and permanent residence as per the Federal Government of Canada's Truth and Reconciliation Commission report Action Item #17.

Police Reports

Accident reports	\$45.00	\$50.00
Court Ordered File copy – up to and including 60 pages	\$65.00	\$70.00
File copy in excess of 60 pages - per page	\$0.60	\$0.65
Traffic Analyst/Collision Reports	\$65.00	\$70.00
CD & Video tape/cd reproductions	\$35.00	\$40.00

False Alarms

1 st occurrence	n/c	n/c
2 nd occurrence	\$60.00	\$65.00
3 rd occurrence	\$85.00	\$90.00
4 th occurrence and subsequent	\$110.00	\$115.00

False Alarms - Hold Up Alarms (Robbery in Progress)

1 st occurrence	n/c	n/c
2 nd and subsequent	\$165.00	\$170.00

Note: False alarm and hold up alarms will be counted on a calendar year basis.

Each January 1st all businesses and residences will start with a clean slate for the purposes of the charges noted above.

Appendix 24		
Recreation - Miscellaneous	Effective April 1, 2022	Effective April 1, 2023

Gymnasium Drop -In

Single Visit	\$4.29	\$4.52
Family	\$11.43	\$11.90

Service Fees

Membership Card Replacement	\$2.14	\$2.38
*Non-Profit Sport/Recreation Groups	\$2.38	\$2.62
*Non-Profit Theatre Tickets	\$2.38	
*Commercial Theatre Tickets	\$2.86	

* Subject to applicable taxes and card service (Visa/Master/Amex) fees for credit card use.

Group Discounts	10% off drop-in admission rates for groups of 10 or more. 20% off drop-in admission rates for groups of 20 or more. Non School District 67 schools*: 50% off drop-in admission rates for groups of 30 or more.	10% off drop-in admission rates for groups of 10 or more. 20% off drop-in admission rates for groups of 20 or more. Non School District 67 schools*: 50% off drop-in admission rates for groups of 30 or more.
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Non School District 67 Schools* are defined as grade schools (K-12) located within City of Penticton boundaries and Penticton Indian Band lands. The Non School District 67 Schools rates are applicable during school hours.

Recreation Program Fees

Program fees set at a level sufficient at minimum to cover all instructor, expendable and consumable materials and extraordinary costs plus an additional 20%.

Storage Rental (Community Centre Gym)

4x7x10 compartment (per month)	\$28.06	\$28.63
Misc. Storage Rentals/sq feet/month (minimum \$10/month)	\$0.68	\$0.69

Piano Rental

The Licensee shall be responsible for and shall pay for the tuning of the Piano if required	Actual Cost	Actual Cost
Grand/Upright Piano (1/3 of a day)	\$12.87	\$13.13

Concert Steinway Piano

Commercial - 1 day of First day	\$198.54	\$202.51
Commercial - Subsequent Days	\$99.25	\$101.24
Non-Profit 1 - day or first day	\$99.25	\$101.24
Non-Profit - Subsequent days	\$49.63	\$50.62

Appendix 24		
Recreation - Miscellaneous	Effective April 1, 2022	Effective April 1, 2023
Specialty Items		
Community Centre Equipment Rentals	Market Value	Market Value
Community Centre Retail Merchandise	Mark up at Retail Price to reflect 25%-50%	Mark up at Retail Price to reflect 25%-50%
Refillable Water Bottle Station Rentals (per day)	\$50.00	\$51.00
McLaren Arena Advertising		
Standard Rink Boards	\$510.00	\$520.20
On-site advertising/promotion per week (commercial)	\$51.00	\$55.00
Filming		
Film Application Fee (when event management is required)	\$250.00	\$255.00

Appendix 26		
Theatre	Effective April 1, 2022	Effective April 1, 2023
Theatre Technician Rate of \$35.25/hr effective April 1, 2017 is included. To be increased by CPI in non-review years.	\$36.00	\$36.75

Note: Theatre may be rented for a minimum of 4 hours. First half hour and last half hour of rental is for staff to ensure safety requirements and is not available to licensee.

Note: Theatre rental comes with the Basic House Wash Lighting. Any additions or changes and the reversal back to the Basic House Wash will be charged at actual hours required X Theatre Technician rate per hour.

Non-Profit/Local Public/Rehearsal/Set up/Take down

Child/Youth	\$50.95	\$50.95
Adult	\$75.75	\$75.75
Non School District 67 Schools*	\$47.43	\$47.43

Non-Profit/ Local Public/ Performance

Child/Youth	\$65.25	\$65.25
Adult	\$89.35	\$89.35
Non School District 67 Schools*	\$58.16	\$58.16

Local Private/Commercial/ Rehearsal/Set up/Take Down	\$89.35	\$89.35
Convention Rate	\$89.35	\$89.35
Local Private/ Commercial/ Performance	\$156.38	\$156.38
Non-Resident/Private/Commercial: Rehearsal Set Up/Take Down	\$175.22	\$175.22
Non-Resident/Private/Commercial: Performance	\$219.02	\$219.02
Non-Resident/Non Profit: Rehearsal Set Up/Take Down	\$89.35	\$89.35
Non-Resident/Non Profit: Performance	\$156.39	\$156.39
Non-Resident Commercial Day Rate*	\$1490/day	\$1490/day
Non-Resident Non Profit Day Rate*	\$850/day	\$850/day

*Additional rental hours past 8 hours on Day Rate will be charged Technician Rate for each additional hour

Dark Days

Non-profit Child/Youth	\$13.61	\$13.61
Non School District 67 Schools*	\$10.20	\$10.20
Adult/Private/ Commercial/Non-Resident	\$26.69	\$26.69
Set Shop Only	\$6.72	\$6.72

*Non-Profit Theatre Tickets	\$2.14	\$2.14
*Commercial Theatre Tickets	\$2.62	\$2.62

* Subject to applicable taxes and card service (Visa/Master/Amex) fees for credit card use.

Note: Non School District 67 Schools* are defined as grade schools (K-12) located within City of Penticton boundaries and Penticton Indian Band lands. The Non School District 67 Schools rates are applicable during school hours.

Note: Security premium may be added to after hour and high risk bookings at actual cost for service

Appendix 28		
VENDING FEES	2022	2023

Park, Beach and Street Vending Fees

One Year Permits (Victoria Day - Labour Day weekends)

Note: Price per 10'x10' spot annually (3 year terms available, rate adjusted annually by CPI)

Beach and Park Vending Fee (annually) 10'*10' Okanagan Prime Plus	\$1,645.00	\$1,690.00
Beach and Park Vending Fee (annually) 10'*10' Okanagan Prime	\$1,485.00	\$1,525.00
Beach and Park Vending Fee (annually) 10'*10' Okanagan Secondary	\$1,405.00	\$1,445.00
Beach and Park Vending Fee (annually) 10'*10' Skaha Prime	\$1,405.00	\$1,445.00
Beach and Park Vending Fee (annually) 10'*10' Skaha Secondary	\$1,380.00	\$1,420.00
Sudbury Beach Shack	\$1,595.00	\$1,640.00

Street Vending Fees

One Year Permit 6' x 12'	\$1,405.00	\$1,445.00
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**Motorized and Non-Motorized Mobile Vending
(Victoria Day - Labour Day weekends)**

Seasonal Motorized Mobile Vending Fee	\$1,995.00	\$2,050.00
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Appendix 30		
Excessive Nuisance Abatement Fee	2022	2023

Administered through the Good Neighbour Bylaw

RCMP Nuisance Service Call	\$210/Call	\$215/Call
City of Penticton Fire Department Nuisance Service Call	\$420/Call	\$430/Call
City of Penticton Staff Nuisance Service Call	\$210/Call	\$215/Call

Note: In the event that multiple agencies respond to a nuisance call, the fee for each agency will be applicable.

Council Report

penticton.ca

Date: December 6, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Amber Coates, Financial Analyst
Subject: **Utility Fees and Charges Amendment Bylaw No. 2022-53**

File No: 1810-01

Staff Recommendation

THAT Council give first, second, and third reading to "Fees and Charges Amendment Bylaw No. 2022-53", a bylaw to set the 2023 Utility fees and charges.

Background

As provided for in the *Community Charter*, fees and charges are used to recover the cost of services provided by the City wherever possible as an alternative to property taxation. On an annual basis, staff consider the following factors when setting fees and charges:

- Inflation and contractual changes,
- Changes that bring the City's fees in line with other neighboring markets,
- Changes that are intended to bring the City closer to full cost recovery or address revenue shortfall,
- New or deleted Fees and Charges related to new services or billing methodologies,
- Utility Rate Review calculations, changes to customer base and consumption behaviour, and
- *Community Charter restrictions*.

While the 2018 Storm Water Rate Structure report from Intergroup proposes 2023 rates, the 2019 Utility Rate Review report from Intergroup proposes rates for Electric, Water and Sewer only through 2022. The proposed 2023 rates for these utilities were developed in a manner consistent with the methodology used in the 2019 Utility Rate Review by calculating each utility's net revenue requirement. This includes considerations for operations and maintenance, asset replacement and capital requirements, overhead, and any debt servicing costs. An updated utility rate review will be performed in 2023 which will assist with rate setting in future years.

Fees and charges are typically set in advance of financial plan preparations as they directly inform budgeted revenues and are an important component in finalizing proposed Five Year Financial Plans each year.

Financial implication

The combined anticipated revenue increase for the proposed rate changes in the Utility Fees and Charges is \$2.7M, which is related to inflationary cost increases and future capital expenses. The anticipated revenue increase by utility is as follows:

- Electric: \$2.1M
- Sewer: \$342k
- Water: \$61k
- Storm Water: \$196k

Analysis

The information presented in this section addresses specifically changes to the Utilities appendices: Appendix 7 – Electric, Appendix 25 - Sanitary Sewer, Appendix 29 – Water, and Appendix 31 – Storm Water.

Appendix 7: Electric

As part of the 2019 Utility Rate Review, it was recognized that the electric utility rate base had outpaced the historical Fortis BC rate increases and with year-over-year Fortis BC increases of only 2.20% anticipated, a grace period of 0.00% rate changes for several years to reduce the utility's profit margin had been proposed. This resulted in several years of the revenue for the utility only growing organically through account and consumption growth.

The utility left this grace period in 2021 after absorbing a 4.36% Fortis BC increase while providing customers with a 3.00% reduction in light of the ongoing pandemic impacts to the economy. The margin was further reduced with a 3.47% increase from Fortis BC and 0.00% increase to the City's rates in 2022. As the cost of energy from Fortis BC represents nearly 90% of the expenses to operate the utility, continuing to decrease the margin of the electric utility is becoming increasingly unsustainable.

Currently inflationary pressures and supply chain issues are impacting both our costs of capital works as well as those of Fortis BC, which are then passed to the City as part of the cost of energy. Electrical infrastructure components are highly specialized, and Fortis BC reports their after-tax weighted average cost of capital as 5.73% for 2023. While they are currently seeking a 3.99% interim increase with the British Columbia Utilities Commission (BCUC), Fortis BC will later apply for their 2023 permanent rates and future rates may need to be adjusted based on what they are granted.

In advance of the upcoming Utility Rate Review, an electric rate increase of 5.00% is being proposed for 2023 in order to mitigate further operating deficits and depletion of reserves. This would result in approximately a \$2.1M increase in electric billing revenues for the year with the monthly impact to the average City customer outlined in the table below.

Average Electric Account	2022	2023	Monthly \$ Change
Residential Monthly	\$118.80	\$124.74	\$5.94
Business Monthly	\$640.34	\$672.16	\$31.82

In addition, miscellaneous service call and administration fees have been updated to reflect contractual labour increases and updated vehicle, equipment and material costs while offsetting the increased expenses of providing these property-specific services.

Appendix 25: Sewer

As part of the 2019 rate review it was recognized that the Sewer Utility was being underfunded and its capital reserves were not in a position to fund future planned works that were required to continue to provide the same level of services to the City. This necessitated several years of higher increases including 9.4% in 2020 and 22.9% in 2021. These increases expanded the utility’s revenue base and grew the reserves enough to allow for a moderate increase of 4.00% in 2023. These rates include servicing the debt authorized in 2022 to upgrade and expand the Advanced Waste Water Treatment Plant while continuing to consider future capital needs. This increase would result in an approximate \$342k increase in sewer billing revenues for the year and the monthly impact to the average City customer is outlined in the table below.

Average Sewer Account	2022	2023	Monthly \$ Change
Residential Monthly	\$40.48	\$42.09	\$1.62
Business Monthly	\$355.63	\$369.85	\$14.23

As variable sewer rates are tied to water consumption, this means revenues are impacted by the same factors as water usage, such as weather and drought restrictions, although to some extent mitigated by the split billing for residential accounts. Residential accounts are charged variable rates based on water consumption during the winter months and a fixed basic charge in the summer. This method allows for the usage of water associated with irrigation of gardens and yards to not affect the sewer charges of the customer.

Miscellaneous service call and administration fees have been updated to reflect contractual labour increases and updated vehicle, equipment and material costs and will offset the increased expenses of providing these property-specific services.

Appendix 29: Water

A 0.60% increase on water rates, mirroring the rate change from 2022, allows the water utility to continue to prepare for future capital expenditures by making modest contributions to its capital reserves. Billing revenues for water are impacted by the weather, drought restrictions, the general desire of our customers to further their conservation efforts, and the volume of customer accounts as our City grows. This would result in an approximate \$61k increase in water billing revenues for the year and the monthly impact to the average City customer is outlined in the table below.

Average Water Account	2022	2023	\$ Change
Residential Monthly	\$48.34	\$48.63	\$0.29
Business Monthly	\$290.43	\$292.17	\$1.74

After having incorporated a 6.90% increase in 2021, the water utility is in good condition to service the debt authorized to complete the Ridgedale Reservoir Upgrades and Penticton Avenue PRV capital works.

Miscellaneous service call and administration fees have been updated to reflect contractual labour increases and updated vehicle, equipment and material costs and will offset the increased expenses of providing these property-specific services. Defunct fees under Sundry Charges are being removed as they are no longer applicable, and the administration rates have been adjusted to mirror the administration rates in Appendix 7 – Electric.

Appendix 31: Storm Water

The 2018 Storm Water Rate Structure developed by Intergroup provided proposed rates for 2023. Historically, the rates proposed by the Intergroup report have produced the revenues that were forecasted, and so the 2023 rates have been incorporated as proposed by the report. While a 20.20% increase would appear to be a significant increase, due to the low nature of the base rates the dollar change per month remains minimal. This would result in an approximate \$196k increase in storm water billing revenues for the year and the monthly impact to the average City customer is outlined in the table below.

Average Storm Water Account	2022	2023	Monthly \$ Change
Residential Monthly	\$4.34	\$5.22	\$0.88
Business Monthly	\$13.21	\$15.88	\$2.67

The purpose of introducing these rates was to establish a reserve specifically for maintaining and improving the City’s storm water infrastructure. It is important to ensure we continue to grow storm water funds in order to perform capital works such as storm improvements along key roads to manage and prevent pooling and flooding. Improvements such as buildings and parking lots reduce permeable areas, which results in increased storm water flowing to roads and entering the storm water infrastructure. The developed rate structure looks to ensure that properties contribute a proportionate share towards the expense of managing the storm water.

The reserve had its first contribution in 2020 and without the continued increases to rates proposed in the 2018 Storm Water Rate Structure, it would be depleted in 2025 based on current projected capital spending.

Summary of Impact to the Rate Payer

The summarized estimated average monthly impact of the proposed utility rate increases for residential and business customers is detailed in the following tables:

Residential	2022	2023	% Change	Monthly \$ Change
Electric	\$118.80	\$124.74	5.00%	\$5.94
Water	\$48.34	\$48.63	0.60%	\$0.29
Sewer	\$40.48	\$42.09	4.00%	\$1.62
Storm Water	\$4.34	\$5.22	20.20%	\$0.88
Total Monthly Impact:	\$211.96	\$220.68		\$8.72

Business	2022	2023	% Change	Monthly \$ Change
Electric	\$640.34	\$672.16	5.00%	\$31.82
Water	\$290.43	\$292.17	0.60%	\$1.74
Sewer	\$355.63	\$369.85	4.00%	\$14.23
Storm Water	\$13.21	\$15.88	20.20%	\$2.67
Total Monthly Impact:	\$1,299.60	\$1,350.06		\$50.45

Alternate recommendations

THAT Council provide alternative direction to staff.

Attachments

Attachment – Utility Fees and Charges Amendment Bylaw No. 2022-53

Respectfully submitted,

Amber Coates

Amber Coates, Financial Analyst

Director of Finance & Administration <i>AMC</i>	GM of Infrastructure <i>KD</i>	Chief Administrative Officer DvD
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The Corporation of the City of Penticton

Bylaw No. 2022-53

A bylaw to amend the Fees and Charges Bylaw No. 2014-07

WHEREAS the Council of the City of Penticton has adopted a Fees and Charges Bylaw pursuant to the *Community Charter*;

AND WHEREAS the Council of the City of Penticton wishes to amend "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. 2022-53".

2. **Amendment:**

2.1 Amend "Fees and Charges Bylaw No. 2014-07" by deleting and replacing the following appendices in their entirety:

Appendix 7	Electric
Appendix 25	Sewer
Appendix 29	Water
Appendix 31	Storm Water

2.2 Appendices 7, 25, 29, 31 attached hereto forms part of this bylaw.

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

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer

Appendix 7

ELECTRIC

2022

2023

Utility Administration Rates

Utility credit references (current or recent account)	\$17.50	\$17.85
Archived account	\$31.00	\$31.50
Utility account history	\$17.50	\$17.85
Interest rate on delinquent utility accounts	10% per annum	10% per annum
Special electric meter reading	\$41.50	\$42.25
Special electric meter inspection fee	\$41.50	\$42.25

AMR Opt Out

AMR Opt Out manual electric meter reading for an individual meter	\$17.46	\$17.90
AMR Opt Out manual combined electric and water meter reading for an individual for an individual meter read	\$18.36	\$18.75
AMR Opt Out manual electric meter reading for a meter bank installation	\$17.46 for the first meter and \$1.00 per read for each additional meter in the meter bank per meter read. The total cost for the electric meter bank read is to be equally split between all customers serviced by the bank meter	\$17.80 for the first meter and \$1.00 per read for each additional meter in the meter bank per meter read. The total cost for the electric meter bank read is to be equally split between all customers serviced by the bank meter
AMR Opt Out combined electric and water meter reading for a combined electric and water meter bank installation	\$18.36 for the first meter and \$1.00 per read for each additional meter in the meter bank per meter read. The total cost for the combined electric and water meter bank read is to be equally split between all customers served by the meter bank.	\$18.73 for the first meter and \$1.00 per read for each additional meter in the meter bank per meter read. The total cost for the combined electric and water meter bank read is to be equally split between all customers served by the meter bank.
AMR Opt Out electric meter use of a digital non radio frequency electric meter	\$153.00	\$156.00
Utility application fee – next day service	\$47.50	\$48.50
Utility application fee – same day service (accounts with combined electric and water)	\$105.00	\$107.00
Utility application fee (electric only) same day service	\$59.50	\$60.50
Non-Payment: Electric disconnect and re-connect(during City Hall hours only)	\$83.00	\$84.50
Non-Payment: Site visit without a disconnect (during City Hall hours only)	\$41.50	\$42.25
Electrical disconnect or re-connect or site visit (cost per visit after hours with call-out)	\$445.25	\$454.00
Electrical disconnect or reconnect or site visit (cost per visit during City Hall hours)	\$41.50	\$42.25
Electrical disconnect or reconnect or site visit (cost per visit after hours without call-out)	\$83.00	\$84.50
Illegal reconnection administration charge	\$290.00	\$296.00
Utility fee - Leave on Authorized	\$12.75	\$13.00
Electrical Disconnect and reconnect from pole	\$448.75	\$457.75
Special Administration charge per service	\$29.00	\$29.60

Electric Rates

Rate Code 10 - Residential

Basic Charge	\$16.34 per billing plus	\$17.16 per billing plus
Energy Charge	\$0.1121 per kWh for all consumption during the billing period	\$0.1177 per kWh for all consumption during the billing period

Rate Code 20 - General - Secondary metered and City owned Transformation

Basic Charge	\$16.34 per billing plus	\$17.16 per billing plus
Energy Charge		
First 10,000 kwh per billing	\$0.1248 per kWh	\$0.1310 per kWh
Next 90,000 kwh per billing	\$0.0983 per kWh	\$0.1032 per kWh
Additional kwh per billing	\$0.0689 per kWh	\$0.0723 per kWh
Demand Charge	\$8.81 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing or b) 75% of the maximum kVA billable demand in excess of 45kVA recorded during the previous 364 days to the current billable demand read	\$9.25 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing or b) 75% of the maximum kVA billable demand in excess of 45kVA recorded during the previous 364 days to the current billable demand read

Appendix 7

ELECTRIC

2022

2023

Rate Code - 25, 30 and 35

Are subject to the same base rates for consumption and demand as set out in Rate Code 20 with the following discounts:

Primary Metering	1.5% discount on consumption and demand charges. Customer-owned transformation - 9.0% discount on demand charges only	1.5% discount on consumption and demand charges. Customer-owned transformation - 9.0% discount on demand charges only
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Rate Code 25 - General - Primary metered and City owned Transformation

Basic Charge	\$16.34 per billing plus	\$17.16 per billing plus
Energy Charge		
First 10,000 kwh per billing	\$0.1229 per kWh	\$0.1290 per kWh
Next 90,000 kwh per billing	\$0.0968 per kWh	\$0.1016 per kWh
Additional kwh per billing	\$0.0678 per kWh	\$0.0712 per kWh
Demand Charge	\$8.67 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum kVA billable demand in excess of 45kVA recorded during the previous 364 days to the current billable demand read	\$9.10 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum kVA billable demand in excess of 45kVA recorded during the previous 364 days to the current billable demand read

Rate Code 30 - General - Secondary metered and customer owned Transformation

Basic Charge	\$16.34 per billing plus	\$17.16 per billing plus
Energy Charge		
First 10,000 kwh per billing	\$0.1248 per kWh	\$0.1310 per kWh
Next 90,000 kwh per billing	\$0.0983 per kWh	\$0.1032 per kWh
Additional kwh per billing	\$0.0689 per kWh	\$0.0723 per kWh
Demand Charge	\$8.01 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous 364 days to the current billable demand read	\$8.41 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous 364 days to the current billable demand read

Rate Code 35 - General - Primary metered and customer owned Transformation

Basic Charge	\$16.34 per billing plus	\$17.16 per billing plus
Energy Charge		
First 10,000 kwh per billing	\$0.1229 per kWh	\$0.1290 per kWh
Next 90,000 kwh per billing	\$0.0968 per kWh	\$0.1016 per kWh
Additional kwh per billing	\$0.0678 per kWh	\$0.0712 per kWh
Demand Charge	\$7.89 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous 364 days to the current billable demand read	\$8.28 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous 364 days to the current billable demand read

Rate Code 45 - General - City Accounts

Energy Charge	\$0.0832 per kWh for all consumption	\$0.0874 per kWh for all consumption
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Appendix 7

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Rate Code 55 - Street Lighting, Traffic Lights & Other Un-metered Loads

Per fixture watt or volt ampere per billing subject to Electric Utility Services Bylaw No. 2017-44	\$0.0935 per fixture kWh or kVAh per billing	\$0.0985 per fixture kWh or kVAh per billing
Per watt or volt ampere per billing based on equipment name plate data or customer information, or where data is insufficient, the City will determine by appropriate measurement and calculation what equipment kilowatt-hour or kilovolt ampere-hour loading shall be used for billing purposes.	\$0.1767 per kWh	\$0.1855 per kWh
Monthly minimum charge per fixture or service connection	\$16.34 per billing plus	\$17.16 per billing plus

Net Metering Rate Code (aka Micro-DR)

When paying Net Metered Customers for any excess Energy generated by the Customer, the Penticton Electric Utility shall use the applicable Rate Code under which the Customer is receiving Service from the Penticton Electric Utility. Customers will be responsible for all costs of their Distribution Generation System including, but not limited to, design, permits, installation, inspection fees, connection fees, repairs and maintenance.

Electrical Service Calls

Service Call – 1 stop (1 hr. max)	\$224.80	\$229.30
Service Call – 2 stops (1.75 hr. max)	\$393.40	\$401.25

Electrical Service Connections

Temporary Service Connection

1 Phase up to 200 amps	\$380.40	\$388.00
all except 1 phase up to 200 amps	Actual Cost	Actual Cost

Service Relocate

1 phase up to 200 amps	\$452.10	\$461.15
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Service Upgrade

1 phase over 200 amps	Actual Cost	Actual Cost
3 phase overhead and underground (all)	Actual Cost	Actual Cost

Service Connection

1 phase per unit (200 amps max -includes 1 meter) overhead and underground	\$511.10	\$521.30
Additional meters	Actual Cost	Actual Cost
1 phase overhead and underground over 200 amps	Actual Cost	Actual Cost
3 phase overhead and underground (all)	Actual Cost	Actual Cost
Primary Underground Cable	Actual Cost	Actual Cost
Terminate and Energize underground - Per lot	Actual Cost	Actual Cost
Installation of electrical poles, vaults, road-crossings, etc	Actual Cost	Actual Cost
Electrical Call Out Rate	\$445.25	\$454.15

Electrical Pole Contacts

Telus (JU Contacts, WiFi, Power Point Contact + Energy at appropriate rate code(s))	As per Contract	As per Contract
Shaw Cable (JU Contacts, WiFi, Antenna, Power Point Contact + Energy at appropriate rate code(s))	As per Contract	As per Contract
Bell Canada JU Contacts	As per Contract	As per Contract
Recoverable Sign Installations	Actual Cost	Actual Cost

Power Factor Surcharge:

	Power Factor	Surcharge	Surcharge
a) Every Customer must regulate their load to maintain a Power Factor of not less than ninety (90%) percent.	Between 90% and 100%	Nil	Nil
	Between 88% and 89.99%	2%	2%
	Between 85% and 87.99%	4%	4%
	Between 80% and 84.99%	9%	9%
	Between 75% and 79.99%	16%	16%
	Between 70% and 74.99%	24%	24%
	Between 65% and 69.99%	34%	34%
	Between 60% and 64.99%	44%	44%
	Between 55% and 59.99%	57%	57%
	Between 50% and 54.99%	72%	72%
b) If customers have equipment or install equipment that results in poor power factor (less than 90%) a power factor surcharge may be applied and it is the Customer's responsibility to install equipment to correct or improve power factor.	Less than 50%	90% and electrical service may be disconnected	90% and electrical service may be disconnected
c) The surcharge shall be added to the Customer's bill after the rates or minimum charges have been calculated and the surcharge will remain in effect until the Penticton Electric Utility is satisfied that the Power Factor has been corrected.			
d) Electrical Service shall not be provided to any customer whose Load Power Factor is less than fifty (50%) percent.			

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Notes:

#1. Any applicable Federal or Provincial taxes are in addition to the above charges. Penalty interest at the rate of two percent (2%) per bill for current charge amounts remaining unpaid after the passage of the due date denoted on the bill will be applied.

#2. Basic charges will be applicable to accounts that are disconnected from electric for seasonal or temporary purposes when the electric is being turned off at the account holders request but the account holder(s) is not altering.

#3. City Electrical Infrastructure is defined as: Any items related to the City of Penticton Electrical Utility distribution system including but not limited to primary duct and secondary duct, street lighting, power cables, transformers and associated appurtenances.

#4. All customers are eligible to access the "Electrical Service Payment Plan" for the installation of City Electrical Infrastructure and/or customer owned Micro-DR equipment that supplies power to their properties. The details of this program are summarized as follows:

- Payment Plan range: A customer can put a minimum amount of \$2,000 up to a maximum amount of \$50,000 on a Payment Plan;
- Payment Plan terms: 5 year payback in equal monthly amounts on the Electric Utility Bill plus interest calculated at the Prime Interest Rate +0.5%; and
- The customer has the ability to end the Payment Plan at any time by repaying the balance owing in full at any time without penalty.

Eligibility requirements:

- Must be for a new or an upgrade to an Electrical Service;
- Must be a City of Penticton Electric Utility customer;
- Must have a credit score of: 650 or greater for an individual, or less than 25 for a business;
- Must have a maximum of 19 City of Penticton Utility Credit Points;
- The customer must own both the land and building where the service is required; and
- If Micro-DR, receipts must be submitted from the contractor performing the work; and
- Protection: Any defaults on the Payment Plan will be subject to the normal City of Penticton utility collection procedures, including service disconnect and ultimately transfer of outstanding amount to taxes. Any outstanding payment plan amounts must be paid in full upon sale of the property.

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SEWER	2022	2023

Sanitary Sewer Fixture Charges

Such charges to be effective immediately upon the expiration of 180 days (60 days in the case of a renovated building) from the date of validation of the building permit, provided however, that this amount may be pro-rated from the effective date to December 31 of the year in which the building is built or renovated.

An extension to the 180 day period will be considered providing the builder applies **in writing** to Building & Licence Division prior to the expiration of the 180 day period. Should a request come from a builder **after** the expiration of the 180 day period, an extension may still be granted upon payment of an administration fee:

Extensions are only to be granted in multiples of 30 days, i.e. 30, 60, 90 days.

Sanitary Sewer Charges based on Treated Water Use

Residential Use

Monthly Fixed Sanitary Sewer Rates Based on Water Meter Size charged April to October

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month April to October)	\$39.13	\$40.69
25mm (1 inch) / month April to October	\$100.30	\$104.31
38 mm (1 1/2 inches) / month April to October	\$200.98	\$209.02
50 mm (2 inches) / month April to October	\$330.08	\$343.29
75 mm (3 inches) / month April to October	\$692.84	\$720.55
100 mm (4 inches) / month April to October	\$1,317.96	\$1,370.67

PLUS Variable Sanitary Sewer Generation Charge based on Water Use for all Meter Sizes charged November to March

Variable Usage Charge / 2.83 cubic meters (100 cubic feet) charged monthly November to March [Minimum monthly consumption charge for 3/4" meter size customer based on 250 cubic feet]	\$8.47	\$8.81
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Non- Residential Use

Monthly Fixed Sanitary Sewer Rates Based on Water Meter Size charged January to December

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month January to December)	\$19.32	\$20.09
25mm (1 inch) / month January to December	\$48.28	\$50.21
38 mm (1 1/2 inches) / month January to December	\$96.59	\$100.45
50 mm (2 inches) / month January to December	\$154.53	\$160.71
75 mm (3 inches) / month January to December	\$338.04	\$351.56
100 mm (4 inches) / month January to December	\$608.47	\$632.81

PLUS Variable Sanitary Sewer Generation Charge based on Water Use for all Meter Sizes

Variable Usage Charge / 2.83 cubic meters (100 cubic feet) charged monthly January to December	\$3.70	\$3.85
Request for Reduction Submission and Review	\$108.00	\$110.00
Fee for falsification of information on a Request for Reduction	\$540.00	\$550.00

NOTES

Any applicable Federal or Provincial taxes are in addition to the above charges. Penalty interest at the rate of two percent (2%) per bill for current charge amounts remaining unpaid after the passage of the due date denoted on the bill will be applied.

Residential Uses includes: All single family, duplex, multi-family and mobile home parks

Non Residential Customers may apply after paying the prescribed fee to the City for a reduction in the % of water use to calculate the sanitary sewer usage fee to account for business practices that create a large discrepancy between water use and sewage generation.

Appendix 25

SEWER	2022	2023
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The following business practices will be eligible for consideration for a reduction:

- i. Water used to produce a product for sale that is consumed or used off the site. Examples include: Concrete production, off sales beer and wine, take out coffee and soft drinks.
- ii. Water used to irrigate plants that are sold. Examples include: Garden Centers.
- iii. Water used in a cooling process that does not enter the sanitary sewer.
- iv. Water used by contractors in water trucks for dust control.

The requested reduction in water use must be substantiated either through:

- i. The installation and reading of a water meter that will monitor the water used in the process for which the reduction is being sought.
- ii. Financial records or audit documents prepared by an accountant or a report prepared by a professional engineer that calculates the volume of water that should be considered for reduction.

The cost of producing the substantiation is to be borne by the party requesting the reduction.

No reduction will be granted for volumes of water less than 5%.

A person found to have submitted false information to support their reduction request will be required to pay the Fee for falsification of information on a Request for Reduction

Connected Sanitary Sewer Services with No Water Meter or No Water Service (per month)

Fee based on property zoning as follows:

For properties zoned Single Family Residential	\$38.63	\$40.18
For properties zoned I Multi Family Residential	\$54.98	\$57.18
For properties zoned Commercial	\$129.27	\$134.44
For properties zoned Industrial	\$878.16	\$913.29
For all other properties	\$129.27	\$134.44

Miscellaneous Rates

Sanitary sewer charges based on a negotiated agreement	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council
Sanitary Sewer Fixture Charge	\$59.73	\$62.12
Minimum flat rate charge for sanitary sewer for residential properties adjacent to a sanitary sewer main but not connected *	\$46.81	\$48.68
Minimum flat rate charge for sanitary sewer for non-residential properties adjacent to a sanitary sewer main but not connected *	\$378.91	\$394.07
Permit to Discharge	\$268.00	\$273.36
Evaluation of restricted wastes of over strength matter	Actual Cost	Actual Cost
Over strength B.O.D. charge (over 300 mg/l)	\$0.65/kg	\$0.66/kg
Over strength C.O.D. surcharge (over 600 mg/l)	Fee to be developed	Fee to be developed
Over strength oil and grease surcharge (over 100 mg/l)	0.280/kg	0.285/kg
Over strength phosphorous surcharge (over 10 mg/l)	Fee to be developed	Fee to be developed
Over strength total suspended solids surcharge (over 300 mg/l)	\$0.66/kg	\$0.67/kg

* Charged during temporary service/construction phase. Changed to metered or unmetered rate once occupancy is granted

Appendix 25

SEWER	2022	2023
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Septic Waste Receiving Facility Rates

Tipping Fee for receiving septic waste	\$37.00 per cubic meter	\$37.50 per cubic meter
Repair/remediation of septic receiving area	Actual Cost	Actual Cost

Sanitary or Storm Sewer Service Connections

(a) 100mm (4") BASE RATE sanitary or storm sewer service and connections - for up to 10 meters in length from the sanitary or storm sewer main to the property line	\$6,100.00	\$6,200.00
(b) 100mm (4") PER METER RATE OVER 10m IN LENGTH sanitary or storm sewer service and connections - Additional amount to the BASE RATE for the portion of sanitary and storm sewer service greater than 10 meters in length from the sanitary sewer or storm sewer main to property line.	\$575 / meter	\$585 / meter
(c) Two – 100mm (4") BASE RATE sanitary or storm sewer service and connections installed in the same trench - for up to 10 meters in length from the sanitary or storm sewer main to the property line	\$7,000.00	\$7,140.00
(d) Two – 100mm (4") PER METER RATE OVER 10m IN LENGTH sanitary or storm sewer service and connections installed in the same trench - Additional amount to the BASE RATE for the portion of sanitary and storm sewer service greater than 10 meters in length from the sanitary sewer or storm sewer main to property line.	\$650 / meter	\$660 / meter
(e) All other sanitary or storm sewer and service and connections	Actual Cost	Actual Cost
(f) When winter conditions prevail or hot mix asphalt is not available, if installation is to proceed, add \$525.00 each to the estimated and flat rate costs for service provided by the city that requires excavation.	\$550.00	\$560.00
(g) Repair of service failure or interruption	Actual Cost	Actual Cost
(h) Winter Trench Repair maintenance	\$450.00	\$460.00
(i) Reconnecting to a capped sewer service - No work by City - Reconnection Fee Only	\$220.00	\$225.00
(j) Sanitary or Storm Sewer Service Video Inspection	\$186.00	\$190.00

In the event problem is determined to be caused by the City or the responsibility of the City all associated costs shall be applied to the City.

Other:

(a) Service inspection of an irrigation water service, treated water service, sanitary sewer service and storm sewer service.	\$180.00	\$185.00
(b) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service	\$2,500.00	\$2,550.00
(c) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service - COMPLETED IN CONJUNCTION WITH SERVICE INSTALLATION IN SAME LOCATION	No Charge	No Charge

Appendix 29

WATER	2022	2023
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Utility Administration Rates

Utility credit references (current or recent account)	\$18.00	\$17.85
Archived account	\$32.00	\$31.50
Utility account history	\$18.00	\$17.85
Interest rate on delinquent utility accounts	10% per annum	10% per annum
Special water meter reading	\$43.15	\$42.25
Special water meter inspection fee	\$43.15	\$42.25

AMR OPT OUT

AMR Opt Out manual water meter reading for an individual meter	\$17.46	\$17.46
AMR Opt Out manual combined electric and water meter reading for an individual meter read	\$18.36	\$18.36
AMR Opt Out manual water meter reading for a meter bank installation	\$17.46 for the first meter and \$1.00 per read for each additional meter in the meter bank per meter read. The total cost for the water meter bank read is to be equally split between all customers serviced by the bank meter	\$17.80 for the first meter and \$1.00 per read for each additional meter in the meter bank per meter read. The total cost for the water meter bank read is to be equally split between all customers serviced by the bank meter
AMR Opt Out combined electric and water meter reading for a combined electric and water meter bank installation	\$18.36 for the first meter and \$1.00 per read for each additional meter in the meter bank per meter read. The total cost for the combined water and water meter bank read is to be equally split between all customers served by the meter bank.	\$18.73 for the first meter and \$1.00 per read for each additional meter in the meter bank per meter read. The total cost for the combined electric and water meter bank read is to be equally split between all customers served by the meter bank.

Applications / Connect / Disconnect / Reconnect

City padlocks	\$22.50	\$22.50
City lock boxes (installed by City)	\$68.00	\$68.00
City lock boxes (installed by customer)	\$50.00	\$50.00
Utility application fee (Water Only) – next day service	\$34.00	\$34.68
Utility application fee – same day service (accounts with combined electric and water)	\$107.00	\$107.00
Utility application fee (water only) same day service (accounts that only have water services)	\$67.00	\$68.34
Water disconnect / re-connect fee (for non payment during regular City hall hours)	\$37.00	\$37.74
Water disconnect / re-connect fee (for non payment after hours without call-out)	\$95.00	\$96.90
Water disconnect or re-connect (customer / agent request during City hall hours)	\$33.00	\$33.66
Water disconnect or re-connect (customer / agent request after hours without call-out)	\$48.00	\$48.96
Water disconnect or re-connect (customer / agent request after hours with call-out)	\$220.00	\$224.40
Water Illegal reconnection administration charge	\$290.00	\$295.80
Utility fee - Leave on Authorized	\$12.75	\$13.00
Water Disconnection (for non-payment) requiring capping or plugging service	\$240.00	\$244.80
Special Administration charge per service	\$29.00	\$29.60

Non Treated Irrigation Water Charges

No Meter

Non-treated irrigation water per acre per year	\$197.03	\$198.21
Minimum charge for non-treated irrigation water / year	\$197.03	\$198.21
Household use from a connection to the untreated irrigation water system, unless metered, in which case metered rates then apply. (per annum per residence)	\$462.42	\$465.19

Monthly Fixed Non Treated Irrigation Water Meter Rates based on Meter Size

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)	\$11.59	\$11.66
25mm (1 inch) / month	\$24.84	\$24.99

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WATER	2022	2023
38 mm (1 1/2 inches) / month	\$73.17	\$73.61
50 mm (2 inches) / month	\$161.11	\$162.08
75 mm (3 inches) / month	\$462.54	\$465.31
100 mm (4 inches) / month	\$1,017.05	\$1,023.15
150 mm (6 inches) / month	\$2,854.48	\$2,871.61
PLUS Variable Consumption Charge for all Meter Sizes		
Variable Consumption Charge / 2.83 cubic meters (100 cubic feet)	\$0.28	\$0.28

Reclaimed Treated Effluent for Irrigation Charges

Monthly Fixed Reclaimed Treated Effluent Meter Rates Based on Meter Size

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)	\$14.29	\$14.37
25mm (1 inch) / month	\$53.35	\$53.67
38 mm (1 1/2 inches) / month	\$65.23	\$65.62
50 mm (2 inches) / month	\$153.75	\$154.67
75 mm (3 inches) / month	\$334.74	\$336.75
100 mm (4 inches) / month	\$711.01	\$715.28
PLUS Variable Consumption Charge for all Meter Sizes		
Variable Consumption Charge / 2.83 cubic meters (100 cubic feet)	\$1.07	\$1.08

Treated Water Rates

Monthly Fixed Treated Water Meter Rates Based on Meter Size

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)	\$29.83	\$30.00
25mm (1 inch) / month	\$110.65	\$111.32
38 mm (1 1/2 inches) / month	\$136.15	\$136.96
50 mm (2 inches) / month	\$320.90	\$322.82
75 mm (3 inches) / month	\$694.29	\$698.46
100 mm (4 inches) / month	\$1,484.02	\$1,492.92
Individually metered Bareland Strata Properties with 19mm meters UPON APPLICATION ONLY	\$8.40	\$8.45
PLUS Variable Consumption Charge for all Meter Sizes		
Variable Consumption Charge / 2.83 cubic meters (100 cubic feet)	\$2.20	\$2.22

Notwithstanding the above basic charges, should a 150 mm (6") meter be provided in conjunction with a 150 mm (6") line for the purpose of providing the dual requirements of domestic water and fire protection, the basic charge will be based on the size of meter that would be required to service the domestic water needs of the complex as determined by the Public Works Supervisor. This charge is to commence at the time of the installation of the meter. Prior to the installation of the meter, the service is to be billed at a 25 mm (1") unmetered rate.

Monthly Fixed Non Metered Treated Water Rates Based on Service Size

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)	\$47.63	\$47.92
25mm (1 inch) / month	\$146.96	\$147.85
38 mm (1 1/2 inches) / month	\$240.75	\$242.20
50 mm (2 inches) / month	\$541.66	\$544.91
75 mm (3 inches) / month	\$1,377.57	\$1,385.83
100 mm (4 inches) / month	\$2,916.77	\$2,934.27
Treated water charges based on a negotiated agreement	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council
Minimum charge for treated water for domestic purposes	Fee to be minimum monthly Basic Charge based on the meter size or the minimum monthly charge based on the size of service	Fee to be minimum monthly Basic Charge based on the meter size or the minimum monthly charge based on the size of service

Appendix 29

WATER	2022	2023
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Minimum Flat Rate Charges for Properties located adjacent to a Treated Water Main but Not Connected:

Fee based on property zoning as follows:

For properties zoned Single Family Residential *	\$47.63	\$47.92
For properties zoned I Multi Family Residential *	\$146.96	\$147.85
For properties zoned Commercial *	\$240.75	\$242.20
For properties zoned Industrial *	\$2,916.77	\$2,934.27
For all other properties *	\$240.75	\$242.20

Sundry Charges

Sign on of new customer	\$28.50	
Special Administration charge per service	\$17.50	
Transfer fee per service	N/A	

* Charged during temp/construction phase. Changed to metered rate once meter is installed.

NOTES:

When a customer applies for electric and water service/transfer of service at the same time, only one application/transfer fee will apply

Any applicable Federal or Provincial taxes are in addition to the above charges. Penalty interest at the rate of two percent (2%) per bill for current charge amounts remaining unpaid after the passage of the due date denoted on the bill will be applied.

The A.R.D.A. rate referred to in this bylaw is billed on the annual property tax notice and is subject to a 10% penalty if unpaid on the tax penalty date in each year.

Basic charges will be applicable to accounts that are disconnected from water for seasonal or temporary purposes when the water is being turned off at the account holders request but the account holder(s) is not altering.

Treated and Irrigation Services and Metering

AMR Opt Out treated or irrigation water meter, old style meter, use of a digital non radio frequency electric meter	\$201.00 per meter	\$201.00 per meter
AMR Opt Out treated or irrigation water meter, new style meter, use of a digital non radio frequency electric meter	\$42.25 per meter	\$42.25 per meter

(a) Treated and Irrigation water service supply and installation, not including meter or meter chamber. Fee to be as follows:

19mm (¾") water service	N/A	N/A
25 mm (1") water service - BASE RATE - for up to 10 meters in length from the water line to the property line.	\$6,100.00	\$6,100.00
25 mm (1") water service - PER METER RATE OVER 10m IN LENGTH - Additional amount to the BASE RATE for the portion of water service greater than 10 meters in length from the water main to property line.	\$575 / meter	\$575 / meter
All other water services	Actual Cost	Actual Cost

(b) Treated and Irrigation water meter supply and installation, not including meter chamber. Fee to be as follows:

19mm (¾") water meter	\$550.00	\$650.00
25 mm (1") water meter	\$750.00	\$900.00
38 mm (1 ½") water meter with register and Radio Frequency	\$1,300.00	\$1,515.00
50 mm (2") compound water meter with register and Radio Frequency	\$1,700.00	\$1,850.00
(c) All other water meters with register and Radio Frequency	Actual Cost	Actual Cost
(d) Water meter chamber up to 25 mm (1") supply and installation (in conjunction with service install)	\$880.00	\$880.00
(e) Water meter chamber up to 25 mm (1") supply and installation (not installed with service)	\$2,300.00	\$2,300.00
(f) Provision of temporary water	Actual Cost	Actual Cost
(g) All other water meter chambers supply and installation	Actual Cost	Actual Cost
(h) Water meter register and Radio Frequency - Supply and install	\$350.00	\$350.00
(i) Water meter testing or repair if replacement is required and deemed the fault of the owner additional charges may be applied.	\$97.00	\$97.00

Note: if the meter is found to be accurate within 98.5% - 101.5%, the party disputing the accuracy of the meter shall bear the cost. If the meter is found not to be accurate within the above limits the City shall bear the costs.

Customer request to relocate (or alter due to construction) meter or appurtenances	Actual Cost	Actual Cost
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Appendix 29		
WATER	2022	2023

Water Connection Charges

(a) Service inspection of an irrigation water service, treated water service, sanitary sewer service and storm sewer service.	\$180.00	\$183.60
(b) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service	\$2,500.00	\$2,550.00
(c) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service - COMPLETED IN CONJUNCTION WITH SERVICE INSTALLATION IN SAME LOCATION	No Charge	No Charge
(d) Service calls regarding water service, treated water service, sanitary sewer service and storm sewer service	Actual Cost	Actual Cost

Fire Hydrants (both City and private hydrants)

(a) Fire hydrant supply and installation not requiring curb, gutter and asphalt work	\$7,750.00	\$7,750.00
(b) Fire hydrant supply and installation requiring curb, gutter and asphalt work	\$9,500.00	\$9,500.00
(c) Fire Hydrant rental (includes hook-up and water usage) Note: if total # of days is not known (amount to be billed)	\$117.00 first day and \$25.00 each day thereafter	\$117.00 first day and \$25.00 each day thereafter
(d) Portable water meter rental	\$20 per day (plus cost of water used at the current metered rate)	\$20 per day (plus cost of water used at the current metered rate)
(e) Fire Hydrant ACCEPTANCE - Level A Inspection - post final inspection or prior to city acceptance	\$174.50	\$174.50

Other:

(a) Service inspection of an irrigation water service, treated water service, sanitary sewer service and storm sewer service.	\$180.00	\$183.60
(b) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service	\$2,500.00	\$2,550.00
(c) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service - COMPLETED IN CONJUNCTION WITH SERVICE INSTALLATION IN SAME LOCATION	No Charge	No Charge
(d) Service calls regarding water service, treated water service, sanitary sewer service and storm sewer service	Actual Cost	Actual Cost
(f) When winter conditions prevail or hot mix asphalt is not available, if installation is to proceed, add \$525.00 each to the estimated and flat rate costs for service provided by the city that requires excavation.	\$525.00	\$525.00

Appendix 31			
STORM WATER UTILITY	Unit	2022	2023

Storm Water NO Direct Connect Fees

Notes:

The different categories of Storm Water Utility Rates are based on the Property Tax Classification.

The following rates apply to properties that are NOT directly connected to the Storm Water System.

In cases where a property has multiple Property Tax Classifications the City will determine the Property Tax Classification that best represents the property and charge for Storm Water according to that Property Tax Classification.

Residential			
No direct connection to the Storm Sewer:			
Single Family Dwellings	\$/year per folio	\$52.10	\$62.60
Multi Family Apartment Buildings with 4 or less units	\$/year per folio	\$83.40	\$100.30
Multi Family Apartment Buildings with more than 4 units	\$/year per unit	\$27.80	\$33.40
Multi Family Dwellings [strata]	\$/year per folio	\$27.80	\$33.40
Farm/Recreational/Non Profit/Supportive Housing			
No Direct Connection to the Storm Sewer	\$/year per folio	\$52.10	\$62.60
Business/Light Industry/Major Industry/Utilities			
No direct connection to the Storm Sewer, with gross assessment value:			
Below \$300,000	\$/year per folio	\$105.60	\$127.00
Between \$300,001 and \$800,000	\$/year per folio	\$158.50	\$190.50
Above \$800,000	\$/year per folio	\$237.70	\$285.80

Storm Water Direct Connect Fees
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Notes:

The different categories of Storm Water Utility Rates are based on the Property Tax Classification.

The following rates apply to properties that ARE directly connected to the Storm Water System.

In cases where a property has multiple Property Tax Classifications the City will determine the Property Tax Classification that best represents the property and charge for Storm Water according to that Property Tax Classification.

Residential			
Direct Connection to the Storm Sewer:			
Single Family Dwellings	\$/year per folio	\$67.70	\$81.40
Multi Family Apartment Buildings with 4 or less units	\$/year per folio	\$108.50	\$130.40
Multi Family Apartment Buildings with more than 4 units	\$/year per unit	\$36.20	\$43.50
Multi Family Dwellings [strata]	\$/year per folio	\$36.20	\$43.50
Farm/Recreational/Non Profit/Supportive Housing			
Direct Connection to the Storm Sewer	\$/year per folio	\$67.70	\$81.40
Business/Light Industry/Major Industry/Utilities			
Direct connection to the Storm Sewer, with gross assessment value:			
Below \$300,000	\$/year per folio	\$137.30	\$165.10
Between \$300,001 and \$800,000	\$/year per folio	\$206.00	\$247.70
Above \$800,000	\$/year per folio	\$309.10	\$371.50

Council Report

penticton.ca

Date: December 6, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Tina Mercier, Bylaw Services Manager
Subject: **Traffic Amendment Bylaw No. 2022-54**

File No: 3900-02

Staff Recommendation

THAT Council give first, second and third reading to "Traffic Amendment Bylaw No. 2022-54", a bylaw that addresses the elimination of validation decals on BC license plates.

Strategic priority objective

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

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

Background

On May 1, 2022 license plate validation decals were no longer required to be displayed on B.C. vehicles. As such, decals were no longer being issued for any new or renewed license and insurance certificates that commenced May 1, 2022 or later. (Attachment A). Drivers are still required to carry a printed copy of insurance documents in their vehicle at all times however Bylaw Enforcement Officers are typically issuing Bylaw Offence Notices to parked vehicles (nonmoving).

Bylaw Services staff are able to continue to access up to date B.C. vehicle information from ICBC to ascertain related vehicle data. At this time, the Traffic Bylaw No. 94-39 needs to be amended to reflect related enforcement of valid vehicle insurance/registration given the recent changes made by ICBC.

Financial implication

There are no financial impacts.

Analysis

Staff propose the following amendments to the Traffic Bylaw No. 94-39:

Section 36. DISPLAY VALID PLATES

Upon any public highway:

36 (a) Which does not display valid license plate.

36 (b) Which does not have valid insurance

Schedule "P" - OTHER amendment/addition:

3.2 (a) 36 (a) Fail to display valid plate

3.2 (a) 36 (b) No valid insurance

With the proposed changes, Bylaw Enforcement Officers will be able to continue with educating and enforcing valid vehicle registration/insurance on vehicles parking on our city streets. The proposed changes will bring clarity to the Traffic Bylaw charging sections when officers educate and enforce in the field.

Attachments

Attachment A – Vehicle licensing & insurance bulletin, March 11, 2022, ICBC bulletin 30

Respectfully submitted,

Tina Mercier

Bylaw Services Manager

Concurrence

<p>General Manager/ Director</p> <p><i>BL</i></p>	<p>Chief Administrative Officer</p> <p>DyD</p>
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Attachment A



March 11, 2022 | bulletin 30
For Law Enforcement & Road Safety Partners
[Please share](#)

Vehicle licensing & insurance bulletin

Discontinuing licence plate decals, and printing changes

Starting May 1, 2022 licence plate validation decals (decals) will no longer be required on B.C. vehicles. Also, the appearance of *Vehicle registration, licence and owner's certificate of insurance* documents may vary due to a growing use of different types of paper and printers.

Key points

Decals are no longer required to be displayed on B.C. vehicle number plates as of May 1, 2022 according to B.C. regulatory amendments.

Beginning with policies effective May 1, 2022, [eligible Autoplan customers](#) may renew their vehicle licence and insurance with our new online service. They may also print their *Vehicle registration, licence and owner's certificate of insurance* on plain white paper using any printer if the result is legible. You can expect some variation in paper quality, printing appearance and a shift to single side printing.

Our electronic records will continue to be updated to provide a reliable reference for law enforcement and other ICBC partners.

Streamlined vehicle licence & insurance renewals

The new online service will allow many B.C. motorists to renew their vehicle licence and insurance policy from their computer, tablet or mobile device, and to print or re-print their registration, vehicle licence and insurance document. Like renewals done at Autoplan broker offices, the relevant electronic records remain available for law enforcement and others authorized to reference the information.

Decals will not be issued for any new or renewed licence and insurance certificate that commences May 1, 2022 or later.





Considerations

Law enforcement can continue to access up-to-date B.C. vehicle information through CPIC and other means to check licence and insurance validity. Drivers are still required to carry the paper documents as issued (legible, without alteration) or their photocopies in their vehicle, for presentation at roadside stops and other purposes.

Police throughout B.C. use Automated Licence Plate Recognition (ALPR) on a daily basis and continue to work closely with road safety partners for ways to improve existing practices and programs.

ICBC is making a one-time investment of up to \$1 million to enhance and modernize the ALPR program, and purchase new hardware helping law enforcement in B.C. detect unlawful, unlicensed and uninsured drivers.

No decals will be issued for vehicle licences that have an effective date of May 1, 2022 or later, even if the motorist applies for their vehicle licence and renews their insurance early. The old decal on their number plate will still show the expiry of their previous vehicle licence and insurance that was issued prior to May 1, 2022.

On or after May 1, 2022, motorists have the option to remove, cover or keep the old decal in place. Vehicles may be seen on highway legally displaying an expired decal, a decal that is blocked out with black marker, or covered with any color of plain material (e.g. a blank white sticker) that may or may not be reflective. ICBC is requesting customers to not use decal coverings that are mirrored or that have graphic(s), character(s), or pattern(s).

Reference

<ul style="list-style-type: none"> • Motor Vehicle Act 	s. 11	Carrying of licence
	s. 12	Number plates
	s. 13	Offences
	s. 33	Production of licence and liability card
<ul style="list-style-type: none"> • Motor Vehicle Act Regulations 	Div. 3	Division 3 as amended effective May 1, 2022
<ul style="list-style-type: none"> • Vehicle licensing and insurance bulletins 		



For more information, contact: Rob Miller, Senior Vehicle Registration & Licensing Analyst
Vehicle Registration Programs
Email: Rob.Miller@ICBC.com

John Kilpatrick
Manager, Provincial Registration, Licence and Insurance

The Corporation of the City of Penticton

Bylaw No. 2022-54

A Bylaw to Amend Traffic Bylaw No. 94-39

WHEREAS the Council of the City of Penticton has adopted a Traffic Bylaw pursuant to the Community Charter and Motor Vehicle Act;

AND WHEREAS the Council of the City of Penticton wishes to amend Traffic Bylaw No. 94-39;

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 "Traffic Amendment Bylaw No. 2022-54".

2. Amendment:

Traffic Bylaw No. 94-39 is hereby amended as follows:

2.1 Replace Part II – PARKING REGULATIONS: DISPLAY VALID PLATES 36. With the following:

- DISPLAY VALID PLATES 36. (a) Which does not display valid licence plates.
- 36. (b) Which does not have valid insurance.

2.2 Revise and add the following to SCHEDULE "P" Parking Codes for Bylaw Notice Infractions

OTHER

Fail to display valid plate	94-39B 10-02	3.2(A)36(a)
No valid insurance	94-39B 10-03	3.2(A)36(b)

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

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer

Council Report

penticton.ca

Date: December 6, 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 Bylaw No. 2022-41
Zoning Amendment Bylaw No. 2022-42
Development Permit PL2021-9246**

Staff Recommendation

THAT prior to consideration of "Official Community Plan Amendment Bylaw No. 2022-41", and in accordance with Section 475 of the *Local Government Act*, Council consider whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

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

AND THAT it is determined that the community engagement period carried out from April 7, 2022 to May 15, 2022 is sufficient;

AND THAT Council give second and third reading to "Official Community Plan Amendment Bylaw No. 2022-41", a bylaw that amends Map 1: Future Land Use of Official Community Plan Bylaw No. 2019-08, by amending the future land use designation for Lot E District Lot 202 Similkameen Division Yale District and of District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 584, located at 770 Argyle Street, from 'Detached Residential' to 'Ground Oriented Residential';

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-42", for Lot E District Lot 202 Similkameen Division Yale District and of District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 584, located at 770 Argyle Street, a bylaw to rezone the subject property from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing);

AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2022-42", require a 1.1m road dedication along the western property line (Argyle Street) to be registered with the Land Title Office;

AND THAT Council, subject to adoption of “Zoning Amendment Bylaw No. 2022-42”, approve “Development Permit PL2021-9246”, a permit to approve the form and character of the proposed development consisting of 8 dwelling units.

Summary

The proposed development includes an OCP and Zoning Amendment to allow for an 8-unit development to occur. Since the first time this application was before Council in April 2022, much work has occurred by staff, the applicant and the public. This includes a one-month long public engagement period to hear from the public on the proposed OCP amendment. The applicant made several design changes to the plans after the engagement period closed to address concerns raised during the engagement period, including reducing density, adding climate change improvements, adding amenity space and other minor adjustments. Staff prepared an engagement summary, which was presented to Council prior to the Public Hearing taking place in August 2022.

Following the Public Hearing and prior to considering further readings of the bylaw, Council advised the applicant to work with staff to further address concerns brought forward at the Public Hearing: including parking, density, height, greenspace, and neighbourhood impact of the proposed development. The applicant has worked to address these concerns, and has prepared the current proposal for Council consideration. Staff have included much of the analysis and information provided in previous reports to provide a succinct report for Council’s consideration.

Proposal

The applicants are proposing a multi-family development on the property located at 770 Argyle Street that features 4 duplex buildings (8 dwelling units). In order to facilitate the proposed development, the applicants are requesting the following:

1. To amend the Official Community Plan (OCP) future land use designation on the subject property from ‘Detached Residential’ to ‘Ground Oriented Residential’,
2. To amend the zoning on the property from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing), and
3. Development Permit approval for the form and character of the proposed development.

At the August 16, 2022 Public Hearing (minutes attached), Council heard from the public with concerns of parking, density, height, greenspace and neighbourhood impact of the proposed development. As such, Council did not provide further readings of the Bylaws, and instead directed staff to work with the applicant to address these concerns. The applicant has made several changes to address the concerns, and the application is now being presented to Council for further consideration.

Background

Property Description

770 Argyle Street is centrally located (Figure 1) 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). 784 Argyle Street is currently under construction to allow an 11-unit cluster housing development.

The surrounding area is a mixture of zones includes duplex (RD1, RD2), multifamily (RM2, RM3), commercial (C1) and single family residential along Woodruff Avenue. As a result, there are a variety of housing types and styles in this area that have developed over the years. The property is adjacent to large multi-family developments that front onto Winnipeg Street. The area has sidewalks and is in close proximity of transit routes and the Lake to Lake bike route, making this a suitable location for infill development.



Figure 1 - Property Location Map

Amendments Made to Plans

Following the August 16, 2022 Council decision for the applicant to make changes to the plans (Attachment I), the applicant has made the following changes to address concerns raised by the public:

1. Density reduction
One duplex building (two units) has been removed, which reduces the unit count from 10 dwelling units (5 duplexes) to 8 dwelling units (4 duplexes). This reduces the density significantly, from 0.7 Floor Area Ratio (FAR) to 0.56 FAR.
2. EV (Electric Vehicle) charger ready
The applicant has identified that they intend to make every dwelling unit’s garage capable of providing electric vehicle charging. This includes providing the appropriate electrical capacity and conduit to allow the end users the option of having an EV charger. Providing this set up during construction dramatically reduces the cost of retrofitting the garages later to accommodate the EV chargers.
3. Solar Ready
The applicant has identified that they intend to make every dwelling unit solar ready. This includes providing the appropriate conduit and set up for solar panels to be added to the roof of the building,

should the end user wish to do so. Providing this set up during construction dramatically reduces the cost of retrofitting the electrical system in the building to later accommodate solar panels.

4. Amenity and Green Space

In reducing the density by eliminating one of the duplex buildings, there is more green space available on the subject property (Figure 2). The applicant has used this additional space to provide additional amenity area, which was one of the concerns during the public hearing for the proposal. The applicant intends to provide a common amenity area, utilizing permeable surfaces to allow for better rainwater absorption and to reduce the impermeable surfaces on the property. They also intend to provide a children’s play area, with nearby benches for parental supervision.

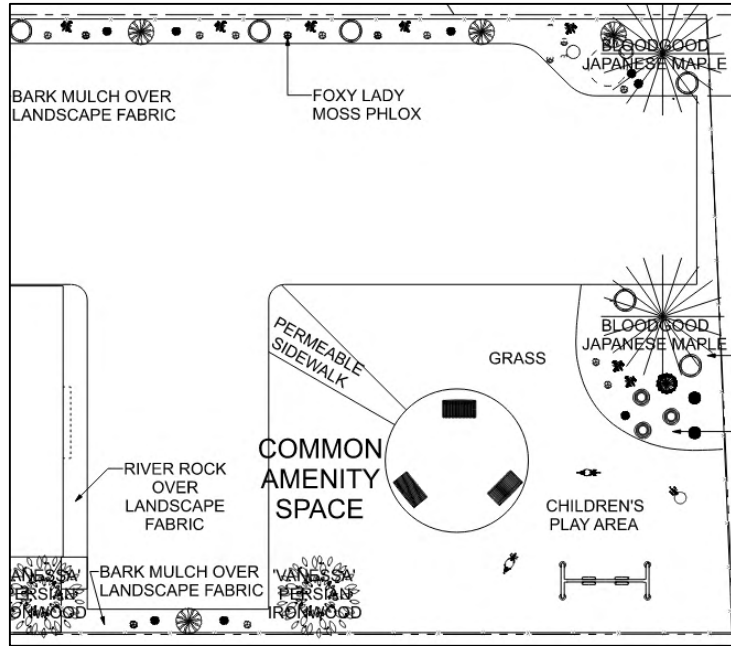


Figure 2 - Amenity Area Proposed

5. Other changes

Other changes that have been completed include locating the bicycle parking within a storage area to provide more room within the garage for storage and garbage/recycling.

The space between each duplex has increased from 2.4m to 3.0m, providing additional privacy between units and allowing larger private back yard spaces for each unit (except the unit closest to the street).

These changes are fully explained by the applicant in their Development Design Changes letter (Attachment 'G').

Climate Impact

The City of Penticton Community Climate Action Plan (CCAP) outlines a path towards a low carbon future: A future where City residents experience the benefits of a connected, healthy and economically prosperous community while taking action on climate change and adapting to climate impacts. The proposed development is helping to achieve this Plan by completing the following:

1. The development is representative of smart growth, adding housing in an area of the community without the need for infrastructure extensions and that is well serviced by amenities, sidewalks, and bicycle routes. This aligns with Shift 1.1 of the CCAP to optimize policies and bylaws for compact growth. The proposal encourages active transportation by providing Class 1 (secure) bicycle parking and Class 2 (racks) bicycle parking spaces.
2. The applicant has identified that they intend to make each garage unit EV charger ready, and to make each building solar ready. This allows for easier installation of EV chargers and solar panels in the future on each unit without significant retrofits needing to occur.

3. The City’s Building Bylaw requires the proposed buildings to meet Step 3 of the Energy Step Code for this scale of a project, however incentives for City building permit fees are in place to encourage the applicants to build to Step 4 of the Step Code. At this time, the applicant has not determined which step they will be aiming for.

Technical Review

This application was reviewed by the City’s Technical Planning Committee. Typical servicing requirements have been identified for the Building Permit stage of the project, if the OCP, zoning and development permit applications are supported by Council. These items have been communicated to the applicant. A 1.1m road widening was identified along Argyle Street, to achieve the desired width along the right-of-way. This will be required as part of the Zoning Amendment. The applicant is aware and in agreement of the road widening and other technical items that were brought forward.

Development Statistics

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

	RM2 Zone Requirement	Previous Plans (based on 10 units)	Updated Plans (based on 8 units)
Minimum Lot Width*:	18 m	23.7 m	23.7 m
Minimum Lot Area*:	540 m ²	2,014 m ²	2,014 m ²
Maximum Lot Coverage:	40%	32%	24.5%
Maximum Density:	0.8 Floor Area Ratio (FAR)	0.7 Floor Area Ratio (FAR)	0.56 Floor Area Ratio (FAR)
Maximum Building Height:	12 m	10.65 m	10.65 m
Vehicle Parking:	Total Required: 10 spaces - 1 per unit (8) - 0.25 visitor spaces per unit (2)	Total provided: 20 spaces	Total provided: 18 spaces, which allows: - 2 spaces per unit (8 spaces) - 2 visitor spaces
Bicycle Parking	Class 1 Total Required: 4 spaces - 0.5 per unit Class 2 Total Required: 1 space - 0.1 per unit	Class 1 Total Provided: 10 spaces (6 extra) - 1 per unit (provided in garages) Class 2 Total Provided: 2 spaces (1 extra) - 0.2 per unit	Class 1 Total Provided: 8 spaces (4 extra) - 1 per unit (provided in storage room) Class 2 Total Provided: 2 spaces (1 extra) - 0.25 per unit
Required Setbacks			

Front Yard (Argyle St):	3.0 m	3.1 m	3.1m
Side Yard (north):	3.0 m	10.36 m	10.36 m
Side Yard (south):	3.0 m	3.0 m	3.0 m
Rear Yard (east):	6.0 m	6.34 m	25.0 m
Amenity Space	Total Required: 20 m ² per unit - 20% must be at grade	Total Provided: 21.62 m ² per unit - 88% provided at grade	Total Provided: 25 m ² per unit - 100% provided be at grade
Other Information:	*Lot width and lot area are only applicable at the time of subdivision.		

Analysis

Staff continue to be supportive of the proposed bylaw amendments to allow for the proposed development to occur for many reasons. The following analysis was provided within the July 19, 2022 Staff report to Council, and remains valid with the amendments that have been made since the August 16, 2022 Public Hearing.

Official Community Plan Amendment

Recognizing that the Official Community Plan (OCP) is a “living document”, amendments to the OCP are to be expected from time to time. While the OCP guides land use decisions up to 2045, it is likely that over that timeframe, changing trends or unexpected events will require the City and community to consider amendments to the plan. Proposals to amend the OCP that respect the overall vision and values of the OCP, but also allow for innovation and adaption as new opportunities arise, are considered by City Council, with the following considerations:

1. Alignment with broad OCP visions and goals
2. Provision of demonstrable social, economic and environmental benefits to the community
3. Assessment of cost and other implications for infrastructure – parks, roads, utilities, water, sanitary and storm sewer, public facilities
4. Suitability to context – form, character and design
5. All proposed amendments will be accompanied by meaningful public engagement, in addition to the required notification, and a formal Public Hearing.

The applicants are proposing to amend the Future Land Use designation on the subject property from ‘Detached Residential’ to ‘Ground Oriented Residential’. Explanations on what each designation means and what land use each supports are provided below.

Detached Residential Land Use Designation

The subject property’s current 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 3). 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.

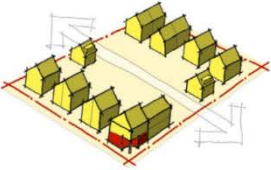
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
 <p>Detached Residential</p>	<p>Lower-density areas of single detached houses and/or duplexes in primarily residential neighbourhoods including single-detached bareland stratas</p>	<ul style="list-style-type: none"> • Single detached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

Figure 3 - Detached Residential Land Use Designation

Ground Oriented Residential Land Use Designation

The question for 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 4). This change would allow for the rezoning of the lands to support a medium-density development. The current proposal would allow for 4 duplex buildings, totaling 8 dwelling units on the subject property.

Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
 <p>Ground Oriented Residential</p>	<p>Medium-density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas.</p>	<ul style="list-style-type: none"> • Duplexes with suites • Cluster housing • Fourplexes higher-density rowhouses • Townhouses and stacked townhouses • Bareland strata developments 	<ul style="list-style-type: none"> • Residential • Limited Service/ Retail 	<ul style="list-style-type: none"> • Up to 3 ½ storeys 	<ul style="list-style-type: none"> • RM2 • RM5 • C2

Figure 4 - Ground Oriented Residential Land Use Designation

Staff's Analysis

The subject lands are unique in that they are substantially sized compared to other lots in the area, and located in a desirable area of the City, near the downtown, Penticton Museum and Library, Penticton Secondary School and Kings Park. The property is within close distance of the Lake to Lake Bike Route, which runs along Fairview Road, providing a link to either end of the City by bicycle once completed.

Given the substantial size of the subject property, which is just under 0.5 acres, the lot would be significantly underutilized if it were to remain for single family development. The proposed land use change is considered consistent with the broad OCP vision and goals, which provides a community vision and growth plan. The subject property is within the existing urban area of the City, maximizes existing assets and infrastructure, helps to create complete and accessible communities and minimizes negative impacts on natural areas.

Staff consider that there is sufficient policy in the Official Community Plan to support the requested land use change from ‘Detached Residential’ to ‘Ground Oriented Residential’. The following summary identifies specific OCP Policy intended to guide sustainable planning practices:

OCP Reference	Policy
OCP Goal 4.1.1	<p>Managing Growth Ensure that Penticton retains its compact “footprint” to help protect natural areas and environmental values and agricultural lands, avoid excessive infrastructure costs and hazard lands, and help create conditions that support transit and active modes of transportation.</p>
Staff’s Comments	<p>The subject property is located within the existing urban area of the City, and represents redevelopment of an infill property. Utilizing these existing sites within the City helps to ease pressure of development on greenfield sites on the outskirts of the City, allowing the City to grow up, rather than out.</p>
OCP Policy 4.1.1.1	<p>Focus new residential development in or adjacent to existing developed areas.</p>
Staff’s Comments	<p>The subject property is located within an already developed area, and doesn’t require the construction or extension of City services in order to proceed.</p>
OCP Goal 4.1.2	<p>Housing Affordability Increase the availability of affordable housing across the housing spectrum, from subsidized social housing to home-ownership options.</p>
Staff’s Comments	<p>The applicant has identified that it is their objective to create entry-level affordable housing. Staff note that specifics on what this means have not been provided, and are not assured at this time. However, this is the indication that the applicant and their team has made within their application.</p>
OCP Goal 4.1.3	<p>Housing Diversity 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.</p>
Staff’s Comments	<p>The development proposes 8 townhouse style units (in the form of duplex units) within an established neighbourhood in the City. Each unit will include:</p> <ul style="list-style-type: none"> - 1 car garage (plus 1 visitor space per unit as surface parking) - 3 bedrooms - 2.5 bathrooms - 40 sq. ft. private deck and 230 sq. ft. of at grade amenity space

OCP Reference	Policy
	These features help to provide desirable units that could be suited for a variety of future occupants.
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 from Development Permit Area Guidelines.
Staff’s Comments	The subject property is located within an already developed area, near existing residential, institutional, commercial and public spaces. There is adequate opportunity for residents to access services and amenities near the proposed development due to its central location.
OCP Policy 4.1.3.4	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.
Staff Comments:	The proposal would provide 3-bedroom units to the area, providing a housing option for families.
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 area compatible with the neighbourhood in scale and design, and are appropriately located (e.g., greater density closer to collector roads, services and amenities).
Staff Comments:	Staff acknowledge that the subject property is located in a predominantly single-family neighbourhood, but also backs onto several multifamily developments that front onto Winnipeg Street, and a development currently under construction directly to the south (784 Argyle St). Given the significant size of the subject property, it would be underutilized to only provide a single family home or duplex on the subject site, which would not be making use of our limited land base.
OCP Policy 4.1.6.1	Ensure all residential neighborhoods in Penticton provide a range of appropriately scaled housing types and tenures, employment opportunities such as home-based businesses, transportation options like walking and cycling, social supports such as childcare facilities, and access to green space and parks.
Staff Comments:	The requested zone permits the use of home based businesses, which provides home owners with the opportunity to work from home, following regulations specified in the Zoning Bylaw. Further, multifamily units increase the range of housing forms within this predominantly single family neighbourhood, allowing opportunities for more families and residents to live in the area.
OCP Policy 4.2.3.8	Require adequate levels of secure bike parking in new multi-family, mixed-use and commercial development.

OCP Reference	Policy
Staff Comments	The proposed development provides adequate bicycle parking, through Class 1 and Class 2 bicycle parking to account for both residents and visitors of the development.
OCP Policy 4.2.7.8	Ensure new residential developments provide an appropriate amount of parking for residents and their guests.
Staff Comments:	The proposed development has provided parking in excess of the required amount through the Zoning Bylaw. The proposed parking ratio is 2.0 spaces per unit, which exceeds the Zoning Bylaw requirement of 1.25 spaces per unit.
OCP Policy 4.3.6.3	Recognize that business growth is reliant on adequate housing availability, and work to develop policies that encourage housing development as outline in Section 4.1 [of the OCP].
Staff Comments:	Providing additional housing units throughout the City, with a variety of types, tenures and sizes helps to ensure housing options for workers.

Given the support from OCP Policies, staff recommend that Council give second and third readings to the OCP land use designation change on the subject property from ‘Detached Residential’ to ‘Ground Oriented Residential’.

Zoning Bylaw Amendment

In addition to an OCP Amendment, the applicants have also applied for a Zoning Bylaw amendment. The current zoning on the property is RD1 (Duplex Housing), as shown in Attachment ‘A’. The applicants are proposing to rezone the subject property from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing). This change in zoning is not aligned with the current OCP designation on the property, which is why this proposal has come forward as an OCP and Zoning Amendment package.

Should Council consider that amending the OCP designation on the property is appropriate, they may also consider that the proposed RM2 (Low Density Multiple Housing) zone is appropriate given the requested OCP designation of ‘Ground Oriented Residential’. The ‘Ground Oriented Residential’ designation envisions medium density residential areas with multifamily developments where each unit has an exterior door and construction is primarily wood frame, or bareland strata.

The subject property is considered an appropriate location for increased density due to its proximity to amenities and services nearby, including the Downtown, Penticton Museum and Library, Penticton Secondary School, and Kings Park. There are also pedestrian and cycling connections nearby which encourage alternative modes of transportation. Further, the OCP policies that are referenced to support the OCP land use change also support the proposal to rezone the property to RM2 (Low Density Multiple Housing).

Given the above information, staff recommend that Council give second and third readings to rezone the subject property from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing).

Development Permit

The proposed development is considered within the Multifamily Residential Development Permit Area, which is established to enhance neighbourhoods and create sensitive transitions in scale and density by addressing issues such as privacy, landscape retention, and neighbourliness. The proposed development has been designed with the OCP design guidelines in mind. The development proposes a density that is aligned with the 'Ground Oriented Residential' designation and provides a design that meets the Zoning Bylaw regulations for RM2 (Low Density Multiple Housing).

The applicant provided a development permit analysis with their submission which describes the project and its conformance with the applicable OCP design guidelines (Attachment 'F'). Staff have also completed a development permit analysis (Attachment 'D') that shows how the development conforms to the applicable design guidelines.

The Official Community Plan (Section 5.1.4) allows for minor variances through a development permit in certain instances. The applicant is proposing a reduced landscaping buffer width along the northern property line (Figure 5). Section 5.1.4 of the OCP allows for variances to landscaping buffers in the cases where "the proposed building locations make establishment of a buffer difficult or impossible or where the trees will not thrive". In cases where the landscaping buffer is reduced, compensatory planning elsewhere on site or in the adjacent public realm is required. In this instance the landscaping buffer along the northern property line is reduced in width from 3.0m to 1.0m, as a result of the drive aisle providing access to each unit's garage. Staff are supporting this variance, as the landscaping plan still provides the required number of trees and shrubs along all property lines. The landscape buffer design includes wider sections for the proposed trees, bumping out into the driveway to provide 3.7m of width in some places. Parks Department staff also reviewed the plantings proposed and confirmed that they are suitable species for the smaller landscaping strip proposed, and will survive in this environment. As no plantings are reduced, staff are not requiring any compensatory plantings.

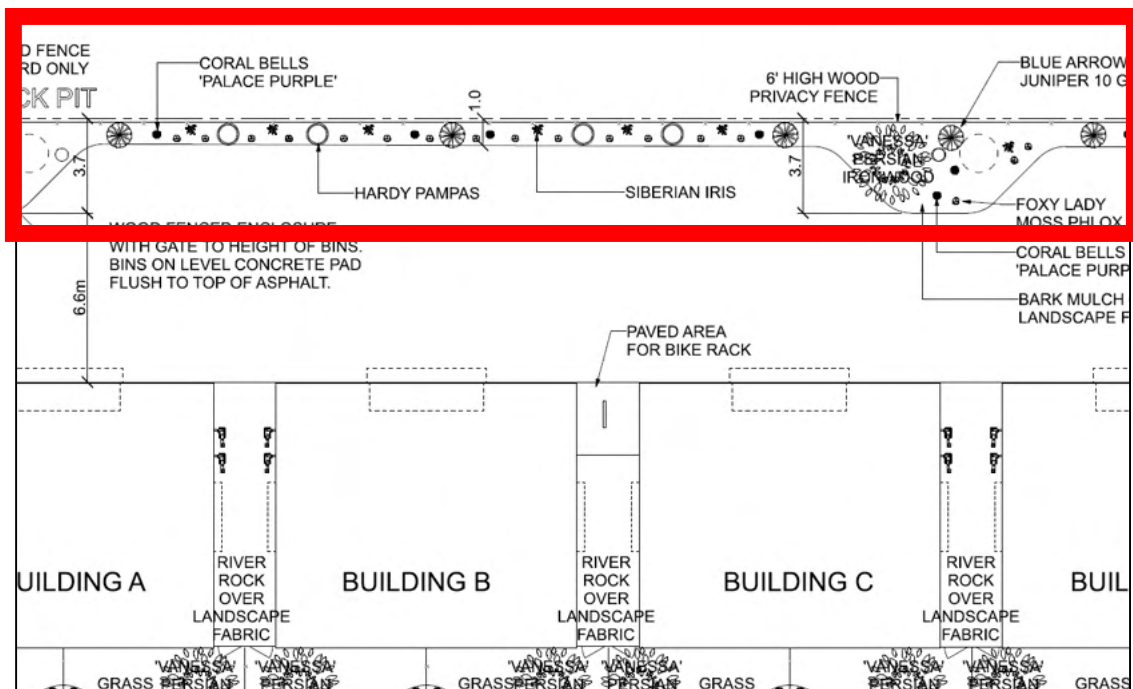


Figure 5 - Excerpt of plans showing reduced landscaping buffer (north)

Landscaping buffers assist with providing a natural buffer between properties and uses. They also help to increase the urban forest inventory throughout the City and provide privacy between neighbouring properties. In this instance, the drive aisle between the proposed buildings and the property line is over 10m in width, which reduces the overlook into the northern property. Staff consider that the added distancing between the property and the proposed buildings, as well as the proposed landscaping plan which incorporates adequate plantings and species, make this a suitable variance through the Development Permit, as allowed for by the OCP.

The proposed development has been designed with the OCP policies in mind and with consideration of impacts on neighbouring property owners. As such, staff recommend that Council consider approving the Development Permit subject to adoption of the OCP and Zoning Amendment Bylaws.

Summary

The proposed development meets a number of goals and policies of the Official Community Plan (OCP). The development was designed in keeping with the OCP, and has had several revisions made in response to the community engagement results and further concerns raised at the August 16, 2022 Public Hearing, in an effort to address many of the concerns raised by the public. The community engagement period indicates that there is both support (56.1%) and opposition (43.9%) for changing the land use on the site, based on the feedback form completed through the community engagement period with 81 responses.

Ultimately, staff consider that there is significant OCP policy to support the land use change, and the updates made to the applicant's design plan have helped to address some of the concerns raised by the public. Given the review of the proposal within this report, staff are recommending that Council give second and third reading to "Official Community Plan Amendment Bylaw No. 2022-41" and "Zoning Amendment Bylaw No. 2022-42".

Alternate Recommendations

Given that the previous direction to reduce density on the subject property was by a previous Council, the current Council may have a desire to see a similar density to what was previous proposed. If this is the case, Council may choose to proceed with further readings of the Official Community Plan Amendment and Zoning Amendment Bylaws, and provide direction to staff regarding density that they wish to see at this location. This could include Council choosing to support the originally proposed Development Permit, or directing staff to work with the applicant to issue a Development Permit at a staff level, with direction from Council.

1. THAT Council give second and third reading to "Official Community Plan Amendment Bylaw No. 2022-41" and "Zoning Amendment Bylaw No. 2022-42";
AND THAT Council provide direction regarding the Development Permit.

Council may consider the proposed development to be undesirable at this location, or not in keeping with the goals and policies of the Official Community Plan. If this is the case, Council should deny further readings of the Official Community Plan Amendment and Zoning Amendment Bylaws.

2. THAT Council deny second and third reading of "Official Community Plan Amendment Bylaw No. 2022-41" and "Zoning Amendment Bylaw No. 2022-42".

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 Submitted)
- Attachment F – Development Permit Analysis (Applicant Submitted)
- Attachment G – Development Design Changes (Applicant Submitted)
- Attachment H – Draft Development Permit PL2021-9246
- Attachment I – Public Hearing Minutes (August 16, 2022)
- Attachment J – Official Community Plan Amendment Bylaw No. 2022-41
- Attachment K – Zoning Amendment Bylaw No. 2022-42

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>DyD</p>
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Attachment A – Zoning Map

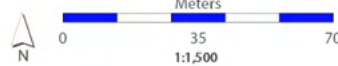


770 Argyle Street

Zoning 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.



Wednesday, February 2, 2022
2:21:31 PM



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Attachment B – Official Community Plan Map



770 Argyle Street

Official Community Plan Map



Legend

- Subject Parcel
- Parcel

Official Community Plan

Future Land Use

- Detached Residential
- Ground Oriented Residential
- Urban Residential
- Infill Residential

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Wednesday, February 2, 2022
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Attachment C – Photos of Property



Looking towards subject property from Argyle St



Looking towards subject property from Argyle St

Attachment D – Development Permit Analysis (staff)

Development Permit Analysis

The proposed development is located within the Multifamily Residential Development Permit Area. The following analysis demonstrates how the proposal is aligned with the applicable design guidelines.

Guideline G1 Applications shall include a comprehensive site plan – considering adjacent context for building and landscape architectural design and neighbourhood character analysis - to demonstrate that the development is sensitive to and integrated within its context and surrounding uses and neighbours.

- The applicant has labelled geodetic elevations on the site plan, to show they have reviewed the topography of the property, which is relatively flat.

Guideline G5 Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighbouring building setbacks.

- The applicant has located the proposed building at the minimum required 3.0m front yard setback, which helps to maintain a connection with the street. They have proposed a front door on the unit closest to Argyle Street that faces the street to add a pedestrian scale to the development.

Guideline G7 All designs shall consider Crime Prevention Through Environmental Design (CPTED) principles and balance the reduction of crime and nuisance opportunities with other objectives to maximize the enjoyment of the built environment.

- The proposed front yard fencing is limited to 1.2m (4ft.) in height, which is aligned with the Zoning Bylaw requirements and also helps to retain ‘eyes on the street’ by keeping sightlines open from private property to the public streetscape.

Guideline G11 Barrier-free pedestrian walkways to primary building entrances must be provided from municipal sidewalks, parking areas, storage, garbage and amenity areas.

- There are pedestrian connections provided to the sidewalk from the property, allowing pedestrian access to the public realm.

Guideline G13 Entry to ground-level residential units should be no more than 1.8m (6.0 ft.) above the grade of adjacent public sidewalks and walkways.

- The proposed development will be within 2ft. – 3ft. of the grade of the public sidewalk along Argyle Street.

Guideline G15 Fencing facing an active public realm should be lowered and transparent or semi-transparent.

- The proposed front yard fencing is limited to 1.2m (4ft.) in height, which is aligned with the Zoning Bylaw requirements and also helps to retain ‘eyes on the street’ by keeping sightlines open from private property to the public streetscape.

Guideline G19 All multifamily developments should accommodate sustainable modes of transportation...

- The proposed development includes bicycle parking spaces in excess of the Zoning Bylaw requirement. 1 Class 1 (secure) bike space has been provided for each unit within the garages. 2 Class 2 (racks) bike spaces have also been provided for guests visiting the development.

- 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 proposed development provides each unit with a balcony that looks north. The western most unit also features windows that overlook Argyle Street.
- Guideline G23 Articulation of building mass should include horizontal (minor) setbacks and stepbacks (along upper storeys) to provide visual interest and enrich the pedestrian experience. Balconies and/or cantilevered upper floors may be considered as a means to break up massing while promoting overlook and/or weather protection.*
- The building includes variation to the design to include setbacks and stepbacks on several levels of the building, which help to break up the massing of the structures. The design also includes 4 duplex buildings (total 8 units), which also helps to break up the massing.
- Guideline G28 Entries should be visible and clearly identifiable from the fronting public street.*
- The development is a townhouse style proposal with duplex buildings, with the majority of units facing internally towards the drive aisle. However, the western facing unit closest to the street has provided an entry way that is visible from the fronting public street.
- 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.*
- As noted above, the proposed development has overlook from the unit closest to Argyle Street over the street.
- Guideline G33 Water Conservation and Plant Maintenance: Xeriscaping, Irrigation & Mulching*
- The proposed development includes a landscaping plan that provides adequate and appropriate designs that meet tree and shrub requirements of the Zoning Bylaw.
 - The plans indicate a fully automatic underground irrigation system, which helps to reduce overwatering and utilizes a drip system.
- Guideline G35 Tree planting...*
- Guideline G38 Screening and buffering...*
- Trees and shrubs have been provided along all of the property lines to provide landscape buffers.
 - The proposed development includes a landscaping plan that provides adequate buffering along all property lines.
- Guideline G55 Where (locating mechanical/utility cabinets at the rear of the property)is unachievable units may be located at the edge of the front yard and must be incorporated into landscaped areas and screened from the street.*
- The electrical transformer is located near the street, however it is incorporated into the landscaping plan and will be wrapped with a decorative vinyl wrap.
- Guideline MF4 Visitor parking...*
- The visitor parking is located along the northern property line, which is in public view and provides easy access to each unit along the development.



