



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

To view the live broadcast and recordings, visit www.penticton.ca

Tuesday, April 18, 2023
at 1:00 p.m.

1. **Call Regular Council Meeting to Order**
2. **Introduction of Late Items**
3. **Adoption of Agenda**
4. **Recess to Committee of the Whole**
5. **Reconvene the Regular Council Meeting**
6. **Adoption of Minutes:**
 - 6.1 Minutes of the April 3, 2023 Regular Council Meeting 1-7 Adopt
7. **Consent Agenda:**

Recommendation:
THAT Council approve the Consent Agenda: 8-9

 1. Minutes of the April 3, 2023 Committee of the Whole Meeting.
8. **Staff Reports:**

Collison	8.1	2023-2027 Five Year Financial Plan Bylaw No. 2023-09 <i>Staff Recommendation: THAT Council adopt "2023-2027 Five Year Financial Plan Bylaw No. 2023-09".</i>	10-14
Sparrow	8.2	Tax Rates Bylaw No. 2023-13 <i>Staff Recommendation: THAT Council give first, second and third reading to "Tax Rates Bylaw No. 2023-13", a bylaw that establishes property taxation rates for the 2023 tax year.</i>	15-32
Hardisty	8.3	Code of Conduct Update <i>Staff Recommendation: THAT Council direct staff to establish a code of conduct that aligns with the provincially prescribed principles of integrity, accountability, respect, leadership and collaboration and that staff continue with a regional model.</i>	33-38

Collyer 8.4 Zoning Amendment Bylaw No. 2023-14 39-70
Development Permit PL2022-9302
Re: 924 Fairview Road
Staff Recommendation: THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-14", a bylaw to rezone Lot 1 District Lot 250 Similkameen Division Yale District Plan 37914, located at 924 Fairview Road, from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing), to facilitate the construction of a 6-unit townhouse development;
AND THAT Council forward "Zoning Amendment Bylaw No. 2023-14" to the May 2, 2023 Public Hearing;
AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2023-14", require a 0.8m road dedication along the frontage of the subject property be registered with the Land Title Office;
AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-14", approve "Development Permit PL2022-9302", a permit to approve the form and character of a 6-unit townhouse development.

Capewell 8.5 Zoning Amendment Bylaw No. 2023-15 71-87
Re: 398 Upper Bench Road South
Staff Recommendation: THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-15", for Lot 6 District Lot 155 Similkameen Division Yale District Plan 306 Except Plan 21731, located at 398 Upper Bench Road South, a bylaw to add the site-specific provision, within the A (Agriculture) zone, as follows: "Section 9.2.6.13, In the case of Lot 6 District Lot 155 Similkameen Division Yale District Plan 306 Except Plan 21731, located at 398 Upper Bench Road South, a carriage house and a bed and breakfast home shall be permitted;
AND THAT Council forward "Zoning Amendment Bylaw No. 2023-15", to the May 2, 2023 Public Hearing.

9. **Public Question Period**

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

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

- (a) Personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*
- (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
- (g) litigation or potential litigation affecting the municipality;*
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act; 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.*

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

12. **Bylaws and Permits:**

Collison	12.1	Official Community Plan Amendment Bylaw No. 2023-10 and Zoning Amendment Bylaw No. 2023-11 Re: 674 and 686 Martin Street	88-89 90-91	2 nd /3 rd /Adopt 2 nd /3 rd /Adopt
Collison	12.2	Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12	92-93	Del/Sub Adopt

13. **Notice of Motion**

14. **Business Arising**

15. **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. Use the raise hand feature and you'll be given the opportunity to turn on your camera and unmute your microphone and ask Council your questions. Please note that the meeting is streaming live and recorded, access to recordings can be found on the City's website.

16. **Council Round Table**

17. **Adjournment**

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

Monday, April 3, 2023
at 10:00 a.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 of 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 10:00 a.m.

2. Introduction of Late Items

3. Adoption of Agenda

137/2023

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on April 3, 2023 as presented.

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

138/2023

It was MOVED and SECONDED

THAT Council recess to a Committee of the Whole meeting at 10:02 a.m.

CARRIED UNANIMOUSLY

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 11:24 a.m.

The Mayor recessed the meeting at 11:24 a.m. and the meeting reconvened at 11:41 a.m.

6. Adoption of Minutes:

6.1 Minutes of the March 14, 2023 Special Meeting of Council

139/2023

It was MOVED and SECONDED

THAT Council adopt the Special Council Meeting minutes of March 14, 2023 as presented.

CARRIED UNANIMOUSLY

6.2 Minutes of the March 15, 2023 Special Meeting of Council

140/2023

It was MOVED and SECONDED

THAT Council adopt the Special Council Meeting minutes of March 15, 2023 as presented.

CARRIED UNANIMOUSLY

6.3 Minutes of the March 16, 2023 Special Meeting of Council

141/2023

It was MOVED and SECONDED

THAT Council adopt the Special Council Meeting minutes of March 16, 2023 as presented.

CARRIED UNANIMOUSLY

6.4 Minutes of the March 21, 2023 Regular Meeting of Council

142/2023

It was MOVED and SECONDED

THAT Council adopt the Regular Council Meeting minutes of March 21, 2023 as presented.

CARRIED UNANIMOUSLY

7. Consent Agenda:

143/2023

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

- 1. Minutes of the March 21, 2023 Committee of the Whole Meeting; and
- 2. Minutes of the March 21, 2023 Pubic Hearing.

CARRIED UNANIMOUSLY

8. Staff Reports:

8.1 2023-2027 Five Year Financial Plan Bylaw No. 2023-09

144/2023

It was MOVED and SECONDED

THAT Council give first, second and third reading to "2023-2027 Five Year Financial Plan Bylaw No. 2023-09".

**CARRIED
Councillors Konanz and Miller, Opposed**

8.2 2023 Business Tax Multiplier

Postponed from March 16, 2023 Special Meeting of Council:

Main Motion as Amended:

It was MOVED and SECONDED

THAT Council direct staff to set the 2023 Business Tax Multiplier at 2.14.

145/2023

It was MOVED and SECONDED

THAT Council withdraw the motion to set the 2023 Business Tax Multiplier at 2.14.

CARRIED UNANIMOUSLY

146/2023

It was MOVED and SECONDED

THAT Council receive into the record the report dated April 3, 2023 titled "2023 Business Tax Multiplier" in advance of the first three readings of the Tax Rates Bylaw scheduled for April 18, 2023.

CARRIED UNANIMOUSLY

147/2023

It was MOVED and SECONDED

THAT Council direct staff to keep the Business Tax Multiplier the same as last year at 2.14.

DEFEATED

Mayor Bloomfield and Councillors Boulton, Gilbert, Graham, Miller and Watt, Opposed

148/2023

It was MOVED and SECONDED

THAT Council direct staff to set the 2023 Business Tax Multiplier at 2.22.

CARRIED

Councillor Konanz, Opposed

8.3 Fire Protection Mutual Aid Agreement with the RDOS

149/2023

It was MOVED and SECONDED

THAT Council approve the Fire Protection Mutual Aid Agreement with the Regional District of Okanagan-Similkameen (RDOS);

AND THAT Council authorize the Mayor and Corporate Officer execute the Fire Protection Mutual Aid Agreement.

CARRIED UNANIMOUSLY

8.4 2023-2024 PlanH Community Connectedness Grant Program

150/2023

It was MOVED and SECONDED

THAT Council direct staff to apply for the 2023-2024 PlanH Community Connectedness grant from BC Healthy Communities for \$5,000 to support Youth Week and Seniors Week in 2024; AND THAT Council direct the Social Development Specialist for the City of Penticton to sign and submit the application document on behalf of the City.

CARRIED UNANIMOUSLY

8.5 Transportation Background Information for Point Intersection

151/2023

It was MOVED and SECONDED

THAT Council direct staff to include \$3,116,169 of capital funding in the 2023-2027 Financial Plan in years 2023 and 2024 for the Point Intersection and associated Capital Projects, funded through a combination of Development Cost Charges, Sewer, Water and Electrical capital funds as noted in Attachment A of the report titled "Point Intersection Contract Award" dated March 21, 2023.

**CARRIED
Councillors Boulton and Miller, Opposed**

8.6 Development Variance Permit PL2023-9497
Re: 310 Industrial Avenue West

152/2023

It was MOVED and SECONDED

THAT Council THAT Council approve "Development Variance Permit PL2023-9497" for Lot 1 District Lot 115 Similkameen Division Yale District Plan KAP90081, located at 310 Industrial Ave W, a permit to vary the following sections of Zoning Bylaw 2021-01:

- Section 5.4.1.a: to increase the maximum permitted fence height from 1.2 m to 1.8 m in a front yard (north)
- Section 4.2.6: to decrease the minimum distance from a gate to back of curb or sidewalk (north) from 6.0 m to 2.71 m

AND THAT Council direct staff to issue "Development Variance Permit PL2023-9497".

CARRIED UNANIMOUSLY

8.7 Zoning Bylaw No. 2023-08

153/2023

It was MOVED and SECONDED

THAT Council adopt "Zoning Bylaw No. 2023-08".

CARRIED UNANIMOUSLY

8.8 Official Community Plan Amendment Bylaw No. 2023-10 and Zoning Amendment Bylaw No. 2023-11
Development Permit PL2022-9448
Road Closure and Land Disposition
Re: 674 and 686 Martin Street

154/2023

It was MOVED and SECONDED

1. Official Community Plan

THAT prior to consideration of "Official Community Plan Amendment Bylaw No. 2023-10", 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 February 9, 2023 to March 9, 2023 is sufficient;

AND THAT Council give first reading to “Official Community Plan Amendment Bylaw No. 2023-10”, 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 7 Block 34 District Lot 202 Similkameen Division Yale District Plan 269 Except Plan KAP58563, located at 674 Martin Street, and Lot 8 Block 34 District Lot 202 Similkameen Division Yale District Plan 269, located at 686 Martin Street, from ‘Urban Residential’ to ‘Downtown Mixed Use’.

2. Zoning Amendment

THAT Council give first reading to “Zoning Amendment Bylaw No. 2023-11”, for Lot 8 Block 34 District Lot 202 Similkameen Division Yale District Plan 269, located at 686 Martin Street, a bylaw to rezone the subject property from RD1 (Duplex Housing) to C5 (Urban Centre Commercial);

AND THAT Council forward “Official Community Plan Amendment Bylaw No. 2023-10” and “Zoning Amendment Bylaw No. 2023-11” to the April 18, 2023 Public Hearing.

3. Development Permit

THAT Council, subject to adoption of “Zoning Amendment Bylaw No. 2023-11”, approve “Development Permit PL2022-9448”, a permit to approve the form and character of the proposed five-storey, mixed-use development consisting of 18 residential units and approximately 1,200 sq. ft. of commercial space at-grade;

AND THAT issuance be subject to the successful completion of the road closure of the 0.914m strip of road right of way, fronting 674 Martin Street and the consolidation of those lands with 674 and 686 Martin Street, into one lot.

4. Road Closure and Land Disposition

THAT Council accept the unsolicited Offer to Purchase, the 0.914 m strip of land along the frontage of 674 Martin Street, shown on road dedication Plan KAP58563, for the consideration of \$7,000.00 and, in addition, the applicant will be responsible for the cost of the survey plan associated with the future road closure bylaw and payment of the City’s legal expenses in connection with the purchase, subject to adoption of Road Closure Bylaw 2023-12;

AND THAT Council give first, second and third reading to Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12;

AND THAT Council direct staff to proceed with notification, as per the *Community Charter*, for Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12 and for the proposed Land Disposition;

AND THAT Council authorize the Mayor and Corporate Officer to execute any such documentation pertaining to the purchase agreement and the subsequent land transfer documentation.

CARRIED UNANIMOUSLY

9. Bylaws and Permits

9.1 Bylaw Enforcement Officer Bylaw No. 2023-07

155/2023

It was MOVED and SECONDED

THAT Council adopt “Bylaw Enforcement Officer Bylaw No. 2023-07”.

CARRIED UNANIMOUSLY

10. Notice of Motion

11. Business Arising

11.1 Business Arising from Committee of the Whole Meeting of Council

Main Motion:

It was MOVED and SECONDED

THAT Council give the Penticton Art Gallery a total of \$125,000.

156/2023

It was MOVED and SECONDED

THAT Council postpone the motion to a future meeting once financial details have been provided by the Penticton Art Gallery.

DEFEATED

Mayor Bloomfield and Councillors Gilbert, Graham, Miller and Watt, Opposed

Amendment:

157/2023

It was MOVED and SECONDED

Include "...and complete a review of the grant funding process."

CARRIED

Mayor Bloomfield and Councillor Miller, Opposed

Main Motion as Amended:

158/2023

It was MOVED and SECONDED

THAT Council give the Penticton Art Gallery a total of \$125,000 and complete a review of the grant funding process.

CARRIED

Mayor Bloomfield and Councillor Konanz, Opposed

It was MOVED and SECONDED

THAT Council direct staff to enter into discussions with the Penticton Art Gallery and possibly similar entities in creating as a line item in the annual budget.

159/2023

It was MOVED and SECONDED

THAT Council withdraw the motion.

CARRIED UNANIMOUSLY

160/2023

It was MOVED and SECONDED

THAT Council direct staff to prepare a report that proposes changes to the grant policies that would address funding as line item in the budget for properties such as the Penticton Art Gallery and other city land use applicants instead of proceeding through the grant application process.

CARRIED UNANIMOUSLY

12. Public Question Period

13. Council Round Table

14. Adjournment

161/2023

It was MOVED and SECONDED

THAT Council adjourn to a closed meeting of Council at 2:38 p.m. pursuant to the provisions of the *Community Charter* as follows: *Section 90(1)*

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

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Angie Collison
Corporate Officer

Julius Bloomfield
Mayor

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

Monday, April 3, 2023
Recessed from the Regular Council Meeting at 10:00 a.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 of Community Services
Blake Laven, Director of Development Services
Paula McKinnon, Deputy Corporate Officer

1. **Call to order**

The Mayor called the Committee of the Whole meeting to order at 10:02 a.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED

THAT the agenda for the Committee of the Whole meeting held on April 3, 2023 be adopted as presented.

CARRIED UNANIMOUSLY

3. **Delegations:**

3.1 Penticton Farmers' Market

Joseph Ciaramella, President, and Linda Van Alphen, Market Manager, Penticton Farmers' Market Society, provided Council with a presentation on the new Penticton Farmers' Market and requested that Council consider granting the Penticton Farmers' Market Society with priority tenancy of 100 Block Main Street from April to October every year.

3.2 Penticton Art Gallery Operations & Finances

Paul Crawford, Director/Curator, Penticton Art Gallery, provided Council with an overview of the Penticton Art Gallery's history, operations and need for financial assistance and requested that Council consider funding the full grant request of \$125,000 to the Penticton Art Gallery.

4. **Adjourn to Regular Meeting**

It was MOVED and SECONDED

THAT Council adjourn the Committee of the Whole meeting held April 3, 2023 at 11:24 a.m. and reconvene the Regular Meeting of Council.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Angie Collison
Corporate Officer

Julius Bloomfield
Mayor



Council Report



Date: April 18, 2023
To: Donny van Dyk, Chief Administrative Officer
From: Angie Collison, Corporate Officer

File No: 0550-02

Subject: 2023-2027 Five Year Financial Plan Bylaw No. 2023-09

Staff Recommendation

THAT Council adopt "2023-2027 Five Year Financial Plan Bylaw No. 2023-09".

Strategic priority objective

Organizational Excellence: The City of Penticton will support a culture of service excellence built on good governance, leadership and sound financial decisions.

Background

Section 165 of the *Community Charter* outlines that a municipality must have a Five Year Financial Plan Bylaw adopted annually. This Bylaw must be adopted prior to May 15 and before the Tax Rate Bylaw. Following the budget discussions on March 14-16, Council gave three readings to 2023-2027 Five Year Financial Plan Bylaw No. 2023-09 on April 3, 2023.

Attachments

Attachment A – 2023 – 2027 Five Year Financial Plan Bylaw No. 2023-09

Respectfully submitted,

Angie Collison
Corporate Officer

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

The Corporation of the City of Penticton

Bylaw No. 2023-09

A bylaw to adopt the five year financial plan

WHEREAS the *Community Charter* states a municipality must have a financial plan that is adopted annually, by bylaw, before the annual property tax bylaw is adopted;

AND WHEREAS the planning period for a financial plan is five (5) years, that period being the year in which the plan is specified to come into force and the following four (4) years;

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 “2023-2027 Five Year Financial Plan Bylaw No. 2023-09”.

2. Purpose

Schedule “A” and Schedule “B” attached hereto and forming part of this bylaw shall be the Five Year Financial Plan of the City of Penticton for the period of January 1, 2023 to December 31, 2027.

READ A FIRST time this	3	day of	April, 2023
READ A SECOND time this	3	day of	April, 2023
READ A THIRD time this	3	day of	April, 2023
ADOPTED this		day of	, 2023

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer

City of Penticton - Schedule A

	2023 Budget	2024 Projection	2025 Projection	2026 Projection	2027 Projection
Revenue					
Municipal Taxation	\$ (42,987,288)	\$ (45,383,300)	\$ (47,914,686)	\$ (50,281,421)	\$ (52,766,492)
Sale of Services	(12,932,451)	(13,142,366)	(13,309,457)	(13,477,747)	(13,647,196)
Electric Utility Revenue	(45,230,833)	(47,603,021)	(50,328,235)	(53,027,497)	(55,973,883)
Sewer Utility Revenue	(8,949,057)	(9,128,914)	(9,342,325)	(9,540,679)	(9,712,857)
Water Utility Revenue	(10,279,525)	(10,368,751)	(10,459,012)	(10,550,327)	(10,642,715)
Storm Water Utility Revenue	(1,197,958)	(1,414,888)	(1,673,481)	(1,976,980)	(2,336,807)
Fiscal Services	(3,986,000)	(3,986,000)	(3,986,000)	(3,986,000)	(3,986,000)
Grants	(2,729,992)	(2,734,975)	(2,634,975)	(2,459,625)	(2,225,825)
Other Contributions	(5,619,290)	(5,632,661)	(5,667,209)	(5,702,448)	(5,738,391)
Development Cost Charges	(1,470,000)	(1,470,000)	(1,470,000)	(1,470,000)	(1,470,000)
Donations	(21,500)	(21,500)	(21,500)	(21,500)	(21,500)
Total Revenues	(135,403,894)	(140,886,376)	(146,806,880)	(152,494,224)	(158,521,666)
Operating Expenses					
General Operating	63,558,802	63,743,520	64,901,750	66,289,808	67,141,723
Storm Sewer	618,611	618,597	627,352	781,463	647,936
Electrical Supply	39,995,595	41,753,334	44,335,601	45,577,900	47,729,739
Sewer System	5,546,953	5,278,683	5,489,153	5,402,813	5,276,934
Water Utility	5,489,071	5,589,346	5,646,897	5,585,862	5,743,950
Total Operating Expenses	115,209,032	116,983,480	121,000,753	123,637,846	126,540,282
Net Operating Surplus	(20,194,862)	(23,902,896)	(25,806,127)	(28,856,378)	(31,981,384)
Capital Expenses					
General Capital	15,195,450	10,690,525	9,095,636	11,215,293	11,484,167
Electric Capital	5,294,740	5,904,201	5,243,319	7,489,472	7,669,117
Sewer Capital	3,155,800	6,398,000	3,092,300	8,406,000	3,170,000
Water Capital	4,209,025	14,808,250	8,547,775	4,268,328	3,999,150
Total Capital Expenses	27,855,015	37,800,976	25,979,030	31,379,093	26,322,434
Debt Proceeds	-	-	(4,000,000)	(2,668,163)	-
Debt Servicing - Principal Repayments	2,218,646	2,183,462	2,095,980	2,111,089	1,935,995
Capital Grant Funding	(3,058,600)	(6,600,000)	-	-	-
Transfer To (From) Surplus/Reserve	(6,820,199)	(9,481,542)	1,731,117	(1,965,641)	3,722,955
Financial Plan Balance	\$ -	\$ -	\$ -	\$ -	\$ -

Schedule B

Current Revenue Portions by Funding Source for Operating (excluding borrowing and transfers from reserve/surplus):

Taxation	42,205,288	31.17%
Grant in Lieu	366,000	0.27%
Local Improvement Levy	171,000	0.13%
Business Improvement Area Levy	245,000	0.18%
Sale of Services	12,932,451	9.55%
Electric Utility Revenue	45,230,833	33.40%
Sewer Utility Revenue	8,949,057	6.61%
Water Utility Revenue	10,279,525	7.59%
Storm Water Utility Revenue	1,197,958	0.88%
Fiscal Services	3,986,000	2.94%
Grants	2,729,992	2.02%
Other Revenues	5,619,290	4.15%
Development Cost Charges	1,470,000	1.09%
Donations	21,500	0.02%
Total Revenues	135,403,894	100.00%

Current Property Class Multiples:

Ratio	2023 Est.	2022	2021	2020	2019	2018
Residential	1.00	1.00	1.00	1.00	1.00	1.00
Utilities	10.07	10.09	7.22	7.24	7.66	7.33
Supportive Housing	1.00	1.00	1.00	1.00	1.00	1.00
Major Industry	1.86	1.88	1.72	1.65	1.79	1.67
Light Industry	1.86	1.88	1.72	1.65	1.79	1.67
Business & Other	2.22	2.14	1.91	1.75	1.82	1.66
Managed Forest	2.22	2.14	1.91	1.75	1.82	1.66
Rec/Non-Profit	1.37	1.31	1.28	1.29	1.4	1.42
Farm	5.17	4.59	3.57	3.55	3.59	3.26

The 2023 multiples are estimated using the revenue neutral tax approach and are based on the 2023 completed assessment rolls. During budget deliberations, Council postponed consideration of the 2023 BTM to a meeting in April.

Use of Permissive Tax Exemptions

In 2022, Council passed Bylaw 2022-49 to exempt certain properties from taxation in 2023. The Bylaw contains the list of properties and the estimated amount of tax revenue forgone (\$617,098). The list of properties includes religious institutions, historical societies, recreational facilities, and service

organizations that form a valuable part of our community. These organizations have demonstrated to Council that their services support our residents and community.

Use of Revitalization Tax Exemptions

Revitalization tax exemption bylaws were introduced in Penticton in 2010 to provide economic incentives for specified key areas within the City, including the downtown area, industrial areas, and other strategic areas. Bylaws 2014-04, 2014-44, and 2015-52 provide for tax exemptions for specific uses within those areas. Each of the bylaws included 'sunset clauses' whereby construction is required to begin and end. While there are still some properties receiving benefits, all sunset clauses have now passed and thus no future projects are eligible to receive benefits under any of these bylaws.



Council Report

penticton.ca

Date: April 18, 2023
To: Donny van Dyk, Chief Administrative Officer
From: Sabrina Sparrow, Revenue Supervisor
Subject: **Tax Rates Bylaw No. 2023-13**

File No: 1970-02

Staff Recommendation

THAT Council give first, second and third reading to "Tax Rates Bylaw No. 2023-13", a bylaw that establishes property taxation rates for the 2023 tax year.

Background

Pursuant to Section 197 of the *Community Charter*, annual property tax rates must be adopted by Bylaw prior to May 15. The property tax rates are prepared after the adoption of the City's Financial Plan.

For the 2023 tax year, Council passed Resolution 120/2023 approving a 9.50% General Municipal levy increase net of non-market changes and Resolution 148/2023 approving a Business Tax Multiplier of 2.22.

BC Assessment is a provincial Crown Corporation that classifies and values all real property in BC. Each year, BC assessment sends property owners a Property Assessment Notice telling them the fair market value of their property as of July 1 in the prior year. An assessment is the determination of a property's market value, classification and any applicable exemptions each year. These initial assessments are mailed out to property owners and municipalities in early January. These initial assessment valuations are the "Completed Roll". At this time, property owners can appeal their assessment and can do so until January 31. BC Assessment reviews all appeals and issues an updated "Revised Roll" at the end of March. The City's Municipal Tax Rates are calculated using the Revised Roll values.

Rates for the Regional District Okanagan-Similkameen (RDOS) and the Okanagan-Similkameen Regional Hospital District (OSRHD) are set with the City of Penticton Tax Rate Bylaw as well. RDOS and OSRHD remit an annual levy requisition to the City and rates are calculated using provincial ratios and the hospital purposes taxable assessment base. Programs funded through the RDOS levy include:

- General Government
- Invasive Species, Destruction of Pests, and Environmental Conservation
- Illegal Dumping and Solid Waste Management Plan
- Regional Trails, Regional Growth Strategy, and Heritage – Sub Regional
- Regional Transit and Economic Development
- Okanagan Basin Water Board

- Nuisance Control
- Emergency Planning
- Sterile Insect Release Program
- 911 Emergency Call System and Mosquito Control Program

Rates for the Downtown Penticton Association (DPA) are set with the City of Penticton Tax Rate bylaw as well. The DPA remits an annual levy requisition to the City and rates are calculated using the general purposes taxable assessment base of applicable Class 5 & 6 properties.

The City also collects on behalf of BC Assessment, the Municipal Finance Authority, and School District 67. These do not require rates set by City bylaw as these taxing authorities set their rates through their own Bylaws, Resolutions, and Orders in Council.

Monies collected on behalf of these agencies are in turn remitted back to the taxing authorities annually.

Analysis

Non-Market Change:

The Revised Roll captures both market and non-market changes. Non-market change is generally new construction or demolitions or other substantial changes made to a property (eg. new garage). These are reviewed separately, before discussing general tax rate setting, as these are properties that cannot be compared to the prior year. This year's Revised Roll shows that of the total increase in assessments for 2023, 11.8%, or \$166,770,065, is the result of non-market change. The table below shows the revenue that will be realized from these non-market changes.

During the budget process the non-market change revenue was estimated using the Completed Roll as the Revised Roll was not yet available.

2023 Summary of Non-Market Change

2023 NMC	2023 NMC Assessment Distribution	Assessment Total	Non-Market Change Revenue Realized
01 - Residential	91.74%	\$153,003,010	\$458,603
02 - Utilities	-0.01%	-\$10,200	-\$307
03 - Supportive Housing	0.00%	\$2	\$0
05 - Light Industry	1.07%	\$1,791,200	\$9,997
06 - Business & Other	7.22%	\$12,043,661	\$80,140
08 - Rec/Non Profit	0.00%	\$0	\$0
09 - Farm	-0.02%	-\$57,608	-\$895
Total		\$166,770,065	\$547,538

Calculating a Typical Residential and Commercial Property

The value used for a typical residential or commercial property, referenced throughout, is calculated by removing the 2023 non-market change, leaving only properties that existed both in 2022 and 2023 with no significant changes (for example, building a new garage). This approach provides the closest true comparison available for a property owner year over year. Detailed information regarding this calculation for all property classes is available towards the end of Attachment B, 2023 General Municipal Calculations.

In 2023, a typical residential property is valued at \$661,546 and a typical commercial property is valued at \$1,164,930.

Property Tax Distribution Policy:

In 2018, Council passed Resolution 159/2018 approving the City of Penticton Property Taxation Distribution Policy (Attachment D). The policy adopts the “Revenue Neutral” approach for property tax rate setting for the General Municipal Levy (Attachment B). This approach means that the starting point for tax rate setting is to have each property class pay the same dollar amount in taxes as they did the previous year, plus the overall increase for the year (9.50% in 2023). The tax rates that result from this starting point are the “Revenue Neutral” (“RN”) rates.

Business Tax Multiplier, Assessment Distribution and Tax Burdens:

This year the Revenue Neutral approach results in 74.1% of taxes paid by the residential class, 21.9% paid by the commercial class, and a Business Tax Multiplier (“BTM”) of 2.22. The BTM is simply the ratio of how much assessment value each of the residential and commercial property classes represent as a proportion of all property assessment values, versus the total taxes collected from each of the residential and commercial property classes as a proportion of all taxes collected. Council can direct staff to change these proportions and have the residential and commercial classes pay more or less of the total taxes collected, this would result in a different BTM number.

When reviewing the distribution of taxes, the proportion of the tax burden residential and commercial properties are paying as compared to the proportion of the assessment values they represent should be taken into account as well as how these allocations compare to prior years. Additional information on historical tax burdens and BTMs for Penticton and through the region can be found in Attachment E.

2023 Assessment Distribution and Tax Burden Distributions

Property Class	2023 General Municipal Revised Roll	2023 Taxable Assessment Distribution	2023 Tax Burden
1 Residential	\$10,536,631,114	86.8%	74.1%
2 Utilities	\$21,803,456	0.2%	1.5%
3 Supportive Housing	\$10	0.0%	0.0%
5 Light Industry	\$168,374,400	1.3%	2.2%
6 Business & Other	\$1,397,145,751	11.5%	21.9%
8 Recreation/Non-Profit	\$10,894,200	0.1%	0.1%
9 Farm	\$4,312,714	0.1%	0.2%
Total:	\$12,139,161,645		

Impact on a Typical Residential and Commercial Property for 2023:

The following table shows this year’s municipal tax impact on a typical residential and commercial property. As Council set the BTM at the “Revenue Neutral” rate, each property class sees the same 9.50% average increase.

	Typical Residential Property	Typical Commercial Property
Average Municipal Levy Amount	\$1,983	\$7,752
Annual Average \$ Increase from Prior Year	\$173	\$659
Annual Monthly \$ Increase from Prior Year	\$14	\$55
Average Taxable Assessment	\$661,564	\$1,164,930

The table below combines the municipal rate discussed above with the other taxing authority amounts we must collect (except the Downtown Penticton Association as this does not impact all commercial properties) to show the overall impact on a typical residential and commercial property. At the time this report was written, the City had not yet received the rates for the School District, amounts below have been estimated using 2022 rates.

	Typical Residential Property	Typical Commercial Property
RDOS - General	\$79.60	\$343.43
RDOS - SIR	\$21.02	\$90.68
RDOS - 911 & Mosquito	\$41.20	\$177.73
Regional Hospital	\$115.34	\$497.62
BCA	\$22.23	\$112.30
MFA	\$0.13	\$0.58
SD67 – School (estimated using 2022 rates)	\$886.87	\$4,100.55
Total for Other Taxing Authorities	\$1,166.39	\$5,322.89
\$ Increase/Decrease from Prior Year	\$81.77	-\$1,038.23
% Increase/Decrease from Prior Year	7.54%	-16.32%
	Typical Residential Property	Typical Commercial Property
Average Municipal Levy Amount	\$1,983	\$7,752
Total for Other Taxing Authorities Above	\$1,166	\$5,323
Total Taxes	\$3,149	\$13,075
\$ Increase/Decrease from Prior Year	\$255	-\$379
% Increase/Decrease from Prior Year	8.8%	-2.8%

As a whole, taxes for Other Taxing Authorities on a typical property have decreased year over year. This is due to the non-market change. As noted above, Penticton has 11.8% more property value this year than last due to non-market change, this is substantially made up of properties that did not exist in 2022. At the same time, the total amount to be collected for Other Taxing Authorities did not increase in proportion (4.6% for the RDOS – General and 1.4% for the Regional Hospital). As a result, the average residential and commercial property will see an overall decrease in taxes payable for Other Taxing Authorities.

Residential Property Competitiveness

Data collected by the Province of BC allowing us to compare Total Taxes and Charges for typical residential properties throughout the province. These numbers include charges for municipality taxes, taxes for other governments, parcel taxes, and charges for city services, etc., and therefore provide a reasonably holistic overview of the cost to residential properties. The below table shows how Penticton compares to neighboring communities in the valley.

Municipality	2022 Total Residential Taxes & Charges
West Kelowna	\$6,000
Kelowna	\$5,188
Summerland	\$5,104
Penticton	\$4,608
Vernon	\$4,472

Home Owner Grants

In 2021, an important procedural change happened for homeowners whereby the Province centralized the Home Owner Grant program and municipalities were no longer able to accept Home Owner Grant Applications. The Province has maintained this centralization and homeowners must continue to apply directly to the Province either online or by phone. It is still very important that home owners claim their grant by the City of Penticton’s property tax due date each year in order to receive the credit against their account before penalties are applied.

Utilities Properties

The property class for Utilities is capped at a maximum rate of 40.0000; at 30.1410, the City of Penticton remains significantly below the prescribed maximum. This property class includes properties used for telecommunications, gas distribution systems, and electrical power systems.

Recommendation

THAT Council give first, second and third reading to corresponding “Tax Rates Bylaw No. 2023-13”, a bylaw that establishes property taxation rates for the 2023 tax year.

Attachments

Attachment A – Tax Rates Bylaw No. 2023-13

Attachment B – 2023 General Municipal Calculations

Attachment C – 2023 Regional District Okanagan-Similkameen Budget Requisition

Attachment D – Property Tax Distribution Policy

Attachment E – Historical Tax Burdens and BTMs

Respectfully submitted,

Sabrina Sparrow
Revenue Supervisor

Approvals

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

The Corporation of the City of Penticton

Bylaw No. 2023-13

A Bylaw for the levying of property tax rates for the year 2023

WHEREAS pursuant to the *Community Charter*, Council is empowered to impose property value taxes by establishing tax rates within the City of Penticton;

AND WHEREAS it is deemed expedient to establish tax rates for the municipal revenue proposed to be raised from property value taxes and the amounts to be collected by means of rates established to meet the City's taxing obligation in relation to another local government or other public body;

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

1. This Bylaw may be cited for all purposes as "Tax Rates Bylaw No. 2023-13".
2. **Interpretation**
 - 2.1 In this Bylaw,
 - a. **"Alternative Municipal Tax Collection Scheme"** means the tax collection scheme established under section 3.1 of this Bylaw;
 - b. **"Collector"** has the same meaning as in the *Community Charter*; and
 - c. **"General Tax Collection Scheme"** means the tax collection scheme established under section 234 of the *Community Charter*.
3. **Alternative Tax Collection Scheme**
 - 3.1 Subject to any owner election under section 3.3, the rates and taxes payable under this Bylaw are due and shall be payable in accordance with this Bylaw on or before July 31, 2023.
 - 3.2 An owner may elect to pay the rates and taxes owed under this Bylaw under the Alternative Municipal Tax Collection Scheme by providing written notice of that election to the Collector no later than the first Monday in June, 2023.
 - 3.3 An owner may elect to pay the rates and taxes owed under this Bylaw under the General Tax Collection Scheme on or before July 1, 2023 by giving written notice of that election to the Collector no later than the first Monday in June, 2023.
 - 3.4 An owner may change an election under sections 3.2 or 3.3 by giving written notice to the Collector no later than the first Monday in June 2023, provided that an owner may only change their election once in the same year.
 - 3.5 If an owner makes no election under section 3.2 or 3.3, the Alternative Municipal Tax Collection Scheme automatically applies to the owner.

- 3.6 An owner must give any notice under this section to the Collector at his or her office at 171 Main Street, Penticton, B.C. V2A5A9.

4. PENALTIES

- 4.1 If the Alternative Municipal Tax Collection Scheme applies to a parcel of land and its improvements, the Collector must add to the unpaid balance of the current year's taxes, in respect of each parcel of land and the improvements as shown on the tax roll, a penalty of ten (10) percent to be applied in relation to payments made after the tax due date of July 31, 2023.
- 4.2 If the General Tax Collection Scheme applies to a parcel of land and its improvements, the Collector must apply the penalties and interest set out in any regulation under section 234 of the *Community Charter*.

5. The following rates are hereby imposed and levied for the year 2023.

- 5.1 For lawful general purposes of the municipality on the value of land and improvements taxable for general Municipal purposes, rates appearing on Column "A" of the Schedule 'A' attached hereto and forming part hereof;
- 5.2 For hospital purposes on the value of land and improvements taxable for Regional Hospital District purposes, rates appearing in Column "B" of the Schedule 'A' attached hereto and forming a part hereof;
- 5.3 For purposes of the Regional District of Okanagan-Similkameen on the value of land and improvements taxable for Regional Hospital District purposes, rates appearing in Column "C" of the Schedule 'A' attached hereto and forming a part hereof;
- 5.4 For purposes of the Regional District of Okanagan-Similkameen 9-1-1 Emergency Telephone Service and Mosquito Control, on the assessed value of improvements taxable for Regional Hospital District purposes, rates appearing in Column "D" of the Schedule 'A' attached and forming a part thereof;
- 5.5 For purposes of Regional District of Okanagan-Similkameen Sterile Insect Release Program, on the assessed value of land taxable for Regional Hospital District purposes, rates appearing in Column "E" of the Schedule 'A' attached and forming a part hereof.
- 5.6 For purposes of Downtown Penticton Business Improvement Area Class 5 & 6 properties, on the assessed value of land and improvements taxable for general Municipal purposes, rates appearing in Column "F" of the Schedule 'A' attached and forming a part hereof.

READ A FIRST time this day of , 2023
READ A SECOND time this day of , 2023
READ A THIRD time this day of , 2023
ADOPTED this day of , 2023

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer

The Corporation of The City of Penticton

Schedule 'A'

Tax Rates (dollars of tax per \$1,000 taxable assessment)

2023	A	B	C	D	E	F
Property Class	General Municipal	Regional Hospital District	RDOS	RDOS 911 Emergency Telephone Service & Mosquito Control	RDOS Sterile Insect Release Program	Downtown Penticton Business Improvement Area for Class 5 & 6
1 Residential	2.9973	0.1744	0.1203	0.0623	0.0318	0.0000
2 Utilities	30.1410	0.6102	0.4212	0.2179	0.1112	0.0000
3 Supportive Housing	2.9973	0.1744	0.1203	0.0623	0.0318	0.0000
4 Major Industry	5.5810	0.5928	0.4091	0.2117	0.1080	0.0000
5 Light Industry	5.5810	0.5928	0.4091	0.2117	0.1080	1.0772
6 Business & Other	6.6541	0.4272	0.2948	0.1526	0.0778	1.0772
7 Managed Forest Land	6.6541	0.5231	0.3610	0.1868	0.0953	0.0000
8 Recreation/Non-Profit	4.1107	0.1744	0.1203	0.0623	0.0318	0.0000
9 Farm	15.5275	0.1744	0.1203	0.0623	0.0318	0.0000

2023 NET TAXABLE *Revised Roll	2023 Assessment Distribution	Land	Improvements	Total
01 - Residential	86.80%	\$5,015,074,114	\$5,521,557,000	\$10,536,631,114
02 - Utilities	0.18%	\$10,592,156	\$11,211,300	\$21,803,456
03 - Supportive Housing	0.00%	\$5	\$5	\$10
04 - Major Industry	0.00%	\$0	\$0	\$0
05 - Light Industry	1.39%	\$86,713,500	\$81,660,900	\$168,374,400
06 - Business & Other	11.51%	\$774,010,732	\$623,135,019	\$1,397,145,751
07 - Managed Forest	0.00%	\$0	\$0	\$0
08 - Rec/Non Profit	0.09%	\$10,872,100	\$22,100	\$10,894,200
09 - Farm	0.04%	\$4,312,714	\$0	\$4,312,714
Total	100.00%	\$5,901,575,321	\$6,237,586,324	\$12,139,161,645

S.644LGA/398VC

\$33,290,600

2023 NMC *Revised Roll	2023 NMC Assessment Distribution	Land	Improvements	Total	NMC New Revenue (Realized)
01 - Residential	91.74%	\$42,555,200	\$110,447,810	\$153,003,010	\$458,603
02 - Utilities	-0.01%	-\$10,200	\$0	-\$10,200	-\$307
03 - Supportive Housing	0.00%	\$1	\$1	\$2	\$0
04 - Major Industry	0.00%	\$0	\$0	\$0	\$0
05 - Light Industry	1.07%	\$135,200	\$1,656,000	\$1,791,200	\$9,997
06 - Business & Other	7.22%	\$2,385,405	\$9,658,256	\$12,043,661	\$80,140
07 - Managed Forest	0.00%	\$0	\$0	\$0	\$0
08 - Rec/Non Profit	0.00%	\$0	\$0	\$0	\$0
09 - Farm	-0.03%	-\$57,608	\$0	-\$57,608	-\$895
Total	100.00%	\$45,007,998	\$121,762,067	\$166,770,065	\$547,538

S.644LGA/398VC

(\$480,800)

NMC Budget	\$416,861
Difference	\$130,677

Property Class	Prior Year Revised Roll	Current Year Revised Roll (Net of NMC)	Prior Year Tax Rates	Prior Year Tax Levy	Current Year Revenue Neutral Rates	Revenue Neutral Ratios
01 - Residential	\$9,118,549,440	\$10,383,628,104	3.1154	\$28,407,619	2.7358	1.00
02 - Utilities	\$19,106,844	\$21,813,656	31.4256	\$600,444	27.5261	10.06
03 - Supportive Housing	\$8	\$8	3.1154	\$0	2.7358	1.00
04 - Major Industry	\$0	\$0	5.8534	\$0	5.0968	1.86
05 - Light Industry	\$145,053,400	\$166,583,200	5.8534	\$849,048	5.0968	1.86
06 - Business & Other	\$1,266,568,614	\$1,385,102,090	6.6579	\$8,432,645	6.0881	2.23
07 - Managed Forest	\$0	\$0	6.6579	\$0	6.0881	2.23
08 - Rec/Non Profit	\$10,017,600	\$10,894,200	4.0826	\$40,898	3.7541	1.37
09 - Farm	\$4,331,156	\$4,370,322	14.3086	\$61,973	14.1804	5.18
Total	\$10,563,627,062	\$11,972,391,580		\$38,392,627		

BTM

2.22

Current Year Tax Increase	9.50%
---------------------------	-------

Property Class	Current Year Revised Roll (Net of NMC)	Prior Year Tax Levy plus Budget Increase less Ratio Shift (6-1)	Current Year Rates	Current Year Ratios	Current Year Revised Roll	Current Year Tax Levy
01 - Residential	\$10,383,628,104	\$31,123,358	2.9973	1.00	\$10,536,631,114	\$31,581,961
02 - Utilities	\$21,813,656	\$657,486	30.1410	10.06	\$21,803,456	\$657,179
03 - Supportive Housing	\$8	\$0	2.9973	1.00	\$10	\$0
04 - Major Industry	\$0	\$0	5.5810	1.86	\$0	\$0
05 - Light Industry	\$166,583,200	\$929,708	5.5810	1.86	\$168,374,400	\$939,705
06 - Business & Other	\$1,385,102,090	\$9,233,746	6.6541	2.22	\$1,397,145,751	\$9,296,768
07 - Managed Forest	\$0	\$0	6.6541	2.22	\$0	\$0
08 - Rec/Non Profit	\$10,894,200	\$44,783	4.1107	1.37	\$10,894,200	\$44,783
09 - Farm	\$4,370,322	\$67,860	15.5275	5.18	\$4,312,714	\$66,966
Total	\$11,972,391,580	\$42,056,941	80.2443		\$12,139,161,645	\$42,587,362

Tax Burden	Assessment Distribution	Tax Burden
74.16%	86.80%	74.16%
25.84%	13.20%	1.54%
		0.00%
		0.00%
		2.21%
		21.83%
		0.00%
		0.11%
		0.16%
100.00%	100.00%	100.00%

Schedule B Budget	\$42,407,288
Difference	\$180,074

Prior Year Occurrences	Prior Year Average Assessment	Prior Year Typical General Municipal Tax	Current Year Typical Assessment (Net of NMC)	Current Year Typical General Municipal Tax	Current Year Typical Increase (%)	Current Year Typical Increase (\$)	Property Class
15,696	\$580,947	\$1,810	\$661,546	\$1,983	9.5%	\$173	01 - Residential
40	\$477,671	\$15,011	\$545,341	\$16,437	9.5%	\$1,426	02 - Utilities
11	\$1	\$0	\$1	\$0	-3.8%	-\$0	03 - Supportive Housing
0	\$0	\$0	\$0	\$0	0.0%	\$0	04 - Major Industry
96	\$1,510,973	\$8,844	\$1,735,242	\$9,684	9.5%	\$840	05 - Light Industry
1,189	\$1,065,239	\$7,092	\$1,164,930	\$7,752	9.5%	\$659	06 - Business & Other
0	\$0	\$0	\$0	\$0	0.0%	\$0	07 - Managed Forest
154	\$65,049	\$266	\$70,742	\$291	9.5%	\$25	08 - Rec/Non Profit
264	\$16,406	\$235	\$16,554	\$257	9.5%	\$22	09 - Farm

Current Year Occurrences	Current Year Average Assessment (incl NMC)	Current Year Average General Municipal Tax	Current Year Average Increase	Property Class
15,743	\$669,290	\$2,006	10.84%	01 - Residential
40	\$545,086	\$16,429	9.45%	02 - Utilities
12	\$1	\$0	10.24%	03 - Supportive Housing
0	\$0	\$0	0.00%	04 - Major Industry
97	\$1,735,819	\$9,688	9.54%	05 - Light Industry
1,193	\$1,171,120	\$7,793	9.88%	06 - Business & Other
0	\$0	\$0	0.00%	07 - Managed Forest
153	\$71,204	\$293	10.22%	08 - Rec/Non Profit
255	\$16,913	\$263	11.87%	09 - Farm

April 10, 2023

Ms. Angela Campbell
Chief Financial Officer
City of Penticton
171 Main Street
Penticton, B.C. V2A 5A9
chieffinancialofficer@penticton.ca

Dear Ms. Campbell:

Re: 2023 Budget Requisitions

The City of Penticton's 2023 requisition for the Okanagan-Similkameen Regional District and the Okanagan-Similkameen Regional Hospital District is summarized below.

Included are adjustments to the 2022 requisition based on the final assessment roll for that year. These adjustments are collectable as per sections 804.2 (3) b of the Local Government Act and 25 (7) of the Hospital District Act.