1236 Duncan Avenue East Penticton, BC V2A 2X2
Phone: (250) 770-0050 Email: designbyllewelyn@gmail.com

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



1236 Duncan Avenue East Penticton, BC V2A 2X2
Phone: (250) 770-0050 Email: designbyllewelyn@gmail.com

Development Concept Redesign

June 16, 2022

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

**RE: Development Concept Redesign for
770 Argyle Street, Penticton**

This letter is in response to the Engagement Summary Letter, received June 10, 2022.

The following factors have been incorporated into the redesign of our proposal:

- **Design** - The change from a modern, flat-roofed design of these side-by-side duplexes to a 6:12 roof pitch addresses the concerns regarding the style fitting better into the character of the neighbourhood. The choice of exterior finishes will blend well with the historic character of homes in the area and will compliment the already approved development on the lot next door. The exterior finishes are comprised of board & batten siding with a complimentary colour accent for architectural projections, along with horizontal banding and splash boards. Matching window trim has also been added. The proposed duplexes are 6.0m from the property line, with 10 trees planted in the green space to provide a buffer for the adjacent properties.
- **Off-Street Parking** - A single car garage parking space has been provided in each of the 10 units, as well as 10 visitor parking spaces on the property. This provision is greater than what is required in the Zoning Bylaw for cluster housing developments.
- **Bicycle Parking** - A Class A bicycle parking space will be provided in each garage. In addition, 2 Class B bicycle parking spaces have been provided. Given the proximity of the new bicycle lanes on Martin Street which connects to Fairview Road, residents will have easy access to this provision to encourage bicycle use.
- **Density** - Penticton cannot grow without an increase in density. We see the effects of urban sprawl up on the hillsides as homes are increasingly built in forest interface areas. This proposed development will have far less impact on the neighbourhood than an apartment building. The use of duplexes gives a look of individual homes with a neighbourhood feel.

- **Height** - The height of this proposed development is no higher than the approved development at 784 Argyle Street next door.
- **Access** - Currently, there is no access through this property, as the lot behind has an apartment building which is private property. It does not make sense to provide access for those intent on criminal activity. Having a fenced property will give the homeowners a better sense of security.
- **Deer** - There is very little that can be done to accommodate urban deer. It's up to each homeowner to plant shrubs that discourage browsing.
- **Traffic** - Traffic safety is very important. Drivers must always use caution when entering a street. Cycling is certainly encouraged over vehicle use.
- **Vacation Rentals** - The City of Penticton regulates where vacation rentals are permitted, per the Zoning Bylaw.
- **Affordability** - The Developers are always concerned about the affordability of housing in the Okanagan. It is their objective to create entry-level affordable housing.

On behalf of the developers, we thank you for the feedback from the Engagement Findings and giving us the opportunity to provide responses to all of the concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Llewelyn Lloyd', with a horizontal line underneath the signature.

Llewelyn Lloyd
Design by Llewelyn



1236 Duncan Avenue East Penticton, BC V2A 2X2
Phone: (250) 770-0050 Email: designbyllewelyn@gmail.com

Development Permit Analysis

Project: Proposed 5 Duplex Development at 770 Argyle Street, Penticton, BC

The proposed development is designed with a modern architectural style with a minimal presence facing the street. The accompanying Site Plan indicates 10 parking spaces within the units' garages, plus 10 additional off-street visitor parking spaces, with access from a laneway. The proposed 3 storey design achieves 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 the existing, overgrown mature trees, replacing them with an equal number of trees that will be more appropriate to the scale of the project. Landscaping will compliment the development as well as the approved development on the adjacent lot.

The proposed dwelling footprint comprises 33.8% of lot area. The proposed dwelling is 10.0m high and will complement the aesthetic and heritage of the neighbourhood with respect to the massing and exterior material selections. The building's side façade faces the street, and is reflected in the adjacent façades. Therefore, the details of the development are visually interesting along the laneway and inviting through the use of architectural detailing on all sides.

The proposed 5 duplex development will feature lap siding, with vertical siding cladding the architectural projections. The front doors will feature a complimentary accent colour. The flat roof of the building reduces the overall height, and a lower projecting shed-style roof across part of the front of the structure minimizes the overall massing of the front façade.

Sincerely,

Llewelyn Lloyd



1236 Duncan Avenue East Penticton, BC V2A 2X2
Phone: (250) 770-0050 Email: designbyllewelyn@gmail.com

Development Design Changes

September 29, 2022

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

**RE: Development Design Changes for
770 Argyle Street, Penticton**

This letter is in response to the City of Penticton Council Meeting, August 16, 2022, and a meeting with City Planning staff on August 17, 2022.

The following items have been changed in the redesign of our proposal:

- One duplex has been deleted, reducing the density of the proposed development by a factor of 20 percent.
- Provision will be made to make of the housing units Electric Vehicle charging ready.
- Each unit will be made solar ready in a way that facilitates and optimizes the installation of a rooftop solar photovoltaic (PV) system at some point after the building has been constructed, if the owner so chooses.
- 43 percent more amenity space has been provided, as well as approximately 100 square metres more green scape.
- The common amenity space will employ the use of permeable pathways to allow for rainwater absorption into the soil.
- A children's play area has been added to the common amenity space with nearby benches for parental supervision.
- One garage and one outdoor parking space is provided for each unit, along with 2 designated visitor parking spaces for the development.
- The garages are extra large single-car with room for storage and garbage/recycling totes.
- Class 1 bicycle parking had been moved from the garage to the separate storage room.
- The space between the duplexes has been increased from 8 feet (2.4m) to 10 feet (3.0m).

- The building height measurement has been changed from the peak of the roof to the midpoint of the roof. (10.67m)

On behalf of the developers, Matt & Karen Properties Ltd., of Summerland, we thank you for the feedback from the Public Engagement and the City Council Meeting and for giving us the opportunity to provide a redesigned proposal to address as many of the concerns as possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'Llewelyn Lloyd', with a horizontal line underneath the signature.

Llewelyn Lloyd
Design by Llewelyn



Penticton Indian Band
 Natural Resources Department
 841 Westhills Drive | Penticton, B.C.
 V2A 0E8
 Referrals@pib.ca | www.pib.ca
 Telephone: 250-492-0411
 Fax: 250-493-2882

Project Name:

City OCP Amendment - 770 Argyle Street

FN Consultation ID:

L-220408-737ARGYLE

Consulting Org Contact:

Cheryl Hardisty

Consulting Organization:

[City of Penticton](#)

Date Received:

Friday, April 8, 2022

June 20, 2022

Attention: Cheryl Hardisty,

We are in receipt of the above referral. The proposed activity is located within syilx (Okanagan) Nation Territory and the Penticton Indian Band (PIB) Area of Interest. All lands and resources within the vicinity of the proposed project are subject to our unextinguished Aboriginal Title and Rights. The Penticton Indian Band has now had the opportunity to review the proposed project. Our preliminary office review has indicated the proposed project is located within an area of cultural significance and has the potential to impact PIB *tmx^wulax^w* (lands), *siw⁺k^w* (water, the lifeblood of the land) and syilx cultural heritage. Our *tmx^wulax^w* and *siw⁺k^w* is sacred to the syilx nation and it is PIB's responsibility to take care of all lands, waters and living things within the PIB Area of Interest.

As the proposed activity has the potential to impact irreplaceable syilx cultural heritage, the PIB is requiring a Cultural Heritage Resource Assessment be undertaken by qualified PIB Cultural Heritage Technicians to determine the nature and extent of any potential impacts. The PIB CHRA process involves in-field pedestrian surveys using either systematic or judgmental site sampling techniques undertaken by qualified PIB Technicians to assess the archaeological, cultural, and environmental resource potential of the study area, and to identify the need for project modifications and/or appropriate scope of further field studies if required.

The Penticton Indian Band makes information-based decisions and without a CHRA, we do not have enough information on potential impacts to syilx cultural heritage. Therefore, if our requirements are not fulfilled, we will have no other option but to reject the proposed project.

Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

Please contact me at your earliest convenience to discuss.

liml̓əmt,

Maryssa Bonneau

Referrals Coordinator
Natural Resources Department
Penticton Indian Band
W: 250-492-0411
C: 250-486-3241
Referrals@pib.ca



Minutes

penticton.ca

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

Tuesday, August 16, 2022
at 6:00 p.m.

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

Absent: Councillor Regehr

Staff: Donny Van Dyk, Chief Administrative Officer
Angie Collison, Corporate Officer
Angela Campbell, Director of Finance & Administration
Blake Laven, Director of Development Services
Nicole Capewell, Planner I
Kristen Dixon, General Manager of Infrastructure
Paula McKinnon, Deputy Corporate Officer

1. Call to order

Mayor Vassilaki called the public hearing to order at 6:00 p.m. for Official Community Plan Amendment Bylaw No. 2022-41 and Zoning Amendment Bylaw No. 2022-42.

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. "Official Community Plan Amendment Bylaw No. 2022-41" (770 Argyle Street)

The purpose of "Official Community Plan Amendment Bylaw No. 2022-41" is to amend Official Community Plan Bylaw No. 2019-08 as follows:

Amend Map 1: Future Land Use, by changing the future land use designation for Lot E District Lot 202 Similkameen Division Yale District and of District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 584, located at 770 Argyle Street, from 'Detached Residential' to 'Ground Oriented Residential'.

"Zoning Amendment Bylaw No. 2022-42" (770 Argyle Street)

The purpose of "Zoning Amendment Bylaw No. 2022-42" is to amend Zoning Bylaw No. 2021-01 as follows:

Rezone Lot E District Lot 202 Similkameen Division Yale District and of District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 584, located at 770 Argyle Street, from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing).

The applicants are proposing to build a multi-family development that features five duplex buildings (10 dwelling units).

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

DELEGATIONS

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

- Llewelyn Lloyd, via Zoom, Designer and Agent Representative, commented much consideration and sensitivity gone into proposal, perfect location, goal to design homes to fit into neighbourhood, provide needed housing. Commented proposal addresses all concerns presented by Planning Department, Council and neighbours, every aspect has been scrutinized resulting in attractive, pleasing design to future buyers and neighbours.
- Charlene Mitchell, Argyle Street, adjacent to proposed development, written letters with concerns, seen changes to design, little more pleasing, height daunting negative aspects of design, would look into our property. Bought area for large lot, to have projects. Concerns include privacy being taken away, parking, ten units with one designated parking space each, eight additional parking spots, few people have one vehicle, visitor spots getting taken, trickling effect on street. Commented fair increase in traffic, bike lanes, no parking in other areas. Concerned about construction noise, dust, started Airbnb, must disclose nearby construction impact on Airbnb, decrease in bookings. Commented not in favour, hopes Council says no to development.
- Denis O’Gorman, Farrell Street, initial interest in known heritage values of area, provided air photo and summary, serious choke point presented by lots 770 and 784, wedge results in serious congestion and jamming of cars parked in corridor, avoidable problem, fire and safety egress issue, easily remedied with minor taking of land. Commented planning process should be broader, does building fit, no serious consideration to these problems, submitted to Shape Your City opportunity to address, circulation of related proposals, improve parking, increase safety, routine building application review does not take into account these concerns. Commented roads not up to standards. Commented Planning should be picking up any associated issues with proposals, be more proactive, should listen to comments, take concerns into account. Commented needs to be a clearer working relationship between permitting and operating departments.

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

- Lorraine Stephenson, Farrell Street, participated in engagement, provided submission, walked around neighbourhood, spoke with neighbours, people support with reservations, don’t see difference except pitched roof, wildly out of scale, not alot of green space, supposed to be representative of smart growth, includes green space on

properties, seeing less and less in Penticton, landscape cloth and river rock looks nice for couple years then shabby. Commented middle of land rush in Penticton, do we have to meet demand for everyone who wants to come here, been discovered, look at other issues besides meeting demand. Commented too many units, consider fewer, five not ten, more green space, large profit will be made even with fewer units. Commented not future land use that we agreed to, leap above OCP, it's a lot, if passed setting precedence. Represents redevelopment of brownfield site, let run derelict, hope council will say anything will look better than what there now, looks awful, start demanding more from property owners. Inquired what entry level price per unit being committed to be called affordable. Commented not a whole lot amenity space. Commented understands current trees not worthy, proposed trees grow to width of 2 ft., will not cool area, not enough shade, crowded into small space, want mature trees, need more green space. Comment made by designer, trees more appropriate to scale of project, responded scale of project should be more appropriate to climate change. Commented acquire land from adjacent property to develop fence to prevent crimes. Commented surprised that developer is unknown, active listing on MLS, listed for sale since September 2020, duplicitous to sell property with intention of flipping and rezoning.

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

- Lynn Kelsey, Oakville Street, echoed Mr. O’Gorman’s comment, drove to see area, nightmare in back corner, total bottleneck, can’t see fire truck getting in and around there, safety needs to be taken a good look at. Commented need to look at full picture before pushing through and decrease amount of green space and environment happiness. Important to look at squeezing in building without considering the liveability, go down to eight, increase greenspace, take a look at bottleneck.
- James Brown, Brunswick Street, agrees with speakers, passionate about disabled access, disabled access has not been addressed, needs to be consideration for people with mobility issues trying to get into market, facing barriers, some buildings being built are designated for people with disabilities, getting upstairs is a big issue. Wish developers would keep people with disabilities and seniors in mind wanting to get into market, wishes developers would begin addressing this issue.
- Lynn Kelsey, Oakville Street, inquired about price point of units.
- Llewelyn Lloyd, via Zoom, Designer and Agent Representative, responded providing more parking than required, two-way drive aisle to be constructed along property line. Responded to wedge and constricted flow, would need arrangement between property owners, wasn’t something addressed during consideration. Responded green space requirements met, followed City guidelines, six ironwood trees, different types of landscaping, juniper mentioned is smaller shrub. Responded to smart growth, working with demand, provide sustainable housing for redeveloping properties, make better use of land then go up on hillsides. Responded property not sold, owner purchased in 2017, sale pending. Responded brown field site same state as it was, no upkeep. Responded target selling price unknown. Responded amenity space is as per bylaw, at least minimum. Responded trees in front ironwood, provide shade. Responded access to property found better closed off from anyone traveling through, KVR access, wanted to prevent problems, names of developers on signs. Responded wedge is an issue not brought up, can’t comment. Responded to accessibility, ground floor of units has bedroom, easy access for anyone in wheelchair, stair lifts available to access second floor.
- Lorraine Stephanson, Farrell Street, commented property sold in 2017 for 455,000, now pending sale close to million, clarified points made to climate change and liveability.
- Denis O’Gorman, Farrell Street, commented crass opportunism, pursue acquisition of

wedge and open wide enough space for through traffic and parking, shares concerns for vagabond influences, public interest components should be considered more seriously in assessing development applications. Commented public interest is having parking issue resolved, demonstrable public needs, governments need to be more assertive or entrepreneurial.

The public hearing for "Official Community Plan Bylaw No. 2022-41" and "Zoning Amendment Bylaw No. 2022-42" was terminated at 6:48 p.m. and no new information can be received on this matter.

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor

The Corporation of the City of Penticton

Bylaw No. 2022-41

A Bylaw to Amend Official Community Plan Bylaw No. 2019-08

WHEREAS the Council of the City of Penticton has adopted an Official Community Plan Bylaw pursuant to the *Local Government Act*;

AND WHEREAS the Council of the City of Penticton wishes to amend "Official Community Plan Bylaw No. 2019-08";

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

1. **Title:**

This bylaw may be cited for all purposes as "Official Community Plan Amendment Bylaw No. 2022-41."

2. **Amendment:**

"Official Community Plan Bylaw No. 2019-08" is hereby amended as follows:

2.1 To change the following designations as follows:

Amend Map 1: Future Land Use, by changing the future land use designation for Lot E District Lot 202 Similkameen Division Yale District and of District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 584, located at 770 Argyle Street, from 'Detached Residential' to 'Ground Oriented Residential' as shown on Schedule 'A'.

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

READ A FIRST time this	19	day of	July, 2022
A PUBLIC HEARING was held this	16	day of	August, 2022
READ A SECOND time this		day of	, 2022
READ A THIRD time this		day of	, 2022
ADOPTED this		day of	, 2022

Notice of intention to proceed with this bylaw was published on the 5th day of August, 2022 and the 10th day of August, 2022 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Julius Bloomfield, Mayor

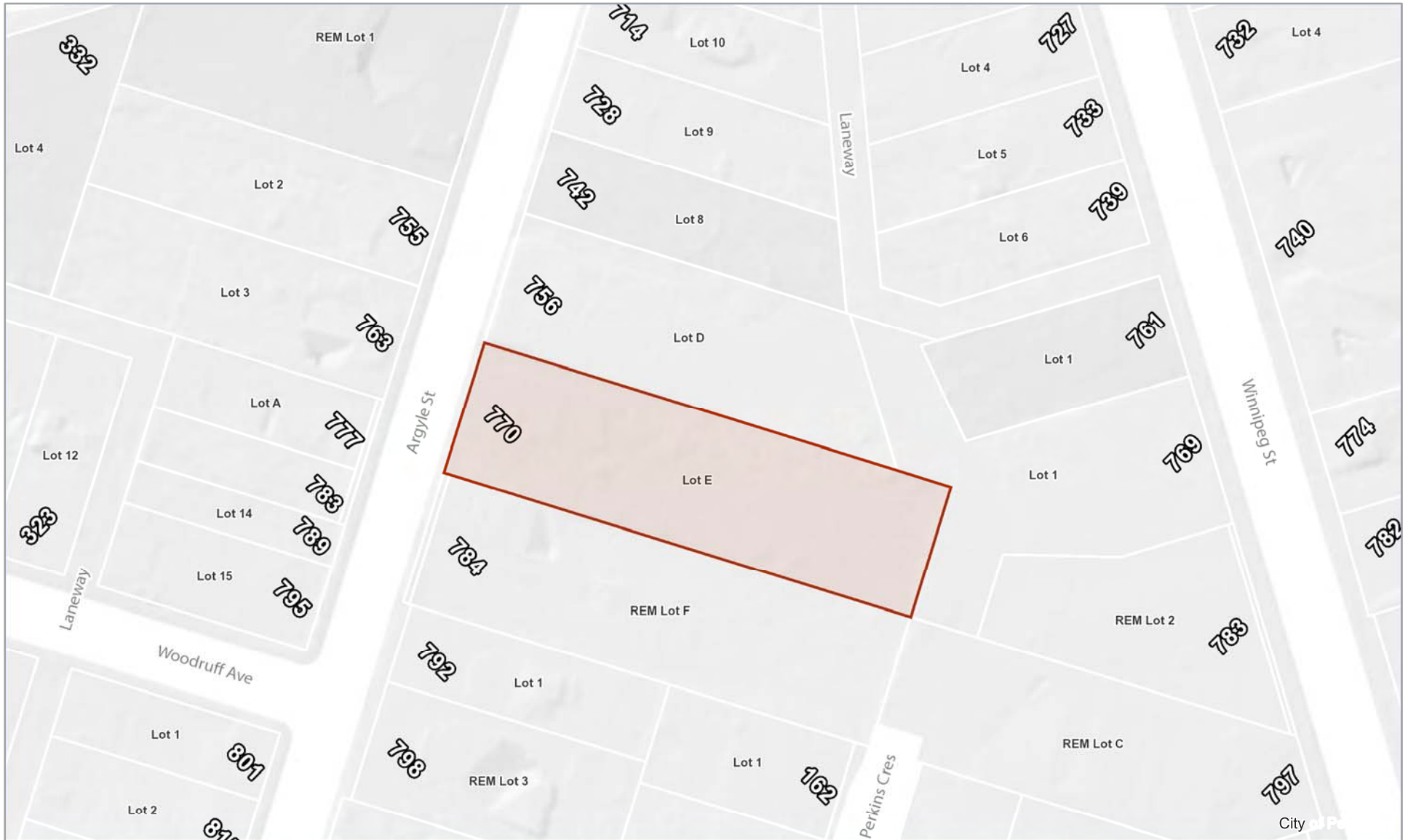
Angie Collison, Corporate Officer



Schedule A: OCP Amendment Bylaw 2022-41

Date:

Corporate Officer:

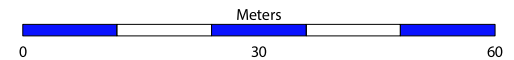


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July 12, 2022 2:16:33 PM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

The Corporation of the City of Penticton

Bylaw No. 2022-42

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. 2022-42".

2. **Amendment:**

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

Rezone Lot E District Lot 202 Similkameen Division Yale District and of District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 584, located at 770 Argyle Street from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing) as shown on Schedule 'A'.

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

READ A FIRST time this	19	day of	July, 2022
A PUBLIC HEARING was held this	16	day of	August, 2022
READ A SECOND time this		day of	, 2022
READ A THIRD time this		day of	, 2022
ADOPTED this		day of	, 2022

Notice of intention to proceed with this bylaw was published on the 5th day of August, 2022 and the 10th day of August, 2022 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer



Schedule A: Zoning Amendment Bylaw 2022-42

Date:

Corporate Officer:

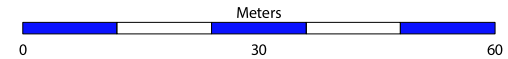


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July 12, 2022 2:14:56 PM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

Council Report

penticton.ca

Date: December 6, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Nicole Capewell, Planner II
Address: 400 Smythe Drive
Subject: **Development Variance Permit PL2022-9420**

File No: RMS/400 Smythe Dr

Staff Recommendation

THAT Council approve "Development Variance Permit PL2022-9420", for Lot 1 District Lot 196 Similkameen Division Yale District Plan 14079 Except Plans 30619 and KAP89702, located at 400 Smythe Drive, a permit to vary Section 9.2.4.1.c of Zoning Bylaw 2021-01 to increase the area devoted to food and beverage service for a winery from 125m² outdoors to 305m²;

AND THAT staff be directed to issue "Development Variance Permit PL2022-9420".

Proposal

The applicant is proposing to keep the expanded outdoor lounge area associated with the winery (Painted Rock Estate Winery) on the subject property at 400 Smythe Drive that was approved during a COVID exemption to liquor licensing processes. The applicant is proposing an outdoor lounge area of 305 m², which exceeds the maximum 125m² permitted by the Zoning Bylaw. As such, the applicants have applied for a variance to the Zoning Bylaw as follows:

1. Section 9.2.4.1.c: to allow the area devoted to food and beverage service for a winery to increase from 125m² to 305m².

The applicant also intends to construct an arbor over a portion of the outdoor lounge area.

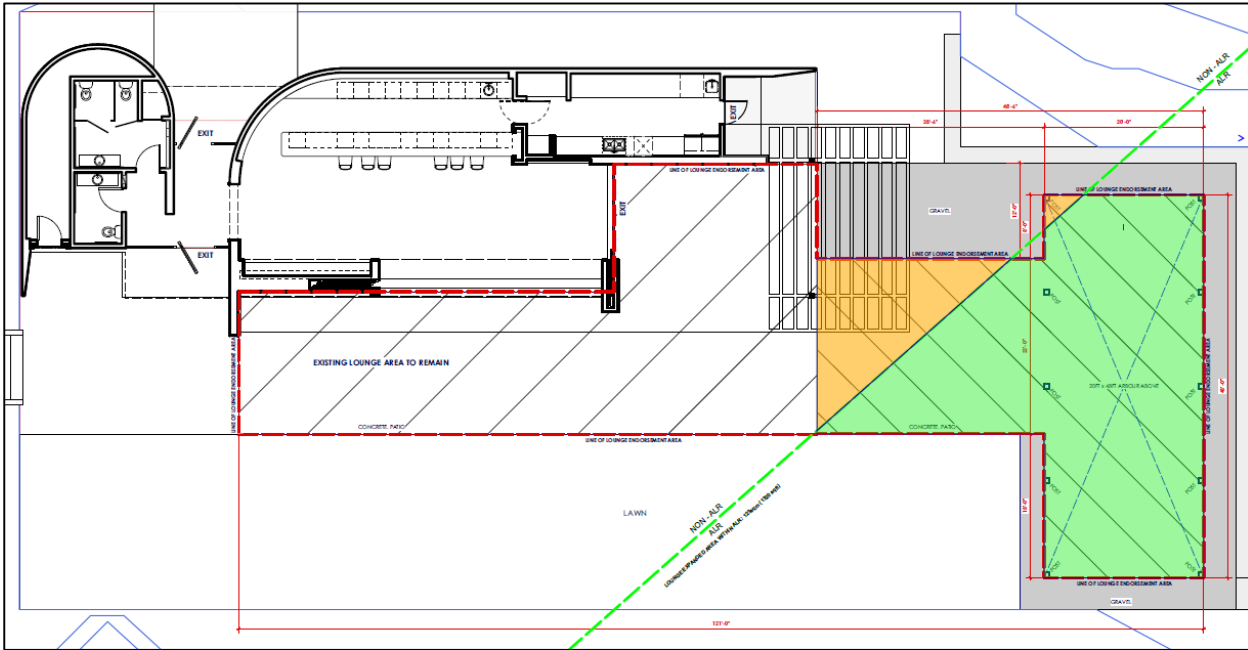


Figure 1 - Site Plan Showing Proposed Outdoor Lounge Area in Red (Green area in ALR; orange area outside ALR)

Background

Subject Property

The subject property is located on the south side of Smythe Drive, at the southern end of the City (Figure 2). Smythe Drive is accessed from Lakeside Road, and the subject property is elevated well above Lakeside Road, providing views over Skaha Lake. The subject property features a vineyard, winery and tasting room operating under the name 'Painted Rock Estate Winery'.

The property is just over 55 acres in size, and is zoned A (Agriculture), and is designated by the City's Official Community Plan (OCP) as Agriculture, with a portion of the lot designated as Tourist Commercial (along the western property line). The property is located partially within the Agricultural Land Reserve (ALR).

COVID-19 Impacts on Liquor Licensing

In response to the COVID-19 pandemic and the Provincial Health Officer's (PHO) orders, the Liquor and Cannabis Regulation Branch (LCRB) implemented Temporary Expanded Service Area (TESA) authorizations starting in May 2020. A TESA authorizes Food Primary, Liquor Primary and Manufacturer licensees to temporarily expand their service areas, but does not increase the approved occupant load or capacity. The increased service area allows licensees to serve patrons while complying with the PHO's guidelines regarding physical distancing. Many of the businesses that had approved TESA application are looking at making their increased service areas permanent.

The City of Penticton Zoning Bylaw Section 9.2.4.1.c establishes a maximum area for indoor and outdoor lounge service areas, which is 125 m² indoors and 125 m² outdoors (limitations which are aligned with the



Figure 2 - Property Location Map

ALC Regulations). Throughout the COVID-19 pandemic, the TESAs allowed the expanded service areas on a temporary basis to ensure safe physical distancing of patrons.

TESA approvals were temporary in nature, and when the COVID-19 pandemic and PHO’s guidelines regarding physical distancing were relaxed, expiration dates for TESA approvals were given. Some liquor establishments are wishing to maintain those expanded service areas permanently, and in order to do so, approvals from the local government is required prior to consideration of the license by the LCRB.

This is the situation of Painted Rock Estate Winery; they received a TESA to allow an expanded service area to comply with COVID-19 physical distancing requirements, and now wish to make this area a permanent part of their lounge area. As such, they are required to meet the Zoning Bylaw in order for this to be a permanent change to the operations. The applicants are requesting a variance to allow up to a maximum size of 305 m² for the outdoor lounge area. The applicants have identified that they are not wishing to increase the occupant load, but rather want the expanded outdoor area to allow for a more intimate seating arrangement and enjoyment of the vineyard, with views over Skaha Lake and the City to the north.

Technical Review

The proposed development was referred to the Technical Planning Committee (TPC), a committee of various City departments that comment on development applications. Minimal comments were received given the scope of the proposed developments. The applicants have been working with City staff to ensure all requirements will be met for building permit and liquor licensing, should Council ultimately support the proposed variance.

Agricultural Land Reserve

The Agricultural Land Reserve Use Regulation (section 13) places a maximum size on the indoor and outdoor lounge areas, that each cannot exceed 125m². Given that only part of the property is within the ALR, only the portion that is within the ALR is required to comply with their Regulations. While the request for 305m² of outdoor lounge area is well above the maximum 125m² set by the ALR Use Regulation, the applicant has only proposed 123m² of outdoor lounge area within the ALR portion of the property (Figure 3). This ensures compliance with the ALR Use Regulation, without requiring approval from the ALC to proceed with the proposal.

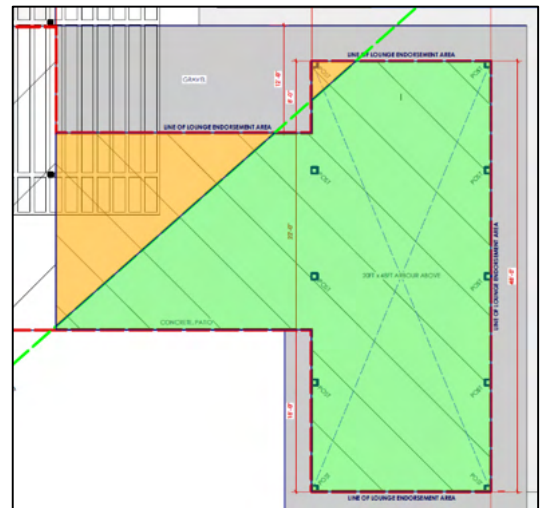


Figure 3 - Detail Showing Lounge Area in ALR in Green

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 variance to increase the outdoor lounge area from 125m² to 305m² and are recommending support for the following reasons:

1. The use of a vineyard, winery and tasting room is permitted by the Zoning Bylaw.
2. The applicant has provided two letters of support from area neighbours indicating their support for the variance.

3. The variance is anticipated to have low impact to surrounding areas, and the winery itself. As the occupant load is not increasing, the additional lounge space is not resulting in more patrons at the winery and tasting room.
4. Since the TESA expanded service area has been allowed at the subject property, no complaints have been received by the City as a result of additional area being used for the outdoor lounge area.
5. The maximum size of indoor and outdoor lounge areas established within the Zoning Bylaw were intended to match the limitations set by the ALC Regulation, as most properties are located completely within the ALR. This property however, is located only partially in the ALR, and the amount of outdoor lounge area has been planned so to not exceed 125m² within the ALR.

Further, the subject property is designated as Agriculture by the City’s OCP and is zoned A (Agriculture) in the City’s Zoning Bylaw. The use of the property as a vineyard, winery and tasting room are permitted under the City’s Zoning Bylaw and are supported through the OCP designation. There are several goals and policies within the OCP in regard to the use of agricultural lands:

- | | |
|-----------|---|
| OCP Goal | Business Retention and Expansion |
| 4.3.5 | Create conditions for business to succeed and thrive as long-term contributors to the economy. |
| OCP 4.5.1 | Support, Protect and Enhance Agriculture |
| | Support, protect and enhance agriculture as a central component of Penticton’s economy, character and identity. |

Given the reasons above, as well as the OCP policy support to ensure agricultural areas are supported, staff consider the variance request is reasonable in this instance. As such, staff are recommending that Council approve the variance and direct staff to issue the permit.

Should Council approve the variance, the applicant will be responsible to ensure proper building permits and liquor licensing is acquired prior to operation of the expanded lounge area.

Alternate Recommendations

Council may consider that the requested variance is unreasonable in this instance and may negatively impact the surrounding area. 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 (Alternative #1). Alternatively, Council may deny the application without hearing from the applicant (Alternative #2), although staff are not recommending this option.

1. THAT Council postpone a decision on “Development Variance Permit PL2022-9420”, until after hearing from the applicant.
2. THAT Council deny “Development Variance Permit PL2022-9420”.

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map

- Attachment C – Agricultural Land Reserve (ALR) Map
- Attachment D – Photos of Property
- Attachment E – Letter of Intent
- Attachment F – Letters of Support
- Attachment G – Draft Development Variance Permit PL2022-9240

Respectfully submitted,

Nicole Capewell, RPP, MCIP
Planner II

Concurrence

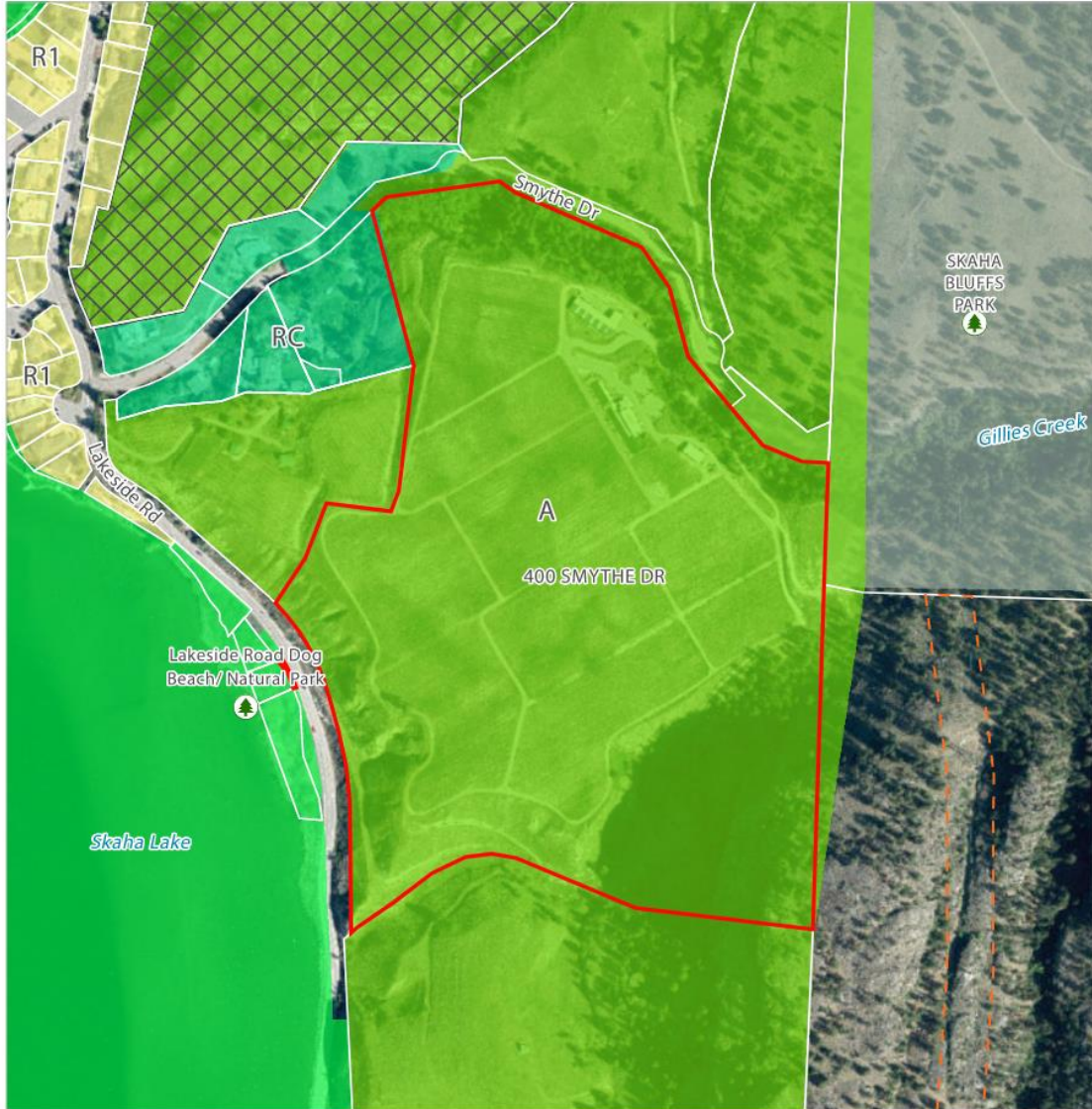
Director of Development Services <i>BL</i>	Acting Chief Administrative Officer <i>KD</i>
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Attachment A – Zoning Map



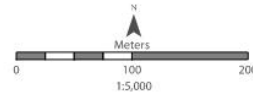
400 Smythe Dr

Zoning Bylaw



Legend

- Subject Parcel
- A - Agriculture
- R1 - Large Lot Residential
- Site Specific Zoning
- RC - Country Residential Housing
- P2 - Parks and Recreation



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Monday, November 21, 2022 10:40:29 AM

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Attachment B – Official Community Plan Map



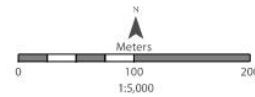
400 Smythe Dr

Official Community Plan - Future Land Use



Legend

- Subject Parcel
- Detached Residential
- Natural and Conservation Areas
- Tourist Commercial
- Rural Residential
- Agriculture



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Monday, November 21, 2022 10:40:12 AM

penticton.ca

Attachment C – Agricultural Land Reserve (ALR) Map



Attachment D – Photos of Property



Looking towards proposed lounge area



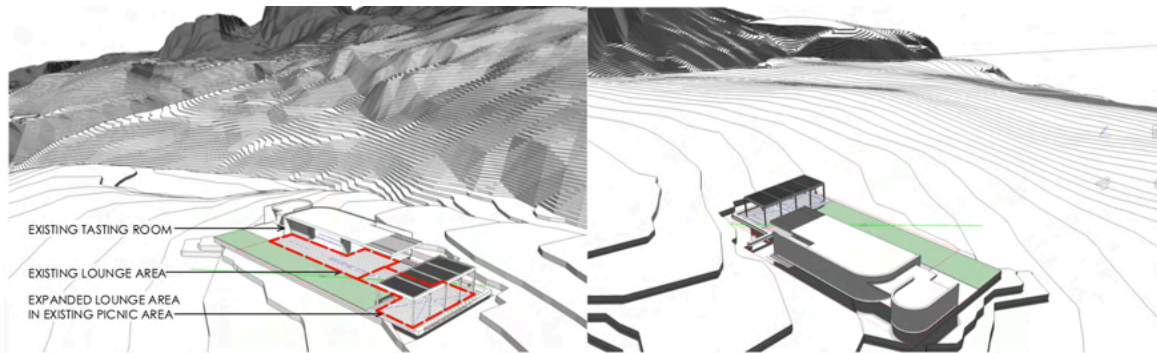
Looking towards proposed lounge area

Aug 2, 2022

Attn: Planning Department
City of Penticton
171 Main St.
Penticton, BC

**Letter Of Intent - Painted Rock Estate Winery Expanded Lounge Endorsement Area
Re: DVP application - no increased capacity.**

Address: 400 Smythe Drive, Penticton, BC
Zoning: A - Agricultural



The owners of Painted Rock Estate Winery, are happy to submit this letter of intent in support of their proposed Expanded Lounge Endorsement Area DVP application. Painted Rock Winery continues to be a remarkable destination for international tourists and locals, producing world class wines & providing global exposure to the Okanagan wine industry. This expanded Lounge Area provides a more intimate seating arrangement in enjoyment of the vineyard property, and views above Skaha Lake and the city of Penticton to the North.

Since May of 2020 ("*...In response to the COVID-19 pandemic and the Provincial Health Officer's (PHO) orders...*") the Liquor and Cannabis Regulation Branch (LCRB) has allowed the temporary expansion of service areas **with no increase to the approved occupant load or capacity**. This is to allow service complying with physical distancing. LCRB also updated their Picnic Area Endorsement Regulations to allow an expansion adjacent to an existing Lounge Area Endorsement. This proposed Expanded Lounge Area has been approved by the LCRB subject to approval from the municipality.

Careful consideration has been taken to maintain the quiet, and peaceful guest experience while enjoying the property at Painted Rock Estate Winery. 28 acres of planted vineyard screen traffic noise from Eastside road, Skaha Lake & neighbouring residential properties below. Weddings are no longer accommodated at the winery, allowing year round enjoyment of the tasting room and patios by patrons & public. This 58 acre Agricultural vineyard

property was planted in 2005, with the existing Tasting Room and existing Lounge & Picnic areas licensed in 2013.

The City of Penticton Zoning Bylaw (9.2.4 Maximum Gross Floor Areas for Specific Uses) currently allows for 125 sqm of total outdoor service space. The Agricultural Land Reserve (ALR) currently allows for 125 sqm of outdoor patio space within the ALR.

The proposed Expanded Service Area / Lounge Endorsement Area of 305 sqm will replace existing patio space dedicated to the existing licensed picnic area patio (which will be subsequently reduced in area).

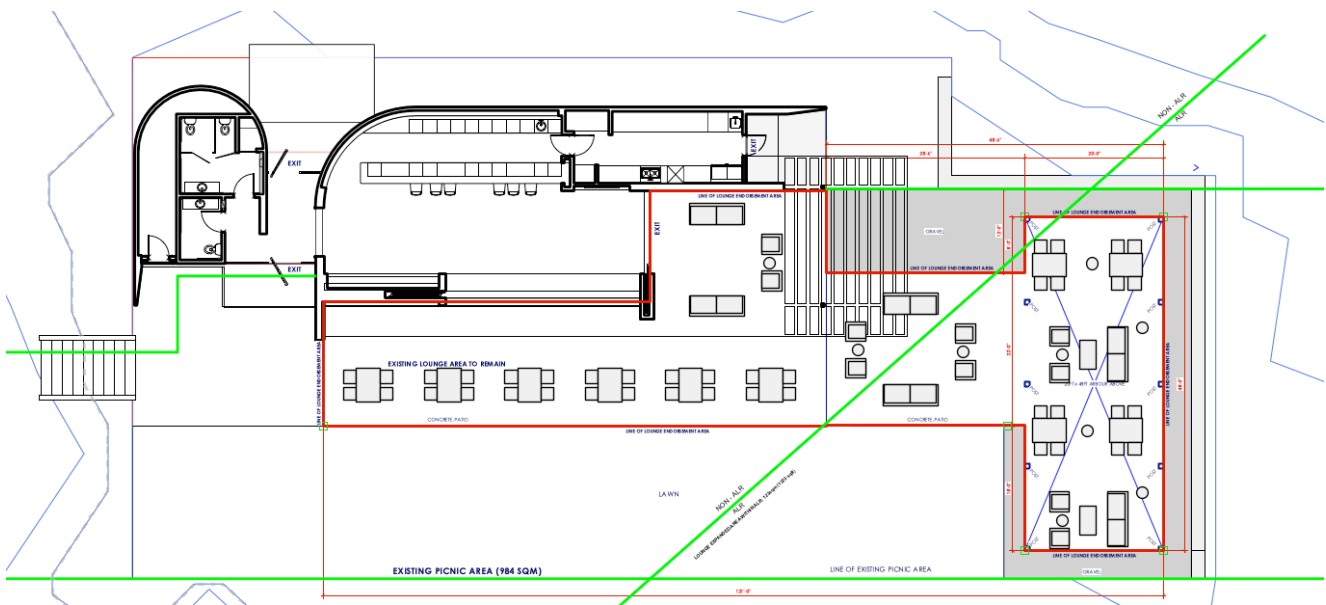
This Expanded Service Area includes 123 sqm of outdoor lounge area within the ALR.

Painted Rock Winery's current Lounge Endorsement Area allows 104 persons - this capacity will remain / no increase is proposed.

The owners of Painted Rock Estate Winery look forward to working with City of Penticton Planning Department & City of Penticton Council members to realize this proposed development & expanded service area.

In thanks of your consideration, on behalf of the Skinner Family & Painted Rock Estate Winery,

-Dominic Unsworth



Sept 20, 2022

Attn: Planning Department City of Penticton
171 Main St.
Penticton, BC

**Letter Of Support –
Painted Rock Estate Winery Expanded Lounge
Endorsement Area**

Dear Planning Staff,
We are in support of the proposed changes to the
property.

Sincerely

Paul and Sally Bouchard

45 Smythe Dr.
Penticton

Attn: Planning Department City of Penticton
171 Main St.
Penticton, BC

Re: Painted Rock Lounge Area Expansion

As very close neighbours we've watched the property develop into a winery. Now it is one of the best in the entire Okanagan valley. We've never experienced noise or traffic issues from activities at the winery. We are pleased to see that the winery isn't standing still and is planning new facilities to enjoy! An expansion to the lounge and tasting areas for features such as wine dinners is very welcome. We can't wait to experience the new additions.

All the best,
John and Kathy Sorel
4809 Lakeside Road
Penticton
BC
V2A 8W6

Development Variance Permit

Permit Number: DVP PL2022-9420

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 1 District Lot 196 Similkameen Division Yale District Plan 14079 Except Plans 30619 and KAP89702
 - Civic: 400 Smythe Drive
 - PID: 006-915-825
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 an outdoor lounge area, as shown in the plans attached in Schedule 'A':
 - a. Section 9.2.4.1.c: to increase the area devoted to food and beverage service for a winery from 125m² to 305m².

General Conditions

4. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
5. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
6. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

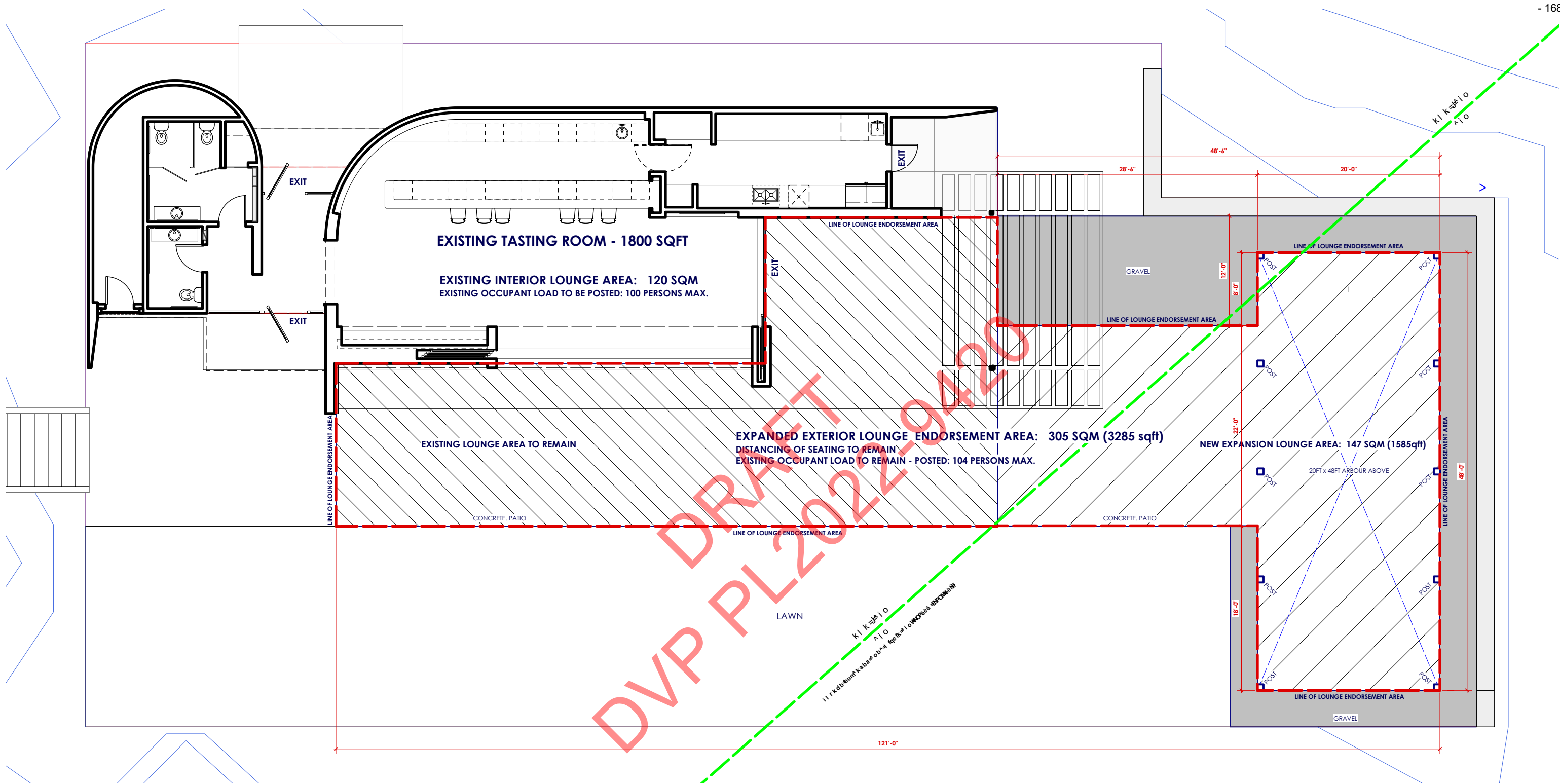
8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the ____ day of _____, 2022.

Issued this ____ day of _____, 2022.

Angela Collison
Corporate Officer

DRAFT
DVP PL2022-9420



DVP PL20220120

FLOOR PLAN - EXPANDED LOUNGE ENDORSEMENT AREA

**DVP APPLICATION - EXPANDED LOUNGE AREA
NO INCREASED CAPACITY**
PAINTED ROCK ESTATE WINERY - JULY 27 2022
400 SMYTHE DRIVE - PENTICTON, B.C.

Council Report

penticton.ca

Date: December 6, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 302 Eckhardt Avenue West

File No: RMS/302 Eckhardt Ave W

Subject: **Development Variance Permit PL2022-9405**
Development Permit PL2022-9404

Staff Recommendation

THAT Council approve "Development Variance Permit PL2022-9405" for Lot 1 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 2757 Except Plan H468), located at 302 Eckhardt Avenue West, a permit to vary Section 11.1.2.5 of Zoning Bylaw 2021-01 to reduce the minimum front yard setback from 3.0m to 2.0m, in order to facilitate the development of a three-storey office building;

AND THAT Council direct staff to issue "Development Variance Permit PL2022-9405";

AND THAT Council, subject to approval of "Development Variance Permit PL2022-9405", approve "Development Permit PL2022-9404", for Lot 1 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 2757 Except Plan H468, located at 302 Eckhardt Avenue West, a permit to approve the form and character of a three-storey office building;

AND THAT Council direct staff to issue "Development Permit PL2022-9404".

Proposal

The applicant is proposing to construct a three-storey office building on the subject property (Figure 1). The property is currently zoned to allow that use, however, the applicant is requesting a variance for the front yard setback (Eckhardt Avenue West) from 3.0m to 2.0m to account for a future road dedication of 2.6m. In addition to the variance request, the applicant has submitted the development permit application for approval of the form and

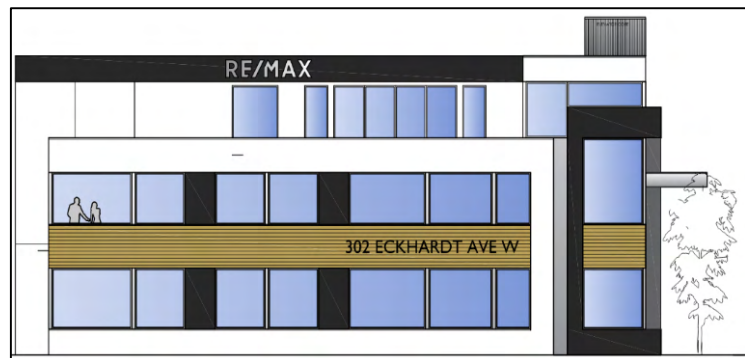


Figure 1 - Rendering of proposed development

character of the proposed commercial development, considered within the Commercial & Mixed Use Development Permit Area outlined by the Official Community Plan (OCP).

Background

The subject property is located at the corner of Eckhardt Avenue West and Argyle Street (Figure 2). The property contains a building constructed in 1930 which has housed a restaurant since the 1970s. While the building and its historic use are notable, the property is not currently listed on the City of Penticton Heritage Register.

The property is zoned C1 (Commercial Transition) by the Zoning Bylaw and is designated Detached Residential by the Official Community Plan (OCP).

When the building was converted into a restaurant in the 1970s, a Land Use Contract was entered into to allow the development plans. Land Use Contracts were used in the 1970s prior to Development Permits. The Land Use Contract allowed the conversion from a residential care home to a restaurant. The Land Use Contract is still registered on title of the property, however the proposed office building is permitted through the existing C1 zoning on the site, and the proposed office use is not impacted by the Land Use Contract.



Figure 2 - Property location map

Climate Impact

Council adopted the Community Climate Action Plan (CCAP) in 2021. The proposed development is consistent with the following aspects of the CCAP:

- **Shift Beyond the Car:** Encourage active & accessible transportation and transit
 - The office building provides the required amount of Class I (secure) and Class II (rack) bicycle parking onsite.
 - The subject property is within two blocks of the Lake to Lake bike route and transit routes.
- **Step Up New Buildings:** All new buildings will be required to meet the BC Energy Step Code requirements at the time of construction.
 - The new building will be required to meet Step 1 of the BC Energy Step Code as a minimum standard of energy efficiency.

Technical Review

This development proposal was reviewed by the Technical Planning Committee, a group of internal City staff from various departments who review and comment on development applications. Through the review process the future 2.6m road dedication along Eckhardt Ave W was confirmed. The applicant provided additional details on the plans to ensure the applicable Zoning Bylaw regulations and OCP design guidelines are met. The applicant added more landscaping in the parking lot. Additional comments about the future

building permit stage requirements were provided to the applicant to help expedite that future approvals process, should Council ultimately approved the requested variance.

Development Statistics

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

	C1 Zone Requirement	Provided on Plans
Minimum Lot Width*:	13 m	58 m
Minimum Lot Area*:	550 m ²	1,928 m ²
Maximum Lot Coverage:	40%	21%
Vehicle Parking:	1 parking space per 30m ² net floor area Total: 30 spaces required	33 parking spaces provided
Bicycle Parking:	Class I: Minimum 2, plus one for every 125m ² of 250m ² Class II: Minimum 2, plus one for every 125m ² of 250m ² Total: 8 Class I and 8 Class II bicycle parking spaces required	9 Class I spaces provided 9 Class II spaces provided
Required Setbacks		
Front Yard (Eckhardt Ave W):	3.0 m	2.0 m – Variance Requested
Side Yard (Argyle St):	4.5 m	4.5 m
Side Yard (west):	1.5 m	35.5 m
Rear Yard (south):	6.0 m	21.4 m
Maximum Building Height	10.5 m	10.5 m
Other Information:	*Lot width and lot area are only applicable at the time of subdivision.	

Analysis

Development Variance Permit

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

The Zoning Bylaw requires that setbacks be measured to future road dedication lines along Collector and Arterial roads. Eckhardt Ave W is a collector road. A road dedication is when the City obtains additional strips of land along existing road right-of-ways in order to meet the minimum right-of-way width required by the Subdivision and Development Bylaw. This does not necessarily mean the physical road (paved portion) is expected to be expanded, but could allow for road boulevard improvements such as sidewalks, bike lanes, trees and landscaping. Factoring in future road dedications in development plans ensures that should the road dedication be taken in the future, the building would meet the required setbacks. The City has ability through rezoning and subdivision applications to obtain road widenings at no cost, but does not have that

ability with development variance permits or development permits. While the road dedication is not being taken at this time, staff reviewed the development plans with this in mind. Staff have reviewed the requested variance and are recommending support for the following reasons:

Section 11.1.2.5: to reduce the front yard setback from 3.0m to 2.0m.

- a. The building design meets the OCP design guidelines for being set close to the street to enhance the connection between the public and private realms and provide a façade with visual interest,
- b. The setback is measured from the future front property line, rather than the current property lien, meaning the building will actually be setback approximately 4.6m from the current property line and sidewalk on Eckhardt Ave W which is a similar to setbacks of surrounding properties in the immediate area,
- c. The configuration of the lot makes it difficult to place a building further back from the future lot line without encroaching onto the parking lot or the required landscape buffer along the south lot line,
- d. The reduced front yard setback retains sufficient space for landscaping including the planting of new trees along the street to buffer the new development (Figure 3).

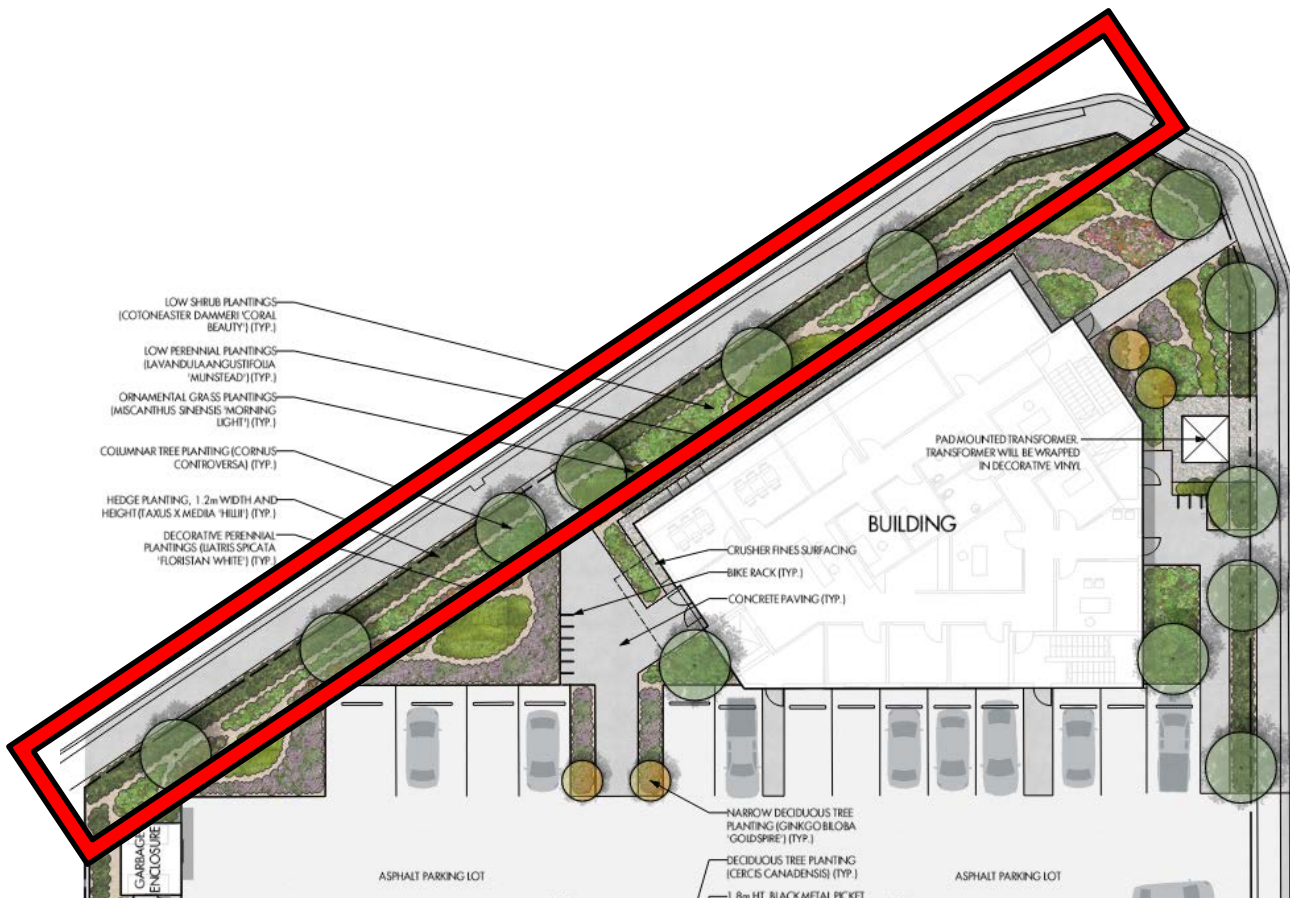


Figure 3 - Excerpt of landscaping plan with the Eckhardt Ave W boulevard highlighted in red.

Given the reasons above, staff support the requested front yard setback variance from 3.0m to 2.0m to facilitate the construction of a three storey office building on the subject property.

Development Permit

The proposed development is included in the Commercial & Mixed Use Development Permit Area (DPA) outlined by the OCP. The objectives of the Commercial & Mixed Use DPA are to:

- Produce streetscapes defined by attractive buildings and landscaping
- Transition extensive areas of surface parking to more pedestrian friendly and amenity-rich neighbourhood commercial
- Provide an attractive, comfortable, safe environment for pedestrians as well as vehicular traffic
- Establish building forms, site planning principles and landscape standards appropriate to quality urban spaces thus avoiding the appearance that characterizes some 'strip plaza' type development
- Reflect multi-family residential guidelines for mixed-use residential development

The applicant has submitted a development permit analysis with their submission which outlines conformance with the OCP design guidelines (Attachment 'E'). Staff have also completed a development permit analysis (Attachment 'F') that shows how the proposed development conforms to the DPA guidelines.

The proposed development has been designed with the OCP policies and guidelines in mind and is a project providing new commercial space on a main corridor into the city centre, while being courteous in scale to the surrounding neighbours. As such, staff recommend that Council, subject to approval of "Development Variance Permit PL2022-9405", approve "Development Permit PL2022-9404" and direct staff to issue the permits.

Alternate Recommendations

Council may consider the variance request for a reduced front yard setback to be undesirable in this instance and that the development should meet the applicable Zoning Bylaw regulations. If this is the case, Council should give the applicant an opportunity to speak to their request prior to making a decision on the variance (Alternate Recommendation #1). If the variance were denied, the Development Permit applicable may remain open allowing the applicant to update their design to meet the C1 zone regulations.

Council may be interested in exploring the heritage aspects of the building and property. If this is the case, Council should consider Alternate Recommendation #2. Council has broad authority under the *Local Government Act* to protect buildings deemed to have heritage significance. Council should be aware that these protections do involve compensation to property owners for any loss of value of putting protections in place.

1. THAT Council, after hearing from the applicant, deny "Development Variance Permit PL2022-9405".
2. THAT Council postpone a decision and direct staff to report back on the heritage value of the building and property and options for Council's consideration.

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Letter of Intent (applicant)
- Attachment E – Development Permit Analysis (applicant)
- Attachment F – Development Permit Analysis (staff)
- Attachment G – Draft Development Variance Permit PL2022-9405
- Attachment H – Draft Development Permit PL2022-9404

Respectfully submitted,

Steven Collyer, RPP, MCIP
Planner II

Concurrence

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



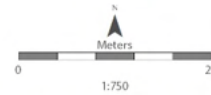
302 Eckhardt Ave W

Zoning Map



Legend

- Subject Parcel
- R2 - Small Lot Residential
- RD1 - Duplex Housing
- C1 - Commercial Transition
- RD2 - Duplex Housing: Lane



Terms of Use: The City of Penticton is a repository of public information in both printed and digital form. The search, recovery and compilation of this information varies. As a result, the City does not warrant in any way the accuracy or reliability of the information included in this report. 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 reliability thereof.

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Attachment B – Official Community Plan Map



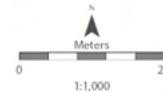
302 Eckhardt Ave W

Official Community Plan Map



Legend

- Subject Parcel
- Future Land Use
- Detached Residential
- Ground Oriented Residential
- Infill Residential



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Attachment C – Photos of Property







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OKANAGAN OFFICE
319 Carmel Cres, OK Falls V0H 1R5

302 Eckhardt Ave Penticton BC - New Office
Development Permit and Variance Permit
Letter of Intent

June 29, 2022

This application is for a Development Permit and a Variance Permit for a new 3 storey, 1,064 sm office building at 302 Eckhardt Ave in Penticton BC. The current zoning is C1 Commercial Transitional, and the proposed building complies with all zoning bylaws, with one variance. The design of the site plan and building offer a safe, accessible and positive contribution to the community. The design is focused on the local neighborhood and CPTED principles (crime prevention through environmental design). The building directly references the urban layout in an exciting and high-quality design.

Site Planning

The existing site is triangular as the result of changing urban grid patterns. It is inherently inefficient due to its shape. However, the site plan maintains efficient double loaded parking parallel to the south property line. The parking layout is designed to use the smallest possible area for the required 35 stalls. Parking access is from Argyle St as required by the city. The building is placed in the resulting wedge between the parking lot and Eckhardt Ave. The placement of the parking lot to the south creates an extra- large setback buffer to the residential area and gives the North elevation an exciting urban relationship with Eckhardt Ave.

The resulting space for the building footprint is 2 interconnected rectangles, each referencing respective city grid patterns. There are 2 building entrance points, one at either end, east / west, for two tenants. The entrances both have safe, accessible connections to the parking area, and are both visible from Eckhardt Ave.

Elevations

The main façade lines up parallel with Eckhardt Ave. The Entrance is located at the west end facing the curve of Eckhardt. This building corner is expressed with a smooth black metal-clad frame, large windows and a prominent cantilevered canopy. The architecture highlights the entrance, and provides visual interest for the busy Ave. The entrance faces both the street and the parking lot to the South.

Offices run along Eckhardt Ave in a linear manner with large windows for natural daylighting. The 3rd floor steps back to form a large roof terrace. Black metal panels and wood-grained painted metal siding highlight the white stucco.

A second entrance is located on the East elevation facing Argyle St. It is visible to westbound traffic, and the street access to the parking lot. The large windows and architectural systems wrap around the building. The 3rd floor steps back on the east and south adding formal variation. The horizontal strip windows around the building are balanced with the verticality of the 2 exit stairs and elevator. The color palette and materials are subtle, timeless, and respectful to the neighborhood.

Landscape

Slender Silhouette Sweet Gum trees are strategically located around the building. Four trees are placed directly in front of the elevator/ stairwell shafts to offset the solid walls. The walls form a backdrop frame to the tall columnar trees. Two trees straddle the entrance from the parking area on the west, and one tree is located on route to the east entrance. Eight trees line the south and west property lines creating a vertical green landscape buffer to the residential area. Elegant lavender and grasses form ground cover around the site.

The site is well lit and fully wheelchair accessible. There are no dead ends or dark corners. High quality finishes and landscaping offer a contemporary development. Large windows and open plan circulation around the building gives a high level of natural surveillance and “eyes on the street”. The design is safe and comfortable and will be a positive addition to the area.

Variance (see dwg A2.05)

Due to the tightness and triangular shape of the site, we are asking for a minor variance on the north front setback. The south side is designed to meet the exact spatial requirements for the rear lot setback, landscape buffer and parking lot layout with efficient double loaded parking. The remainder of the space to the front setback is limited and triangular. The floor plan of the office is designed to fit comfortably into the wedge shape. The Bylaw setback is 3.0 m, and we request a 1.0 m projection into the setback with the main building and further .6 m for architectural buildouts mostly at the floorplates. The extra space of 25 sm on the gr fl and 25 sm on the 2nd fl creates a more efficient building layout but does not jeopardize the site plan or street massing. A 3.99 m setback remains from the sidewalk edge.

The Lot Coverage is well below the Zoning allowable, by approx. half, (40% allowable to 20% proposed). The front elevation projects only 2 storeys, with the 3rd storey setback an additional 5.5 m. The overall size and shape of the building is respectful to the neighborhood and surroundings. It is undersized in relation to maximum allowed by the zoning Bylaw.

We have designed the site to mitigate any possible negative impacts due to the Variance and believe the proposed building will be a positive contribution to the city.

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July 8, 2022

Development Permit Analysis
302 Eckhardt Ave, Penticton BC DP/ DVP

OFFICIAL COMMUNITY PLAN REVIEW
Chapter 5 Development Permit Area Guidelines

5.1.4 Variances

1. Minor variances to setbacks may be considered to... accommodate desirable architectural criteria... projecting design features
See Letter of Intent for Variance request

5.2.2 General Guidelines

- G1 Significant site opportunities / constraints
The site is flat and vacant and outside of all special DP zones. It is surrounded by 2 streets.
- G2 Site plan
As per the accompanying site plan, the building is located on the busy north side and pulled away from the quieter residential side to the south. The building height meets Bylaws and does not affect any neighbors by proximity and overlooking.
- G3 Solar access
As an office, the interior solar access needs to be controlled for glare and overheating. However, large windows open to the street and are shaded by architectural projections, thick walls, and a large overhang.
- G4 Window views
Views are maximized looking out of the office with large windows in every room.
- G5 Strong street definition / sensitive transitions
The building is designed to directly present an interesting architectural pattern along Eckhardt Ave. The strong architectural presence is enhanced on the northwest with a large architectural frame and overhang. The building pulls away from the residential neighbors.
- G6 Views
Mountain and valley views are available from the upper floors and roof deck.
- G7 CPTED
CPTED principles are prevalent in the site plan and building plan. There are no dead-end corners, there are many windows, one in every room, high quality spaces and natural surveillance keep the site safe. Landscaping around the building is strategic in height for safety and views. The entrance is big and well lit with full glazing.
- G8 Secondary Buildings
Not Applicable
- G9 Pedestrian connectivity
Public sidewalks connect all the neighboring properties. The front entrance naturally connects to the parking area through a landscaped accessible pedestrian area.
- G10 Pedestrian connections for block scale 60 – 190 m
Not Applicable
- G11 Barrier free

- The entire site is barrier free.
- G12 Pedestrian ways
Paving accents are intended for the pedestrian areas.
- G13 Residential entrance
Not Applicable
- G14 Residential outdoor space
Not Applicable
- G15 Fencing public realm to be transparent
No fencing to the public realm
- G16/17 Site and building access prioritize pedestrians... minimize visual impact... pathways
The vehicular access, drive aisles and parking spaces were designed as efficiently as possible due to site constraints, and a narrow tapering site. They are surrounded by wide walkways and landscaped permeable areas. The pedestrian entrances link directly to the parking area, for safe efficient pedestrian circulation. The parking is located behind the building shielding it from the street. The parking is screened from the neighbors with 6 ft tall fences and landscaping. However, there are no dead ends or dark corners and circulation through the parking area is safe and comfortable.
- G18 Parking structures
Not Applicable
- G19 Multifamily developments
Not Applicable
- G20 Design should respond to Penticton's setting and climate
The building is designed for passive solar control with large windows facing south, naturally controlled by tinted glass.
- G21 Orientation of building... face public spaces
The building is situated on the busy public sphere of Eckhardt, with large windows facing out. No public areas face blank elevations.
- G22 Larger buildings
Not Applicable
- G23 Upper storeys
There is a large 3rd floor roof terrace setback, and 2 smaller setbacks to the east and south. The building is designed to break up the mass with architectural build outs.
- G24 Street facing layering
There is a layer of landscaping along Eckhardt.
- G25 Stepped massing
The building is pulled back from neighboring structures.
- G26 Minimize impacts... adjacent dwellings
The building has no overlook on the adjacent dwelling, Impact on privacy is negligible. Fences and landscaping create a buffer.

G27 – G31 Eyes on the street

The building is designed to standard CPTED principles including “eyes on the street”. Windows and doors open to every elevation. The parking area is wide, open and well lit, and leads directly to the front entrance. There are 2 street connections and walkways, with no dead-ends. The entry is clearly visible. The entrance and reception area looks out to the front through a large window for natural surveillance.

G32 Riparian

Not Applicable

G33 Water conservation for landscaping

Mulch and efficient sub surface drip irrigation help in water conservation for landscaped areas.

G34 Tree retention

Not Applicable

G35 Tree planting

Trees are planted along the perimeter of the site to the south and strategically located around the building to highlight the architecture. .

G36 Landscape habitat

A rich landscape plan is proposed that will attract birds and bees.

G37 Stormwater

A large area of the site is permeable landscaped soil that will help control storm water runoff.

G38 Screening and Buffering

A landscape buffer is included along the south property line to the residential neighbor. A 6 ft (1.8 m) tall fence and trees screen the parking area from the house and residential yard.

G39 Defining public private realms

The public sidewalks will be bordered with green softscape clearly defining the public private interface.

G40 Energy

Highly efficient windows control solar heat gain. Trees along the south block wind and create solar shading for the parking area and lower floors

G41-G42 See landscape drawings

G43-47 Corner Lots / Public Art – focal points

Not Applicable

G48-G51 Lighting

Lighting will be designed to meet criteria for this section.

G52 – G53 Signage

Signage will be designed to meet criteria for this section.

G54 – G57 Electrical Pad

The transformer pad is located in a landscaped area and does not obstruct private views for surveillance. There is no riparian area nearby.

G58-60 Waste Management

The garbage recycling area is in the rear corner of the lot, out of view, and creates no conflict with pedestrian patterns. The area has a screened enclosure, with direct access from the parking drive aisle.

G61-G63 Fences

The fence along the south is a black metal picket fence with 4” spaces and is transparent. See site plan for fence locations

5.3.3.7 Commercial and Mixed-Use Guidelines

CM1 Not Applicable

CM2 Not Applicable

CM3 Not Applicable

CM4 Parking Areas to rear

Parking is placed to the rear

CM5 Not Applicable

CM6 Parking with no lane

CM7 Not Applicable

CM8 Building projections

See answer to Variance request in Letter of Intent.

CM9-CM12 Commercial frontages

Mostly these DP items refer to a retail/ restaurant street frontage, and less to a standalone office. However, the office entrance will be clearly signed and indicate primary pedestrian access.

CM13-CM16 Weather protection

Mostly these DP items refer to a retail/ restaurant street frontage, and less to a standalone office. The overhang of the office does not cover the public sidewalk however, part of the building roof forms the covered entrance area.

CM17-CM21 Signage

All signage at the office is individual back lit (or silver) channel letters or equivalent to offer a high-quality exterior finish. Signage is attached directly to the building face. Traffic signage will be visible from the street and building signage will be placed for pedestrian-orientation.

CM22-24 Not Applicable

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direct 604 318 1904

Attachment F - Development Permit Analysis (staff)

Development Permit Analysis

The proposed development is considered within the Commercial & Mixed Use 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 subject property is located at a prominent corner along Eckhardt Ave W, and has been designed to engage with the corner by placing the building near the street and the parking at the south end of the property. The parking is accessed from Argyle St rather than the busier Eckhardt Ave W. A future 2.6m wide road dedication is identified along Eckhardt Ave W, and has been shown on the development plans. Taking this into account, the applicant has requested a variance to reduce the front yard setback from 3.0m to 2.0m.

Guideline G5 Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighbouring building setbacks

- The proposed building is set close to the intersection of Eckhardt Ave W and Argyle St, supporting strong street definition by placing parking behind the building.

Guideline G11 Barrier-free pedestrian walkways to primary building entrances must be provided from municipal sidewalks, parking areas, storage, garbage and amenity areas.

- The plans show a barrier-free sidewalk to the main entrance at the west side of the building from both the parking area and the public sidewalk on Eckhardt Ave W. The building contains an elevator, which helps to ensure the building is more accessible for all users.

Guideline G17 On-site parking location and design should minimize visual impact and provide safe connections for pedestrians.

- The parking area is proposed at the rear of the proposed building, not in between the building and the street. This reduces the visual impact of the development, along with the landscape buffers proposed along the edges of the property.

Guideline G20 Designs should respond to Penticton's setting and climate [...]

- The white exterior of the building reduces the heat absorption effect. Roof overhangs assist with limiting sunlight and heat directly into the building while still allowing large windows on all facades.

- 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 and every business).*
- The development plans show the street-facing facades of the proposed office building feature various sized windows, architectural projections, and roof overhangs to provide visual interest and architectural character facing towards the street. The main entrance is clearly visible from Eckhardt Ave W from the west given the bend in the road, and is set close to the public sidewalk. Another secondary access door is provided facing east towards Argyle Street with a direct sidewalk connection out to the public sidewalk.
- Guideline G26* *Building designs should minimize impacts on the privacy of adjacent dwellings, including private open spaces.*
- The proposed building is located at the northeast corner of the property, over 35m from the neighbouring residence to the west, and over 21m from the neighbouring residence to the south. This reduces the impact on these two neighbouring properties from the proposed three storey office building. The parking area is located near these two neighbours, and it is buffered by a 3m wide landscaping strip with trees, shrubs and fencing.
- Guideline G28* *Entries should be visible and clearly identifiable from the fronting public street.*
- The primary entrance is clearly visible from Eckhardt Ave W, with a sidewalk connection to the public sidewalk and the parking area. The building is set close to the street.
- 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.*
- The building design features windows on all sides of the building, facing out towards both fronting streets as well as the parking area. A third floor roof terrace is provided facing out towards Eckhardt Ave W, rather than towards the neighbouring residences.
- Guideline G35* *Tree planting [...]*
- Twenty-seven (27) new trees are proposed on the property, as shown on the landscaping plan submitted. These trees, in addition to other plantings and fencing, will assist with buffering the proposed new commercial use from its neighbours.
- Guideline G38* *Screening & Buffering*
- A 3m wide landscape buffer is required along all property lines as per the Zoning Bylaw. The applicant has shown on the landscaping plan that the landscape buffer provides the required number of trees and shrubs and width as per the Zoning Bylaw requirements.

Guideline G43 Address both fronting streets in a pedestrian-friendly way, preferably with pedestrian entrances and/or windows on both facades.

- The main entrance is visible from Eckhardt Ave W, and there are a number of windows on all three levels of the building. These features, in addition to architectural projections and the third floor roof terrace facing out towards Eckhardt Ave W, provide visual interest to the street-facing facades at this corner property.

Guideline G58/59 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. Garbage and recycling bins should be contained within screened enclosures that are coordinated with the overall design.

- The garbage and recycling storage area is located at the west end of the parking lot. 1.8m (6 foot) high screening around the storage area will assist with shielding the receptacles from view.

Guideline G63 All plans should show intended fencing.

- Fencing is proposed along the two neighbouring property lines to buffer the office building from the neighbouring residences to the west and south.

Guideline CM1 Retail building frontages...

- The proposed building is set close to the public sidewalks on Eckhardt Ave W and Argyle St with a minimal setback to the property lines. The main entry is at the same level as the adjacent sidewalk on Eckhardt Ave W.

Guideline CM4 Locate parking areas to the rear or interior of a site rather than between the street and building.

- The parking area is behind the building and not located between the building and the street. This design choice provides a strong connection to both fronting streets.

Guideline CM10 Visual connection to the store interior maintained through at least 75% glazing along the primary store frontage. Windows shall be transparent and clear of obstructions (e.g., posters, decorative decals, reflective and highly tinted glass, etc.) looking onto display materials and/or active uses.

- The proposed building features large windows on all levels facing both streets. A rooftop terrace on the third level faces north towards Eckhardt Ave W.

Development Variance Permit

Permit Number: DVP PL2022-9405

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 1 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton)
District Plan 2757 Except Plan H468
 - Civic: 302 Eckhardt Avenue West
 - PID: 010-970-002
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2021-01 to allow for the construction of a three-storey office building, as shown in the plans attached in Schedule 'A':
 - a. Section 11.1.2.5: to reduce front yard setback (Eckhardt Ave W) from 3.0m to 2.0m.

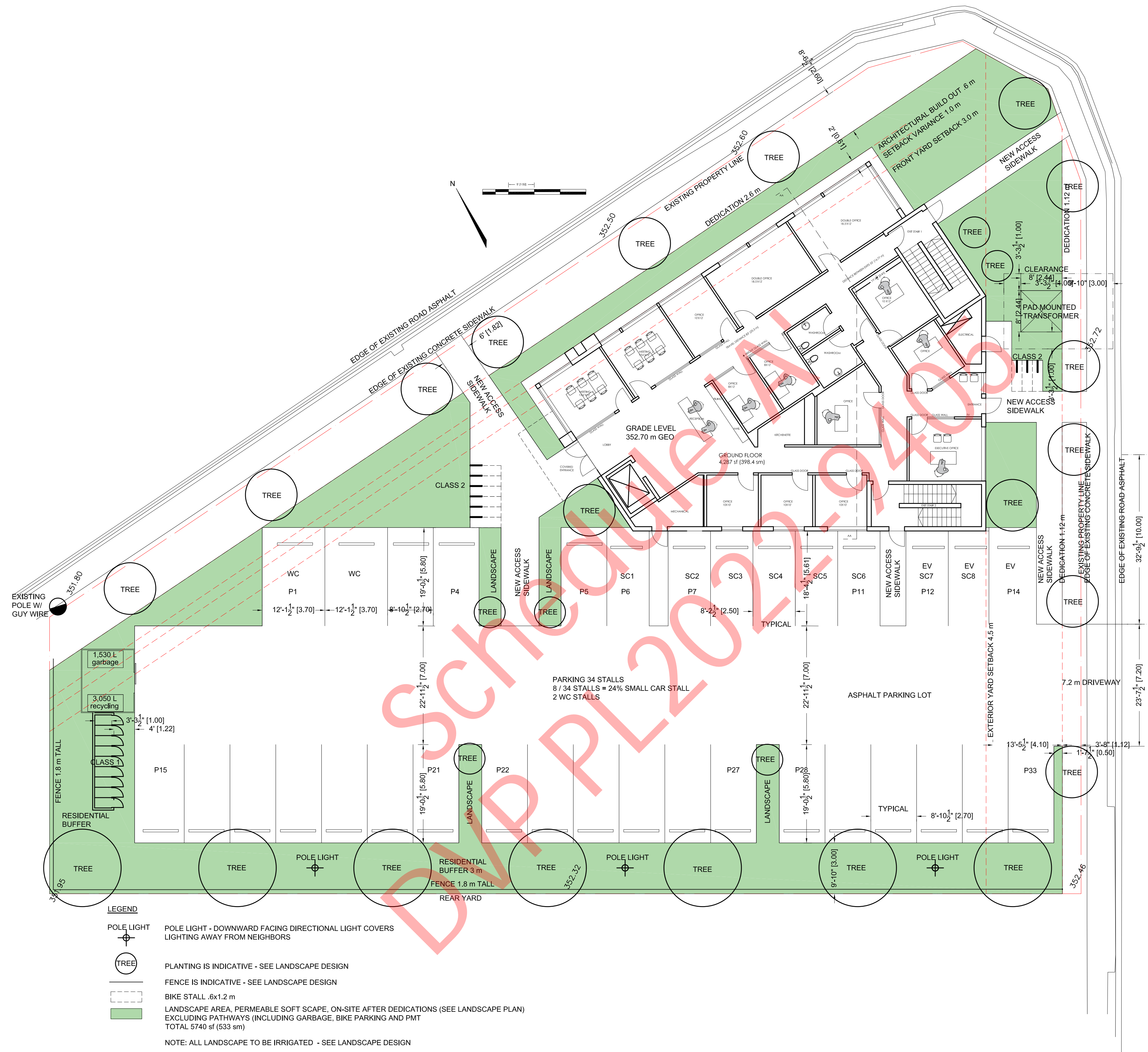
General Conditions

4. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
5. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
6. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the ____ day of _____, 2022.

Issued this ____ day of _____, 2022.