Summary of Requisition:

2023 Regional District Requisition	\$ 2,510,706
2022 RDOS Adjustment	(1,877)
2023 SIR Parcel Tax	20,436
Subtotal RDOS	\$ 2,529,265
2023 Regional Hospital District Requisition	\$ 2,572,988
2022 OSRHD Adjustment	1,673
Subtotal OSRHD	\$ 2,574,661
Total Due	\$ 5,103,926

Sincerely,

Jim Zaffino

Jim Zaffino, CPA, CGA
Manager of Finance/CFO
Enclosures (2)

REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN

2022-Budget Requisition

2023

CITY OF PENTICTON	2023	2022	NET CHANGE
Participating Directors determine budget by weighted vote			
911 EMERGENCY CALL SYSTEM - Improvements Only	\$ 395,764	\$ 363,364	\$ 32,400
DESTRUCTION OF PESTS	(891)	3,270	(4,161)
EMERGENCY PLANNING	143,832	143,774	58
ENVIRONMENTAL CONSERVATION	220,538	220,969	(431)
GENERAL GOVERNMENT	637,700	597,847	39,853
HERITAGE (Subregional)	-	1,104	(1,104)
ILLEGAL DUMPING	14,323	14,244	79
INVASIVE SPECIES (formerly Noxious Weeds)	26,488	25,351	1,137
MOSQUITO CONTROL - Improvements Only	74,007	4,673	69,334
NUISANCE CONTROL	9,477	10,353	(876)
REGIONAL ECONOMIC DEVELOPMENT (Okanagan Film Comm)	14,466	14,495	(29)
REGIONAL GROWTH STRATEGY (Subregional)	20,149	18,550	1,599
REGIONAL TRAILS	172,965	159,141	13,824
REGIONAL TRANSIT	95,396	87,494	7,902
SOLID WASTE MANAGEMENT PLAN	110,007	100,963	9,044
Subtotal	1,934,221	1,765,592	168,629
Requisitions from Other Multi-Regional Boards			
OKANAGAN BASIN WATER BOARD	346,704	334,466	12,238
STERILE INSECT RELEASE PROGRAM - Land Only	229,781	208,444	21,337
Subtotal	576,485	542,910	33,575
TOTAL	\$ 2,510,706	\$ 2,308,502	\$ 202,204
Average Tax Rate/\$1000 (RDOS)	\$ 0.16958	\$ 0.17792	\$ (0.00834)
Average Taxes per Property (RDOS)	\$ 119.29	\$ 108.72	\$ 10.57
MUNICIPAL DEBT REPAYMENT	\$ 3,081,056	\$ 3,083,068	
STERILE INSECT RELEASE PROGRAM - Parcel Tax	\$ 20,436	\$ 21,637	\$ (1,201)
REGIONAL HOSPITAL DISTRICT	\$ 2,572,988	\$ 2,536,239	\$ 36,749
	<u>Requisitions prior to 2022</u>	<u>Property Taxes</u>	<u>SIR Parcel Taxes</u>
	2021	\$2,144,602	21,156
	2020	\$2,133,719	23,216
	2019	\$2,079,842	29,317
			<u>Total</u>
			\$ 2,165,758
			\$ 2,156,935
			\$ 2,109,159

REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN

2022 Budget Requisition Final Roll Adjustments

	2022	2022	2022
CITY OF PENTICTON	Final Roll	Revised Roll	Adjustments
Participating Directors determine budget by weighted vote			
911 EMERGENCY CALL SYSTEM - Improvements Only	\$ 363,169	\$ 363,364	\$ (195)
DESTRUCTION OF PESTS	3,270	3,270	-
EMERGENCY PLANNING	143,869	143,774	95
ENVIRONMENTAL CONSERVATION	220,930	220,969	(39)
GENERAL GOVERNMENT	597,966	597,847	119
HERITAGE (Subregional)	1,104	1,104	-
ILLEGAL DUMPING	14,240	14,244	(4)
INVASIVE SPECIES (formerly Noxious Weeds)	25,344	25,351	(7)
MOSQUITO CONTROL - Improvements Only	4,673	4,673	-
NUISANCE CONTROL	10,351	10,353	(2)
REGIONAL ECONOMIC DEVELOPMENT (Okanagan Film Comm)	14,491	14,495	(4)
REGIONAL GROWTH STRATEGY (Subregional)	18,545	18,550	(5)
REGIONAL TRAILS	159,098	159,141	(43)
REGIONAL TRANSIT	87,470	87,494	(24)
SOLID WASTE MANAGEMENT PLAN	99,202	100,963	(1,761)
Subtotal	1,763,722	1,765,592	(1,870)
Requisitions from Other Multi-Regional Boards			
OKANAGAN BASIN WATER BOARD	334,381	334,466	(85)
STERILE INSECT RELEASE PROGRAM - Land Only	208,522	208,444	78
Subtotal	542,903	542,910	(7)
TOTAL	\$ 2,306,625	\$ 2,308,502	\$ (1,877)
Average Tax Rate/\$1000 (RDOS)		\$ 0.17792	
Average Taxes per Property (RDOS)		\$ 108.72	
MUNICIPAL DEBT REPAYMENT	\$ 3,083,068	\$ 3,083,068	
STERILE INSECT RELEASE PROGRAM - Parcel Tax	\$ 21,637	\$ 21,637	\$ -
REGIONAL HOSPITAL DISTRICT	\$ 2,537,912	\$ 2,536,239	\$ 1,673

Approval date: April 17, 2018

Resolution No.: 159/2018

Subject: Property Taxation Distribution Policy

1.0 Goal

The goal is to establish a fair, transparent, stable and equitable distribution of property tax among all classes of taxable property.

2.0 Scope

The City collects property taxation across the nine property classes as a means to generate the majority of its revenue to fund City operations. When the property tax requirement is approved in the financial planning process, it is necessary to determine an appropriate distribution amongst all property classes.

The City intends to ensure tax ratios are within acceptable parameters in comparison to other British Columbia municipalities and will be reviewed as a basis to striking the equitable distribution of property taxation.

3.0 Background

It is important to attract and retain businesses in the City to achieve economic vitality. This is accomplished through creating a competitive business climate and maintaining competitive and stable property taxes for business. At the same time, the residential property class provides the largest proportion of taxation revenue and affordability remains a key component to encourage growth of the residential sector. Striking the appropriate distribution of property taxes across the various classes is critical to achieve a positive business climate and residential affordability.

Municipalities can use different approaches for distribution of taxes across property classes:

3.1 The **tax burden approach** is used to maintain a percentage share of property taxes collected from each of the property classes consistent from year to year. This model creates fairness in times when there is little growth or change in assessment values.

3.2 The **tax ratio approach** is used to set a ratio for each class. In times of growth and increase in assessment value to hold the ratio, rates must be adjusted for changing classes resulting in a shift in tax burden and amount of taxes paid for these classes.

3.3 **The revenue neutral approach** is used to maintain the same level of revenue in each class before considering non-market change. This approach prevents against shifts in the tax burden between classes and also ensures any tax increases will be consistent across classes.

4.0 Policy

The City of Penticton will follow the **revenue neutral approach** in property tax rate setting. This approach is most equitable and stable for all property classes, especially in times of growth and changing assessment.

This ensures each property class pays the same dollar amount in taxes as they did the previous year, prior to any Council approved tax revenue changes or changes to the physical property. This approach will ensure Council has the ability to better control the effect tax decisions have on property owners and will make it easier and more transparent to estimate what taxes will be collected on individual properties. This approach is more understandable for the public and taxpayers can more easily verify that they are being billed correctly. It is consistent to owners of all classes of property.

The following actions will be taken each year when determining the current year rates:

4.1 Tax ratios will be determined by the market forces as assessment value changes will differ between classes. The current year rates for each class will be adjusted so that the dollars for each class remain the same as the prior year not including non-market change. Non-market change is regarded as new revenue, not previously generating tax revenue.

4.2 General Municipal tax changes as determined through the City's annual operating budget process will be applied as the same percentage change to each class.

4.3 Tax ratios will be reviewed annually to ensure the City of Penticton's ratio for any class does not exceed the provincial nor regional comparator averages from the previous year for that class. In the event a ratio exceeds the provincial or regional comparator average Staff will recommend an adjustment to the ratios for the impacted taxation year reducing them to the average.

5.0 Definitions

5.1 **Assessment Value** – An assessed value is the dollar value assigned to a property to measure applicable taxes. Assessed valuation determines the value of a residence for tax purposes and takes comparable home sales and inspections into consideration.

5.2 **Non-Market Change** – Changes in property value as a result of:

- new construction authorized under local building authority permit (permitted improvements)
- new construction which occurs in an area with no local building permit authority
- property class changes
- exemption changes

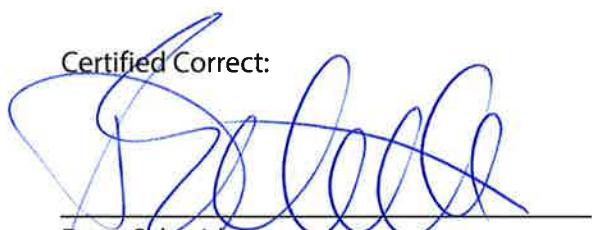
- new development or "size" changes to land - including subdivisions, land assemblies and consolidations (Plans Cancellations); new/expired tenures on Crown/exempt land; and
- Zoning changes (e.g. changes that increase or decrease density, use & resulting property value).

5.2 **Property Classes** – For property taxation purposes in British Columbia, the assessor assigns one or more property class to each property according to the description of these classes in a provincial regulation. There are nine classes: residential, utilities, supportive housing, major industry, light industry, business and other, managed forest land, recreational property/non-profit organization and farm.

5.3 **Tax Rate** – The amount of tax that would be paid for each \$1,000 of assessed value. The tax rate may vary between property classes but must be the same for all properties within a class.

5.4 **Tax Ratio** – The residential tax rate divided into the property class tax rate.

Certified Correct:



Dana Schmidt
Corporate Officer

Attachment E

Historical Tax Burdens & BTMs in Penticton

Year	Residential Assessment Distribution	Burden on Residential Class	Commercial Assessment Distribution	Burden on Commercial Class	BTM
2019	84.6%	74.2%	13.6%	21.7%	1.82
2020	84.0%	73.1%	14.0%	21.6%	1.75
2021	84.8%	73.7%	13.3%	22.2%	1.91
2022	86.3%	74.0%	12.0%	22.0%	2.14
2023	86.8%	74.1%	11.5%	21.9%	2.22

2022 Regional Tax Burdens & BTMs

Municipality	Residential Assessment Distribution	Burden on Residential Class	Commercial Assessment Distribution	Burden on Commercial Class	BTM
Kelowna	85.7%	69.2%	12.9%	26.6%	2.55
Oliver	89.3%	73.1%	9.3%	18.5%	2.45
Penticton	86.3%	73.6%	12.0%	21.8%	2.14
Osoyoos	89.8%	80.0%	9.7%	16.5%	1.90
West Kelowna	93.8%	85.3%	4.9%	10.3%	2.33
Summerland	95.0%	86.8%	3.7%	9.0%	2.64



Council Report

penticton.ca

Date: April 18, 2023
To: Donny van Dyk, Chief Administrative Officer
From: Cheryl Hardisty, Council and Executive Operations Manager
Subject: **Code of Conduct Update**

Staff Recommendation

THAT Council direct staff to establish a code of conduct that aligns with the provincially prescribed principles of integrity, accountability, respect, leadership and collaboration and that staff continue with a regional model.

Strategic priority objective

Organizational Excellence: The City of Penticton will support a culture of service excellence built on good governance, leadership and sound financial decisions.

Background

In 2022, the Province enacted amendments to the *Community Charter* which now require municipal councils to consider, within 6 months of the inaugural meeting (and then reconsider, if on the first consideration they decide not to adopt) the development of a code of conduct.

The City of Penticton has a Respectful Workplace Policy which deals with disrespect, harassment and bullying, but does not address the broader expectations of the newly enacted Provincial legislation.

Sections 113.1 and 113.2 that were added to the *Community Charter* require Council to consider adopting codes of conduct that align with prescribed principles:

- Council members must carry out their duties with **integrity**;
- Council members are **accountable** for the decisions that they make, and the actions that they take, in the course of their duties;
- Council members must be **respectful** of others;
- Council members must demonstrate **leadership and collaboration**.

Following orientation sessions at the Regional District of Okanagan Similkameen Board, member communities have been working together to draft a regional template for consideration based on the broad recommendations from the Working Group on Responsible Conduct, which was a joint initiative of the UBCM, the Local Government Management Association and the Ministry of Municipal Affairs and Housing. Through Board meetings and staff collaboration a table of contents has been drafted, applicable sections will be prepared for final review in the coming months.

Given the potential complexities, costs and implications of compliance and enforcement processes, staff have sought to create a framework that ensures fairness through the exercise of care and discretion and strongly features informal resolution efforts prior to the engagement of a third party.

A few key issues have been identified concerning the process for complaints, investigations and the imposition of sanctions. These matters are summarized below with brief description of themes and considerations.

- **Process Trigger**

Consideration has been given to who specifically may file complaints under the policy. While some local governments allow complaints from anyone (e.g. board/council members, staff, and members of the public) others limit complaints to only board/council members and staff.

The volume and the complexity of complaints can increase with the expansion of potential complainants and this in turn can result in cost and capacity impacts. Staff are drafting language that limits complaints to Council members, staff and committee members in light of the potential costs and capacity issues which could result from a large number of potential complainants.

- **Informal Dispute resolution procedures**

Informal dispute resolution processes are widely recognized as being more effective in finding solutions that are satisfactory to all parties at the least cost. To encourage such processes, a basic informal complaint procedure and a similar process within the formal complaint procedure at the initial stage after a complaint will be drafted for consideration. In this case, the Mayor and senior staff member may become involved in the informal resolution step by requesting basic details and meeting with the complainant and respondent. Through this the parties can be brought together to try and work towards solutions and repair relationships before a third party is engaged. This approach is generally in line with other smaller local governments while many larger municipalities engage an ethics commissioner or officer to field all complaints and manage the entire process instead of the Mayor/Chair and senior staff member.

- **Legal Costs**

Council members may wish to seek some legal counsel to assist them in their participation through a resolution process. A provision whereby a member of Council may submit a request to Council for reimbursement for the costs of legal representation and advice is being discussed. Aligned with other local governments, this option would provide for such reimbursement under certain circumstances (first formal complaint process), and with certain limits (maximum \$10,000).

- **Election Period**

Some local government codes of conduct restrict complaints during a period prior to local government elections. Such provisions may help to reduce politically motivated complaints while also recognizing the potential added challenges in seeking resolution of complaints during this time. The date range for such restrictions are varied across local governments but staff are drafting language that would bar complaints during the nomination period.

- **Sanctions or remedies**

Sanctions are not specifically outlined in the *Community Charter* or *Local Government Act* but to stipulate that sanctions cannot prevent a member from fulfilling their legislated duties. Sanctions will be included as options, not requirements and will aim to increase awareness of consequences thereby contributing to compliance.

Financial implication

Administering complaints under the Code of Conduct Policy will accrue costs for the City; however, even if such matters were omitted any complaints would still incur similar costs given the need for individuals with specialized skills to investigate complaints under the policy.

Ultimately, costs in any given year will depend on the number of complaints that arise and their complexity. To minimize the potential cost impacts staff have proposed a number of measures (e.g. limit who can make a complaint, informal resolution processes, limited cost reimbursement) to try and ensure such costs are minimized as much as possible.

Options

1. Council may proceed with the Regional model as described and recommended through this report.
2. Council may direct alternative changes to the Code of Conduct or direct staff to undertake further investigation of specific considerations.
3. After considering all the prescribed principles for codes of conduct, Council may decide not to establish its own or a regional code of conduct. In this case, Council must make available to the public a statement respecting the reasons for the decision.

Attachments

Attachment A – Draft Table of Contents

Attachment B – UBCM Foundational Principles information

Respectfully submitted,

Cheryl Hardisty
Council and Executive Operations Manager

Concurrence

Chief Administrative Officer DyD

Contents

POLICY STATEMENT	
Commitment to Responsible Conduct	
PURPOSE	
SCOPE	
STATUTORY PROVISIONS	
DEFINITIONS	
INTERPRETATION	
FOUNDATIONAL PRINCIPLES	
1.1 Integrity: being honest and demonstrating strong ethical principles	
1.2 Accountability: an obligation and willingness to accept responsibility or to account for one’s actions	
1.3 Respect: having due regard for others’ perspective, wishes, and rights	
1.4 Leadership and Collaboration: an ability to lead, listen to, and positively influence others; coming together to create or meet a common goal through collective efforts	
GENERAL CONDUCT	
REPORTING, RECORDING, RETAINING, AND HANDLING OF INFORMATION	
CONFLICT OF INTEREST	
INTERACTIONS WITH STAFF, VOLUNTEERS, COMMITTEE, AND COMMISSION MEMBERS	
PUBLIC MEETINGS	
USE OF SOCIAL MEDIA	
INTERACTIONS WITH THE PUBLIC AND MEDIA	
GIFTS AND PERSONAL BENEFITS	
USE OF PUBLIC RESOURCES	
BREACHES, COMPLAINT HANDLING AND DISCIPLINARY ACTION	
RELATED POLICIES AND PROCEDURES	

Foundational Principles of Responsible Conduct

For BC's Local Governments

Key Foundational Principles:

- **Integrity**
- **Accountability**
- **Respect**
- **Leadership & Collaboration**

What are foundational principles?

The foundational principles provide a basis for how local government elected officials fulfill their roles and responsibilities, including in their relationships with each other, with local government staff and with the public.

These principles are intended to guide both the conduct of individual elected officials and the collective behaviour of the local government council or board. The principles are also meant to guide local governments in fulfilling their corporate functions and responsibilities to their communities.

Responsible conduct at all of these levels is key to furthering a local government's ability to provide good governance to its community.

How do the principles "fit" with legal obligations?

It is the duty of elected officials to understand and abide by all legal requirements that apply to elected officials and local governments¹, and nothing in this document should be interpreted as taking precedence over such legal obligations.

Local government elected officials should interpret the principles described below in accordance with the responsibilities and obligations set out in B.C.'s local government legislation, other applicable legislation, the common law and the policies and bylaws of the local government.

How are the principles incorporated into the existing local government framework?

Elected officials are encouraged to incorporate the foundational principles whenever they are carrying out their official duties; but there are some circumstances where they are required to consider these principles.

Elected officials must recite an oath or affirmation where they make a commitment to uphold these principles before they can hold office.

Elected officials must also contemplate these principles when considering adopting a code of conduct at the beginning of a new term.

These principles will continue to be incorporated into B.C.'s local government framework to help bolster responsible conduct practices.

¹ Many legal obligations apply to elected officials and local governments, including but not limited to rules about: ethical standards such as conflict of interest; open meetings; protecting confidential information; workplace safety such as harassment; and expenditure of local government funds.

INTEGRITY:

Conducting oneself honestly and ethically

- Be open and truthful in all local government dealings, while protecting confidentiality where necessary
- Behave in a manner that promotes public confidence, including actively avoiding any perceptions of conflicts of interest, improper use of office, or unethical conduct
- Act in the best interest of the public and community
- Ensure actions are consistent with the shared principles, values, policies, and bylaws collectively agreed to by the council or board
- Demonstrate the same ethical principles during both meetings that are open and closed to the public
- Express sincerity when correcting or apologizing for any errors or mistakes made while carrying out official duties

² Discriminatory conduct includes any verbal or physical actions taken against someone because of their Indigenous identity, race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age pursuant to the BC Human Rights Code.

Foundational Principles of Responsible Conduct

RESPECT:

Valuing the perspectives, wishes, and rights of others

- Treat elected officials, staff, and the public with dignity, understanding and respect
- Acknowledge how people’s beliefs, values, ideas, and contributions add diverse perspectives
- Create an environment of trust, including displaying awareness and sensitivity around comments and language that may be perceived as offensive or derogatory
- Refrain from any form of discriminatory conduct² against another elected official, staff, or the public
- Honour the offices of local government and fulfill the obligations of Mayor/Chair and Councillor/Director dutifully
- Recognize and value the distinct roles and responsibilities of local government staff
- Call for and expect respect from the community towards elected officials and staff
- Ensure that public statements and social media posts that concern other elected officials, staff, and the public are respectful

ACCOUNTABILITY:

An obligation and willingness to accept responsibility or to account for one’s actions

- Be transparent about how elected officials carry out their duties and how council conducts business
- Ensure information and decision-making processes are accessible to the public while protecting confidentiality where necessary
- Correct any mistakes or errors in a timely and transparent manner
- Accept and uphold that the council/board is collectively accountable for local government decisions, and that individual elected officials are responsible and accountable for their behaviour and individual decisions
- Listen to and consider the opinions and needs of the community in all decision-making, and allow for public discourse and feedback
- Act in accordance with the law, which includes, but is not limited to, the statutes, bylaws, and policies that govern the local government

LEADERSHIP AND COLLABORATION:

An ability to lead, listen to, and positively influence others; coming together to create or meet a common goal through collective efforts honestly and ethically

- Demonstrate behaviour that builds public confidence and trust in local government
- Provide considered direction on municipal policies and support colleagues and staff to do the same
- Educate colleagues and staff on the harmful impacts of discriminatory conduct, and take action to prevent this type of conduct from reoccurring if necessary
- Create space for open expression by others, take responsibility for one’s own actions and reactions, and accept the decisions of the majority
- Advocate for shared decision-making and actively work with other elected officials, staff, the public, and other stakeholders to achieve common goals
- Foster positive working relationships between elected officials, staff, and the public
- Commit to building mutually beneficial working relationships with neighbouring First Nations to further advance reconciliation efforts
- Positively influence others to adhere to the foundational principles of responsible conduct in all local government dealings

The Working Group on Responsible Conduct is a joint initiative between the UBCM, LGMA and the Ministry of Municipal Affairs. The Group was formed to undertake collaborative research and policy work around issues of responsible conduct of local government elected officials.



Ministry of Municipal Affairs

Council Report

penticton.ca

Date: April 18, 2023
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Senior Planner
Address: 924 Fairview Road

File No: RMS/924 Fairview Rd

**Subject: Zoning Amendment Bylaw No. 2023-14
Development Permit PL2022-9302**

Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-14", a bylaw to rezone Lot 1 District Lot 250 Similkameen Division Yale District Plan 37914, located at 924 Fairview Road, from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing), to facilitate the construction of a 6-unit townhouse development;

AND THAT Council forward "Zoning Amendment Bylaw No. 2023-14" to the May 2, 2023 Public Hearing;

AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2023-14", require a 0.8m road dedication along the frontage of the subject property be registered with the Land Title Office;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-14", approve "Development Permit PL2022-9302", a permit to approve the form and character of a 6-unit townhouse development.

Strategic Priority Objective

Livable and Accessible: Proactively plan for deliberate growth; focused on an inclusive, healthy, safe and desirable place to live.

Proposal

The applicant is proposing to construct a 6-unit townhouse development on the subject property (Figure 1). The proposal consists of two, three-storey triplexes accessed from an internal driveway. Each unit has its own garage and rear yard space.



Figure 1 - Rendering of proposed development

To facilitate the proposed development, an application was made to rezone the property from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing) to allow the multifamily use.

Council previously gave first reading to Zoning Amendment Bylaw 2022-37 on July 5, 2022, but did not give further readings after the Public Hearing held on July 19, 2022, citing concerns about access and design. More information about this file's history is in the 'Background' section of this report (below). The applicants have redesigned the proposed development and are now requesting further consideration of the rezoning and approval of the associated 'form and character' development permit.

Background

Property Description

The subject property is located on the east side of Fairview Road, just south of the Martin Street/Fairview Road/Scott Avenue intersection (Figure 2). The property contains a single detached dwelling constructed in 1954, which is proposed to be demolished. Apartment buildings are located on neighbouring properties to the north and south, with other apartments and townhomes located in the surrounding area. The Lake-to-Lake bike route runs directly in front of the subject property, with driveway access to the property in the same location as the current driveway. The property is within walking distance of the downtown, Penticton Public Library, KVR Middle School and Penticton Secondary School.

The property is currently zoned 'RD1 (Duplex Housing)' and is designated 'Urban Residential' by the Official Community Plan (OCP).

Previous Council Decisions

Staff presented a previous version of this application for 7 townhouse units to Council for introduction on July 5, 2022. That proposal included a Development Variance Permit request to reduce the minimum required rear yard setback from 6.0m to 5.4m to accommodate the 7-units factoring in the required 0.8m road dedication at the front of the property. Council gave the Zoning Amendment Bylaw first reading on July 5, 2022, and forwarded the bylaw to the July 19, 2022 Public Hearing.

At the July 19, 2022 Public Hearing, six people spoke with concerns about the proposal. The main concerns were focused on the density for the lot and the only access/egress point at Fairview Road, near the intersection with Scott Avenue/Martin Street and the Lake-to-Lake bike route in front. After the Public Hearing, Council voted to deny 2nd and 3rd reading to the Zoning Amendment Bylaw. This vote kept the bylaw at first reading and allowed the applicant to revisit their proposal in response to the Public Input.



Figure 2 - Property location map

274/2022 **It was MOVED and SECONDED**
THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-37".
DEFEATED
Mayor Vassilaki and Councillors Bloomfield, Miller, Sentes and Watt, Opposed

Revised Proposal

The resubmission package was submitted to the City in February 2023, and reviewed by staff. The applicant has submitted an updated letter of intent (Attachment 'D').

The letter states the applicant attempted to acquire the property to the east, which would have allowed an alternate road access to Fairview Road, however that acquisition was not successful.

The letter further describes the changes made to their application package in response to the public hearing in July 2022.

The key changes are:

- Reduce the number of units from 7 to 6,
- Provide a larger vehicle turnaround area at the rear of the property, and
- Eliminate the previous variance request to reduce the required rear yard from 6.0m to 5.4m.

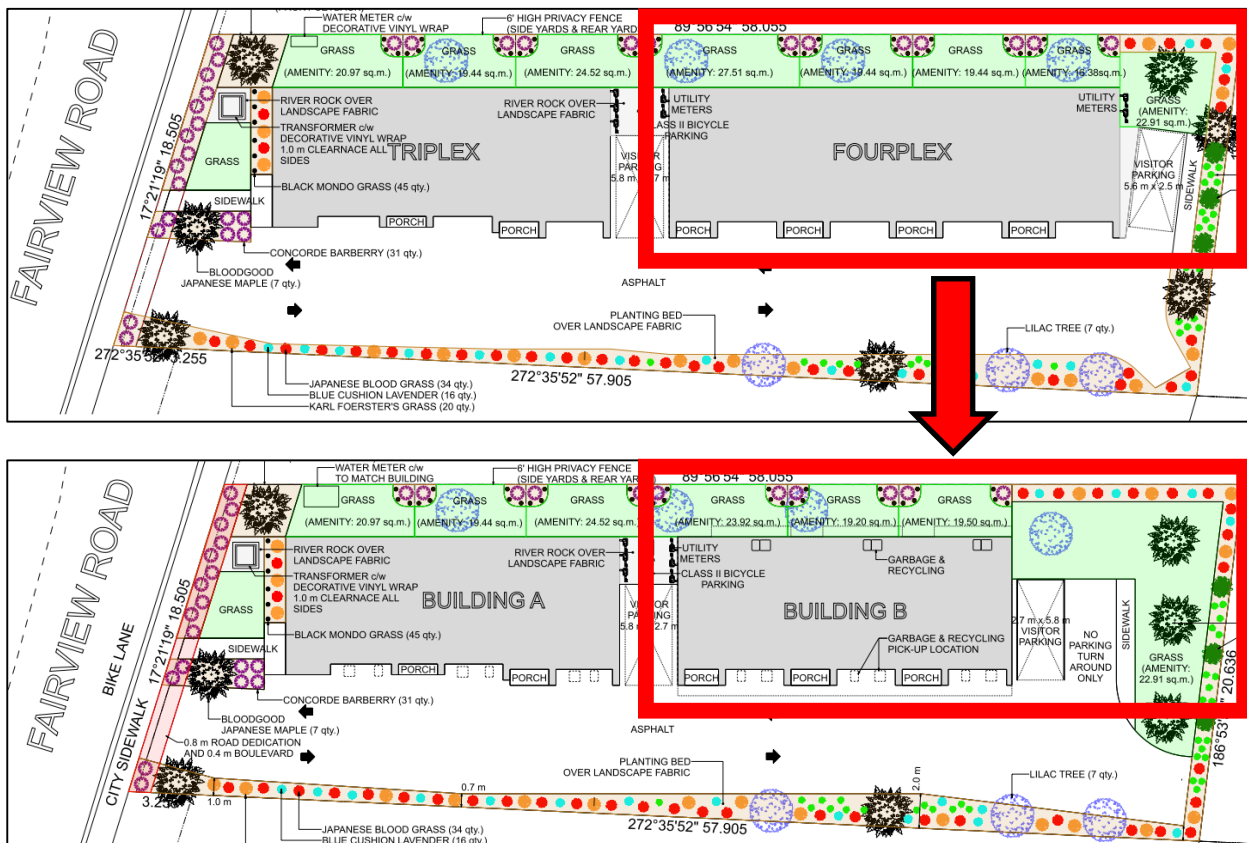


Figure 3 - Original 7-unit proposal (top) versus the updated 6-unit proposal (bottom)

New Zoning Bylaw

Since submission of the revised plans, the City has adopted a new zoning bylaw (Zoning Bylaw 2023-08). The new zoning bylaw does not impact the development in any substantial way. Regardless, as the original application was made before the zoning bylaw was considered by Council, the development would not be subject to any of the recent bylaw changes. However, because of the new Zoning Bylaw 2023-08 now in effect, a new amendment bylaw is being presented to Council for first reading and staff recommend another public hearing so Council can hear feedback directly from the public on this revised proposal.

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.
 - Each unit has a private attached garage, which provides sufficient room to securely store a bicycle.
 - Visitor bike parking racks are provided on the property, near the vehicle visitor parking.
 - The subject property is located along the Lake-to-Lake bike route on Fairview Road, which has also bus routes and nearby bus stops within walking distance.
- **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 buildings will be required to meet Step 3 of the BC Energy Step Code as a minimum standard of energy efficiency.

Technical Review

This proposed development was reviewed by the Technical Planning Committee, a group of internal staff who review development applications. The committee identified a 0.8m road dedication along the Fairview Road frontage and recommend that the dedication occur through the rezoning process, in order to achieve the desired road right-of-way width. The applicant is aware of this recommendation and has designed their development accordingly. Other updates to the plans were completed to address the staff review comments. Future requirements related to the building permit stage have been provided to the applicant, in the effort to expedite that future approvals process, should Council ultimately approve the planning applications.

Access

The city's preference is for rear lane vehicle access, where possible, however the only access point to the subject property at this time is from Fairview Rd. The developer did approach the owner of the adjacent property to the east (off Weyburn St) to see if they would sell the property to avoid having vehicle access onto Fairview Road, and through the protected Lake-to-Lake bicycle route. As the applicant describes in their letter of intent (Attachment 'D'), they were unable to acquire the neighbouring Weyburn St property. Given that there is no alternate vehicle access point to the property at this time, the development has been designed to utilize the existing driveway onto Fairview Road and the updated plans provide 6 units instead of 7, along with a larger vehicle turnaround area on the lot than the previous proposal. The redesign would

also facilitate the option for access from the rear, if the right to access from the rear can be secured at a later date, allowing for the closure of the Fairview Rd driveway in the future.

Development Statistics

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

	RM2 Zone Requirement	Original Plans (7 units)	Updated Plans (6 units)
Minimum Lot Width*:	18 m	19.6 m	19.6 m
Minimum Lot Area*:	540 m ²	1,142 m ²	1,142 m ²
Maximum Lot Coverage:	40%	37%	30%
Maximum Density:	0.8 Floor Area Ratio (FAR)	0.75 FAR	0.63 FAR
Vehicle Parking:	1 parking space per dwelling unit 0.25 visitor parking spaces per dwelling unit Total: 7 parking spaces required	7 parking spaces in unit garages 2 visitor parking spaces Total: 9 parking spaces provided	6 parking spaces in unit garages 2 visitor parking spaces Total: 8 parking spaces provided
Bicycle Parking:	Class I: 0.5 spaces per dwelling unit Class II: 0.1 spaces per dwelling unit	Class I: each unit has a garage** Class II: 1 bicycle rack provided	Class I: each unit has a garage** Class II: 1 bicycle rack provided
Required Setbacks Front Yard (Fairview Rd): Side Yard (north): Side Yard (south): Rear Yard (east):	3.0 m 3.0 m 3.0 m 6.0 m	3.0 m 3.0 m 7.1 m 5.4 m – Variance Required	3.0 m 3.0 m 7.1 m 11.7 m
Maximum Building Height	12 m	10.1 m	10.3 m
Other Information:	*Lot width and lot area are only applicable at the time of subdivision. ** Section 6.4.3.5 allows unit garages to count as secure bicycle parking when each unit has access to its own garage space.		

Analysis

Rezoning

The OCP designation for the property is 'Urban Residential'. This land use designation supports townhouses, stacked townhouses, low-rise and mid-rise apartment buildings (Figure 4). The proposed 6-unit townhouse development is a consistent use with the Urban Residential designation. The Urban Residential designation calls for higher density residential development. This updated proposal does represent a reduction in

proposed density, at the past direction of Council, resulting in the applicant revising their proposal to reduce the number of units in the development from 7 to 6.

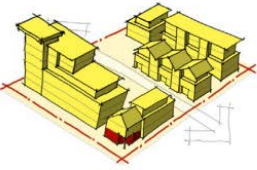
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
	Higher-density 3-6 storey apartment neighbourhoods in higher-amenity areas where building construction is primarily wood frame.	<ul style="list-style-type: none"> Townhouses and stacked townhouses Low-rise and mid-rise apartment/condo buildings 	<ul style="list-style-type: none"> Residential Limited Retail/Service 	<ul style="list-style-type: none"> Heights up to 6 storeys 	<ul style="list-style-type: none"> RM3
<p>Site-Specific Urban Residential Policy Statement: 556 to 736 Lakeshore Drive West: Development up to a maximum of four storeys can be considered subject to assessment of urban design impacts on Lakeshore Drive and the waterfront, Lakawanna Park and neighbouring properties on Churchill Avenue.</p>					

Figure 4 - Excerpt from Land Use Designations table (OCP)

Staff consider that the proposed rezoning to the RM2 zone will allow for development that conforms to the following OCP Policies:

- Policy 4.1.1.1 Focus new residential development in or adjacent to existing developed areas.
 - The property is located in an existing developed area with municipal services.
- 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.
 - The developer is responsible to cover development costs including any required infrastructure upgrades. The City covers the surveying and registration costs of the road dedication. The developer will pay DCC's at the building permit stage to help account for the increased demand on municipal infrastructure.
- Policy 4.1.3.1 Encourage more intensive "infill" residential development in areas close to the Downtown, to employment, services and shopping, through zoning amendments for housing types compatible with existing neighbourhood character, with form and character guided by Development Permit Area Guidelines.
 - There are other multifamily developments located along Fairview Road. The property is located along an urban collector road with a bike route, bus route, and is close to schools and commercial areas.
 - The plans meet the applicable Development Permit Area Guidelines in the OCP, as shown in the Development Permit Analyses (Attachments 'E' and 'F').
- 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.
 - All 6 units are proposed to have 3-bedrooms and 2 full bathrooms. This provides an accommodation option for families.
- 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.

- The Lake-to-Lake bike route runs in front of the subject property
- The site is approximately 80m from a bus stop.
- The property is within walking distance of the downtown, shops, services, Penticton Public Library, KVR Middle School and Penticton Secondary School

Policy 4.1.4.1 Work with the development community – architects, designers and builders – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.

- The applicant has submitted a Development Permit application in conjunction with the rezoning request for Council’s consideration. Attachments ‘E’ and ‘F’ show how the proposed development meets the applicable OCP design guidelines.

Staff consider that the application proposes an appropriately scaled development in an area of the community that has been identified for increased density within the OCP. The reduction of one unit, expanded vehicle turnaround area, and additional rear yard setback in this revised proposal are positive changes to help address the concerns raised through the previous Public Hearing in July 2022. Given that there is adequate policy through the OCP to support the development, staff recommend that Council give first reading to “Zoning Amendment Bylaw No. 2023-14” and forward the bylaw to the May 2nd Public Hearing.

Development Permit

The proposed development is included in the Multifamily Residential Development Permit Area, which is established in the OCP to enhance neighbourhoods and create sensitive transitions in scale and density of new multifamily developments by addressing issues such as privacy, landscape retention, and neighbourliness. The applicant has provided an updated letter of intent and development permit analysis with their submission (Attachments ‘D’). Staff have also completed a development permit analysis (Attachment ‘E’) that shows how the development conforms to the applicable design guidelines.

The OCP allows for minor variances through a development permit, rather than a standalone development variance permit application. The applicant is proposing a reduced landscape buffer width along the south property line (Figure 5). Section 5.1.4 of the Official Community Plan allows variances to landscape buffers in 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 buffer is reduced, compensatory planting elsewhere on site or in the adjacent public realm is required.” In this instance, the south landscape buffer is reduced in width on these plans from 3m to 0.7m at its narrowest point, as a result of the driveway providing access into each unit garage. The north landscape buffer remains at the 3m required width. Staff are supporting the

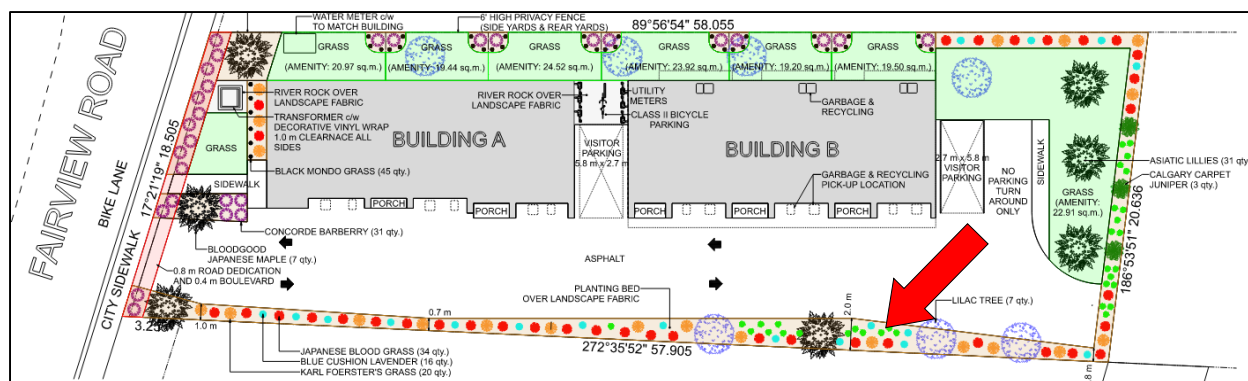


Figure 5 - Landscape plan showing reduced southern landscape buffer (red arrow)

variance through the development permit because the landscape plan shows that the required number of trees and shrubs will be planted along the reduced buffer, at the ratios required by the Zoning Bylaw: 1 tree per 10m and 1 shrub per 1m. As a result, no additional plantings elsewhere on site or in the public realm are required. This reduced landscape buffer allows vehicle access into the units and maintains shrubs and trees along this side of the property adjacent to the neighbouring apartment building.

Staff consider that the proposed development has been designed with the OCP policies and design guidelines in mind and with due consideration to neighbourhood fit and buffering impacts on neighbouring property owners. The reduction of one unit, expanded vehicle turnaround area, and additional rear yard setback in this revised proposal are positive changes to help address the concerns raised through the previous Public Hearing in July 2022. As such, staff recommend that Council consider approving the Development Permit, subject to the adoption of the related Zoning Amendment Bylaw.

Alternate Recommendations

Council may have a desire to see a similar density to what was previously proposed. If this is the case, Council may choose to proceed with further readings of the Zoning Amendment Bylaw, and provide direction to staff regarding the density that they wish to see at this location. This could include Council choosing to support the originally proposed Development Variance Permit and Development Permit.

1. THAT Council give first reading to “Zoning Amendment Bylaw No. 2023-14”;
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 to not give first reading to the Bylaw.

2. THAT Council deny first reading to “Zoning Amendment Bylaw No. 2023-14”.

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Updated Letter of Intent and Development Permit Analysis (applicant)
- Attachment E – Development Permit Analysis (staff)
- Attachment F – Draft Development Permit PL2022-9302
- Attachment G – Zoning Amendment Bylaw No. 2023-14

Respectfully submitted,

Concurrence

Steven Collyer, RPP, MCIP
Senior Planner

Director of Development Services <i>BL</i>	General Manager of Infrastructure <i>KD</i>	Chief Administrative Officer DyD
--	---	---

Attachment A – Zoning Map



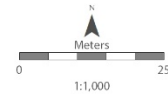
924 Fairview Road

Zoning Map



Legend

- | | | | |
|---|----------------------------|---|---------------------------------------|
|  | Subject Parcel |  | RM2 - Low Density Multiple Housing |
|  | R1 - Large Lot Residential |  | RM3 - Medium Density Multiple Housing |
|  | RD1 - Duplex Housing |  | C3 - Mixed Use Commercial |
|  | RD2 - Duplex Housing: Lane |  | P1 - Public Assembly |



Terms of Use: This City of Penticton is a repository 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 or verify the mapping information including the accuracy or suitability thereof. The use 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.

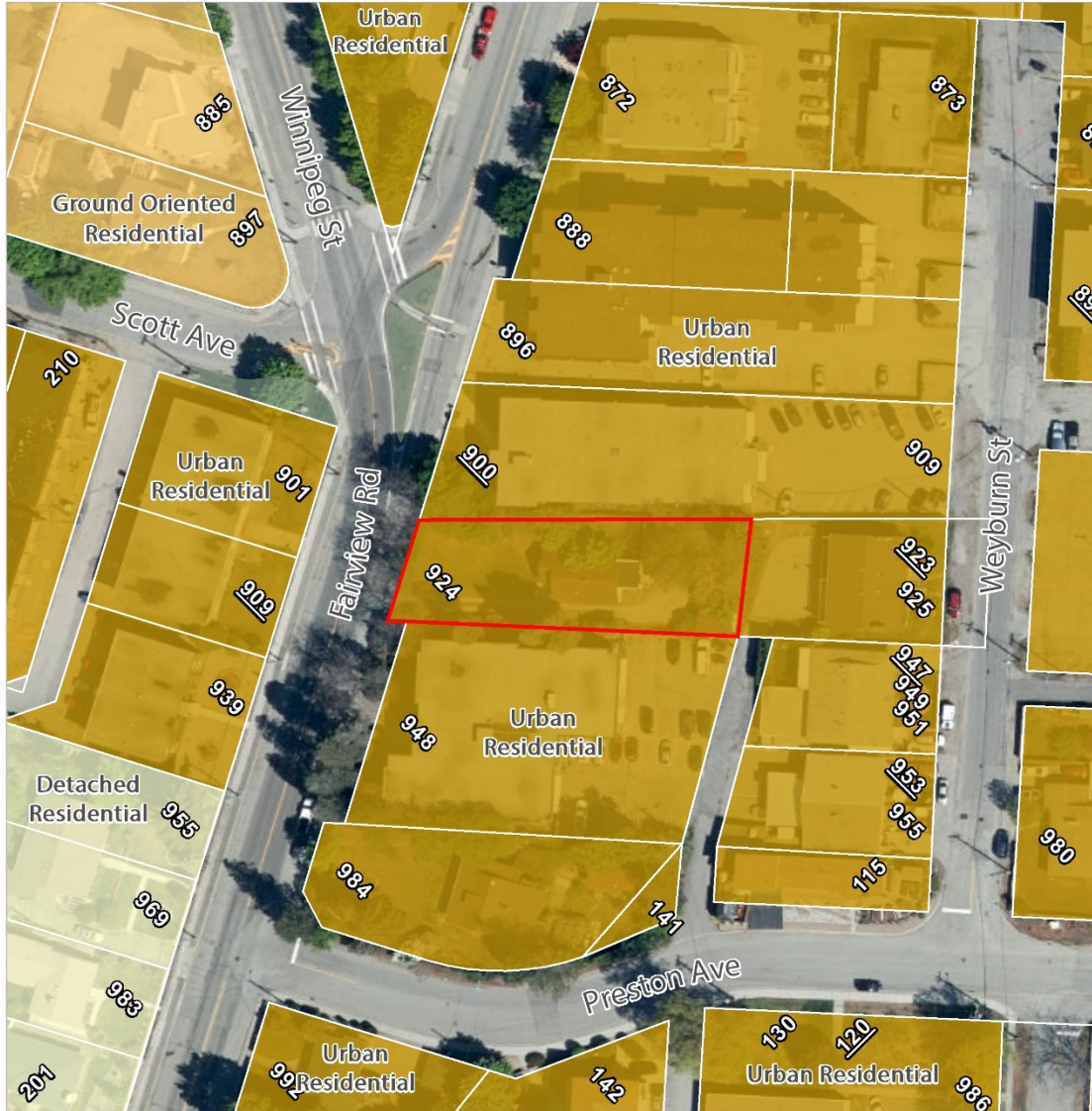
March 22, 2022 10:45:08 AM

Attachment B – Official Community Plan Map



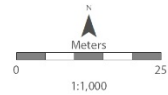
924 Fairview Road

Official Community Plan Map



Legend

- Subject Parcel
- Detached Residential
- Ground Oriented Residential
- Urban Residential