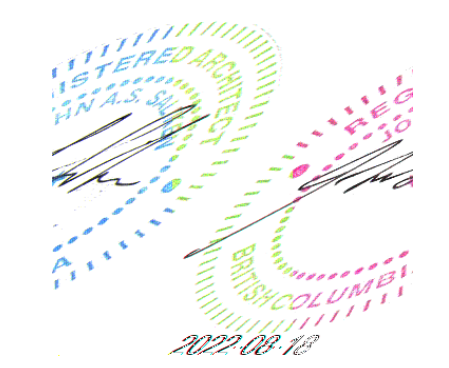
Angela Collison
Corporate Officer



- LEGEND**
- POLE LIGHT - DOWNWARD FACING DIRECTIONAL LIGHT COVERS LIGHTING AWAY FROM NEIGHBORS
 - PLANTING IS INDICATIVE - SEE LANDSCAPE DESIGN
 - FENCE IS INDICATIVE - SEE LANDSCAPE DESIGN
 - BIKE STALL .6x1.2 m
 - LANDSCAPE AREA, PERMEABLE SOFT SCAPE, ON-SITE AFTER DEDICATIONS (SEE LANDSCAPE PLAN) EXCLUDING PATHWAYS (INCLUDING GARBAGE, BIKE PARKING AND PMT) TOTAL 5740 sf (533 sm)
- NOTE: ALL LANDSCAPE TO BE IRRIGATED - SEE LANDSCAPE DESIGN

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Development Permit

Permit Number: DP PL2022-9404

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 1 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton)
District Plan 2757 Except Plan H468
 - Civic: 302 Eckhardt Avenue West
 - PID: 010-970-002
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a three-storey office building, 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

ZONING REVIEW

302 ECKHARDT AVE
FOLIO 00736-000
PID 010-970-002
PLAN KAP2757
.58 ACRES
LOT 1 DISTRICT 4 GROUP 7 SIMLKAMEEN
DIVISION YALE PLAN 2757 PLAN H468

SITE AREA

BEFORE DEDICATIONS
23,401 SF (APPROX)
AFTER DEDICATIONS
21,105 SF (APPROX)

BUILDING AREA
GROUND FLOOR OFFICE 4,287 sf (398.4 sm)
2ND FLOOR 4,294 sf (399 sm)
3RD FLOOR 2,871 sf (268.8 sm)
TOTAL 11,452 sf (1,064.3 sm)

FLOOR AREA NET (FNA)
SEE DWG A1.03
9,749 sf (906 sm)

ZONING C1 COMMERCIAL TRANSITION
OCP DETACHED RESIDENTIAL
ALR - NO
ZONING BYLAW NO. 2021-01

CHAPTER 11 COMMERCIAL ZONES
11.1 C1 COMMERCIAL TRANSITION
LOT COVERAGE 40% PROPOSED 20%
MAX HEIGHT 10.5 m PROPOSED 10.5 m
FRONT YARD 3.0 m
INTERIOR SIDE YARD 1.5 m
EXTERIOR SIDE YARD 4.5 m
REAR YARD 6.0 m

CHAPTER 6 PARKING AND LOADING
STALLS 2.7 m X 5.8 m DRIVE AISLE 7.0 m
SC 2.5 m X 5.6 m, 25% ALLOWED (8 PROVIDED)
WC 3.7 m (2 PROVIDED)

TABLE 6.6
1 STALL PER 30 m² 906 sm / 30 = 30 REQ
PROPOSED 33

NO LOADING REQUIRED

VARIANCE
SEE DRAWING A2.05

BYLAW SETBACK REQUIREMENTS
FRONT YARD 3.0 M VARIANCE REQUIRED

BUILDING FACE PROJECTS 1.0 m INTO SETBACK
+ .6 m FOR ARCHITECTURAL BUILD OUT

INTERIOR SIDE YARD 1.5 M COMPLIANT
EXTERIOR SIDE YARD 4.5 M COMPLIANT
REAR YARD 6.0 M COMPLIANT

**CODE REVIEW (ABRIDGED)
TO MEET BCBC 2018 PART 9**

SECTION 9.9 MEANS OF EGRESS

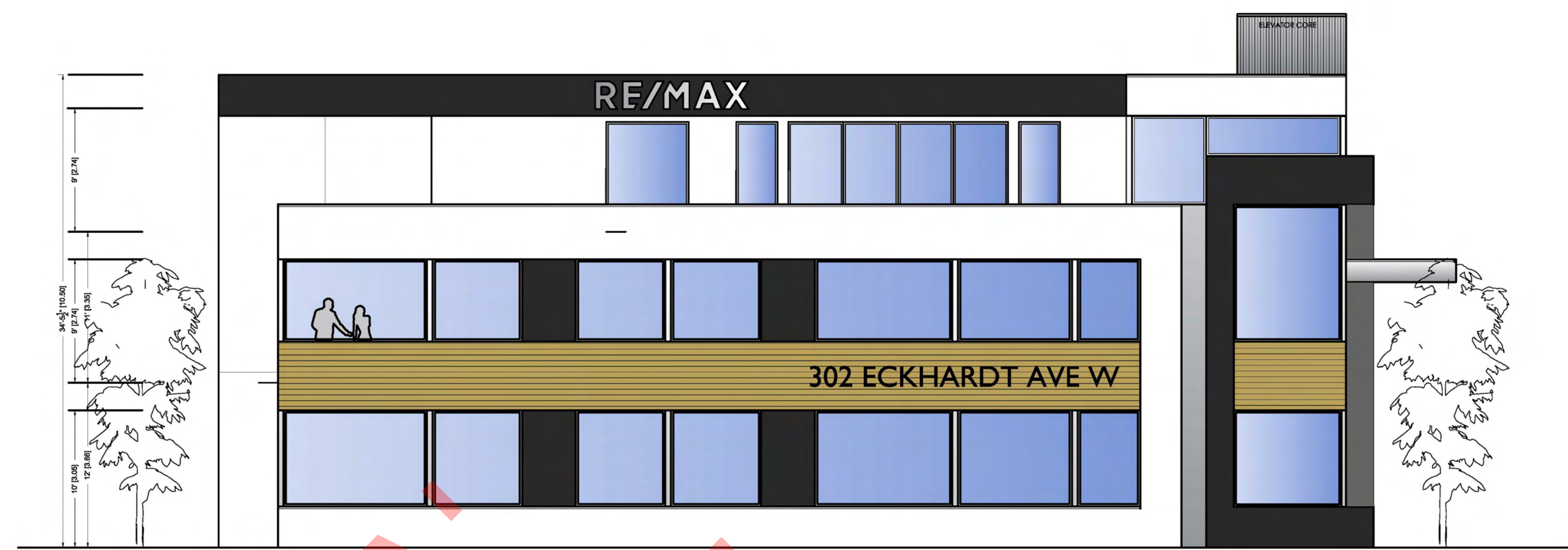
9.9.1.3 OCCUPANT LOAD
TABLE 3.1.17.1
OFFICES 9.30 M²/ PERSON
AREA GROSS
GROUND 4,310 sf
SECOND 4,310 sf
THIRD 2,800 sf
TOTAL 11,420 sf (1,061.3 sm)
1,061.3/9.3 =
115 PERSONS OCCUPANT LOAD
9.9.8.2
AT LEAST 2 EXITS... TRAVEL DISTANCE 40 m
9.9.8.4
EXITS TO BE INDEPENDENT FROM EACH OTHER AND REMOTE FROM EACH OTHER

SECTION 9.10 FIRE PROTECTION

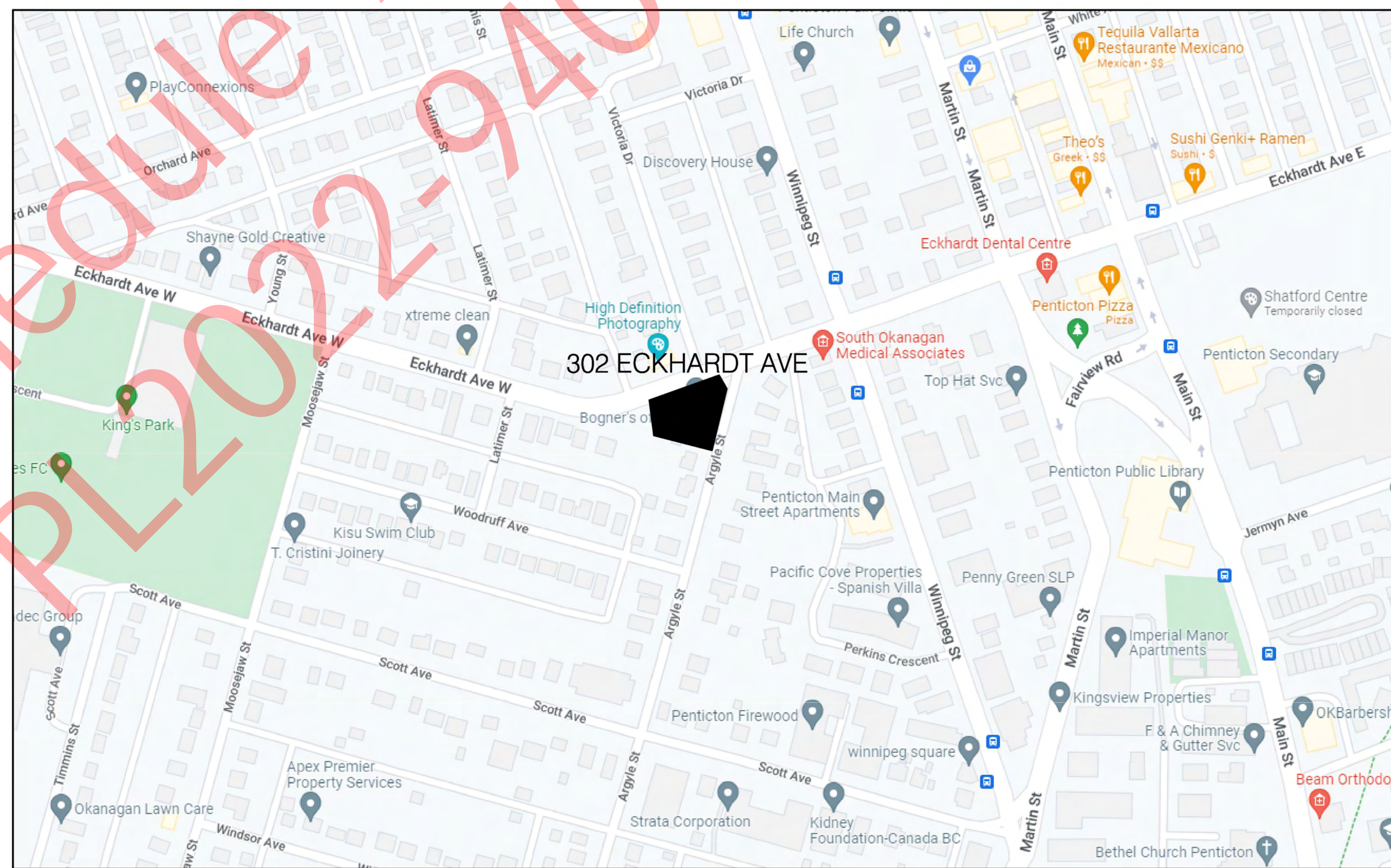
9.10.2.1
OCCUPANCY CLASSIFICATION D
BUILDING AREA 4,310 SF (400 SM)
3 STOREYS
9.10.8.1
MINIMUM FIRE RESISTANCE RATING
45 MIN FLOORS ROOF AND STRUCTURAL WALLS AND COLUMNS
9.10.10.3
SERVICE ROOMS 1HR
9.10.14.4
OPENINGS IN EXPOSING BUILDING FACE
9.10.17.1
FLAME SPREAD RATING OF INTERIOR SURFACES - NOT MORE THAN 150

SECTION 9.31 PLUMBING FACILITIES

9.31.1.1.2) USE SECTION 3.7.2 AND 3.8
3.7.2.2 B
115 PERSONS = 58 OF EACH SEX
REQUIRED FOR OVER 50 PERSONS:
3 WATER CLOSETS FOR EACH SEX

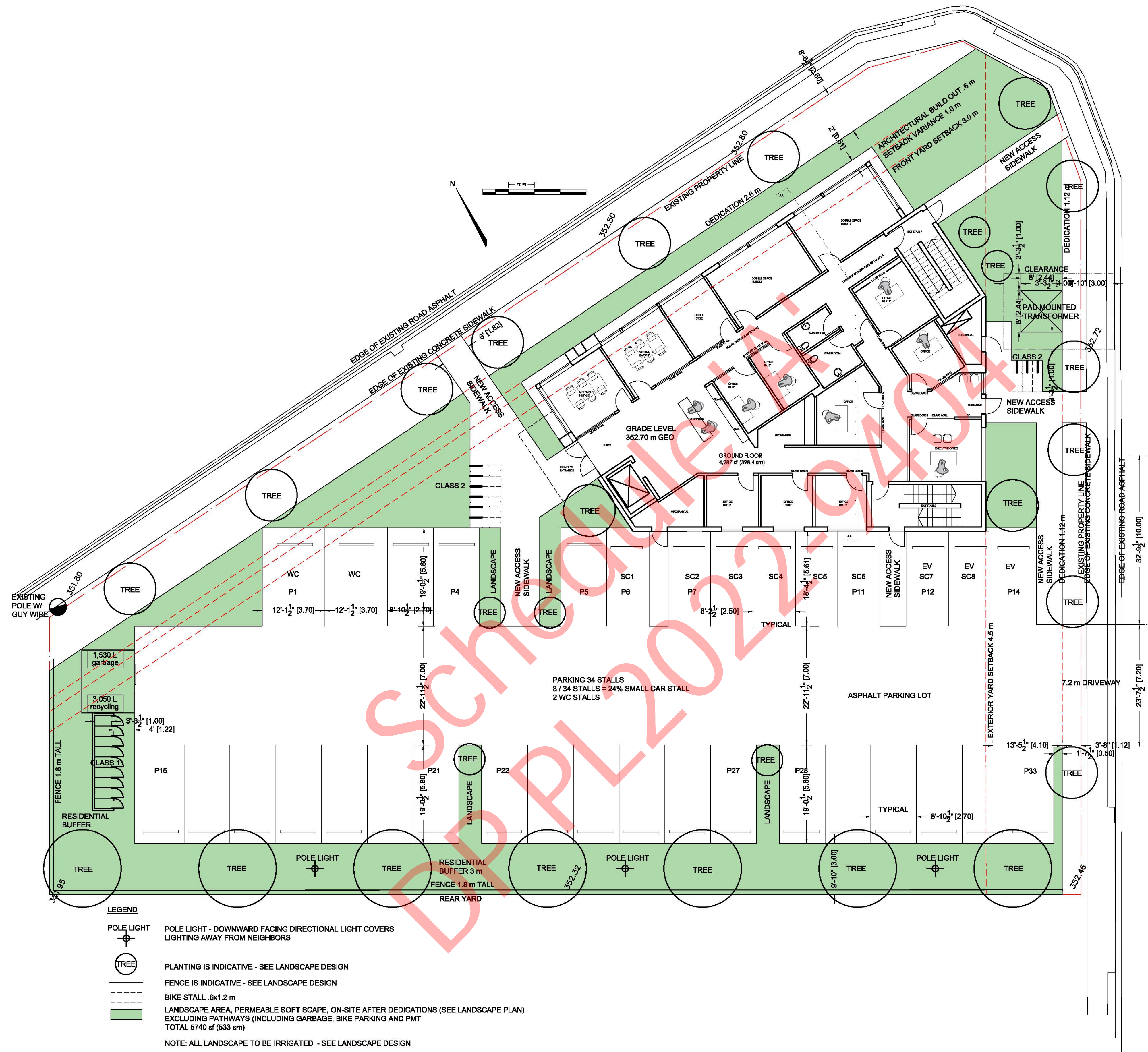


STREET ELEVATION SEE DWG A3.01



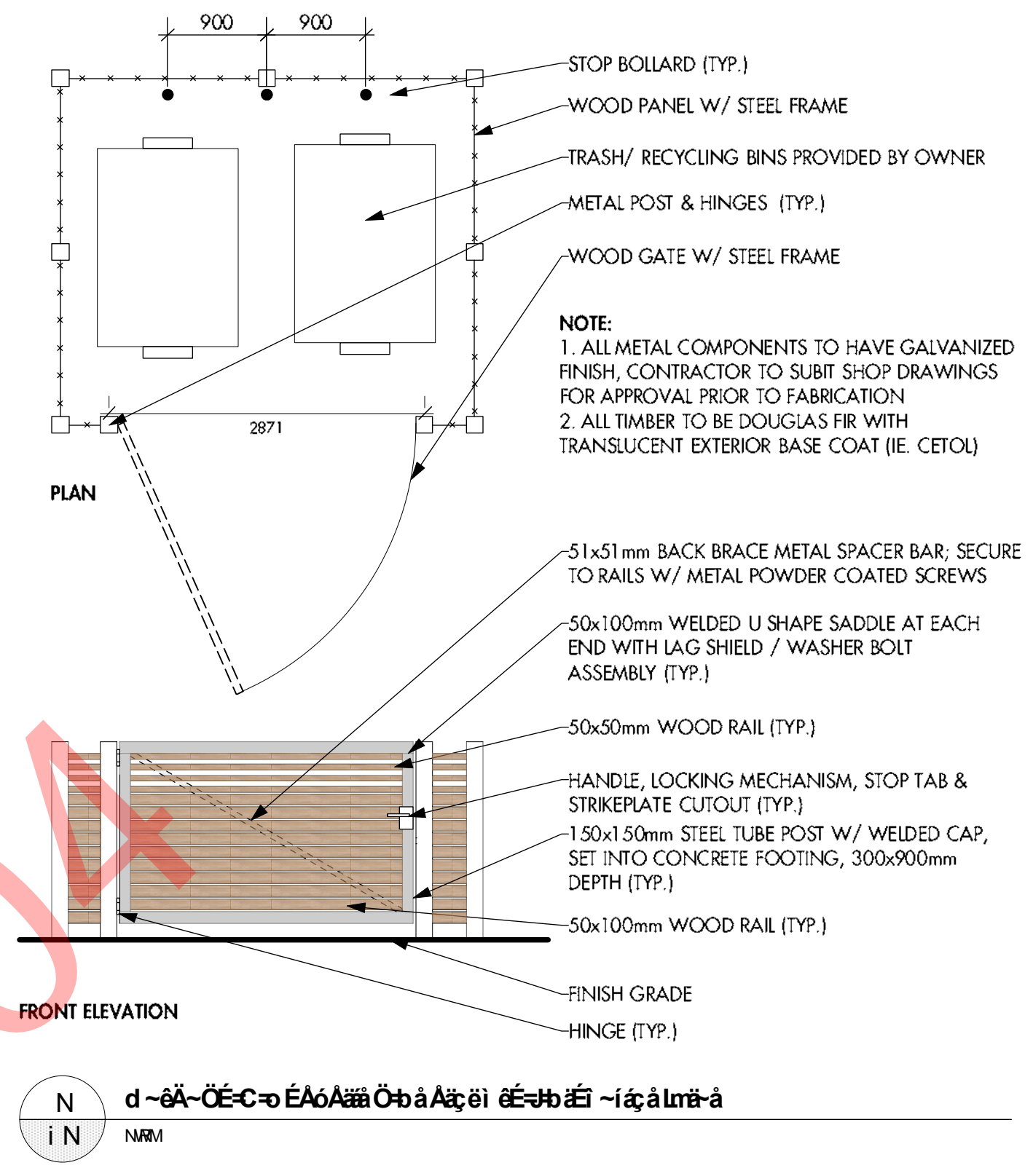
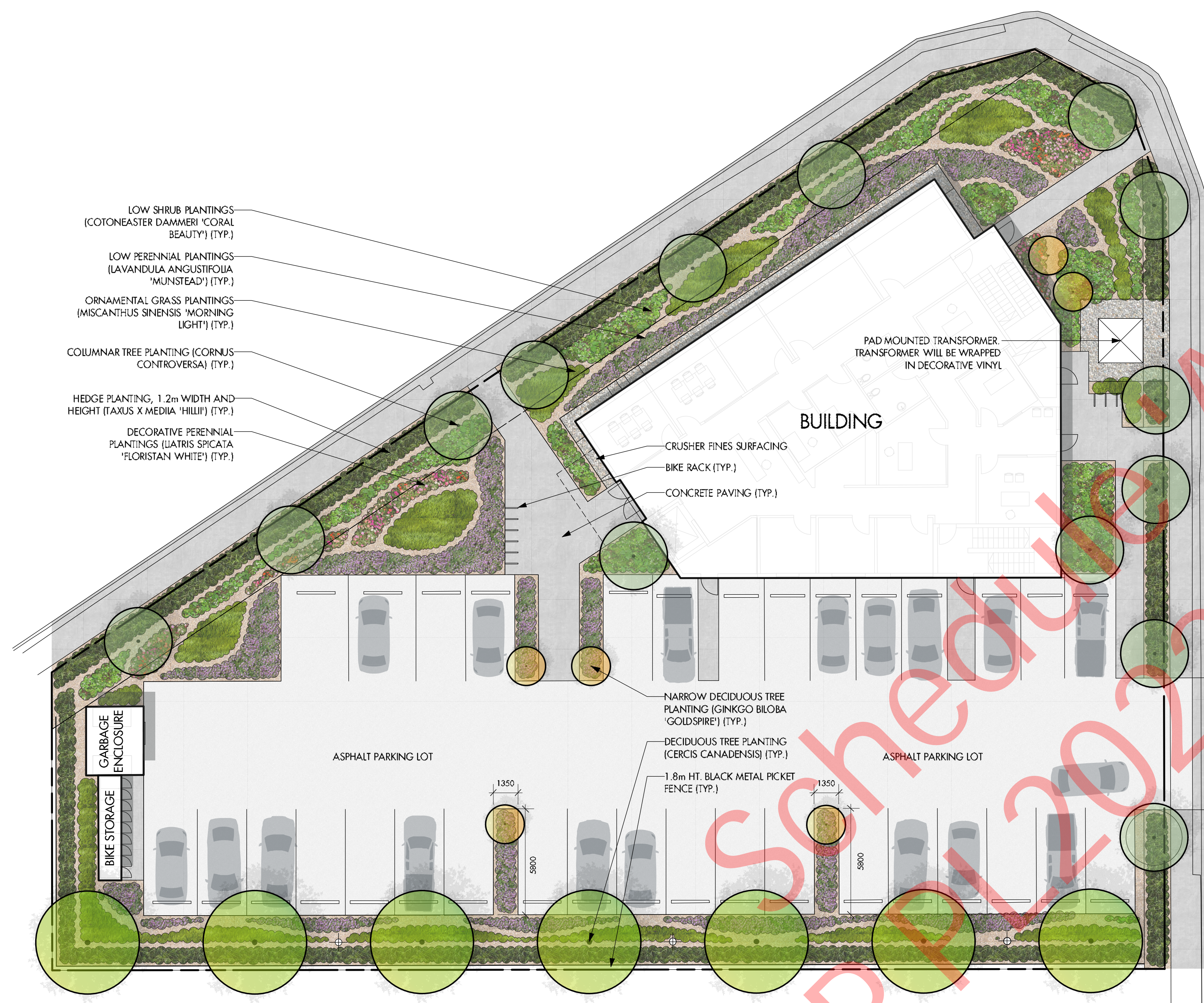
CONTEXT PLAN FOR 302 ECKHARDT AVE NTS

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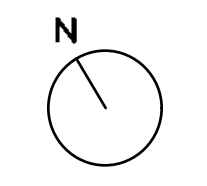
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- NOTES**
1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED CANADIAN LANDSCAPE STANDARDS.
 2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
 3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm NATURAL WOOD MULCH AS SHOWN IN PLANS. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
 4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
 5. 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.

PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
TREES			
CERCIS CANADENSIS	EASTERN REDBUD	7	6m CAL
CORNUS CONTROVERSA	GIANT DOGWOOD	14	6m CAL
GINKGO BILOBA 'GOLDSPIRE'	GOLDSPIRE GINKGO	6	6m CAL
SHRUBS			
COTONEASTER DAMMERI 'CORAL BEAUTY'	CORAL BEAUTY COTONEASTER	94	#02 CONT. /1.5M O.C. SPACING
TAXUS X MEDIA 'HILLI'	HILL'S YEW	213	#02 CONT. /1.0M O.C. SPACING
PERENNIALS & GRASSES			
LAVANDULA ANGUSTIFOLIA 'MUNSTEAD'	MUNSTEAD ENGLISH LAVENDER	116	#01 CONT. /0.9M O.C. SPACING
LIATRIS SPICATA 'FLORISTAN WHITE'	FLORISTAN WHITE GAYFEATHER	116	#01 CONT. /0.9M O.C. SPACING
MISCANTHUS SINENSIS 'MORNING LIGHT'	MORNING LIGHT MAIDEN GRASS	42	#01 CONT. /1.5M O.C. SPACING



RE/MAX
302 ECKHARDT AVENUE
 Penticton, BC

CONCEPTUAL LANDSCAPE PLAN

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		



L1/1

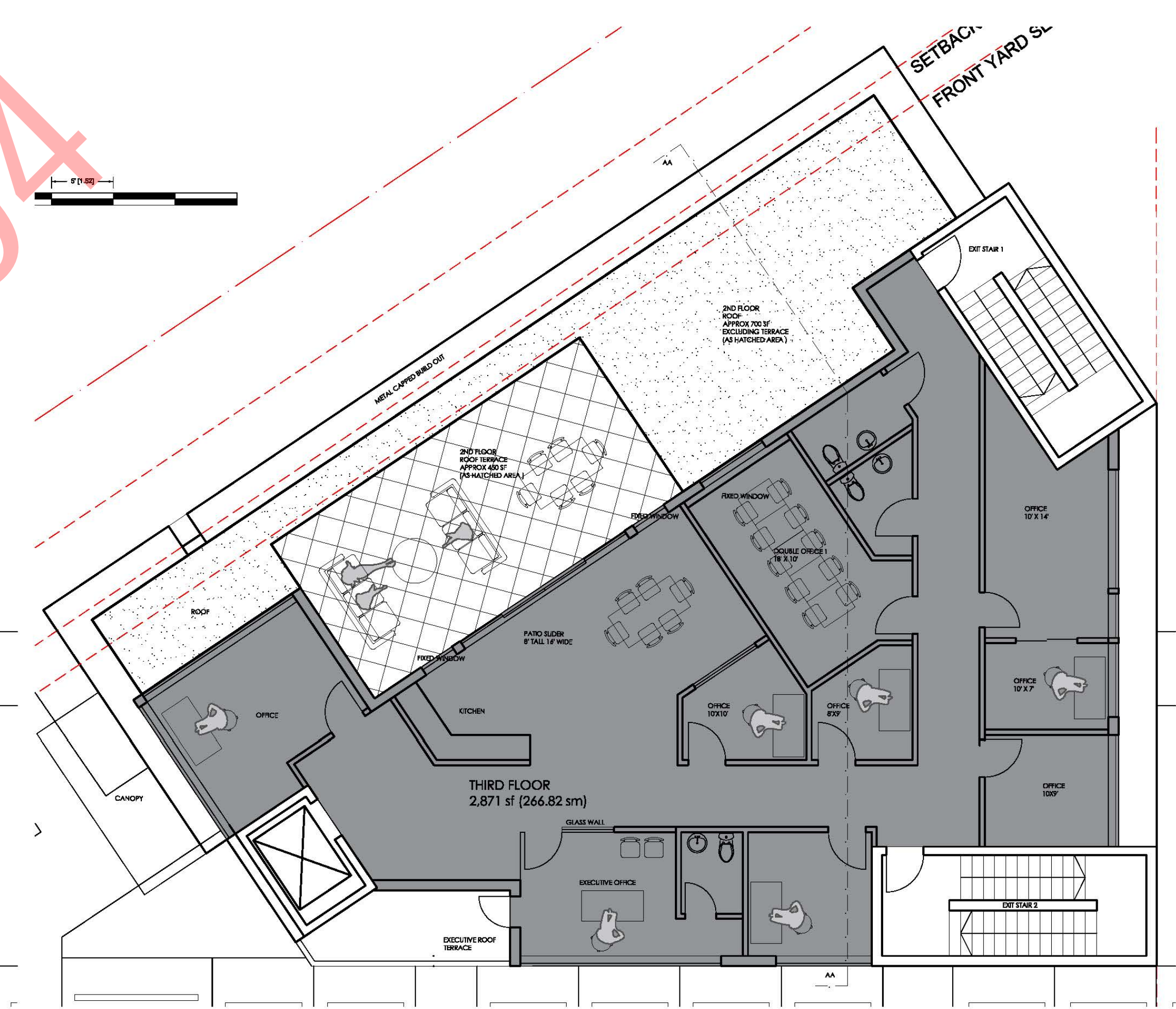
ISSUED FOR REVIEW ONLY



GROUND FLOOR, NET AREA HATCHED DARK GRAY 3,600 sf (334.6 sm)



SECOND FLOOR, NET AREA HATCHED DARK GRAY 3,786 sf (351.86 sm)



THIRD FLOOR, NET AREA HATCHED DARK GRAY 2,363 sf (220 sm)

NET AREA

3,600 sf (334.6 sm)
3,786 sf (351.86 sm)
2,363 sf (220 sm)
total 9,749 sf (906 sm)

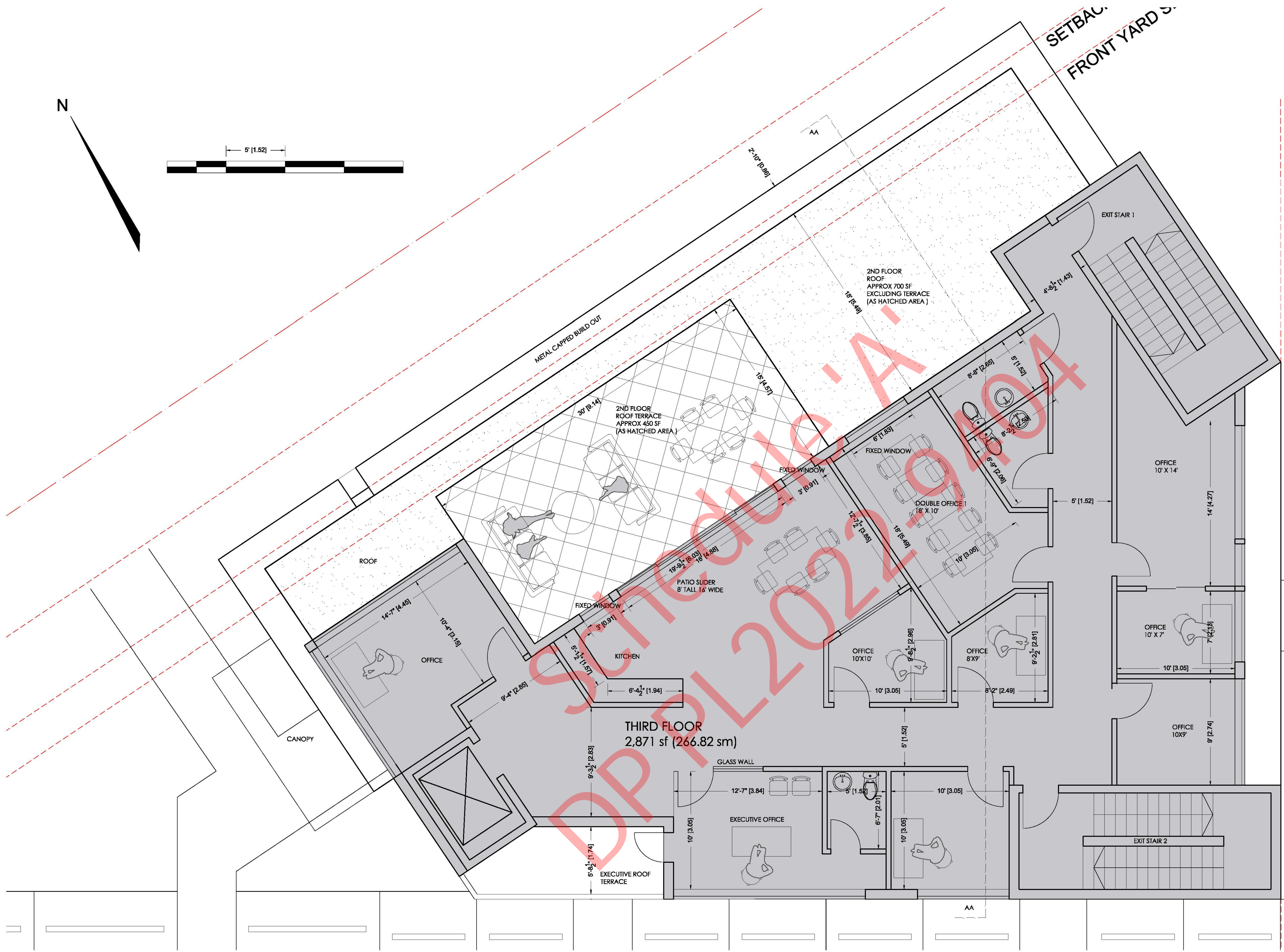
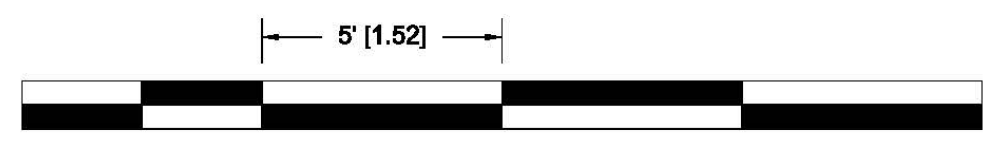
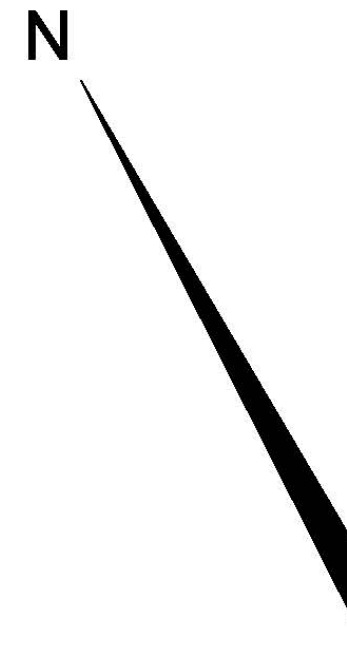
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SCHEDULE 2022-9404

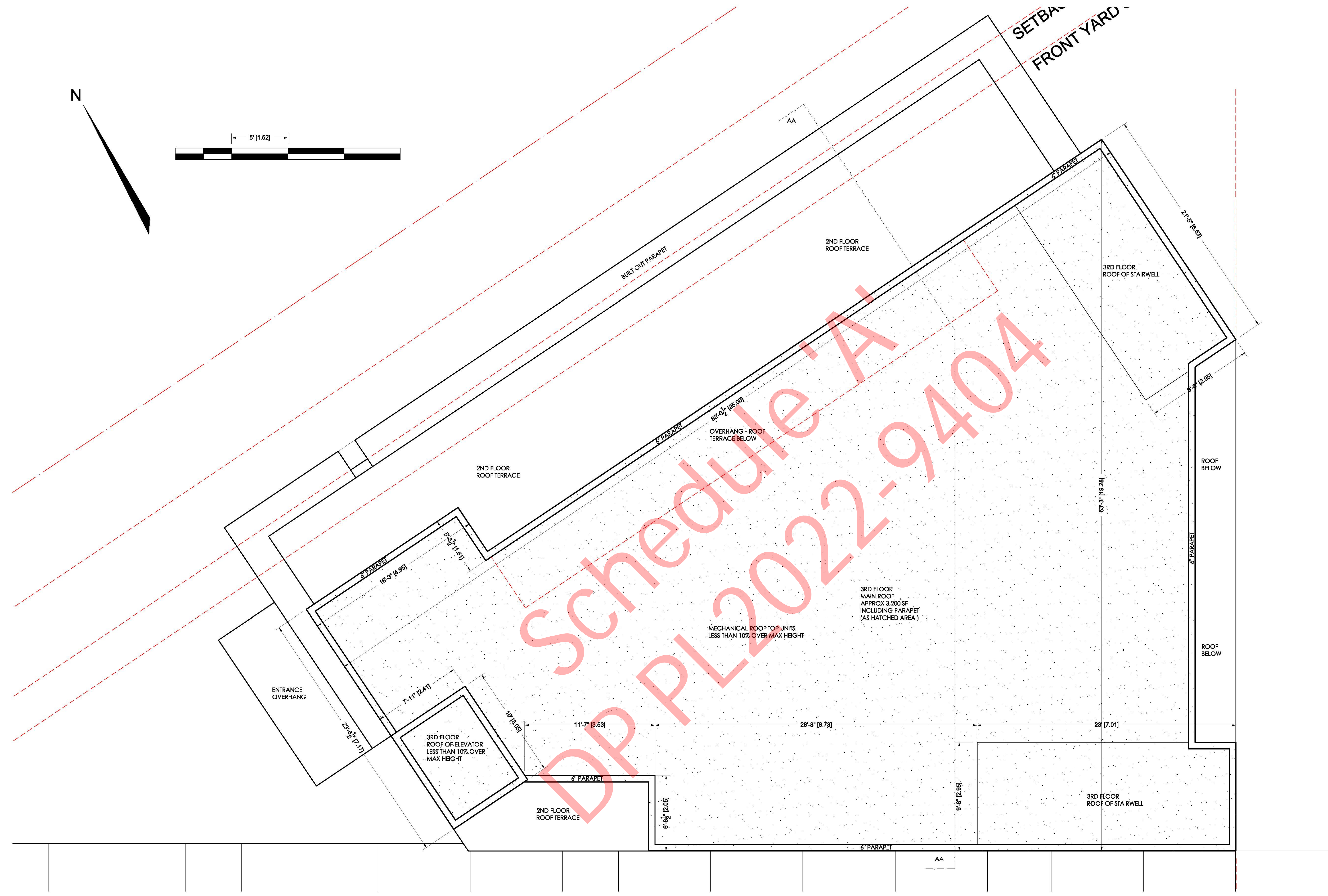
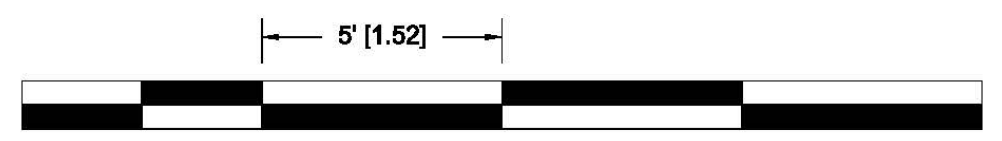
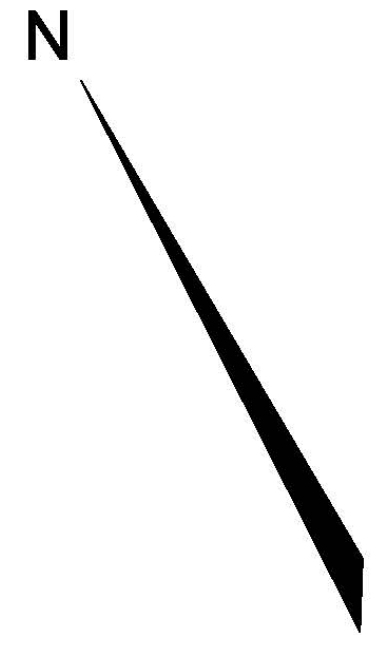
SECOND FLOOR
4,294 sf (399 sm)

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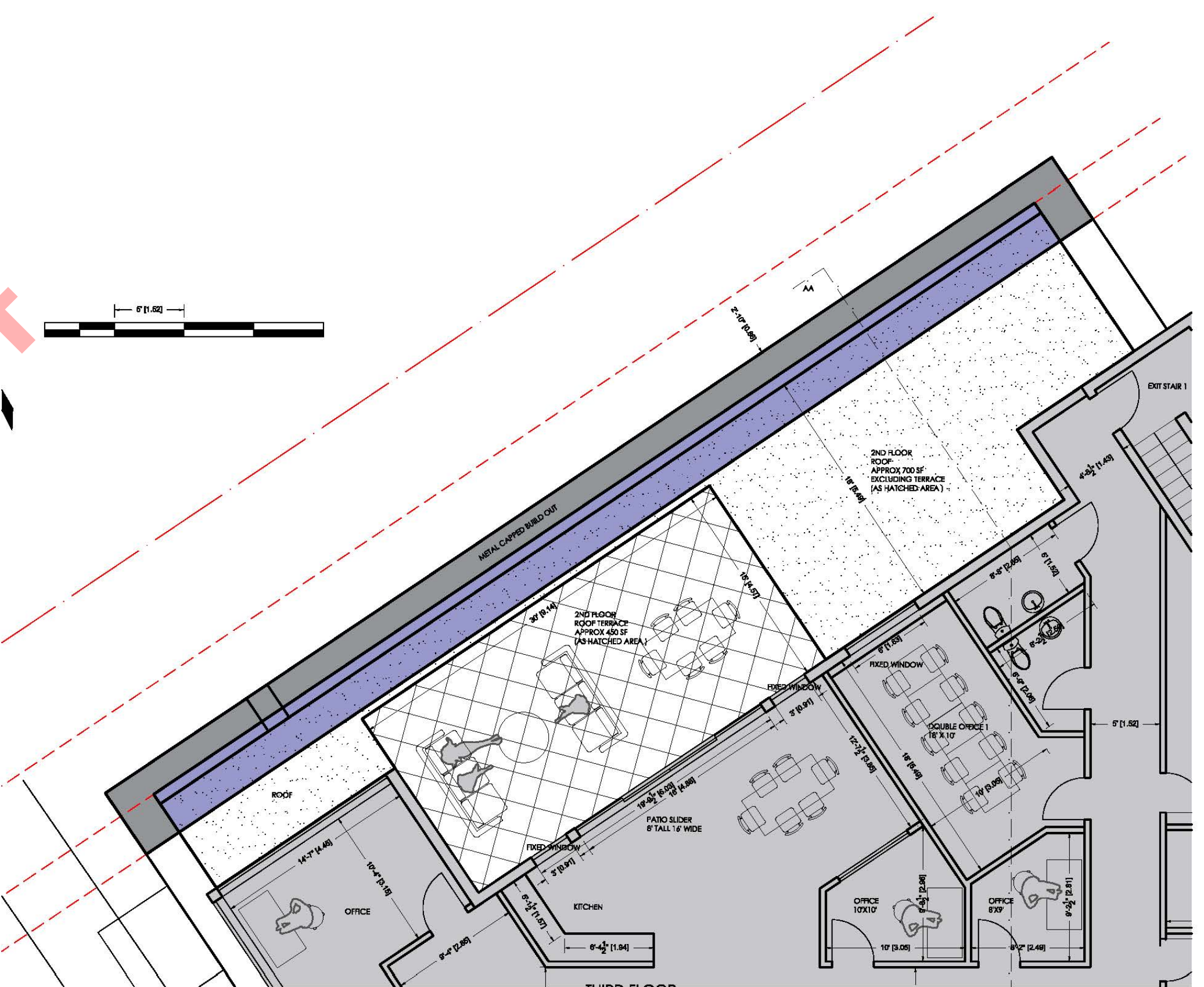
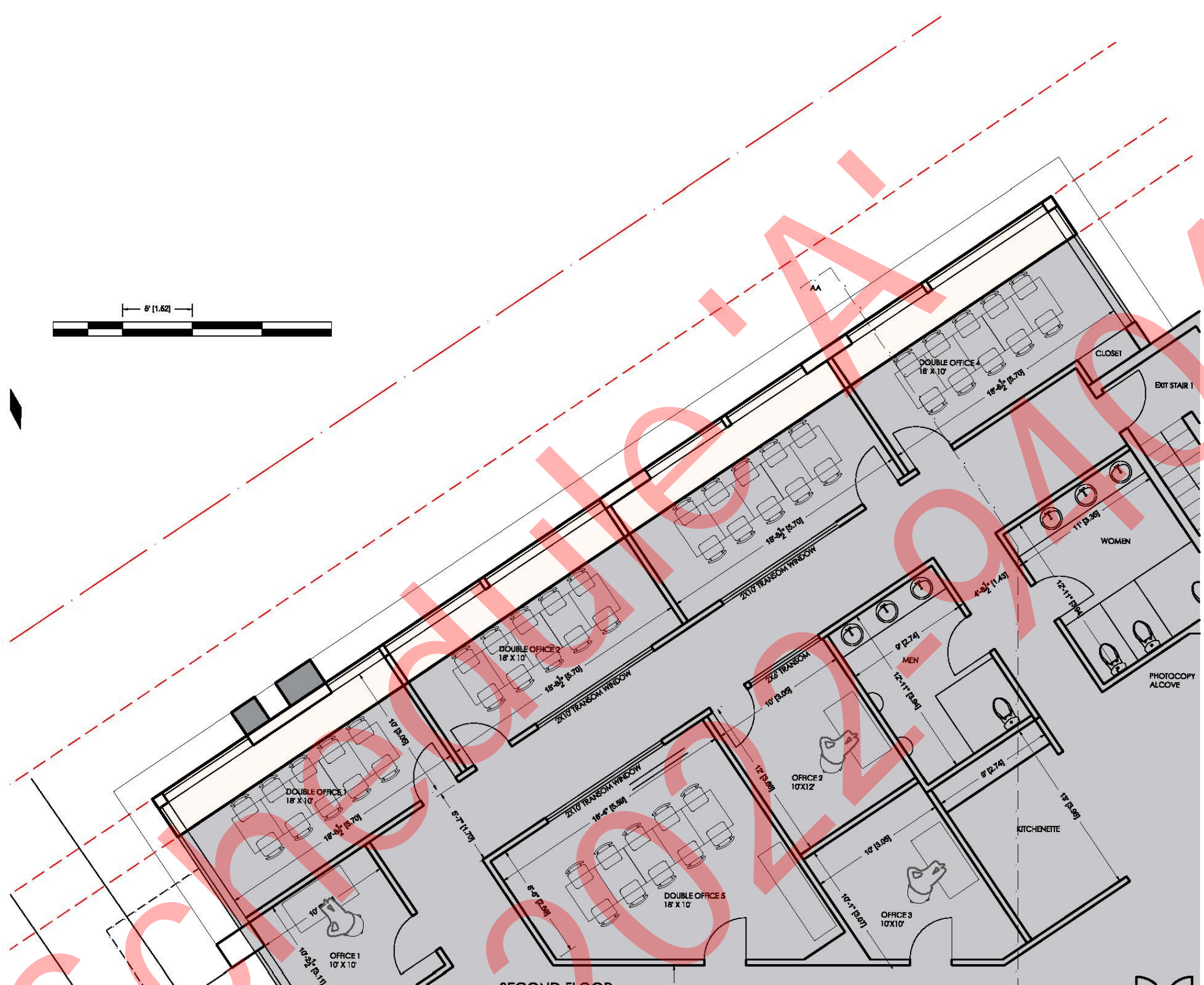
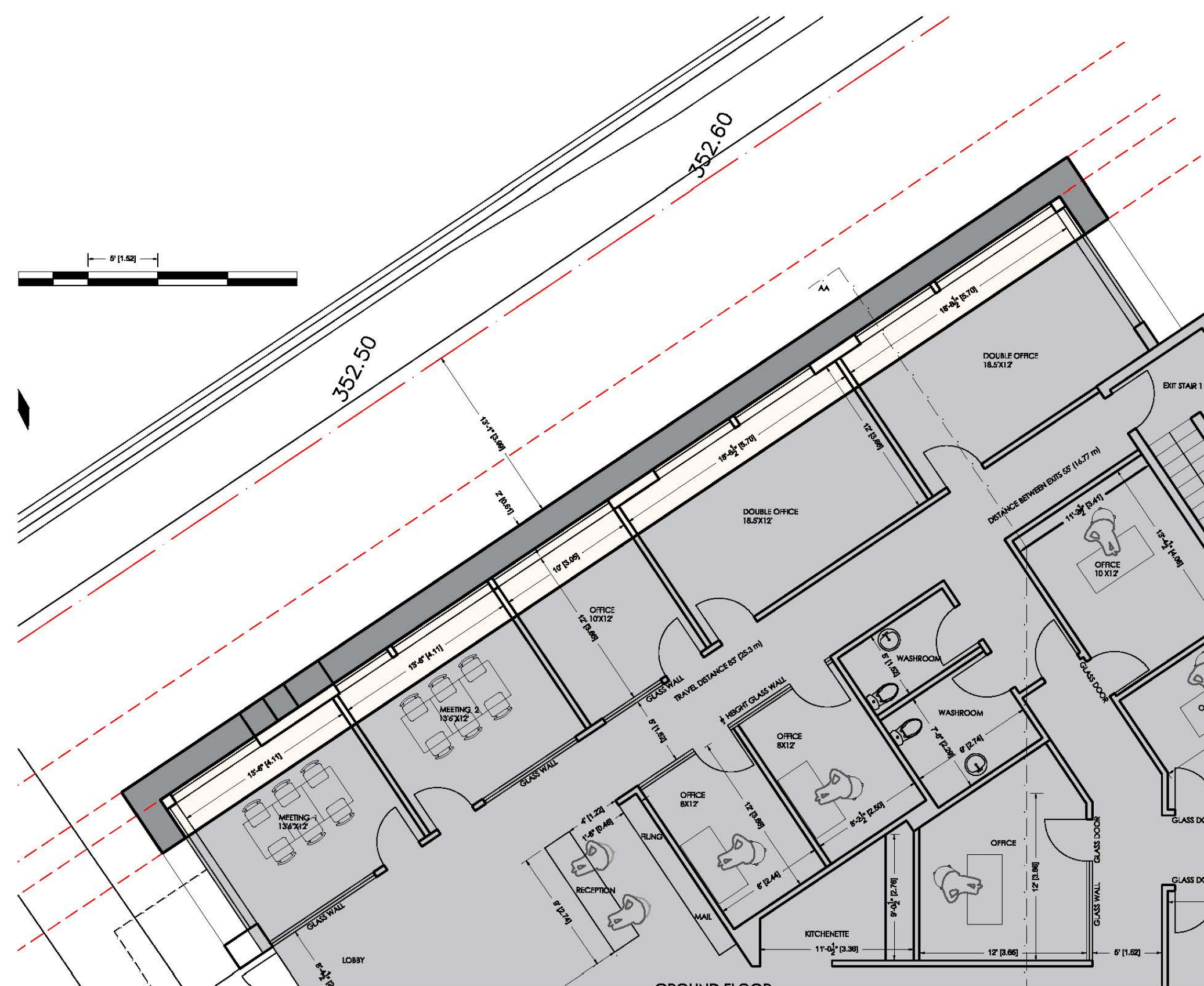
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VARIANCE

BYLAW SETBACK REQUIREMENT FRONT YARD 3.0 m



ARCHITECTURAL PROJECTION .6 m DEEP FROM BUILDING FACE



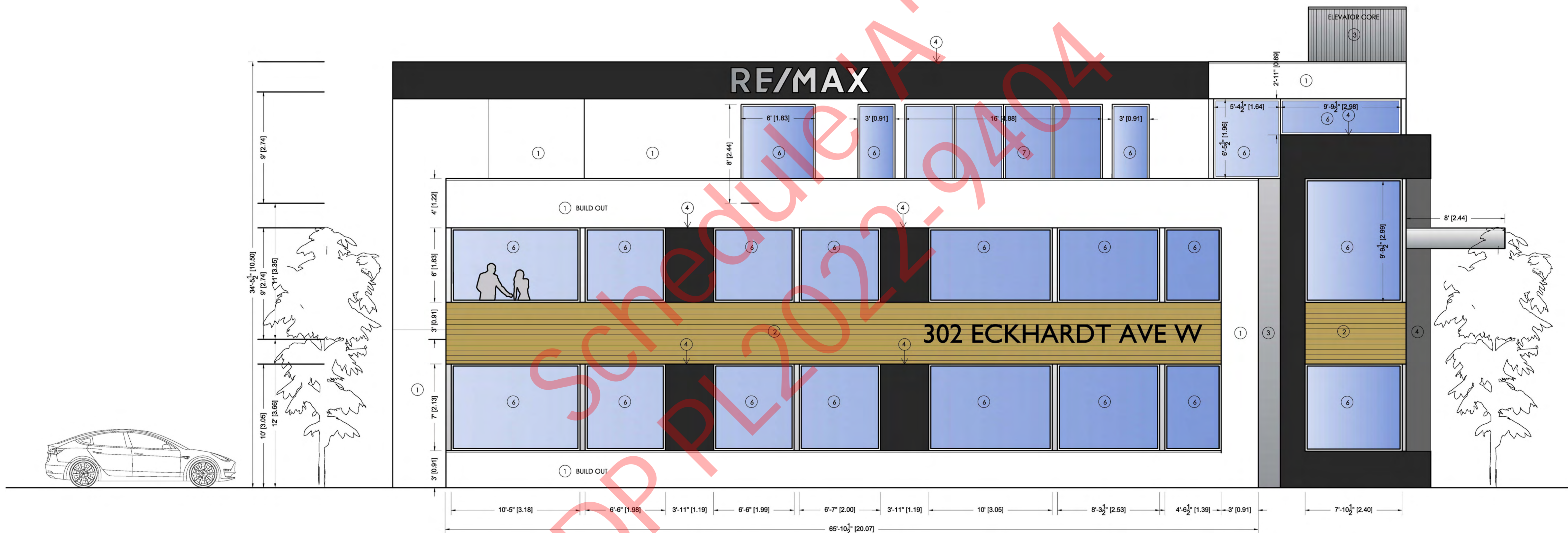
FLOOR AREA PROJECTS 1.0 m INTO SETBACK
255 sf GROUND FLOOR + 255 sf 2ND FLOOR



ROOF AREA PROJECTS 1.0 m INTO SETBACK (3RD FLOOR)

SCHEMATIC
 DR PLZ

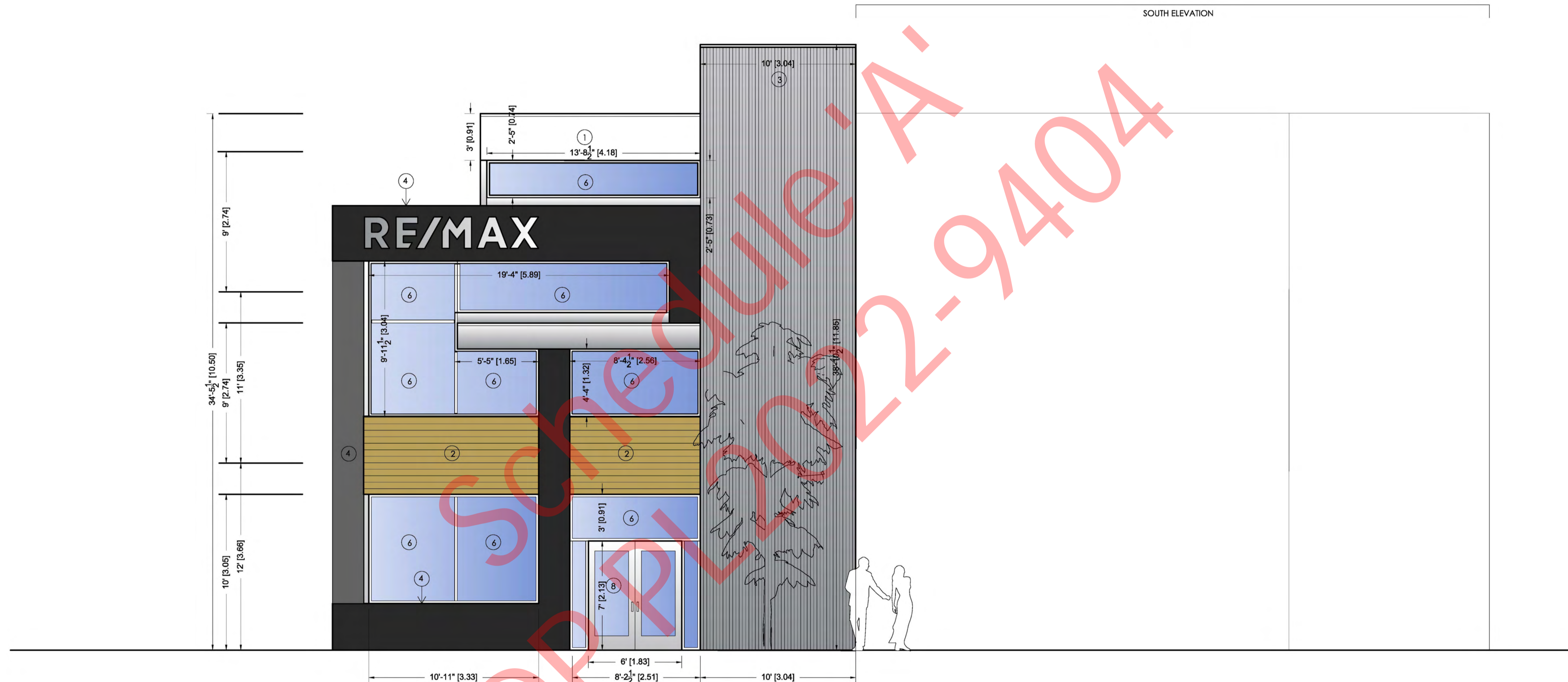
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MATERIAL LEGEND

- ① STUCCO
WHITE
- ② METAL SIDING
PAINTED WOOD GRAIN
- ③ METAL PANEL PROFILED
GREY
- ④ METAL PANEL SMOOTH
BLACK
- ⑤ EXTERIOR METAL DOOR PAINTED
- ⑥ WINDOW DOUBLE GLAZED FIXED
ANODIZED ALUMINUM FRAME
- ⑦ SLIDING PATIO DOOR
ANODIZED ALUMINUM FRAME
- ⑧ GLASS ENTRANCE DOOR(S)
ANODIZED ALUMINUM FRAME WITH SIDELIGHTS (WHERE SHOWN)

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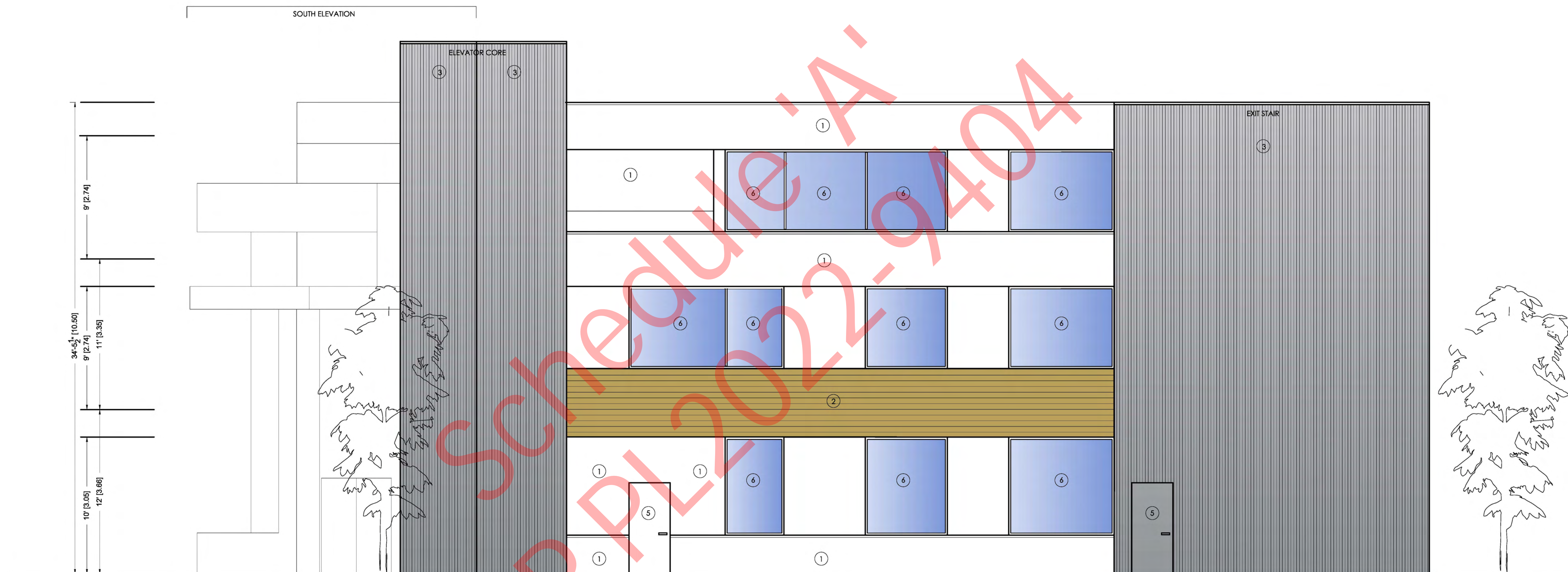


MATERIAL LEGEND

- ① STUCCO WHITE
- ② METAL SIDING PAINTED WOOD GRAIN
- ③ METAL PANEL PROFILED GREY
- ④ METAL PANEL SMOOTH BLACK
- ⑤ EXTERIOR METAL DOOR PAINTED
- ⑥ WINDOW DOUBLE GLAZED FIXED ANODIZED ALUMINUM FRAME
- ⑦ SLIDING PATIO DOOR ANODIZED ALUMINUM FRAME
- ⑧ GLASS ENTRANCE DOOR(S) ANODIZED ALUMINUM FRAME WITH SIDELIGHTS (WHERE SHOWN)

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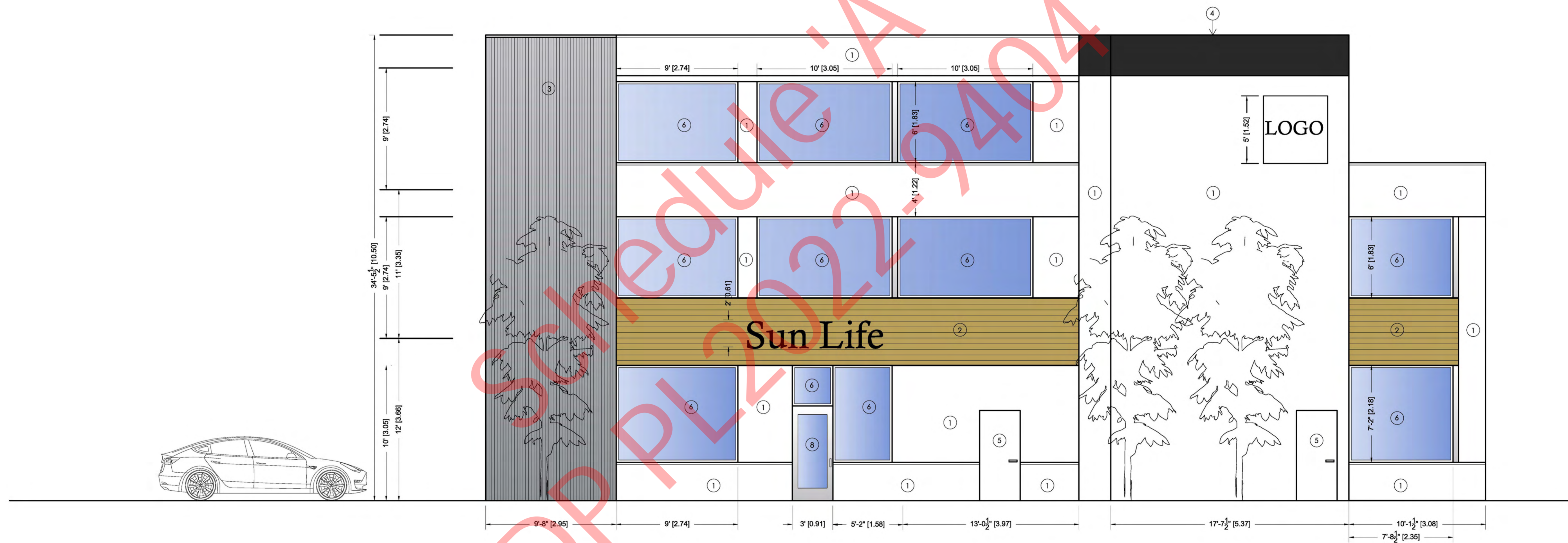


MATERIAL LEGEND

- ① STUCCO WHITE
- ② METAL SIDING PAINTED WOOD GRAIN
- ③ METAL PANEL PROFILED GREY
- ④ METAL PANEL SMOOTH BLACK
- ⑤ EXTERIOR METAL DOOR PAINTED
- ⑥ WINDOW DOUBLE GLAZED FIXED ANODIZED ALUMINUM FRAME
- ⑦ SLIDING PATIO DOOR ANODIZED ALUMINUM FRAME
- ⑧ GLASS ENTRANCE DOOR(S) ANODIZED ALUMINUM FRAME WITH SIDELIGHTS (WHERE SHOWN)

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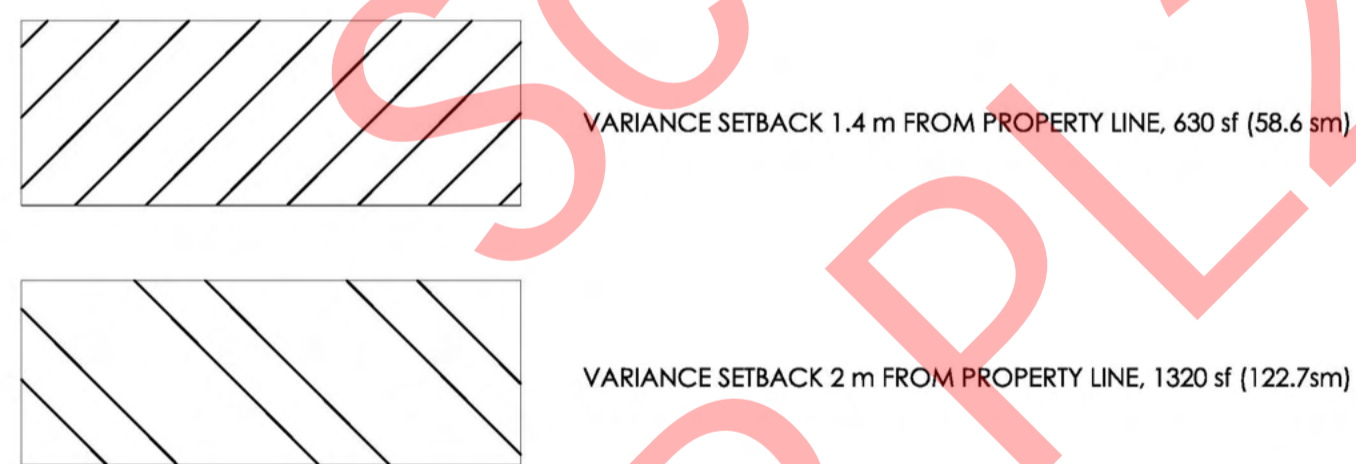
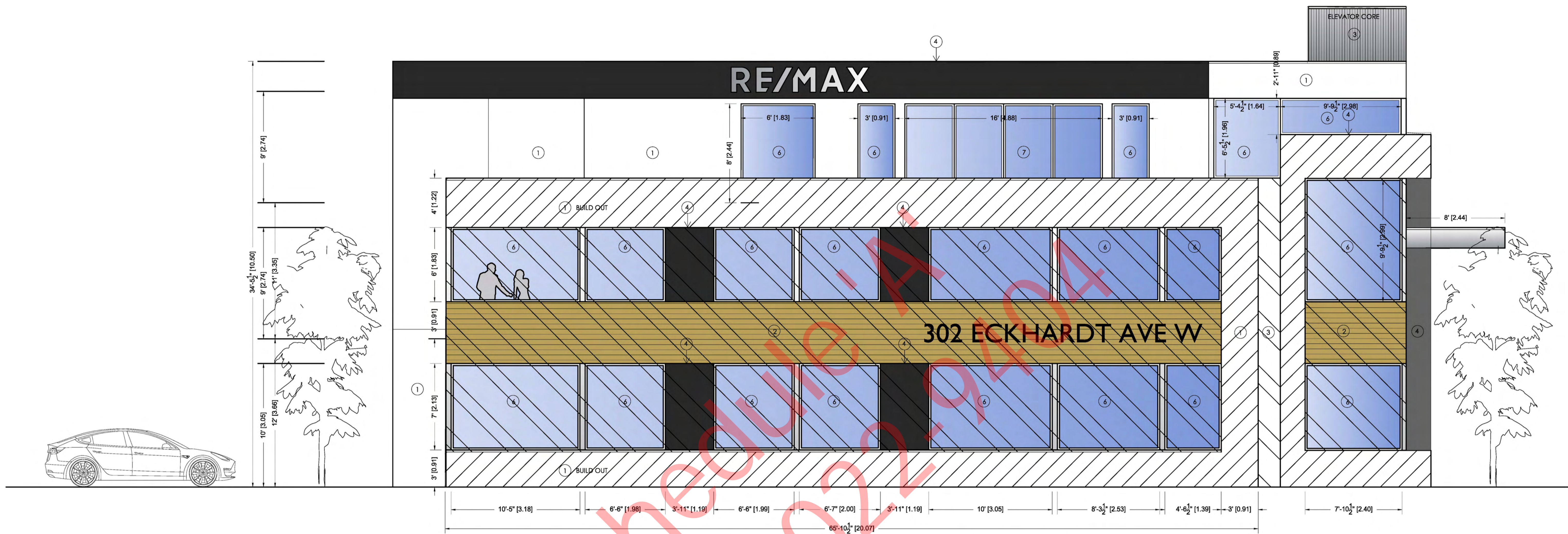


MATERIAL LEGEND

- ① STUCCO WHITE
- ② METAL SIDING PAINTED WOOD GRAIN
- ③ METAL PANEL PROFILED GREY
- ④ METAL PANEL SMOOTH BLACK
- ⑤ EXTERIOR METAL DOOR PAINTED BLACK
- ⑥ WINDOW DOUBLE GLAZED FIXED ANODIZED ALUMINUM FRAME
- ⑦ SLIDING PATIO DOOR ANODIZED ALUMINUM FRAME
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OVERALL NORTH FACING ELEVATION AREA = 2,818 sf

MATERIAL LEGEND

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Council Report

penticton.ca

Date: December 6, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 270 Riverside Drive

File No: RMS/270 Riverside Dr

**Subject: Zoning Amendment Bylaw No. 2022-55
Development Variance Permit PL2022-9433
Development Permit PL2022-9432**

Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-55", a bylaw to amend the following provisions of the CD2 (Comprehensive Development (270 Riverside Drive)) zone for Lot A District Lot 366 Similkameen Division Yale District Plan KAP91771, located at 270 Riverside Drive:

- Section 14.2.2: To add 'Vacation Rental' as a permitted use,
- Section 14.2.2: To add 'Mobile Vending Unit' as a permitted use, and
- Section 14.2.3.9: To change the minimum rear yard (Wylie Street) setback from 25m to 2.5m;

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-55" to the December 20, 2022 Public Hearing;

AND THAT Council, subject to adoption of Zoning Amendment Bylaw No. 2022-55, consider "Development Variance Permit PL2022-9433" for Lot A District Lot 366 Similkameen Division Yale District Plan KAP91771, located at 270 Riverside Drive, a permit to vary the following sections of Zoning Bylaw 2021-01 to facilitate the proposed 234 unit strata apartment development:

- Section 6.5: To reduce the minimum number of vehicle parking spaces from 291 to 290,
- Section 14.2.3.3: To increase the maximum lot coverage from 65% to 76%,
- Section 14.2.3.2: To reduce the minimum lot area from 9,000m² to 4,769m² (for phasing only), and
- Section 14.2.3.9: To reduce the minimum rear yard from 2.5m to 0m (for phasing only);

AND THAT Council, subject to approval of "Development Variance Permit PL2022-9433", approve "Development Permit PL2022-9432" for Lot A District Lot 366 Similkameen Division Yale District Plan KAP91771, located at 270 Riverside Drive, a permit to approve the form and character of the proposed 6 storey, 234 unit strata apartment development on the subject property,

AND THAT Council, subject to approval of "Development Permit PL2022-9432", approve the discharge of restrictive covenant LB436828 (High Rise Fire Protection Covenant) from the title of the property given that it relates to the previous 15 storey tower proposal and is no longer relevant to this current 6 storey proposal.

Proposal

The applicant is proposing to construct a 6 storey, 234 unit strata apartment development on the subject property (Figure 1).



Figure 1 - Rendering of proposed development (view from Wylie St)

The plans show 28 studio units, 117 one-bedroom units, and 89 two-bedroom units. The development includes a number of amenities (Box 1) as well as a terrace or balcony for each unit. 297 vehicle parking spaces and 261 secure bicycle lockers are provided in an enclosed two level parkade. The development is proposed to be built in two phases, phase 1 with 96 units on the Wylie St side and phase 2 with 138 units on the Riverside Dr side. The development is designed with a 2 storey parking podium flanked with units on the street facing sides and two 4 storey towers above.

The applicant has submitted the following applications for Council's consideration to facilitate the proposed development:

1. Zoning Bylaw Text Amendment to amend the following sections of the existing CD2 (Comprehensive Development (270 Riverside Drive)) zone on the subject property:
 - Section 14.2.2: To add 'Vacation Rental' as a permitted use,
 - Section 14.2.2: To add 'Mobile Vending Unit' as a permitted use, and
 - Section 14.2.3.9: To change the minimum rear yard (Wylie Street) from 25m to 2.5m.
2. Development Variance Permit to vary the following sections of Zoning Bylaw 2021-01:
 - Section 6.5: To reduce the minimum number of vehicle parking spaces from 291 to 290,

List of Proposed Amenities:

- Two indoor fitness rooms
- Outdoor fitness area
- Pool and hot tub
- Outdoor kitchen
- Multipurpose amenity room
- Putting green
- Lawns
- Seating areas
- Food truck pad
- Bike repair and bike wash station

Box 1 - Shared amenities shown on the development plans

- Section 14.2.3.3: To increase the maximum lot coverage from 65% to 76%,
 - Section 14.2.3.2: To reduce the minimum lot area from 9,000m² to 4,769m² (for phasing only), and
 - Section 14.2.3.9: To reduce the minimum rear yard from 2.5m to 0m (for phasing only).
3. Development Permit: for approval of the form and character of the proposed apartment development considered within the Multifamily Development Permit Area outlined by the Official Community Plan (OCP).

The applicant has submitted a Letter of Intent with their application package outlining the proposal in more detail (Attachment 'D') as well as a comprehensive Development Permit Analysis (Attachment 'E').

Background

Property Information

The subject property is 0.89ha (2.21 ac) in size and is located on the east side of Riverside Dr, with frontage on both Riverside Dr and Wylie St (Figure 2). The site was previously home to the Ogoopogo Motel until it was demolished in 2021 in preparation of the site for development. Surrounding land uses include the Riverside Plaza immediately to the south, a 35 unit townhouse development nearing completion immediately north, commercial uses located to the west along Wylie St and Westminster Ave W, the River Channel trails and parkland across Riverside Dr to the west.

The subject property is located within the North Gateway plan area, is currently zoned CD2 (Comprehensive Development (270 Riverside Drive)) in the Zoning Bylaw, and is designated 'Urban High Density Residential' by the Official Community Plan (OCP).

Previous Development Proposal (2008-2011)

In March 2011, Council adopted the CD2 (Comprehensive Development (270 Riverside Drive)) zone, which was custom made for the subject property based on the proposal for a high-density 15 storey residential development consisting of two towers with 194 apartments and 24 townhouse units (Figure 3). The previous application package was submitted in 2008 and went through numerous iterations before Council adopted



Figure 2 - Property location map

the CD2 zone and approved the previous development proposal in 2011. The approved development was never constructed.



Figure 3 - Rendering of 2011 approved development on the subject property (view from southwest)

A number of conditions formed part of the previous development approval, including:

- \$75,000 contribution to a North Gateway Planning strategy,
- Provision of a public walkway secured by right-of-way and easement through the site to connect Riverside Dr and Wylie St,
- Changes to the Riverside Dr/Eckhardt Ave W intersection prior to issuance of a building permit based on the Ministry of Transportation and Infrastructure’s requirements, and
- 2.0m road dedication along the Wylie St frontage.

Those conditions were completed and the rezoning adopted in 2011. After adoption, the zoning remains in effect even though the original development was never constructed.

Since approval of the rezoning in 2011, the City completed comprehensive community engagement as part of the process to develop the 2019 OCP. The previous proposal was considered under the previous 2002 OCP, which called for greater residential densities in designated ‘urban villages’, including the North Gateway area. The 2019 OCP growth strategy moved away from the urban villages concept and generally favours lower-scale infill developments across the City. The current 6 storey development proposal is considered more aligned with this policy shift. The North Gateway Plan also recognizes that most residential developments in this area will take a form of approximately 6 storeys, with some strategic locations for potentially taller buildings recognizing the full 15 storey potential under the current zoning on the subject property.

North Gateway Plan

The North Gateway Plan was approved by Council in 2022, and was funded through the zoning process of the subject property (2011 contribution). Under the adopted plan, the North Gateway is envisioned as ‘a welcoming and attractive neighbourhood, supportive of increased varieties of residential densities, tourist accommodation and commercial activity.’ Additional residential density is anticipated with over 2,000 new residential units in the area, approximately 30,000 sq. ft. of new commercial/retail space and the addition of approximately 350 new hotel rooms.

Staff have reviewed the proposed development for alignment with the main focus of the North Gateway Plan:

- *Land Use & Density:* The proposal is for a high density residential development, providing 234 new units in a highly walkable and bikeable area adjacent to a commercial shops and services. The new units contribute towards the North Gateway Plan target of 1,750-2,250 new units within the area. The subject property was identified through the North Gateway Plan as a key development site within the plan area, with the potential for 6+ storeys.
- *Experience and Atmosphere:* The development is designed to provide active and passive uses in the southern public walkway through the site. The path is flanked by landscaping, seating, a building lobby entrance, and provides a dedicated space for a food truck. The boulevards along Riverside Dr and Wylie St will be improved through this development, by removing driveway crossovers on the Riverside Dr side, and providing new landscaping and trees along the Wylie St side. Entrances to ground-level units directly from public sidewalks further enhances the pedestrian experience along both streets.
- *Mobility & Connections:* The development reduces vehicle dependency and encourages active transportation through its location adjacent to commercial uses and parks, being close to transit and recreational trails, and by providing secure bike lockers in the parkade. The southern walkway improves pedestrian connectivity through the area by providing a shortcut between the River Channel walkway and commercial areas along Wylie St and Westminster Ave W.

The proposed development is considered to be aligned with the North Gateway Plan. The Plan encourages increased residential density along Riverside Dr in support of density targets for approximately 2,000 new housing units in the area, while contributing in a positive way to the public experience and connectivity of the North Gateway neighbourhood.

Climate Impact

Council adopted the Community Climate Action Plan (CCAP) in 2021. The proposed development is consistent with the following aspects of the CCAP:

- **Shift Beyond the Car:** Encourage active & accessible transportation and transit
 - 261 secure bike lockers provided in the parkade
 - Recreational trails along River Channel to the west
 - Walking distance to shops, services, and parks
 - Transit route along Riverside Dr and Westminster Ave W
- **Step Up New Buildings:** All new buildings will be required to meet the BC Energy Step Code requirements at the time of construction.

- o The development will be required to meet Step 1 of the BC Energy Step Code as a minimum standard of energy efficiency.

Technical Review

The application package was reviewed by the Technical Planning Committee, a group of internal staff from various departments who review development applications. Staff reviewed the covenants, easements, and rights-of-way registered on the subject property and confirmed that all should remain in effect for the new development proposal with the exception of the high-rise fire protection covenant. The Fire Department reviewed this recommendation and agreed that covenant could be discharged. Staff recommend that Council, subject to approving the Development Permit, support the discharge of that covenant from title of the property.

The applicant advised they plan to develop the project in two phases, with Phase 1 on the Wylie St side and Phase 2 on the Riverside Dr side. This led to the request for reduced lot area and reduced rear yard setback variances requested to facilitate the phasing. These variances are required in the case that Phase 2 does not proceed, that the remainder parcel may be developed separately. Full analysis of the requested variances to allow phasing is included in the Analysis section of this report.

Additional comments and requirements relevant to the future building permit stage were provided to the applicant, in an effort to expedite that future approvals process.

Development Statistics

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

	CD2 Zone Requirement	Provided on Plans
Minimum Lot Width	60 m	65 m
Minimum Lot Area	9,000 m ²	4,769 m ² for phasing – Variance Requested
Maximum Lot Coverage	65%	76% - Variance Requested
Maximum Density	2.0 Floor Area Ratio (FAR)	1.92 FAR
Vehicle Parking	1 space per dwelling unit 234 spaces required 0.25 visitor spaces per dwelling unit 58 visitor spaces required 6 accessible spaces required	232 spaces provided ** - Variance Requested Plus 7 tandem spaces provided 58 visitor spaces provided 7 accessible spaces provided
Bicycle Parking	0.5 Class I spaces per dwelling unit 117 Class I spaces required 0.1 Class II spaces per dwelling unit 23 Class II spaces required	261 Class I (secure) spaces provided 26 Class II (rack) spaces provided
Front Yard Setback (Riverside Dr)	4.5 m	4.5 m
Side Yard Setback (north)	2.5 m	2.5 m

Side Yard Setback (south)	2.5 m	6.5 m
Rear Yard Setback (Wylie St)	25 m***	3.5 m 0 m for phasing – Variance Requested
Maximum Building Height	44 m and 15 stories	21.7 m and 6 stories
Other Information	<p>* The minimum parcel standards do not apply to existing lots</p> <p>** Vehicle parking requirement may be reduced by one space when 5 additional Class I (secure) bicycle parking spaces are required (Section 6.1.5.1)</p> <p>*** Zoning Amendment submitted to correct this setback to 2.5m from 25m</p>	

Analysis

This section of the report provides staff’s analysis for each of the four key recommendations to Council related to this proposed development.

Zoning Amendment Bylaw

The applicant is proposing three amendments to the existing CD2 (Comprehensive Development (270 Riverside Drive)) zone on the subject property. The application is not to rezone the property, rather it amends certain sections of the existing zoning to suit this new proposal. All other zoning provisions would remain in effect.

Staff’s justification for each proposed CD2 zone amendment is outlined below:

Section 14.2.2: To add ‘Vacation Rental’ as a permitted use.

- The CD2 zone was applied for in 2008 and adopted by Council in 2011, while ‘Vacation Rentals’ were introduced in the Zoning Bylaw in the fall of 2010;
- Because the CD2 zone was already moving through the approvals process, the ‘vacation rental’ use was not added as a permitted use in that zone;
- Today, ‘vacation rental’ is listed as a permitted use in all zones allowing residential uses in Penticton (subject to the operator obtaining a business license);
- The amendment to add ‘vacation rental’ as a permitted use on the subject property would allow the same land use rights as the Zoning Bylaw allows for other residential zones in the City;
- This allows future owners the option to operate a vacation rental subject to the business license requirements, however short-term rentals may be further restricted by strata bylaws created by future owners in the development.

Section 14.2.2: To add ‘Mobile Vending Unit’ as a permitted use.

- Mobile vending units (i.e. food trucks) are permitted by the Zoning Bylaw on privately-owned commercial-zoned properties and not on residential-zoned properties,

- The applicant is required to provide the southern walkway and is interested in allowing mobile vending units (i.e. food trucks) to operate within that space on an occasional basis,
- The intent of allowing such uses on commercial properties is met in this instance given that the intended location of the mobile vending unit is immediately adjacent to Riverside Plaza, a commercial property. The requested use is supported given that it would contribute to activity along the future walkway and is in keeping with the commercial uses immediately to the south,
- No impacts are anticipated to future residents of the proposed development given that the mobile vending unit space is not directly adjacent to any residential units as those are set on the third level and above along this south side of the property.

Section 14.2.3.9: To change the minimum rear yard setback (Wylie Street) from 25m to 2.5m.

- Council approved the CD2 zoning in 2011 on the subject property with a 2.5m rear yard setback (Figure 4);
- When the new Zoning Bylaw 2011-23 was adopted by City Council later that year the CD2 zone was included but with an error – the rear yard setback was listed at 25m instead of the 2.5m approved by Council;
- The omission of the decimal point in the CD2 zone rear yard setback was carried through successive Zoning Bylaws in 2017 and 2021 and was not raised until development in the site was being considered again for development;
- Staff consider the amendment to the rear yard setback corrects a formatting error from 2011 and results in the correct setback listed in the CD2 zone.

Basic Subdivision and Siting Provisions	
i. Minimum lot width:	60 m
ii. Minimum lot area:	9000 m ²
iii. Maximum site coverage:	65%.
iv. Maximum Floor Area Ratio:	2.00
v. Maximum Height:	43.3m & 15 Stories
vi. Minimum Front Yard (Riverside Drive):	4.5 m
vii. Minimum Rear Yard (Wylie St):	2.5 m
viii. Minimum Side Yards	2.5 m

Figure 4- Excerpt from CD2 zone bylaw adopted by Council. Note the 2.5m rear yard setback from Wylie St.

When reviewing a development proposal, staff consider the alignment of the proposed development with the future land use designation on the property in the OCP. The subject property is designated “Urban High Density Residential” by the OCP (Figure 5). This designation applies to only a few areas in Penticton where high-rises over 6 storeys may be considered. The Urban High Density Residential OCP designation supports high-density apartment neighbourhoods of buildings over 6 storeys in high-amenity areas, supporting high-rise apartment/condo buildings with heights generally greater than 6 stories. This OCP designation was informed by the 2011 zoning approval of 15 storeys on the subject property. While the current proposal is for 6 storeys, the intent of this OCP designation is met by providing a denser apartment form which fits better with neighbouring uses than the originally envisioned 15 storey development.

Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
 <p>Urban High Density Residential</p>	High-density apartment neighbourhoods of buildings over 6 storeys in high-amenity areas	<ul style="list-style-type: none"> High-rise apartment/condo buildings 	<ul style="list-style-type: none"> Residential Limited Retail/Service 	<ul style="list-style-type: none"> Heights greater than 6 storeys 	<ul style="list-style-type: none"> RM4

Figure 5 - Excerpt from OCP land use designations table.

In addition to considering the OCP future land use designation on the property, staff reviewed the applicable OCP policies relevant to the proposed development. The full policy review is included as Attachment 'F'. The OCP policy review shows this proposed development is aligned with the general growth strategy of the OCP by providing additional units in the developed area of the City, locating increased density in high-amenity areas, and ensuring public benefits and connectivity through site design. This is also aligned with the goals of the North Gateway Plan.

Given the justification outlined in this report and in the applicant's letter of intent (Attachment 'D'), staff are recommending that Council give first reading to "Zoning Amendment Bylaw No. 2022-55", and forward the bylaw to the December 20, 2022 Public Hearing to gather comments and feedback from the public.

Development Variance Permit

When considering a variance to a City Bylaw, staff encourage Council to consider if there may be negative impacts from approving the requested variance, and if Council considers the variance request reasonable.

The applicant is requesting to vary the following sections of Zoning Bylaw 2021-01 to facilitate the proposed development:

- Section 6.5: To reduce the minimum number of vehicle parking spaces from 291 to 290
- Section 14.2.3.3: To increase the maximum lot coverage from 65% to 76%
- Section 14.2.3.2: To reduce the minimum lot area from 9,000m² to 4,769m² (for phasing only)
- Section 14.2.3.9: To reduce the minimum rear yard from 2.5m to 0m (for phasing only)

The variance requests for parking and lot coverage are permanent features of the development. The variances for reduced lot area and reduced rear yard setback are temporary in nature and required because the development is proposed to be built in two phases. Each variance request has been considered by staff, with analysis outlined below:

- Reduce vehicle parking spaces from 291 to 290
 - The development requires 292 parking spaces (resident + visitors) which is reduced to 291 through Section 6.1.5.1 of the Zoning Bylaw which allows the discount of one vehicle parking space where 5 additional bicycle parking spaces are provided,

- The variance is offset by providing 7 additional tandem parking stalls for a total of 297 parking spaces in the parkade, however tandem spaces cannot count towards the 'required' parking stalls based on Section 6.1.6 of the Zoning Bylaw,
- The development plans show more than twice the amount of secure bicycle parking in lockers in the parkade (117 required, 261 proposed),
- The development is in a highly walkable and bikeable neighbourhood,
- The North Gateway Plan and the OCP favour active transportation and discourage auto-dependent development,
- The requested variance for one less parking space than required is considered minor in nature.
- Increase lot coverage from 65% to 76%
 - Lot coverage is intended to ensure sufficient ground level amenity space and area for natural drainage on the lot,
 - The maximum 65% lot coverage was based on the plans submitted with the 2011 development proposal on the property,
 - The comparable RM4 (High Density Multiple Housing) zone allows a maximum 75% lot coverage, which is nearly the same as the 76% requested for the proposed development,
 - In the current proposal, the southern public walkway is maintained as programmed amenity space in addition to the landscaped common amenity space for residents on level 3.
- Phasing variances
 - Reduce minimum lot area from 9,000m² to 4,769m²
 - This variance allows the development to proceed in two phases,
 - Lot area is phased on the full lot at its current size,
 - When reviewing a phasing plan staff consider the buildability of future phases in the development in the case future phase(s) do not proceed,
 - In this case, the minimum lot area was customized for the site when it was rezoned in 2011,
 - The 9,000m² minimum lot area in the CD2 zone far exceeds the comparable requirement of the RM4 (High Density Multiple Housing) zone which has a minimum lot area of 2,000m²,
 - Given that, the request for 4,769m² lot area for phasing the development would allow a sufficiently large parcel for development on its own in the case that Phase 2 does not proceed.
 - Reduce rear yard setback from 2.5m to 0m
 - This variance is also related to the phasing of this development,
 - The back of Phase 1 will be immediately adjacent to Phase 2 because the buildings will be connected once Phase 2 is complete,
 - Given the size of the future Phase 2 lot, the remainder is considered buildable on its own even in the case that the Phase 1 building abuts the property line,
 - This request is also supported in that it enables one interconnected development upon completion of Phase 2 without the need to setback from a temporary phasing line at the rear of Phase 1.

Staff consider the requested variances are appropriate in this instance. The increase in lot coverage allows sufficient on-site amenity space and maintains 24% of the lot area clear at-grade to provide landscaping,

drainage, and access into the building and through the site. The other two requested variances are considered appropriate in order to allow this larger-scale development to be built out in two phases, allowing one half to complete and sell while the second phase is under construction.

Given the analysis outlined in this section of the report, staff recommend that Council consider "Development Variance Permit PL2022-9433" subject to adoption of the related Zoning Amendment Bylaw No. 2022-55.