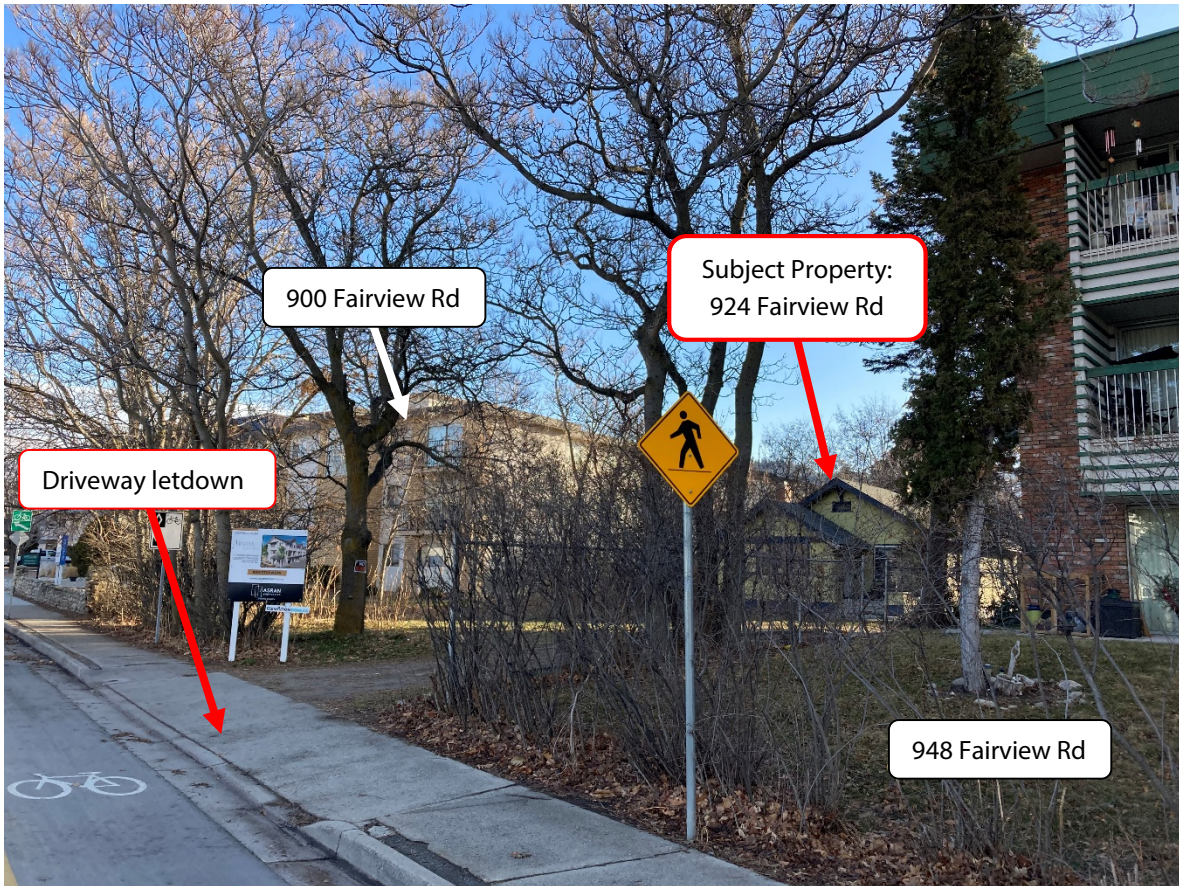
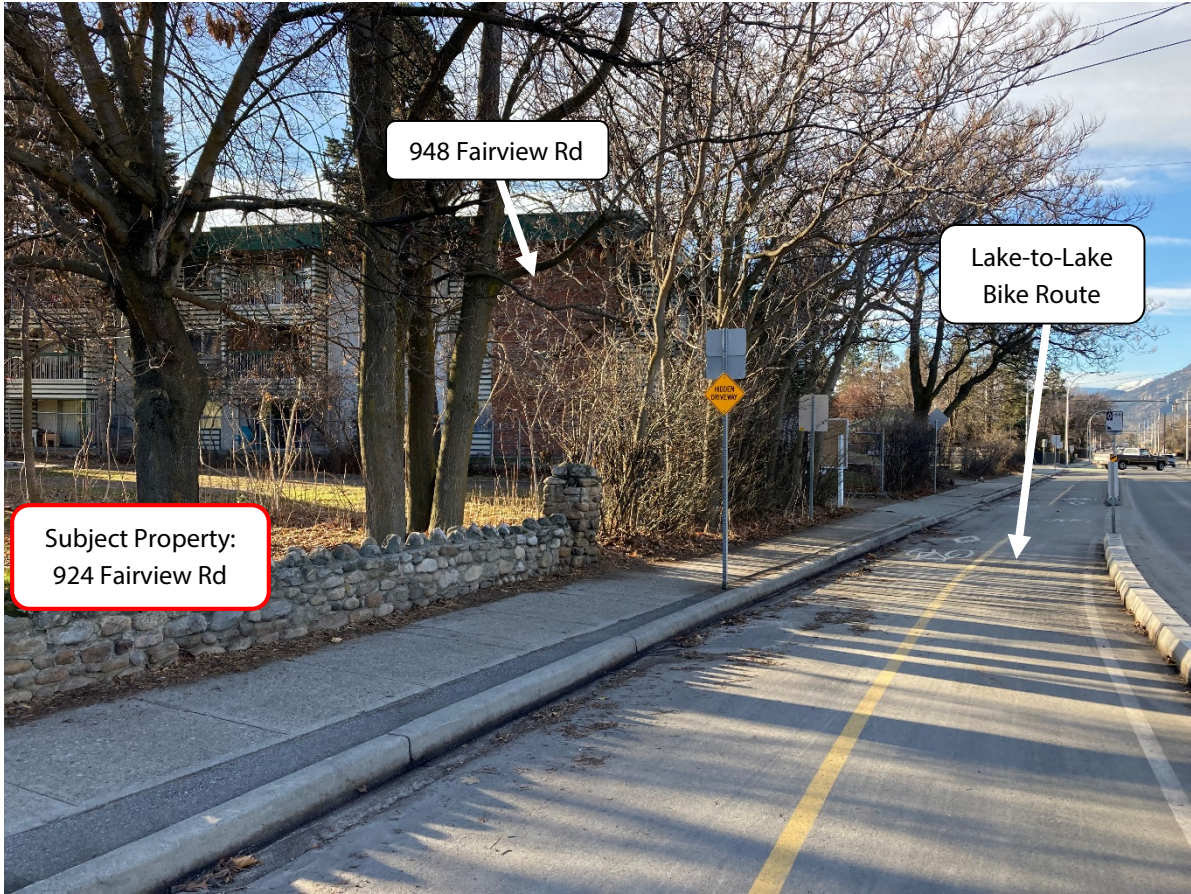
Terms of Use: The City of Penticton is a repository of public information in both printed and digital form. The accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information included in the accuracy or suitability thereof. The user of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

March 22, 2022 10:49:55 AM

penticton.ca

Attachment C – Photos of Property







February 27, 2023

Giroux Design Group Inc.

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

Re: 924 Fairview Road Rezoning & Development Permit Application

To City of Penticton Planning Department,

This letter is regarding the revised proposal to rezone and develop the property located at 924 Fairview Road. The property is currently zoned RD1.

The revised proposal is to rezone the property to RM2 (Medium-density residential areas with multi-family developments) and build two three-unit townhouses for a total of six units. This is a reduction in the number of units previously proposed. Access to the development is from Fairview Road as there is no lane access available. Since the first application to the City, the owner made multiple attempts to purchase the property to the east to allow for lane access, however these attempts were unsuccessful. The reduction of one dwelling unit while keeping the other units the same size as originally proposed allows for a proper hammerhead turn-around at the back of the property and reduces the number of vehicles entering and leaving the property. We believe this compromise is sufficient to address the concerns brought up with the initial proposal which was denied by council. A two-way drive aisle provides access to secure garage parking in each unit with two additional guest parking spots on site. Both townhouses will be modest in size and will provide much needed family housing close to schools, parks, and shopping. The proposal fits within the City of Penticton's Official Community Plan as the area is designated for Urban Residential development which allows for fourplexes, higher density rowhouses, townhouses and stacked townhouses.

No variances are required for this application.

We believe the project meets the intent of providing modest densification to an area of town that has a mix of townhouses, and high-density apartment buildings. In contrast to nearby apartment buildings, this development will provide much needed family housing in the area with private outdoor green areas and amenity space for families with children.

Thank you for considering our proposal.

Best regards,

Tony Giroux **ASTTBC.RBD**
Owner/Registered Building Designer

Giroux Design Group Inc.

924 FAIRVIEW ROAD: DEVELOPMENT PERMIT ANALYSIS

PEDESTRIAN CONNECTIVITY

The development is on a road with pedestrian sidewalks and within walking and biking distance to the downtown business core and shopping. The location is central to parks and within blocks of elementary, middle, and high schools. City Bus stops are also located nearby, allowing easy access to transit. The bike lane runs in front of the property making bicycle access particularly convenient.

PARKING

Each unit has secured garage parking for one vehicle accessed by a two-way drive lane coming off of Fairview Road with two additional visitor parking spots. No variances are needed for parking as the number of spaces exceeds the COP requirements.

DESIGN FOR CLIMATE

The building will meet the requirements of Step 3 of the BC Building Code. Trees to be planted along three property lines are deciduous which will provide shade during the summer and sunlight during the winter as the leaves fall. Each property has its own private rear yard to allow for outdoor living.

ORIENTATION & MASSING

Each unit has its own entry door with a covered porch. The townhouses are three storeys tall and will nicely suit the neighbourhood which is comprised of duplexes, townhouses, and apartment buildings of varying size. At 10 meters tall the building is under the 12 m maximum height allowance. The style of the building is Modern style which will complement the neighbourhood and is in harmony with newer construction in the area.

LANDSCAPING (ENHANCING THE URBAN FOREST)

The landscaping plan for the development includes the planting of 14 trees along the surrounding property lines. Along Fairview a continuous planting bed borders the sidewalk providing pleasing aesthetics and increased curb-appeal. Three trees are to be planted along Fairview and a grass area with surrounding planting beds containing low-maintenance plants will create a pleasing aesthetic and curb appeal for the development and a pleasant environment for occupants. In minimal selected areas, river rock is used to provide a clean, easily maintained utility spaces. A grass lawn at the front property line will provide a pleasant green accent for the property. Grassed rear yards will provide pleasant private areas for each unit and will contain accent planting beds and Lilac trees. The planting strip along the south property line varies in width from 0.7 m at the narrowest spot to 2.1 m at the widest spot, the average width is just over 1.0 m. The reduce width is necessary for the required drive aisle width and the turn around at the rear of the property. We feel this width is sufficient to allow for the required landscape screening along the property line, along with this the apartment to the south also has landscaping and trees which provide a buffer along this property line.

WASTE MANAGEMENT

Garbage and recycling collection is provided by individual bins provided for each unit to be collected from in front of each garage door on collection day. The ability to collect the garbage with this configuration has been confirmed with Waste Management. The garbage and recycling bins will be stored within the unit garages on non-collection days.

FENCES

Six-foot-high wood privacy fences will be installed along the surrounding property lines excluding the front property line and will be stepped down to four feet within the front yard setback. Six-foot-high privacy fences will also be between each of the townhouse rear yards.

We believe that the rezoning and development of this property is good use of the land and will provide much needed family housing for the city. It is our opinion that the legitimate concerns raised by neighbours have been addresses sufficiently. It is our hope that council will see the earnest efforts to purchase the neighbouring property to the east as a genuine effort to attain lane access. It should also be noted that the original proposal went before council with staff support.

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 has designed the development with the recommended 0.8 road dedication in mind. The driveway location is in the same spot as the existing driveway, where an entrance through the protected Lake-to-Lake bike route already exists.

Guideline G3 Private and semi-private open spaces should be designed to optimize solar access.

- The buildings have large windows facing south towards the shared driveway, where the building setback is greater and solar access into each unit is easily achieved.

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

- The proposed front yard setback is minimal (3m at the closest corner of the building) which improves connectivity between the building and the street, and connects with the pedestrian realm.
- The proposed front yard setback is less than the apartment buildings on either side, which each have setbacks of 5m and 9m, however the angle of the front building is about the same as the existing buildings on either side, front yard setbacks
- Landscaping and trees are proposed in the front yard to create interest from the public realm.

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 entries to each unit are less than 1m above the grade of the shared on-site driveway.

Guideline G17 On-site parking location and design should minimize visual impact and provide safe connections for pedestrians...

- A sidewalk is proposed from the street-facing unit to the public sidewalk along Fairview Road. Six of the eight parking spaces on-site are provided in garages.
- By orienting the building lengthwise on the property, there is no parking between the building and the street, and parked cars will not be easily visible from the public realm.

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).

- Each townhouse unit has its own entrance at the ground level. The design of the end unit closest to Fairview Road faces towards the street in a positive way with its front entry windows and landscaping on that side.

Guideline G23 *Articulation of building mass should include horizontal (minor) setbacks and stepbacks (along upper storeys) to provide visual interest and enrich the pedestrian experience. Balconies and/or cantilever upper floors may be considered as a means to breaking up massing while promoting overlook and/or weather protection.*

- The design of both buildings includes projections, cantilevers, and multiple finish materials to create visual interest. These features exist on all outward-facing facades and not solely the street-facing façade, which improves the visual interest on all sides. The exception is the sides of the buildings facing each other, where fire safety requirements require no windows or projections on that side. The 0.6m cantilevers over the driveway help add visual interest and provide more living space in each unit.

Guideline G28 *Development should activate the public realm (e.g., sidewalks) and shared open spaces by placing active uses at street level.*

- The entrance to each townhouse unit is at ground level, with a driveway for vehicle access at the south side. A sidewalk is provided between the street and the street-facing unit. The connection to the public sidewalk helps activate the public realm.

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.*

- Windows on all levels of the street-facing triplex facade face Fairview Road and provide for visual overlook onto the public realm. All units have windows looking over the driveway and over the amenity yard areas at the north side of the buildings.

Guideline G35 *Tree planting...*

- The landscape plan shows three new trees in the front yard, and four trees along each side of the property, with two trees along the rear. These trees and other proposed landscaping provide buffering between the public realm and adjacent properties.

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.*

- The transformer pad is located at the edge of the front yard in a landscaped area. This location allows easy access by the City staff as needed. The transformer box shall be covered in decorative wrap. The required meter is located within one of the unit yards and will also be wrapped in decorative vinyl, as noted on the landscape plan.

Guideline G58 *Garbage/recycling areas and other similar structures should be located out of public view in areas that mitigate noise impacts and which do not conflict with pedestrian traffic.*

- Each unit garage has room for garbage and recycling carts. Each unit will place the carts in front of the unit garages for collection. The applicant will be required to engage a private collector for this development with an arrangement to not block the driveway with bins or totes.

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.*

- The plans show a shared amenity lawn area at the rear of the property for use by future residents.
- In addition, each unit has a private yard space on the north side of the buildings. The amenity space provided meets the Zoning Bylaw requirements.
- The subject property is located within walking distance of the KVR trail and recreation amenities at Penticton High School.
- The Lake to Lake bike route runs along the front of this property, providing connections to commercial areas, the downtown, as well as Okanagan and Skaha Lakes.

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 landscaping plan shows each unit will have a dedicated yard, with some landscaping provided as well.
- These areas will be available to each occupant for active or passive outdoor use. 1.8m high fencing will delineate each unit rear yard.
- A shared amenity lawn area is provided at the rear of the property for use by future residents.

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.*

- Two visitor parking spaces are provided. One space is located at the rear of the property. The other space is located between the two buildings. These spaces will be clearly marked for visitors.

Development Permit

Permit Number: DP PL2022-9302

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 250 Similkameen Division Yale District Plan 37914
 - Civic: 924 Fairview Road
 - PID: 006-914-888
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a 6-unit townhouse development as shown in the plans attached in Schedule 'A'.
4. In accordance with Section 489 of the *Local Government Act*, the following provisions of the City of Penticton Zoning Bylaw No. 2021-01 are varied by this permit:
 - a. Table 5.1: to reduce the minimum required width of a landscape buffer (south) from 3.0m to 0.7m.
5. 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.
6. The holder of this permit shall be eligible for a refund of the security described under Condition 5 only if:
 - a. The permit has lapsed as described under Condition 9, 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.

7. 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).

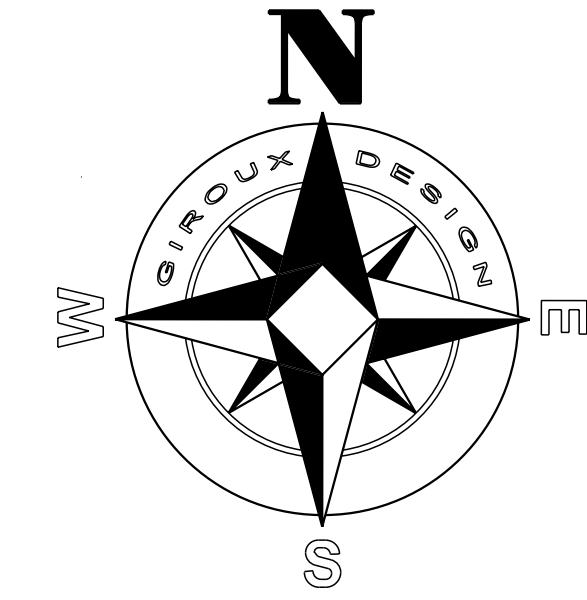
General Conditions

8. 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'.
9. 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.
10. **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.**
11. 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.
12. 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.

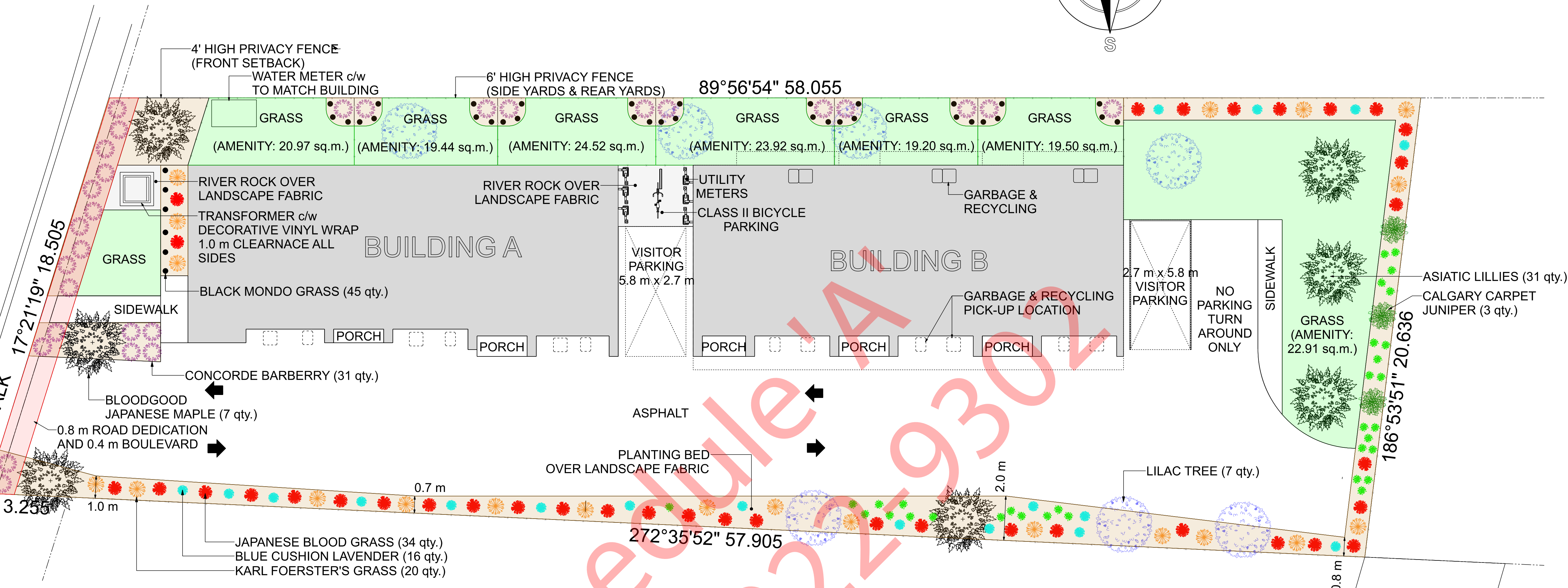
Authorized by City Council, the ____ day of _____, 2023.

Issued this ____ day of _____, 2023.

Angela Collison
Corporate Officer



FAIRVIEW ROAD
BIKE LANE
CITY SIDEWALK
17°21'19" 18.505



LANDSCAPE PLAN

SCALE: 1:100
CIVIC ADDRESS: 924 FAIRVIEW ROAD, PENTICTON, B.C.
LEGAL DESCRIPTION: SITE PLAN OF LOT 1, DL 250, SDYD, PLAN 37914
PID: 006-914-888

SURVEY BY MANDEVILLE LAND SURVEYING INC.
PROFESSIONAL BC AND CANADA LAND SURVEYORS
FILE: 21-045

FIELD SURVEY COMPLETED THIS 23rd DAY OF FEBRUARY, 2021.
ELEVATIONS ARE GEODETIC (ORTHOMETRIC HTv2.0) DERIVED FROM
PENTICTON MONUMENT #4815

LANDSCAPE SCHEDULE

- PLANTINGS:**
 Asiatic Lillies (*Lilium asiatica*) 32 qty.
 Black Mondo Grass (*Ophiopogon planiscapus* 'Nigrescens') 39 qty.
 Blue Cushion Lavender (*Lavandula angustifolia* 'Blue Cushion') 18 qty.
 Calgary Carpet Jupiter (*Juniperus sabina* 'Calgary Carpet') 3 qty.
 Concorde Barberry (*Berberis thunbergii* 'Concorde') 29 qty.
 Karl Foerster Grass (*Calamagrostis x acutiflora*) 21 qty.
 Japanese Blood Grass (*Imperata cylindrica* 'Red Baron') 37 qty.
- TREES:**
 Bloodgood Japanese Maple (*Acer palmatum* var. *atropurpureum* 'Bloodgood') 7 qty.
 Lilac (*Syringa reticulata*) 7 qty.
- GARBAGE DISPOSAL:**
 Garbage Bins 9
 Recycling Bins 9
- GROUND COVER/HARD SURFACES:**
 Property Area (1,141.82 sq. m.) 12,290 sq. ft.
 Asphalt (421.92 sq. m.) 4,542 sq. ft.
 Grass (121.94 sq. m.) 1,313 sq. ft.
 Planting Beds-Bark Mulch (185.12 sq. m.) 1,993 sq. ft.
 River Rock-2" Rainbow (17.39 sq. m.) 188 sq. ft.
 Landscape Fabric (202.51 sq. m.) 345 sq. ft.
 Sidewalks/Patios/Pads (32.04 sq. m.) 2,180 sq. ft.
- FENCING:**
 4' High Wood Fence (17.1 linear m.) 56 lin. ft.
 6' High 'Good Neighbour' Privacy Fence (130 lin. m.) 426.5 lin. ft.

- LANDSCAPE NOTES:**
- SHRUBS SHALL BE A MIN OF No.2 POT SHRUBS
 - ALL TREES ARE TO BE A MINIMUM CALIPER OF 60mm WITH A CLEAR STEM HEIGHT OF 1.5 m
 - NO TREES, FENCES OR STRUCTURES WITHIN ROAD DEDICATION
 - NO RETAINING WALLS OVER 1.2 m IN HEIGHT ARE PERMITTED WITHIN ANY SETBACK AREA
 - LANDSCAPED AREAS TO BE EQUIPPED WITH UNDERGROUND IRRIGATION SYSTEM COMPLETE WITH MOISTURE SENSORS & TIMERS.
 - LANDSCAPING AND IRRIGATION TO EXTEND TO EDGE OF CITY SIDEWALKS, CURBS, ASPHALT. (INCLUSIVE OF LANDSCAPING ON CITY BOULEVARD)
 - DRIVEWAY ASPHALT TO EXTEND TO STREET AND LANE ASPHALT.

BASRAM PROPERTIES
RAYMOND BASRAM
924 FAIRVIEW RD.
PENTICTON, BC.
DESIGN BY: AIG
DRAWN BY: AIG
DATE: 2023-02-23
REVISED:

© Giroux Design Group Inc. All Rights Reserved. Reproduction of these drawings, in whole or in part, including any direct copying and/or preparation of derivative works thereof, for any reason without prior written consent of the designer is prohibited. The purchaser of these drawings is to be held responsible for any errors or omissions. The purchaser of these drawings is to be held responsible for any errors or omissions. The purchaser of these drawings is to be held responsible for any errors or omissions. The purchaser of these drawings is to be held responsible for any errors or omissions.

Due to local codes, regulations and building practices and/or because of specific site conditions, these drawings may not be suitable or legal for use in the construction of a building in all localities. Consequently, these drawings are not to be used in any other jurisdiction without the prior written consent of the designer. Additionally, Giroux Design Group is unable to accept any liability for the accuracy of these drawings. Therefore, the builder must carefully inspect all dimensions and details in these drawings and assume responsibility for the same.

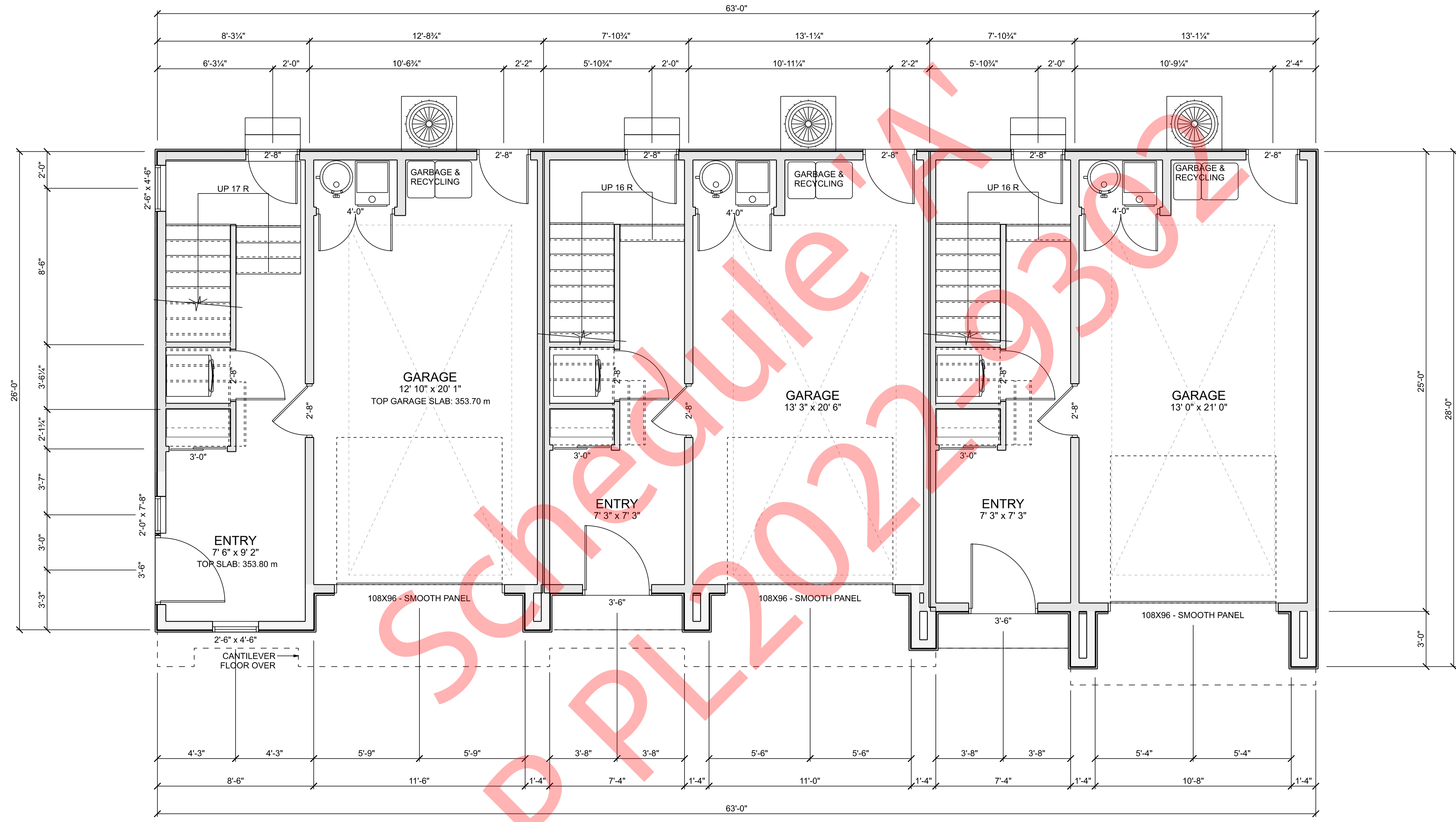
GIROUX DESIGN GROUP
 Custom Home and Building Design Since 1950.
 phone: 250.276.4373 e-mail: contact@girouxdesigngroup.com
 web: www.girouxdesigngroup.com

PLAN NO.
WP-5676
SLAB
SHEET NO.
A2

COPYRIGHTED DOCUMENTS
ILLEGAL TO REPRODUCE

Landscape Plans

www.girouxdesigngroup.com - www.westhomeplanners.com - www.houseplanners.com



BUILDING A-LOWER FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 LOWER LEVEL LIVING AREA: 354.7 sq ft.
 GARAGE AREA: 981.6 sq ft.
 (LIVING AREAS EXCLUDE STAIRS)
 THESE BUILDINGS ARE SPRINKLERED

BASRAN PROPERTIES
 RAYMOND BASRAN
 924 FARVIEW RD.
 PENTICTON, BC.
 DESIGN BY: AIG DATE: 2023-02-23
 DRAWN BY: AIG REVISED:

© Giroux Design Group Inc. All Rights Reserved.
 Reproduction of these drawings, in whole or in part, including any direct copying and/or preparation of derivative works thereof, for any reason without prior written permission of Giroux Design Group Inc. is prohibited. The drawings are prepared for the buyer except for a limited license to use the drawings for the construction of the area and only one unit. The purchaser of multiple units of these drawings shall not entitle the buyer with license to construct more than one dwelling unit.

Due to local codes, regulations and building practices and/or because of specific site conditions, these drawings may not be suitable or legal for use in the construction of a building in all localities. Consequently, these drawings are not to be used for the construction of a building in any other jurisdiction without the written consent of Giroux Design Group Inc. and until the drawings have been brought into conformity with all local requirements. Additionally, Giroux Design Group Inc. is unable to accept any liability for the accuracy of these drawings. The purchaser must carefully inspect all dimensions and details in these drawings and assume responsibility for the same.

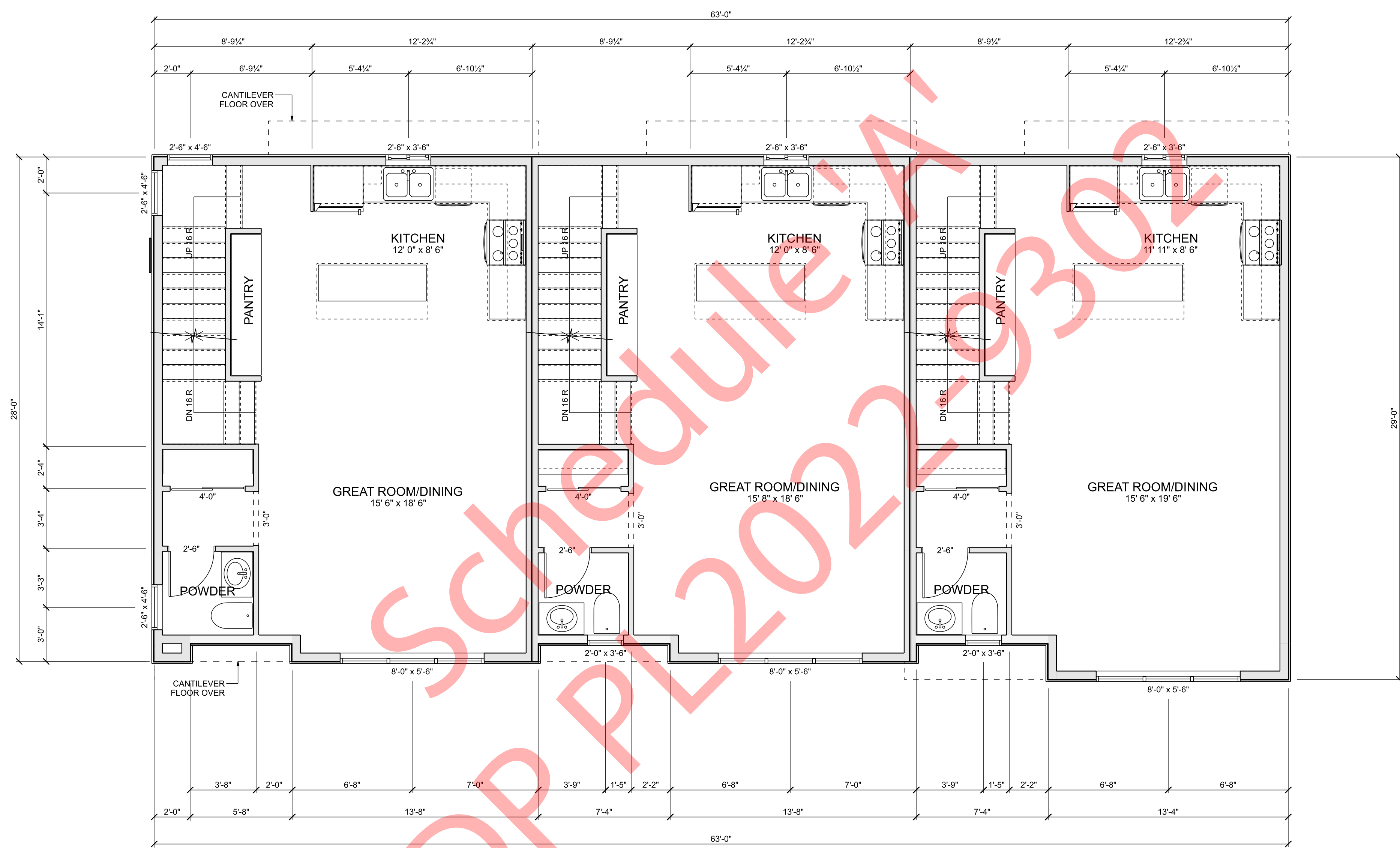
GIROUX DESIGN GROUP
Custom Home and Building Design Since 1950.
 Giroux Design Group Inc.
 phone: 250.276.4373 e-mail: contact@girouxdesigngroup.com
 web: www.girouxdesigngroup.com

PLAN NO.
WP-5676
 SLAB
 SHEET NO.
A3

www.girouxdesigngroup.com - www.westhomeplanners.com - www.houseplanners.com

**COPYRIGHTED DOCUMENTS
 ILLEGAL TO REPRODUCE**

Building A-Lower Floor Plans



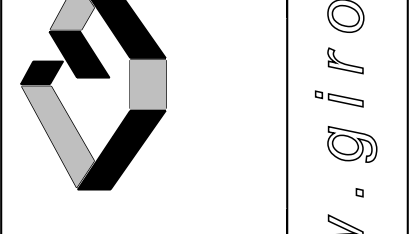
BUILDING A-MAIN FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 MAIN FLOOR LIVING AREA: 1560.9 sq ft.
 (LIVING AREAS EXCLUDE STAIRS)
 THESE BUILDINGS ARE SPRINKLERED

BASRAN PROPERTIES
 RAYMOND BASRAN
 924 FARVIEW RD.
 PENTICTON, BC.
 DESIGN BY: AIG DATE: 2023-02-23
 DRAWN BY: AIG REVISED:

© Giroux Design Group Inc. All Rights Reserved.
 Reproduction of these drawings, in whole or in part, including any direct copying and/or preparation of derivative works thereof, for any reason without prior written consent of Giroux Design Group Inc. is prohibited. The drawings are the property of Giroux Design Group Inc. and shall remain the property of Giroux Design Group Inc. The drawings are to be used for the construction of the project only and shall not be used for any other purpose. The drawings are not to be used for any other project without the prior written consent of Giroux Design Group Inc. The drawings are not to be used for any other project without the prior written consent of Giroux Design Group Inc. The drawings are not to be used for any other project without the prior written consent of Giroux Design Group Inc.

Due to local codes, regulations and building practices and/or because of specific site conditions, these drawings may not be suitable or legal for use in the construction of a building in all localities. Consequently, these drawings are not to be used for the construction of a building in any locality without the prior written consent of Giroux Design Group Inc. and until the drawings have been brought into conformity with all local requirements. Additionally, Giroux Design Group Inc. is unable to accept any liability for the accuracy of the drawings. The drawings are provided as a guide only and the purchaser of these drawings must carefully inspect all dimensions and details in these drawings and assume responsibility for the same.

GIROUX DESIGN GROUP
 Custom Home and Building Design Since 1950.
 Giroux Design Group Inc.
 phone: 250.276.4373 e-mail: contact@girouxdesigngroup.com
 web: www.girouxdesigngroup.com

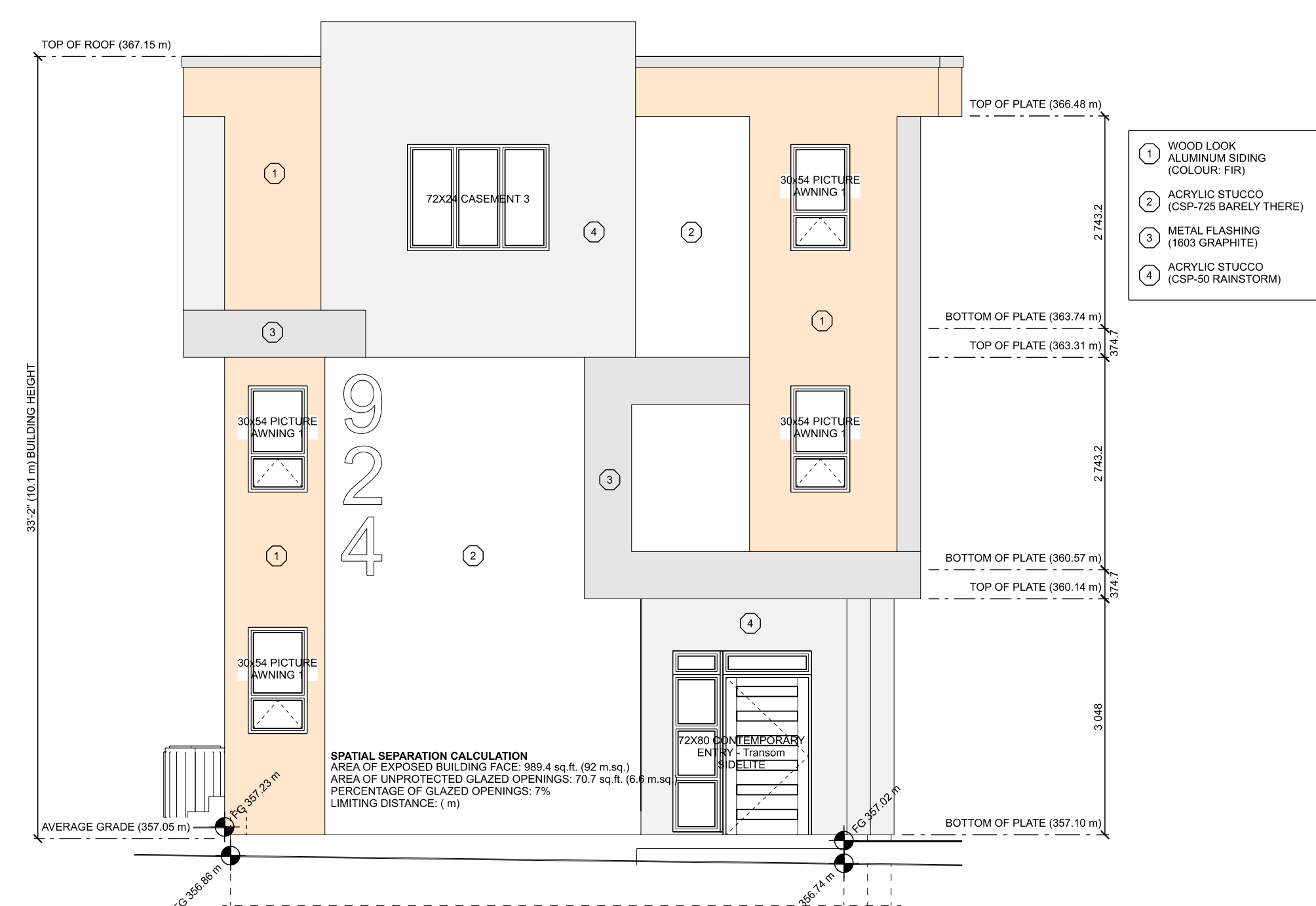


PLAN NO.
WP-5676
 SLAB
 SHEET NO.
A4

**COPYRIGHTED DOCUMENTS
 ILLEGAL TO REPRODUCE**

Building A-Main Floor Plans

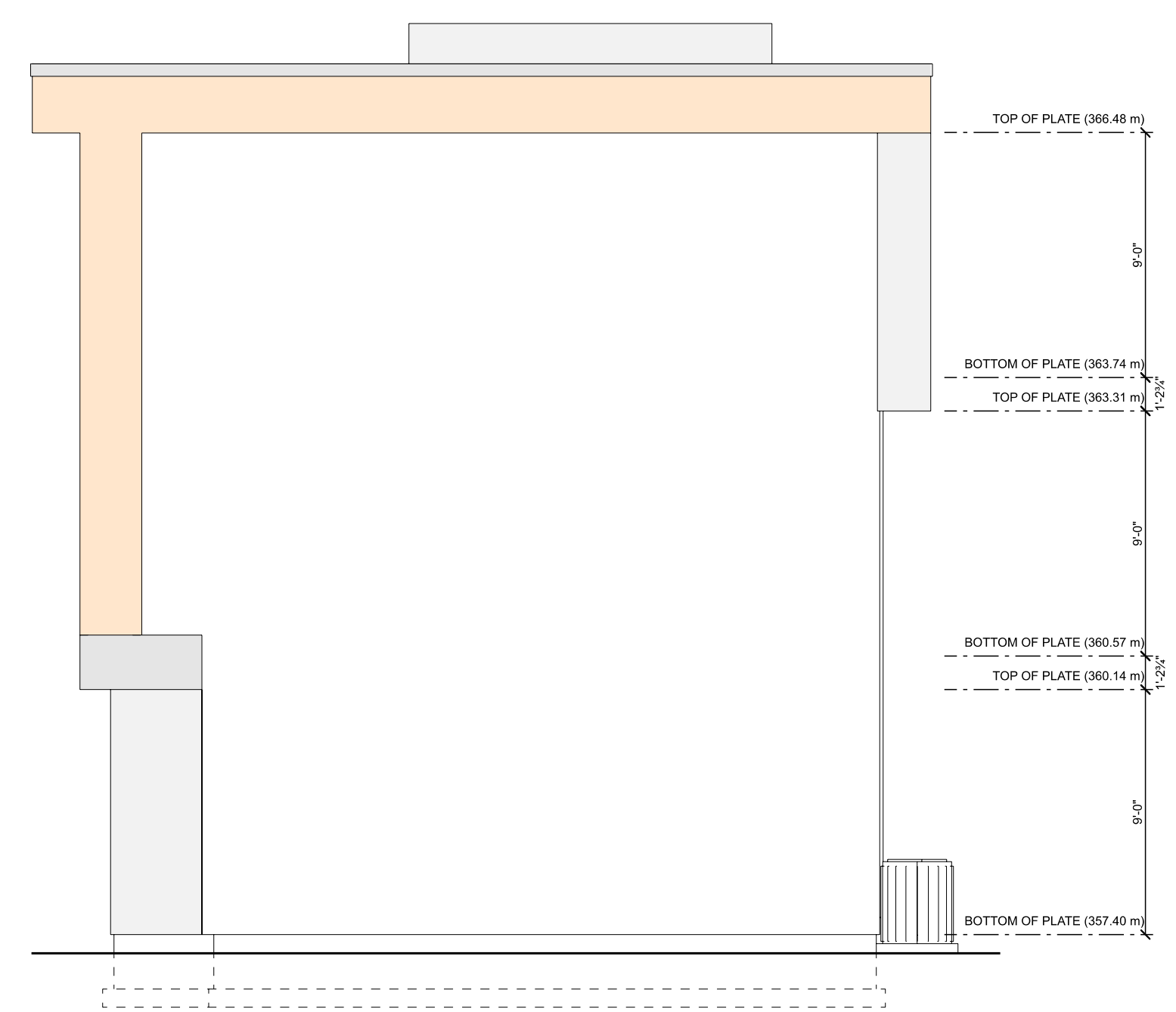
www.girouxdesigngroup.com - www.westhomeplanners.com - www.houseplanners.com