Development Permit

The proposed development is included within the Multifamily Residential Development Permit Area (DPA) outlined by the OCP. The Multifamily Residential DPA is established to enhance neighbourhoods and create

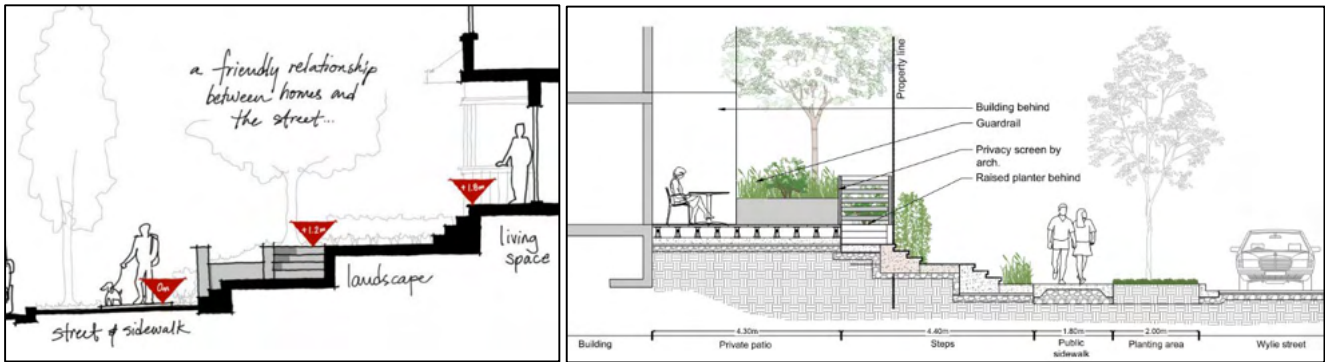


Figure 6 - Example sketch from OCP of desired streetscape section (left), section from proposed development plans (right).

sensitive transitions in scale and density by addressing issues such as privacy, landscape retention and neighbourliness. The applicant has submitted a comprehensive development permit analysis with their application package which outlines conformance with the OCP design guidelines (Attachment 'E'). Staff have also completed a development permit analysis (Attachment 'G') that shows how the development conforms to the applicable DPA guidelines.

The proposed development has been designed with the OCP policies and guidelines in mind and is a project aimed at achieving the desired density for this area of the City, while being courteous in scale and built form to the surrounding commercial and residential neighbours. As such, staff recommend that Council, subject to approval of "Development Variance Permit PL2022-9433", approve "Development Permit PL2022-9432" and direct staff to issue the permit.

High Rise Fire Protection Covenant Discharge

As part of the 2011 approval of the previous development proposal on the site, a number of covenants were registered on title of the subject property. Many of those covenants continue to apply to any new development on the property, and will remain in effect. One of the covenants which was registered is proposed to be discharged from the title of the property given that it is no longer required based on a 6 storey development instead of the 2011 proposal for a 15 storey building.

Covenant "LB436828" is a high-rise fire protection covenant which outlines specific firefighting and fire protection requirements related to a highrise. These requirements do not apply to a 6 storey building. The City's Fire Department has considered the proposal to remove this covenant from title based on the current proposal and has agreed. Ultimately, the final development on the site will need to meet the most recent BC

Building Code requirements and the Fire Code requirements. This is no different than the requirements which apply to all other 4-6 storey apartment buildings recently constructed in Penticton.

This covenant was entered into based on Council’s approval of the 2011 development proposal, and as such, it requires a Council resolution to be discharged from title. Therefore, staff recommend that Council, subject to approval of “Development Permit PL2022-9432”, support the discharge of high-rise fire protection covenant “LB436828” from the title of 270 Riverside Dr.

Alternate Recommendation

Council may consider the proposed amendments to the CD2 zone to facilitate the proposed development are not desirable, and choose to deny first reading of the Zoning Amendment Bylaw. Staff are not recommending this option, as the proposed amendments are considered minor in nature and correct a mistake in the CD2 zone rear yard setback. The development overall is aligned with the policies and guidelines of the Official Community Plan and the North Gateway Plan. Denying first reading also eliminates the opportunity for the Public Hearing on the proposal, which may further inform Council’s direction on this 6 storey, 234 unit multifamily apartment development.

- 1. THAT Council deny first reading of “Zoning Amendment Bylaw No. 2022-55”

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Letters of Intent (applicant)
- Attachment E – Development Permit Analysis (applicant)
- Attachment F – OCP Policy Analysis (staff)
- Attachment G – Development Permit Analysis (staff)
- Attachment H – Zoning Amendment Bylaw No. 2022-55
- Attachment I – Draft Development Variance Permit PL2022-9433
- Attachment J – Draft Development Permit PL2022-9432

Respectfully submitted,

Steven Collyer, RPP, MCIP
Planner II

Concurrence

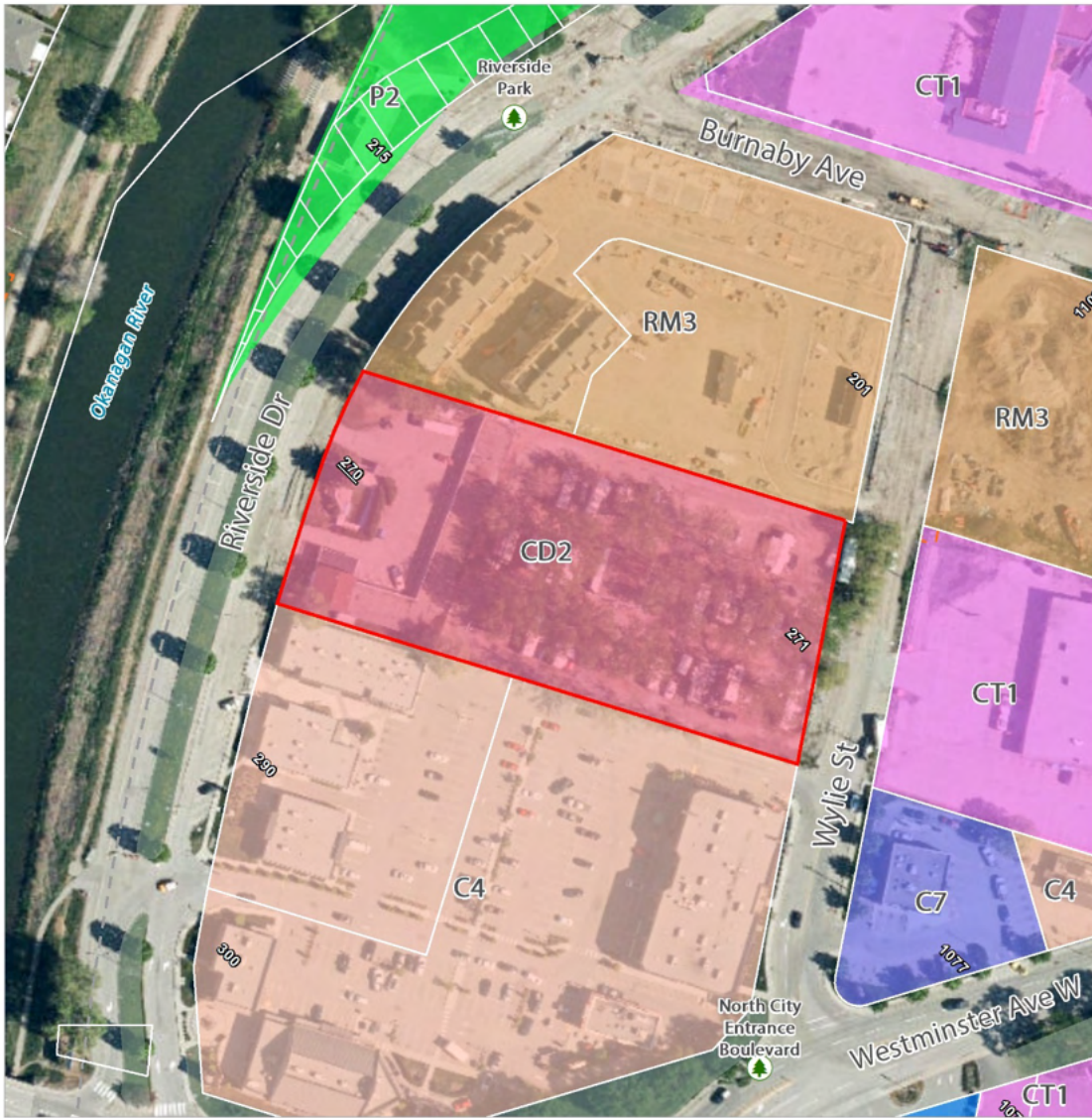
<p>Director of Development Services</p> <p><i>BL</i></p>	<p>General Manager Infrastructure</p> <p><i>KD</i></p>	<p>General Manager Community Service</p> <p><i>SB</i></p>	<p>Chief Administrative Officer</p> <p>DyD</p>
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Attachment A – Zoning Map



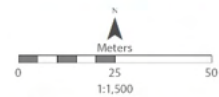
270 Riverside Drive

Zoning Map



Legend

- Subject Parcel
- RM3 - Medium Density Multiple Housing
- C4 - General Commercial
- C7 - Service Commercial
- C8 - Vehicle Service Station
- CT1 - Tourist Commercial
- P2 - Parks and Recreation
- CD2- Comprehensive Development (270 Riverside Drive)



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July 10, 2022 9:55:53 AM

Attachment B – Official Community Plan Map



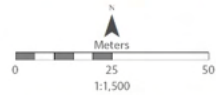
270 Riverside Drive

Official Community Plan Map



Legend

- Subject Parcel
- Future Land Use
- Ground Oriented Residential
- Tourist Commercial
- Commercial
- Urban Residential
- Mixed Use
- Urban High Density Residential
- Parks

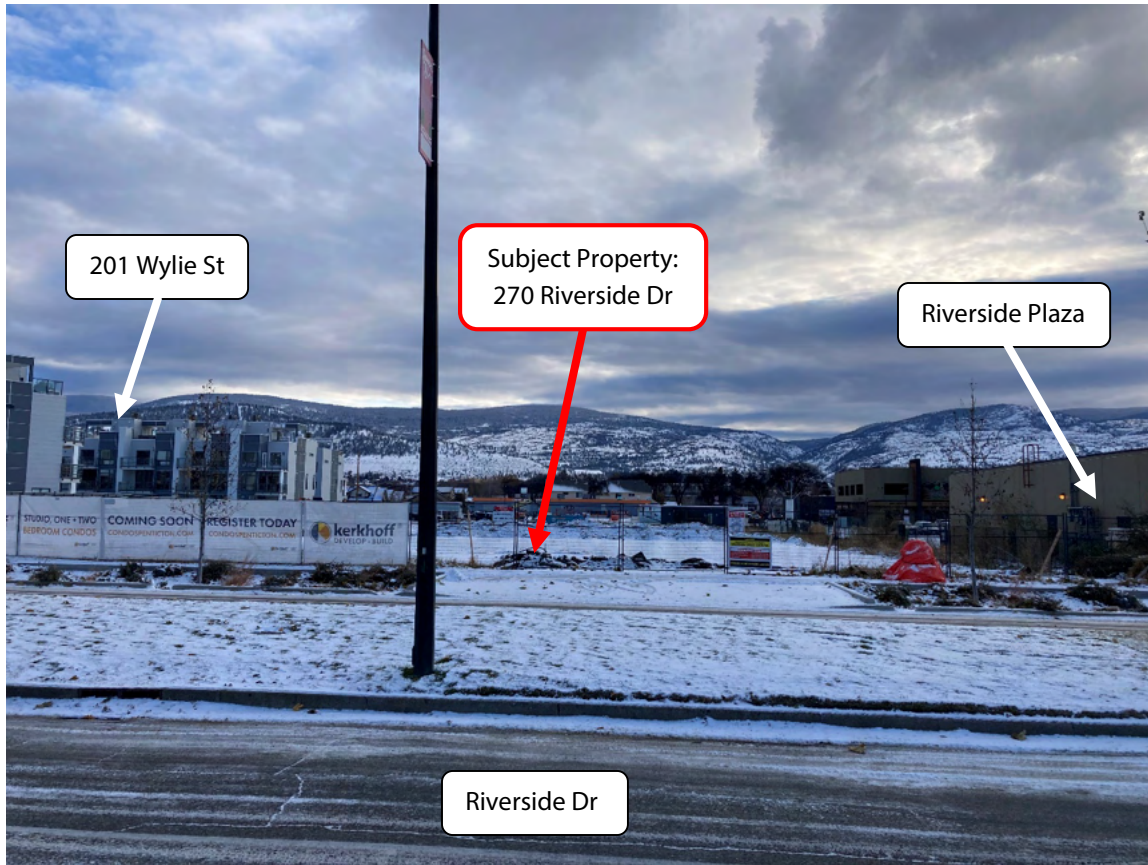


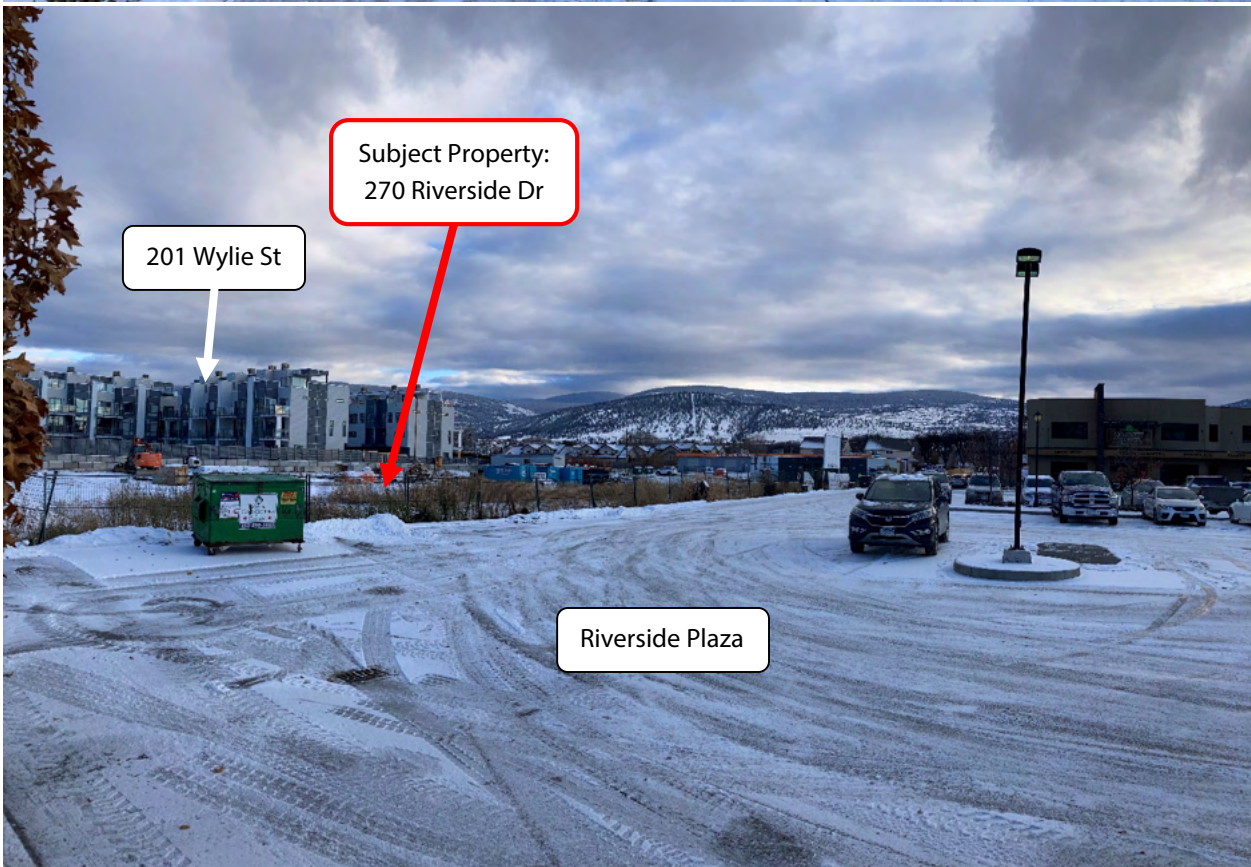
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July 12, 2022 9:57:17 AM

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Attachment C – Photos of Property









Attachment D - Letters of Intent (applicant)



City of Penticton
 Attn: Steven Collyer, BCD, RPP MCIP
 Planner II
 City of Penticton
 171 Main Street
 Penticton, BC
 V2A 5A9

July 5, 2022

Dear Mr. Collyer,

RE: 270 Riverside Street, Text Amendment Application for Vacation Rentals Option

Further to your conversations with our team, we would like to apply for two minor text amendments to the Zoning Bylaw for 270 Riverside Dr, which is currently zoned CD2. The first text amendment that we would like to add to the CD2 zoning is to allow for the use of vacation rental. Also, as discussed we would like to change 14.2.3.9 Minimum rear yard (Wylie Street) from 25m to 2.5m as we were told by the City that this was a typo, and is contrary to what was originally approved. The other minimum side yard setbacks for the property are 2.5m which explains the typo which omitted the decimal.

Currently, vacation rentals are widely embraced in many comparable zones as well as other non-traditional vacation rental zones. Please find below in the image the zones that currently allow vacation rental as a use.

Rural Zones	Urban Residential Zones	Commercial Zones
Forestry and Grazing - FG	Large Lot Residential - R1	Commercial Transition - C1
Agriculture - A	Small Lot Residential - R2	Neighbourhood Commercial - C2
Country Residential - RC	Small Lot Residential: Lane - R3	Residential Mixed Use - C3
	Mobile Home Park Housing - RSM	General Commercial - C4
	Duplex Housing - RD1	Urban Centre Commercial - C5
	Duplex Housing: Lane - RD2	Mixed Use Commercial - C6
	Cluster Housing - RM1	Marina Way Commercial - C9
	Low Density Multiple Housing - RM2	Hotel Resort - CT3
	Medium Density Multiple Housing - RM3	400 Martin Street - CD1
	High Density Multiple Family - RM4 & RM5	


In addition to these zones there are five other zones, three of which are also CD zones, that allow for vacation rental as a use. These zones are CD5 (3388 Skaha Lake Road), CD6 (962 Churchill Avenue), CD7 (154 Brunswick Street), RD3 Residential Infill, and RD4 Low Density Cluster Housing. By allowing CD2 to have vacation rentals as a use we believe that this will bring the zoning in-line with comparable zones. This will also enable the property owner to occasionally use their property as a

vacation rental which will help add to the important vacation accommodation pool in the summer months. Out of the 5 non-repealed CD zones, 60% allow for vacation rentals. As you stated in our correspondence, the CD2 zone was created before vacation rentals were included in the Zoning Bylaw so it makes sense why CD2 and CD3 do not have vacation rentals as a use and the most recent CD5, CD6, and CD7 do have this use.

In line with the North Gateway plan, we are excited to bring this development to the City Penticton for its consideration. We believe that these are really minor requests to correct a historic typo and bring this site in-line with other comparably zoned properties, and embraces the very successful vacation rental program that the City of Penticton has implemented. At this time we would like to share with the City of Penticton our current preliminary plans for 270 Riverside Dr. Please find below in the Appendices the current plans for the site as well as renderings and our vision for landscaping. We plan on submitting our Development Permit application very soon!

We would kindly ask that this letter please be sent to Council for their valued consideration on the above zoning text amendments.

Yours truly,

DocuSigned by:

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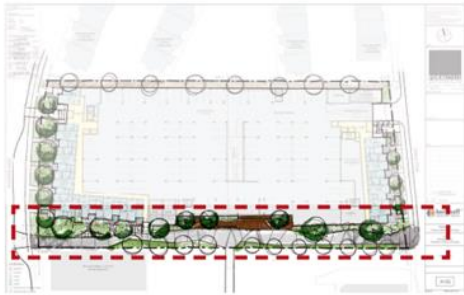
Leonard Kerkhoff, B.Tech, ASCT
President and CEO

CC: Blake Laven, RPP, MCIP, Director of Development Services

Appendix I: Landscape Package

Appendix II: Renderings of building

Appendix I: Landscape Package

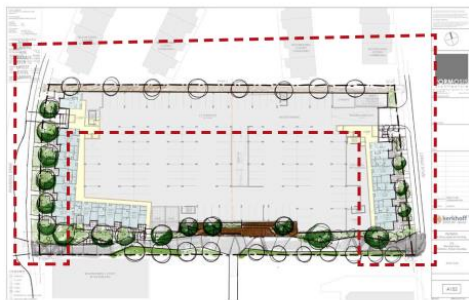


270 RIVERSIDE ST

R2022-43 - 270 Riverside

VDZ+A
VAN DER ZALM + ASSOCIATES

June, 29th, 2022

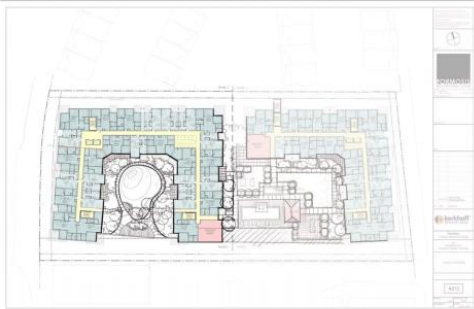


270 RIVERSIDE ST

R2022-43 - 270 Riverside

VDZ+A
VAN DER ZALM + ASSOCIATES

June, 29th, 2022

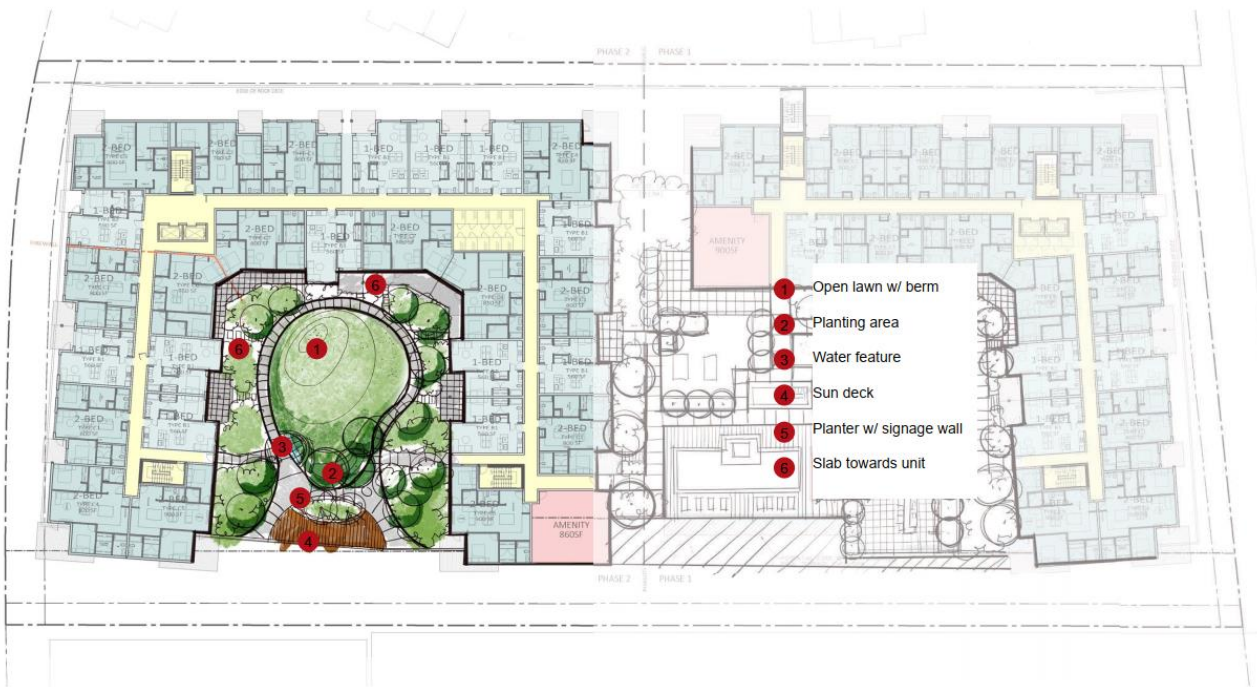


270 RIVERSIDE ST

R2022-43 - 270 Riverside



June, 29th, 2022

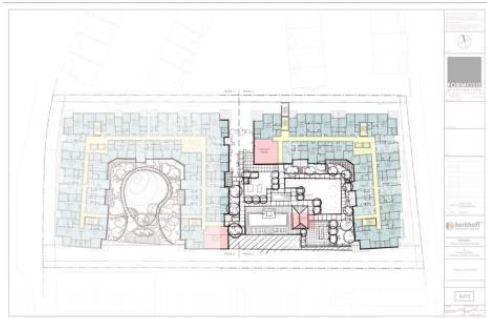


270 RIVERSIDE ST

R2022-43 - 270 Riverside



June, 29th, 2022

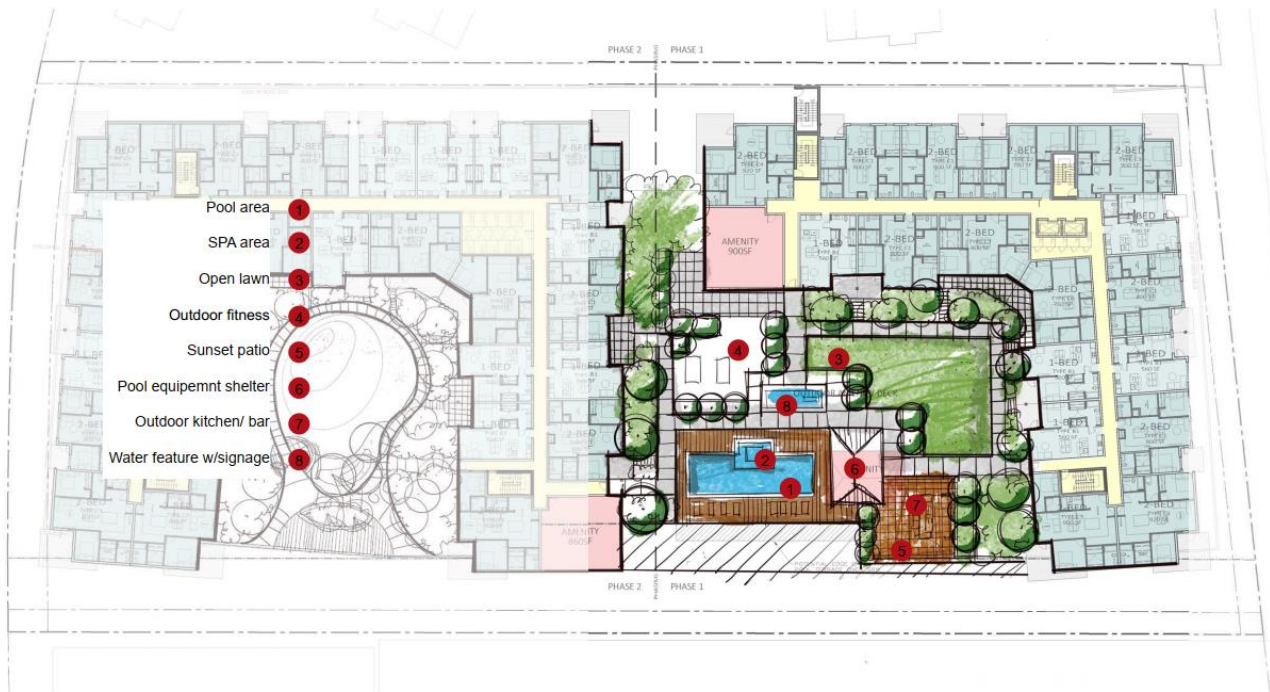


270 RIVERSIDE ST

R2022-43 - 270 Riverside



June, 29th, 2022



270 RIVERSIDE ST

R2022-43 - 270 Riverside



June, 29th, 2022

Appendix II: Rendering of building





November 25, 2022

Steven Collyer | Senior Planner
Planning Department
City of Penticton

RE: Letter of Intent for 270 Riverside Drive, Penticton, BC.
Development Permit Application

Dear Mr. Collyer,

We are pleased to submit a Revised Development Application for 270 Riverside Drive, Penticton, BC. The subject site is a 96,217 sq ft (8,938.9m²) property, previously the home of the Ogopogo Motel and RV Park.

The project generally consists of four level of Strata residences over two level of above grade parking. The east and west elevations of the parking level along Wylie and Riverside are fronted with residential units, while the north and south elevations of the parking levels are screened with a decorative perforated metal screen and dense landscaping. Along the central portion of the south elevation, where the SRW expands north, a public park is proposed, complete with multiple seating levels and the proposal to occasionally be serviced by a food truck.

This application follows under the entitlements of the existing CD2 Rezoning. Within the bounds of the existing zoning we are asking for the following variances:

1. Site coverage variance increase from 65% to 75.7% for the provision of generous shared amenity space at Level 3 roof deck, and parking below.
2. A temporary variance to lot area of 4769m² to allow phased strata occupancy for the first half of the site.
3. A rear yard variance of 0m for phasing only.
4. A variance reduction of one parking space, due to constraints of the site, and alleviated by 7 tandem spaces in resident’s parking that is not counted in parking provision.

As previously discussed with the director of development services, the proposed development plans are predicated on the upper floors overhanging the south pedestrian path SRW for architectural expression and dramatic effect, giving the public lane a unique sense of place. The overhang is more than 6.5 metres above grade on the path, well clear of any ground use contemplated under the SRW agreement on title.

A fix to the CD2 east setback typo from 25m to 2.5m is being handled in parallel by a zoning text amendment.

We have studied the recently completed North Gateway Plan, and revised OCP, and believe our proposal embraces its’ key objectives: namely increased density (234 units) in close proximity (within 15 minutes walk) to commercial, recreational, entertainment and civic amenities of North Gateway.



On an even more localized level the amenity of the south SRW “Park”, with it’s south facing seating areas, attractive landscaping, and potential local events, is a friendly closure and pleasant complement to the neighboring commercial retail centre.

On the north elevation the project proposes a metal screen planted with vines and landscaping at the ground level, and deep planters at third level.

In general, we believe the proposal will deliver a high quality, high density residential building with a diverse mix of units aligned with the aspirations for the neighborhood and act as a major catalyst for the area’s redevelopment.

Thank you in advance for your time and we look forward to receiving staff comments on the proposal.

Please contact Tom Bunting (tbunting@formosis.ca) or Scott Proudfoot (sproudfoot@formosis.ca) at Formosis Architecture with any questions or clarifications to this application.

Regards,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a smaller loop and a short horizontal stroke ending in a dot.

Tom Bunting
Architect AIBC, FRAIC LEED AP
Principal | Formosis Architecture Inc.

Attachment E - Development Permit Analysis (applicant)

- 234 -



August 26, 2022

Steven Collyer | Senior Planner
Planning Department
City of Penticton

RE: Official Community Plan Response
For 270 Riverside Drive, Penticton, BC.
Development Permit Application

Dear Mr. Collyer,

The proposed development at 270 Riverside Drive in will contribute to the urban fabric of Penticton through good design and public space improvements along Riverside, Wylie, and a multi-use path lining the south of the property. Please find below a detailed response to the Penticton Official Community Plan 2019-08.

OCP text in blue. Applicant response text in Black.

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 fits within the zoning envelope on the site and orients public and amenity spaces south towards sunlight and the public realm of the adjacent shopping district.

G2. – to demonstrate that the development is sensitive to and integrated within its context and surrounding uses and neighbours. The proposed building is six storeys tall, a height in line with Penticton OCP expectations and a more appropriate size than the zoned 15 storeys. The building faces Riverside and Wylie with townhome-like residential front doors and raised patios. Along the south property line a pedestrian and cycling path with other parklike improvements will buffer the development from adjacent retail space, while enhancing it's public realm, and provide a mid-block connection east-west. To the north the building screens parking from the neighbouring townhomes with plantings, and an architectural finish.

– All site / landscape plans should incorporate the boulevard. Boulevard has recently been paved by Penticton and improved with new curbs and raingarden. This development proposes to build on that by planting the existing gravel Wylie boulevard.

G3. Private and semi-private open spaces should be designed to optimize solar access (see Figure G3). Level 3 Rooftop amenity spaces are oriented to the south and protected by buildings for optimal comfort in winter. During summer shade structures and trees will provide relief from the hot sun.

G4. Views through to the mountains and the lakes should be carefully considered and incorporated into the design of new development. Mountain views surround this development, and the upper apartments will benefit. The residential massing is oriented to optimise sunlight and shelter in the level 3 amenity roof deck. Views will happen in all directions.

G5. Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighbouring building setbacks. Setbacks on this development will contribute to a strong and lively street wall through clearly delineated patios outside ground floor units, screened from the street by



planting and addressed with a few steps up and a gate. The setbacks from the sidewalk will be similar to the neighbouring townhomes and a little bit larger due to this development not seeking a setback variance like the townhomes.

G7. All designs shall consider Crime Prevention Through Environmental Design (CPTED) principles and balance the reduction of crime and nuisance opportunities with other objectives to maximize the enjoyment of the built environment. This building implements a range of strategies for CPTED:

- Eyes on the street are provided by lobbies on both Wylie and Riverside, and especially by ground floor units with patios and planting to create defensible space.
- The south trail will be durable, and lit at night.
- There are no nooks and hollows around the ground floor for concealment.
- The parking area is secure, with one control gate at the face of the building for visitor parking, and another gate after visitor parking for residents only spaces.
- The parking convenience lobby at centre south is co-located with bike room lobby and improved plaza area along south trail for more activity and supervision.
- Private amenity areas are fobbed entry on the level 3 roof deck, to prevent intrusion and create a safe place for children to play.

G8. Secondary buildings should create comfortable and social, semi-public and semi-private spaces within interior courtyards and/or side-yards. Semi-public space for the building residents is accomplished securely on the third floor between residential buildings. Public space at grade along south property line serves people passing through, coming from the proposed development or looking for a place to rest from the shopping area to the south.

G9. Pedestrian connectivity to adjacent properties is encouraged. With the exception of private yards, open spaces shall be designed for public access and connectivity to adjacent public areas (and publicly-accessible private spaces). Pedestrian connection is provided primarily by the east-west lane at the centre of the site, which also opens to the shopping area to the south. Sidewalk continuity is maintained on Wylie and Riverside.

G10. Development of larger parcels should provide pedestrian connections to adjacent public areas and create an effective street-fronting block scale of 60m-190m. South lane provides a mid-block connection. The building façade on Wylie and Riverside at 53m long is in keeping with the OCP block scale.

G11. Barrier-free pedestrian walkways to primary building entrances must be provided from municipal sidewalks, parking areas, storage, garbage and amenity areas. The building common areas are fully accessible and grades have been designed for step free access by all.

G12. Where feasible, indicate pedestrian ways with continuity of paving treatments/paving materials. Sidewalks are continuous with neighbours and the new south path landscape treatment is designed to exceed the Penticton trail requirements to create a unique sense of place.

G13. Entry to ground-level residential units should be no more than 1.8m (6.0 ft.) above the grade of adjacent public sidewalks and walkways (see Figure G14). Ground floor entries for residential units vary from 0.3 to 1.2 metres above grade. Those units all have accessible hallway access from the back side.

G14. The outdoor space of a residential unit should be raised no more than 1.2m (3.9 ft.) above adjacent public sidewalks and a “front stair” pedestrian connection shall be provided (see Figure 5-2). Front stairs are provided with gates for CPTED defensible space, and patios are up to 1.2m above grade.

G15. Fencing facing an active public realm should be lowered and transparent or semi-transparent. Ground floor units are screened with low fencing and planting.



G16. Site and building access must prioritize pedestrian movement, minimize conflict between various modes of transportation and optimize use of space:

- Off-street parking and servicing access should be provided from the rear lane (where one exists) to free the street for uninterrupted pedestrian circulation and boulevard landscaping (see Figure 5-4). Parking access is concentrated into one driveway to reduce curb cuts and sidewalk interruption.
- Where possible, shared automobile accesses should be considered to optimize land use, and to reduce impermeable surface coverage and sidewalk crossings. One driveway is planned.

G17. On-site parking location and design should minimize visual impact and provide safe connections for pedestrians. Parking is entirely inside the building and screened.

G18. Attached parking structures, their access and associated components (doorways, ramps, etc.) should be architecturally integrated into the building so as to minimize visual impact to the public realm. Above grade parking is necessary due to the poor soil conditions and high groundwater. The proposed building screens the parking by lining both street fronts with residential apartments, and with solid walls at north and south, animated by concrete reveal patterns and metal screens.

G19. All multifamily developments should accommodate sustainable modes of transportation through:

- Provision of bike parking and/or safe storage of alternative transportation/ mobility equipment (bikes, mobility scooters, etc.). Secure bike parking is provided, along with bike maintenance facilities.
- Provision of electric vehicle charging stations. Electric vehicle charging will be provided.
- Internal circulation and/or upgrades to adjacent rights-of-way to accommodate alternative transportation (e.g., multi-use pathways, separated bike lanes, etc.). The south path will be a great place to cycle and walk, and the building's bike facilities are located to face that path.

G20. Designs should respond to Penticton's setting and climate through use of:

- passive solar strategies;
- optimized placement of windows to maximize natural light;
- energy-efficient building design;
- passive solar principles;
- landscape design and plantings that provide cooling through shade in summer months;
- selecting roof materials to minimize heat loading and increase reflectivity.; and,
- strategies for cross-ventilation.

The proposed building is designed to optimise natural daylight, reduce solar heat gain, and reduce energy demand. Natural daylight is collected in large windows on every exterior room. Deep balconies provide effective exterior shading for those windows. Landscape trees and plantings provide shade and privacy at the ground floor and upper amenity deck.

The parking is required by building code to be constructed in concrete, and after that the remainder of the building is light wood frame to reduce embodied carbon emissions.

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). Each ground floor unit has a small stair and gate to the street, for a sense of busy community and fine-grained residential scale. Building entry lobbies face the street. Along the south path, parking screening forms an attractive backdrop to the existing retail development to the south.

G22. Massing of larger buildings should be composed of multiple volumes to reduce visual impact on the pedestrian realm. The admittedly large building is split by massing and materials into smaller more approachable chunks of building. Along the ground floor, residential apartments group together and are clad to resemble townhomes, a recognisable scale on the street. The upper four storeys of apartments are divided from the



bottom two by a strong copper-coloured frame. Strong horizontal lines from that frame and from the white edges of balconies separate the upper massing from the vertical townhome scale of ground storeys, resulting in a visual reduction to the mass and scale. Along the south and north sides of the building, the façade is a concrete wall, patterned in a repeating grid for orderliness, and separated by a change of massing plane into a forward light grey screen and recessed darker grey screen. This acts to separate the north facades into thirds, making the long building face more approachable at the human scale.

G23. Articulation of building mass should include horizontal (minor) setbacks and stepbacks (along upper storeys) to provide visual interest and enrich the pedestrian experience. Balconies and/or cantilevered upper floors may be considered as a means to breaking up massing while promoting overlook and/or weather protection. See detailed description above on G22.

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. Street facing apartments use this palette of strategies to achieve privacy with good supervision of the street. Patios are raised between 0.3 and 1.2 metres above the sidewalk. Stairs with a half-height gate lead to the street, and plantings with some fences screen the remainder of the patios.

G25. Where appropriate, stepped massing should be utilized to transition and improve the relationship between developments of differing scale. In areas where there is an OCP Land Use Designation change, adjacent building heights should not be greater than one-and-a-half storeys higher than existing adjacent development with additional storeys terraced back with a minimum stepback of 3.0 metres. (see Figure 5-6). At the south, the proposed development is separated from the adjacent commercial parcel by a 8.5 metre SRW path. Along the north, the building sets back 2.5m from property line for the first two storeys and a further 3 metres at the third storey to provide separation to the new four storey townhomes to the north.

G26. Building designs should minimize impacts on the privacy of adjacent dwellings, including private open spaces. The building steps back from the north at upper levels and directs views out and up to the mountains from upper storeys. No apartments in this development face north on the lower two levels to avoid looking into townhomes to the north. The entire north face of the project is perpendicular to neighbouring townhouses, thus causing much less impact to their views and light.

G27. Development should activate the public realm (e.g., sidewalks) and shared open spaces by placing active uses at street-level. Residential patio entrances, building lobbies, and bike rooms activate the public realm along streets and the south pathway. The proposal for a food truck parking space along south path is designed to let some commercial activation happen to the south lane plaza on a temporary basis, as permanent retail use is not allowed in the zone.

G28. Entries should be visible and clearly identifiable from the fronting public street. Building lobbies are identifiable by their separation in materials (glass) and scale (two storey space) from the adjacent ground floor apartments.

G29. Development should orient windows, porches, balconies and patios toward the public realm, allowing for casual overlook of parks, open spaces, and parking areas (see Figure 5-7). Ground floor units are oriented out to the street, with windows and patios a few steps up from the sidewalk for good supervision of the street without compromising privacy.

G30. Extensive blank walls (over 5m in length, and including retaining walls) along the street should be avoided. There is only one unavoidable blank wall along the street at Wylie by the pad mount transformer. All other street faces are filled with apartments and lobbies. The south path is faced by a wall which is activated by

Partners

Jordan Kutev | Architect AIBC
Tom Bunting | Architect AIBC

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formosis architecture
formosis.ca



planting, decks, lobby and bike room entries, material plane changes and patterning of the concrete wall with metal accent screens.

G31. Provide screening (e.g., varied materials/textures, murals, greenwalls or vines) on solid walls that exist as a function of an internal program (e.g., for privacy, merchandising, etc.). Solid walls at north and south are screened and further softened by planting, with metal screens at south and north-east corner, and by changes of plane and colour to reduce the apparent length of façade.

G33. Water Conservation and Plant Maintenance: Xeriscaping, Irrigation & Mulching

- Employ xeriscaping principles (see Glossary) in landscape design that reduce the need for supplemental water from irrigation.
- Employ strategies such as stormwater management reuse (including rain gardens and water reclamation) to minimize impact on infrastructure and the use of potable water.
- Encourage landscaping using native drought-tolerant plant species rather than water-hungry varieties.
- All trees and vegetated landscaping should be irrigated using a sub-surface irrigation system, programmed to maximize efficient water use (e.g., drip irrigation).
- Where appropriate, increased depth of top soil is recommended as a means to retain water and ensure more drought-tolerant landscapes.
- Trees should be planted to provide shading for shrubs and grasses and south and west faces of buildings.
- Where appropriate, mulching may further reduce irrigation demand by retaining soil moisture.

All landscaped areas will be watered through a drip system that prevents major runoff and provides water directly to the root zone. This helps prevent water loss in summer months. In addition there will be significant soil volume on the amenity level to support tree growth. The parking structure is set at an elevation to allow for maximum soil in all landscape zones. Trees are proposed against the south side of the building in addition to trees along the south pedestrian pathway adjacent to the neighboring commercial property. We expect for major stormwater detention to happen in soils depths that can exceed 1.0m in some areas.

G34. Tree retention

- New development should retain, where possible, existing mature and native trees and protect their root systems;
- Pre- and post-development tree surveys are required must be undertaken.

Effort has been made to protect existing trees located at the north-west corner of the property.

A substantial number of new trees will be planted on this development. The strategy is to preserve views from the amenity deck and residential patios, whilst allowing for passive shading of deck spaces with larger deciduous and coniferous trees.

G35. Tree planting

- Where space permits, landscaped areas, boulevards and setback areas adjacent to streets should be planted with trees with appropriate soil volumes to ensure longevity.
- All areas with planted trees must be irrigated
- All development fronting a public street shall plant a landscaped area fronting the public road with regularly spaced street trees no further than 10 metres apart, and at least 2.5 meters tall at the time of planting.
- The planting of additional trees is strongly encouraged, particularly if existing trees cannot be preserved, in order to maintain and expand the urban forest canopy.

Planting is proposed in the rear boulevards of Wylie Street and Riverside Drive fronting the development site. New street trees are proposed in the fore boulevard and irrigation will be provided. Trees will also be planted



in raised planters in between residential/ground floor patios and on the podium level to expand the urban forest canopy.

G36. Habitat: designs should provide for and/or enhance habitat value (e.g., birds, pollinators, etc.) through the use of selected plant material (food & nutrients) and/or structural/grading improvements (e.g., hibernacula, pools, etc.).

The landscape proposal allows for functional, beautiful and useful spaces for people at grade and on the podium 'bench' level. In addition – care in plant selection will allow for necessary support to pollinator species throughout the year. This will be done through consideration for bloom schedule, and foliage structure of the planting scheme.

G37. Stormwater management: mitigate impacts of runoff by diverting stormwater to infiltration galleries or other appropriate green infrastructure.

A substantial depth of soil on podium will allow for significant stormwater detention within landscape spaces. In addition a “j-drain” system over waterproof membrane will capture and store/detain an additional 25mm of stormwater that cannot be absorbed in soil zones.

G38. Screening & Buffering

- Where appropriate (and in consideration of FireSmart principles and native ecosystems), screen walls and/or landscape buffers (e.g., berms, shrub beds, hedges and/or trees) should be used to manage transitions and/or conflict between incompatible uses (e.g., industrial uses and/or parking);
- Buffer design should complement neighbourhood character and landscape setting (refer to “Materials Selection – Hardscapes and Softscapes”)
- Notwithstanding the screening regulations in the Zoning Bylaw , landscape buffers should be utilized to reduce the visual impact of service areas and surface parking, including:

Care and attention will be given to screening utilities and other functional aspects of the development. Visual impacts to residents and surround properties are being taken into consideration. All garbage zones are within the parking structure and other ancillary elements are below grade. All landscape zones will be irrigated and allow for easy access by fire dept. Adjacent or edge spaces between properties will be treated with non-combustible landscape elements.

G39. Defining the Public- and Private Realms

- Clearly signaled transitions between the public (e.g., street, sidewalk), semi-public (e.g., walkways, ramp, stair), semi-private (e.g., stoop, balcony) and private (e.g., entry) realms shall be clearly defined to enhance both the privacy of residences and the pedestrian experience, and may include:

- »» Landscape terracing (e.g., grading, retaining);
- »» Structures (e.g., fences, pergolas, trellises),
- »» Planting (e.g., low hedges) and/or
- »» Changes in surfacing materials.

The design of the project has been done to subtly indicate the transition between public and private realm. The ground-oriented units have a grade separation and landscape buffer. In addition, gates and low permeable fences are provided so that there is no ambiguity between public and private domain. Access to the podium level is controlled from within the building. A south facing lobby and exit staircase is separated from the public path with steps and accessible ramp to signify transition from semi-public space to private building entrance.



G40. Energy

- Landscape designs should support shading strategies (passive cooling) with deciduous plantings that allow increased solar gain in winter months;
- Landscape designs should accommodate windbreaks (perpendicular to the direction of winter prevailing winds) to reduce heat loss in winter.

Landscape designs support passive cooling through shading. Privacy screens and prevailing wind has been acknowledged through the placement of deciduous and evergreen plant materials at grade and on the amenity podium.

G41. Softscapes

- Plant materials (size) and planting densities should be designed to meet and exceed the British Columbia Landscape and Nursery Association (BCLNA) Standards;
- Landscape designs should consider opportunities for seasonal interest (e.g., colourful foliage and/or flowering at various times of the year).
- Structural diversity in plant palette composition – including combinations of groundcovers, shrubs of various heights and trees – is encouraged.
- Landscape design shall consider aesthetic qualities, plant suitability and soil volumes to ensure “right plant, right place” and to maximize growth to maturity of plants and trees.
- Plant selection should emphasize local/native plants and/or similarly hardy/well-adapted plants to Penticton’s desert climate.
- Invasive species are prohibited.
- Synthetic turf is prohibited.

G42. Hardscapes

- Material selection should reflect an extension of overall functional design and should emphasize local, natural, climate appropriate materials.
- Landscape construction should prioritize robust, durable and easily-maintained materials.
- Retaining walls should use natural-looking textures and natural colours.
- Colours should complement Penticton’s natural setting and associated palette.
- Minimize the use of impervious surfaces and/or incorporate rainwater management strategies where surface runoff is captured.
- Where feasible, minimize the use of low albedo (heat-absorbing) surfacing materials to reduce heat island effect (i.e., use lighter-coloured, more reflective materials).

All plant materials are in conformance with BCNLA standards and have been selected for ability to support pollinators, promote passive cooling, and ensure seasonal variety. We acknowledge the prohibition of synthetic turf and if the putting green is not supported for that reason – we will revisit that program element. A variety of plant materials are anticipated for colour, structure, and seasonal interest: Fall, Winter, Spring, Summer.

G48. Lighting shall be provided for all building entrances, walkways, driveways, parking areas and loading areas and should be sufficient to provide clear orientation, personal safety and site security, including allowing for overlook from adjacent buildings.

- The scale and intensity of lighting should be adapted to its setting and application:
- Lighting design shall prioritize pedestrian-scaled lighting while ensuring vehicular access and parking is sufficiently lit for safe maneuvering;
- Light fixtures should utilize “cut-off” (zero intensity at or above an angle of 90°) luminaries to minimize glare;
- Warmer light sources (<4000k) are strongly encouraged.



Landscape lighting will be incorporated near building entrances and along the south pathway to assist with wayfinding. Light fixtures will be dark sky compliant and direct light down or into the property.

G49. Minimize light pollution through the use of full cut-off lighting, avoiding light reflectance, and directing lighting downwards. Exceptions may be made for signage and architectural lighting (e.g., enhancing special features or aesthetic qualities).

G51. Avoid negative light impacts on neighbours.

See response to G48

G52. Signage should complement overall form and character as an extension of associated building and landscape designs. Signage for the building entries is understated, and small number or architectural signs mark each ground floor apartment, giving them public addresses.

G53. All signage shall comply to the City of Penticton's Sign Bylaw, (which regulates the number, size, type, form, appearance and location of signs). Signage will comply.

G54. Mechanical/Utility cabinets and transformer pads (units) shall be located at the rear of the property, behind the building. Mechanical and electrical equipment is located inside the building, with the exception of the pad-mounted transformer which is located adjacent the parking entry driveway and screened by landscape.

G55. Where this is unachievable, units may be located at the edge of the front yard and must be incorporated into landscaped areas and screened from the street. Pad-mounted transformer is located adjacent the street and screened.

G56. Units shall not obstruct private views onto public space that might otherwise provide safety through passive surveillance. The transformer is located away from residences and near the driveway.

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,

G59. Garbage and recycling bins should be contained within screened enclosures that are coordinated with the overall design. Garbage rooms are interior to the building, fully screened from the street.

G60. Clear access to refuse/recycling areas must be provided. A pull-out service will be required to take garbage bins from the interior garbage rooms out the driveway to Wylie Street for pickup.

G61. Fencing located along a street edge should be low and/or not create a solid barrier (i.e. it should be visually transparent). A few privacy fences are planned where ground floor patios are close to the street, and the fences will be partial height and happen occasionally at patios, with landscape plantings screening in between fences.

G62. Fencing along the street edge should be supplemented with low profile landscape plantings. Fencing is designed to work alongside planting in layers for privacy of ground floor patios.

G63. All plans should show intended fencing. Fencing is highlighted in landscape drawings.

MF1. All multifamily developments should incorporate community amenity spaces that provide opportunity for recreation and play and address the needs of all age groups likely to reside within the development. This proposed development has ample shared amenity on the ground floor for public use of the south trail and plaza, and for residents on the intensively landscaped level 3 roof deck.

MF2. In an effort to promote community and social sustainability, multifamily developments should exhibit a preference for courtyard forms with views into them from ground-oriented ground floor units. The building is designed as a courtyard building with the apartments gathered around two landscaped central courtyards. Due



to poor soil and high groundwater the building's parking needs to be located above ground, so these central courtyards are two storeys in the air above parking.

MF3. Amenity spaces should incorporate vegetation for the purposes of active and passive recreation and/or visual interest, and incorporate safe play areas in interior courtyards. The third floor amenity courtyards are secured from the street, which allows safe play by children in a common supervised area. Amenity landscaping is intensive, incorporating a pool, fall surfacing, grassed areas for open play, gathering spaces for adults, and an outdoor kitchen.

MF4. Visitor parking should be:

- in public view,
 - easily accessible near the main entry to the site, and
 - clearly indicated by pavement markings and/or signs
- Visitor parking is visible immediately upon entering the parking garage, and will be clearly marked.

MF5. Electric vehicle charging stations should be provided in larger developments. Electric vehicle charging will be provided. The percentage of parking spaces that have access to electric charging is under discussion with electrical engineers and the electrical utility.

MF6. Entrances to apartment lobbies should be connected to adjacent sidewalks and provide seating, as well as clear pedestrian-oriented signage. Public art is also encouraged. Main lobby entrances on Wylie and Riverside are clearly identifiable by tall glazing and wide paved access at a gentle slope up to the lobby. Bike racks are located outside the lobby and seating is planned inside the lobby.

MF7. Minimize shadowing on adjacent parks, public and private open spaces and priority pedestrian facilities. The building's six storey height in a fifteen storey zone shades much less public and private space than would otherwise have occurred. There is some shadowing of the new townhomes to the north, please refer to shadow diagrams in the architecture drawings for more detail on that.

MF8. Pay special attention to preserving or enhancing public views by:

- providing public places with significant views that are visible and accessible from adjacent streets and sidewalks; The new south path and plaza provide public views east and west along this new access.
- minimizing impacts on adjacent public streets and open spaces by:
 - »» maintaining public, and – where feasible – existing private views (outlooks to the lakes and hillsides), and The building's location in the flats between lakes and away from residential uses means it does not impede many private views.
 - »» reducing perceived building bulk, e.g., by shaping towers so they read as 'point' towers rather than 'slab' towers. The six storey form of the building in line with Penticton OCP avoids a tall impediment to views. There will be some unavoidable shaping of public views around the lower storeys of the building.

MF9. To increase their attractiveness, taller buildings should demonstrate:

- high-quality cohesive design of form, materials and colour. The building design is conceived as three repeating wings of residential apartments that sit atop a strong podium with street facing townhome-scale apartments. A consistent colour palette unifies the architecture, while colour and massing moves break the large scale lower two storeys into smaller and more human-scale architectural elements. The lower two storeys of apartments along the street have a vertical and finer grained pattern of cladding and colour to match the pedestrian scale. Above them, three wings of apartments wrapped in a copper-coloured band slide dramatically south to overhang the south lane path. Horizontality of the upper elements is emphasized by long white balconies and the overall copper frame. Along the north and south elevations, the solid wall enclosing parking area is divided



into a regular grid, interrupted by a central massing push in, and darker colour to make the long façade more approachable in one third sections.

MF10. To create a positive street presence and contribution to the public realm:

- Tall buildings will be designed with podiums of ground-oriented residential or commercial uses at grade and point towers above. This will provide continuous frontage along the street and ensure active uses at the ground level. This building has a podium massing type, and at six storeys, shows as a midrise building on Wylie and Riverside. The two storey podium reveals itself from the south, where the third floor roof deck hosts the building’s heart, intensively landscaped amenity spaces.
- Building masses of podiums should be substantially broken up at least every 48m (160 ft.) to vary the spatial experience for a passer-by every 30 seconds at normal walking speed. The Wylie and Riverside building facades at 53m metres long are outright very close to the 48m OCP goal, and those are divided into apartments with ground floor patios, planting, and broken at the entry lobbies for lots of pedestrian visual interest. The long south face of the building is divided into five. At either end, solid walls of the street-facing apartments frame middle perforated parking screening. That parking screening is split into thirds by a large change of plane and colour at central plaza area.

MF11. In cases where there are multiple tall buildings in one area, a minimum distance of 9m (29.5 ft) between them is required to permit open amenity space uses. Allow for the future development of a tower on an adjacent site (if appropriate) by providing a sufficient setback from an interior property line to address separation between towers. The two major courtyards of the building have 24.5m and 46.8m of width. There is one location between the two upper apartment buildings where the end of one apartment wing approaches to a little more than 9m from the other. In that location, living spaces are oriented away from the other building where possible and plantings will screen the two buildings from each other at lower levels. Neighbouring townhomes to the north are roughly 9 metres from the wall of apartments in this project, and they are turned at right angles, so the townhomes do not look towards this development.

Regards,

A handwritten signature in black ink, consisting of a large, stylized 'T' and 'B' intertwined, followed by a horizontal line and a small dot at the end.

Tom Bunting

Architect AIBC, FRAIC LEED AP
Principal | Formosis Architecture Inc.

Attachment F - OCP Policy Analysis (staff)

OCP Reference	Policy
OCP Policy 4.1.1.1	Focus new residential development in or adjacent to existing developed areas.
Staff Comments	The subject property is located within the developed area of the City and does not require the construction or extension of City services.
OCP Policy 4.1.1.4	Ensure all new developments fully cover the cost of the required infrastructure and services they require, including roads, water, sewer, storm water, and provision of parks, schools, and emergency services.
Staff Comments	The developer is responsible for all servicing costs associated with the proposed development. The developer is also responsible for installing the public walkway through the south end of the property, which will provide pedestrian connectivity through the site.
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 from Development Permit Area Guidelines.
Staff Comments	The subject property is located within an already developed area with a range of residential, commercial and public uses. The subject property is adjacent to Riverside Plaza shops and services. The site is also within walking distance of the River Channel Pathway, Okanagan Lake, and Lakeshore Dr with parks and restaurants. The development has been designed in keeping with the applicable OCP design guidelines as shown in the Development Permit Analyses prepared by the applicant and by staff (Attachments ‘E’ and ‘G’).
OCP Policy 4.1.3.4	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.
Staff Comments	The proposal would provide 28 studio units (12%), 117 1-bedroom units (50%), and 89 2-bedroom units (38%). This unit mix provides housing options for a range of future residents. While the focus of this development is studio, 1-bedroom, and 2-bedroom units, the City has recently approved other developments in the City with 3 bedrooms, well suited for larger households.
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 Reference	Policy
Staff Comments	The subject property is across the street from parks and trails, adjacent to the Riverside Plaza, and within walking distance of other commercial uses along Westminster Ave W. A transit route runs along Riverside Dr and Westminster Ave W within 150m of the subject property, and the intercity BC Transit stop is located within walking distance of the subject property at Eckhardt Ave W and Alberni St. The site has been envisioned for high-density residential development since the property was originally rezoned in 2011.
OCP Policy 4.1.3.6	Require amenity areas in all multifamily and mixed-use projects through regulations in the Zoning Bylaw.
Staff Comments	The Development Permit plans show large outdoor common amenity areas in this development on the third level (approximately 1,650m ² total). These facilities include a pool, outdoor fitness area, lounge area, outdoor kitchen, a putting green, all surrounded with planters and other landscaping. Indoor amenity areas include two fitness rooms and a multipurpose amenity room (approximately 225m ² total).
OCP Policy 4.1.4.1	Work with the development community – architects, designers and builders – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scale and respectful of their context.
Staff Comments	The developer is choosing to proceed with a 6-storey development rather than the 15-stories permitted by the zoning on the property. Staff consider this 6-storey scale better fits the surrounding neighbourhood than a high-rise. The design is considerate of the neighbouring townhomes to the north by providing no windows and a landscaped greenwall on the north side of the two level parkade facing the neighbouring townhomes. The design addresses both street frontages in a positive way and includes a visually appealing pedestrian walkway along the south side of the site bordering Riverside Plaza.
OCP Policy 4.1.5.4	Ensure that all new neighbourhood developments and redevelopments of existing large sites, including bareland stratas, are fully integrated into the surrounding community through publically-accessible roads, sidewalks, trails and public park lands.
Staff Comments	The subject property is a large site which had a right-of-way established through the previous development proposal to ensure an 8m wide pedestrian walkway is provided through the south end of the property between Riverside Dr and Wylie St. This walkway will provide a pedestrian connection between the River Channel and the commercial uses to the east. The upgraded sidewalks and boulevard landscaping recently completed on Riverside Dr and Wylie St will be continued through this

OCP Reference	Policy
	development, with the developer responsible for any necessary infrastructure upgrades along the property frontages.
OCP Policy 4.1.6.2	Increase the supply of neighbourhood amenities, such as pocket parks and trails, for the use, enjoyment and social benefit of the surrounding community as residential intensification occurs.
Staff Comments	The southern walkway through the site will be usable by the public, as required by the right-of-way registered on the property. This space has been designed for active and passive use. People may pass through the walkway, while there will also be landscaping, benches, tiered seating, and a dedicated space for a food truck to allow people to pause and rest in the space.
OCP Policy 4.2.1.7	Promote walking, cycling and transit use through strategic land use planning that facilitates denser, attractive, mixed-use communities that are rich in amenities.
Staff Comments	The proposal is for a dense, multifamily apartment development with 234 units. The location is considered rich in amenities, as it is beside a shopping plaza with other commercial uses within walking distance. Trails and parkland are located across the street to the west along the River Channel, and Okanagan Lake is a short walk to the north.
OCP Policy 4.2.2.3	Address gaps in the pedestrian network by providing sidewalks on at least one side of the street in residential neighbourhoods, and commercial and mixed-use areas, using excess street rights-of-way where possible or through land acquisition if necessary. Where possible, provide sidewalks by requiring their construction or upgrades from developers.
Staff Comments	The developer is responsible for upgrading the sidewalk and boulevard on both street frontages, with more work required on the Wylie St side. The end result is an improved streetscape at no expense to the City.
OCP Policy 4.2.3.8	Require adequate levels of secure bike parking in new multi-family, mixed-use and commercial development.
Staff Comments	The development plans show more than twice the required amount of secure bicycle parking (261 spaces provided, 117 spaces required), and more than the required amount of bike rack spaces (26 provided, 23 required). Given that number of potential bikes, a bike wash and repair station has been included in the parkade of this development. These facilities encourage bike use and active transportation in this highly bikeable area.

OCP Reference	Policy
OCP Policy 4.2.7.8	Ensure new residential developments provide an appropriate amount of parking for residents and their guests.
Staff Comments:	The proposed development includes 297 total parking spaces. 58 visitor parking spaces are provided. 7 tandem parking spaces are provided but there cannot be counted as part of the 'provided' parking for an apartment, as per the Zoning Bylaw. Therefore, 290 parking spaces are proposed which is one space short of the required 291. This amount of parking is considered suitable for the development given its location in a high-amenity area of the City, adjacent to shops and services, and its proximity to recreation uses. The variance for one less vehicle parking space is also offset by the substantial excess of secure bicycle parking provided.
OCP Policy 4.3.6.3	Recognize that business growth is reliant on adequate housing availability, and work to develop policies that encourage housing development as outlined in Section 4.1 [of the OCP].
Staff Comments:	Providing additional housing units throughout the City, with a variety of types, tenures and sizes helps to ensure housing options for workers. The proposal is aligned with the North Gateway Plan by adding 234 new units within this redeveloping neighbourhood in studio, 1-bedroom, and 2-bedroom layouts.
OCP Policy 4.4.1.7	Mitigate the impacts of potential flooding on buildings and properties in the floodplain area and affected by groundwater through design and site grading prior to construction.
Staff Comments	The developer has completed a geotechnical review of the site and designed the development in a way to mitigate flood concerns. The minimum building elevation was informed by this geotechnical review, and the parking has been provided above grade in the enclosed parkade rather than underground. This review was prompted due to the close proximity of the River Channel and the high water table in the area.
OCP Policy 4.4.4.4	Encourage the development of compact, mixed-use neighbourhoods, where appropriate, and support transit use, walking, cycling, car sharing and low-emission vehicles.
Staff Comments	The proposed development is considered compact and, while it is fully residential, it is located next to an established commercial shopping plaza which provides future residents with a range of shops and services right next door. Other commercial uses are located within walking distance, and parkland is located across Riverside Dr to the west with various recreation amenities and trails leading north and south along the River Channel. 41 EV-ready parking spaces are shown on the development plans, and more may be installed if desired by future residents.

OCP Reference	Policy
OCP Policy 4.2.7.1	Provide a system of diverse parks and recreational spaces and places that are comfortable, safe, accessible and attractive, with social spaces (benches, gathering places) as well as recreation amenities.
Staff Comments	The southern walkway provides both active and passive space for the public, with landscaping, benches, tiered seating, and a dedicated space for a food truck. One of the three building lobbies is accessed from this southern walkway. The walkway opens onto Riverside Plaza to the south and is designed to be visually interesting to improve its appeal from the parking lot to the south.

Development Permit Analysis

The proposed development is located within the Multifamily Residential Development Permit Area. The following analysis demonstrates how the proposal is aligned with the applicable design guidelines.

Guideline G1 Prior to site design, analysis shall be undertaken to identify significant on-site and off-site opportunities and constraints, including built and natural elements (e.g., structures, slopes and drainage, significant landscape features, etc.).

- The applicant considered the proximity of the subject property to the River Channel and carried out a geotechnical investigation of the property to determine the building requirements to reduce the flood hazard.
- The outdoor amenity areas are designed with southern exposure to increase solar access onto these areas and protect them from predominant northern winds off Okanagan Lake.

Guideline G3 Private and semi-private open spaces should be designed to optimize solar access.

- The design provides large common amenity areas on the third level facing open to the south, which provides solar access into these spaces. The buildings are located around the north, west and east sides of these amenity areas to frame the space.
- The ground level southern walkway is adjacent to the Riverside Plaza parking lot to the south, therefore it will not be shaded by the uses on the neighbouring property in its current form.

Guideline G4 Views through to the mountains and the lakes should be carefully considered and incorporated into the design of new development.

- The 6-storey development design limits the obstructions of mountain views looking west compared to the originally proposed 15-storey towers.
- The 6-storey scale is a more appropriate fit within the North Gateway redevelopment area where generally up to 6-storey building heights are anticipated.

Guideline G5 Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighbouring building setbacks.

- The development provides strong street definition on both Riverside Dr and Wylie St with ground-oriented units on the first floor. This design provides visual interest from the street with the townhouse units framing the enclosed parkade behind.
- The building is setback 4.5m from the Riverside Dr property line, and 3.6m from the Wylie St property line. These setbacks are similar to the neighbouring townhomes to the north, continuing a similar building setback along both Riverside and Wylie.

Guideline G7 All designs shall consider Crime Prevention Through Environmental Design (CPTED) principles and balance the reduction of crime and nuisance opportunities with other objectives to maximize the enjoyment of the built environment.

- The parkade provides a secure area for vehicles, bicycles, garbage/recycling and storage.
- The southern walkway through the site is designed to be open to the neighbouring parking lot to the south and avoids a design which creates dark alcoves. The walkway will be lit at night.
- Amenity space in the development is provided in secured indoor rooms and outside on the third level, on top of the parkade with restricted access.
- Ground-oriented units facing Riverside Dr and Wylie St have low fencing and gates to separate the private and public spaces, while providing windows and patios facing out towards the streets to provide casual overlook over these public spaces.

Guideline G9 Pedestrian connectivity to adjacent properties is encouraged. With the exception of private yards, open spaces shall be designed for public access and connectivity to adjacent public areas (and publicly-accessible private spaces).

- The plans show a pedestrian walkway through the south end of the site between Riverside Dr and Wylie St. This walkway was a requirement of the previous rezoning and remains a requirement regardless of the development form on the property. The walkway is designed for both active and passive use, with a visually interesting path through the site featuring pavers laid at interesting angles, as well as providing seating and a dedicated food truck space to provide some activity in this area.

Guideline G11 Barrier-free pedestrian walkways to primary building entrances must be provided from municipal sidewalks, parking areas, storage, garbage and amenity areas.

- All three lobby entrances are both barrier-free, providing sloped access to the main entries and elevators to provide access to all levels of the development. Barrier free connections are provided to the parkade, storage areas, garbage/recycling, and amenity areas.
- The ground-level units with direct access paths are also accessible; although they have a few steps up to each unit entry directly from the outside, each unit also has a rear access into an interior building hallway provides barrier-free access via the lobby.

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 three lobby entrances and street-facing entries of the 10 ground floor units are within 1.2m above the grade of the adjacent public sidewalks/southern walkway.

Guideline G14 The outdoor space of a residential unit should be raised no more than 1.2m (3.9 ft.) above adjacent public sidewalks and a "front stair" pedestrian connection shall be provided.

- Ten ground floor units are located on the ground floor. All these units have entry doors and patios facing towards the street. These patios are visible from the street, and are set up to 1.2m above grade of the sidewalk and delineated by low decorative fencing to provide separation between these amenity spaces and the public realm

Guideline G16 Site and building access must prioritize pedestrian movement, minimize conflict between various modes of transportation and optimize use of space...

- Pedestrian and vehicle conflicts are mitigated by providing pedestrian access from Riverside Dr, the southern walkway, and Wylie St directly onto public sidewalks while the only vehicle access into the parkade is from Wylie St. Having one driveway access limits the number of vehicle crossings along public sidewalks and enhances the pedestrian experience.

Guideline G18 Attached parking structures, their access and associated components (doorways, ramps, etc.) should be architecturally integrated into the building so as to minimize visual impact to the public realm.

- The parkade is architecturally integrated into the building. The parkade is not visible from either Riverside Dr or Wylie St, with the exception of the garage door off Wylie St. The design provides apartment units on both street-facing sides of this 2-storey podium.

Guideline G19 All multifamily development should accommodate sustainable modes of transportation through: provision of bike parking and/or safe storage of alternative transportation/mobility equipment; provision of electric vehicle charging stations; internal circulation and/or upgrades to adjacent rights-of-way to accommodate alternative transportation.

- Six different secure bicycle storage rooms are provided on the first and second levels of the parkade with a total of 261 secure bike parking spaces, with a bike wash and repair station also provided on-site.
- Bike racks are provided near each of the three lobbies into the building for visitors.
- The plans show 41 EV-ready parking spaces, with more spaces able to be converted at the will of future residents.

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 proposal is for a 6-storey apartment development and the design provides a ground-oriented appearance from both street frontages by providing direct access to 10 ground level units from the street. This design improves the visual appeal of the building facade, provides more 'eyes on the street', and is a similar design as the townhomes to the north which each have direct access paths to the public sidewalk.

Guideline G22 Massing of larger buildings should be composed of multiple volumes to reduce visual impact on the pedestrian realm.

- The development consists of a two storey podium containing the parkade with apartment units on the east and west sides. Floors 3-6 are set above that podium in the form of two towers. The towers are setback 5.7m from the north property line and there is a 9.1m gap between the two buildings, which helps reduce the mass of the proposed development.

- 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.*
- Ten main floor units have street-facing patios, physically elevated above the grade of the adjacent sidewalk and delineated by decorative fencing, which helps delineate the transition from public (street) to private (unit) space. These patios and landscaping also add visual interest to the street façades.
 - A variety of finish types (cement, cladding, panels) and colours (grays, browns, and copper) are proposed on the street-facing building facades to contribute to visual appeal of the development.
- Guideline G25 Where appropriate, stepped massing should be utilized to transition and improve the relationship between developments of differing scale. In areas where there is an OCP Land Use Designation change, adjacent building heights should not be greater than one-and-a-half storeys higher than existing adjacent development with additional storeys terraced back with a minimum setback of 3.0 metres.*
- The subject property is designated Urban High Density Residential, while the townhouse side to the north is designated Ground Oriented Residential. The two-storey parking podium is setback 2.5m from the property line, with the towers above setback 5.7m from the property line. This achieves the intent of this guideline to setback additional massing. Staff note that the proposed 6-storey apartment development is much lower than could be developed under the existing zoning on the subject property, and the impact on the neighbouring townhomes is less than if a taller development were proposed.
- Guideline G26 Building designs should minimize impacts on the privacy of adjacent dwellings, including private open spaces.*
- The building maintains privacy to the adjacent townhomes to the north given there are no windows on the first two floors on the north side of the building. Levels 3-6 are setback from the property line by almost 6m, which assists with limiting visual overlook from the north-facing units over the neighbouring townhomes.
 - There may be some degree of privacy impact given the townhomes have rooftop patios, however some of these rooftop patios are covered for shade which can double as providing privacy from the new neighbours in this proposed development.
 - The development plans show the shadow casted by the proposed development will impact few neighbouring townhouse units for most of the year, with the least impact in summer and the most impact during the winter.
- Guideline G27/28 Development should activate the public realm (e.g., sidewalks) and shared open spaces by placing active uses at street level. Entries should be visible and clearly identifiable from the fronting public street.*
- The development places ten units patios at-grade facing out towards Riverside Dr and Wylie St. This provides an outdoor, active amenity space at street-level.

- Active uses are provided along the southern walkway with seating, a lobby entrance into the building, and a dedicated space for a food truck.
- Lobby entrances as well as individual unit entries are clearly visible along Riverside Dr and Wylie St.

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.

- The development plans show main lobby entrances, ground floor unit entries, patios, windows, and balconies facing west and east over both streets.
- The lobby entrance onto the southern walkway is clearly visible from the walkway with open sightlines from the plaza parking lot to the south.

Guideline G31 Provide screening (e.g., varied materials/textures, murals, greenwalls or vines) on solid walls that exist as a function of an internal program (e.g., for privacy, merchandising, etc.).

- The two level podium has apartment units along the street-facing sides which screen the parkade from the street. The north and south sides show greenwalls with vine plantings and various finishing materials in addition to new trees proposed along both sides of the building. These landscaping treatments assist with screening these walls from adjacent uses, and improves the visual appeal of the development from the north and south.

Guideline G35 Tree planting...

- The development plans show a number of new trees to be planted on the subject property.
- 45 new trees are proposed around the perimeter for the new building.
- Of these new trees, 13 will be planted along the north side of the building to provide a landscape buffer between the proposed development and the townhomes to the north.
- 25 new trees will be planted along the southern walkway to provide visual interest and shade in summer.
- An additional 18 trees are proposed on the third level amenity space among other plantings and amenities on that level.
- 4 new boulevard trees are proposed along Wylie St
- All existing boulevard trees along Riverside Dr are proposed to remain
- Landscaped area will be watered through drip irrigation to minimize water loss.

Guideline G39 Defining the Public and Private Realms: clearly signaled transitions between the public (e.g., street, sidewalk), semi-public (e.g., walkways, ramp, stair), semi-private (e.g., stoop, balcony) and private (e.g. entry) realms shall be clearly defined to enhance both the privacy of residences and the pedestrian experience...

- The landscape plan section drawings show a horizontal and vertical separation between public sidewalks on Riverside Dr and Wylie St and the main floor amenity spaces of the ground level units. These patios are set up to 1.2m above grade of the public sidewalk, up a few steps, and delineated with low fencing and gates, which retains visual overlook onto the public realm.
- Plantings along the public sidewalk help buffer the development and improve its visual appeal, in addition to the four new boulevard trees on Wylie St.

Guideline G46 Opportunities for the inclusion of public art should be explored in public and semi-public open spaces, especially plazas.

- The developer will be exploring opportunities for public art installation along the southern walkway.

Guidelines G54/G55 Mechanical/utility cabinets and transformer pads (units) shall be located at the rear of the property, behind the building. Where this is unachievable, units may be located at the edge of the front yard and must be incorporated into landscaped areas and screened from the street.

- A transformer is proposed at the northeast corner of the property, adjacent to the parkade entrance. The transformer is shown to be buffered by landscaping, helping to reduce its visual impact from the street. The building design shows utility meters inside the building so they will not be visible from the public realm.

Guideline G58/G59 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. Garbage and recycling bins should be contained within screened enclosures that are coordinated with the overall design.

- The garbage/recycling storage enclosures are located in the secure parkade. Collection will be along Wylie St.

Guideline G61/G62 Fencing located along a street edge should be low and/or not create a solid barrier (i.e. it should be visually transparent). Fencing along the street edge should be supplemented with low profile landscape plantings.

- The fencing around the street-facing patios is 1.2m (4ft) high and semi-transparent through the horizontal slats. The proposed height is low enough to maintain visual connections between the patios and the street. Low profile plantings are provided along the fences, as shown on the landscaping plans.
- A 1.8m high privacy fence is proposed along the northern property line bordering the neighbouring townhomes. This fence shall be lowered to 1.2m within the required front yards of the development.

Guideline MF1 All multifamily development should incorporate community amenity spaces that provide opportunity for recreation and play and address the needs of all age groups likely to reside within the development.

- Large common amenity areas are provided on level 3 of the development, with two main outdoors spaces featuring a number of amenities as well as an indoor multipurpose amenity room. Two indoor fitness rooms are provided on level 2.

- In addition to these shared spaces, each unit has its own balcony or terrace.
- The total amenity space provided exceeds the typical requirement of 20m² per unit, by overall providing approximately 1,200m² more amenity area than is typically required in comparable zones (the CD2 zone has no set requirement for amenity space).

Guideline MF2 In an effort to promote community and social sustainability, multifamily developments should exhibit a preference for courtyard forms with views onto them from ground-oriented floor units.

- The third floor outdoor amenity areas are framed by the towers in a courtyard style. Some third floor units have direct terrace access into these areas.
- The third level amenity areas have casual overlook onto them from the balconies and windows of units above, which look over these spaces.

Guideline MF3 Amenity spaces should incorporate vegetation for the purpose of active and passive recreation and/or visual interest, and incorporate safe play areas in interior courtyards.

- The landscape plans show a number of surface materials in the common amenity areas on the third floor. There are lawns, paved walkways, seating areas, a pool, an outdoor fitness area and a putting green. 15 trees and a number of other plantings are proposed in this common amenity area.
- Fully separated from public access, and vehicles, this area provides space for safe play and enjoyment for residents of the proposed development.

Guideline MF4 Visitor parking should be in public view, easily accessible near the main entry to the site, and clearly indicated by pavement markings and/or signs.

- 58 visitor parking spaces are proposed within the parkade. These spaces are located outside the secured gated area for resident parking. The visitor parking spaces are located near the parkade entrance and in close proximity to building access points.
- Visitor spaces shall be clearly marked for visitor parking only, as required by the Zoning Bylaw.

Guideline MF5 Electric vehicle charging stations should be provided in larger developments.

- The plans shows 41 parking spaces in the parkade will be EV ready, with the opportunity for additional spaces if desired by future residents.

Guideline MF6 Entrances to apartment lobbies should be connected to adjacent sidewalks and provide seating, as well as clear pedestrian-oriented signage. Public art is also encouraged.

- The development has three entrance lobbies: one from Riverside Dr, one from Wylie St, and one from the southern walkway. All three are immediately adjacent to public sidewalks with bike racks and attractive landscaping to delineate these main entries.
- The southern lobby entrance has outdoor seating adjacent to it.
- Staff have encouraged the developer to provide public art along the southern walkway.

The Corporation of the City of Penticton

Bylaw No. 2022-55

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. 2022-55".

2. Amendment:

Zoning Bylaw No. 2021-01 14.2 CD2 – Comprehensive Development (270 Riverside Drive) is hereby amended as follows:

2.1 Add the following to section 14.2.2 PERMITTED USES

.10 vacation rental

.11 mobile vending unit

2.2 Change section 14.2.3 SUBDIVISION AND DEVELOPMENT REGULATIONS to read as follows:

.9 Minimum rear yard (Wylie Street): 2.5m

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 an online news source and the newspaper, pursuant to Section 94.2 of the Community Charter.

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

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer

Development Variance Permit

Permit Number: DVP PL2022-9433

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 366 Similkameen Division Yale District Plan KAP91771
 - Civic: 270 Riverside Drive
 - PID: 028-464-087
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2021-01 to allow for the construction of a 6 storey, 234 unit apartment building, as shown in the plans attached in Schedule 'A':
 - a. Section 6.5: To reduce the minimum number of vehicle parking spaces from 291 to 290.
 - b. Section 14.2.3.3: To increase the maximum lot coverage from 65% to 76%.
 - c. Section 14.2.3.2: To reduce the minimum lot area from 9,000m² to 4,769m² (for phasing only).
 - d. Section 14.2.3.9: To reduce the minimum rear yard from 2.5m to 0m (for phasing only).

General Conditions

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

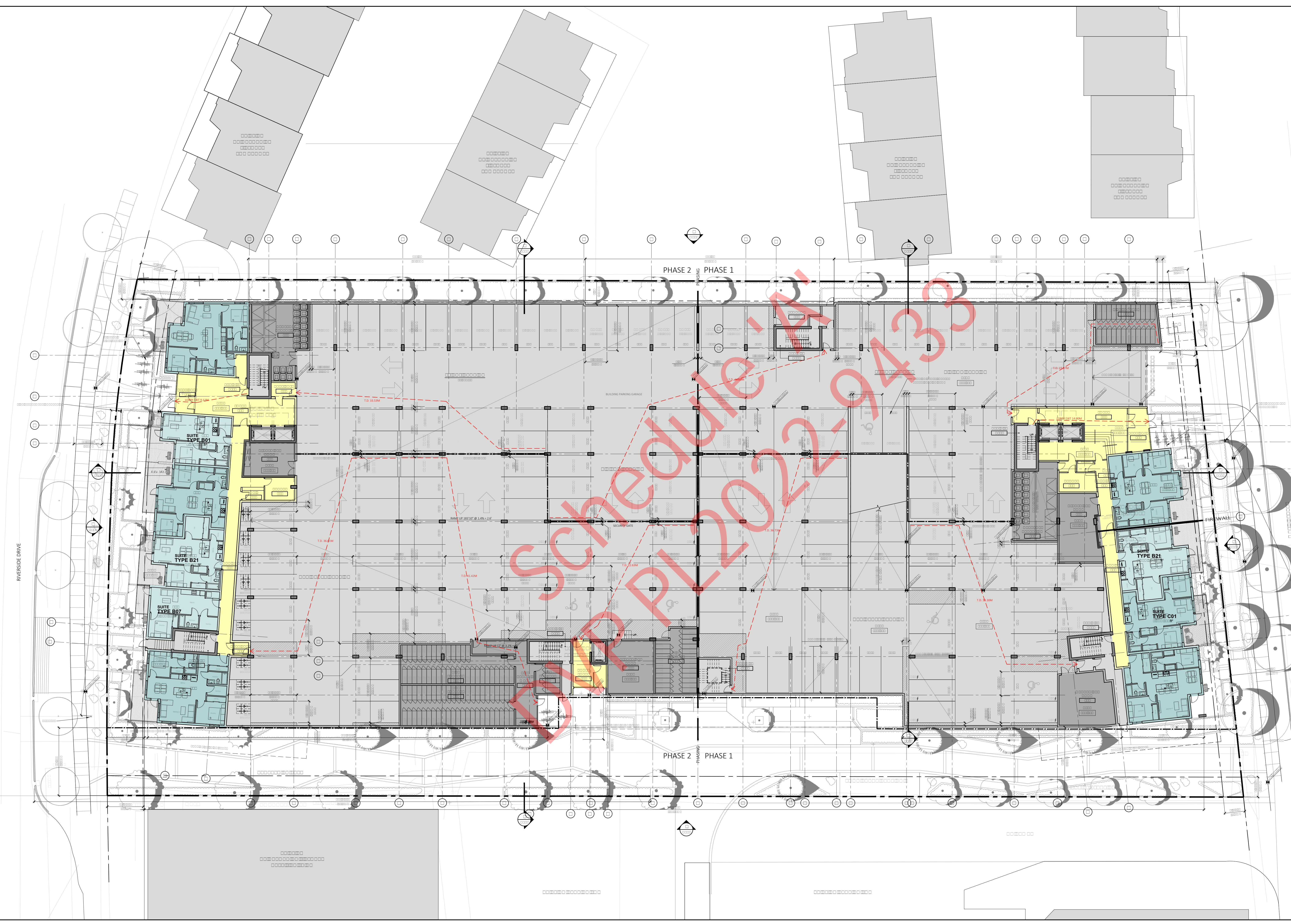
information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the ____ day of _____, 2022.

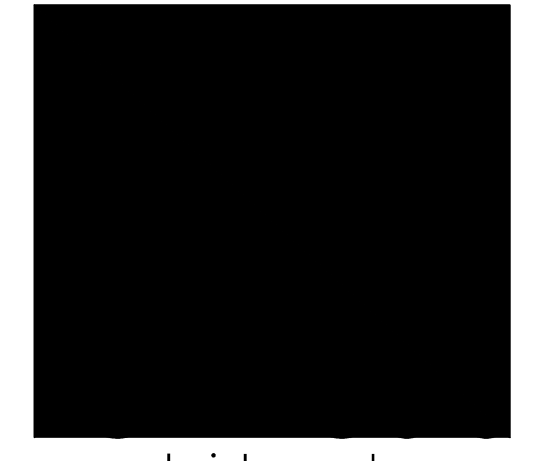
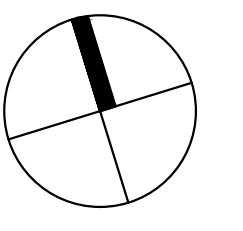
Issued this ____ day of _____, 2022.

Angela Collison
Corporate Officer

DRAFT



DO NOT SCALE THE DRAWINGS.



architecture
 200-211 Columbia Street | Vancouver | BC | V6A 2R5
 T 404 688 7582
 E studio@formosis.ca www.formosis.ca

4	2022-11-24	□□□□□□□□
3	2022-11-09	□□□□□□□□
2	2022-08-26	□□□□□□□□
1	2022-07-11	□□□□□□□□

4	2022-11-24	□□□□□□□□
3	2022-11-09	□□□□□□□□
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Development Permit

Permit Number: DP PL2022-9432

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 366 Similkameen Division Yale District Plan KAP91771
 - Civic: 270 Riverside Drive
 - PID: 028-464-087
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a 6-storey, 234 unit apartment building 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

PHASE 1 ZONING DATA			
	REQUIRED	PROPOSED	VARIANCE
Lot Area:	9,000 m ²	4,232 m ²	TEMPORARY VARIANCE OF 4769m ² FOR PHASED STRATA OCCUPANCY OF HALF OF THE SITE
Zone:	CD2	CD2	
Proposed Uses:	Residential	Residential	
Apartment Units	96	96	
Density:	2.50 FAR	1.68	
Site Coverage	65%	75.5%	VARIANCE OF 10.5% REQUESTED
Buildings Setbacks:			
Front (Wylie Street):	25m	2.5m (8'-2")	A SEPARATE REZONING TEXT AMENDMENT HAS REQUESTED A CHANGE FROM 25M TO 2.5M TO CORRECT A TYPO.
North Side:	2.5m	2.5m (8'-2")	
South Side at Grade:	2.5m	8.60m (28'-3")	
South Side Overhang:	2.5m	6.5m (21'-4")	
Rear (To Phase 2)	-	0m	A TEMPORARY VARIANCE OF 0M FOR PHASING
Height:	44m	21.71 m (71'-3")	
Number of Storeys:	15	6	
Parking:	120	124	
Small Car Parking	Max 25%	19.4%	
Loading:	-	-	
Bicycle Short Term	10	10	
Bicycle Long Term	48	52	
Outdoor Amenity Area	-	2,760.1 m ²	
Indoor Amenity Area	-	51.2 m ²	
Total Amenity Area	-	2,811.2 m ²	NOTE: EXCEEDS TYPICAL ZONE REQUIREMENT OF 20M ² /DWELLING UNIT

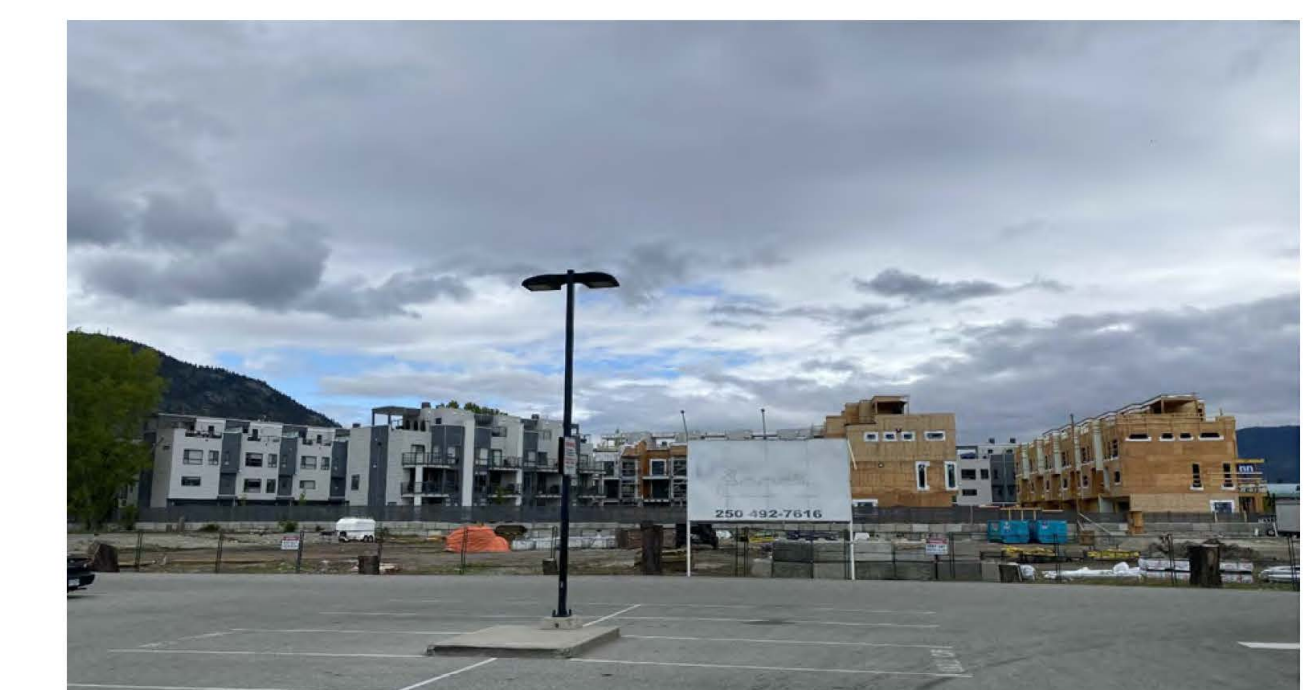
PHASE 2 ZONING DATA			
	REQUIRED	PROPOSED	VARIANCE
Lot Area:	-	4,707 m ²	
Zone:	CD2	CD2	
Proposed Uses:	Residential	Residential	
Apartment Units	138	138	
Density:	2.50 FAR	2.13	
Site Coverage	65%	75.9%	VARIANCE OF 10.9% REQUESTED
Buildings Setbacks:			
Front (Riverside Drive):	4.5m	4.5m (14'-9")	
North Side:	2.5m	2.5m (8'-2")	
South Side at Grade:	2.5m	8.60m (28'-3")	
South Side Overhang:	2.5m	6.5m (21'-4")	
Rear (To Phase 1)	-	0m	
Height:	44m	21.71 m (71'-3")	
Number of Storeys:	15	6	
Parking:	172	166	VARIANCE REQUIRED, NOTE THERE IS A SURPLUS OF PARKING IN PHASE 1
Small Car Parking	Max 25%	13.9%	
Loading:	-	-	
Bicycle Short Term	14	16	
Bicycle Long Term	69	209	
Outdoor Amenity Area	-	2,860.8 m ²	
Indoor Amenity Area	-	172.9 m ²	
Total Amenity Area	-	3,033.7 m ²	

PHASE 1+2 ZONING DATA			
	REQUIRED	PROPOSED	VARIANCE
Lot Area:	9,000 m ²	8,939 m ²	VARIANCE OF 61m ² TO REFLECT THAT A DEDICATION HAS BEEN TAKEN FROM THE ORIGINAL 9000m ² + LOT AREA.
Zone:	CD2	CD2	
Proposed Uses:	Residential	Residential	
Apartment Units	234	234	
Density:	2.50 FAR	1.92	
Site Coverage	65%	75.7%	VARIANCE OF 10.7% REQUESTED
Buildings Setbacks:			
Front (Riverside Drive):	4.5m	4.5m (14'-9")	
North Side:	2.5m	2.5m (8'-2")	
South Side at Grade:	2.5m	8.60m (28'-3")	
South Side Overhang:	2.5m	6.5m (21'-4")	
Rear (Wylie Street)	25m	2.5m (8'-2")	A SEPARATE REZONING TEXT AMENDMENT HAS REQUESTED A CHANGE FROM 25M TO 2.5M TO CORRECT A TYPO.
Height:	44m	21.71 m (71'-3")	
Number of Storeys:	15	6	
Parking:	291	290	VARIANCE OF 1 VISITOR PARKING SPACE REQUESTED.
Small Car Parking	Max 25%	16.21%	NOTE: 7 ADDITIONAL PARKING SPACES PROVIDED AS TANDEM
Loading:	-	-	
Bicycle Short Term	24	26	
Bicycle Long Term	117	261	
Outdoor Amenity Area	-	5,620.8 m ²	
Indoor Amenity Area	-	224.1 m ²	
Total Amenity Area	-	5,844.9 m ²	NOTE: EXCEEDS TYPICAL ZONE REQUIREMENT OF 20M ² /DWELLING UNIT (4680M ²).

SITE PHOTOS



LOOKING NORTH-EAST FROM SOUTH PARKING LOT



LOOKING NORTH FROM SOUTH PARKING LOT



LOOKING NORTH ALONG WYLIE ST. TOWARDS BURNABY AVE.



LOOKING WEST FROM WYLIE ST.



LOOKING SOUTH-EAST FROM NORTHERN TOWNHOUSE COURTYARD

PROGRAMMING SUMMARY										
	Phase 1	Phase 2	Total							
SITE AREA	45,553 SF	50,664 SF	96,217 SF	8,938.9 m ²						
Covered Site Area	34,378 SF	38,457 SF	72,836 SF	6,766.7 m ²						
Lot Coverage	75.5%	75.9%	75.7%							
RESIDENTIAL										
	Suite Area	Common Area	Net Floor Area	FAR Exclusions	Gross Floor Area	FAR	HEATED FLOOR AREA	EFFICIENCY		
PHASE 1										
GROUND FLOOR	3,078 SF	1,613 SF	4,691 SF	28,371 SF	33,062 SF		6,367 SF	48.3%		
SECOND FLOOR	3,599 SF	1,382 SF	4,981 SF	27,756 SF	32,737 SF		5,807 SF	62.0%		
THIRD FLOOR	14,707 SF	2,224 SF	16,931 SF	771 SF	17,702 SF		17,702 SF	83.1%		
FOURTH FLOOR	15,030 SF	1,672 SF	16,702 SF	771 SF	17,473 SF		17,473 SF	86.0%		
FIFTH FLOOR	15,030 SF	1,672 SF	16,702 SF	771 SF	17,473 SF		17,473 SF	86.0%		
SIXTH FLOOR	15,030 SF	1,672 SF	16,702 SF	771 SF	17,473 SF		17,473 SF	86.0%		
ROOF	0 SF	0 SF	0 SF	529 SF	529 SF		529 SF	0.0%		
SUBTOTAL	66,474 SF	10,235 SF	76,709 SF	59,740 SF	136,449 SF	1.68	82,824 SF	80.3%		
PHASE 2										
GROUND FLOOR	4,368 SF	1,919 SF	6,287 SF	31,436 SF	37,723 SF		7,831 SF	55.8%		
SECOND FLOOR	4,571 SF	1,796 SF	6,307 SF	31,510 SF	37,817 SF		7,007 SF	65.2%		
THIRD FLOOR	19,504 SF	4,435 SF	23,939 SF	769 SF	24,708 SF		24,708 SF	78.9%		
FOURTH FLOOR	21,276 SF	2,552 SF	23,828 SF	769 SF	24,597 SF		24,597 SF	86.5%		
FIFTH FLOOR	21,276 SF	2,552 SF	23,828 SF	769 SF	24,597 SF		24,597 SF	86.5%		
SIXTH FLOOR	21,276 SF	2,552 SF	23,828 SF	769 SF	24,597 SF		24,597 SF	86.5%		
ROOF	0 SF	0 SF	0 SF	548 SF	548 SF		548 SF	0.0%		
SUBTOTAL	92,271 SF	15,746 SF	108,017 SF	66,570 SF	174,587 SF	2.13	113,885 SF	81.0%		
TOTAL (GBA)	158,745 SF	25,981 SF	184,726 SF	126,310 SF	311,036 SF	1.92	196,709 SF	80.7%		
	(14,747.9 m ²)	(2,413.7 m ²)	(17,161.6 m ²)	(11,734.6 m ²)	(28,896.2 m ²)					

PARKING							
	BY-LAW	REQUIRED	PROVIDED	COMMENTS			
PHASE 1							
RESIDENTIAL (96 UNITS)	1 / RES. UNIT	96.0	RESIDENT	36	63	99	
VISITORS	0.25 / UNIT	24.0	VISITOR	25		25	
SUBTOTAL	120.0				SUBTOTAL	124	24 are small cars
PHASE 2							
RESIDENTIAL (138 UNITS)	1 / RES. UNIT	138.0	RESIDENT	44	89	133	
VISITORS	0.25 / UNIT	34.0	VISITOR	33		33	
SUBTOTAL	172.0				SUBTOTAL	166	23 are small cars
TOTAL		292			TOTAL	290	47 total small cars
MINUS ONE STALL FOR ZONING 6.1.2.1.a		291			ACCESSIBLE	(7.0)	
ACCESSIBLE STALLS	(6.8)				+ TANDEM	7	
					TOTAL PROVIDED PARKING	297	

BICYCLE PARKING					
	REQUIRED		PROVIDED		COMMENTS
	Class 1 Stor.	Class 2 Racks	Class 1 Storage	Class 2 Racks	
PHASE 1					
RESIDENTIAL (96 UNITS)	48	10	52	10	
PHASE 2					
RESIDENTIAL (138 UNITS)	69	14	209	16	
TOTAL	117	23	261	26	

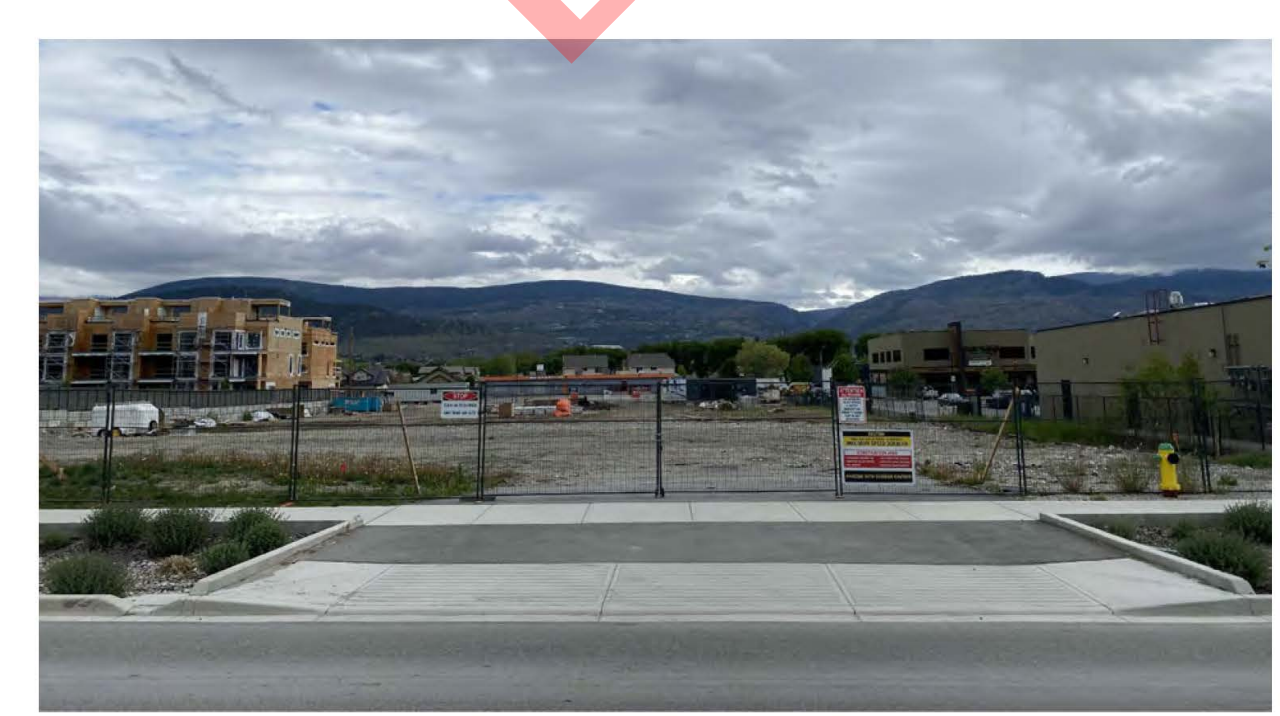
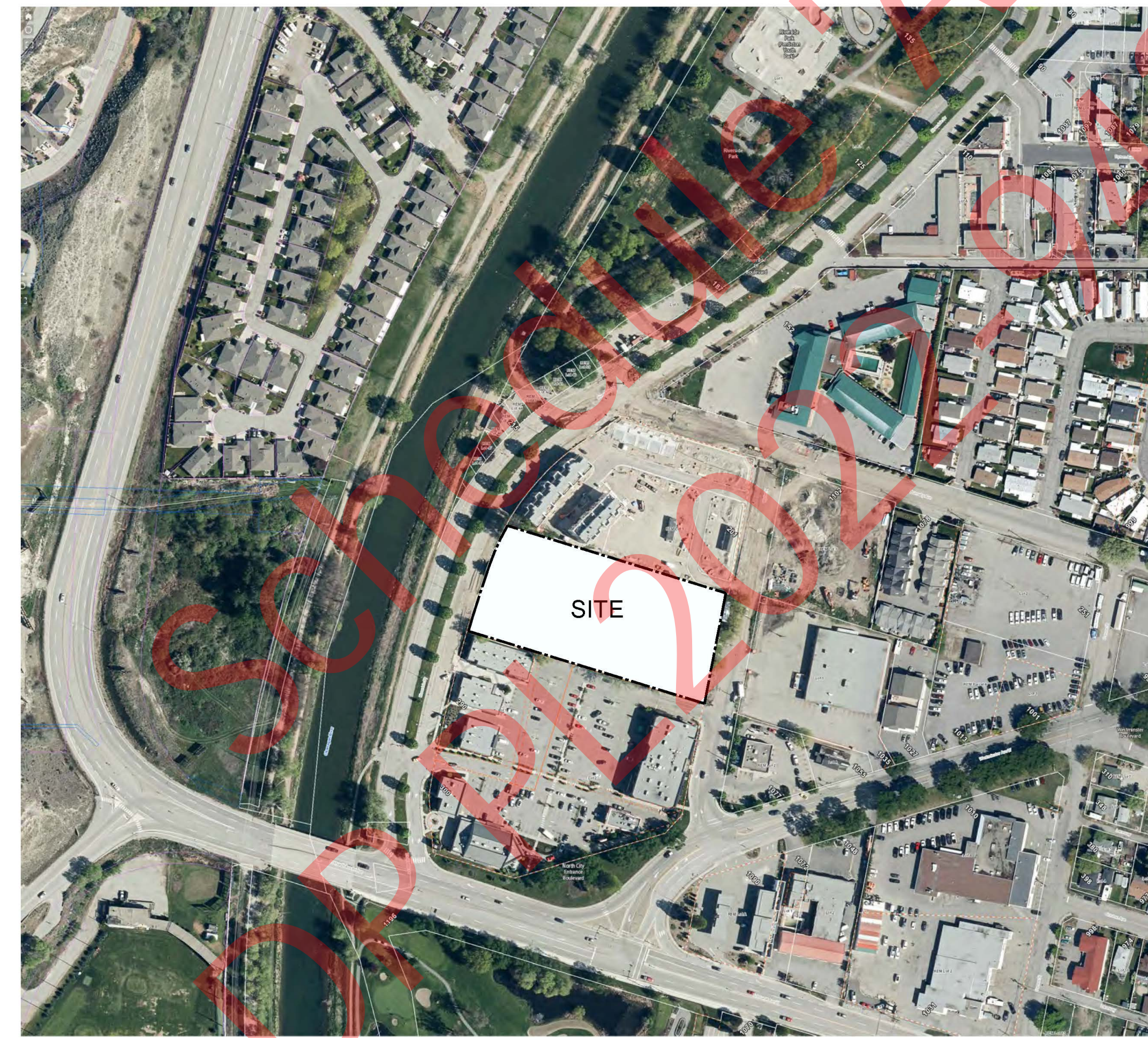
UNIT COUNT				
	PHASE 1			SUBTOTAL
	STUDIO	1-BED	2-BED	
GROUND FLOOR	0	1	3	4
SECOND FLOOR	0	1	3	4
THIRD FLOOR	2	12	8	22
FOURTH FLOOR	2	11	9	22
FIFTH FLOOR	2	11	9	22
SIXTH FLOOR	2	11	9	22
SUBTOTALS	8	47	41	96
	8%	49%	43%	
UNIT COUNT				
	PHASE 2			SUBTOTAL
	STUDIO	1-BED	2-BED	
GROUND FLOOR	0	3	3	6
SECOND FLOOR	0	3	3	6
THIRD FLOOR	5	16	9	30
FOURTH FLOOR	5	16	11	32
FIFTH FLOOR	5	16	11	32
SIXTH FLOOR	5	16	11	32
SUBTOTALS	20	70	48	138
	14%	51%	35%	
COMBINED TOTALS	28	117	89	234
Percentages	12%	50%	38%	
Targets	10%	40%	50%	

AMENITY AREA			
	Phase 1	Phase 2	Total
Indoor Amenity	551 SF	1,861 SF	2,412 SF
Shared Outdoor Amenity	13,404 SF	14,470 SF	27,874 SF
Private outdoor decks	10,305 SF	16,323 SF	26,628 SF

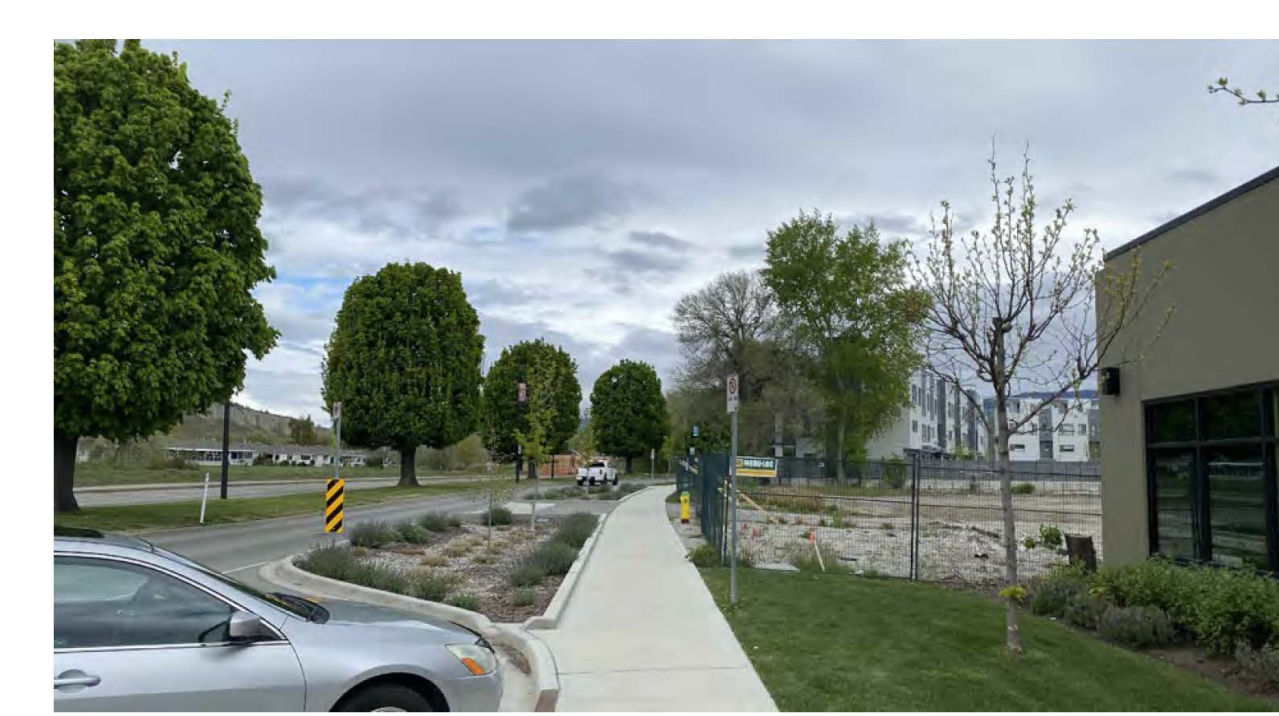
GARBAGE AND RECYCLING ESTIMATION PHASE 1			
WASTE CATEGORIES	WASTE VOL.	CONTAINERS	CAPACITY
Garbage	6,432 L	2 X 4 YARD	6,132 L
Recycling (6,240L)	Card/paper: 3,120 L	2 X 3 YARD	4,584 L
	Containers: 3,120 L	9 X 360L	3,240 L
Organics	1,344 L	6 X 240L	1,440 L
Total		4 YARD BINS	
		15 WHEELEY BINS	

GARBAGE AND RECYCLING ESTIMATION PHASE 2			
WASTE CATEGORIES	WASTE VOL.	CONTAINERS	CAPACITY
Garbage	9,246 L	3 X 4 YARD	9,168 L
Recycling (8,970L)	Card/paper: 4,485 L	2 X 3 YARD	4,584 L
	Containers: 4,485 L	13 X 360L	4,680 L
Organics	1,932 L	8 X 240L	1,920 L
Total		5 YARD BINS	
		21 WHEELEY BINS	

CONTEXT PLAN



LOOKING EAST FROM RIVERSIDE DR.



LOOKING NORTH ALONG RIVERSIDE DR.

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REGISTERED ARCHITECT
 BRITISH COLUMBIA

SEAL 2022-11-25

NO	DATE	REMARKS
4	2022-11-24	ISSUED FOR DP COMMENTS R2
3	2022-11-09	ISSUED FOR DP COMMENTS RESPONSE
2	2022-08-26	ISSUED FOR DP
1	2022-07-11	ISSUED FOR PRE-APP

kerkhoff
 DEVELOP • BUILD

SOKANA
 6 Storey Apartment Building

270
 Riverside Drive
 Penticton, British Columbia

SITE CONTEXT &
 PROJECT STATISTICS

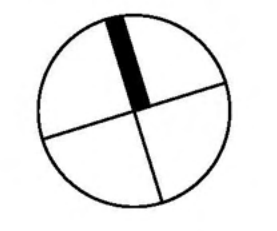
DEVELOPMENT PERMIT

A151

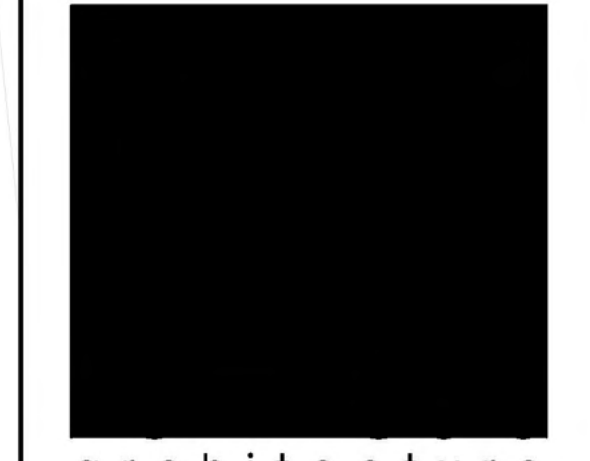
SCALE: AS NOTED	PROJECT NO: 2207
DRAWN BY: SP/MC	DATE: AUG 2022



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SEAL 2022-11-25

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SOKANA
 6 Storey Apartment Building
 270
 Riverside Drive
 Penticon, British Columbia

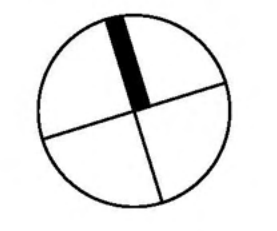
SITE PLAN

DEVELOPMENT PERMIT

A152

SCALE: 1:200	PROJECT NO: 2207
DRAWN BY: SP	DATE: JUNE 2022

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SEAL 2022-11-25

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1	2022-07-11	ISSUED FOR PRE-APP



SOKANA
 6 Storey Apartment Building

270
 Riverside Drive
 Penticon, British Columbia

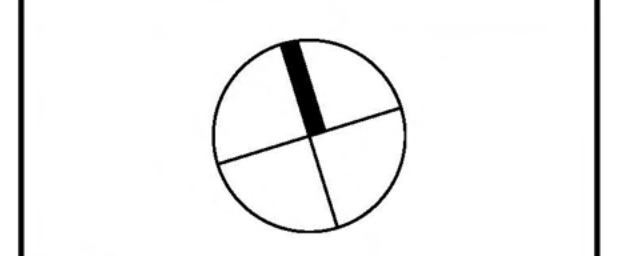
L2 PLAN

DEVELOPMENT PERMIT

A212

SCALE: 1:200	PROJECT NO: 2207
DRAWN BY: SP/NC	DATE: JUNE 2022





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SEAL 2022-11-25

NO	DATE	REMARKS
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1	2022-07-11	ISSUED FOR PRE-APP



SOKANA
 6 Storey Apartment Building

270
 Riverside Drive
 Penticton, British Columbia

THIRD FLOOR PLAN

DEVELOPMENT PERMIT

A213

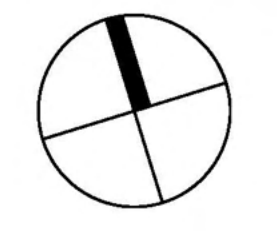
SCALE: 1:200	PROJECT NO: 2207
DRAWN BY: SP/NC	DATE: AUG 2022



LEGEND

- AMENITY
- STUDIO
- 1-BED
- 2-BED
- 3-BED
- RESIDENTIAL CIRCULATION
- PARKING
- SERVICE

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NORTH



PRIME CONSULTANT

CONSULTANT



SEAL 2022-11-25

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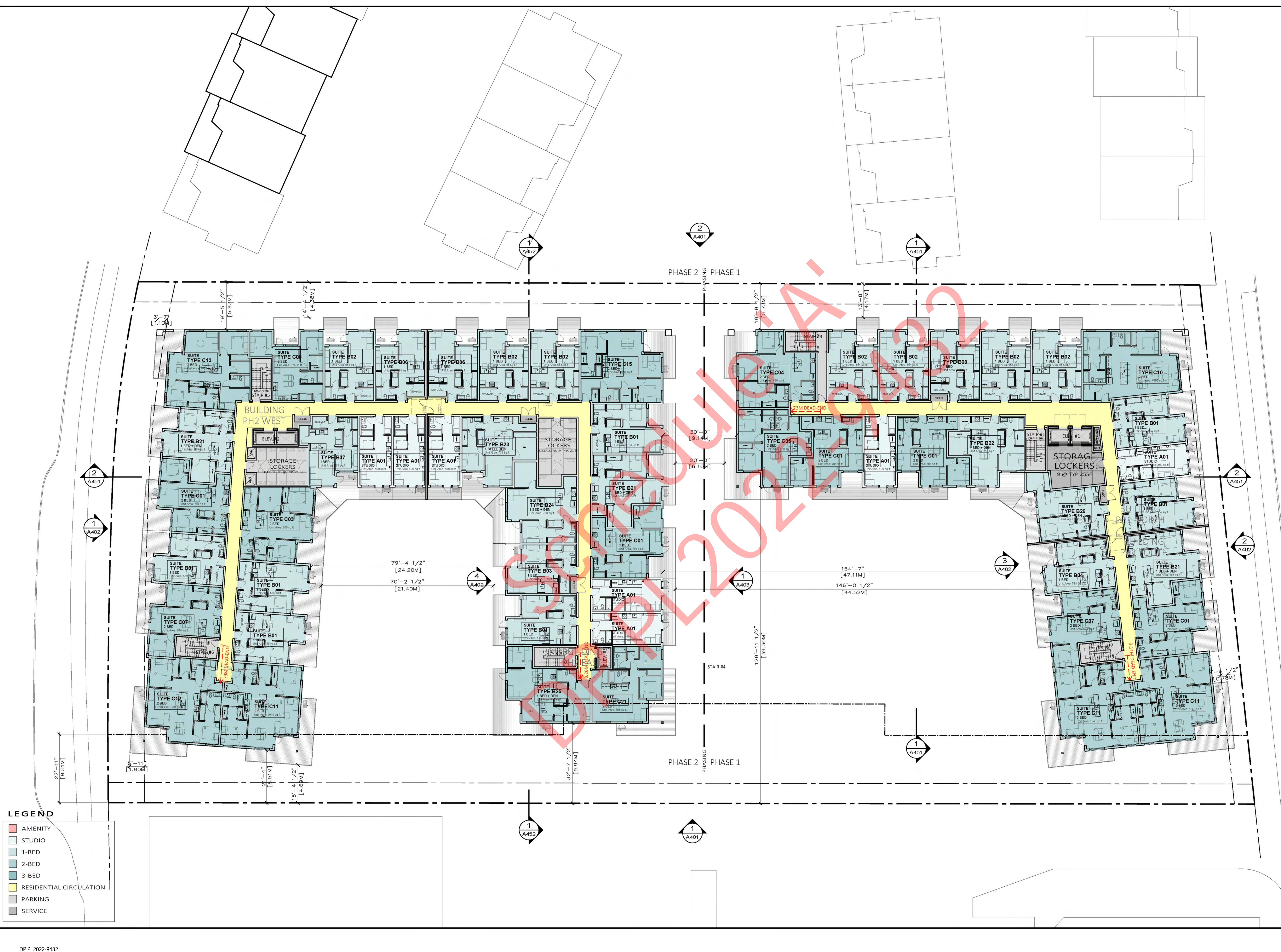
SOKANA
 6 Storey Apartment Building
 270
 Riverside Drive
 Penticton, British Columbia

TYPICAL
 FOURTH-SIXTH FLOOR PLANS

DEVELOPMENT PERMIT

A214

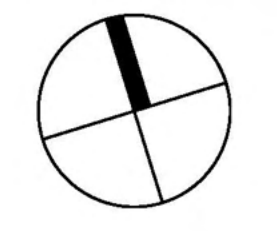
SCALE:	1:200	PROJECT NO:	2207
DRAWN BY:	SP/NC	DATE:	JULY 2022



LEGEND

[Red Box]	AMENITY
[Light Blue Box]	STUDIO
[Medium Blue Box]	1-BED
[Dark Blue Box]	2-BED
[Lightest Blue Box]	3-BED
[Yellow Box]	RESIDENTIAL CIRCULATION
[Grey Box]	PARKING
[Dark Grey Box]	SERVICE

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SEAL 2022-11-25

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1	2022-08-26	ISSUED FOR DP



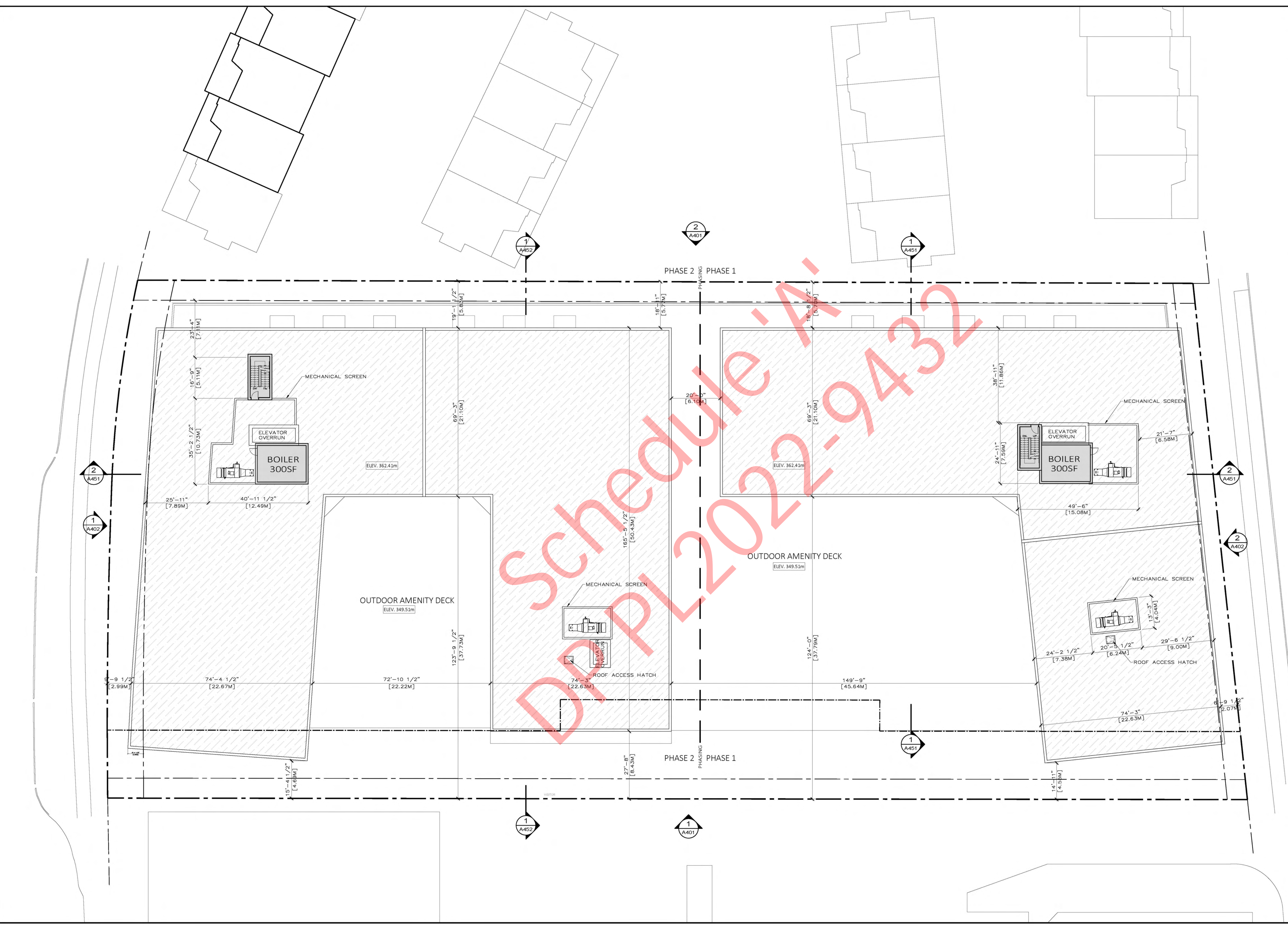
SOKANA
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 270
 Riverside Drive
 Penticton, British Columbia

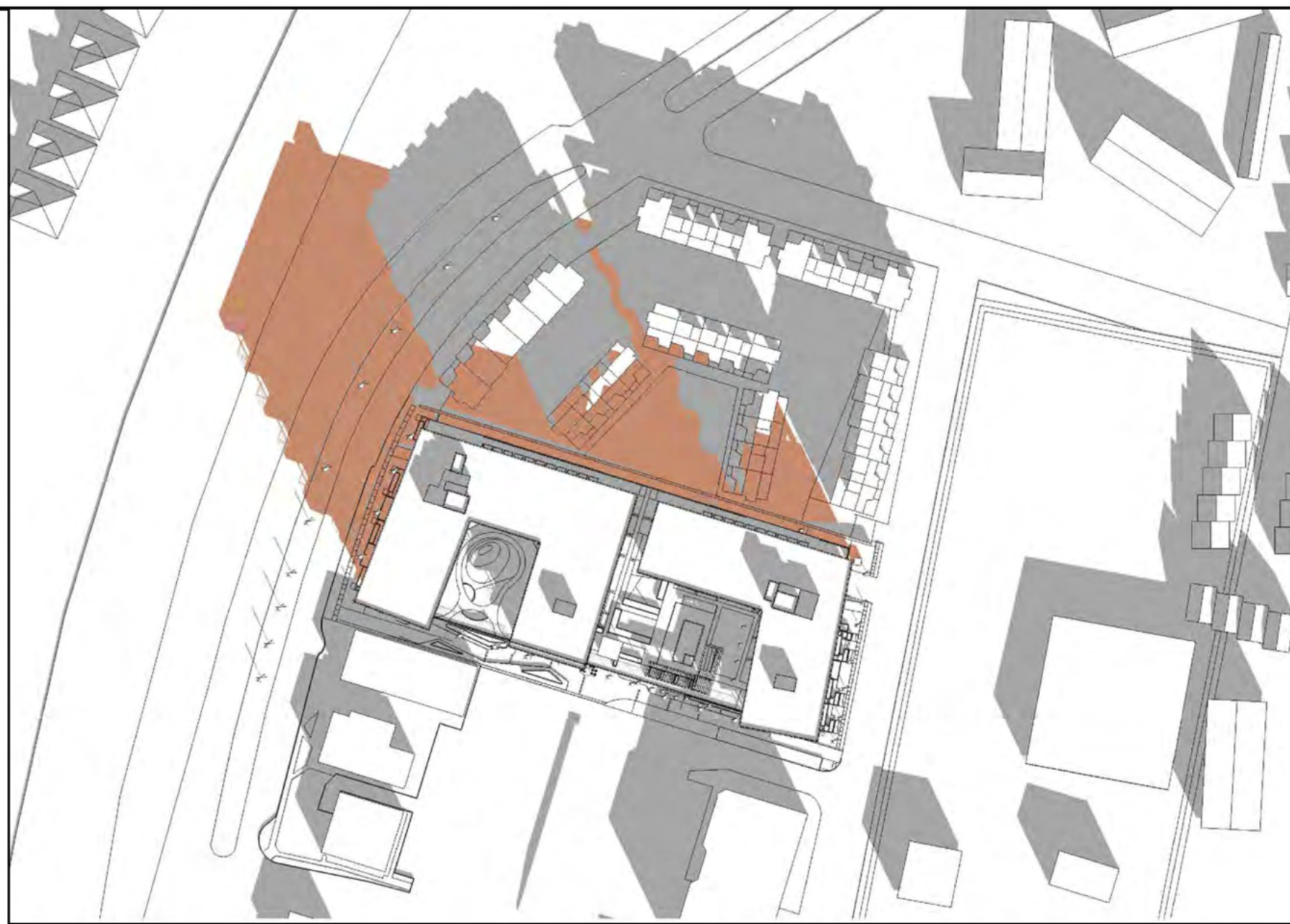
ROOF PLAN

DEVELOPMENT PERMIT

A251

SCALE: AS NOTED	PROJECT NO: 2207
DRAWN BY: SP/MC	DATE: JULY 2022

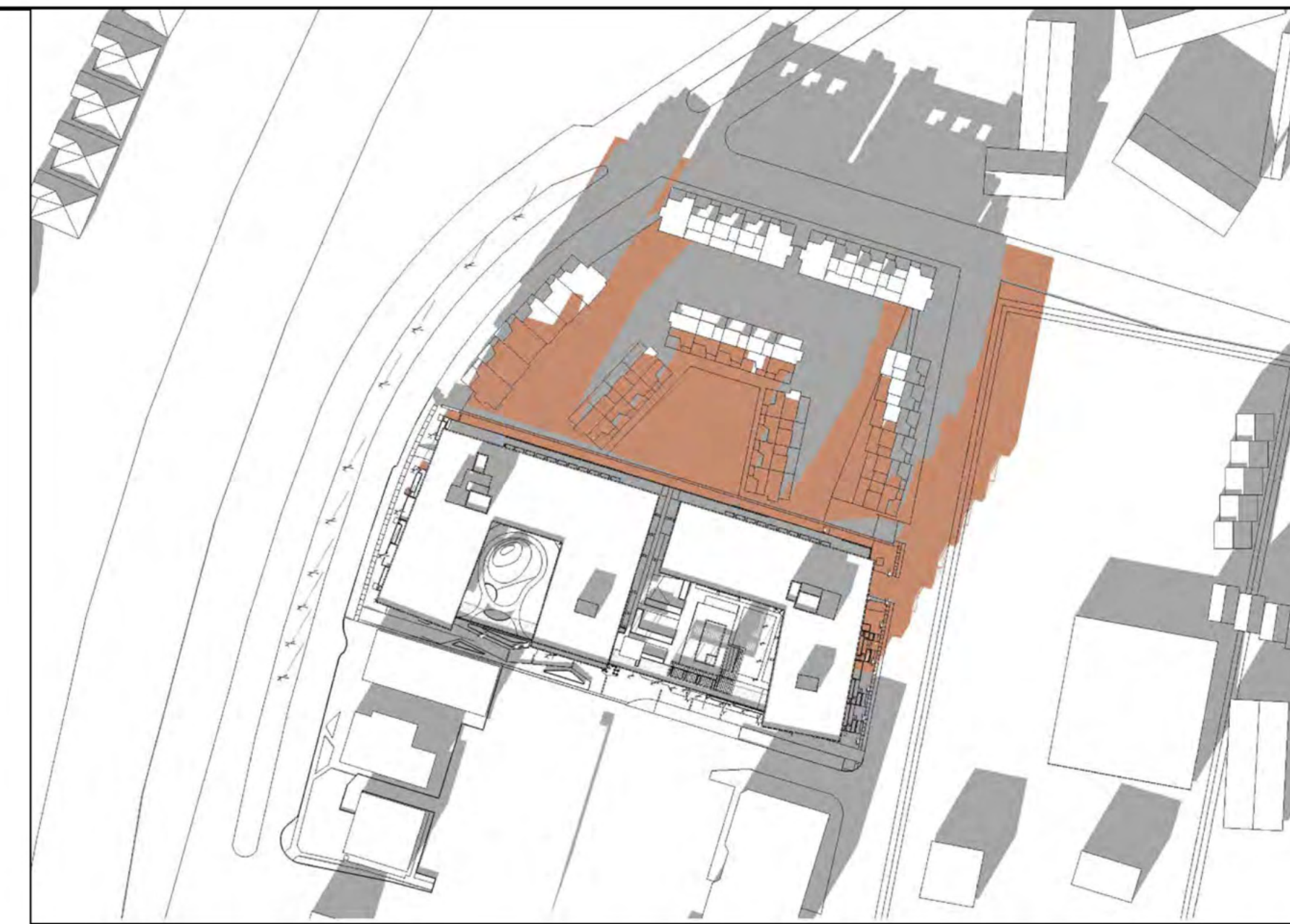




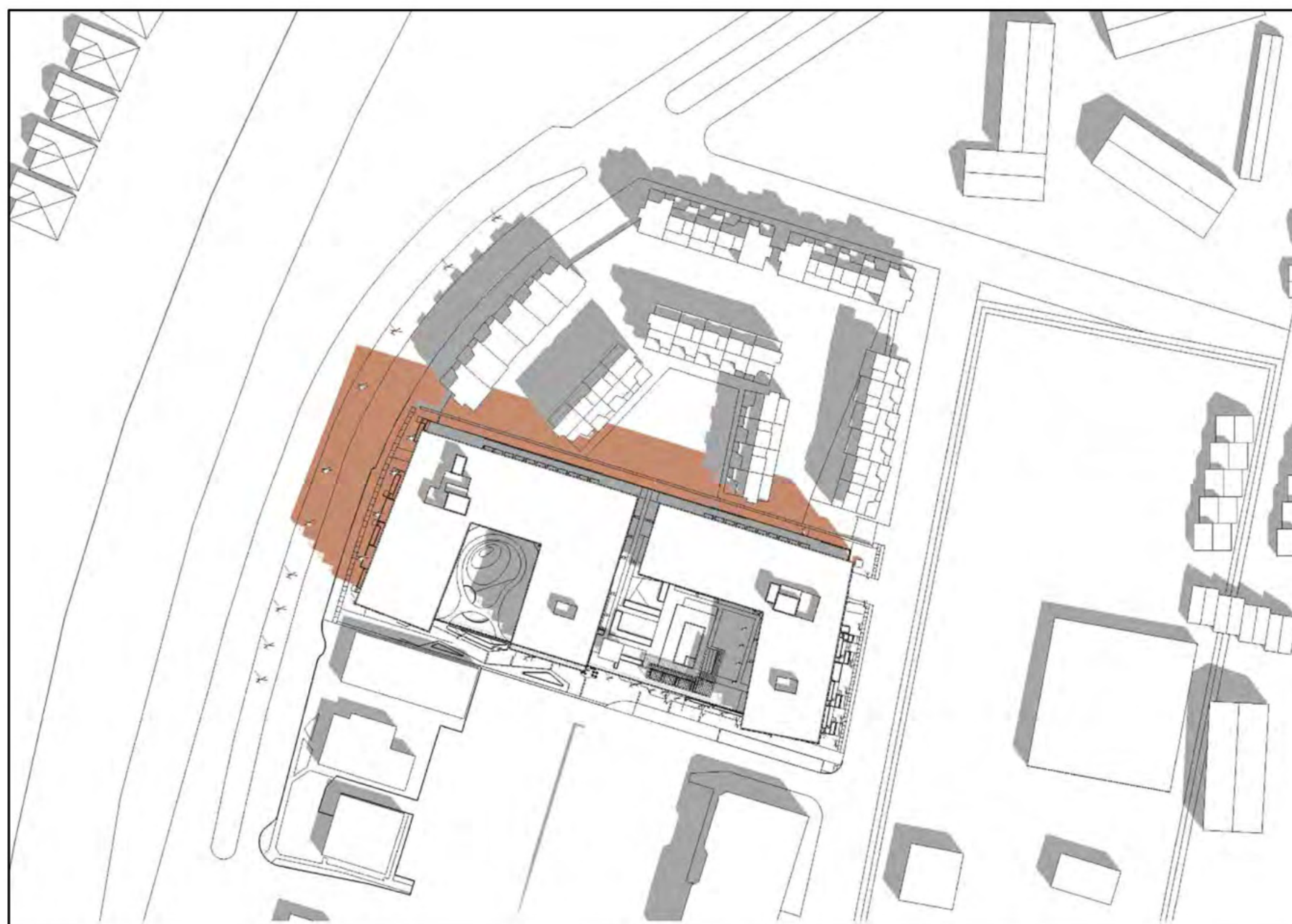
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DEC 21 12:00 PM



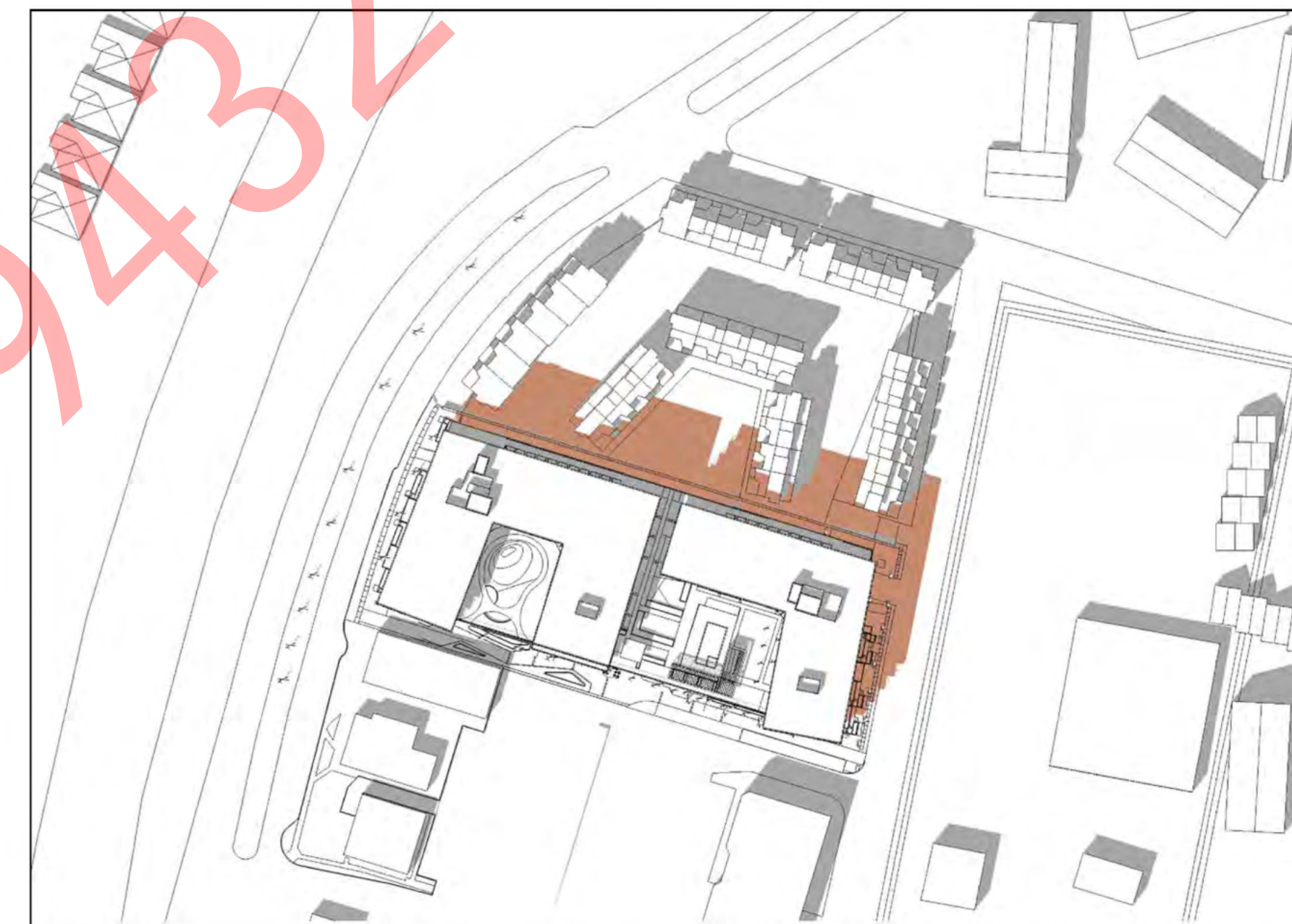
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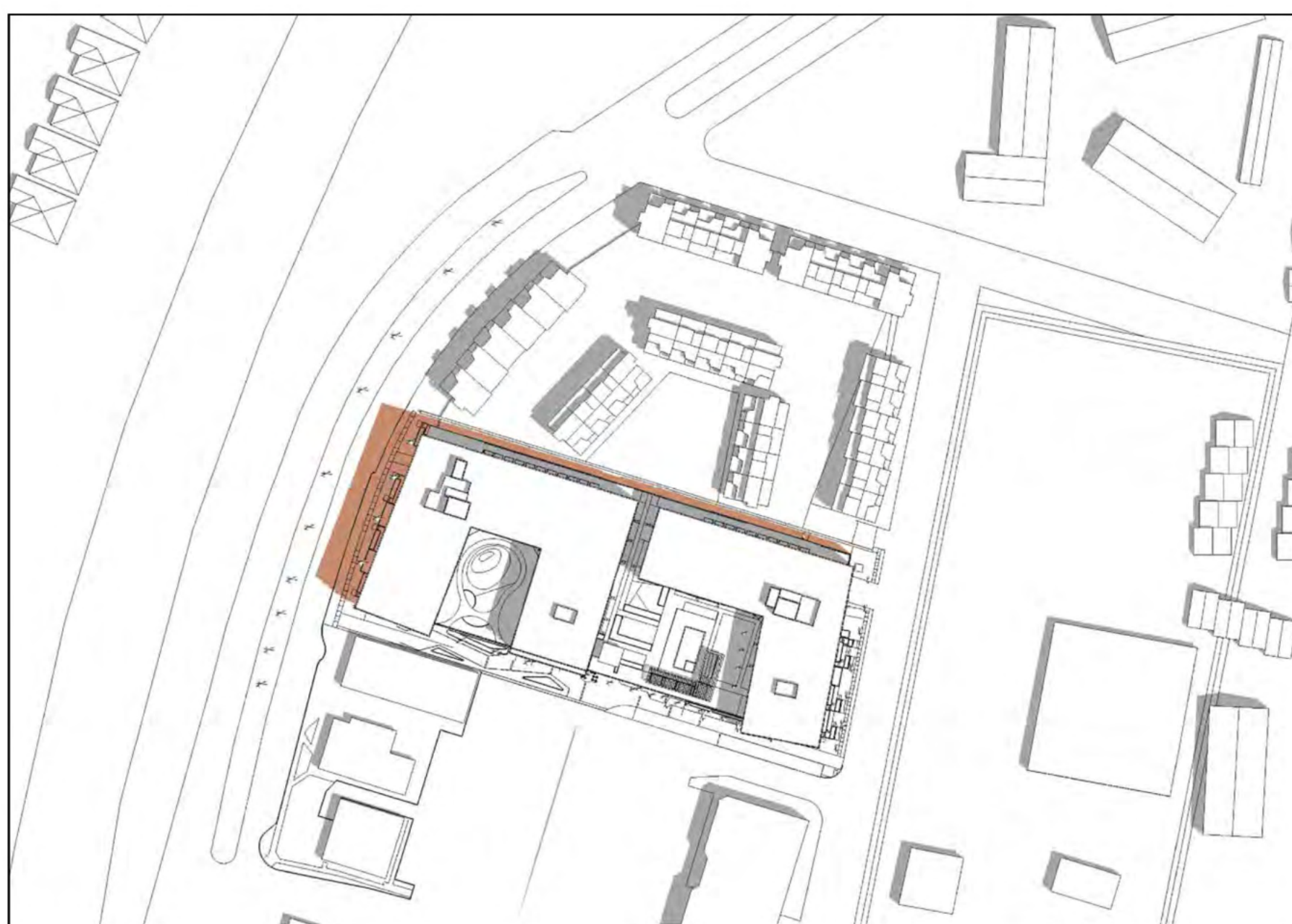
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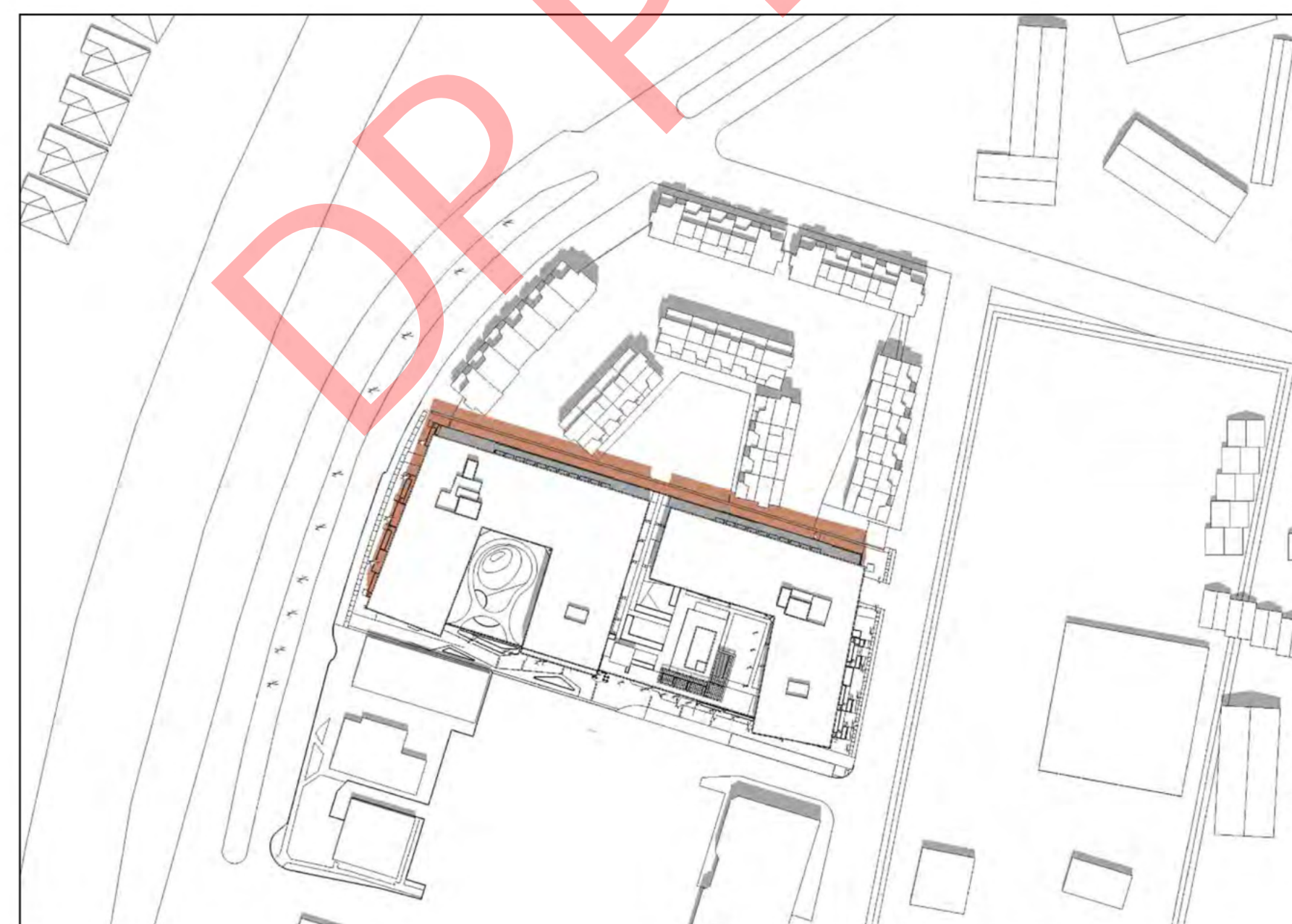
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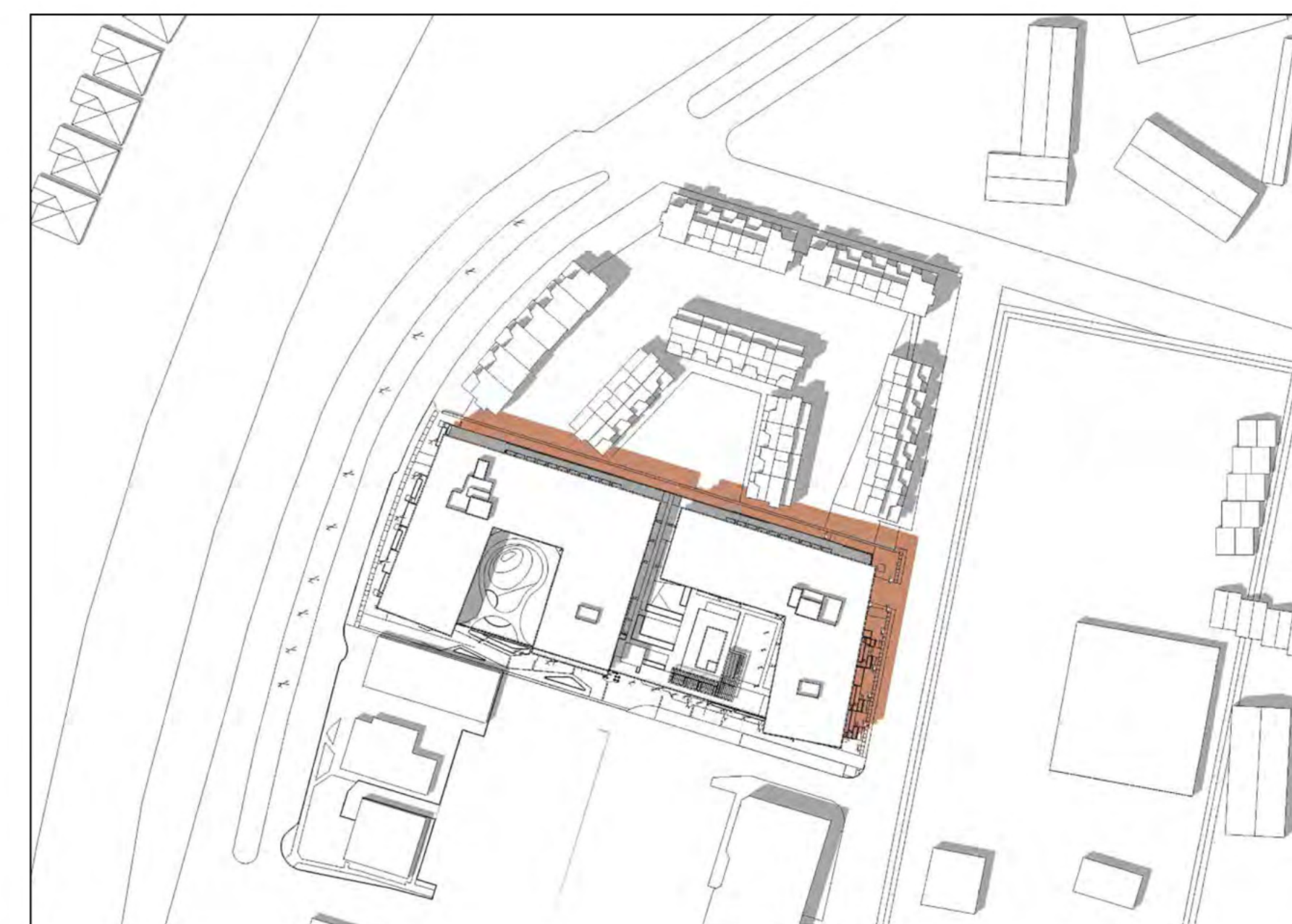
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JUN 21 10:00 AM



JUN 21 12:00 PM



JUN 21 2:00 PM

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SEAL 2022-11-25

NO	DATE	REMARKS
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SOKANA
6 Storey Apartment Building

270
Riverside Drive
Penticton, British Columbia

SHADOW DIAGRAMS

DEVELOPMENT PERMIT

A004

SCALE: AS NOTED	PROJECT NO: 2207
DRAWN BY: SP/NC	DATE: AUG 2022

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SOUTH ELEVATION



NORTH ELEVATION

EXTERIOR MATERIAL FINISH SCHEDULE

AL-01	ALUMINUM STOREFRONT GLAZING, CLEAR ANODIZED ALUMINUM
CN-01	ARCHITECTURAL CONCRETE WITH ELASTOMERIC PAINT, LIGHT GREY
CN-02	ARCHITECTURAL CONCRETE WITH ELASTOMERIC PAINT, DARK GREY
CP-01	FIBRE CEMENT PANEL, WHITE
CP-02	FIBRE CEMENT PANEL, GREY
CP-03	FIBRE CEMENT PANEL, DARK GREY
CP-04	HORIZONTAL LAP FIBRE CEMENT CLADDING, LIGHT GREY
CP-05	HORIZONTAL LAP FIBRE CEMENT CLADDING, DARK BROWN.
MT-01	PRE-FINISHED METAL PANEL CLADDING, COPPER COLOUR.
MT-02	PRE-FINISHED METAL PANEL CLADDING, WHITE COLOUR.
MT-03	PRE-FINISHED METAL SCREEN, GREY/ANODIZED
MT-04	PRE-FINISHED METAL SCREEN, DARK GREY/ALUMINUM
VW-01	DOUBLE GLAZED VINYL FRAMED WINDOW, WHITE FRAME
GL-01	TEMPERED GLASS GUARD W/ PRE-FINISHED ALUMINUM SUPPORT, GREY
GL-02	TEMPERED, OBSCURED GLASS PRIVACY SCREEN W/ ALUMINUM SUPPORT FRAME

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SOKANA
6 Storey Apartment Building

270
Riverside Drive
Penticton, British Columbia

BUILDING ELEVATIONS

DEVELOPMENT PERMIT

A401

SCALE: 1:250	PROJECT NO: 2207
DRAWN BY: SP/NC	DATE: AUG 2022

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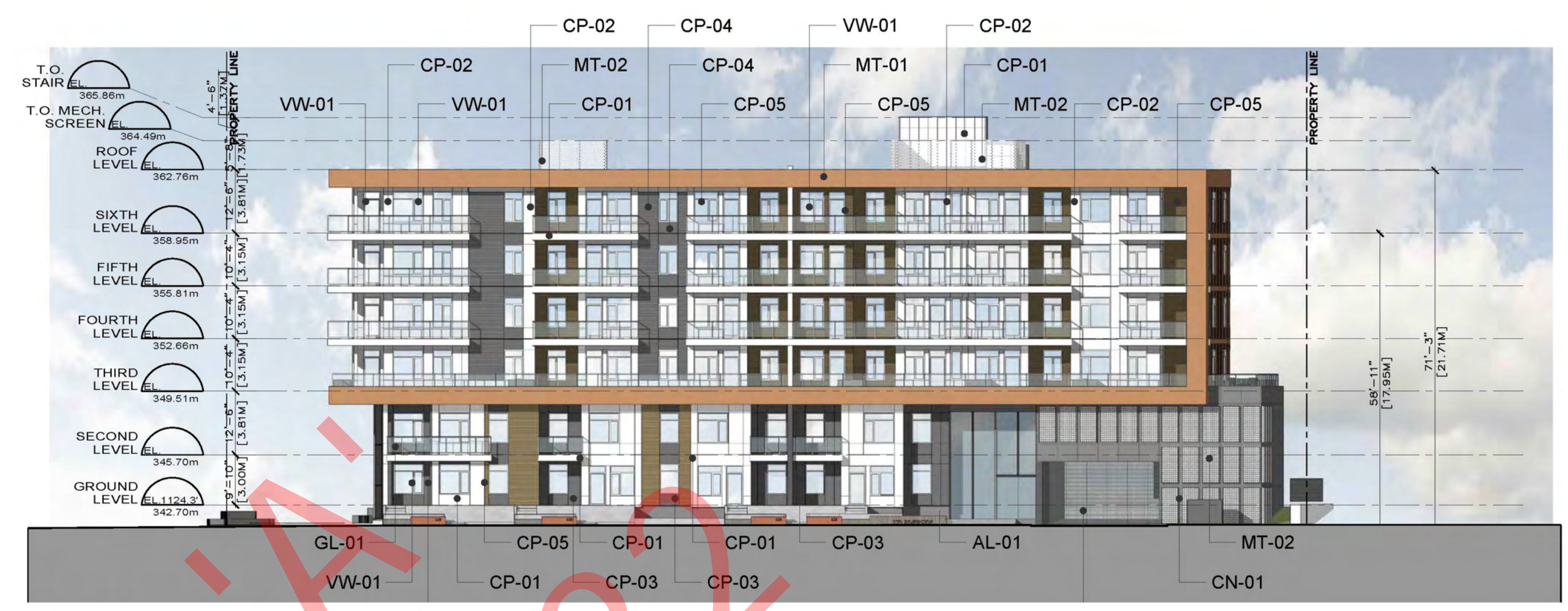
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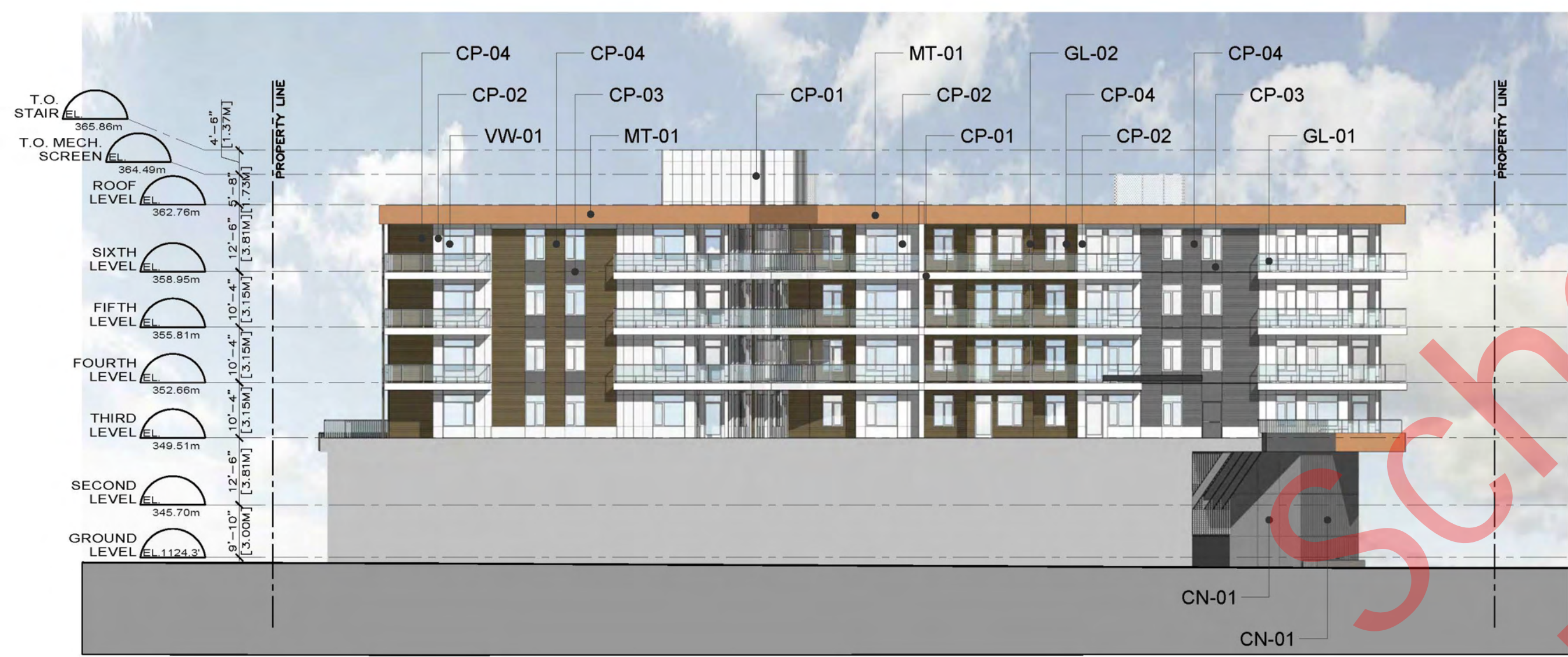
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WEST ELEVATION



EAST ELEVATION



PHASE 1 WEST COURTYARD ELEVATION



PHASE 1 EAST COURTYARD ELEVATION

EXTERIOR MATERIAL FINISH SCHEDULE

AL-01	ALUMINUM STOREFRONT GLAZING, CLEAR ANODIZED ALUMINUM
CN-01	ARCHITECTURAL CONCRETE WITH ELASTOMERIC PAINT, LIGHT GREY
CN-02	ARCHITECTURAL CONCRETE WITH ELASTOMERIC PAINT, DARK GREY
CP-01	FIBRE CEMENT PANEL, WHITE
CP-02	FIBRE CEMENT PANEL, GREY
CP-03	FIBRE CEMENT PANEL, DARK GREY
CP-04	HORIZONTAL LAP FIBRE CEMENT CLADDING, LIGHT GREY
CP-05	HORIZONTAL LAP FIBRE CEMENT CLADDING, DARK BROWN
MT-01	PRE-FINISHED METAL PANEL CLADDING, COPPER COLOUR.
MT-02	PRE-FINISHED METAL PANEL CLADDING, WHITE COLOUR.
MT-03	PRE-FINISHED METAL SCREEN, GREY/ANODIZED
MT-04	PRE-FINISHED METAL SCREEN, DARK GREY/ALUMINUM
VW-01	DOUBLE GLAZED VINYL FRAMED WINDOW, WHITE FRAME
GL-01	TEMPERED GLASS GUARD W/ PRE-FINISHED ALUMINUM SUPPORT, GREY
GL-02	TEMPERED, OBSCURED GLASS PRIVACY SCREEN W/ ALUMINUM SUPPORT FRAME

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SOKANA
6 Storey Apartment Building

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Penticton, British Columbia

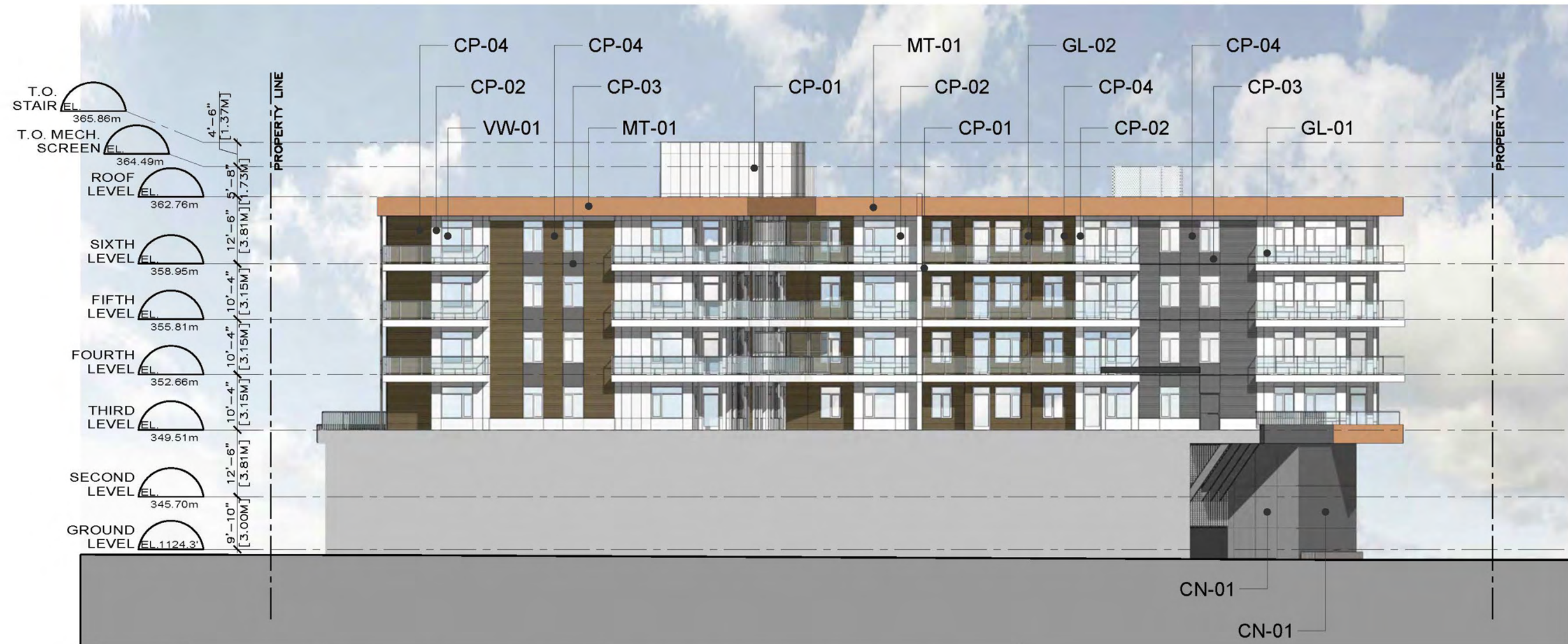
BUILDING ELEVATIONS

DEVELOPMENT PERMIT

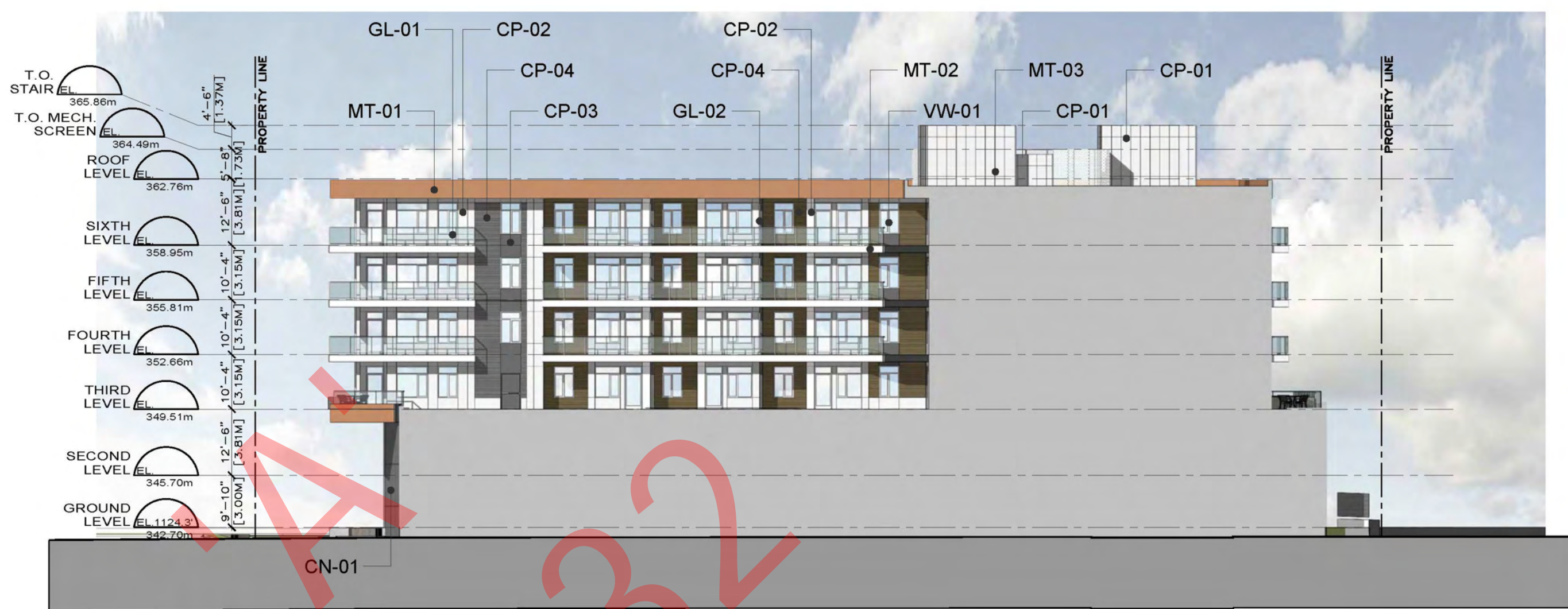
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SCALE: AS NOTED	PROJECT NO: 2207
DRAWN BY: SP/NC	DATE: AUG 2022

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PHASE 1 WEST COURTYARD ELEVATION



PHASE 2 EAST COURTYARD ELEVATION

EXTERIOR MATERIAL FINISH SCHEDULE

AL-01	ALUMINUM STOREFRONT GLAZING, CLEAR ANODIZED ALUMINUM
CN-01	ARCHITECTURAL CONCRETE WITH ELASTOMERIC PAINT, LIGHT GREY
CN-02	ARCHITECTURAL CONCRETE WITH ELASTOMERIC PAINT, DARK GREY
CP-01	FIBRE CEMENT PANEL, WHITE
CP-02	FIBRE CEMENT PANEL, GREY
CP-03	FIBRE CEMENT PANEL, DARK GREY
CP-04	HORIZONTAL LAP FIBRE CEMENT CLADDING, LIGHT GREY
CP-05	HORIZONTAL LAP FIBRE CEMENT CLADDING, DARK BROWN.
MT-01	PRE-FINISHED METAL PANEL CLADDING, COPPER COLOUR.
MT-02	PRE-FINISHED METAL PANEL CLADDING, WHITE COLOUR.
MT-03	PRE-FINISHED METAL SCREEN, GREY/ANODIZED
MT-04	PRE-FINISHED METAL SCREEN, DARK GREY/ALUMINUM
VV-01	DOUBLE GLAZED VINYL FRAMED WINDOW, WHITE FRAME
GL-01	TEMPERED GLASS GUARD W/ PRE-FINISHED ALUMINUM SUPPORT, GREY
GL-02	TEMPERED, OBSCURED GLASS PRIVACY SCREEN W/ ALUMINUM SUPPORT FRAME

Schedule A
 DP PL 2022-9432

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SOKANA
 6 Storey Apartment Building

270
 Riverside Drive
 Penticton, British Columbia

BUILDING ELEVATIONS

DEVELOPMENT PERMIT

A403

SCALE:	1:250	PROJECT NO:	2207
DRAWN BY:	SP/MC	DATE:	AUG 2022

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ALUMINUM STOREFRONT FRAME
COLOUR: CLEAR ANODIZED ALUMINUM
AL-01 ALUMINUM STOREFRONT



VINYL FRAMES
COLOUR: WHITE
VW-01 DOUBLE GLAZED VINYL FRAME WINDOW
DF-01 EXTERIOR VINYL DOOR FRAME



ARCHITECTURAL CONCRETE
COLOUR: GREY
CN-01



GLAZING FRAMES AND SUPPORT
COLOUR: GREY
GL-01 TEMPERED GLASS GUARD W/ PRE-FINISHED ALUMINUM SUPPORT
GL-02 TEMPERED, OBSCURED GLASS PRIVACY SCREEN W/ ALUMINUM SUPPORT FRAME



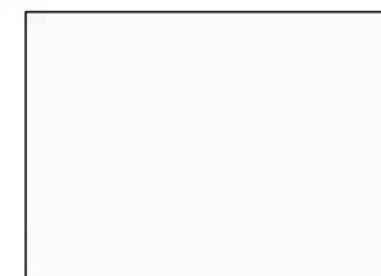
FIBRE CEMENT PANEL
COLOUR: WHITE
CP-01 FIBRE CEMENT PANEL, WHITE



SINGLE-SKIN PRE-FINISHED STEEL PANEL CLADDING
COLOUR: COPPER
MT-01 SINGLE-SKIN PRE-FINISHED STEEL PANEL CLADDING, COPPER



FIBRE CEMENT PANEL
COLOUR: LIGHT GREY
CP-02 FIBRE CEMENT PANEL, LIGHT GREY



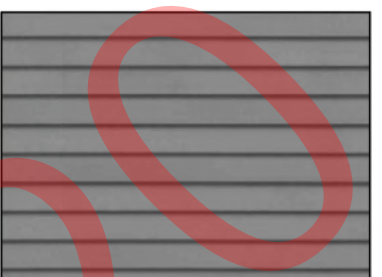
PRE-FINISHED METAL CLADDING
COLOUR: WHITE
MT-02 PRE-FINISHED METAL CLADDING, WHITE



FIBRE CEMENT PANEL
COLOUR: CHARCOAL GREY
CP-03 FIBRE CEMENT PANEL, DARK GREY



PRE-FINISHED METAL SCREEN
COLOUR: GREY / ANODIZED
MT-03 METAL SCREEN



FIBRE CEMENT HORIZONTAL LAP CLADDING
COLOUR: LIGHT GREY
CP-04 HORIZONTAL LAP FIBRE CEMENT CLADDING



PRE-FINISHED METAL SCREEN
COLOUR: DARK GREY / ALUMINUM
MT-04 METAL SCREEN, DARK



FIBRE CEMENT HORIZONTAL LAP CLADDING
COLOUR: DARK BROWN
CP-05 HORIZONTAL LAP FIBRE CEMENT CLADDING

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PRIME CONSULTANT

CONSULTANT
REGISTERED ARCHITECT
BRITISH COLUMBIA
2022-11-25
SEAL

NO	DATE	REMARKS
2	2022-11-09	ISSUED FOR DP COMMENTS RESPONSE
1	2022-08-26	ISSUED FOR DP



SOKANA
6 Storey Apartment Building
270
Riverside Drive
Penticton, British Columbia

MATERIAL BOARD

DEVELOPMENT PERMIT

A404

SCALE: 1:50	PROJECT NO: 2207
DRAWN BY: SP/NC	DATE: AUG 2022

ENLARGED EAST ELEVATION (WYLIE STREET)


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SEAL 2022-11-25

NO	DATE	REMARKS
3	2022-11-09	ISSUED FOR DP COMMENTS RESPONSE
2	2022-08-26	ISSUED FOR DP
1	2022-07-11	ISSUED FOR PRE-APP



SOKANA
 6 Storey Apartment Building

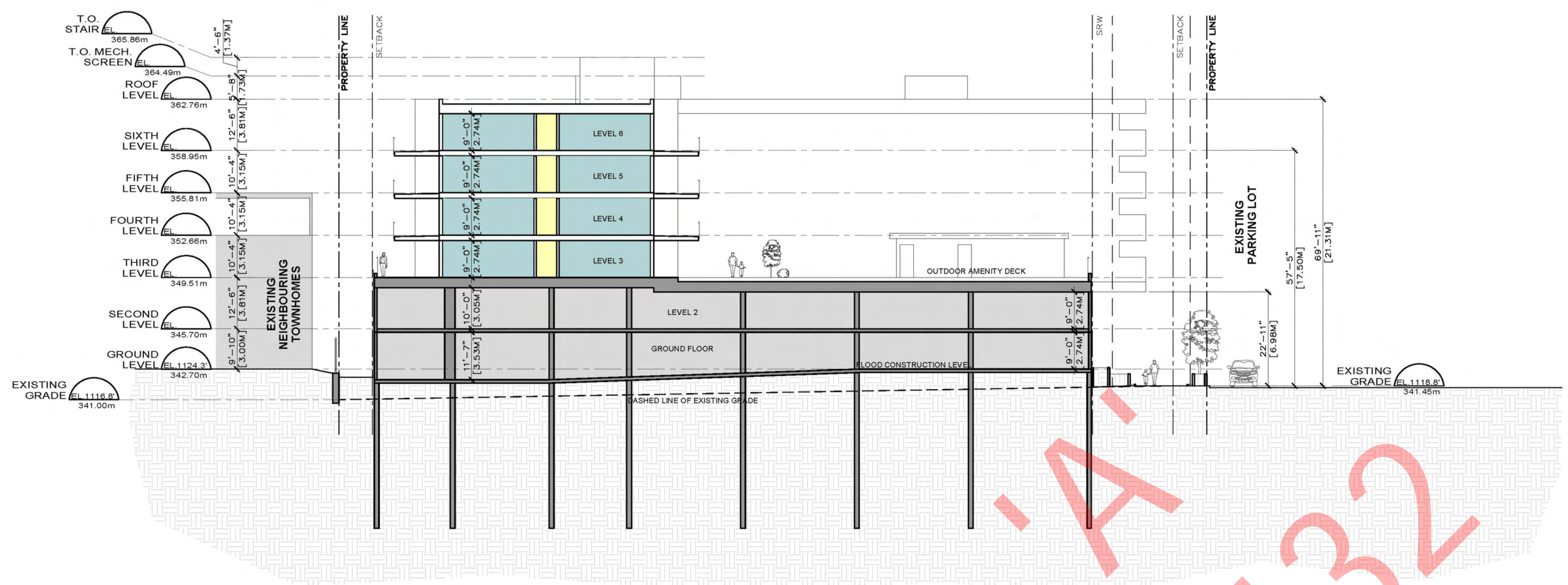
270
 Riverside Drive
 Penticton, British Columbia

BUILDING SECTIONS

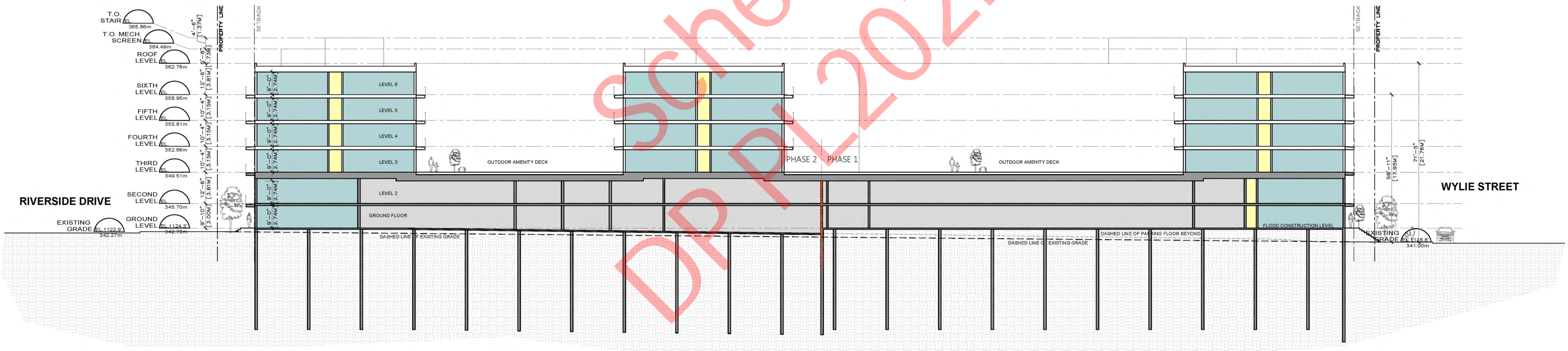
DEVELOPMENT PERMIT

A451

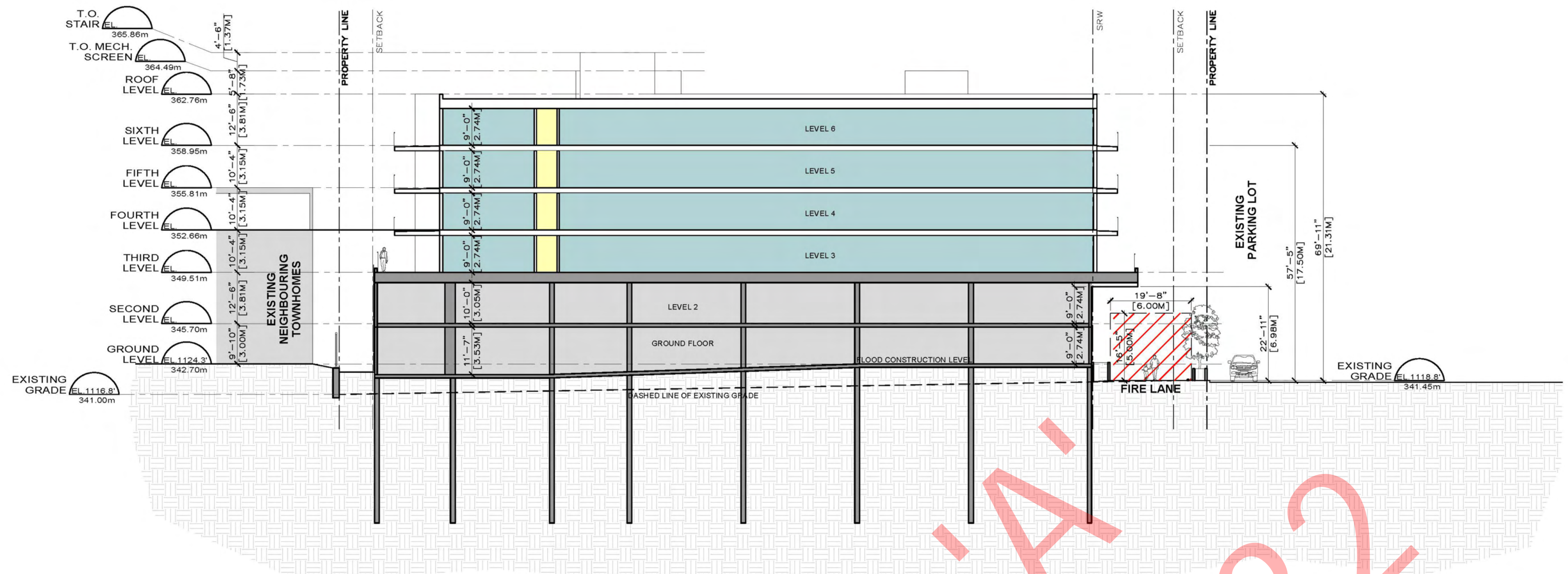
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DRAWN BY:	SP/MC	DATE:	AUG 2022



1
 NORTH - SOUTH SECTION
 SCALE:



2
 EAST - WEST SECTION
 SCALE:



1 NORTH - SOUTH SECTION
A452 SCALE:

Schedule 'A'
 DP PL2022-9432

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SEAL 2022-11-25

NO	DATE	REMARKS
1	2022-11-09	ISSUED FOR DP COMMENTS RESPONSE



SOKANA
6 Storey Apartment Building

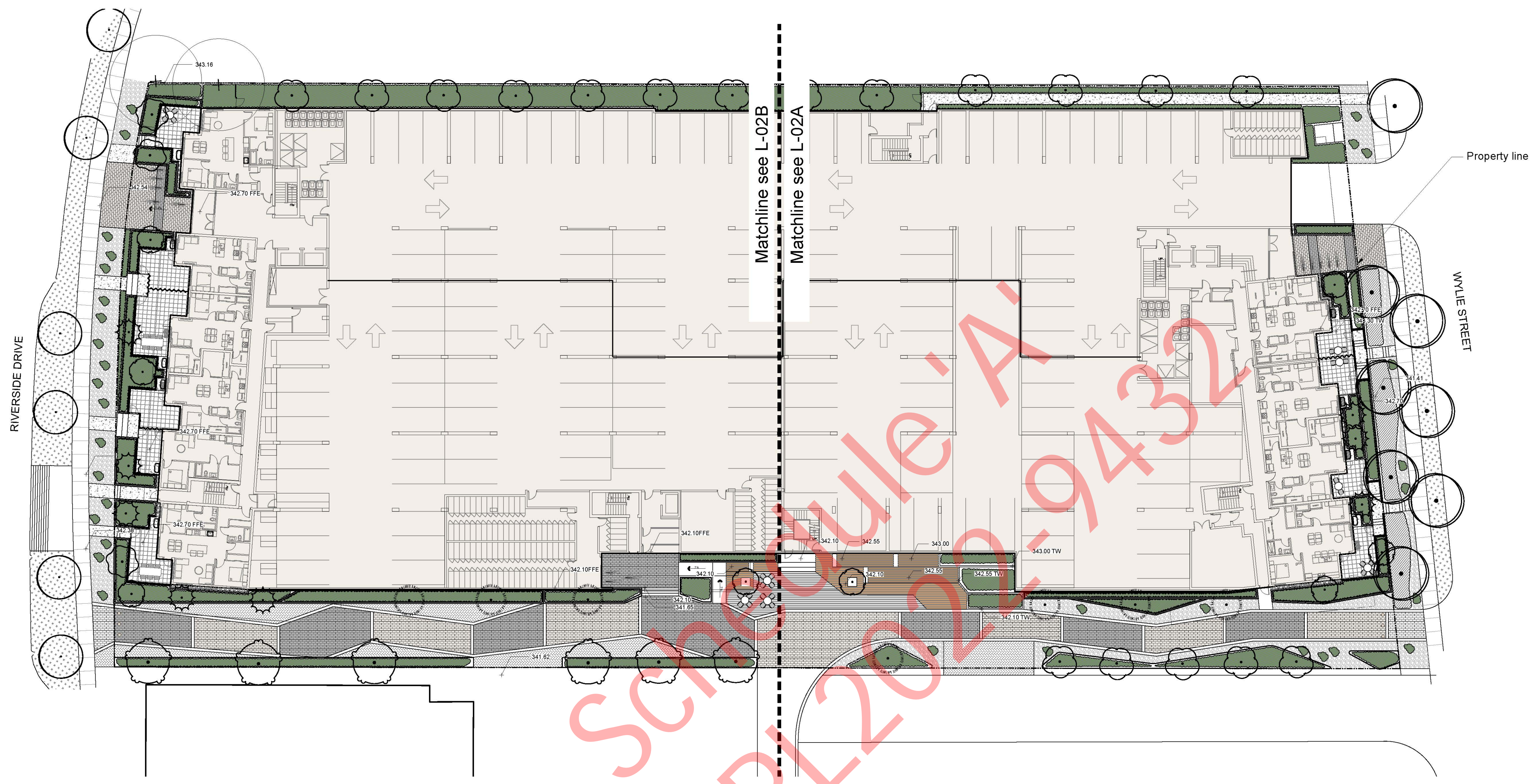
270
Riverside Drive
Penticton, British Columbia

BUILDING SECTIONS

DEVELOPMENT PERMIT

A452

SCALE: 1:250	PROJECT NO: 2207
DRAWN BY: SP/MC	DATE: AUG 2022



Property line

WYLIE STREET

RIVERSIDE DRIVE

Matchline see L-02B

Matchline see L-02A

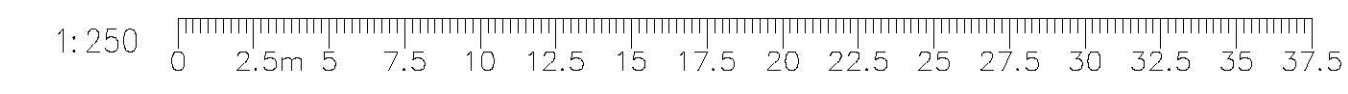
DP PL 2022-43
 SCHEMATIC A
 270 RIVERSIDE STREET

HARDSCAPE MATERIALS

KEY	REF.	DESCRIPTION
	5,6 LD-01	CONCRETE SIDEWALK Broom finished
	8 LD-01	HYDRAPRESSED SLABS Pattern: Stack Bond Colour: Natural
	2 LD-02	CONCRETE PAVERS Pattern: Running Bond Colour: Charcoal, Desert Sand
	3 LD-02	PERMEABLE PAVERS Pattern: Herringbone Colour: Natural Manufacturer:
	4 LD-02	COMPOSITE DECK
		DECORATIVE ROCK
		PROPOSED TREE Refer to tree schedule
		SHRUB PLANTING

TREE SCHEDULE

TREES	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
	Acer ginnala / Amur Maple	B&B	6cm	2.5m ht.	8
	Acer rubrum 'Autumn Spire' / Autumn Spire Maple	B&B	6cm		6
	Malus x 'Royalty' / Royalty Crabapple	B&B	6cm cal	3m ht.	3
	Picea glauca / White Spruce	B&B		3.5m ht.	7
	Pinus flexilis 'Vanderwolf's Pyramid' / Vanderwolf's Pyramid Limber Pine	B&B	6cm cal	3.0m ht.	8
	Populus x canadensis 'Prairie Sky' / Prairie Sky Poplar	B&B	6cm cal	3.0m ht.	13
STREET TREE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
	Street Tree	B&B	6cm cal		8



No.	By:	Description	Date
3	SH	Issued for DP	2022-11-10
2	SH	Issued for DP	2022-08-22
1	SH	Issued for Review	2022-07-15

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Location:
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Penticton, B.C.