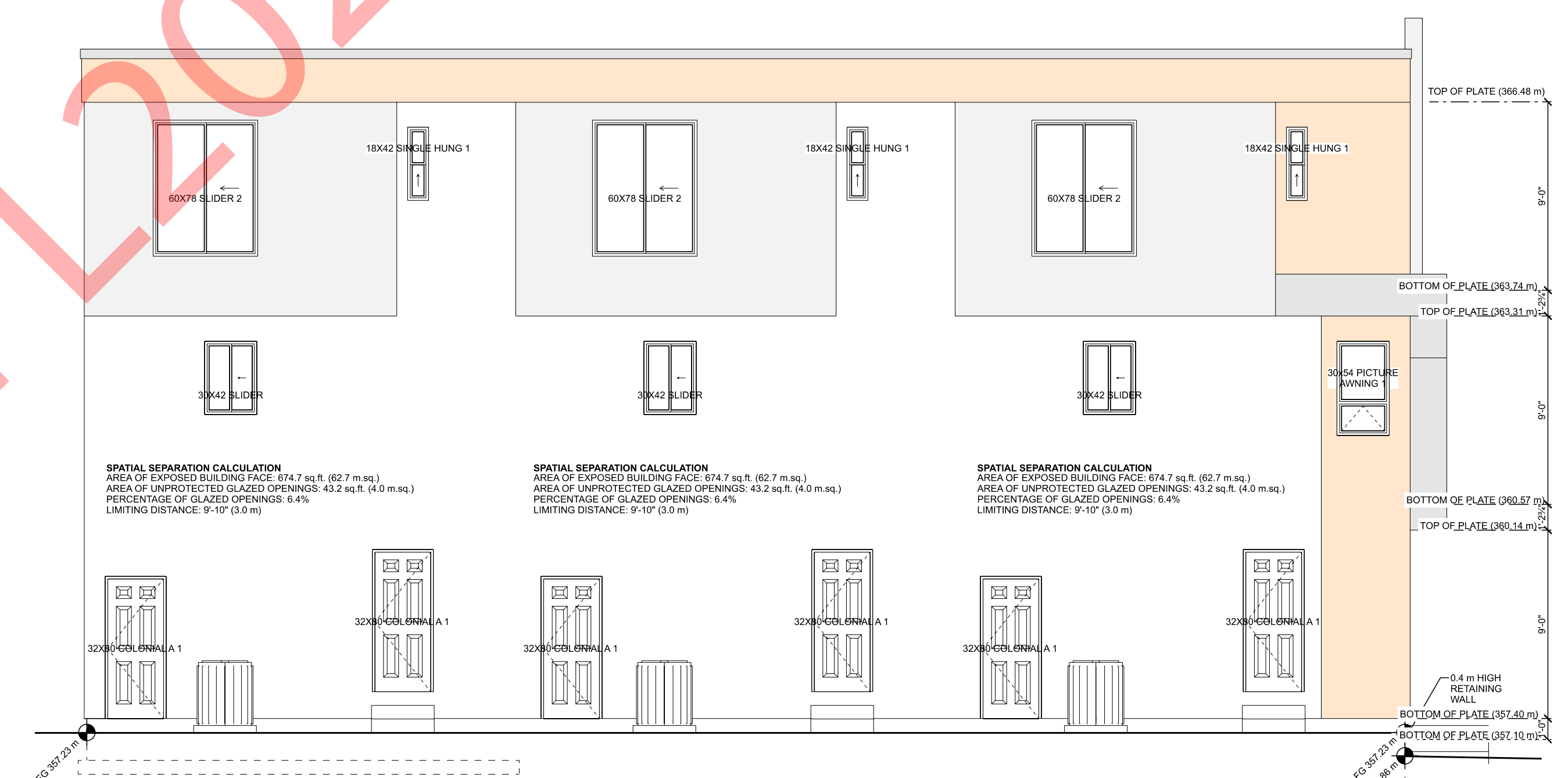
BUILDING A-WEST ELEVATION (FACING FAIRVIEW RD)
SCALE: 1:64



BUILDING A-SOUTH ELEVATION (FACING DRIVE AISLE)
SCALE: 3/16" = 1'-0"



BUILDING A-EAST ELEVATION (FACING BUILDING B)
SCALE: 3/16" = 1'-0"



BUILDING A-NORTH ELEVATION
SCALE: 3/16" = 1'-0"

DP PL 2022-930
 Scheduled
 Schedule

BASRAN PROPERTIES
RAYMOND BASRAN
924 FAIRVIEW RD.
PENTICTON, BC

DESIGN BY: AIG DATE: 2023-02-23
DRAWN BY: JAG REVISED:

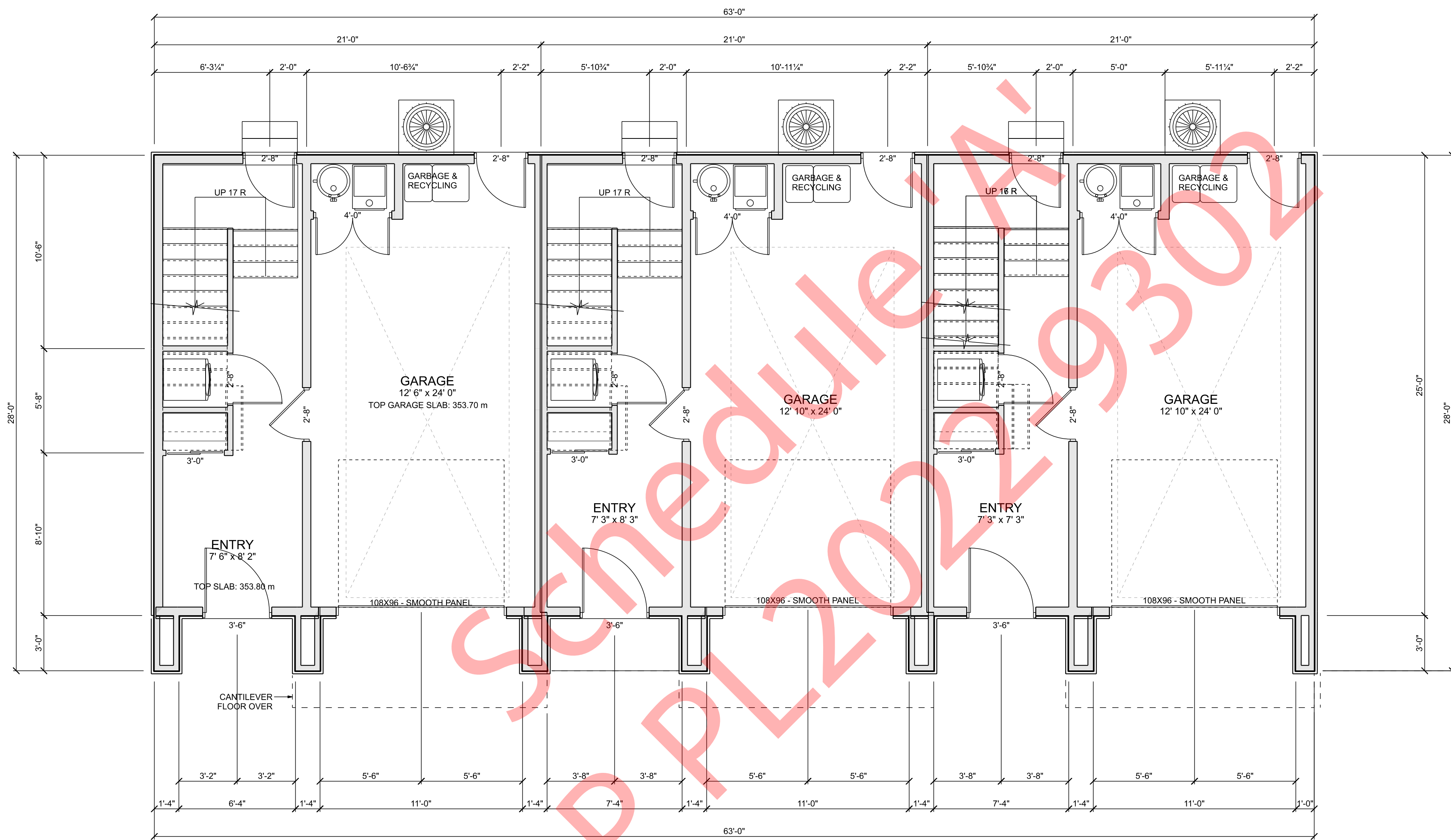
© Giroux Design Group Inc. All Rights Reserved
Reproduction of these drawings, in whole or in part, including any direct copying and/or preparation of derivative works thereof, for any reason without prior written consent of the designer is prohibited. The drawings are provided to the client for their use only and are not to be used for any other purpose. The drawings are not to be used for the construction of any building or structure. The drawings are not to be used for any other purpose. The drawings are not to be used for any other purpose. The drawings are not to be used for any other purpose.

Due to local codes, regulations and building practices under the influence of specific site conditions, these drawings may not be suitable or legal for use in the construction of a building in all localities. Consequently, these drawings are not to be used for the construction of any building or structure. The drawings are not to be used for any other purpose. The drawings are not to be used for any other purpose. The drawings are not to be used for any other purpose.

GIROUX DESIGN GROUP
Custom Home and Building Design Since 1950.
Giroux Design Group Inc.
phone: 250.276.4373 e-mail: contact@girouxdesigngroup.com
web: www.girouxdesigngroup.com

PLAN NO.
WP-5676
SLAB
SHEET NO.
A6

www.girouxdesigngroup.com - www.westhomeplanners.com - www.houseplanners.com

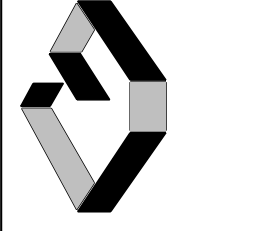


BUILDING B-LOWER FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 LOWER LEVEL LIVING AREA: 466.6 sq. ft.
 GARAGE AREA: 1349.0 sq. ft.
 (LIVING AREAS EXCLUDE STAIRS)
 THESE BUILDINGS ARE SPRINKLERED

© Giroux Design Group Inc. - MXXIII. All Rights Reserved. Reproduction of these drawings, in whole or in part, including any direct copying and/or preparation of derivative works thereof, for any reason without prior written permission of Giroux Design Group Inc. is prohibited. The drawings are the property of Giroux Design Group Inc. and shall remain the property of Giroux Design Group Inc. The drawings are for the buyer's use only and shall not be used for any other purpose. The drawings are not to be used for the construction of any building without the prior written consent of Giroux Design Group Inc. The drawings are not to be used for the construction of any building without the prior written consent of Giroux Design Group Inc. The drawings are not to be used for the construction of any building without the prior written consent of Giroux Design Group Inc.

Due to local codes, regulations and building practices and/or because of specific site conditions, these drawings may not be suitable or legal for use in the construction of a building in all localities. Consequently, these drawings are not to be used for the construction of a building in any locality without the prior written consent of Giroux Design Group Inc. and until the drawings have been brought into conformity with all local requirements. Additionally, Giroux Design Group Inc. is unable to accept any liability for the accuracy of the drawings. The purchaser must carefully inspect all dimensions and details in these drawings and assume responsibility for the same.

GIROUX DESIGN GROUP
 Custom Home and Building Design Since 1950.
 Giroux Design Group Inc.
 phone: 250.276.4373 e-mail: contact@girouxdesigngroup.com
 web: www.girouxdesigngroup.com

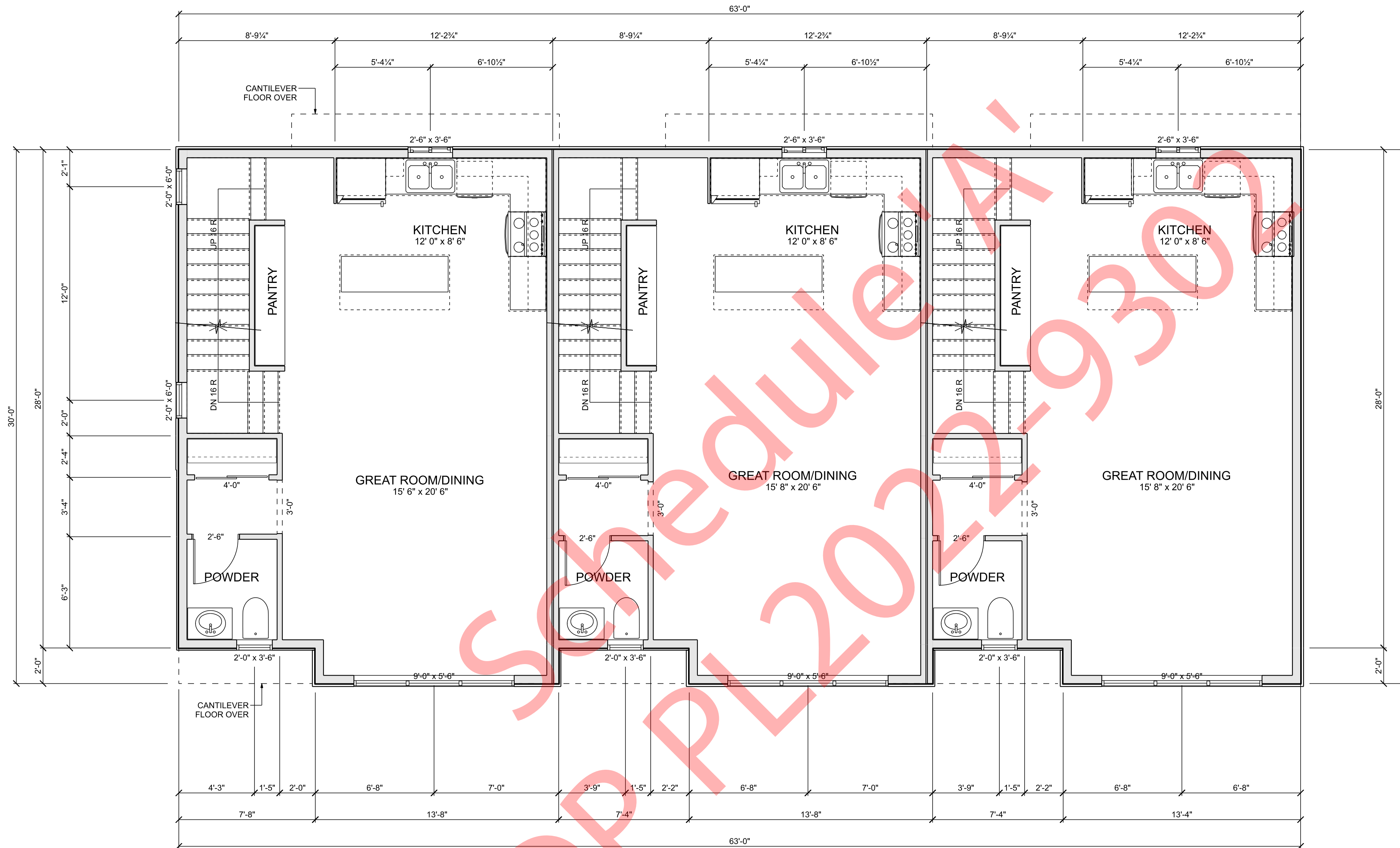


PLAN NO.
WP-5676
 SLAB
 SHEET NO.
A7

BASRAN PROPERTIES
 RAYMOND BASRAN
 924 FAIRVIEW RD.
 PENTICTON, BC.
 DESIGN BY: AJG DATE: 2023-02-23
 DRAWN BY: AJG REVISED:

COPYRIGHTED DOCUMENTS
 ILLEGAL TO REPRODUCE

Building B-Lower Floor Plans



BUILDING B-MAIN FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 MAIN FLOOR LIVING AREA: 2207.2 sq ft.
 (LIVING AREAS EXCLUDE STAIRS)
 THESE BUILDINGS ARE SPRINKLERED

BASRAN PROPERTIES
 RAYMOND BASRAN
 924 FARVIEW RD.
 PENTICTON, BC
 DESIGN BY: AJG DATE: 2023-02-23
 DRAWN BY: AJG REVISED:

© Giroux Design Group Inc. All Rights Reserved
 Reproduction of these drawings, in whole or in part, including any direct copying and/or preparation of derivative works thereof, for any reason without prior written consent of Giroux Design Group Inc. is prohibited. The drawings are the property of Giroux Design Group Inc. and shall remain the property of Giroux Design Group Inc. The drawings are for the buyer's use only and are not to be used for any other purpose. The drawings are not to be used for the construction of any building without the prior written consent of Giroux Design Group Inc. The drawings are not to be used for the construction of any building without the prior written consent of Giroux Design Group Inc. The drawings are not to be used for the construction of any building without the prior written consent of Giroux Design Group Inc.

Due to local codes, regulations and building practices and/or because of specific site conditions, these drawings may not be suitable or legal for use in the construction of a building in all localities. Consequently, these drawings are not to be used for the construction of a building in any locality without the prior written consent of Giroux Design Group Inc. and until the drawings have been brought into conformity with all local requirements. Additionally, Giroux Design Group Inc. is unable to accept any liability for the accuracy of these drawings. The drawings are provided as a guide only and the purchaser is advised to consult with a professional engineer or architect to verify the accuracy of these drawings and details in these drawings and assume responsibility for the same.

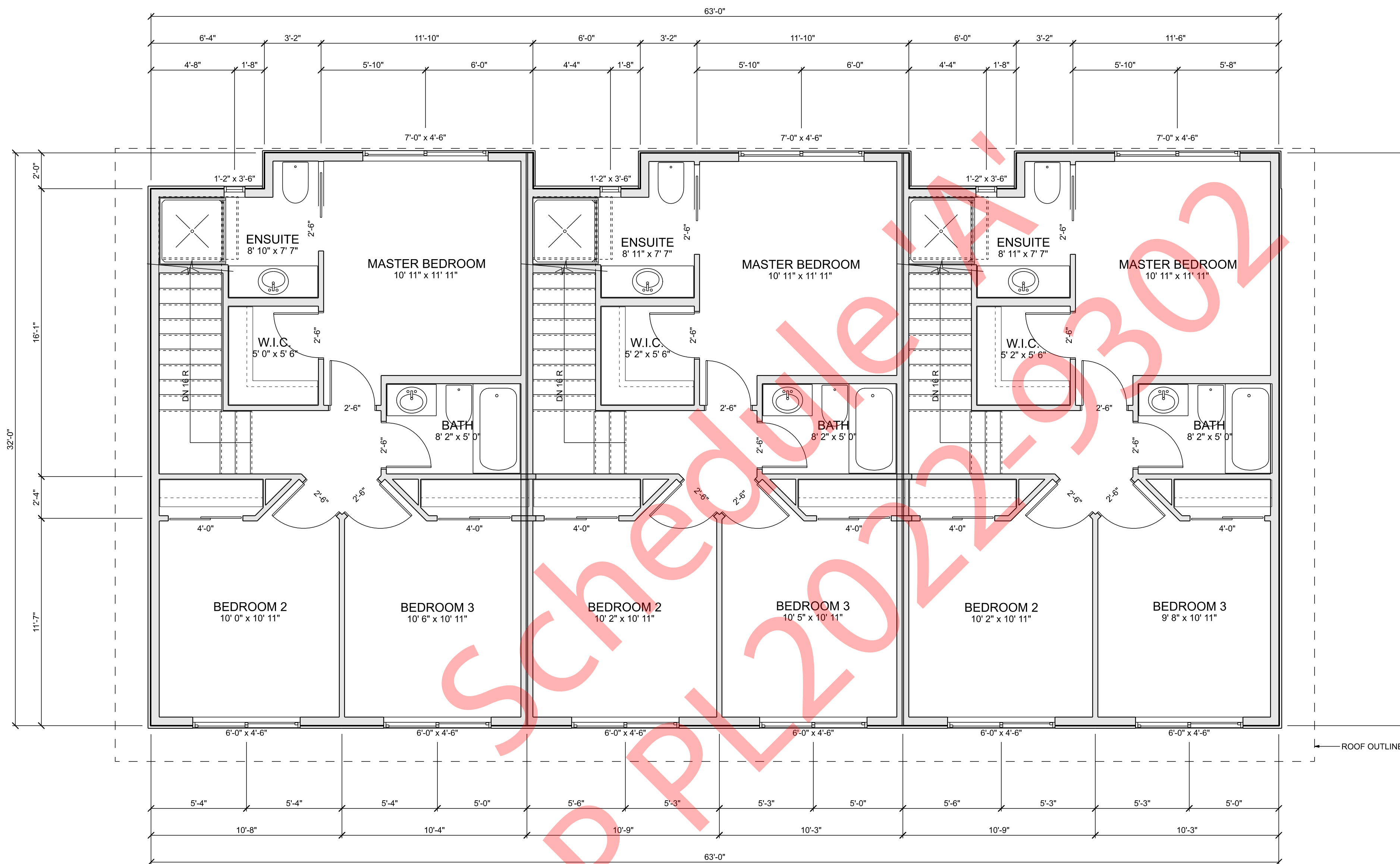
GIROUX DESIGN GROUP
 Custom Home and Building Design Since 1950.
 phone: 250.276.4373 e-mail: contact@girouxdesigngroup.com
 web: www.girouxdesigngroup.com

PLAN NO.
WP-5676
 SLAB
 SHEET NO.
A8

www.girouxdesigngroup.com - www.westhomeplanners.com - www.houseplanners.com

COPYRIGHTED DOCUMENTS
 ILLEGAL TO REPRODUCE

Building B-Main Floor Plans

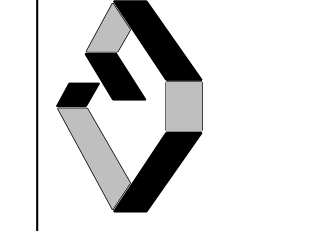


BUILDING B-UPPER FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 SECOND FLOOR LIVING AREA: 2444.8 sq ft.
 (LIVING AREAS EXCLUDE STAIRS)
 THESE BUILDINGS ARE SPRINKLERED

© Giroux Design Group Inc. MXXIII. All Rights Reserved.
 Reproduction of these drawings, in whole or in part, including any direct copying
 and/or preparation of derivative works thereof, for any reason without prior written
 permission of Giroux Design Group Inc. is prohibited. The drawings are the property of
 Giroux Design Group Inc. and shall remain the property of Giroux Design Group Inc. in
 the event of any transfer of ownership or other ownership interest in them to
 the buyer except for a limited license to use the drawings for the construction of
 one and only one unit under the purchase of multiple units of these drawings.
 The drawings are not to be used for any other purpose. The drawings do not
 entitle the buyer with license to construct more than one dwelling unit.

Due to local codes, regulations and building practices and/or because of specific
 site conditions, these drawings may not be suitable or legal for use in the
 construction of a building in all localities. Consequently, these drawings are not to
 be used for the construction of a building in any locality without the approval of
 and until the drawings have been brought into conformity with all local requirements.
 Additionally, Giroux Design Group is unable to accept any liability for the accuracy
 of the drawings. The purchaser must carefully inspect all dimensions and details in these
 drawings and assume responsibility for the same.