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Checked: SH	
Approved: MVDZ	Original Sheet Size: 24"x36"

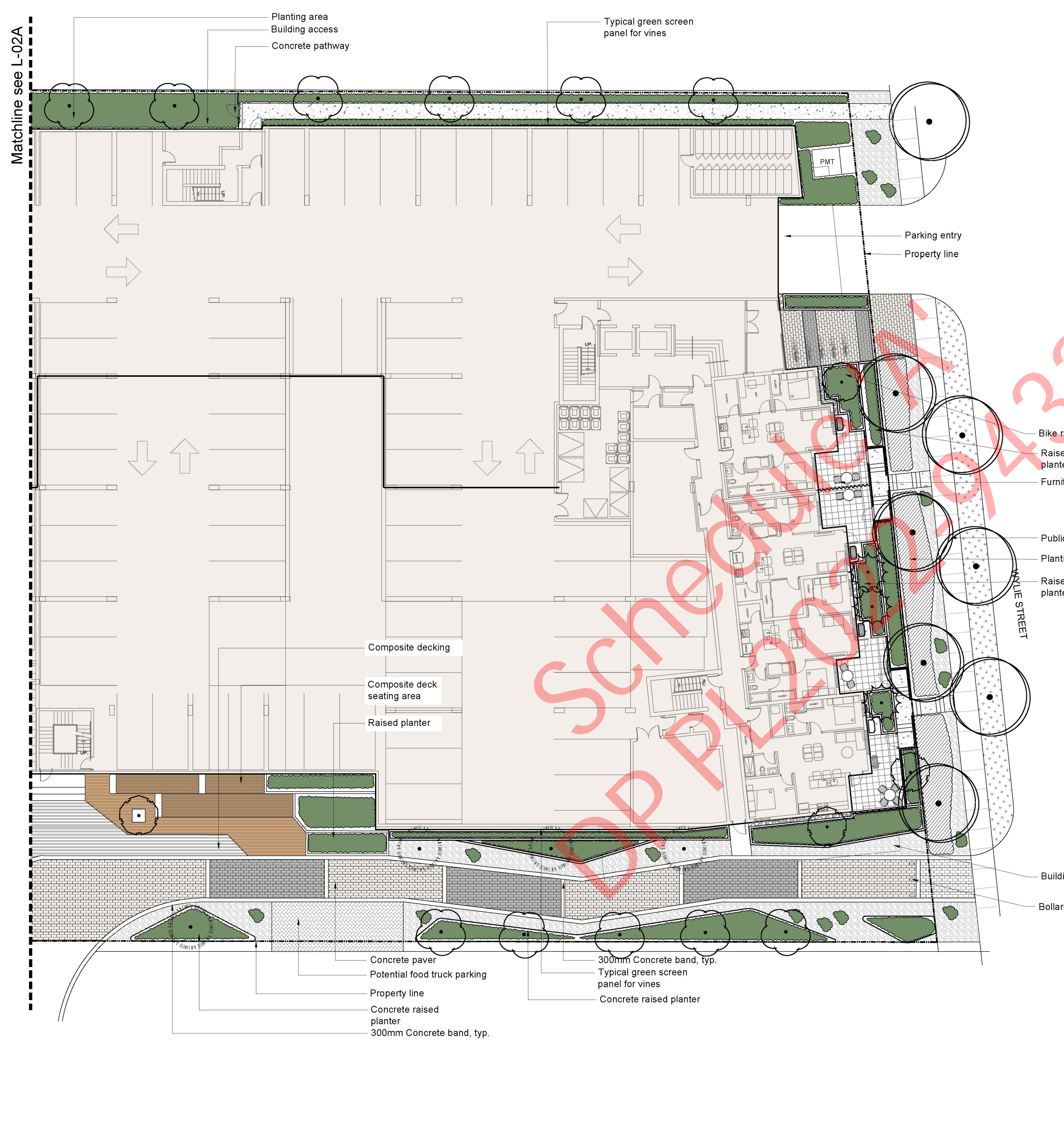
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Drawing Title:
LEVEL 1 LANDSCAPE PLAN

Vdz Project #:
DP2022-43

Drawing #:
L-02



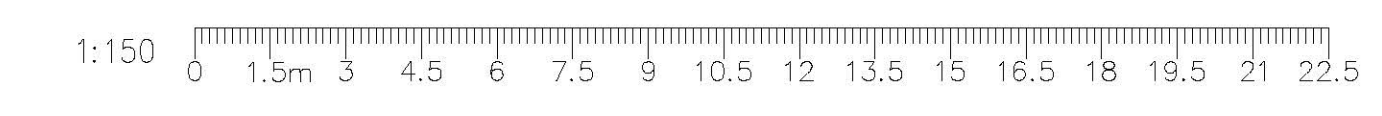
Key Map (NTS)

HARDSCAPE MATERIALS

KEY	REF.	DESCRIPTION
	5,6 LD-01	CONCRETE SIDEWALK Broom finished
	8 LD-01	HYDRAPRESSED SLABS Pattern: Slack Bond Colour: Natural
	2 LD-02	CONCRETE PAVERS Pattern: Running Bond Colour: Charcoal, Desert Sand
	3 LD-02	PERMEABLE PAVERS Pattern: Herringbone Colour: Natural Manufacturer:
	4 LD-02	COMPOSITE DECK
		DECORATIVE ROCK
		PROPOSED TREE Refer to tree schedule
		SHRUB PLANTING

TREE SCHEDULE

TREES	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
	Acer ginnala / Amur Maple	B&B	6cm	2.5m ht.
	Acer rubrum / Autumn Spire / Autumn Spire Maple	B&B	6cm	
	Malus x 'Royalty' / Royalty Crabapple	B&B	6cm cal	3m ht.
	Picea glauca / White Spruce	B&B		3.0m ht.
	Pinus banksiana / Venderwolf's Pyramid / Venderwolf's Pyramid Limber Pine	B&B	6cm cal	3.0m ht.
	Populus x canadensis / Prairie Sky / Prairie Sky Poplar	B&B	6cm cal	3.0m ht.
STREET TREE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
	Street Tree	B&B	6cm cal	



REVISIONS TABLE FOR DRAWINGS

No.	By:	Description	Date
3	SH	Issued for DP	2022-11-10
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No.	By:	Description	Date

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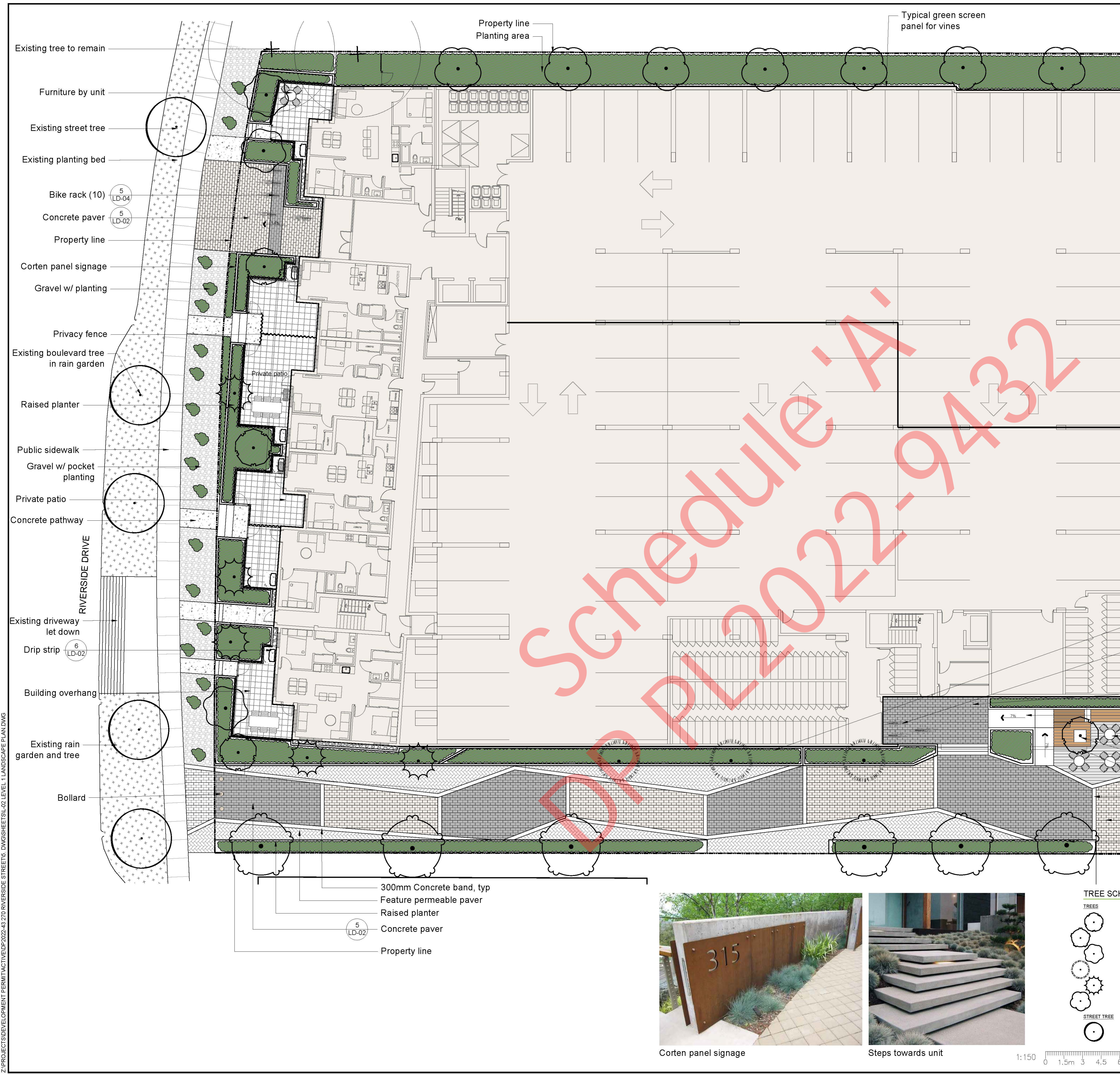
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Drawing Title: LEVEL 1 - EAST

VDZ Project #: DP2022-43

Drawing #: L-02A



HARDSCAPE MATERIALS

KEY	REF.	DESCRIPTION
	5,6 LD-01	CONCRETE SIDEWALK Broom finished
	8 LD-01	HYDRAPRESSED SLABS Pattern: Stack Bond Colour: Natural
	2 LD-02	CONCRETE PAVERS Pattern: Running Bond Colour: Charcoal, Desert Sand
	3 LD-02	PERMEABLE PAVERS Pattern: Herringbone Colour: Natural Manufacturer:
	4 LD-02	COMPOSITE DECK
		DECORATIVE ROCK
		PROPOSED TREE Refer to tree schedule
		SHRUB PLANTING

Key Map (NTS)

No.	By:	Description	Date
3	SH	Issued for DP	2022-11-10
2	SH	Issued for DP	2022-08-22
1	SH	Issued for Review	2022-07-15

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No.	By:	Description	Date
REVISIONS TABLE FOR SHEET			

Project:
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Location:
270 Riverside Drive
Penticton, B.C.

Drawn: DZ	Stamp:
Checked: SH	
Approved: MVDZ	Original Sheet Size: 24"x36"
Scale: 1:150	<small>CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK AND REPORT ANY DISCREPANCY TO THE CONSULTANT BEFORE PROCEEDING. ALL DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF THE OWNER AND MUST BE RETURNED AT THE COMPLETION OF THE WORK. ALL REVISIONS TO DRAWINGS MUST NOT BE PRICED FOR CONSTRUCTION UNLESS LABELED ISSUED FOR TENDER/CONSTRUCTION.</small>

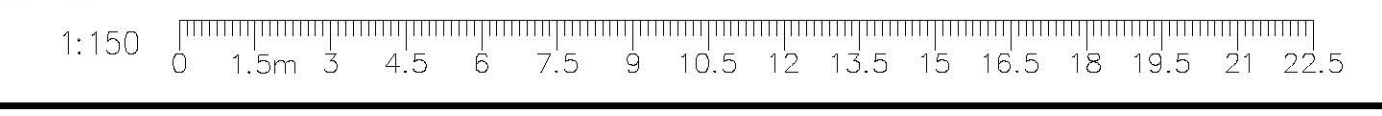
Schedule 'A'
 DP PL 2022-9432



TREE SCHEDULE

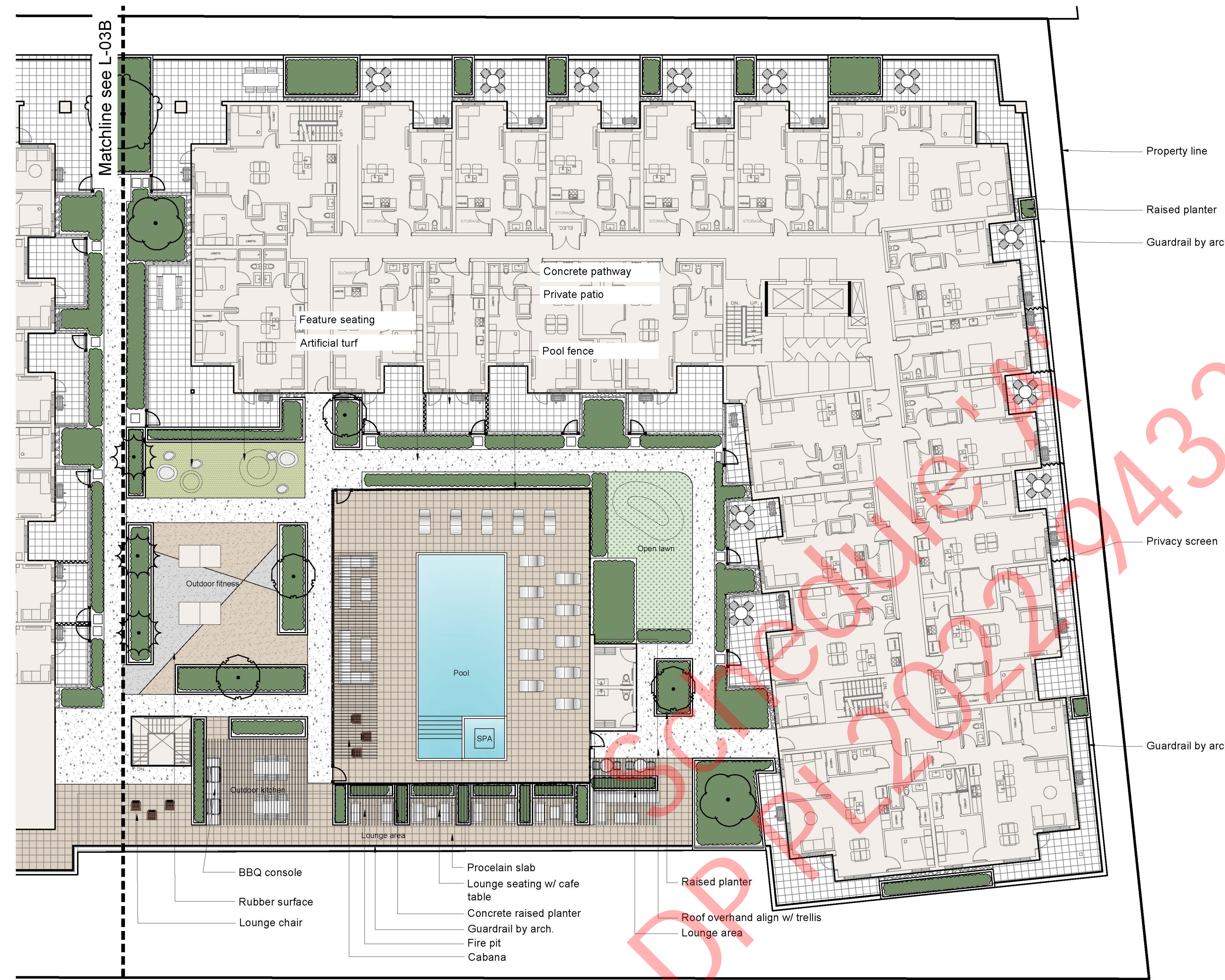
TREES	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
	Acer ginnala / Amur Maple	B&B	6cm	2.5m ht
	Acer rubrum / Autumn Spire / Autumn Spire Maple	B&B	6cm	
	Malus x 'Royalty' / Royalty Crabapple	B&B	6cm cal	3m ht
	Picea glauca / White Spruce	B&B		3.5m ht.
	Pinus flexilis / Vandelwolf's Pyramid / Vandelwolf's Pyramid Limber Pine	B&B	6cm cal	3.0m ht.
	Populus x canadensis / Prairie Sky / Prairie Sky Poplar	B&B	6cm cal	3.0m ht.

STREET TREE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
	Street Tree	B&B	6cm cal	



Z:\PROJECTS\DEVELOPMENT PERMIT\ACT\DP2022-43 270 RIVERSIDE STREET\16 DIMOSHEETS\16-02 LEVEL 1 LANDSCAPE PLAN.DWG
 DP PL2022-9432

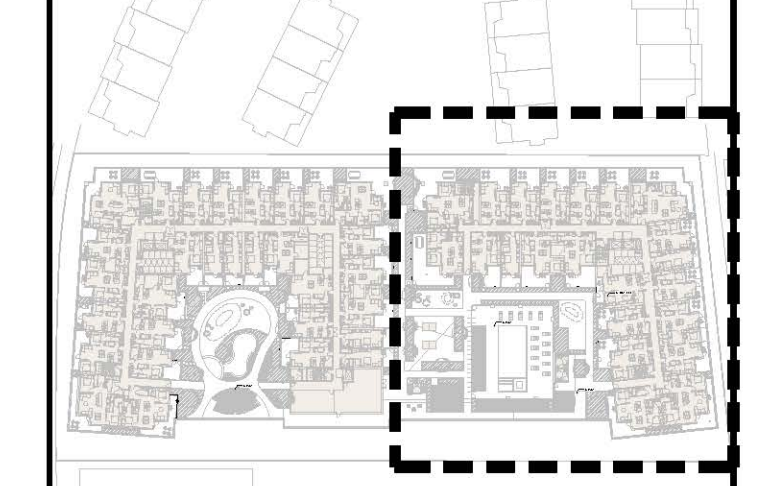
Drawing Title: **LEVEL 1 - WEST**
 Vdz Project #: **DP2022-43**
 Drawing #: **L-02B**



HARDSCAPE MATERIALS

KEY	REF.	DESCRIPTION
	3 LD-03	RUBBER SURFACE
	5,6,7 LD-03	CONCRETE PAVING
	8 LD-01	HYDRAPRESSED SLABS Pattern: Stack Bond Colour: Natural
		ARTIFICIAL TURF
		PRIVATE PATIO
		DECORATIVE ROCK
	1,2 LD-01	PROPOSED TREE Refer to tree schedule
	3,4 LD-01	SHRUB PLANTING
		SOD

Key Map (NTS)



No.	By:	Description	Date
3	SH	Issued for DP	2022-11-10
2	SH	Issued for DP	2022-08-22
1	SH	Issued for Review	2022-07-15

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Project:
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Location:
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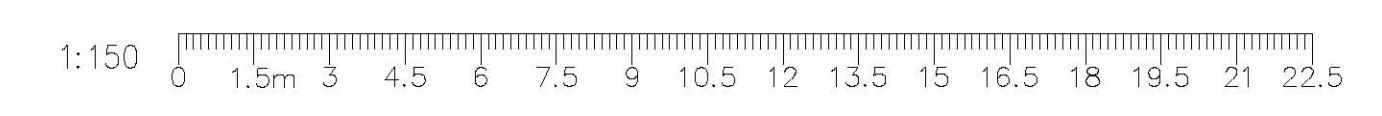
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TREE SCHEDULE

TREES	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
	Acer ginnala / Amur Maple	B&B	6cm	2.5m ht
	Acer rubrum 'Autumn Spire' / Autumn Spire Maple	B&B	6cm	
	Pinus flexilis 'Vanderwolf's Pyramid' / Vanderwolf's Pyramid Limber Pine	B&B	6cm cal	3.0m ht.
	Populus x canadensis 'Prairie Sky' / Prairie Sky Poplar	B&B	6cm cal	3.0m ht.



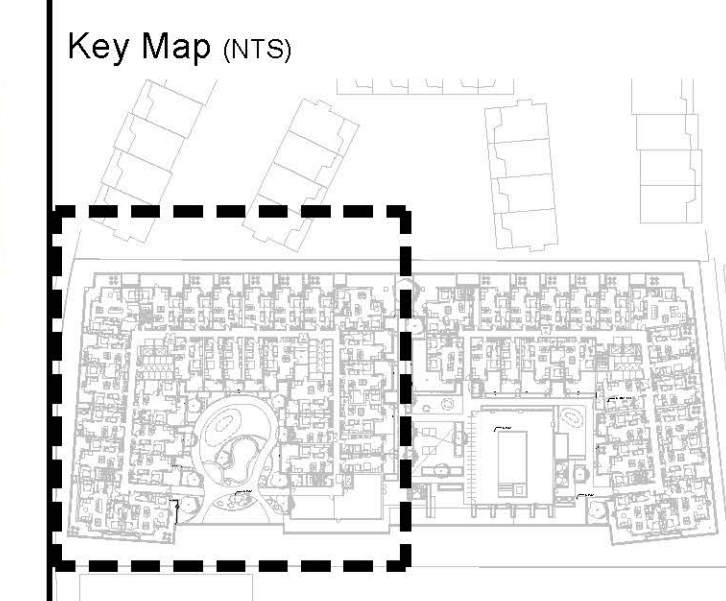
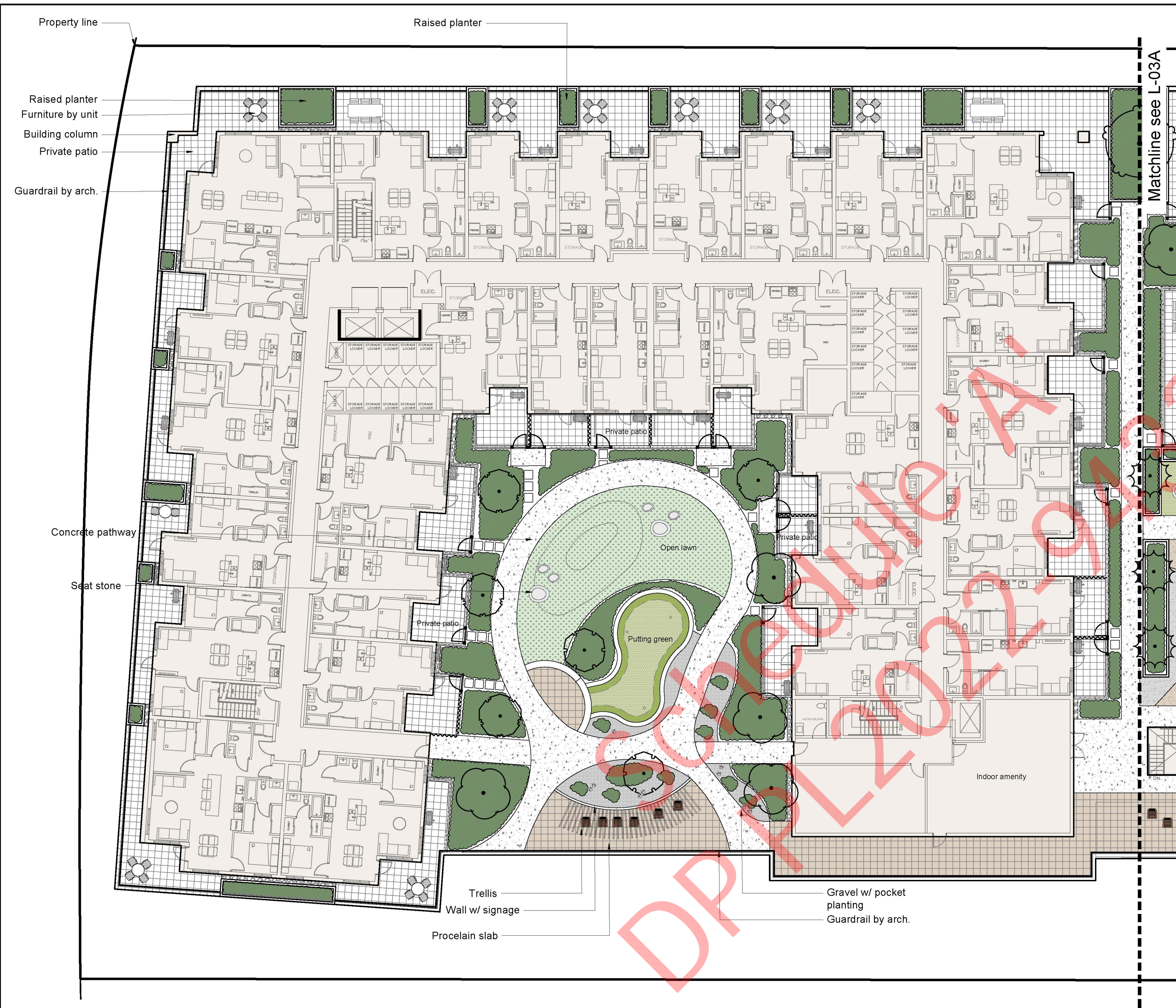
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Drawing Title: **LEVEL 3 - EAST LANDSCAPE PLAN**

VDZ Project #: **DP2022-43**

Drawing #: **L-03A**

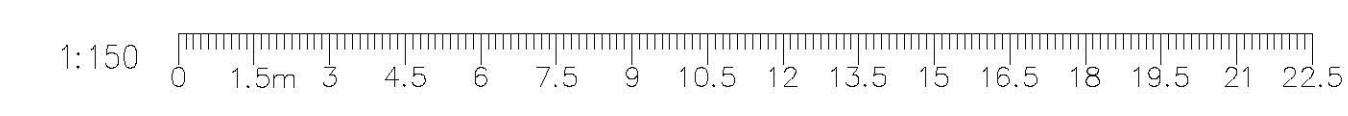


HARDSCAPE MATERIALS

KEY	REF.	DESCRIPTION
	3 LD-03	RUBBER SURFACE
	5, 6, 7 LD-03	CONCRETE PAVING
	8 LD-01	HYDRAPRESSED SLABS Pattern: Stack Bond Colour: Natural
		ARTIFICIAL TURF
		PRIVATE PATIO
		DECORATIVE ROCK
	1, 2 LD-01	PROPOSED TREE Refer to tree schedule
	3, 4 LD-01	SHRUB PLANTING
		SOD

TREE SCHEDULE

TREES	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
	Acer ginnala / Amur Maple	B&B	6cm	2.5m ht.
	Acer rubrum 'Autumn Spire' / Autumn Spire Maple	B&B	6cm	
	Pinus flexilis 'Vanderwolf's Pyramid' / Vanderwolf's Pyramid Limber Pine	B&B	6cm cal	3.0m ht.
	Populus x canadensis 'Prairie Sky' / Prairie Sky Poplar	B&B	6cm cal	3.0m ht.



No.	By:	Description	Date
3	SH	Issued for DP	2022-11-10
2	SH	Issued for DP	2022-08-22
1	SH	Issued for Review	2022-07-15

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No.	By:	Description	Date
REVISIONS TABLE FOR SHEET			

Project:
270 Riverside Street

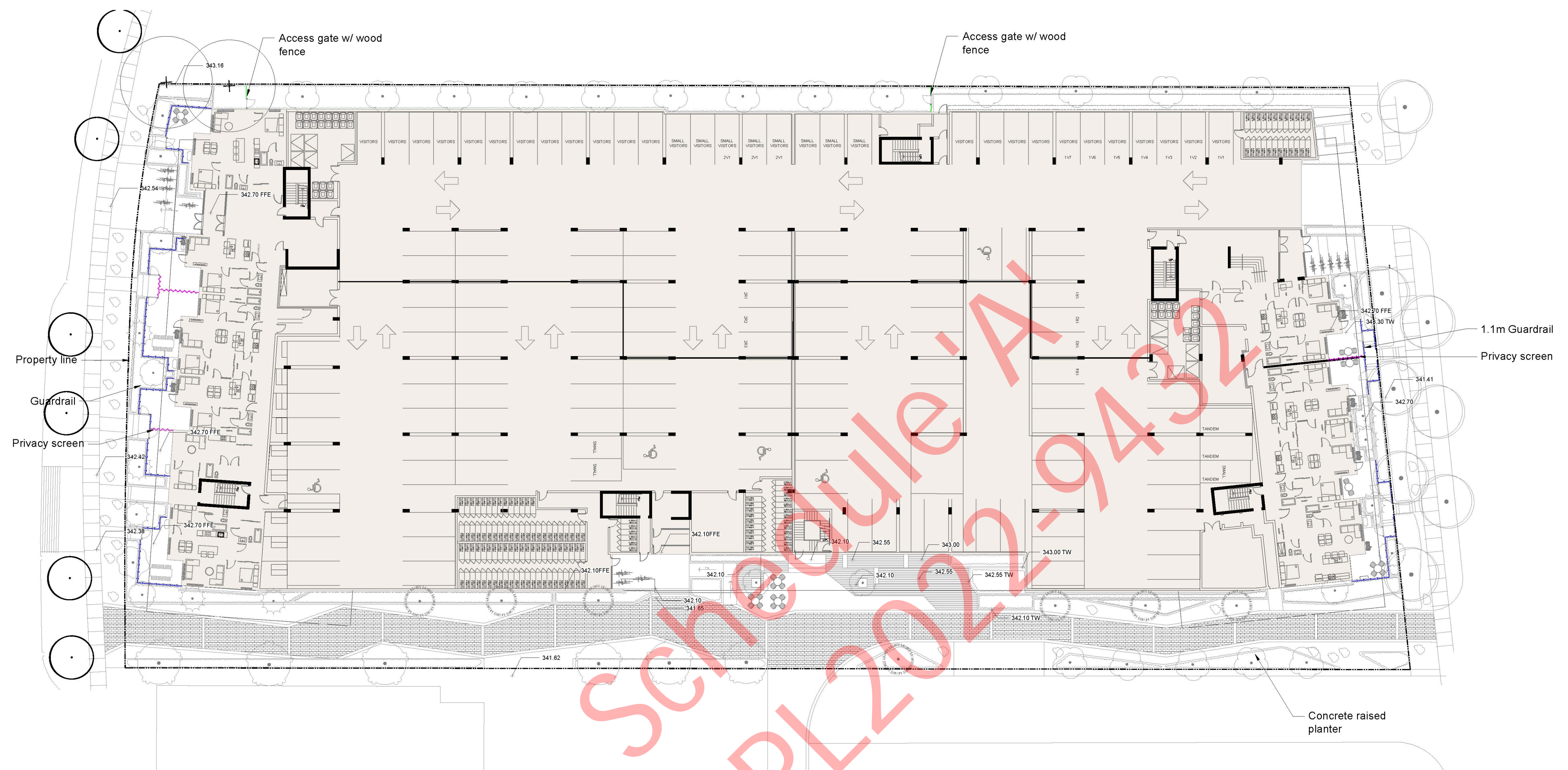
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Penticton, B.C.

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Drawing Title: LEVEL 3 - WEST LANDSCAPE PLAN

VDZ Project #: DP2022-43

Drawing #: L-03B



Key Map (NTS)

No.	By	Description	Date
3	SH	Issued for DP	2022-11-10
2	SH	Issued for DP	2022-08-22
1	SH	Issued for Review	2022-07-15

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No.	By	Description	Date
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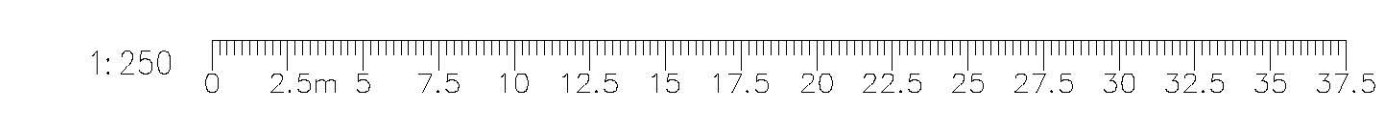
Project:
270 Riverside Street

Location:
270 Riverside Drive
Penticton, B.C.

Drawn: DZ	Stamp:
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Approved: MVDZ	
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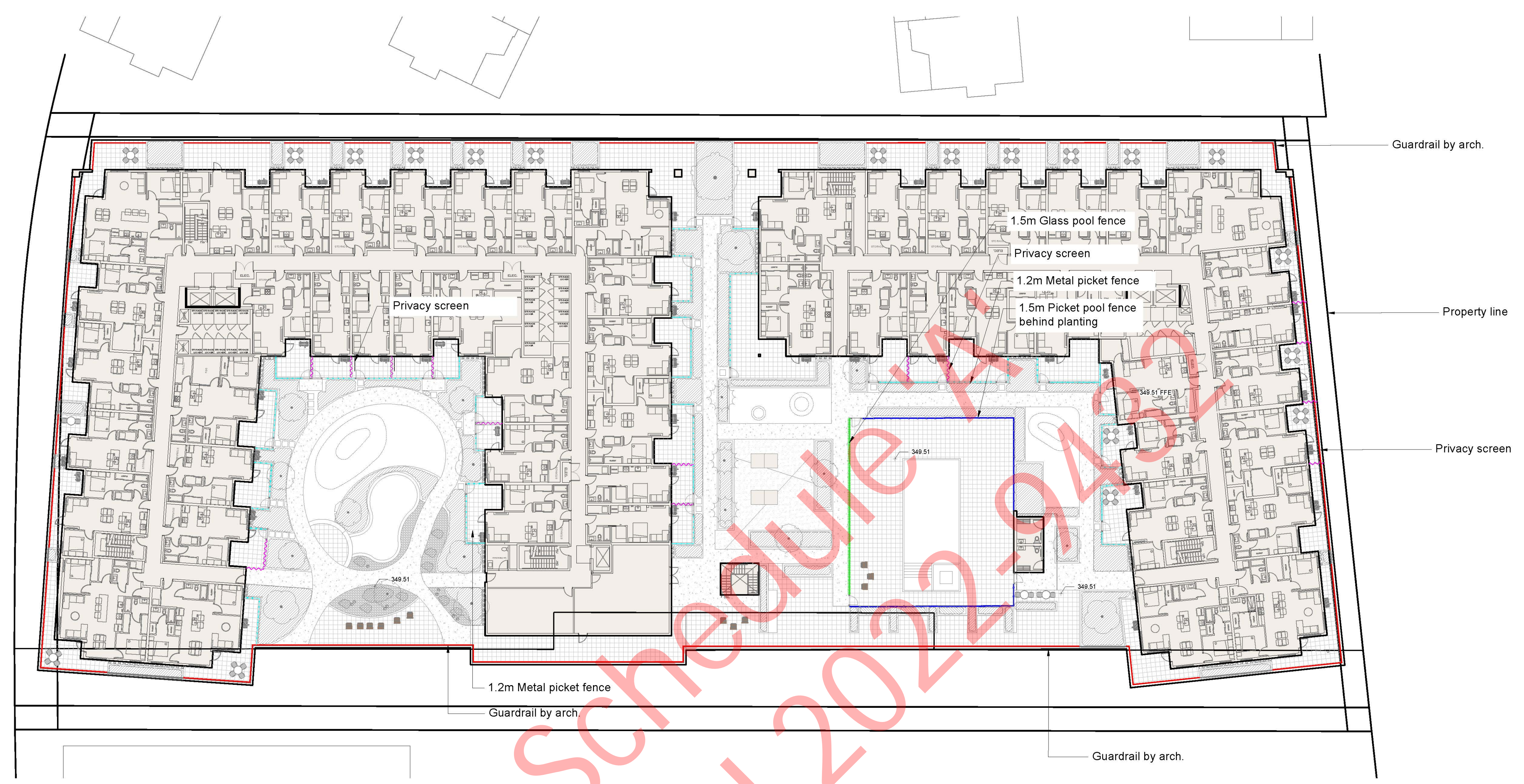
FENCING AND WALL LEGEND

KEY	REF.	DESCRIPTION
	3 LD-05	UNIT DIVIDER / PRIVACY SCREEN
		1.8m WOOD PRIVACY FENCE
		1.1M GUARDRAIL
		PLANTER WALL
		CORTEN EDGE



Z:\PROJECTS\DEVELOPMENT PERMIT\ACTIVEDP2022-43 270 RIVERSIDE STREET\DWG\SHEET\SL-04A-LEVEL 1 - FENCE AND GRADING PLAN.DWG





Key Map (NTS)

No.	By:	Description	Date
3	SH	Issued for DP	2022-11-10
2	SH	Issued for DP	2022-08-22
1	SH	Issued for Review	2022-07-15

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REVISIONS TABLE FOR SHEET			

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270 Riverside Street

Location:
270 Riverside Drive
Penticton, B.C.

Drawn: DZ **Stamp:**

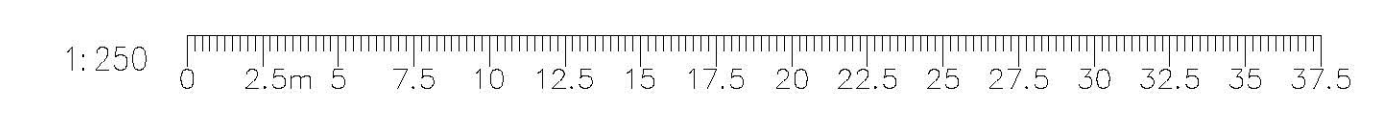
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Approved: MVDZ **Original Sheet Size:** 24"x36"

Scale: 1: _____
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FENCING AND WALL LEGEND

KEY	REF.	DESCRIPTION
	3 LD-05	UNIT DIVIDER / PRIVACY SCREEN
		1.2m METAL PICKET FENCE
	4 LD-05	1.5m GLASS POOL FENCE
	4 LD-05	1.5m PICKET POOL FENCE
		Guardrail by arch.



Z:\PROJECTS\DEVELOPMENT PERMIT\ACTIVE\DP2022-43 270 RIVERSIDE STREET\DWG\SHEETS\L-04B LEVEL 3 - FENCE AND GRADING PLAN.DWG

Drawing Title: LEVEL 3 - FENCE AND GRADING PLAN

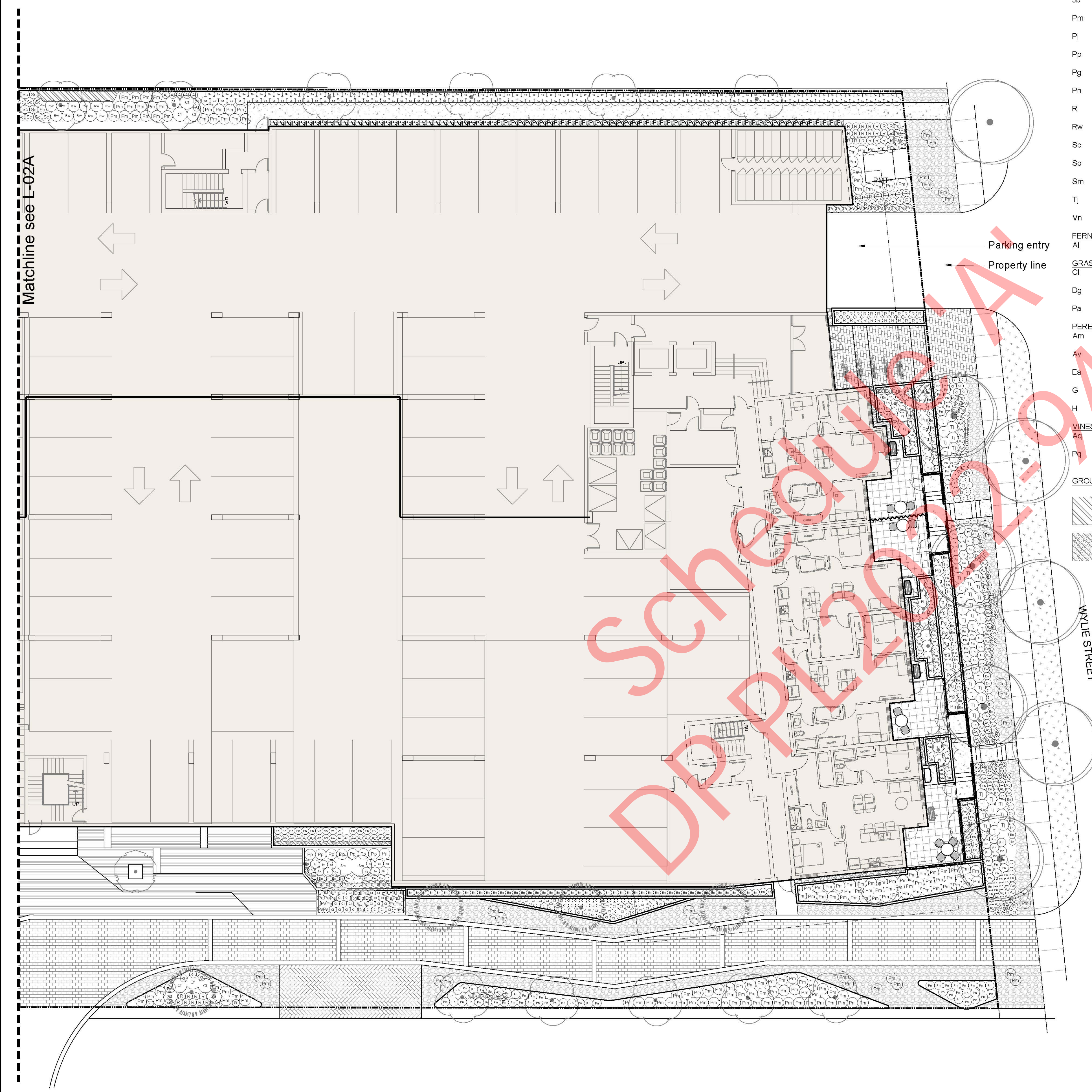


Drawing #: DP2022-43

Drawing #: L-04B

PLANT SCHEDULE

SHRUBS	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Cf	Cornus sericea 'Flaviramea' / Yellow Twig Dogwood	..	1m	41
En	Euonymus nanus turkestanicus / Turkestan Burning Bush	#2	0.5m	271
Jb	Juniperus virginiana 'Blue Arrow' / Blue Arrow Eastern Redcedar	2.0m Ht	0.6m	34
Pm	Paxistima myrsinites / Oregon Boxwood	#2	0.75m	300
Pj	Physocarpus opulifolius 'Jefam' TM / Amber Jubilee Ninebark	#5	0.8m	24
Pp	Picea pungens 'Globosa' / Dwarf Globe Blue Spruce	#10	0.75m	46
Pg	Picea pungens glauca 'Globosa Nana' / Dwarf Globe Blue Spruce	#5	0.75m	24
Pn	Potentilla fruticosa 'Apricot Whisper' / Apricot Whisper Bush Cinquefoil	#2	0.6m	257
R	Rosa rugosa 'Marie Bugnet' / Marie Bugnet Shrub Rose	#2	0.5m	91
Rw	Rosa woodsii / Mountain Rose	#2	0.8m	44
Sc	Shepherdia canadensis / Russett Buffaloberry	#2	0.6m	240
So	Symphoricarpos orbiculatus / Coralberry	#2	0.6m	185
Sm	Syringa vulgaris 'Madame Lemoine' / Madame Lemoine Common Lilac	#10	1.5m	3
TJ	Tsuga canadensis 'Jeddeloh' / Jeddeloh Eastern Hemlock	#2	0.75m	46
Vn	Viburnum opulus 'Nanum' / Dwarf European Cranberrybush	#2	0.5m	81
FERNS	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Al	Athyrium filix-femina 'Lady in Red' / Lady in Red Fern	#1	0.5m	42
GRASSES	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Ci	Chasmodon latifolium / Northern Sea Oats	#2	0.5m	214
Dg	Deschampsia cespitosa 'Goldtau' / Gold Dew Tufted Hair Grass	#2	0.5m	20
Pa	Panicum amarum 'Dewey Blue' / Dewey Blue Bitter Panicgrass	#2	0.5m	123
PERENNIALS	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Am	Anaphalis margaritacea / Pearly Everlasting	#2	0.5m	32
Av	Artemisia versicolor 'Sea Foam' / Sea Foam Sagebrush	#2	0.5m	98
Ea	Eryngium alpinum 'Blue Star' / Blue Star Sea Holly	#1	0.5m	30
G	Gaillardia aristata 'Amber Wheels' / Amber Wheels Blanket Flower	#2	0.3m	119
H	Heucherella x 'Pumpkin Spice' / Pumpkin Spice Foamy Bells	#1	0.3m	20
VINES	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Aq	Akebia quinata / Chocolate Vine	#2 staked	0.5m	70
Pq	Parthenocissus quinquefolia / Virginia Creeper	#2	0.5m	81
GROUND COVERS	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
	Arctostaphylos uva-ursi / Kinnikinnick	#1	450mm	65
	Phlox subulata 'Crimson Beauty' / Crimson Beauty Creeping Phlox	#1	300mm	41



No.	By	Description	Date
3	SH	Issued for DP	2022-11-10
2	SH	Issued for DP	2022-08-22
1	SH	Issued for Review	2022-07-15

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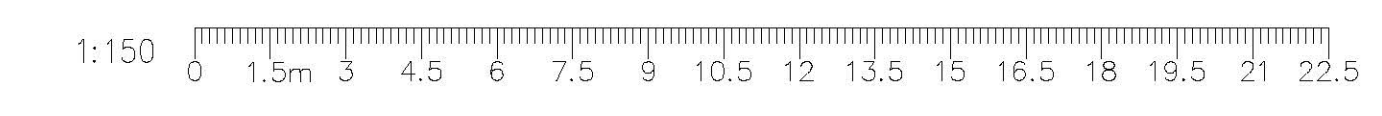
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270 Riverside Street

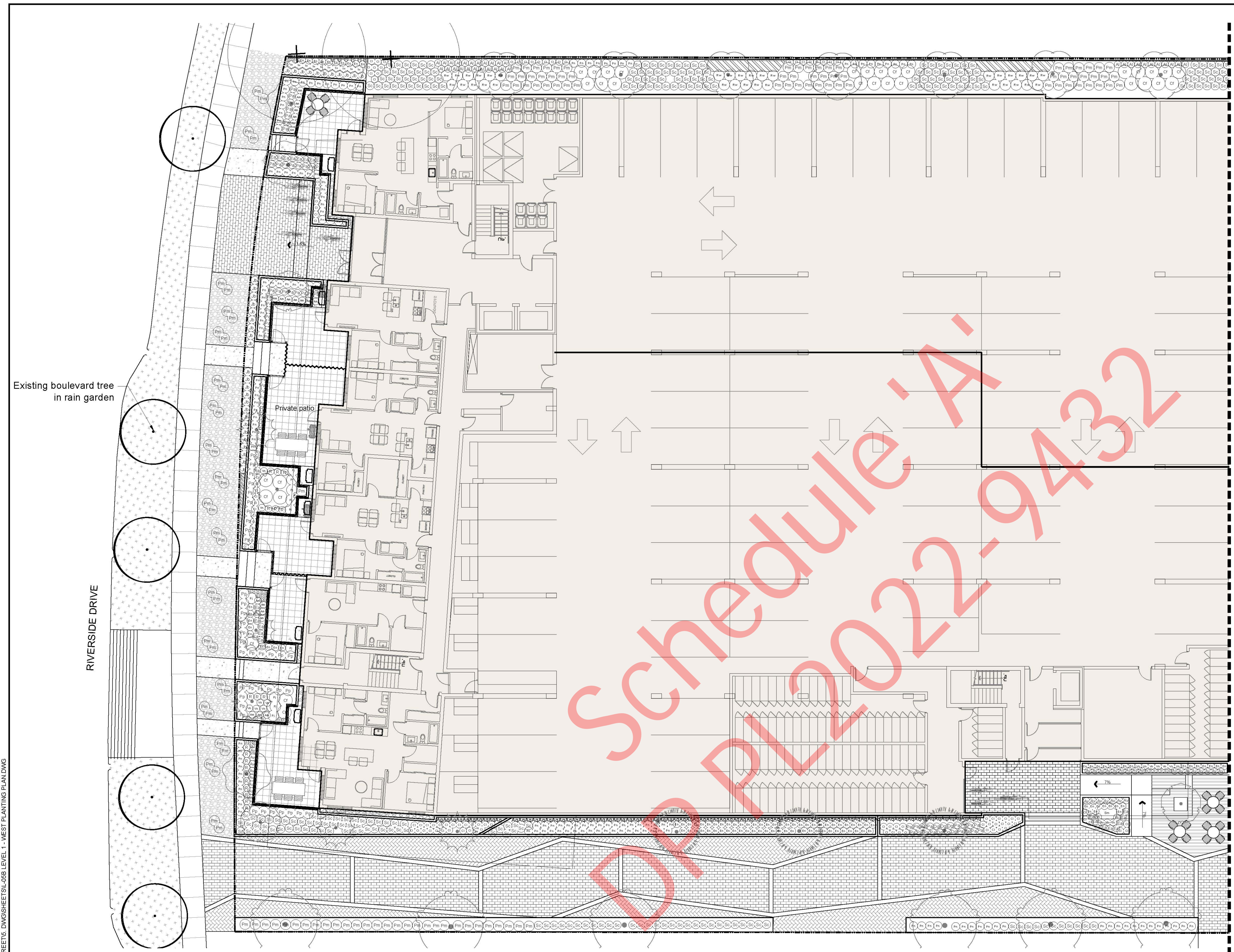
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Matchline see L-02B

Existing boulevard tree in rain garden

RIVERSIDE DRIVE

Private patio

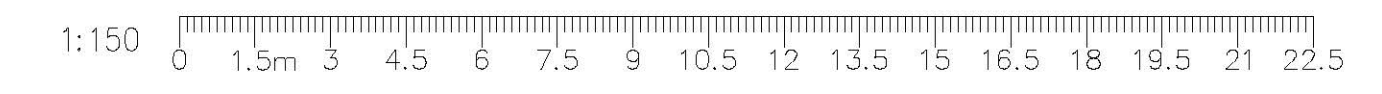
Schedule A
 DP PL 2022-9432

PLANT SCHEDULE

SHRUBS	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Cf	Cornus sericea 'Flaviramea' / Yellow Twig Dogwood	#3	1m	41
En	Euonymus nanus turkestanicus / Turkestan Burning Bush	#2	0.5m	271
Jb	Juniperus virginiana 'Blue Arrow' / Blue Arrow Eastern Redcedar	2.0m Ht	0.6m	34
Pm	Paxistima myrsinites / Oregon Boxwood	#2	0.75m	300
Pj	Physocarpus opulifolius 'Jefam' TM / Amber Jubilee Ninebark	#5	0.8m	24
Pp	Picea pungens 'Globosa' / Dwarf Globe Blue Spruce	#10	0.75m	46
Pg	Picea pungens glauca 'Globosa Nana' / Dwarf Globe Blue Spruce	#5	0.75m	24
Pn	Potentilla fruticosa 'Apricot Whisper' / Apricot Whisper Bush Cinquefoil	#2	0.6m	257
R	Rosa rugosa 'Marie Bugnet' / Marie Bugnet Shrub Rose	#2	0.5m	91
Rw	Rosa woodsii / Mountain Rose	#2	0.8m	44

Sc	Shepherdia canadensis / Russett Buffaloberry	#2	0.6m	240
So	Symphoricarpos orbiculatus / Coralberry	#2	0.6m	185
Sm	Syringa vulgaris 'Madame Lemoine' / Madame Lemoine Common Lilac	#10	1.5m	3
Tj	Tsuga canadensis 'Jeddeloh' / Jeddeloh Eastern Hemlock	#2	0.75m	46
Vn	Viburnum opulus 'Nanum' / Dwarf European Cranberrybush	#2	0.5m	81
FERNS	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Al	Athyrium filix-femina 'Lady in Red' / Lady in Red Fern	#1	0.5m	42
GRASSES	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Cl	Chasmanthium latifolium / Northern Sea Oats	#2	0.5m	214
Dg	Deschampsia cespitosa 'Goldtau' / Gold Dew Tufted Hair Grass	#2	0.5m	20
Pa	Panicum amarum 'Dewey Blue' / Dewey Blue Bitter Panicgrass	#2	0.5m	123
PERENNIALS	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Am	Anaphalis margaritacea / Pearly Everlasting	#2	0.5m	32
Av	Artemisia versicolor 'Sea Foam' / Sea Foam Sagebrush	#2	0.5m	98

Ea	Eryngium alpinum 'Blue Star' / Blue Star Sea Holly	#1	0.5m	30
G	Gaillardia aristata 'Amber Wheels' / Amber Wheels Blanket Flower	#2	0.3m	119
H	Heucherella x 'Pumpkin Spice' / Pumpkin Spice Foamy Bells	#1	0.3m	20
VINES	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Aq	Akebia quinata / Chocolate Vine	#2 staked	0.5m	70
Pq	Parthenocissus quinquefolia / Virginia Creeper	#2	0.5m	81
GROUND COVERS	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
[Hatched Box]	Arctostaphylos uva-ursi / Kinnikinnick	#1	450mm	65
[Dotted Box]	Phlox subulata 'Crimson Beauty' / Crimson Beauty Creeping Phlox	#1	300mm	41



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REVISIONS TABLE FOR SHEET

Project:
270 Riverside Street

Location:
270 Riverside Drive
Penticton, B.C.

Drawn: DZ	Stamp:
Checked: SH	
Approved: MVDZ	Original Sheet Size: 24"x36"
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Drawing Title: **LEVEL 1 - WEST PLANTING PLAN**

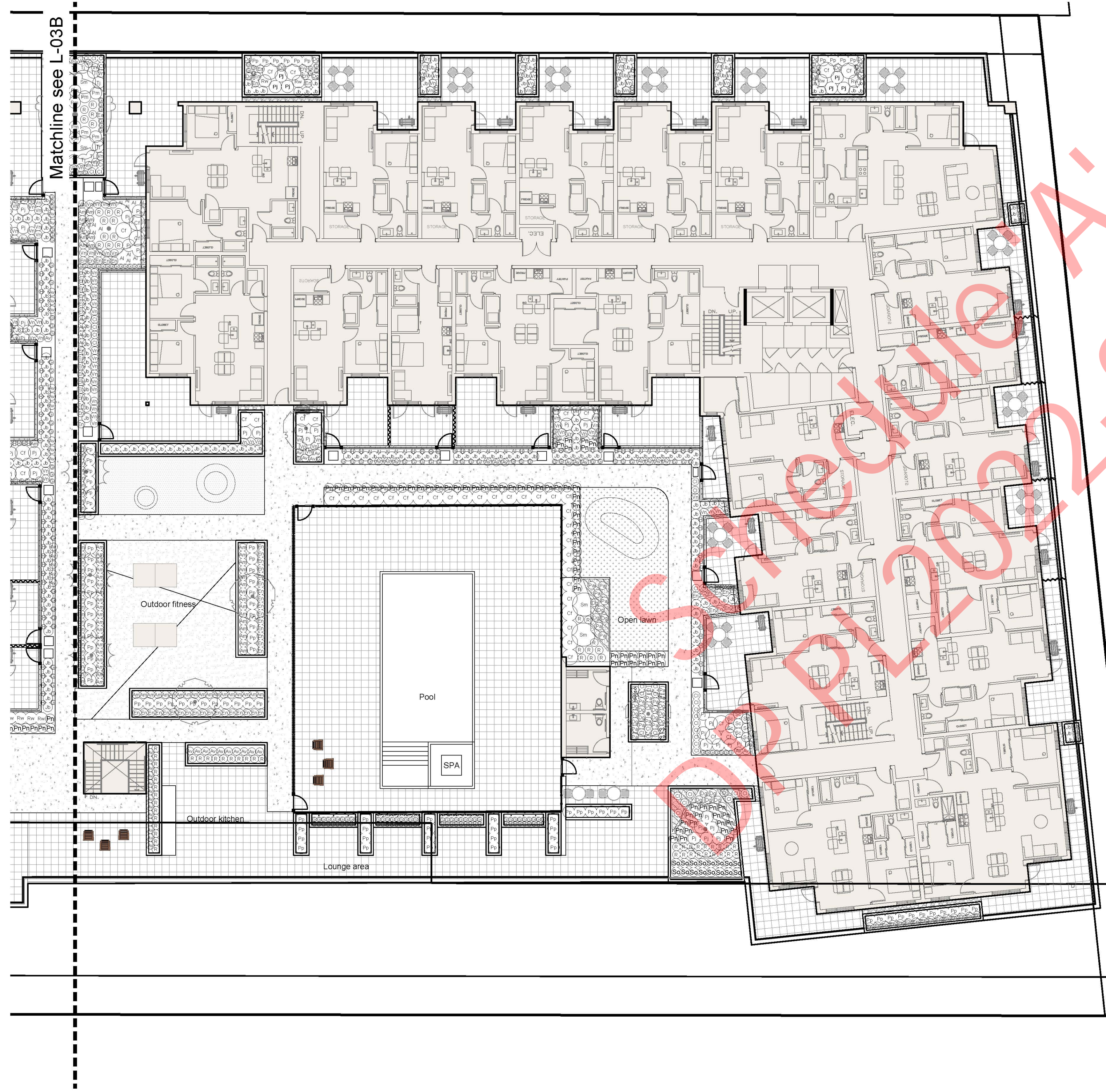


Vdz Project #: **DP2022-43**

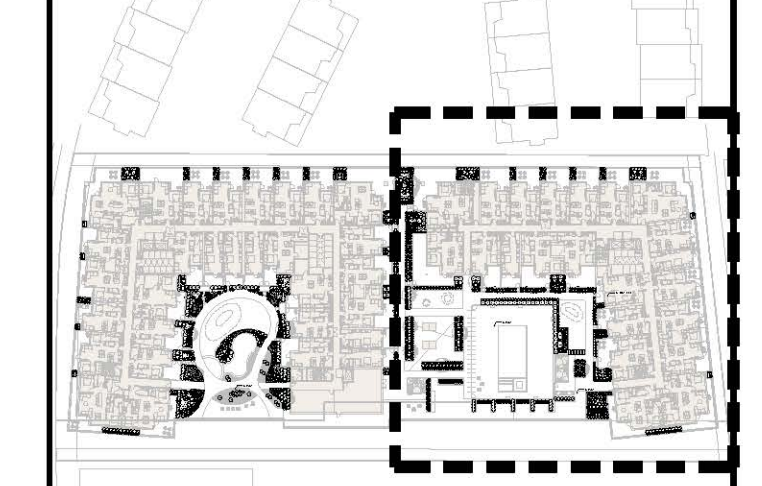
Drawing #: **L-05B**

PLANT SCHEDULE

SHRUBS	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Cf	Cornus sericea 'Flaviramea' / Yellow Twig Dogwood	#3	1m	76
En	Euonymus nanus turkestanicus / Turkestan Burning Bush	#2	0.5m	203
Jb	Juniperus virginiana 'Blue Arrow' / Blue Arrow Eastern Redcedar	2.0m Ht	0.6m	259
Pm	Paxistima myrsinites / Oregon Boxwood	#2	0.75m	26
Pj	Physocarpus opulifolius 'Jefam' TM / Amber Jubilee Ninebark	#5	0.8m	69
Pp	Picea pungens 'Globosa' / Dwarf Globe Blue Spruce	#10	0.75m	192
Pn	Potentilla fruticosa 'Apricot Whisper' / Apricot Whisper Bush Cinquefoil	#2	0.6m	102
R	Rosa rugosa 'Marie Bugnet' / Marie Bugnet Shrub Rose	#2	0.5m	71
Rw	Rosa woodsii / Mountain Rose	#2	0.8m	47
Sc	Shepherdia canadensis / Russett Buffaloberry	#2	0.6m	8
So	Symphoricarpos orbiculatus / Coralberry	#2	0.6m	65
Sm	Syringa vulgaris 'Madame Lemoine' / Madame Lemoine Common Lilac	#10	1.5m	6
Tj	Tsuga canadensis 'Jeddeloh' / Jeddeloh Eastern Hemlock	#2	0.75m	26
Vn	Viburnum opulus 'Nanum' / Dwarf European Cranberrybush	#2	0.5m	142
FERNS	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Al	Athyrium filix-femina 'Lady in Red' / Lady in Red Fern	#1	0.5m	37
GRASSES	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Ci	Chasmanthium latifolium / Northern Sea Oats	#2	0.5m	109
Dg	Deschampsia cespitosa 'Goldtau' / Gold Dew Tufted Hair Grass	#2	0.5m	64
Pa	Panicum amarum 'Dewey Blue' / Dewey Blue Bitter Panicgrass	#2	0.5m	24
PERENNIALS	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Am	Anaphalis margaritacea / Pearly Everlasting	#2	0.5m	89
Av	Artemisia versicolor 'Sea Foam' / Sea Foam Sagebrush	#2	0.5m	110
Ea	Eryngium alpinum 'Blue Star' / Blue Star Sea Holly	#1	0.5m	39
G	Gaillardia aristata 'Amber Wheels' / Amber Wheels Blanket Flower	#2	0.3m	233
H	Heucherella x 'Pumpkin Spice' / Pumpkin Spice Foamy Bells	#1	0.3m	208
VINES	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Aa	Actinidia kolomikta / Arctic Kiwi	#3 staked	1m	7
Vr	Vitis labrusca 'Suffolk Red' / Suffolk Red Seedless Grape	#3 staked	1m	4
Vt	Vitis vinifera 'Thompson Seedless' / Thompson Seedless European Grape	#3 staked	1m	4
GROUND COVERS	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
	Arctostaphylos uva-ursi / Kinnikinnick	#1	450mm	10
	Phlox subulata 'Crimson Beauty' / Crimson Beauty Creeping Phlox	#1	300mm	323



Key Map (NTS)



No.	By	Description	Date
3	SH	Issued for DP	2022-11-10
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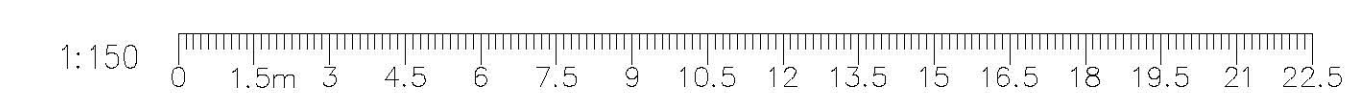
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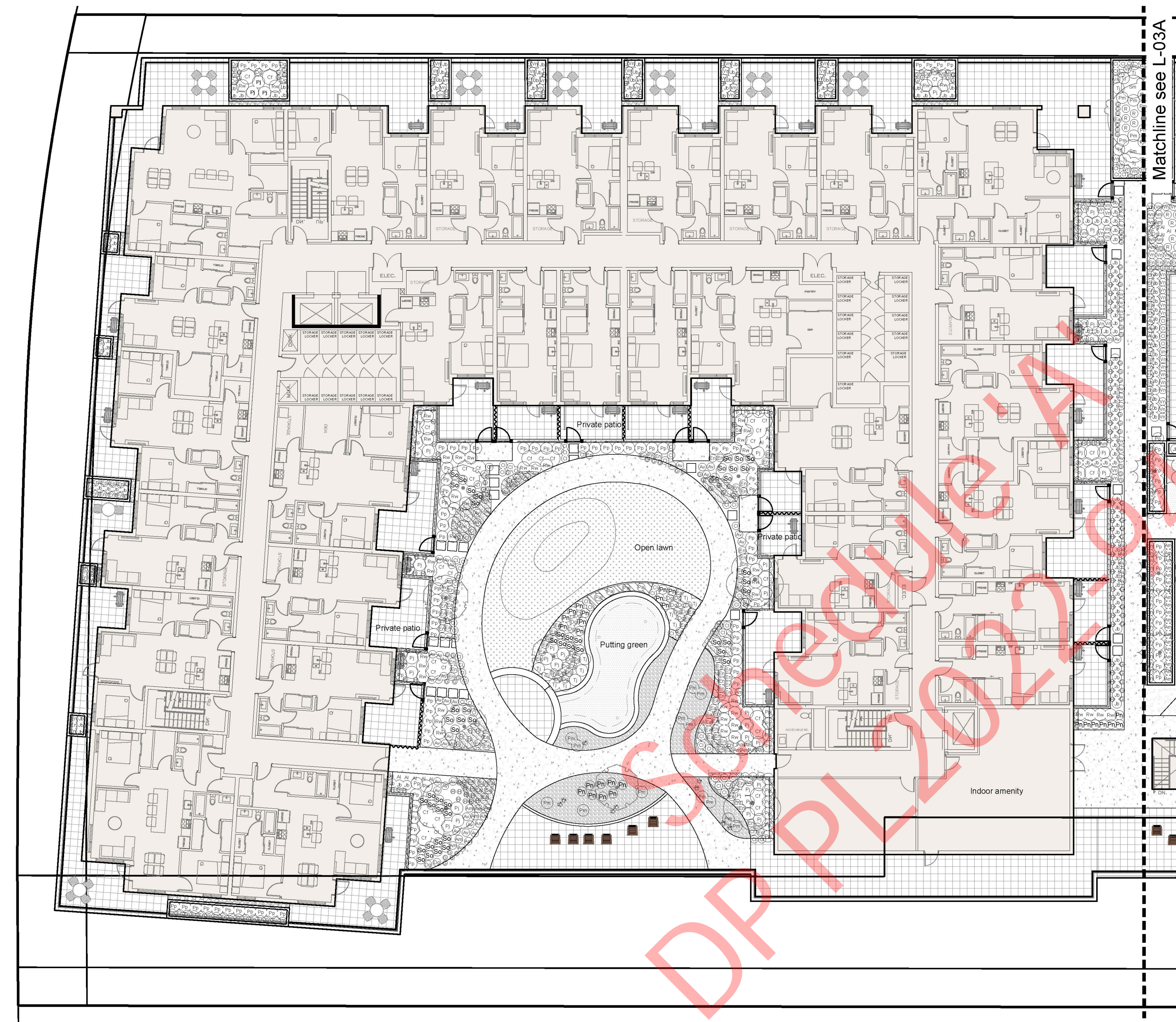
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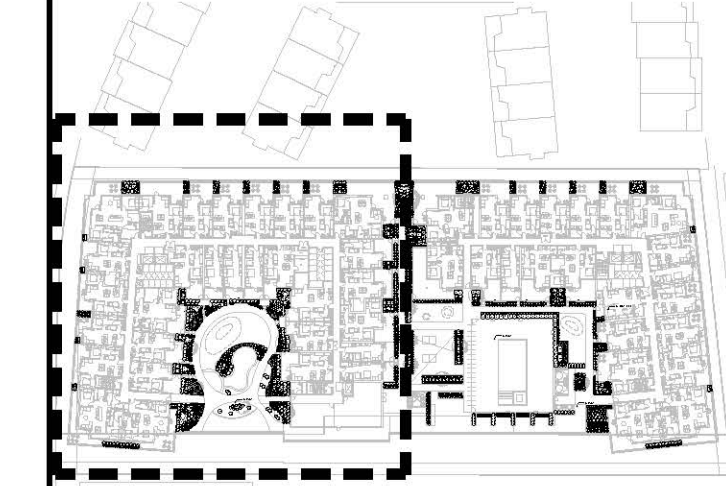
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Key Map (NTS)



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Project:
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Location:
270 Riverside Drive
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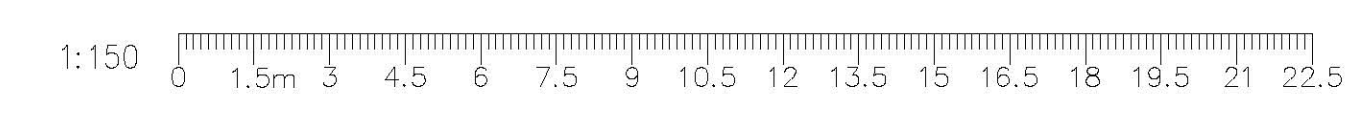
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PLANT SCHEDULE

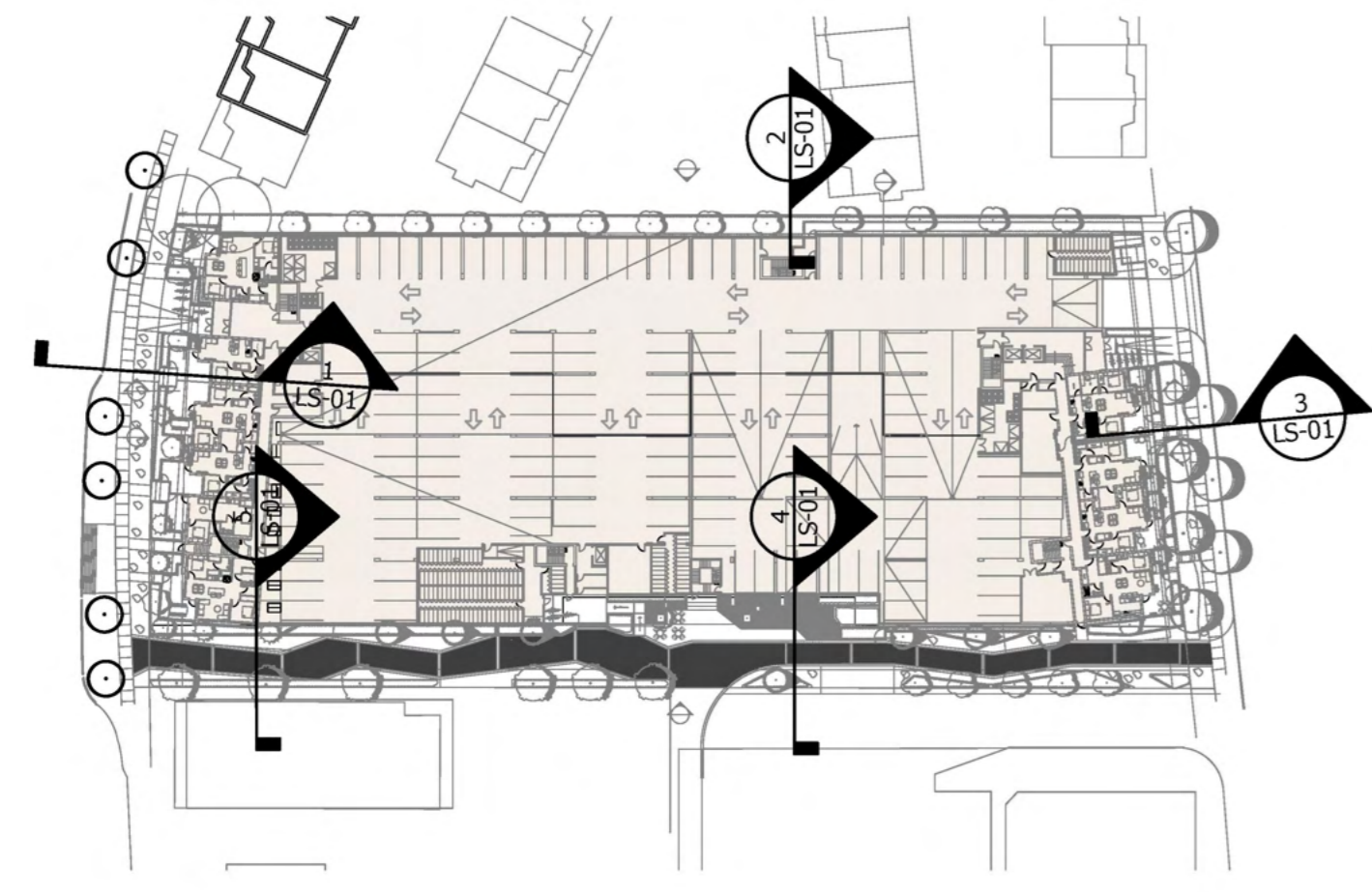
SHRUBS	BOTANICAL / COMMON NAME	CONT #3	SPACING 1m	QTY 76
Cf	Cornus sericea 'Flaviramea' / Yellow Twig Dogwood			
En	Euonymus nanus turkestanicus / Turkestan Burning Bush	#2	0.5m	203
Jb	Juniperus virginiana 'Blue Arrow' / Blue Arrow Eastern Redcedar	2.0m Ht	0.6m	259
Pm	Paxistima myrsinites / Oregon Boxwood	#2	0.75m	25
Pj	Physocarpus opulifolius 'Jefam' TM / Amber Jubilee Ninebark	#5	0.8m	69
Pp	Picea pungens 'Globosa' / Dwarf Globe Blue Spruce	#10	0.75m	192
Pn	Potentilla fruticosa 'Apricot Whisper' / Apricot Whisper Bush Cinquefoil	#2	0.6m	102
R	Rosa rugosa 'Marie Bugnet' / Marie Bugnet Shrub Rose	#2	0.5m	71
Rw	Rosa woodsii / Mountain Rose	#2	0.8m	47
Sc	Shepherdia canadensis / Russett Buffaloberry	#2	0.6m	8

So	Symphoricarpos orbiculatus / Coralberry	#2	0.6m	65
Sm	Syringa vulgaris 'Madame Lemoine' / Madame Lemoine Common Lilac	#10	1.5m	6
Tj	Tsuga canadensis 'Jeddeloh' / Jeddeloh Eastern Hemlock	#2	0.75m	25
Vn	Viburnum opulus 'Nanum' / Dwarf European Cranberrybush	#2	0.5m	142
FERNS	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Al	Athyrium filix-femina 'Lady in Red' / Lady in Red Fern	#1	0.5m	37
GRASSES	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Cl	Chasmanthium latifolium / Northern Sea Oats	#2	0.5m	109
Dg	Deschampsia cespitosa 'Goldtau' / Gold Dew Tufted Hair Grass	#2	0.5m	64
Pa	Panicum amarum 'Dewey Blue' / Dewey Blue Bitter Panicgrass	#2	0.5m	24
PERENNIALS	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Am	Anaphalis margaritacea / Pearly Everlasting	#2	0.5m	89
Av	Artemisia versicolor 'Sea Foam' / Sea Foam Sagebrush	#2	0.5m	110
Ea	Eryngium alpinum 'Blue Star' / Blue Star Sea Holly	#1	0.5m	39

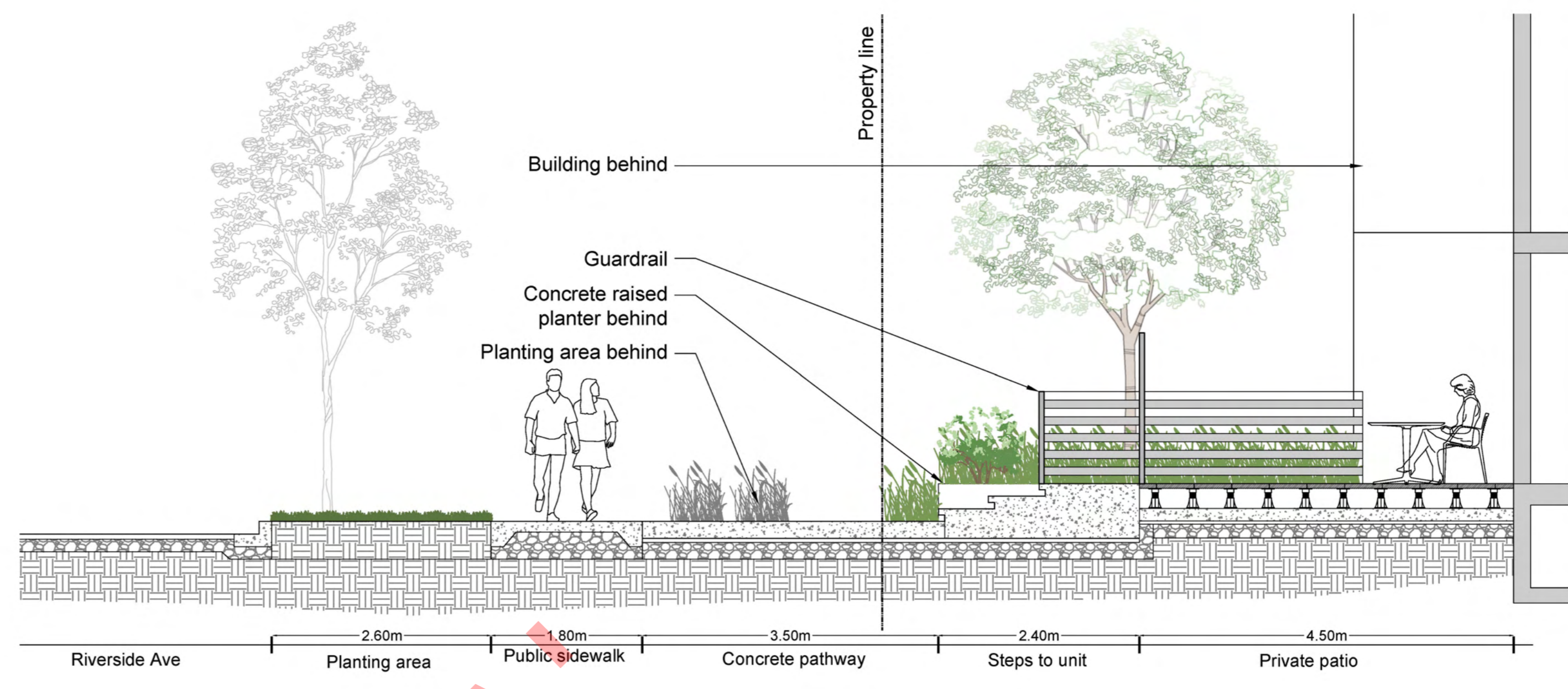
VINES	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
Aa	Actinidia kolomikta / Arctic Kiwi	#3 staked	1m	7
Vr	Vitis labrusca 'Suffolk Red' / Suffolk Red Seedless Grape	#3 staked	1m	4
Vt	Vitis vinifera Thompson Seedless / Thompson Seedless European Grape	#3 staked	1m	4
GROUND COVERS	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
	Arctostaphylos uva-ursi / Kinnikinnick	#1	450mm	10
	Phlox subulata 'Crimson Beauty' / Crimson Beauty Creeping Phlox	#1	300mm	323



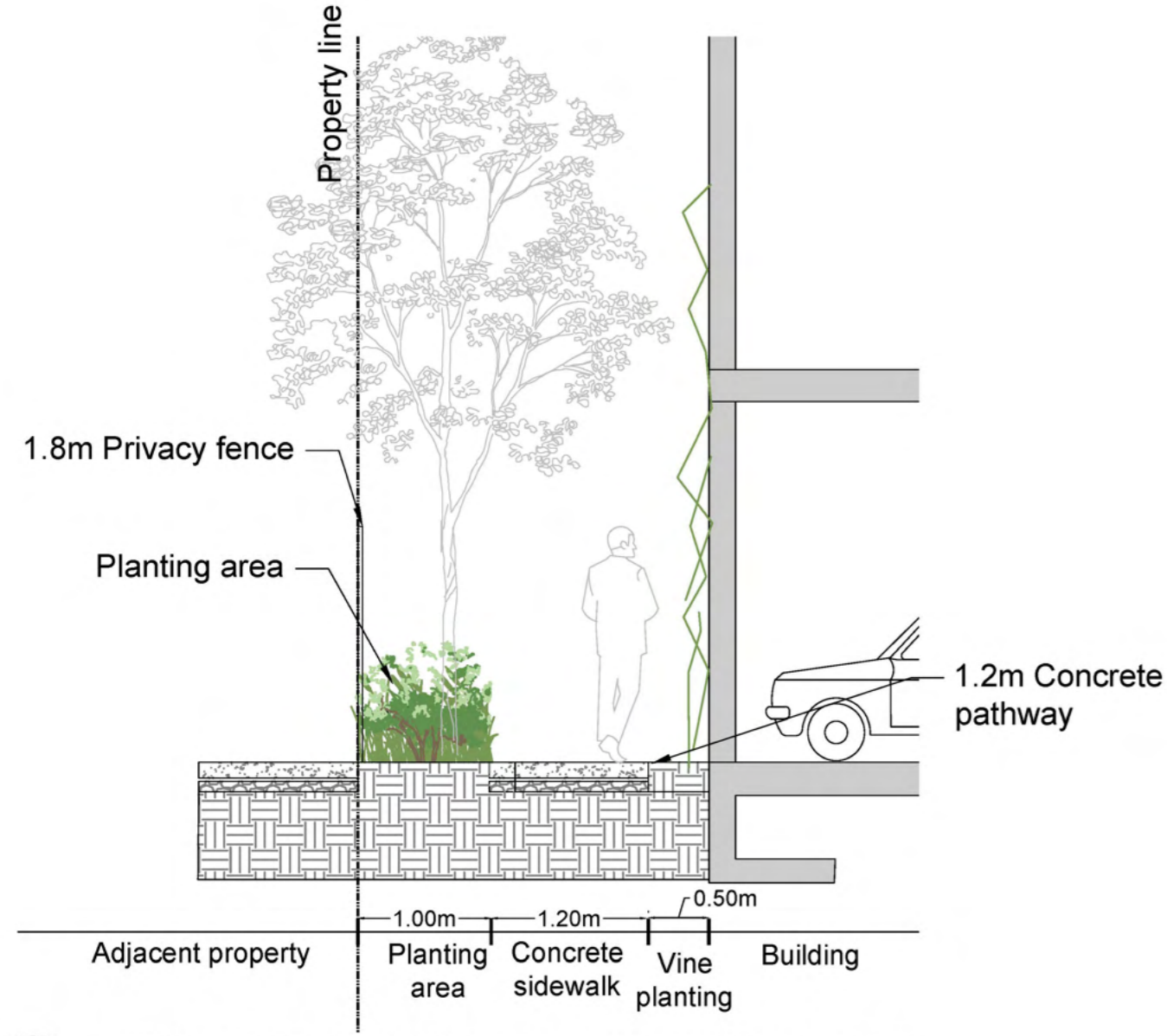
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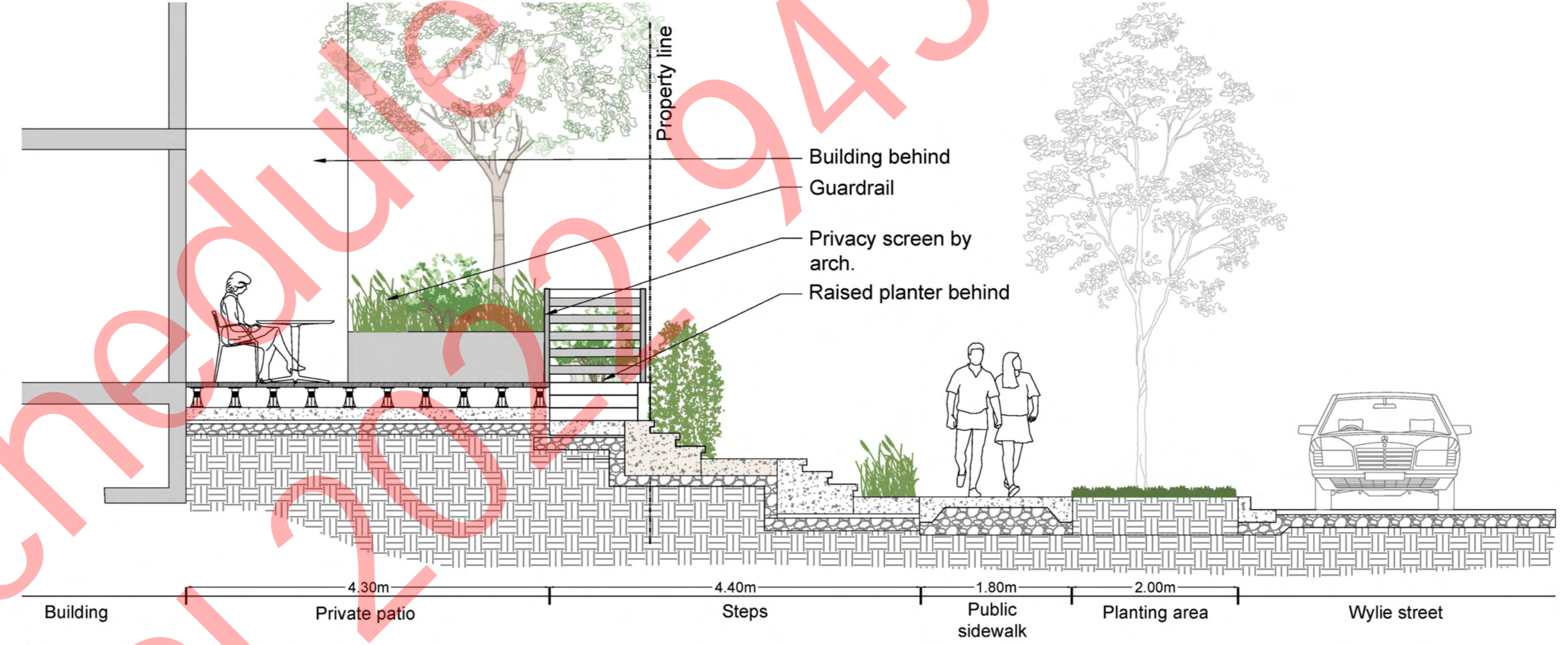
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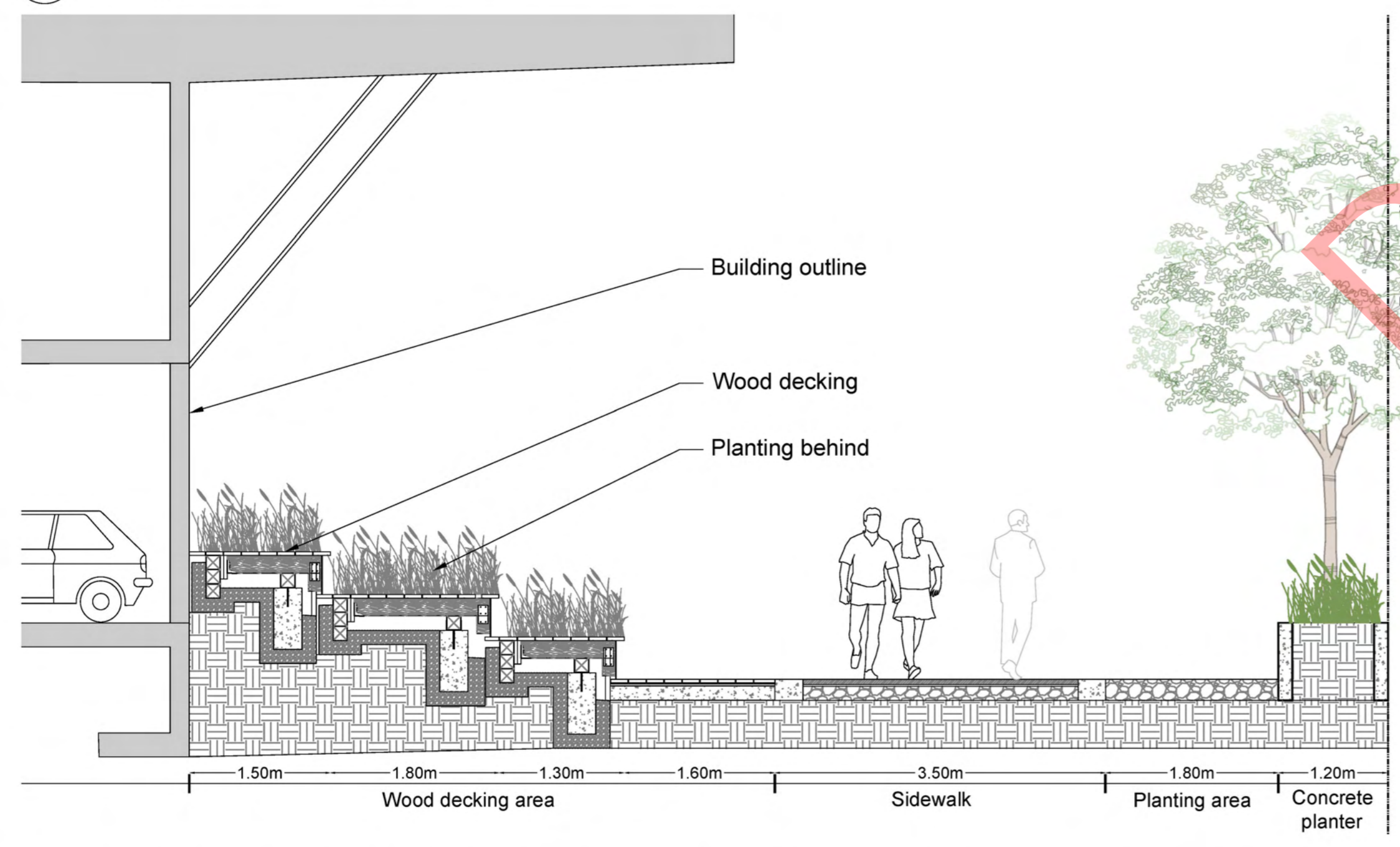
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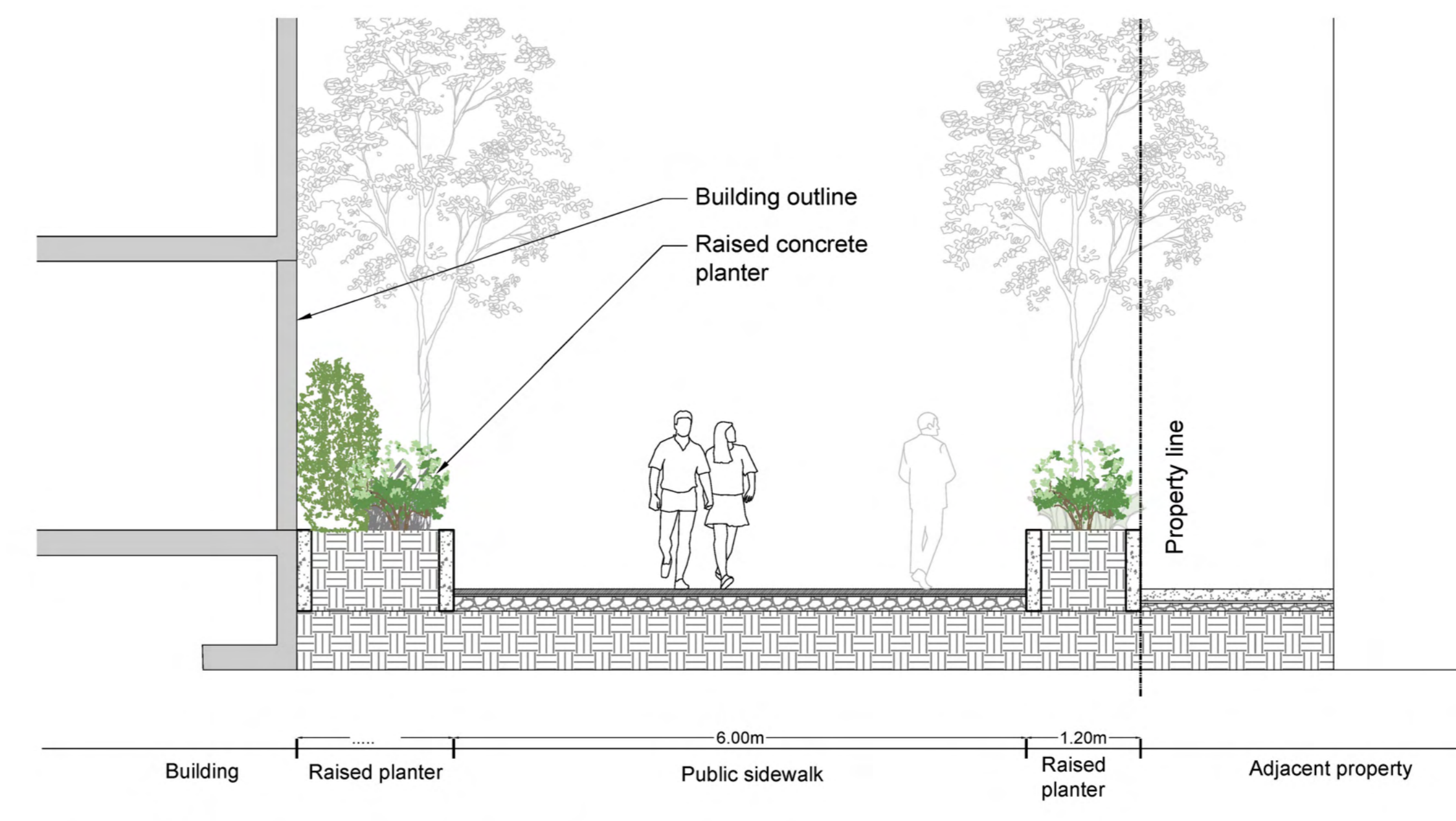
2 SECTION THROUGH NORTH PROPERTY LINE
Scale 1:50



3 SECTION THROUGH EAST PROPERTY LINE TO WYLIE STREET
Scale 1:50



4 SECTION THROUGH SOUTH PROPERTY LINE - STEPPED WOOD DECKS
Scale 1:50



5 SECTION THROUGH SOUTH PROPERTY LINE
Scale 1:50

No.	By:	Description	Date
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Location:
270 Riverside Drive
Penticton, B.C.

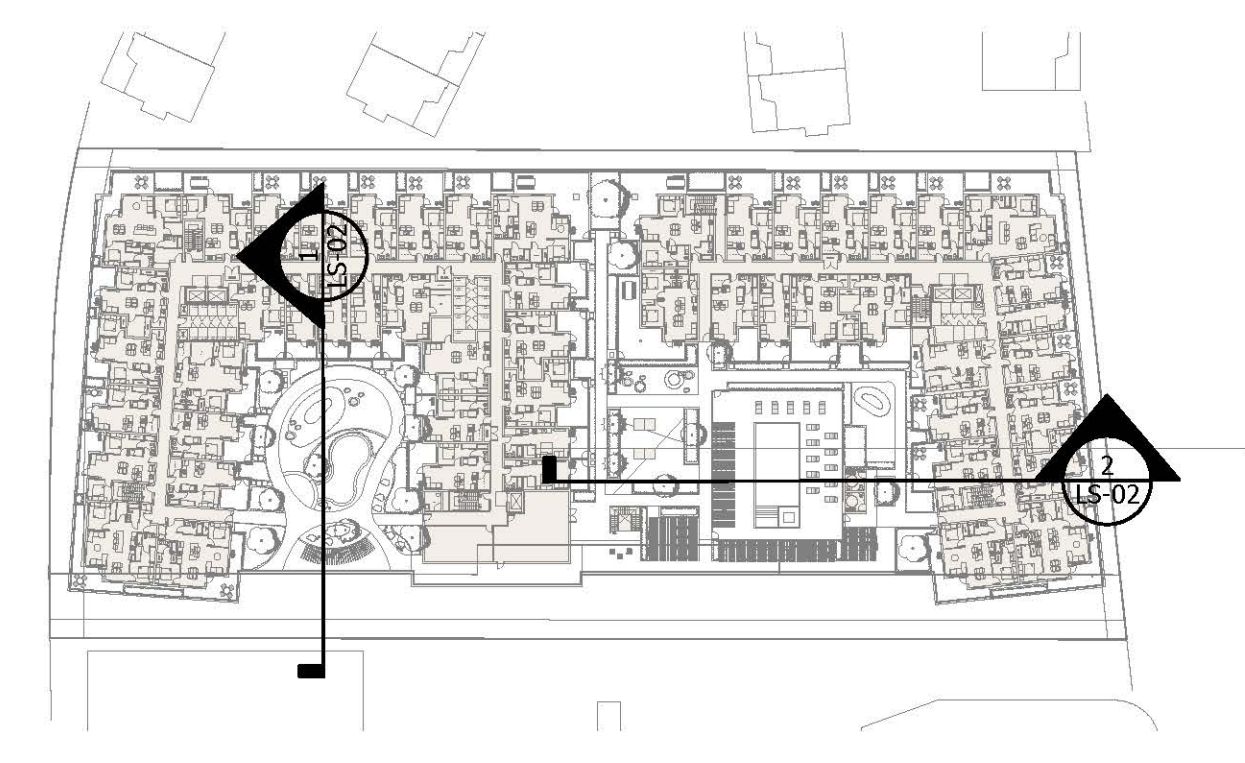
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Drawing Title:
SECTIONS



VDZ Project #:
DP2022-43

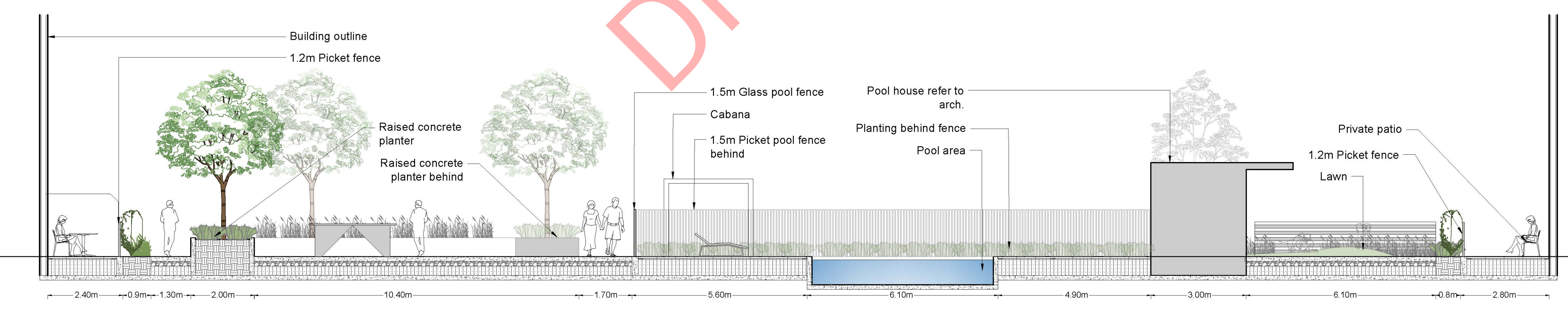
Drawing #:
LS-01



KEY MAP
Scale 1:1000



1 SECTION THROUGH WEST AMENITY
Scale 1:50



2 SECTION THROUGH POOL
Scale 1:75

No.	By:	Description	Date
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2	SH	Issued for DP	2022-08-22
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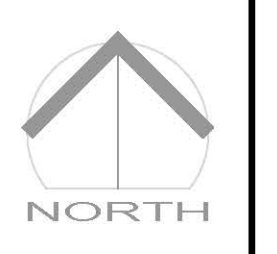
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Location:
270 Riverside Drive
Penticton, B.C.

Drawn: DZ	Stamp:
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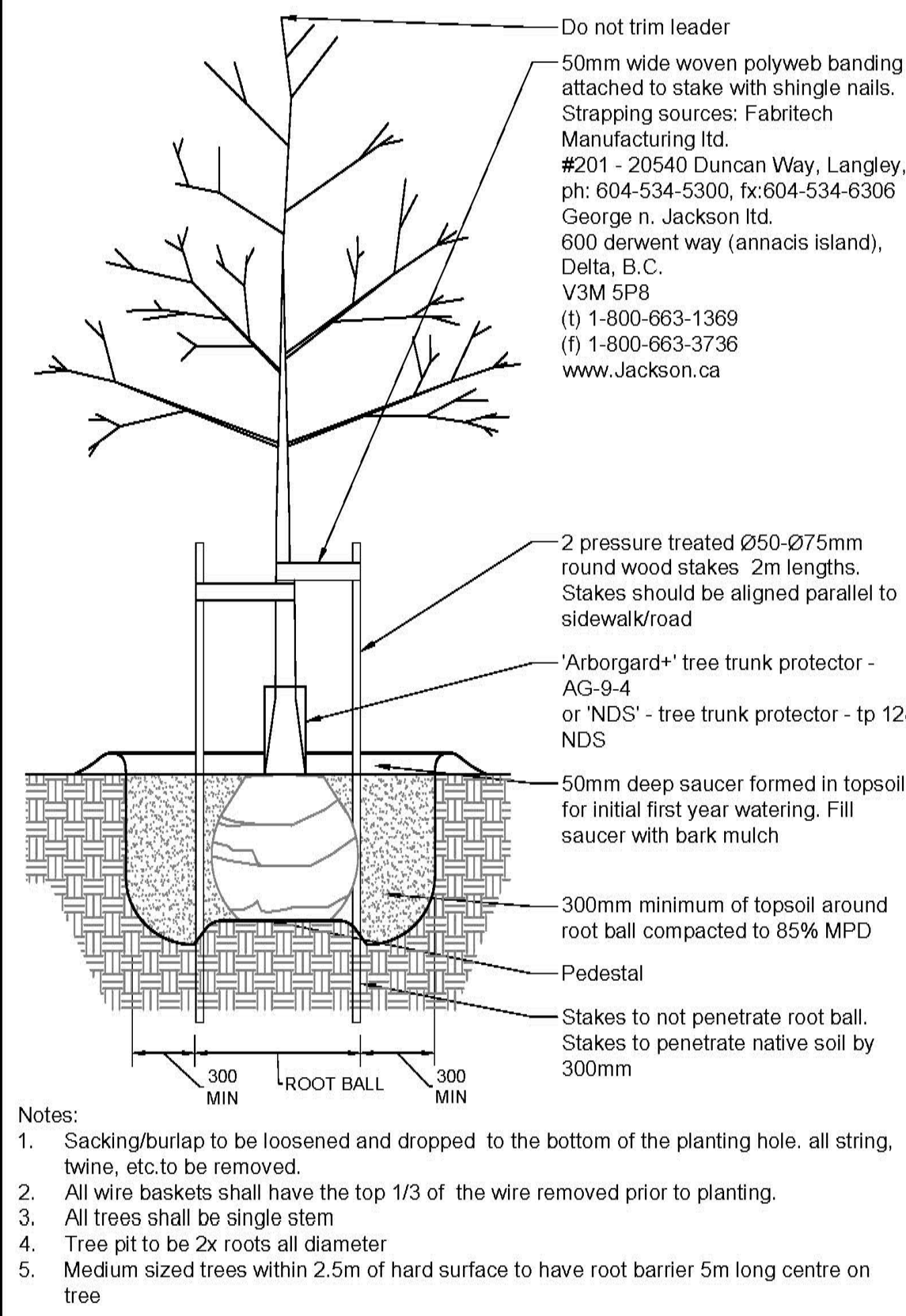
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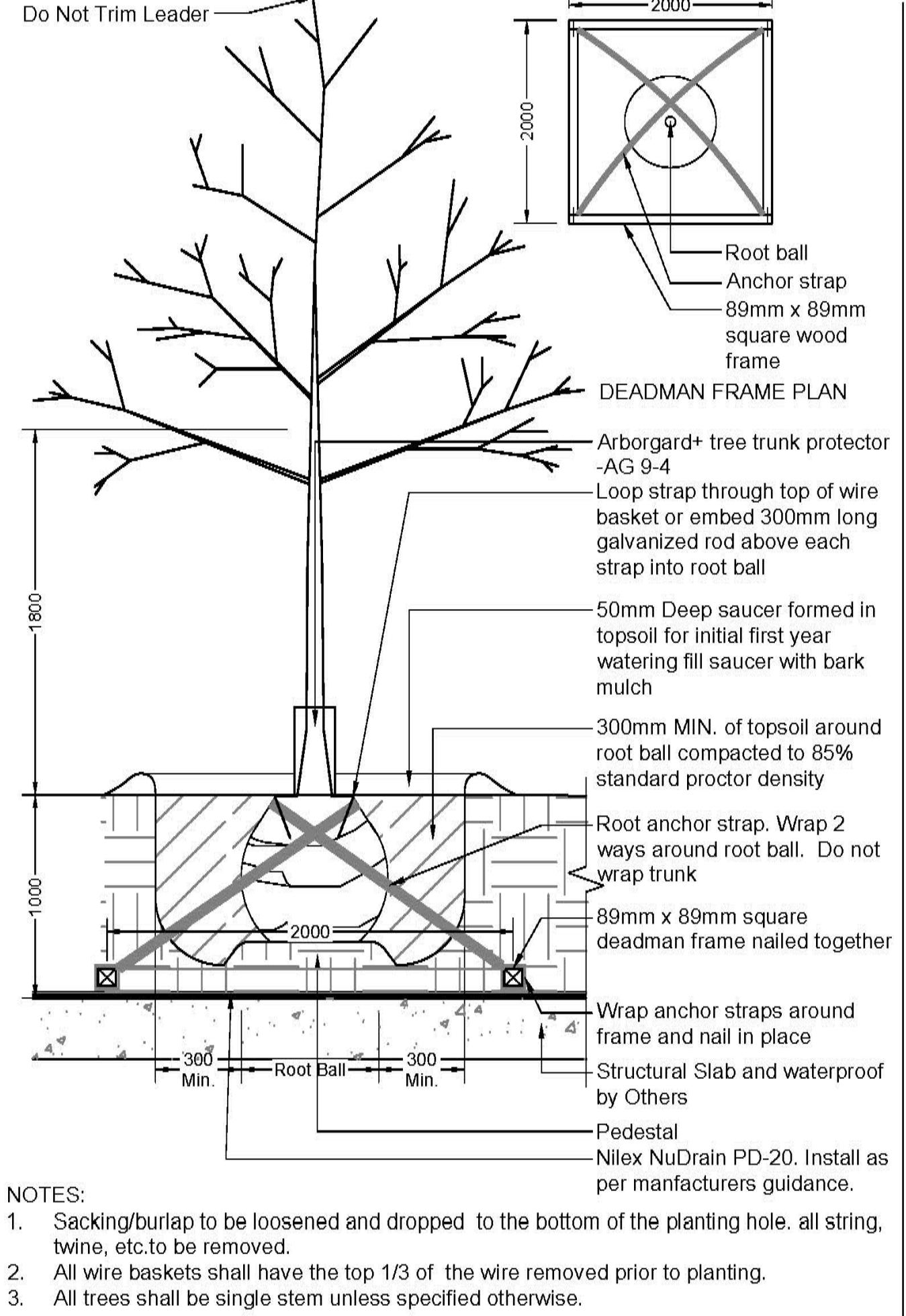
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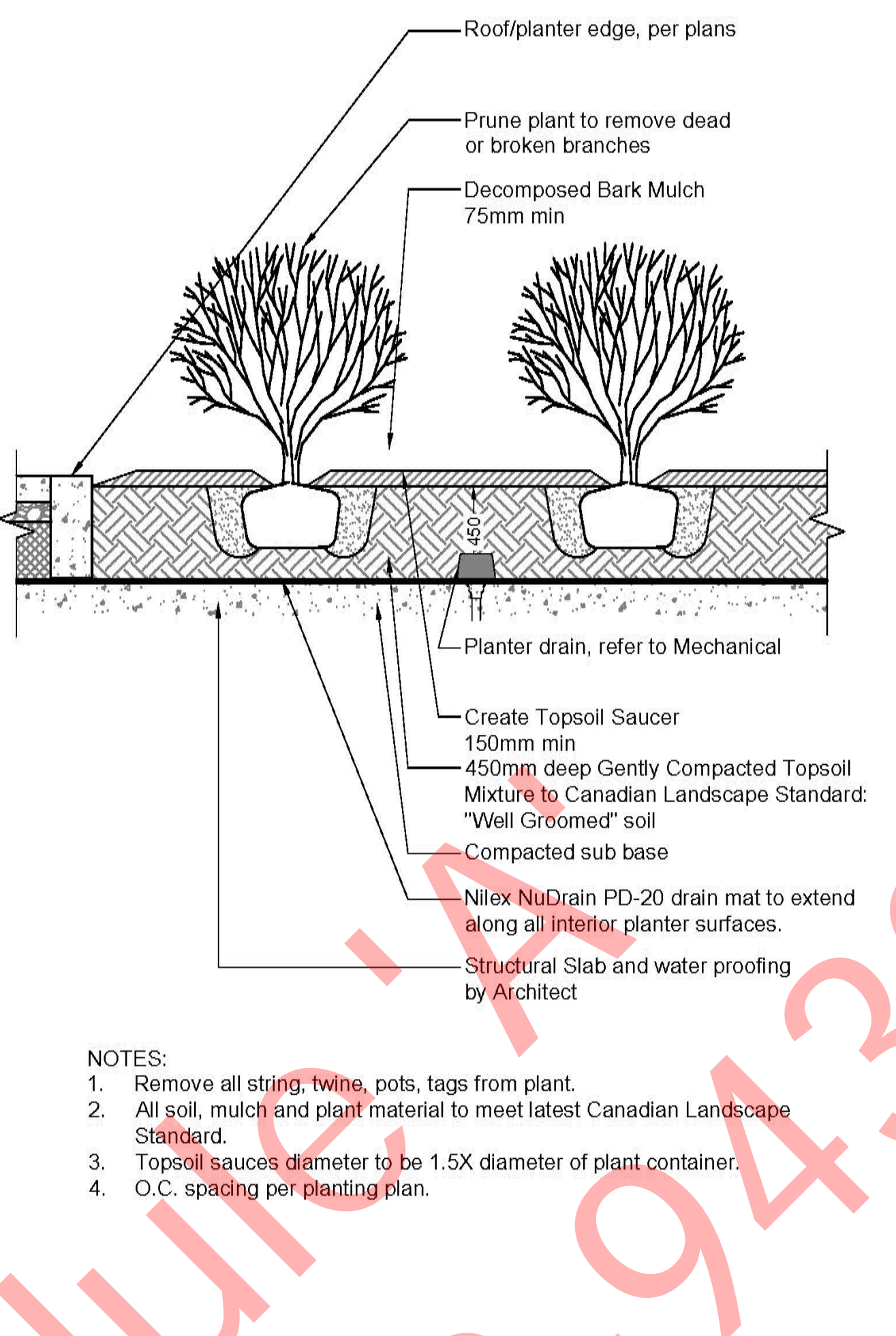
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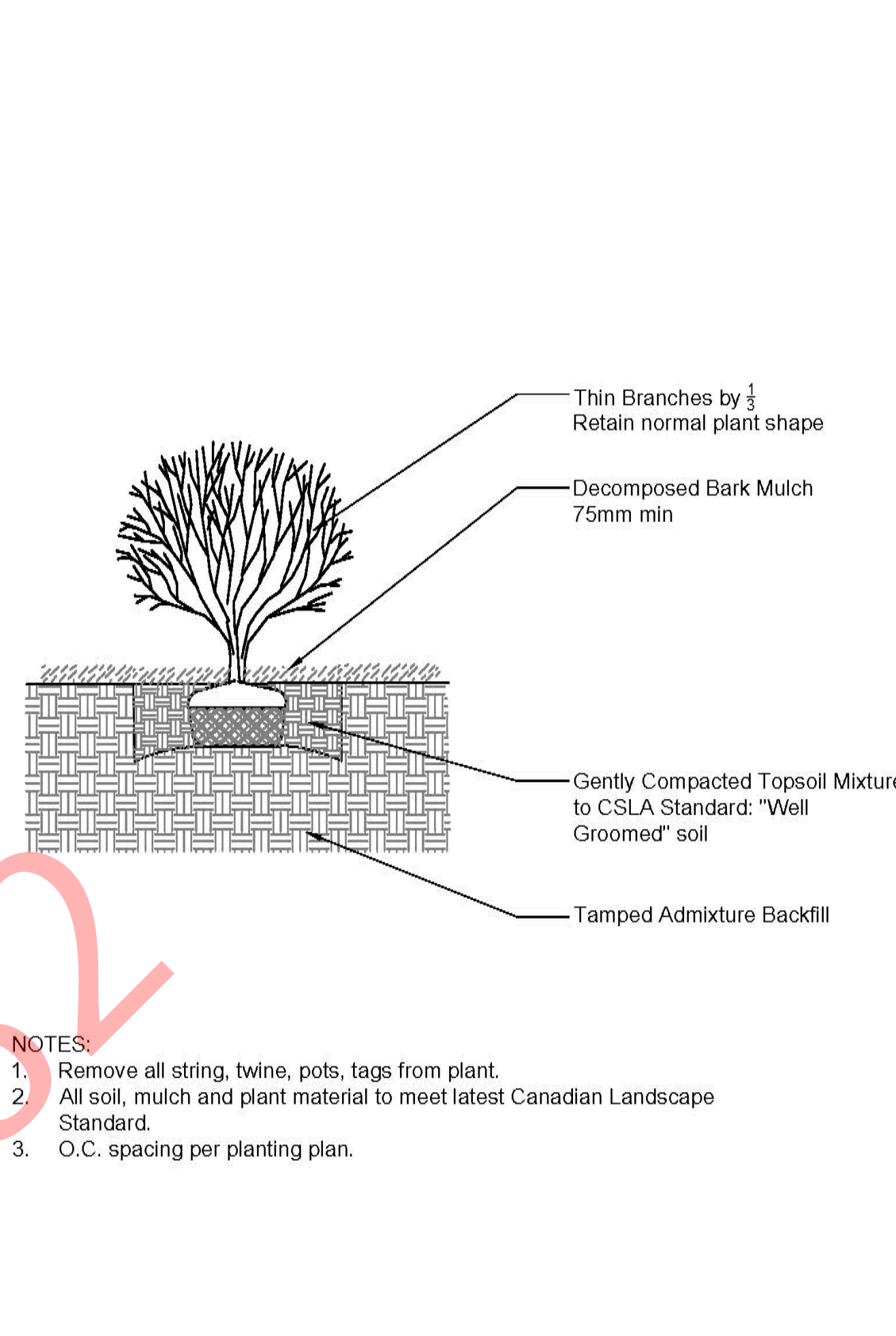
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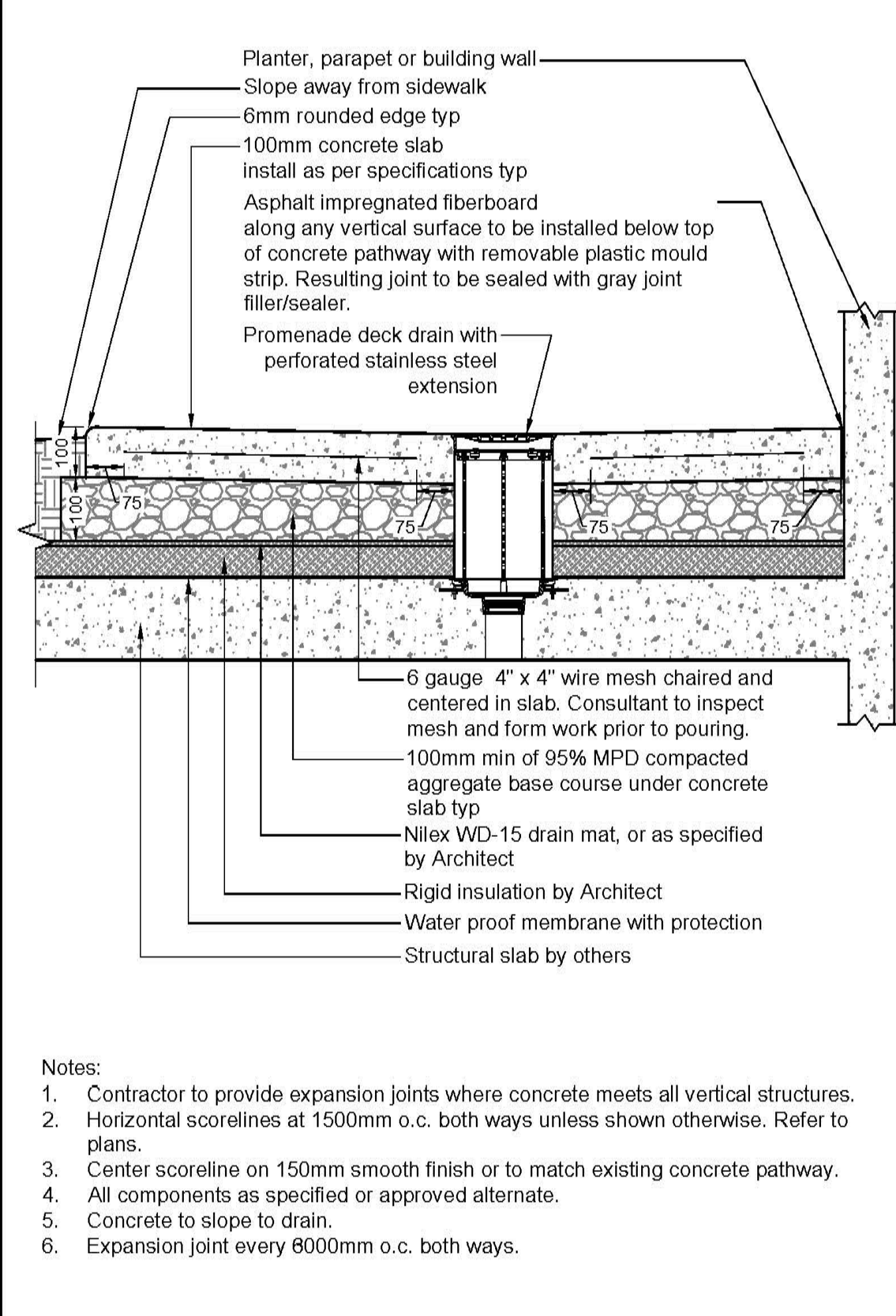
2 TREE PLANTING ON SLAB
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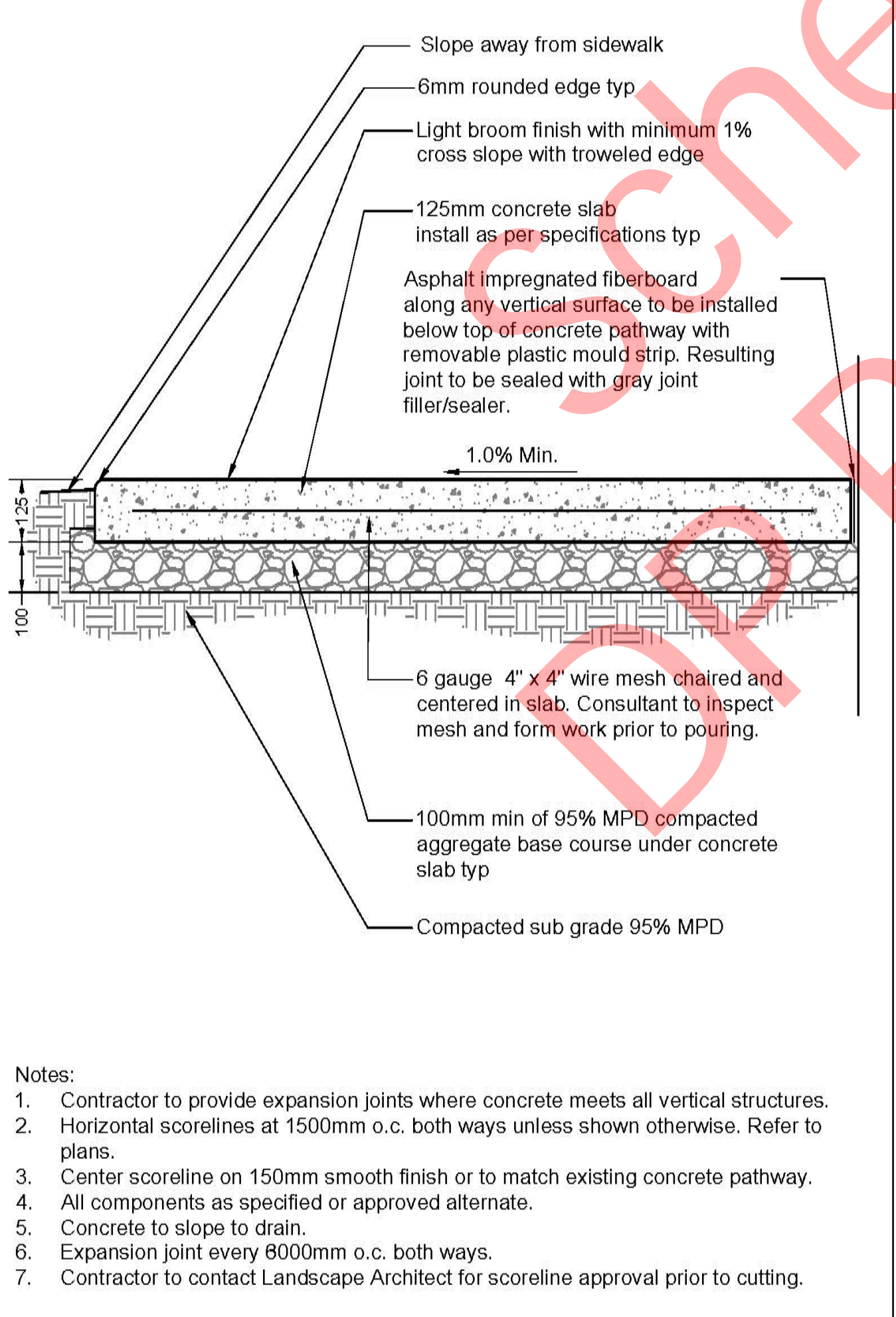
3 SHRUB PLANTING DETAIL
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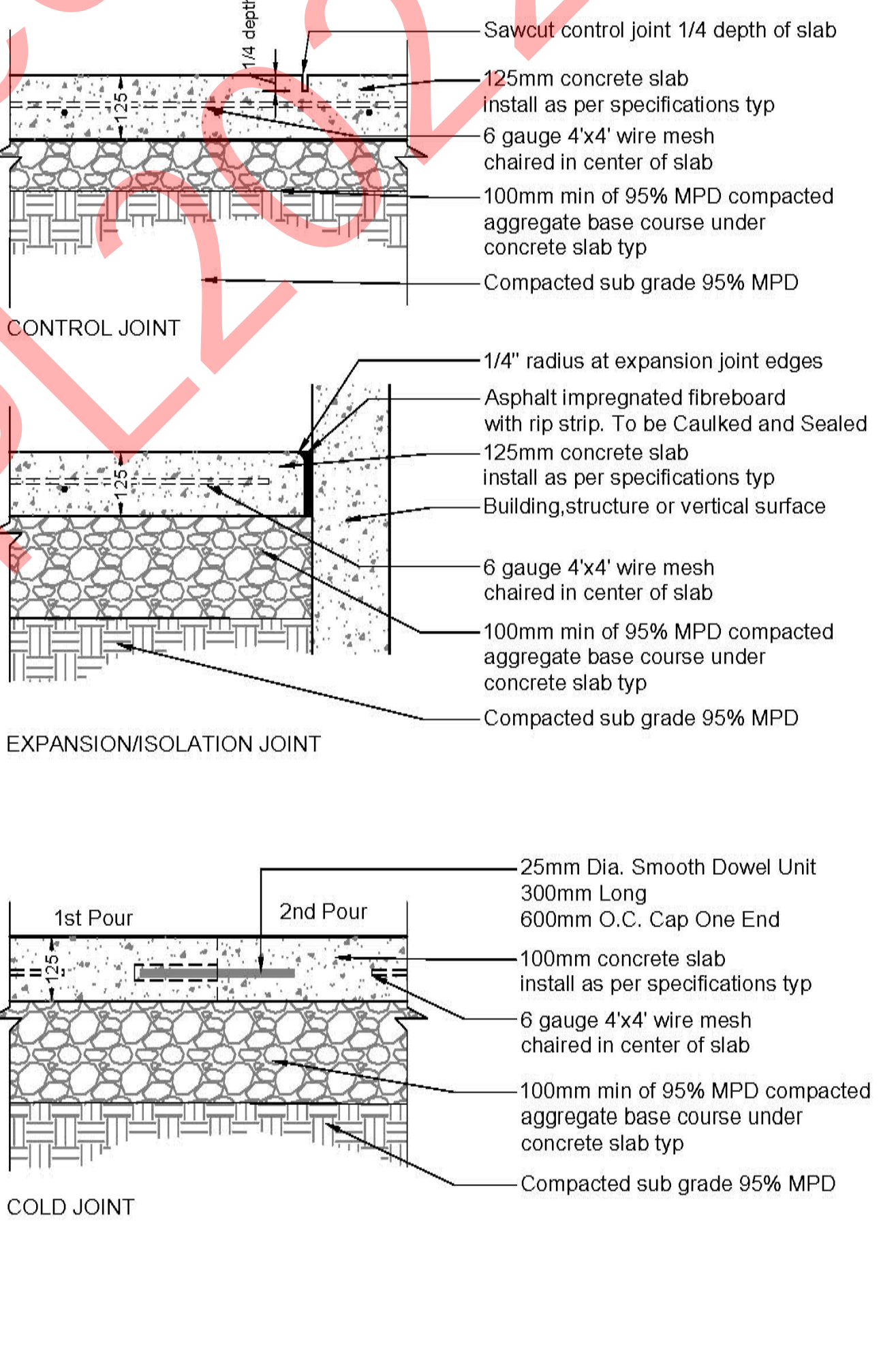
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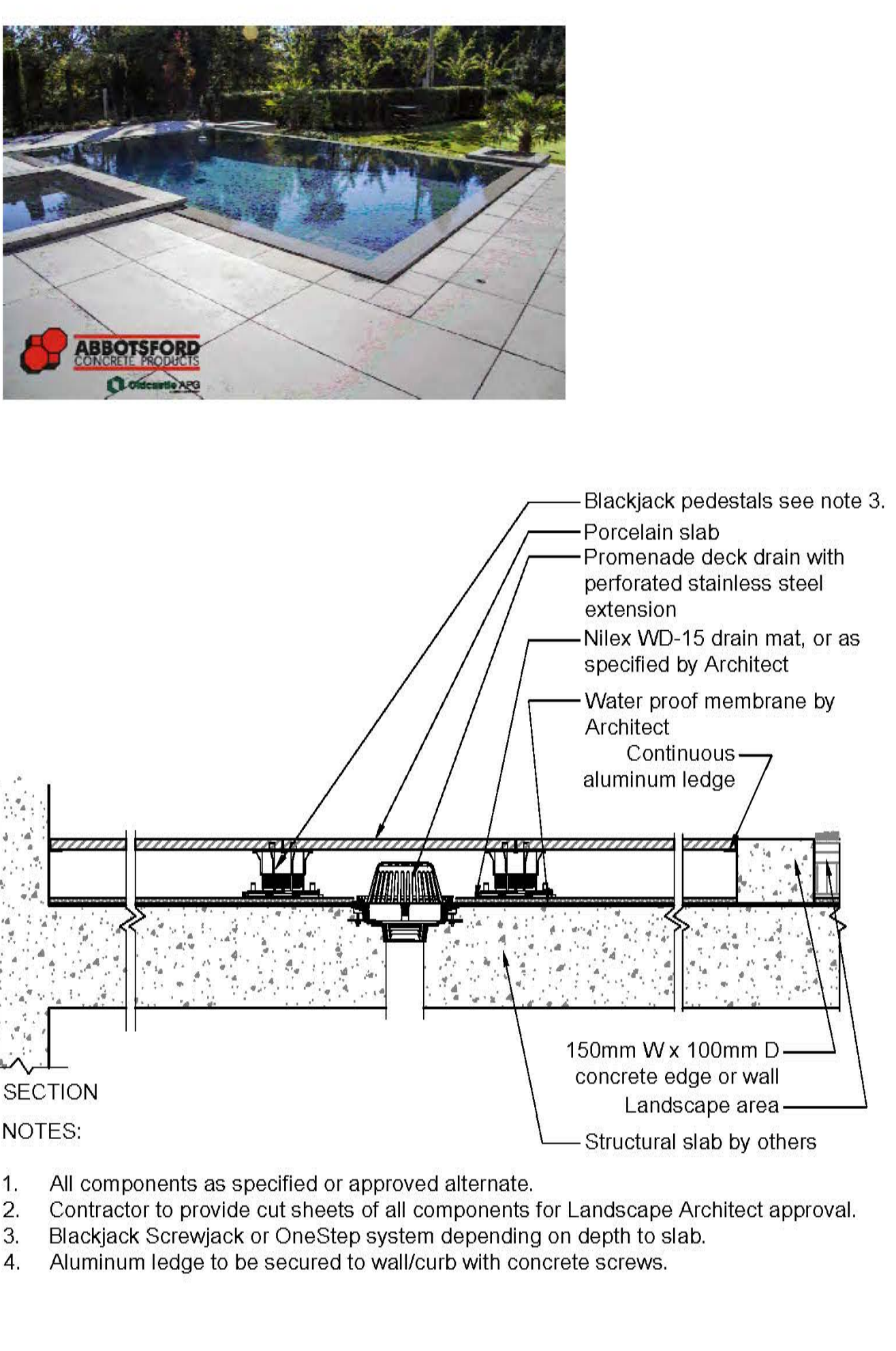
5 CONCRETE ON SLAB
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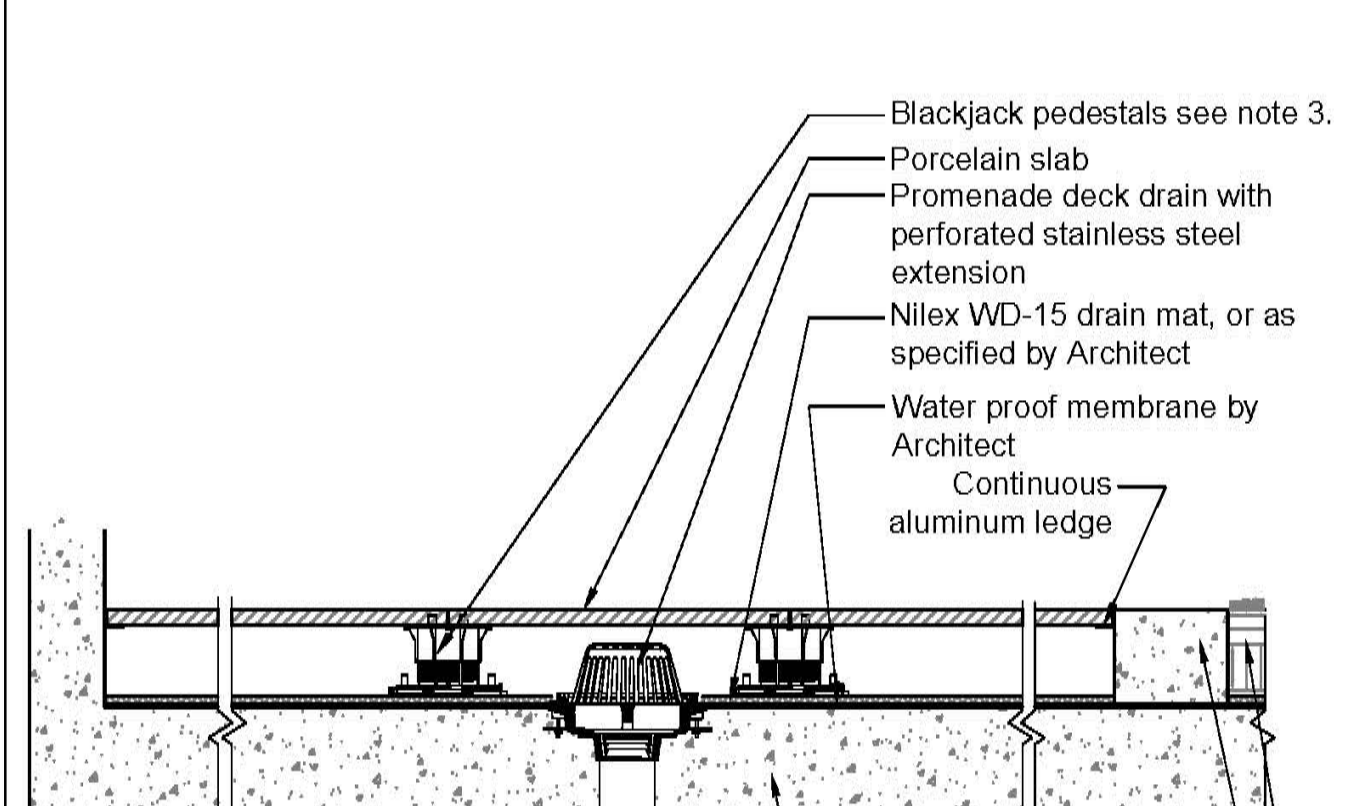
6 CONCRETE PAVING
Scale 1:10



7 CONCRETE JOINTS
Scale 1:10



8 PROCELAIN SLAB
Scale 1:10



- Notes:
- Contractor to provide expansion joints where concrete meets all vertical structures.
 - Horizontal scorelines at 1500mm o.c. both ways unless shown otherwise. Refer to plans.
 - Center scoreline on 150mm smooth finish or to match existing concrete pathway.
 - All components as specified or approved alternate.
 - Concrete to slope to drain.
 - Expansion joint every 8000mm o.c. both ways.

- Notes:
- Contractor to provide expansion joints where concrete meets all vertical structures.
 - Horizontal scorelines at 1500mm o.c. both ways unless shown otherwise. Refer to plans.
 - Center scoreline on 150mm smooth finish or to match existing concrete pathway.
 - All components as specified or approved alternate.
 - Concrete to slope to drain.
 - Expansion joint every 8000mm o.c. both ways.
 - Contractor to contact Landscape Architect for scoreline approval prior to cutting.

- NOTES:
- All components as specified or approved alternate.
 - Contractor to provide cut sheets of all components for Landscape Architect approval.
 - Blackjack Screwjack or OneStep system depending on depth to slab.
 - Aluminum ledge to be secured to wall/curb with concrete screws.

- NOTES:
- All components as specified or approved alternate.
 - Contractor to provide cut sheets of all components for Landscape Architect approval.
 - Blackjack Screwjack or OneStep system depending on depth to slab.
 - Aluminum ledge to be secured to wall/curb with concrete screws.

No.	By	Description	Date
3	SH	Issued for DP	2022-11-10
2	SH	Issued for DP	2022-08-22
1	SH	Issued for Review	2022-07-15

REVISIONS TABLE FOR DRAWINGS

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No.	By	Description	Date
REVISIONS TABLE FOR SHEET			

Project:
270 Riverside Street

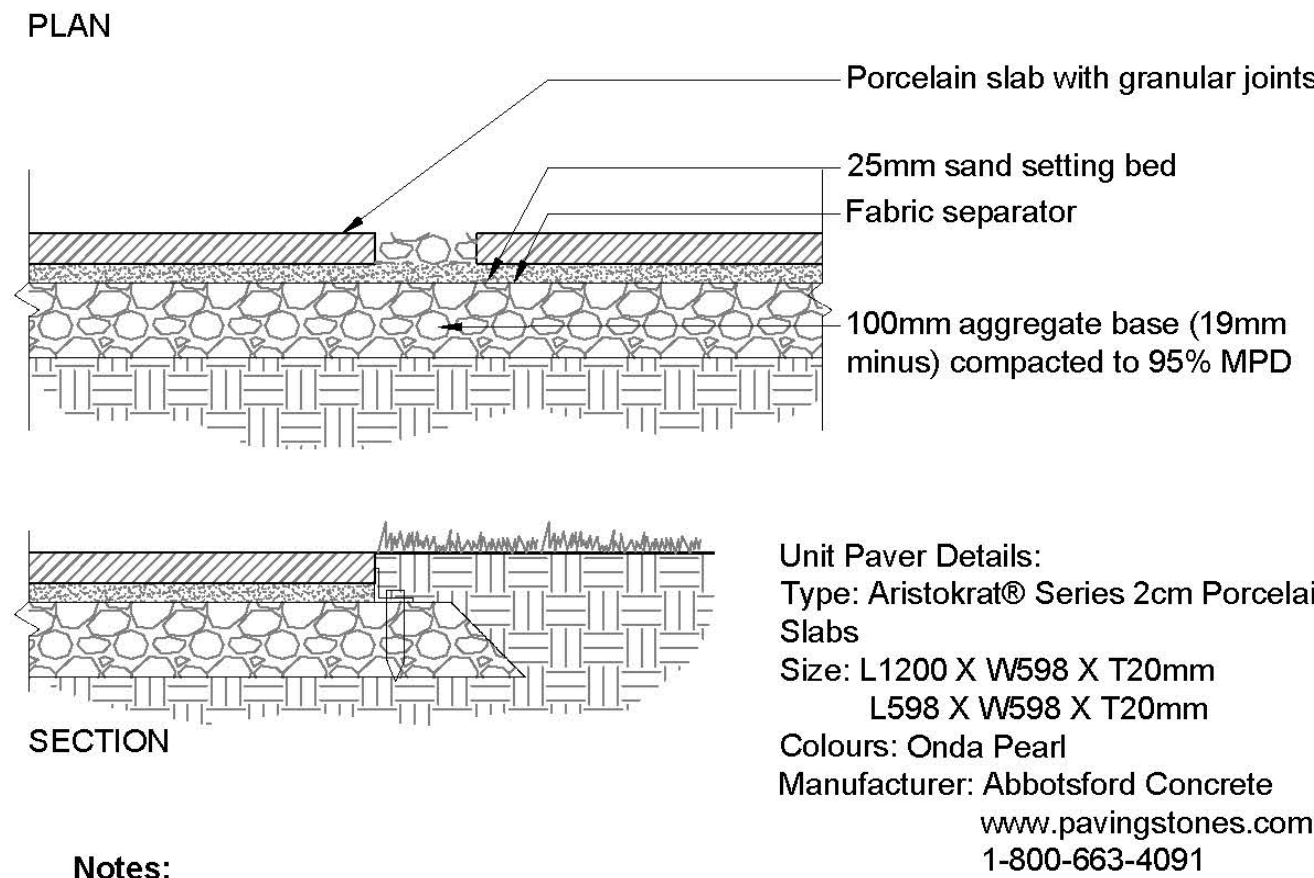
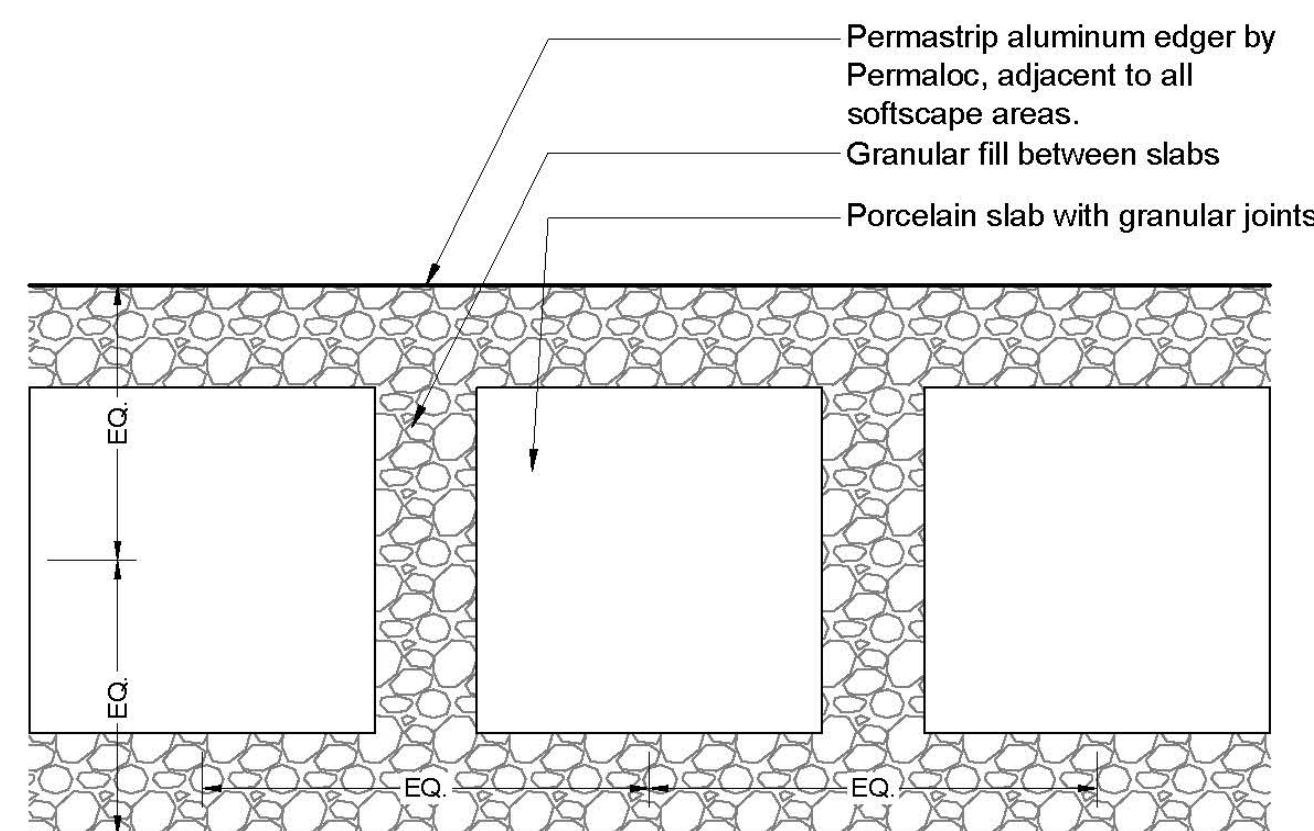
Location:
270 Riverside Drive
Penticton, B.C.

Drawn: FW	Stamp:
Checked: SH	
Approved: MVDZ	Original Sheet Size: 24"x36"
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Drawing Title: **DETAILS**

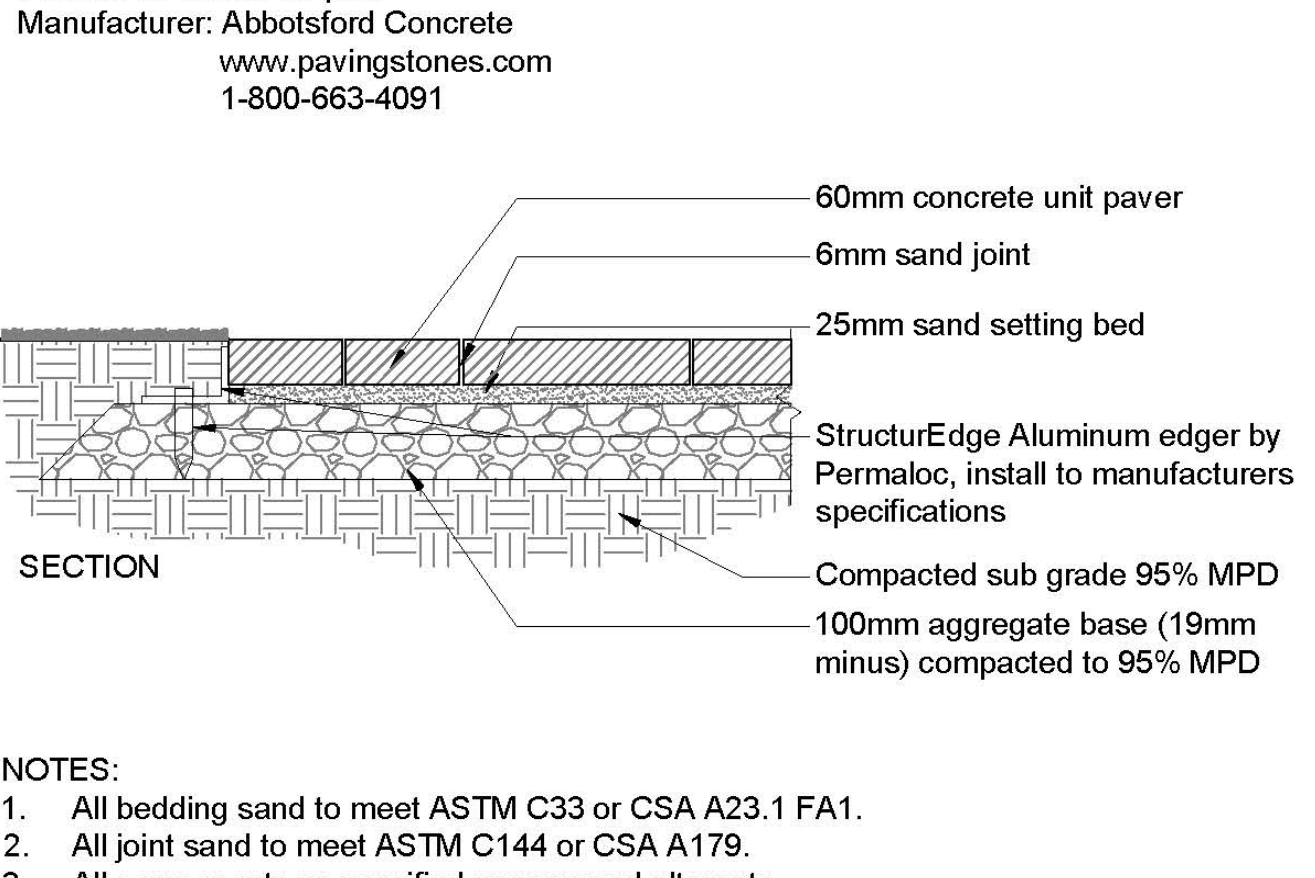
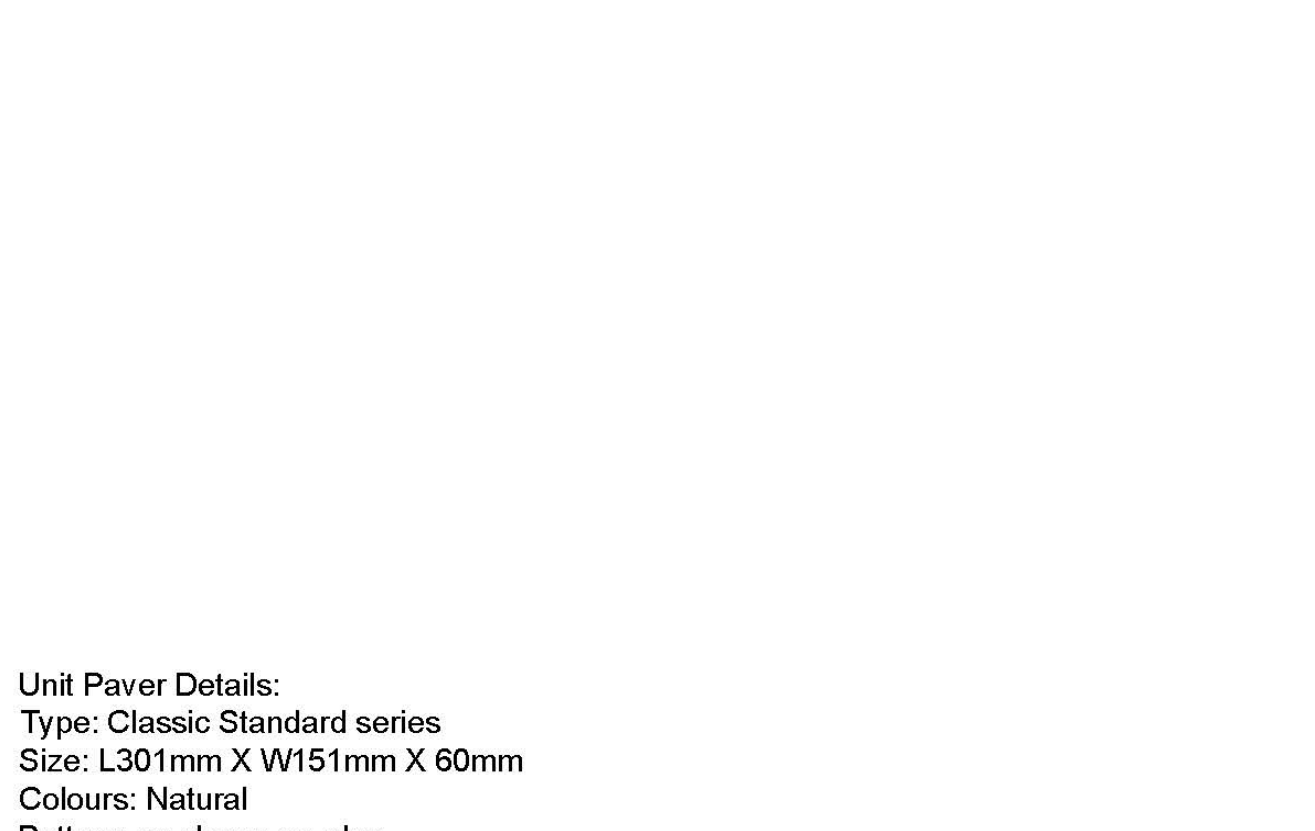
VDZ Project #: **DP2022-43**

Drawing #: **LD-01**



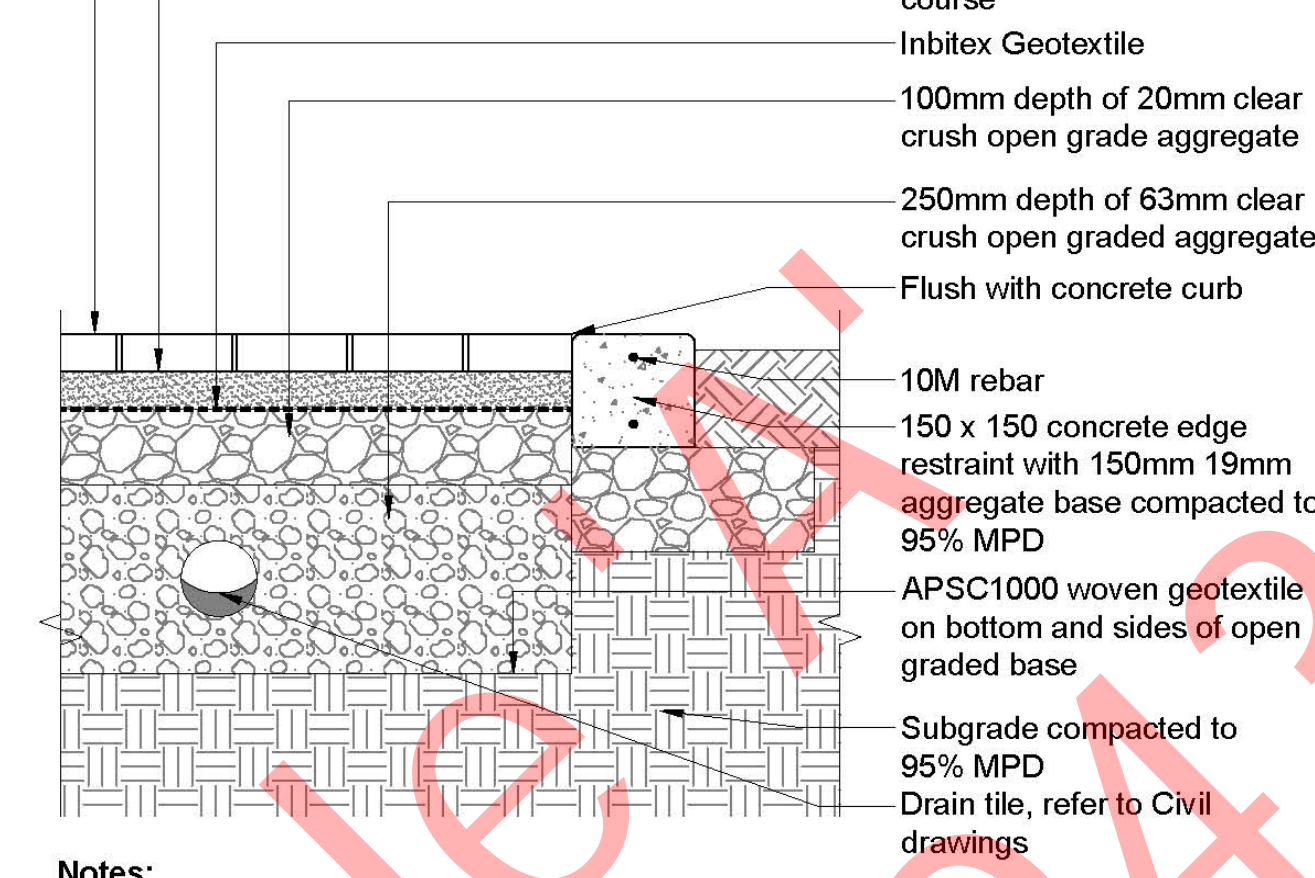
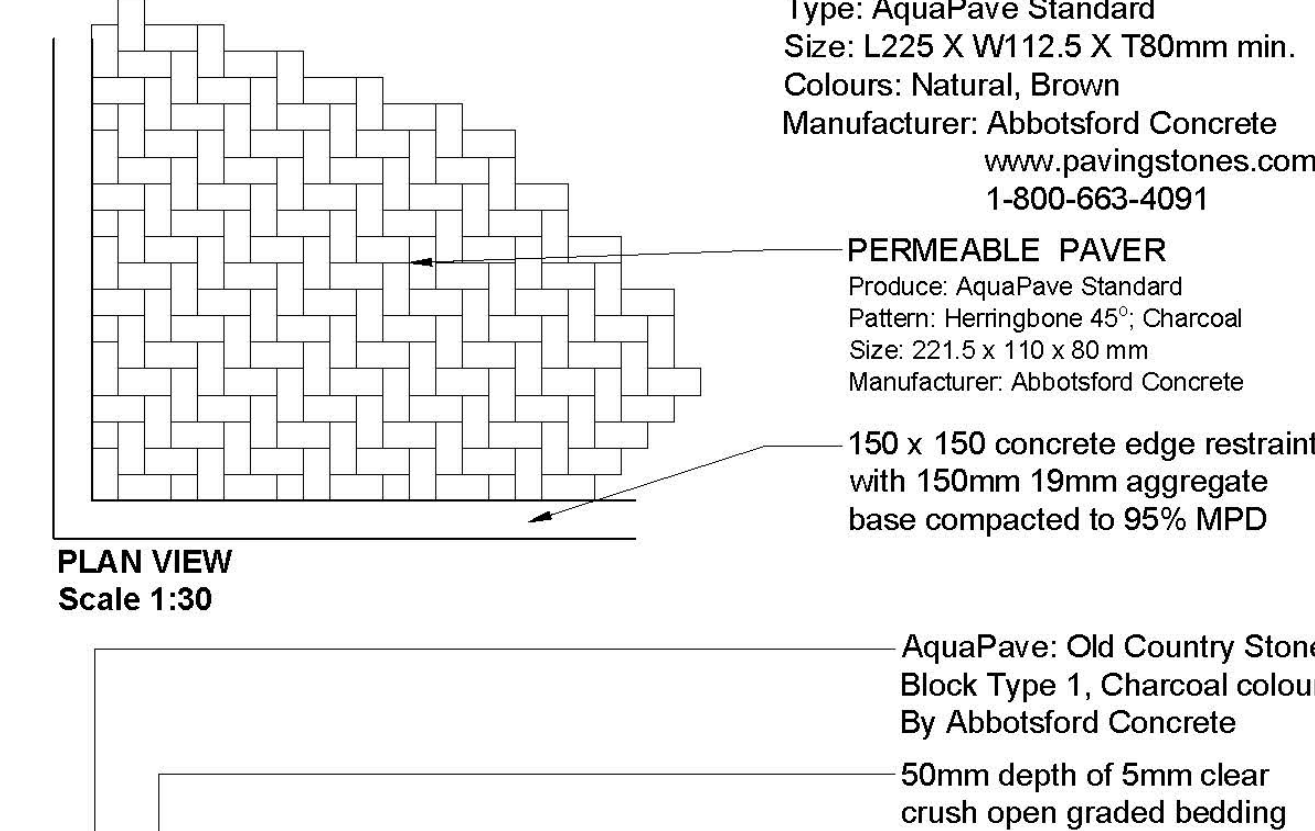
Unit Paver Details:
 Type: Classic Standard series
 Size: L301mm X W151mm X 60mm
 Colours: Natural
 Pattern: as shown on plan
 Manufacturer: Abbotsford Concrete
 www.pavingstones.com
 1-800-663-4091

1 SLAB IN GRANULAR
 Scale 1:10



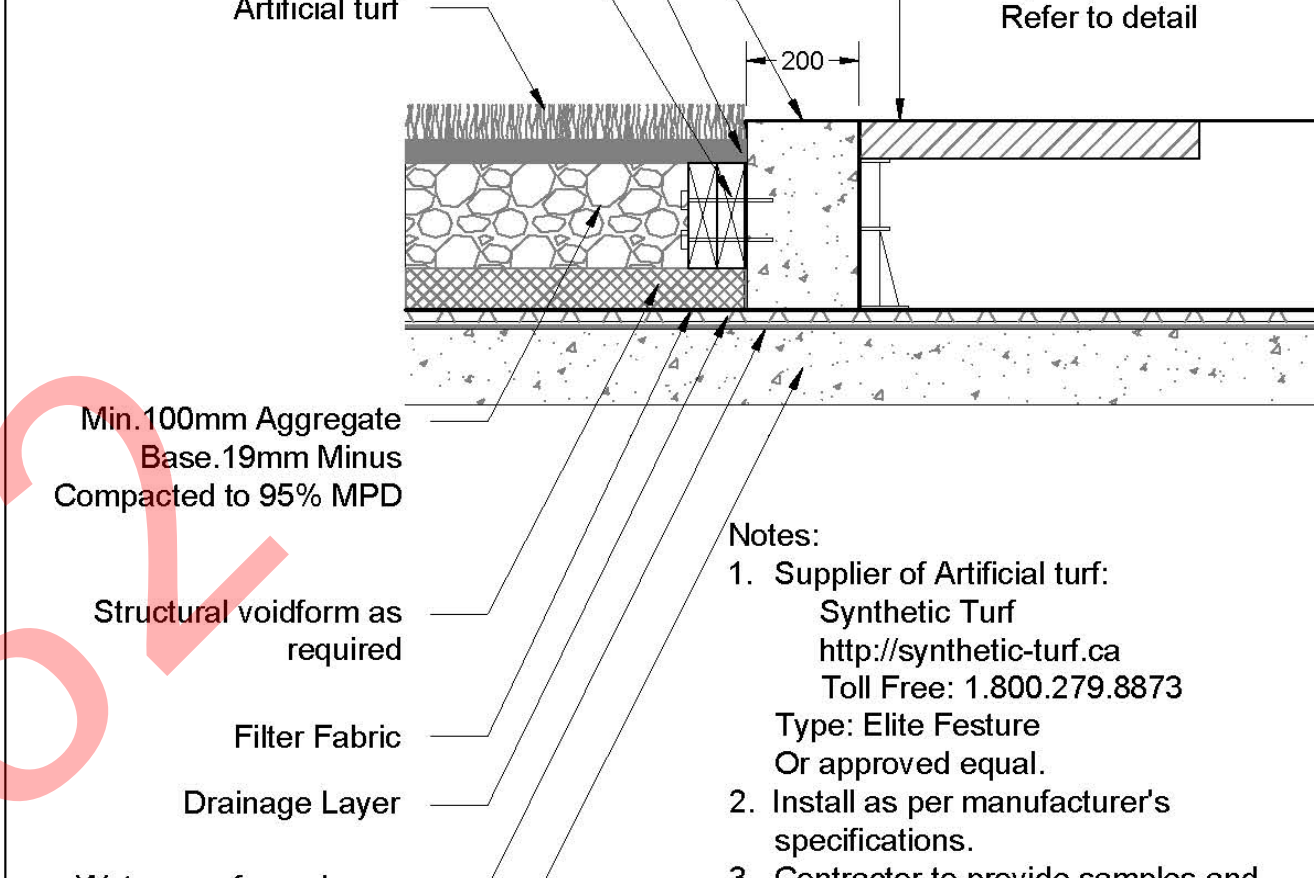
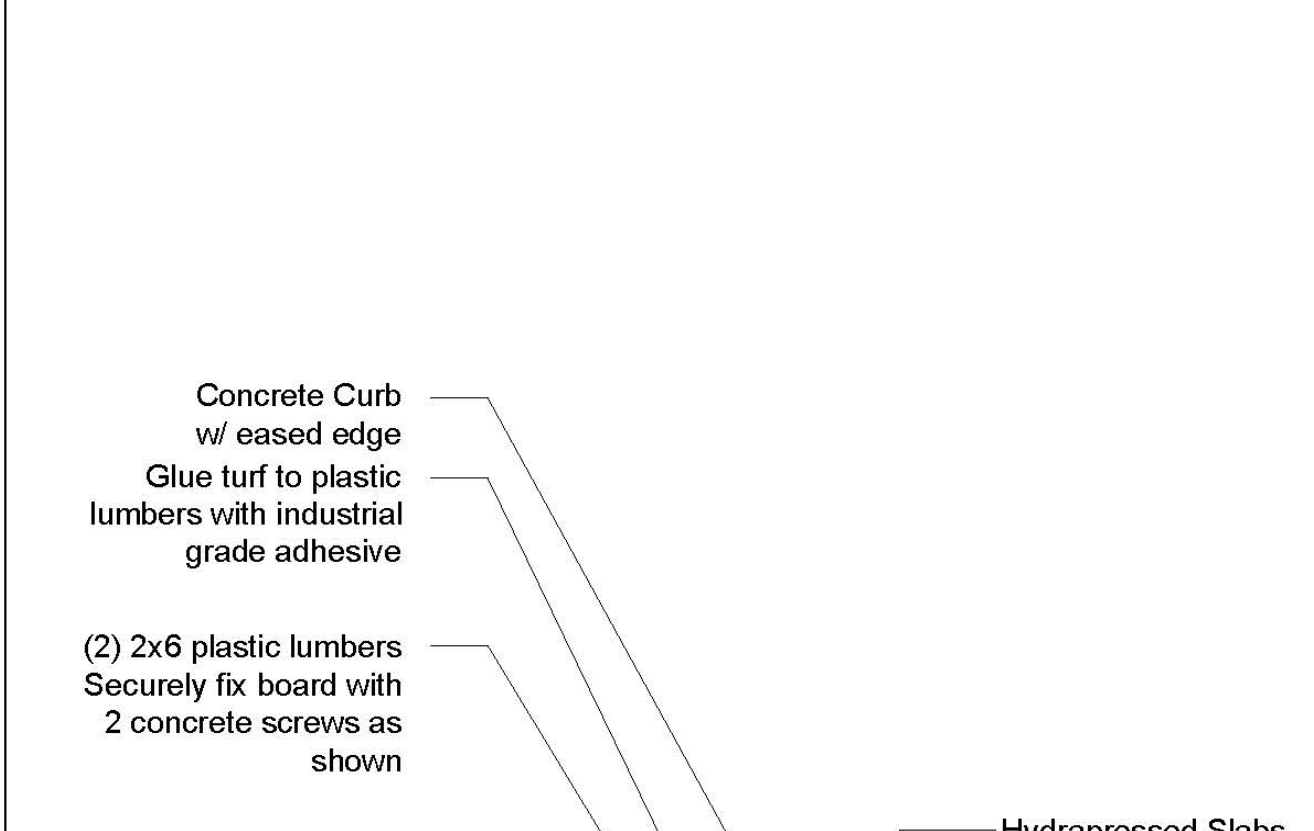
Unit Paver Details:
 Type: Aristokrat® Series 2cm Porcelain Slabs
 Size: L1200 X W598 X T20mm
 L598 X W598 X T20mm
 Colours: Onda Pearl
 Manufacturer: Abbotsford Concrete
 www.pavingstones.com
 1-800-663-4091

2 UNIT PAVER
 Scale 1:10



Unit Paver Details:
 Type: AquaPave Standard
 Size: L225 X W112.5 X T80mm min.
 Colours: Natural, Brown
 Manufacturer: Abbotsford Concrete
 www.pavingstones.com
 1-800-663-4091

3 PERMEABLE PAVER
 Scale 1:10

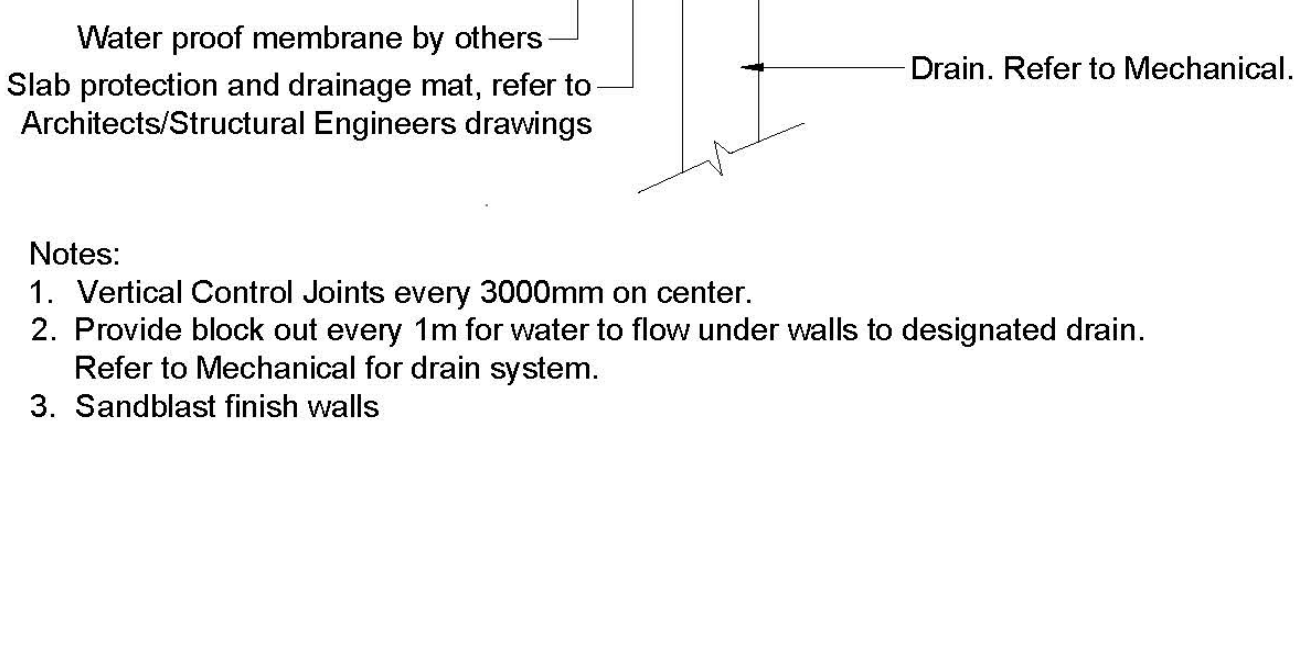
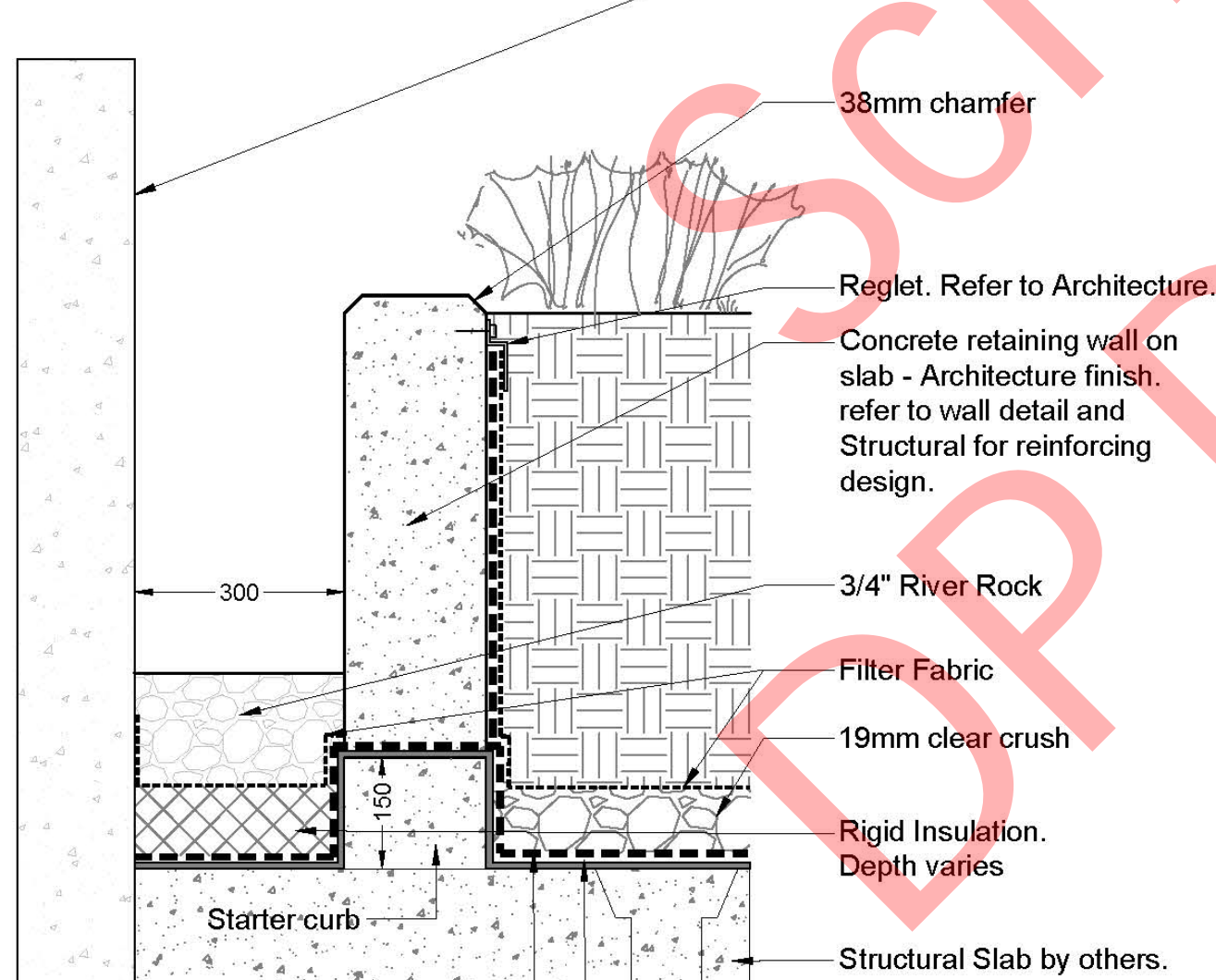


Unit Paver Details:
 Type: AquaPave Standard
 Pattern: Herringbone 45°; Charcoal
 Size: 221.5 x 110 x 80 mm
 Manufacturer: Abbotsford Concrete

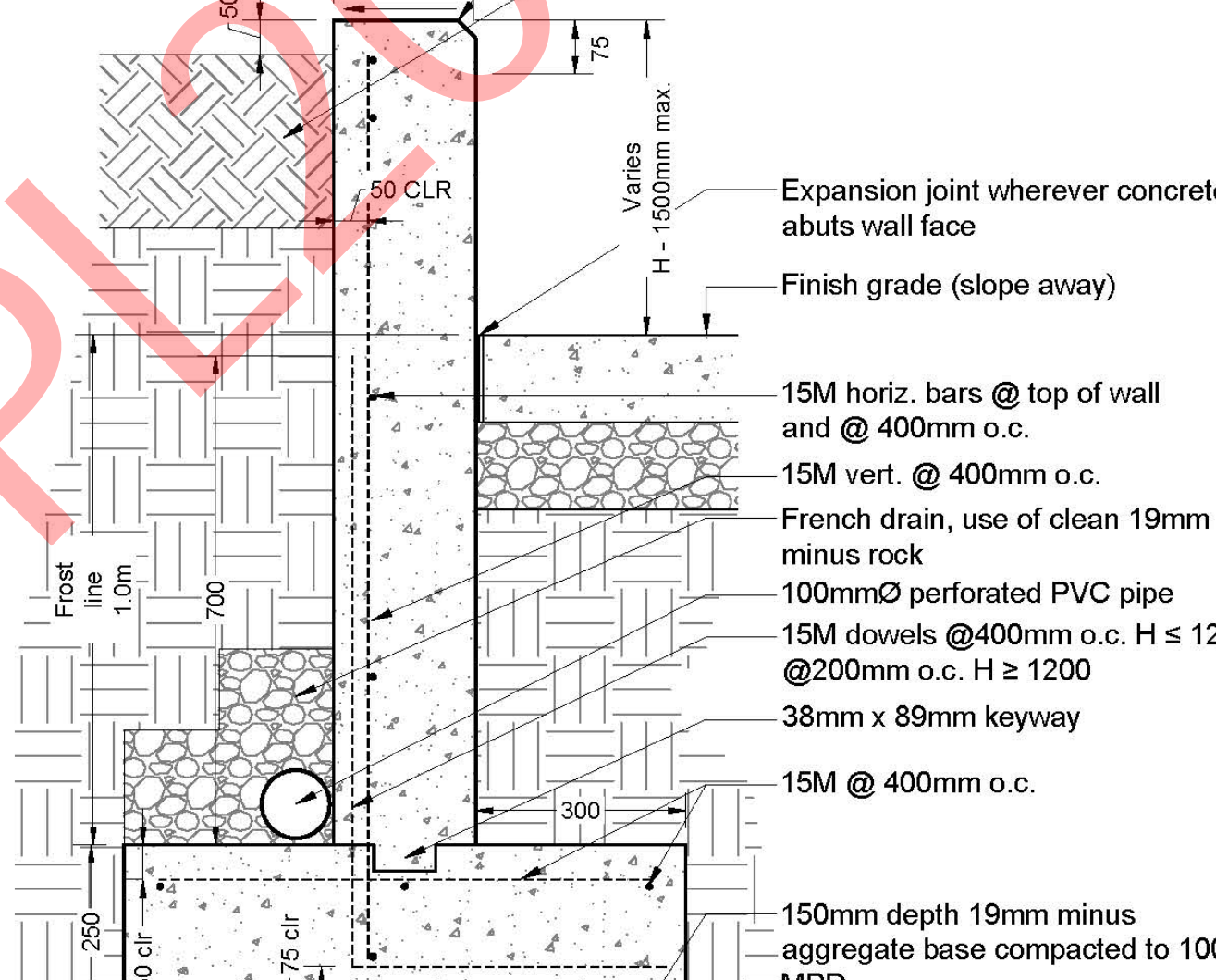
4 ARTIFICIAL TURF
 Scale 1:10



5 RAISED DECK
 Scale NTS

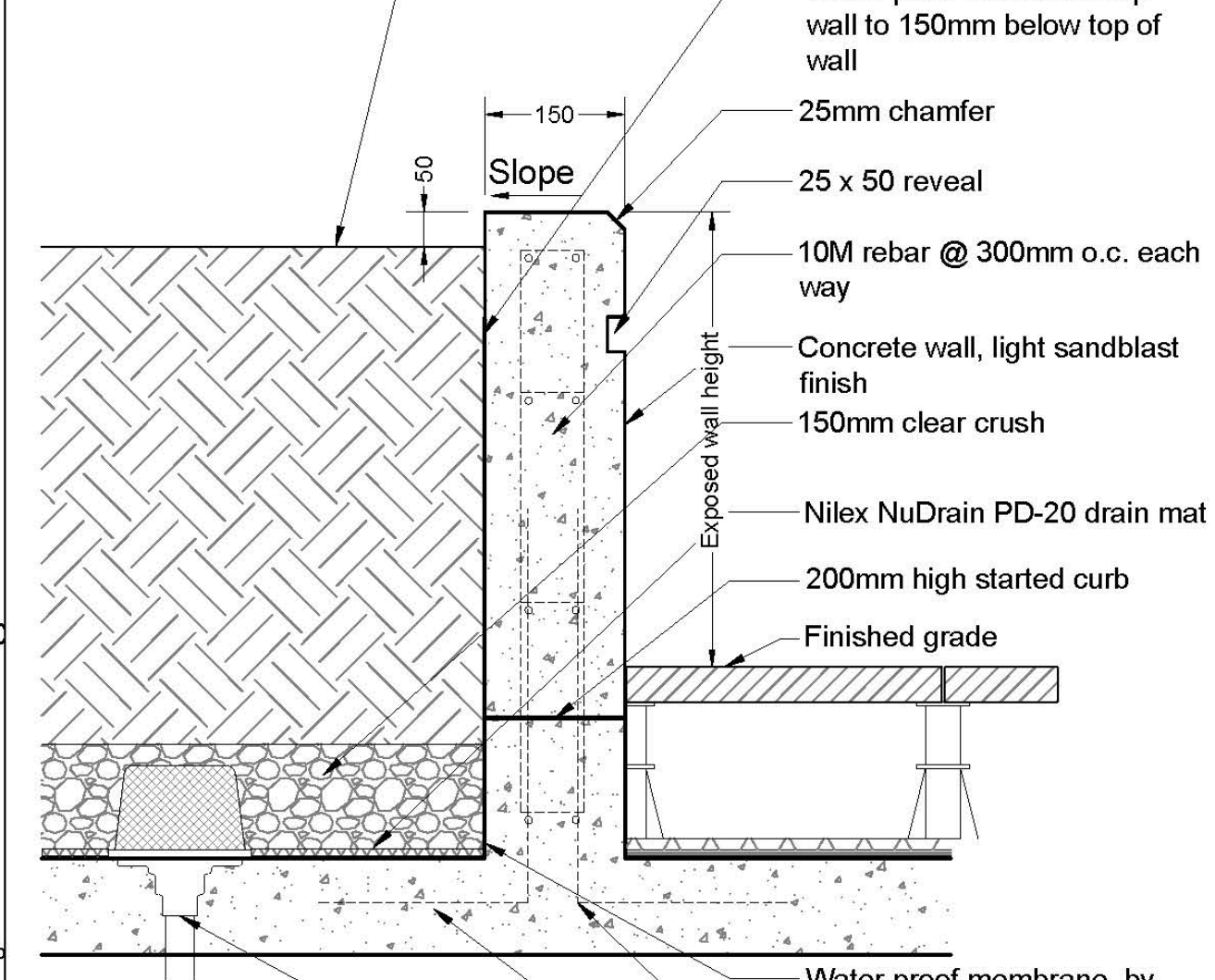


6 DRIP STRIP
 Scale 1:10



Notes:
 1. All bedding sand to meet ASTM C33 or CSA A23.1 FA.1.
 2. All joint sand to meet ASTM C144 or CSA A179.
 3. All components as specified or approved alternate.
 4. Contractor to provide cut sheets of all components for Landscape Architect approval.
 5. Contractor to ensure no visible pooling occurs on paver surface.
 6. All joints to be tight fit.
 7. All paver cuts to be minimum 1/3 Paver.

7 PLANTER WALL AT GRADE
 Scale 1:10



Notes:
 1. Install all components as per manufacturer's specifications.
 2. AquaPave - Part Exfiltration System
 3. Running bond pattern.
 4. Concrete curb control joint every 3m.

8 PLANTER WALL
 Scale 1:10

No.	By:	Description	Date
3	SH	Issued for DP	2022-11-10
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1	SH	Issued for Review	2022-07-15

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No.	By:	Description	Date
REVISIONS TABLE FOR SHEET			

Project:
 270 Riverside Street

Location:
 270 Riverside Drive
 Penticton, B.C.

Drawn: FW	Stamp:
Checked: SH	Original Sheet Size: 24"x36"
Approved: MVDZ	
Scale: AS SHOWN	CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK AND REPORT ANY DISCREPANCY TO THE CONSULTANT BEFORE PROCEEDING. ALL DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF THE OWNER AND MUST BE RETURNED AT THE COMPLETION OF THE WORK. ALL REVISIONS TO DRAWINGS MUST NOT BE PERMITTED FOR CONSTRUCTION UNLESS LABELED/ISSUED FOR TENDER/CONSTRUCTION.

Drawing Title: DETAILS
 Drawing #: LD-02
 VZD Project #: DP2022-43



Seat Stone
 Product: Cast Stone
 Size: small, medium, extra large
 Color: light grey
 Manufacturer: EIS PRODUCT
 www.eisproduct.com
 or Approved Equal

1 SEAT STONE
 Scale NTS



Lounge Chair
 Product: Americana
 Color: Leaf Green
 Manufacturer: Landscapeforms
 www.landscapeforms.com
 or Approved Equal

2 LOUNGE CHAIRS
 Scale NTS

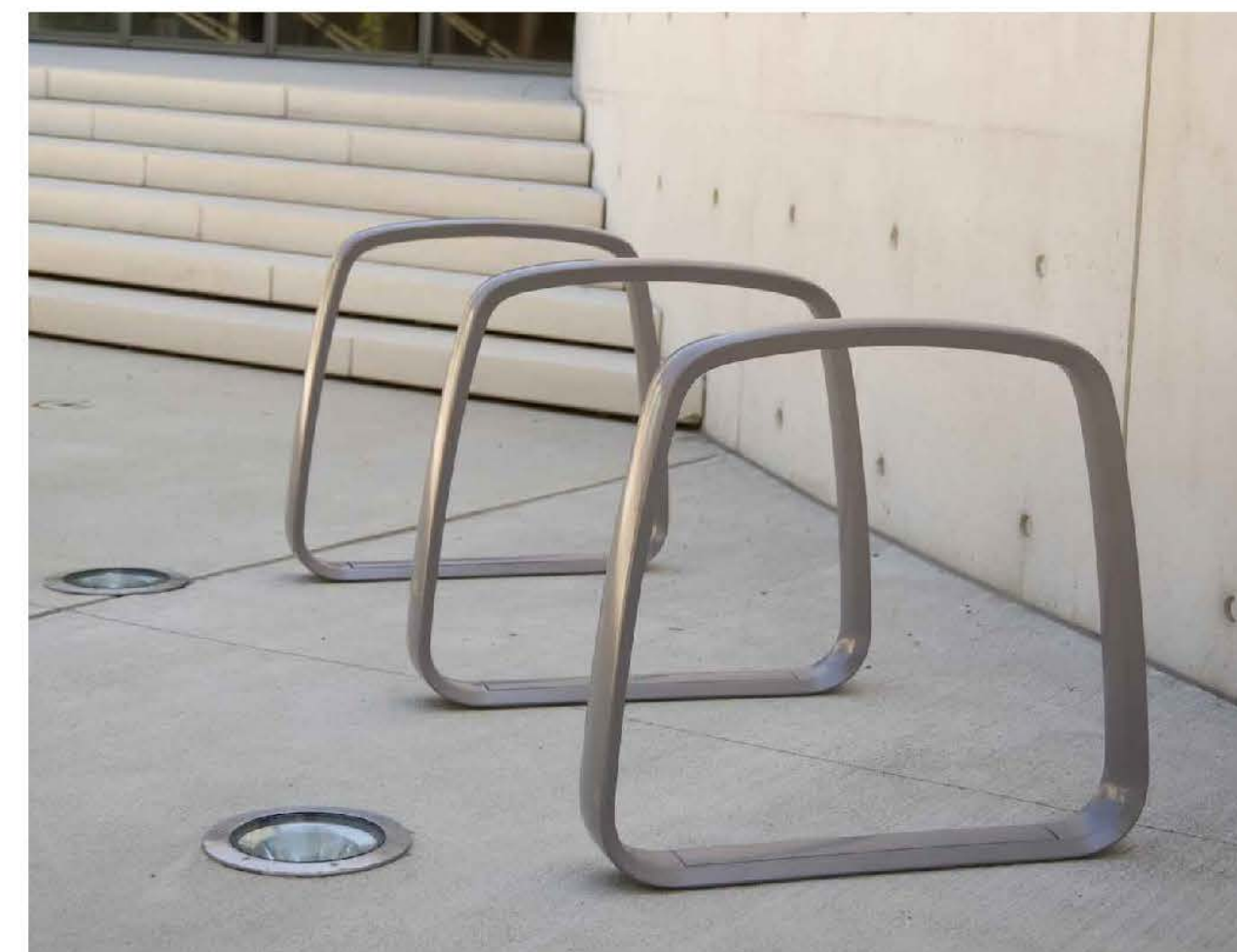


Chaise Chair
 Product: Cochran Chaise Lounge
 Color: White
 Manufacturer: Landscapeforms
 www.landscapeforms.com
 or Approved Equal

4 CHAISE CHAIR
 Scale NTS



3 DINING TABLE AND CHAIRS
 Scale NTS



BIKE RACK
 Product: Ride Bike Rack
 Colour: Silver
 Mount: Surface Mount
 Manufacturer: Landscapeforms
 www.landscapeforms.com
 or Approved Equal

5 BIKE RACK
 Scale NTS



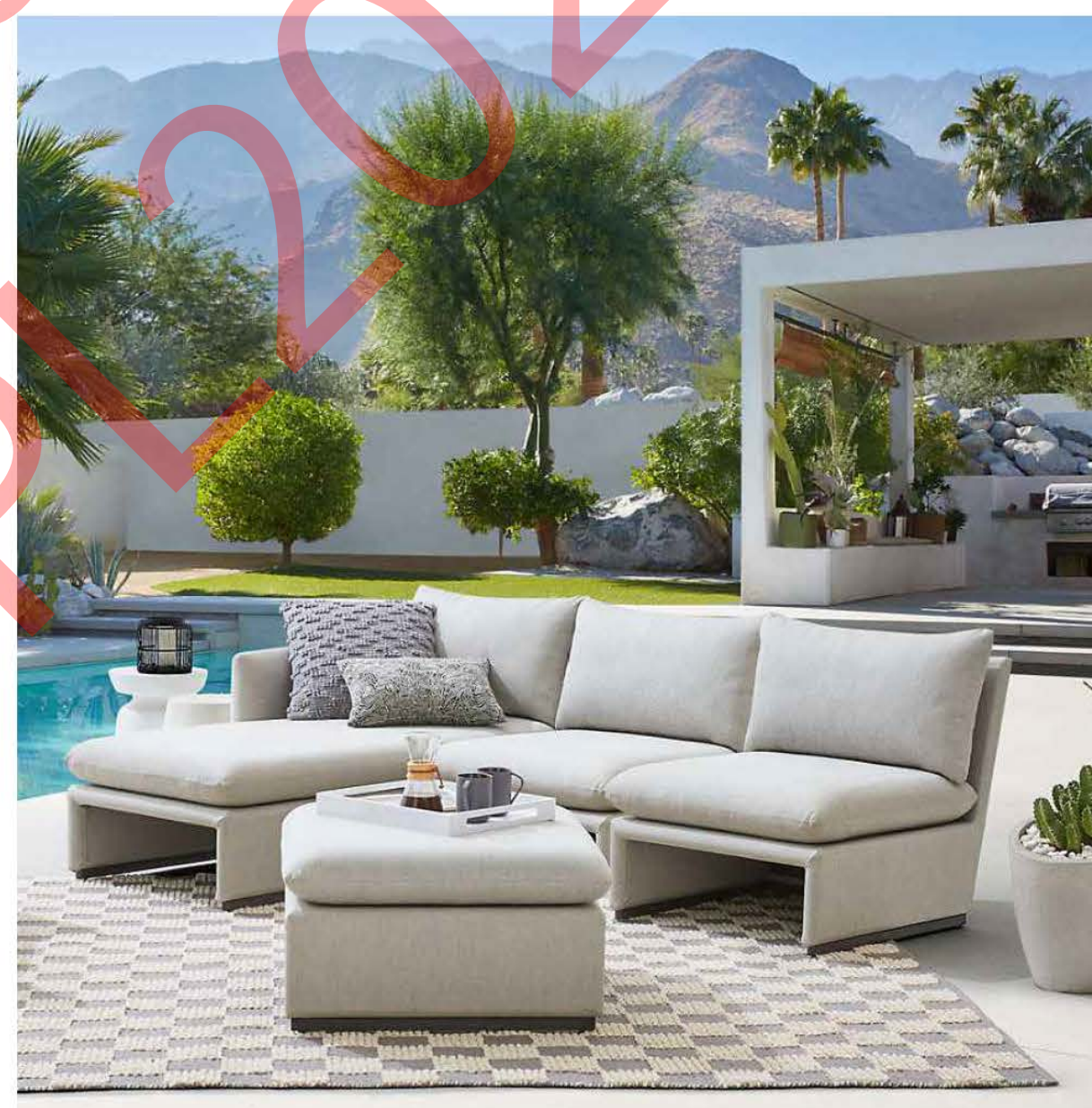
OUTDOOR KITCHEN SINK AND GRILL CABINET SET
 Model: NewAge Products 65087
 Material: Stainless Steel
 Size: Sink Cabinet: 32" W x 23" D x 34.75" H
 Bar Cabinet: 32" W x 23" D x 34.5" H
 Insert Grill Cabinet: 33" W x 23" D x 34.75" H
 Supplier: Lowe's 1-888-985-6937
 or approved equal



BUILT-IN GRILL
 Model: New Age 33" Insert Grill
 Material: Stainless Steel
 Size: 33" W x 23" D x 25.5" H
 Supplier: Lowe's 1-888-985-6937
 or approved equal

Note:
 Custom kitchen for outdoor amenity with sink and gas hookup.

6 BBQ
 Scale NTS



Lounge Seating
 Product: Zuma Outdoor Upholstered 6-Piece Sectional
 Manufacturer: Crate&Barrel
 www.crateandbarrel.ca
 or Approved Equal

7 LOUNGE SEATING
 Scale NTS



TABLE AND CHAIRS
 Product: Chipman Table and Chair
 Colour: Silver
 Manufacturer: Landscapeforms
 www.landscapeforms.com
 or Approved Equal

8 TABLE AND CHAIRS
 Scale NTS

No.	By:	Description	Date
3	SH	Issued for DP	2022-11-10
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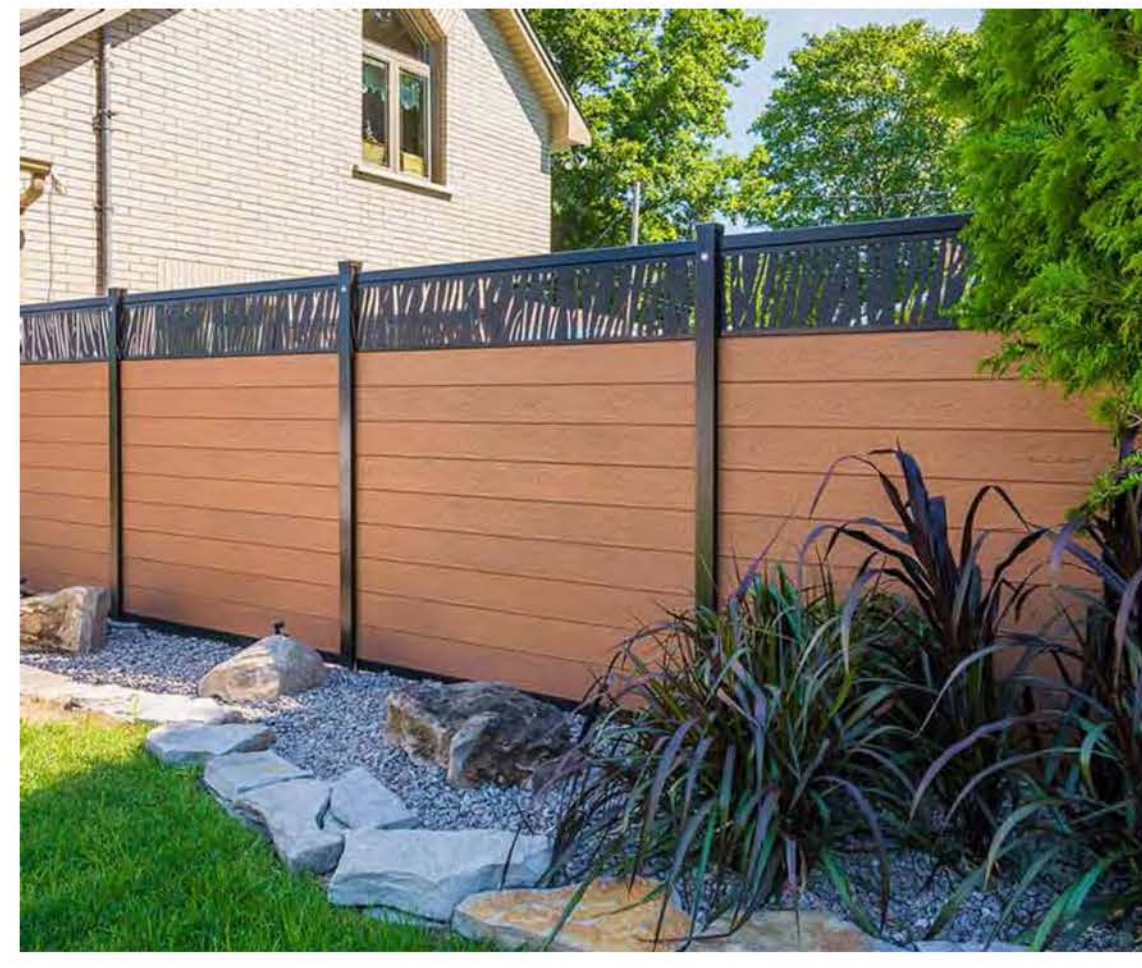
Project:
 270 Riverside Street

Location:
 270 Riverside Drive
 Penticton, B.C.

Drawn: FW	Stamp:
Checked: SH	
Approved: MVDZ	Original Sheet Size: 24"x36"
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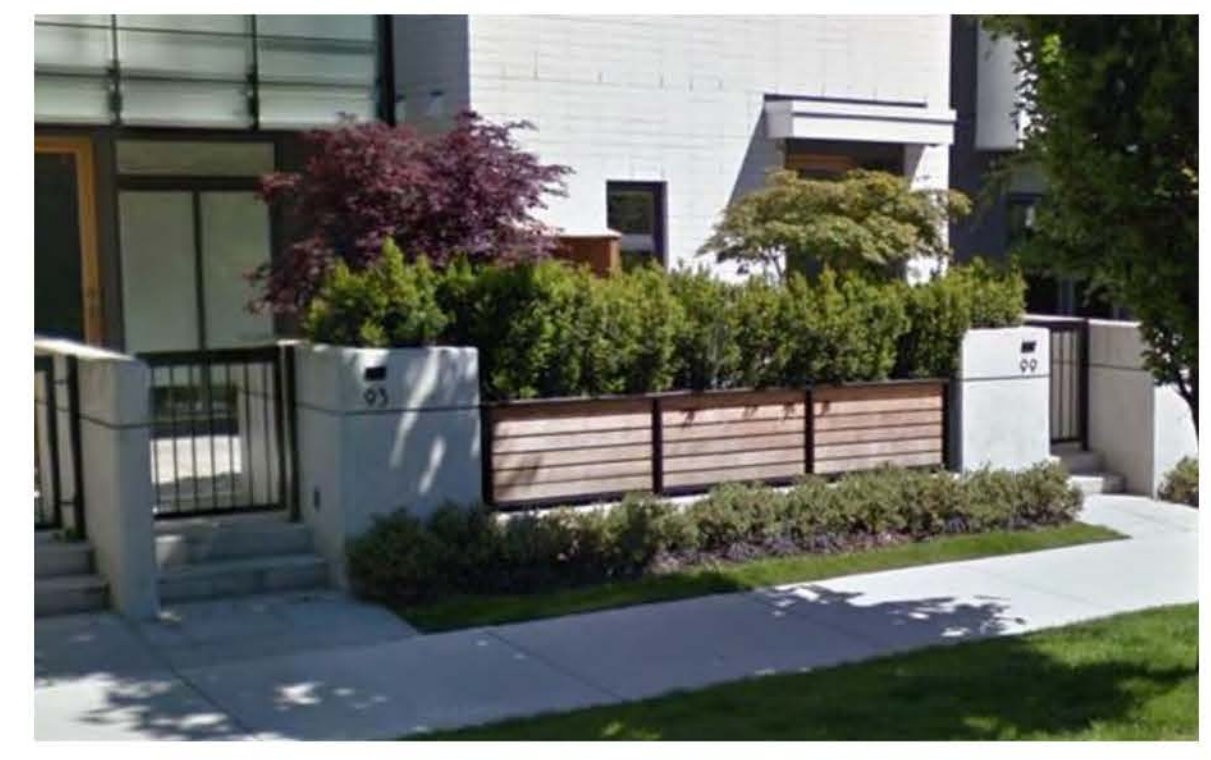
Drawing Title: **DETAILS**
 Drawing #: **LD-04**
 VZD Project #: **DP2022-43**

Z:\PROJECTS\DEVELOPMENT PERMITS\DP2022-43 270 RIVERSIDE STREET\DWG\SHEETS\LD-01 DETAILS.DWG



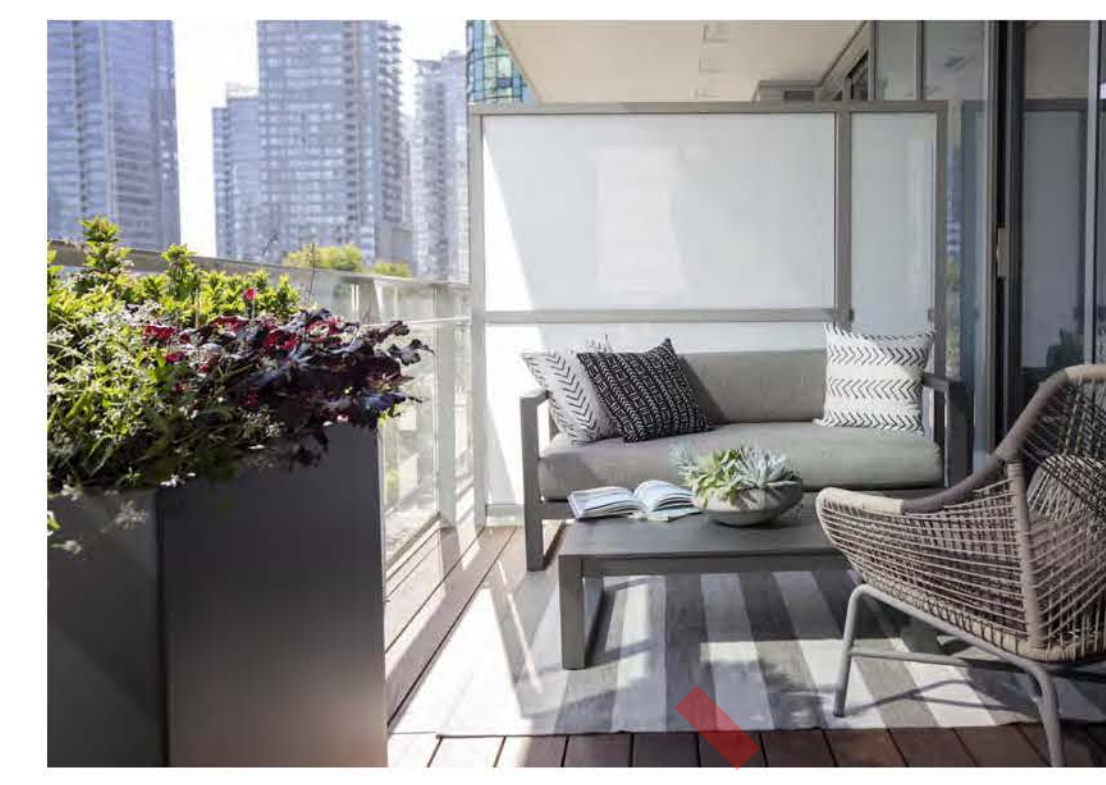
Note:
 1. All wood material to be composite wood.

1 PRIVACY FENCE
 Scale NTS



Note:
 1. All wood material to be composite wood.

2 PICKET FENCE
 Scale NTS



PATIO PRIVACY SCREEN

3 PRIVACY SCREEN
 Scale NTS



GLASS FENCE



METAL FENCE

4 POOL FENCE
 Scale NTS

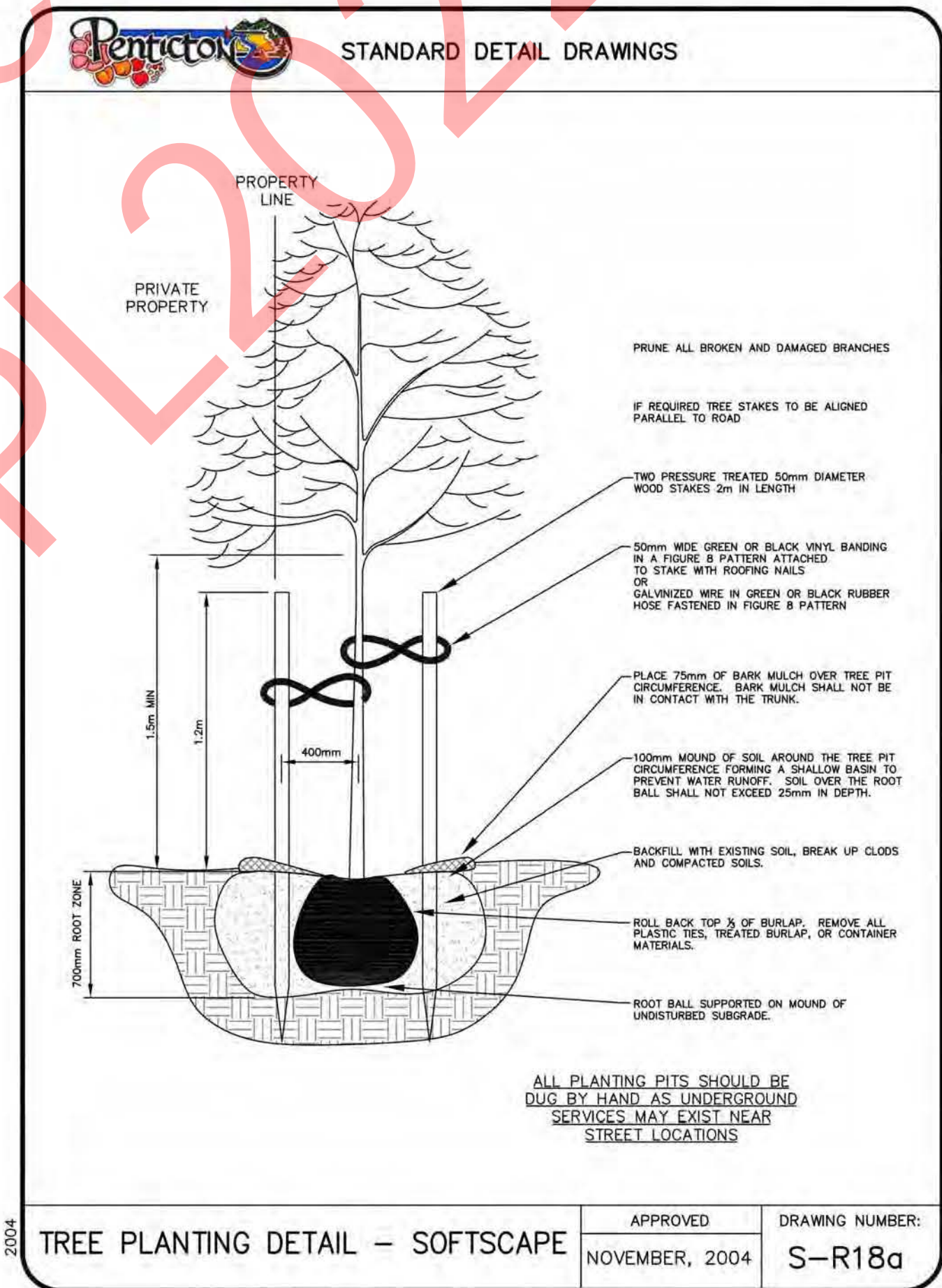
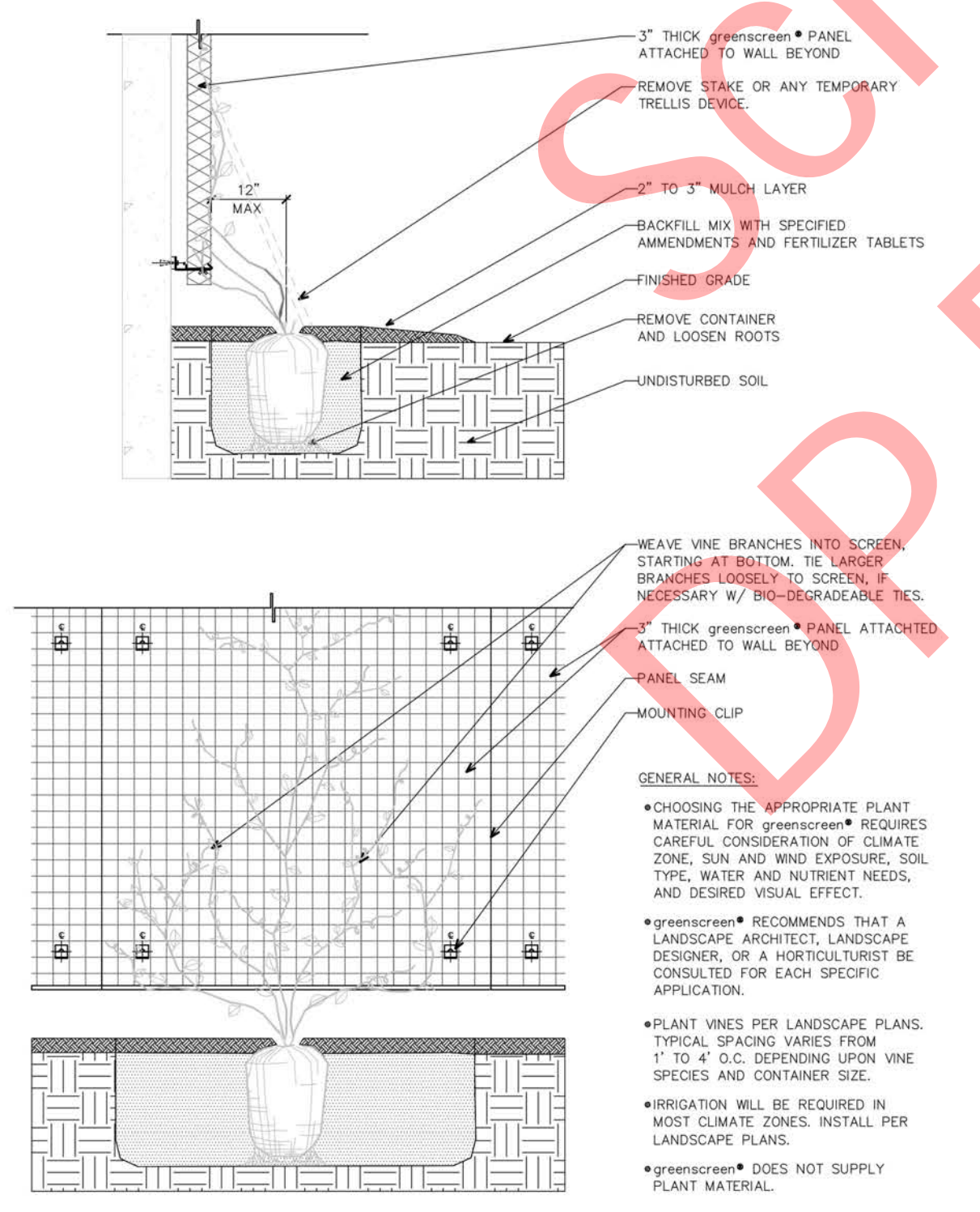


South Frontage
Akebia quinata - Chocolate vine



North Side
Parthenocissus quinquefolia - Virginia creeper

5 TYPICAL GREEN SCREEN PANEL FOR VINES
 Scale NTS



6 BOULEVARD TREE - CITY OF PENTICTON
 Scale: NTS

No.	By:	Description	Date
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1	SH	Issued for Review	2022-07-15

REVISIONS TABLE FOR DRAWINGS

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No.	By:	Description	Date
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Project: 270 Riverside Street			
Location: 270 Riverside Drive Penticton, B.C.			
Drawn:	FW	Stamp:	
Checked:	SH		
Approved:	MVDZ	Original Sheet Size:	24"x36"
Scale:	AS SHOWN	CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK AND REPORT ANY DISCREPANCY TO THE CONSULTANT BEFORE PROCEEDING. ALL DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF THE OWNER AND MUST BE RETURNED AT THE COMPLETION OF THE WORK. ALL REVISIONS TO DRAWINGS MUST NOT BE PRICED FOR CONSTRUCTION UNLESS LABELED ISSUED FOR TENDER/CONSTRUCTION.	

Drawing Title: DETAILS
 Vdz Project #: DP2022-43
 Drawing #: LD-05

Council Report

penticton.ca

Date: December 6, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Jordan Hallam, Planner I
Address: 278 South Beach Drive

File No: RMS/278 South Beach Dr

Subject: Development Variance Permit PL2022-9418

Staff Recommendation

THAT Council approve "Development Variance Permit PL2022-9418" for Lot 6 District Lot 189 Similkameen Division Yale District Plan 5885, located at 278 South Beach Drive, a permit to vary Section 10.1.2.5 of Zoning Bylaw 2021-01, to reduce the minimum front yard from 6.0 m to 4.25 m, in order to facilitate the construction of an attached garage to the single family dwelling;

AND THAT Council direct staff to issue "Development Variance Permit PL2022-9418".

Proposal

The applicant is proposing to construct an addition to their existing house to allow for an attached garage (Figure 1). The existing house on the property currently has a garage on the east side of the building. The applicant is proposing to enclose the existing garage, and build an addition on the west side of the dwelling. As such, the applicant has requested a variance to reduce the front yard setback from 6.0 m to 4.25 m to allow for an addition to the existing house.



Figure 1 – Proposed Garage Addition

Background

The subject property is located on the south side of South Beach Drive, in a primarily residential neighbourhood (Figure 2). The property contains a single detached dwelling, which was constructed in

1992. The property is designated 'Detached Residential' by the Official Community Plan (OCP) and is zoned R1 (Large Lot Residential) in the Zoning Bylaw.

Given the property's location adjacent to Skaha Lake, the applicant will be required to apply for a Riparian/Environmental Development Permit prior to applying for a building permit for the proposed garage construction, should Council approve the requested setback variance.

Climate Impact

The proposed development is an attached garage. An addition to an existing building such as the one proposed does not need to meet the BC Energy Step Code requirements.

Technical Review

This application was reviewed by the Technical Planning Committee (TPC). Given the proximity to Skaha Lake, a geotechnical engineering will be required as part of the building permit application. The applicant will be required to apply for a Riparian/Environmental Development Permit prior to applying for the building permit for the proposed attached garage, should Council approve the requested variance.

Development Statistics

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



Figure 2 – Property Location Map

	R1 – Large Lot Residential Zone Requirement	Provided on Plans
Minimum Lot Width*:	16 m	22.2 m
Minimum Lot Area*:	560 m ²	530.14 m ²
Maximum Lot Coverage:	40%	40%
Required Setbacks		
Front Yard (north):	6.0 m	4.25 m – variance requested
Side Yard (east):	1.5 m	3.52 m
Side Yard (west):	1.5 m	1.93 m
Rear Yard:	6.0 m	1.09 m (existing building location)
Maximum Building Height	10.5 m	5.9 m
Other Information:	*Lot width and lot area are only applicable at the time of subdivision.	

Analysis

Development Variance Permit

When considering a variance to a City bylaw, staff encourage Council to consider whether there is a hardship that makes meeting the bylaw difficult or impossible, whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable. The applicant is requesting to vary Section 10.1.2.5 of Zoning Bylaw 2021-01, to reduce the minimum front yard from 6.0 m to 4.25 m, in order to facilitate the construction of an attached garage to the single family dwelling. Staff have reviewed the requested variance and are recommending support for the following reasons:

1. Neighbour has garage within front yard setback.

The neighbour to the west of the subject property (280 South Beach Dr) applied and had a variance request approved by Council in January of 2017 to reduce the required front setback from 6.0 m to 4.5 m to allow the addition of an attached garage. The applicants for this variance are requesting a similar setback reduction as the neighbour, and staff are in opinion that this request is reasonable and impacts to the surrounding neighbours will be minimal.

2. The proposed addition is a single storey in height and does not contain any window openings.

The existing house on the property is a single storey structure, and the addition proposed is also a single storey. In limiting to a single storey, impacts to the neighbours' privacy are anticipated to be lessened than a multi-storey addition would be. Further, there are no window openings on the west side of the proposed addition which eliminates privacy concerns with the adjacent neighbour.

Given the reasons above, staff support the application to vary the front yard setback from 6.0 m to 4.25 m to allow an addition to the principal dwelling. Staff recommend that Council approve the development variance permit, and direct staff to issue the permit. Should Council approve the development variance permit, the applicant will have to apply for a building permit to move forward and construct the proposed addition.

Alternate Recommendations

Council may consider the requested variance is undesirable and that the applicants should build within the Zoning Bylaw regulations. If this is the case, Council should deny "Development Variance Permit PL2022-9418". If this decision is made, the applicant would need to update their plans to meet the Zoning Bylaw regulations. Staff are recommending against this option, as the requested variance is considered reasonable in this instance and the letter of intent indicates that there will be minimal impacts on surrounding properties.

1. THAT Council deny "Development Variance Permit PL2022-9418".

Attachments

Attachment A – Zoning Map

Attachment B – Official Community Plan Map

Attachment C – Photos of Property
Attachment D – Letter of Intent
Attachment E – Draft Development Variance Permit PL2022-9418

Respectfully submitted,

Jordan Hallam
Planner I

Concurrence

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

Attachment A – Zoning Map



Attachment B – Official Community Plan Map



Attachment C – Photos of Property





Attachment D – Letter of Intent

Re: 278 South Beach Drive variance application.

To whom it may concern,

Our intent for this application is simple. We are looking to add some square footage to our clients home and after careful consideration we came to the conclusion that requesting the variance to allow for a new garage on the north/west portion of the property is the best solution. Not only for our clients but also for the neighborhood as whole. Another option that we considered, that would be allowed without a variance, was the addition of a second story to part of the existing footprint. This however was going to present many challenges and in the end would have created a negative impact on the neighborhood by dramatically affecting neighbors' sightlines. This would also be true for users of Skaha Lake Park that is directly adjacent to the north.

The limited negative effect of the requested variance would be felt by the neighbor directly to the west. It appears that this property has either been grandfathered in or has also been granted a variance similar to what we are requesting to allow for their attached garage.

Therefore we ask for your favorable consideration of our request as we feel that it is reasonable and that it will have very little effect on the neighbors and park users alike with the roofline of the new garage being below that of the existing home.

Thank you for your time and consideration.

Best regards,

Carey Brown

Project Manager
Duffy Baker Construction Corp.
52-52 Front Street, Penticton, BC, V2A 1H1

Development Variance Permit

Permit Number: DVP PL2022-9418

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 6 District Lot 189 Similkameen Division Yale District Plan 5885
 - Civic: 278 South Beach Drive
 - PID: 001-762-907
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 an attached garage, as shown in the plans attached in Schedule 'A':
 - a. Section 10.1.2.5: to reduce the minimum front yard 6.0 m to 4.25 m.

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 6th day of December, 2022.

Issued this ____ day of December, 2022.

Angela Collison
Corporate Officer

DRAFT



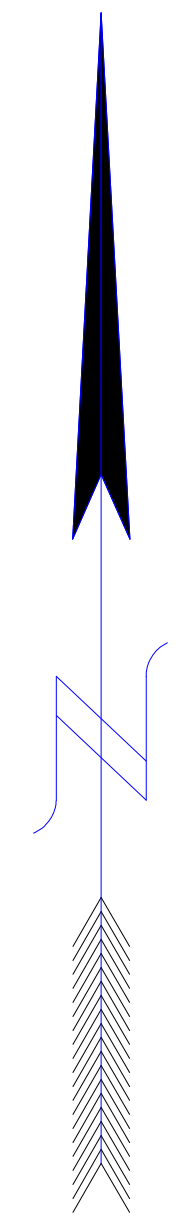
SITE PLAN SHOWING CERTAIN FEATURES ON LOT 6, DL 189, SDYD, PLAN 5885

CIVIC ADDRESS: 278 SOUTH BEACH DRIVE, PENTICTON, BC
PID: 001-762-907

SCALE 1:125



ZONED R1 : LARGE LOT RESIDENTIAL			
LOT COVERAGE:			
MAXIMUM: 40%	CURRENT: 31%	TOTAL: 40%	
	PROPOSED ADDITION: 9%		
SETBACKS:	REQUIRED:	CURRENT:	PROPOSED:
Front yard setback:	6m	10.97m	4.25m
Side yard setback: (west)	1.5m	1.43m	1.43m
Side yard setback: (east)	1.5m	5.52m	5.52m



A
PLAN EPPT1324

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.

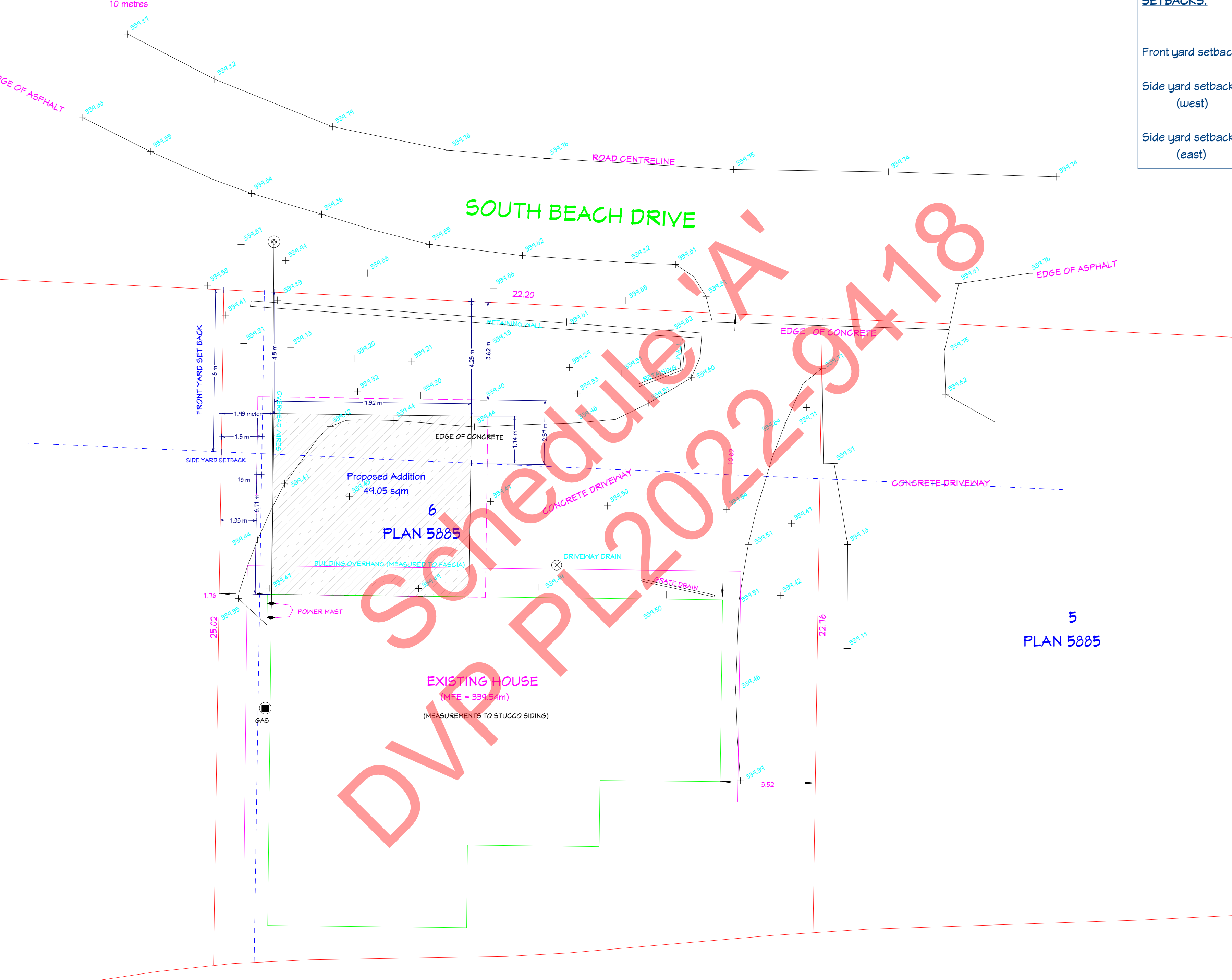
LAND SURVEYING COMPANY AND SURVEYOR ACCEPT NO RESPONSIBILITY FOR AND HEREBY DISCLAIM ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES INCLUDING, BUT NOT LIMITED TO, DIRECT, INDIRECT, SPECIAL, AND CONSEQUENTIAL DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY DIRECT OR INDIRECT USE.

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 24th DAY OF MARCH, 2022.

ELEVATIONS ARE GEODETIC (ORTHOMETRIC HTV2.0) DERIVED FROM GNSS OBSERVATION AND PRECISE POINT POSITIONING (PPP). ALL DIMENSIONS ARE IN METRES AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.

LEGAL BOUNDARIES SHOWN ARE BASED ON LIMITED EXISTING SURVEY EVIDENCE AND LAND TITLE OFFICE RECORDS. A FULL LEGAL SURVEY IS RECOMMENDED TO PROPERLY DEFINE BOUNDARIES.



LEGEND

+	SPOT ELEVATION
⊗	12" CIRCULAR DRAIN
◆	POWER MAST
⊙	POWER POLE

MANDEVILLE LAND SURVEYING INC.
 PROFESSIONAL B.C. AND CANADA LAND SURVEYORS
 582 MARTIN STREET, PENTICTON, B.C.
 PH: 250-488-6371 WEB: MSURVEYING.COM

FILE: 22-088 DWG: 22-088

REVISION TABLE	DESCRIPTION
NUMBER	DATE

278 South Beach Reno

DRAWINGS PROVIDED BY:
Duffy Baker Construction Corp.

DATE:
2022-07-05

SCALE:
1/8" = 1'

SHEET:

1st Floor

Council Report



Date: December 6, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Jordan Hallam, Planner I
Address: 511 Duncan Ave West

File No: RMS/511 Duncan Ave W

Subject: Development Variance Permit PL2022-9425

Staff Recommendation

THAT Council approve “Development Variance Permit PL2022-9425” for Lot 3 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 18131, located at 511 Duncan Ave W, a permit to vary Section 10.2.2.8.a of Zoning Bylaw 2021-01, to reduce the minimum rear yard setback from 6.0 m to 3.53 m, in order to facilitate the construction of a two-storey attached garage;

AND THAT Council direct staff to issue “Development Variance Permit PL2022-9425”.

Proposal

The applicant is proposing to construct an addition to their existing house to allow for an attached garage (Figure 1). The existing house on the property has a driveway accessed from Hastings Place, the applicant plans to build the proposed garage off of this driveway. As such, the applicant has requested a variance to reduce the rear yard setback from 6.0 m to 3.53 m to allow for an addition to the existing house.

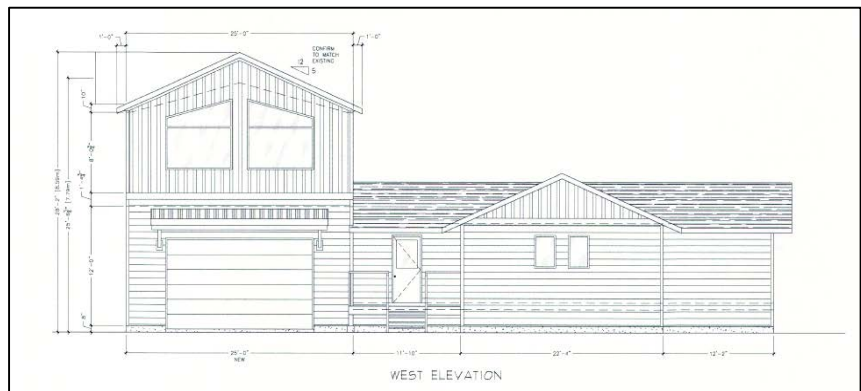


Figure 1 – Proposed Garage Addition

Background

The subject property is located on the north side of Duncan Ave W, at the corner of Hastings Pl. in a primarily residential neighbourhood (Figure 2). The property contains a single detached dwelling, which was constructed in 1940. A City of Penticton Sewer Right of Way runs along the north side of the property that is approximately 3.0 m in width. The property is zoned R2 (Small Lot Residential) in the Zoning Bylaw, and is designated 'Detached Residential' by the Official Community Plan (OCP). The applicant will be required to apply for a building permit for the proposed garage construction, should Council approve the requested setback variance.

Climate Impact

The proposed development is an attached garage. An addition to an existing building such as the one proposed does not need to meet the BC Energy Step Code requirements.

Technical Review

This application was reviewed by the Technical Planning Committee (TPC). The TPC raised comments related to the Sewer Right of Way (Figure 3) along the north side of the property. Prior to construction, the Sewer Right of Way must be identified and flagged on-site. If excavating within the right of way during the construction phase, approval must be obtained from the Development Engineering Department, and the sanitary sewer services must be protected.



Figure 2 – Property Location Map



Figure 3 – Sewer Right of Way Indicated By Dotted Orange Line

Development Statistics

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

	R2 – Small Lot Zone Requirement	Provided on Plans
Minimum Lot Width*:	15 m	18 m
Minimum Lot Area*:	390 m ²	643.5 m ²
Maximum Lot Coverage:	40%	34.7%
Required Setbacks		
Front Yard (south):	4.5 m	5.3 m
Interior Side Yard (east):	1.5 m	1.7 m
Exterior Side Yard (west):	3.0 m	4.0 m
Rear Yard (north):	6.0 m	3.53 m – variance requested
Maximum Building Height	10.5 m	7.79 m
Other Information:	*Lot width and lot area are only applicable at the time of subdivision.	

Analysis

Development Variance Permit

When considering a variance to a City bylaw, staff encourage Council to consider whether there is a hardship that makes meeting the bylaw difficult or impossible, whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable. The applicant is requesting to vary Section 10.2.2.8.a of Zoning Bylaw 2021-01, to reduce the minimum rear yard from 6.0 m to 3.53 m, in order to facilitate the construction of an attached garage to the single family dwelling. Staff have reviewed the requested variance and are recommending support for the following reasons:

1. Orientation of the lot

Given the orientation of the home on the lot, and that the property is a corner lot, the setbacks on the property line are more limiting than a standard mid-block lot. The subject property is addressed from and has its front door off of Duncan Ave W., therefore the rear setback is located adjacent to the neighbour at 110 Hastings Pl. However, the driveway and access to the subject property is from Hastings Pl. If the house was facing Hastings, the subject yard would be considered a side yard and subject to a 1.5m setback.



Figure 4 – Photo of Proposed Location of Addition and Neighbour’s Driveway

2. The proposed addition is located adjacent to the neighbour’s driveway

The proposed addition is located 3.53 m from the northern property line, which is where the neighbouring properties driveway is located (Figure 4). It is anticipated that the impacts are lessened, as the driveway provides a buffer to the neighbouring property from the addition. In addition, this side of the neighbour’s property is a side yard. Having a side yard abutting a side yard is a typical condition.

Given the reasons above, staff support the application to vary the rear yard setback from 6.0 m to 3.53 m to allow an addition to the principal dwelling. The orientation of the lot create a minor hardship, the impact on the neighbouring property is minimal and the request, in Staff’s review, is reasonable and will improve the livability of the lot. As such, staff recommend that Council approve the development variance permit, and direct staff to issue the permit. Should Council approve the development variance permit, the applicant will have to apply for a building permit to move forward and construct the proposed addition.

Alternate Recommendations

Council may consider the requested variance is undesirable and that the applicant should build within the Zoning Bylaw regulations. If this is the case, Council should deny “Development Variance Permit PL2022-9425”. If this decision is made, the applicant would need to update their plans to meet the Zoning Bylaw regulations. Staff are recommending against this option, as the requested variance is considered reasonable in this instance and the letter of intent indicates that there will be minimal impacts on surrounding properties.

1. THAT Council deny “Development Variance Permit PL2022-9425”.

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Letter of Intent
- Attachment E – Draft Development Variance Permit PL2022-9425

Respectfully submitted,

Jordan Hallam
Planner I

Concurrence

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



Attachment B – Official Community Plan Map



Attachment C – Photos of Property



Attachment D – Letter of Intent

LETTER OF INTENT CONCERNING DEVELOPMENT APPLICATION FOR 511 DUNCAN AVE W. PENTICTON B.C. V2A 2V8

To Whom It May Concern,

We have a small house and do not have a garage nor storage area. We have thought out various ideas and have planned an addition to our existing house which will satisfy our needs. We have done it in such a way as to look similar style to other houses in the neighbourhood and look nice and have curb appeal.

We do not feel there are any negative impacts to the neighbouring properties and have taken our plans to them and shown them and they have agreed that it is a nice plan and have signed and initialled a copy of the plans, showing their support for it.

We feel our plan makes better use of our lot and also enhances the neighbourhood by investing and making the other people on our cul-de-sac's neighbouring property nicer and newer which helps everyone's property values and neighbourhood pride having updated improvements to their neighbouring property.

Thank You For Your Time and Consideration.

Development Variance Permit

Permit Number: DVP PL2022-9425

Owner Name
Owner Address

Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.
2. This permit applies to:
 - Legal: Lot 3 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton)
District Plan 18131
 - Civic: 511 Duncan Avenue West
 - PID: 008-302-146
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 an attached garage, as shown in the plans attached in Schedule 'A':
 - a. Section 10.2.2.8.a: to reduce the minimum rear yard from 6.0 m to 3.53 m.

General Conditions

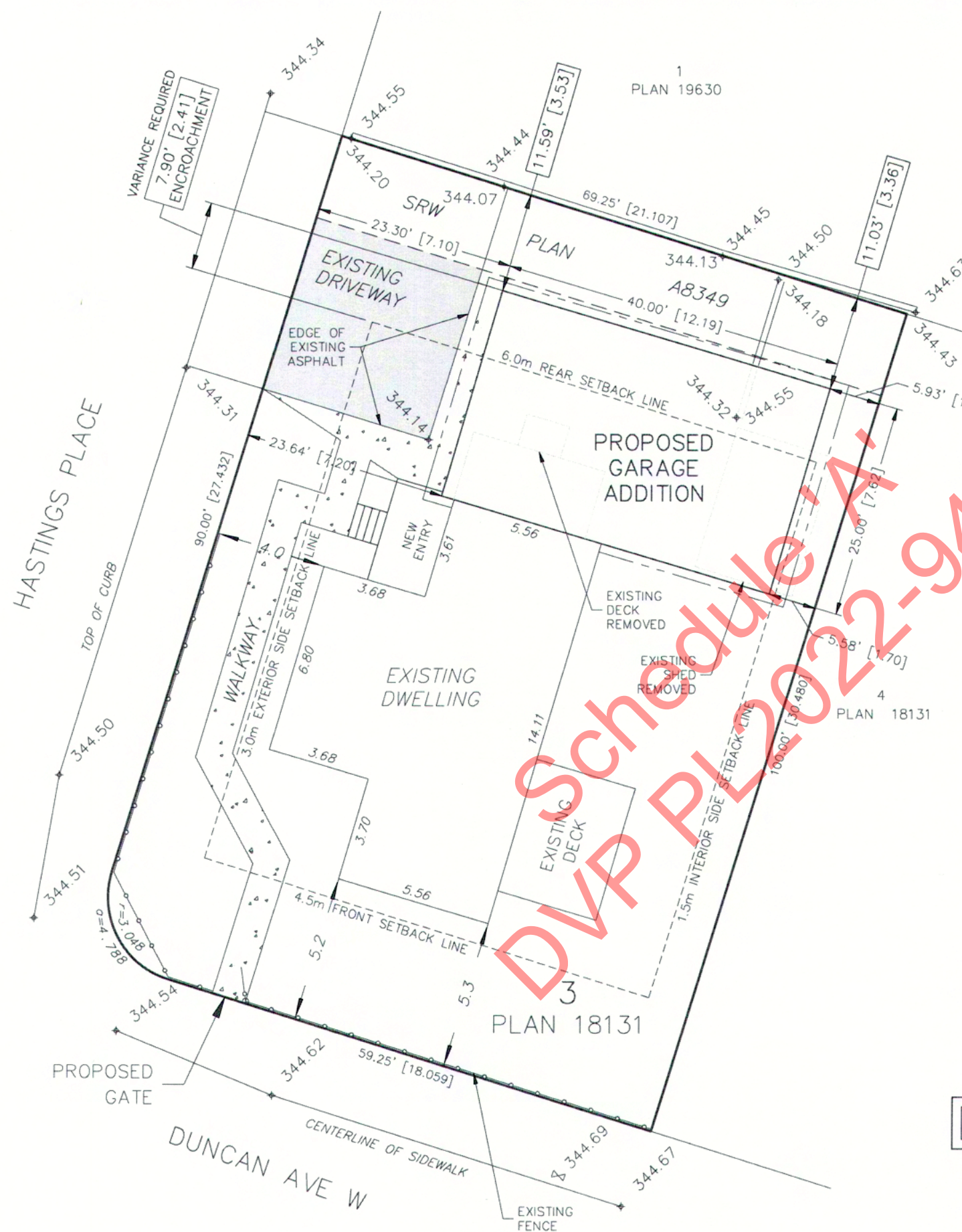
4. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
5. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence 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 6th day of December, 2022.

Issued this ____ day of December, 2022.

Angela Collison
Corporate Officer

DRAFT

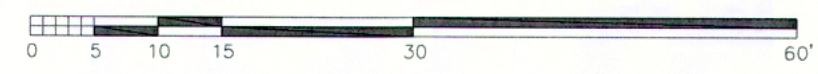
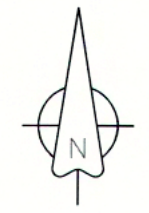


ZONING R2

PARCEL AREA = 6898 SQ. FT.
 EXISTING BUILDING FOOTPRINT = 1308 SQ. FT.
 (COMBINED DWELLING & DECK FOOTPRINTS)
 PROPOSED GARAGE ADDITION = 1000 SQ. FT.
 PROPOSED COVERED ENTRY = 85 SQ. FT.
 TOTAL PROPOSED BUILDING FOOTPRINT = 2393 SQ. FT.
 PROPOSED NET PARCEL COVERAGE = 34.7%
 MAX PARCEL COVERED ALLOWED - 40%

PROPOSED BUILDING HEIGHT = 7.79m (MAX 10.5m)

NOTE:
 PROPOSED ADDITION
 TO INCLUDE GARAGE
 ON MAIN LEVEL WITH
 SECOND FLOOR
 STORAGE ABOVE



ISSUED FOR VARIANCE REVIEW

SITE PLAN PROPOSED ADDITION	
511 DUNCAN AVENUE PENICTON BC	
DRAWN BY: MBW	DATE: JULY 7/22
DESIGN BY:	PROJECT No.: 222079
CHK'D BY:	FILE No.:
SCALE: 1"=15'	SHEET 1 OF 3

AZTECH DRAFTING SERVICES
 1288 Lyon Street, Penticton, B.C.
 Phone: 250-492-3344 e-mail: service@aztechdrafting.com

Date: December 6, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Jordan Hallam, Planner I
Address: 1666 Fairford Drive
Subject: Development Variance Permit PL2022-9449

File No: RMS/1666 Fairford Dr

Staff Recommendation

THAT Council approve “Development Variance Permit PL2022-9449” for Lot 11 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District and of District Lot 115 Similkameen Division Yale District Plan 13074, located at 1666 Fairford Drive, a permit to vary Section 8.1.4.1 of Zoning Bylaw 2021-01, to increase the maximum gross floor area of a secondary suite from 40% of the habitable area of the building to 49% of the habitable area of the building;

AND THAT Council direct staff to issue “Development Variance Permit PL2022-9449”.

Proposal

The applicant is proposing to create a legal secondary suite in their basement (Figure 1). The maximum secondary suite gross floor area allowed by the Zoning Bylaw is 40% of the habitable floor area of the entire building. The applicant is proposing to use their entire basement as the secondary suite. As such, the applicant has requested a variance to increase the maximum gross floor area from 40% to 49%.

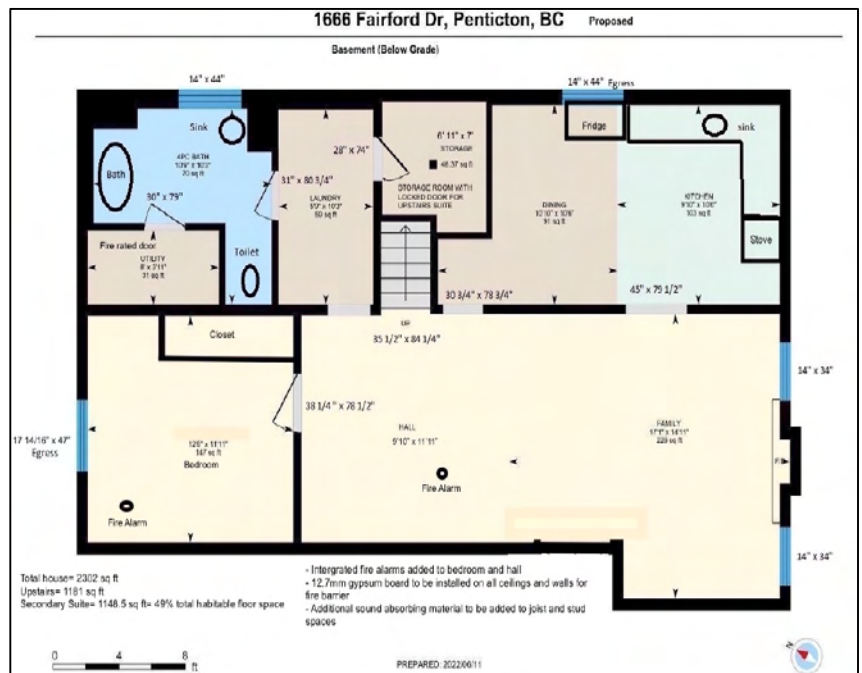


Figure 1 – Proposed Secondary Suite in Basement

Background

The subject property is located on the east side of Fairford Dr, in a primarily residential neighbourhood (Figure 2). The property contains a one-storey single detached dwelling, which was constructed in 1965. The property is designated 'Detached Residential' by the Official Community Plan (OCP) and is zoned R1 (Large Lot Residential) in the Zoning Bylaw.

In March of 2022, an enforcement file was opened on the subject property regarding an unpermitted secondary suite. The home owners worked with City of Penticton staff to get the proper building permits to decommission the suite. The enforcement file was closed in April of 2022.

The subject property was put up for sale, and sold in late July 2022 to the applicants of this development variance permit. The new home owners want to create a secondary suite in their entire basement, as such, the applicant has requested a variance to increase the maximum gross floor area of 40% required, to 49% prior to submitting a building permit application for the proposed secondary suite

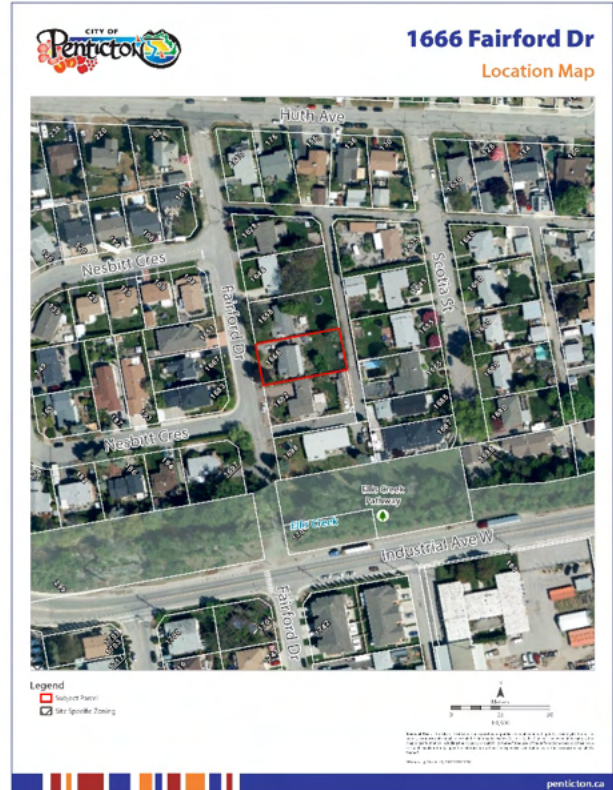


Figure 2 – Property Location Map

Climate Impact

The proposed secondary suite will create another dwelling unit with an additional parking space located on the property. The addition of another dwelling unit will increase density within the built-up area of the City Penticton.

Technical Review

This application was reviewed by the Technical Planning Committee (TPC). No comments were raised by the TPC regarding this variance application.

Development Statistics

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

	Secondary Suite Requirement (Section 8.1)	Provided on Plans
Maximum Gross Floor Area:	40% of the habitable floor area of the building.	49% of the habitable floor area of the building – variance requested.

Vehicle Parking:	2 for principal dwelling, 1 for secondary suite (3 total).	3 provided on site.
Amenity Space	15 m ² outdoor amenity space for both principal dwelling and secondary suite individually.	15 m ² provided for both principal dwelling and secondary suite.

Analysis

Development Variance Permit

When considering a variance to a City bylaw, staff encourage Council to consider whether there is a hardship that makes meeting the bylaw difficult or impossible, whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable. The applicant is requesting to vary Section 8.1.4.1 of Zoning Bylaw 2021-01, to increase the maximum gross floor area of a secondary suite from 40% of the habitable area of the building to 49% of the habitable area of the building, in order to facilitate the construction of a secondary suite within the single family dwelling. Staff have reviewed the requested variance and are recommending support for the following reasons:

- 1. The increase in size of the secondary suite is minimal

The increase in size of the secondary suite from the maximum of 40% to 49% results in an increase in floor area of approximately 69.4 m² (227.7 ft²). The secondary suite will have a separate access from the rear of the principal building. This increase allows the property owner to utilize their entire basement for the secondary suite and make the suite more livable than if a section had to be closed to the use of the suite residents to bring the suite to the 40% size regulation.



Figure 3 – Subject Property

- 2. Minimal impacts to neighbours.

The increase in secondary suite size is contained entirely within the basement of the principal dwelling. Neighbouring properties will not be affected by the changes to the interior of the principal dwelling. The applicant has shown an additional parking space for the tenant of the secondary suite accessed from the rear lane, which is the only change that neighbours will see visually.

Given the reasons above, staff support the application to vary the size of the maximum gross floor area of a secondary suite from 40% of the habitable area of the building to 49% of the habitable area of the building. Staff recommend that Council approve the development variance permit and direct staff to issue the permit. Should Council approve the development variance permit, the applicant will have to apply for a building permit to move forward and construct the proposed secondary suite.

Alternate Recommendations

Council may consider the requested variance is undesirable and that the applicants should build within the Zoning Bylaw regulations. If this is the case, Council should deny "Development Variance Permit PL2022-9449". If this decision is made, the applicant would need to update their plans to meet the Zoning Bylaw regulations. Staff are recommending against this option, as the requested variance is considered reasonable in this instance and the letter of intent indicates that there will be minimal impacts on surrounding properties.

- 1. THAT Council deny "Development Variance Permit PL2022-9449".

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Letter of Intent
- Attachment E – Draft Development Variance Permit PL2022-9449

Respectfully submitted,

Jordan Hallam
Planner I

Concurrence

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



Attachment B – Official Community Plan Map



Attachment C – Photos of Property



Attachment D – Letter of Intent

Letter of Intent
Variance Application
1666 Fairford Drive
Penticton, BC
V2A 6C4

Attention,
Mr. Blake Levan, Director of Development Services
City of Penticton

Please accept our letter of intent asking to vary in size our secondary suite from 40% of the homes gross floor area to 49%.

As you are aware, changes to the secondary suite requirements came into force December 12, 2019 as part of the 2020 BC Building Code amendments.

As you are also aware, the introduction of new requirements for the design and construction of secondary suites in the BC Building Code does not allow owners to contravene existing land use bylaws.

Secondary suites help provide more affordable housing options by expanding a community's rental stock by making more efficient use of land and infrastructure. Allowing secondary suites facilitate low-impact densification that supports community vitality and sustainability.

Recently a city inspector performed a walk through to provide us with a report of items which needed to be completed to achieve a building permit for the suite. Unfortunately, due to the current layout of the basement and foundation, there is no functional way to eliminate 228.5 sq ft to reach the current 40% requirement.

Allowing this variance application to proceed to council will allow us to go ahead to obtain the necessary building permit which would only positively impact the community.

We appreciate your time and consideration.

Laurelle Arpin & Brandon Beck

Development Variance Permit

Permit Number: DVP PL2022-9449

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 11 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton)
District And of District Lot 115 Similkameen Division Yale District Plan 13074
 - Civic: 1666 Fairford Drive
 - PID: 006-462-103
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2021-01 to allow for the construction of a secondary suite, as shown in the plans attached in Schedule 'A':
 4. Section: 8.1.4.1: to increase the maximum gross floor area of a secondary suite from 40% of the habitable area of the building to 49% of the habitable area of the building

General Conditions

5. 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'.
6. 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.
7. **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.**
8. 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.
9. 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 6th day of December, 2022.

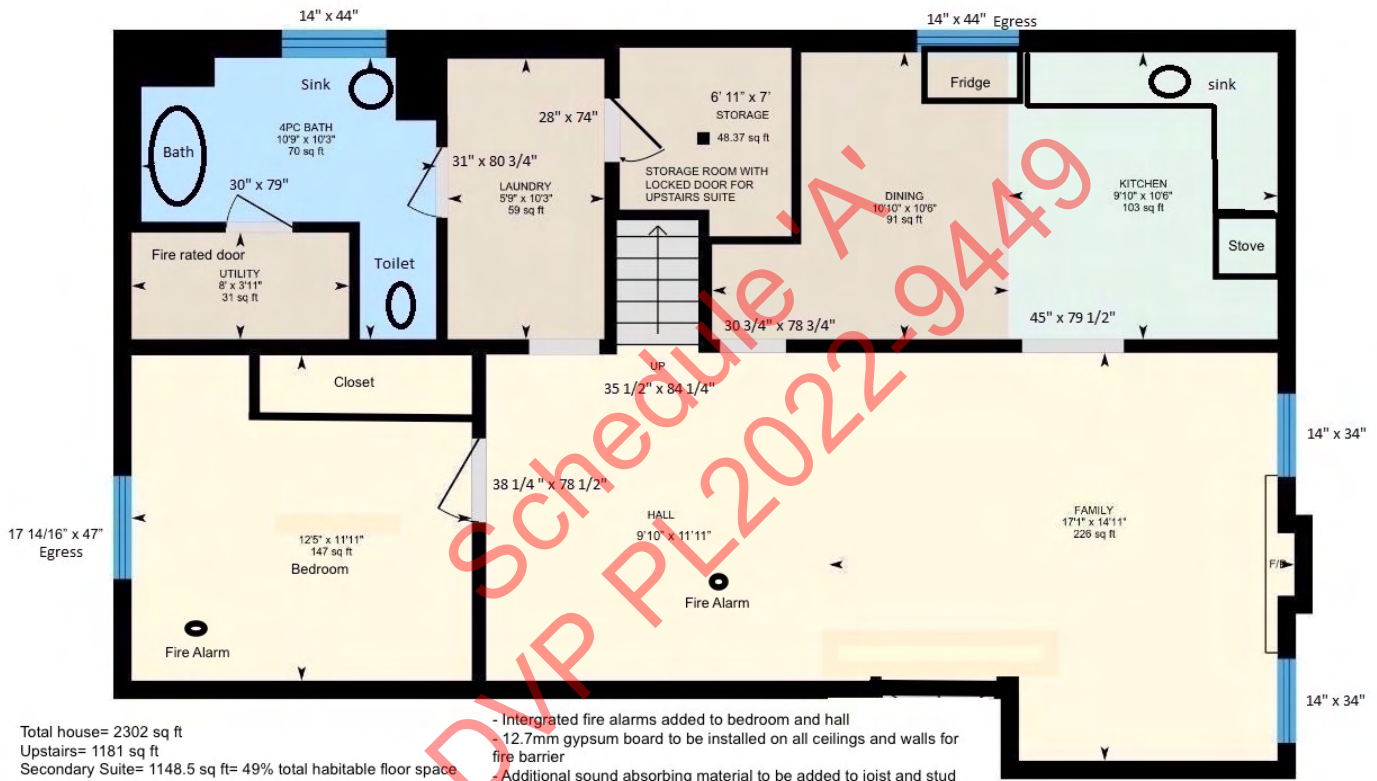
Issued this ____ day of December, 2022.

Angela Collison
Corporate Officer

DRAFT

1666 Fairford Dr, Penticton, BC Proposed

Basement (Below Grade)



Total house= 2302 sq ft
 Upstairs= 1181 sq ft
 Secondary Suite= 1148.5 sq ft= 49% total habitable floor space

- Intergrated fire alarms added to bedroom and hall
- 12.7mm gypsum board to be installed on all ceilings and walls for fire barrier
- Additional sound absorbing material to be added to joist and stud spaces



PREPARED: 2022/06/11



White regions are excluded from total floor area in IGUIDE floor plans. All room dimensions and floor areas must be considered approximate and are subject to independent verification.

From: Wayne Weeks
Sent: Monday, November 28, 2022 12:05 PM
To: corpadmin
Subject: DVP PL2022-9449; 1666 Fairfield Dr.

Follow Up Flag: Follow up
Flag Status: Flagged

I am in favour of the proposal on Fairford Drive as long as there is provision for off street parking! I would not like to see parking on the street which creates congestion and for cleaning and snow removal! Thank you. Wayne F. Weeks

Sent from my iPhone

The Corporation of the City of Penticton

Bylaw No. 2022-50

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. 2022-50".

2. **Amendment:**

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

2.1 Rezone the western 9.145m portion of Lot 4 District Lots 202 and 249 Similkameen Division Yale District Plan 3375, located at 565 Forestbrook Drive from R2 (Small Lot Residential) to R3 (Small Lot Residential: Lane) as shown on Schedule 'A'.

2.2 Rezone the eastern 9.145m portion of Lot 4 District Lots 202 and 249 Similkameen Division Yale District Plan 3375, located at 565 Forestbrook Drive from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane) as shown on Schedule 'A'.

2.3 Add Section 10.5.4.10: "In the case of Lot 4 District Lots 202 and 249 Similkameen Division Yale District Plan 3375, located at 565 Forestbrook Drive, two single detached dwellings shall be permitted."

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

READ A FIRST time this 15 day of November, 2022

A PUBLIC HEARING was held this 6 day of December, 2022

READ A SECOND time this day of , 2022

READ A THIRD time this day of , 2022

ADOPTED this day of , 2022

Notice of intention to proceed with this bylaw was published on the 25 day of November, 2022 and the 30 day of November, 2022 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer



Schedule A: Zoning Amendment Bylaw 2022-50

Date:

Corporate Officer:

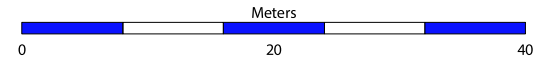


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1:600

November 9, 2022 8:27:19 AM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