GIROUX DESIGN GROUP
 Custom Home and Building Design Since 1950.
 Giroux Design Group Inc.
 phone: 250.276.4373 e-mail: contact@girouxdesigngroup.com
 web: www.girouxdesigngroup.com

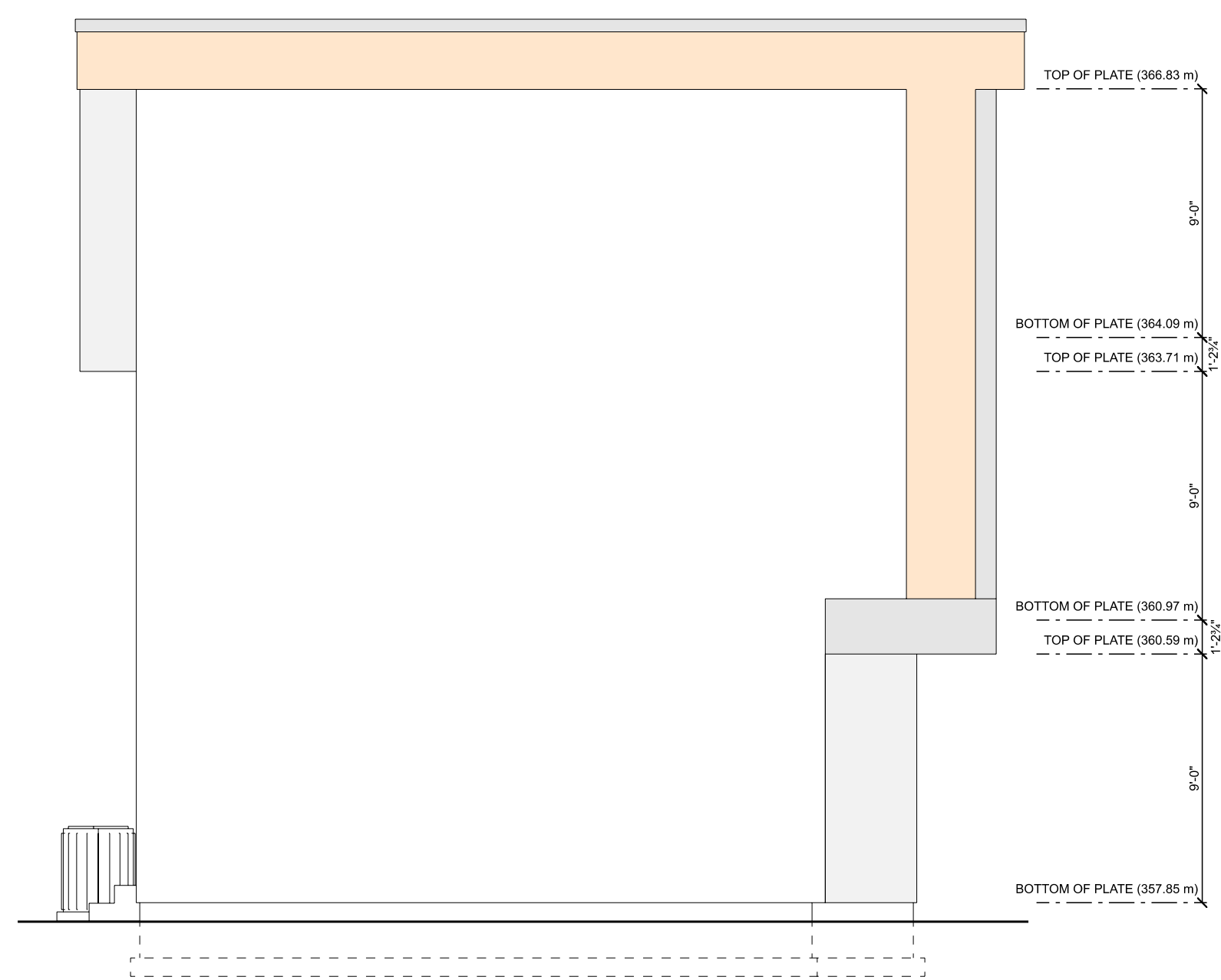


PLAN NO.
WP-5676
 SLAB
 SHEET NO.
A9

BASRAN PROPERTIES
 RAYMOND BASRAN
 924 FAIRVIEW RD.
 PENTICTON, BC.
 DESIGN BY: AJG DATE: 2023-02-23
 DRAWN BY: AJG REVISED:

**COPYRIGHTED DOCUMENTS
 ILLEGAL TO REPRODUCE**

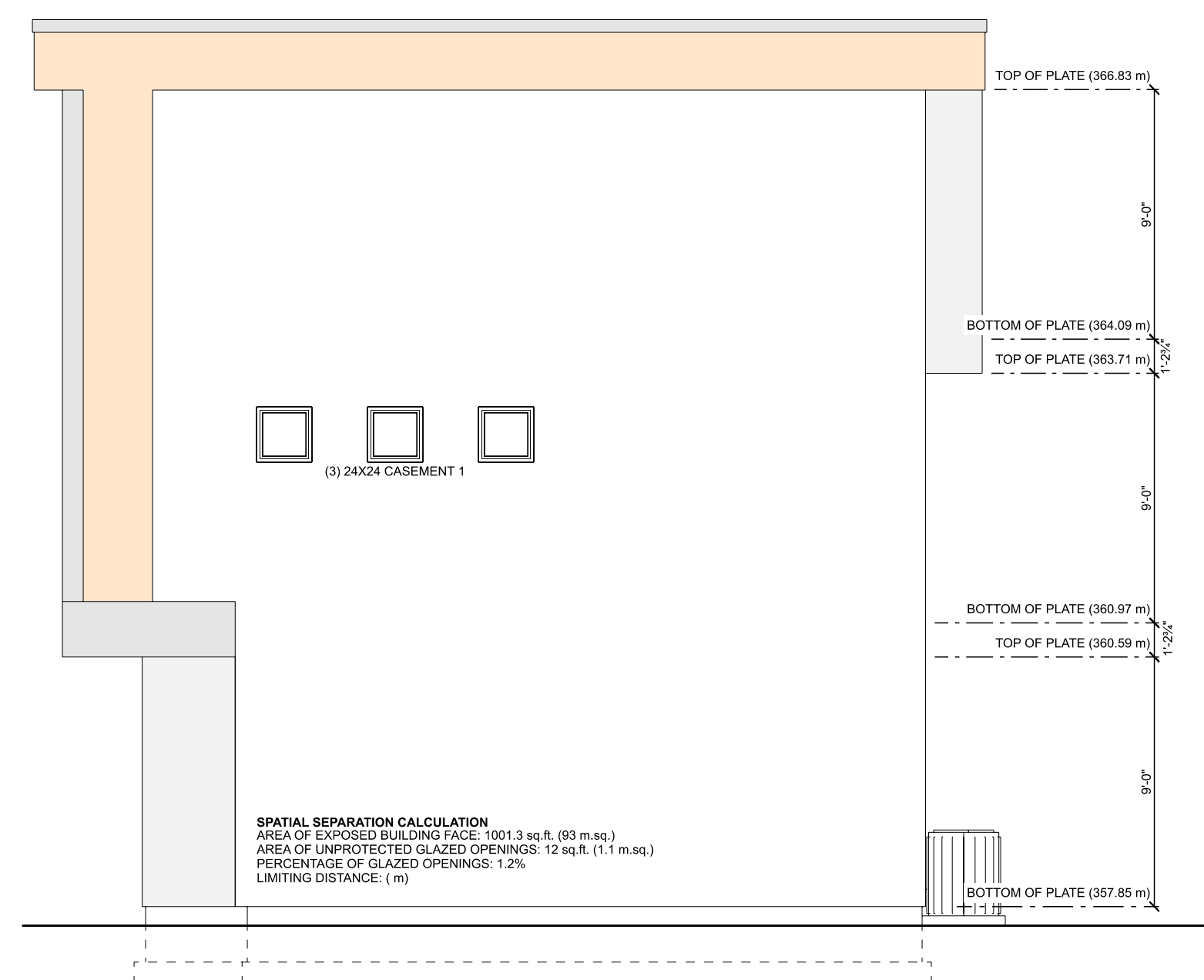
Building B-Upper Floor Plans



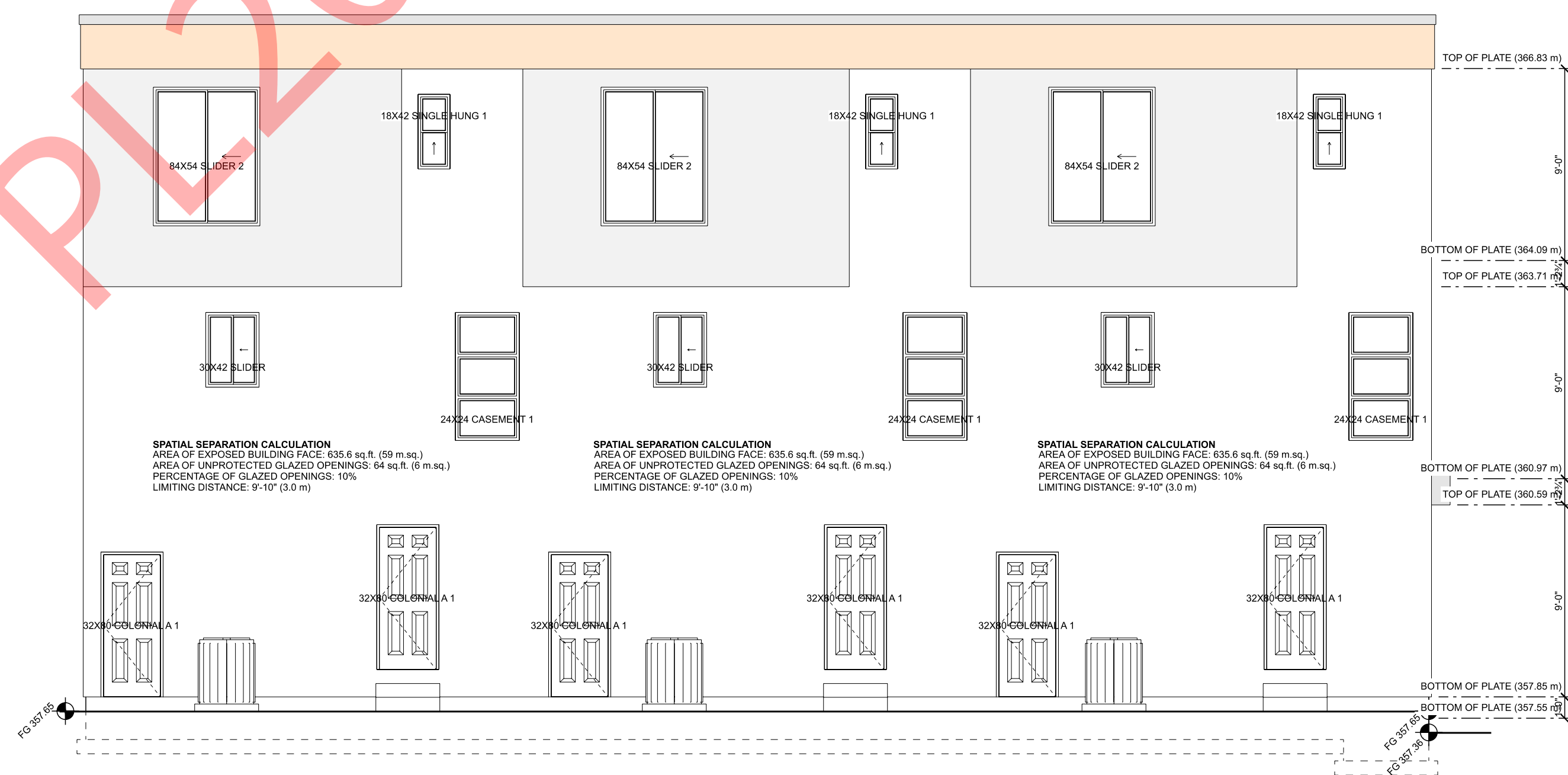
BUILDING B-WEST ELEVATION (FACING BUILDING A)
SCALE: 3/16" = 1'-0"



BUILDING B-SOUTH ELEVATION (FACING DRIVE AISLE)
SCALE: 3/16" = 1'-0"



BUILDING B-EAST ELEVATION
SCALE: 3/16" = 1'-0"



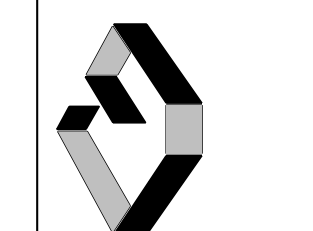
BUILDING B-NORTH ELEVATION
SCALE: 3/16" = 1'-0"

BASRAN PROPERTIES
RAYMOND BASRAN
924 FARVIEW RD.
PENTICTON, BC.

© Giroux Design Group Inc. - M1993. All Rights Reserved
Reproduction of these drawings, in whole or in part, including any direct copying and/or preparation of derivative works thereof, for any reason without prior written permission of Giroux Design Group Inc. is prohibited. The purchaser of these drawings is to be used for the construction of the building shown. The purchaser of these drawings is to be used for the construction of the building shown. The purchaser of these drawings is to be used for the construction of the building shown. The purchaser of these drawings is to be used for the construction of the building shown.

Due to local codes, regulations and building practices under the influence of specific conditions of a building in all localities. Consequently, these drawings are not to be used in any other locality without the express written consent of Giroux Design Group Inc. and until the drawings have been brought into conformity with all local requirements. Additionally, Giroux Design Group Inc. is unable to accept any liability for the accuracy of the drawings. The purchaser of these drawings is to be used for the construction of the building shown. The purchaser of these drawings is to be used for the construction of the building shown. The purchaser of these drawings is to be used for the construction of the building shown.

GIROUX DESIGN GROUP
Custom Home and Building Design Since 1950.
Giroux Design Group Inc.
phone: 250.276.4373 e-mail: contact@girouxdesigngroup.com
web: www.girouxdesigngroup.com



PLAN NO.
WP-5676
SLAB
SHEET NO.
A10

**COPYRIGHTED DOCUMENTS
ILLEGAL TO REPRODUCE**

Building B-Exterior Elevations

www.girouxdesigngroup.com - www.westhomeplanners.com - www.houseplanners.com

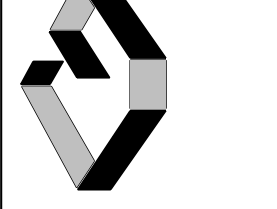


BASRAM PROPERTIES
RAYMOND BASRAM
924 FAIRVIEW RD.
PENTICTON, BC.

© Giroux Design Group Inc. - M19918. All Rights Reserved.
Reproduction of these drawings, in whole or in part, including any direct copying
and/or preparation of derivative works thereof, for any reason without prior written
consent of Giroux Design Group Inc. is prohibited. The drawings are the property of
Giroux Design Group Inc. and are to be used only for the construction of the building
shown. The purchaser of a building unit is not to be held responsible for the construction of
the building. The purchaser must carefully inspect all dimensions and details in these
drawings and assume responsibility for the same.

Due to local codes, regulations and building practices under the influence of specific
site conditions, these drawings may not be suitable or legal for use in the
construction of a building in all localities. Consequently, these drawings are not to
be used for the construction of a building in any other locality without the written
consent of Giroux Design Group Inc. and until the drawings have been brought into conformity with all local requirements.
Additionally, Giroux Design Group Inc. is unable to accept any liability for the accuracy
of the drawings. The purchaser must carefully inspect all dimensions and details in these
drawings and assume responsibility for the same.

GIROUX DESIGN GROUP
Custom Home and Building Design Since 1950.
Giroux Design Group Inc.
phone: 250.276.4373 e-mail: contact@girouxdesigngroup.com
web: www.girouxdesigngroup.com



PLAN NO.
WP-5676
SLAB
SHEET NO.
A11

www.girouxdesigngroup.com - www.westhomeplanners.com - www.houseplanners.com

Colour Renderings

The Corporation of the City of Penticton

Bylaw No. 2023-14

A Bylaw to Amend Zoning Bylaw 2023-08

WHEREAS the Council of the City of Penticton has adopted a Zoning Bylaw pursuant the *Local Government Act*;

AND WHEREAS the Council of the City of Penticton wishes to amend Zoning Bylaw No. 2023-08;

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

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw No. 2023-14".

2. **Amendment:**

2.1 Zoning Bylaw No. 2023-08 is hereby amended as follows:

Rezone Lot 1 District Lot 250 Similkameen Division Yale District Plan 37914, located at 924 Fairview Road, 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	day of	, 2023
A PUBLIC HEARING was held this	day of	, 2023
READ A SECOND time this	day of	, 2023
READ A THIRD time this	day of	, 2023
ADOPTED this	day of	, 2023

Notice of intention to proceed with this bylaw was published on the ___ day of ____, 2023 and the ___ day of ____, 2023 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer

Council Report

penticton.ca

Date: April 18, 2023
To: Donny van Dyk, Chief Administrative Officer
From: Nicole Capewell, Planner II
Address: 398 Upper Bench Road South

File No: RMS/398 Upper Bench Rd S

Subject: Zoning Amendment Bylaw No. 2023-15

Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-15", for Lot 6 District Lot 155 Similkameen Division Yale District Plan 306 Except Plan 21731, located at 398 Upper Bench Road South, a bylaw to add the site-specific provision, within the A (Agriculture) zone, as follows: "Section 9.2.6.13, In the case of Lot 6 District Lot 155 Similkameen Division Yale District Plan 306 Except Plan 21731, located at 398 Upper Bench Road South, a carriage house and a bed and breakfast home shall be permitted;

AND THAT Council forward "Zoning Amendment Bylaw No. 2023-15", to the May 2, 2023 Public Hearing.

Strategic Priority Objective

Livable and Accessible: Proactively plan for deliberate growth; focused on an inclusive, healthy, safe and desirable place to live.

Proposal

The applicant is proposing to convert an existing accessory structure on the subject property to a carriage house. The subject property also contains a single-family dwelling, which is currently operating as a bed and breakfast home. Section 8.2.1.1 of the Zoning Bylaw does not permit a carriage house in conjunction with a bed and breakfast home, and therefore the applicants require a zoning amendment to proceed. The proposed zoning amendment is referred to as a 'site-specific' zoning, meaning that the property retains the A (Agriculture) zoning, and adds the proposed use (allowing a carriage in conjunction with a bed and breakfast home) as a permitted use, only for the subject property.

Background

The subject property is located along the east side of Upper Bench Road South between Johnson Road and Hillside Avenue (Figure 1). The property is currently zoned A (Agriculture) and designated as Agriculture by the City's Official Community Plan (Attachments 'A' and 'B'). The surrounding area contains larger

agricultural properties that operate farms, and also contain residential uses and structures. To the east, properties are zoned FG (Forestry and Grazing), as the slope increases up towards Campbell Mountain. There are various utility right-of-ways on the subject property to the east of the carriage house location, for utility companies.

While the western portion of the property is located within the Agricultural Land Reserve, records do not indicate significant farming on the property in the past. The City has satellite imagery periodically, dating back to 1997, which shows a small area to the east of the existing single family dwelling with vines, however, this area is quite small (~10,000 sq. ft.) and is likely for hobby farming rather than commercial purposes. Additionally, over the years, it does not appear that the property has ever held farm status with the Assessment Act. The eastern portion of the property remains in a natural landscape, with several utility right of ways, and a gradual slope up to the east. With this information, the property has had limited agricultural activities over the years.



Figure 1 - Property Location Map

Climate Impact

The applicants will be required to comply with the BC Building Code and City Building Bylaw. This will require the structure to be brought to today’s standard for conversion into a dwelling unit. Given that the structure was built many years ago (likely 1950/60s), this will likely improve the efficiency of the building, connecting to the improvement of existing buildings within the Community Climate Action Plan.

Technical Review

This application was reviewed by the City’s Technical Planning Committee (TPC). Typical servicing requirements have been identified for the Building Permit stage of the project, if the zoning application is supported by Council. These items have been communicated to the applicant. The property is located outside of the City’s sewer network, and the owner’s will be responsible to ensure proper waste water disposal onsite. The owners will be required to show compliance with this requirement at the time of the Building Permit for the building conversion.

The western portion of the property is located within the Agricultural Land Reserve (ALR), as shown in Attachment ‘C’. The requested use is permitted by the Agricultural Land Commission (ALC). The property is also located within the Environmental Assessment Area (as identified by the City’s OCP), however the proposed works likely will not require an assessment, as the proposal is to convert an existing building with limited soil disturbance of natural areas. The owners will continue to work with staff to determine if any works will require an Environmental Development Permit.

Typically applications that have an agricultural component would be referred to the City’s Agriculture Advisory Committee. However, at this time, the Committee is not yet operating. As such, staff have relied on

existing policies within the OCP, as well as considering the ALC regulations, which allow for the proposed use to occur.

Development Statistics

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

	Requirement Carriage House Agriculture Zone Requirement	Provided on Plans
Minimum Lot Area for Carriage House:	370 m ²	8.14 acres or 32,941 m ²
Maximum Building Footprint:	150 m ²	72 m ²
Maximum Carriage House Floor Area (CHFA):	150 m ²	87.7 m ²
Maximum Lot Coverage:	10% for residential buildings	1%
Vehicle Parking:	Bed and Breakfast: 1 per bedroom to a maximum of 3, plus 1 for the required corresponding dwelling unit Carriage house: 1 additional space for the carriage house Total required = 5 spaces	3 spaces for bed and breakfast 1 space for corresponding dwelling unit 1 additional space for carriage house Total provided = 5+ spaces
Required Setbacks		
Front Yard (west):	9.0 m	19.5 m
Interior Side Yard (north):	4.5 m	94.0 m
Interior Side Yard (south):	4.5 m	47.0 m
Rear Yard (east):	9.0 m	200.0 m
Maximum Building Height	7.0 m and 2 storey(s)	3.8 m and 2 storey(s)

Analysis

The Zoning Bylaw provides separate regulations for bed and breakfast homes and carriage houses, as follows:

1. Bed and Breakfast Home (*means the use of a residence in which temporary overnight accommodation and breakfast is provided*):
 - a. Only permitted in specific zones, including the A (Agriculture) zone.
 - b. Must be operated within a single detached dwelling, with a maximum 4 sleeping units (i.e. bedrooms), with accommodation for a maximum of 2 guests per sleeping unit.
 - c. Shall not change the residential character or external appearance of the dwelling.
 - d. The licensed operator must reside in the dwelling.
 - e. Vehicle parking must be provided.

2. Carriage house – *there are many regulations for carriage houses, including setbacks, size, height, etc. This list highlights those that are applicable to the proposed rezoning.*
 - a. Only 1 carriage house may be permitted per residential property, and shall not be allowed in conjunction with a secondary suite in a principal dwelling, duplex, apartment or bed and breakfast homes.

The applicant is proposing to convert an existing agricultural accessory structure to a carriage house. The property also contains a single-family dwelling that is operated as a bed and breakfast home, with three bedrooms available for rent. The carriage house regulations do not allow for a carriage house in conjunction with a bed and breakfast home, and therefore a zoning amendment is required to allow for both uses on the same property.

The Official Community Plan (OCP) designation for the subject property is ‘Agriculture’, which allows for growing, producing, harvesting, storage, processing and sale of agricultural produce (Figure 2). Agricultural buildings and detached houses are building types that are supported through this designation and both agricultural and residential uses are permitted, allowing 1-2 units per parcel. The existing buildings and uses are supported through the OCP designation, and the proposed building and use is supported by the OCP designation.

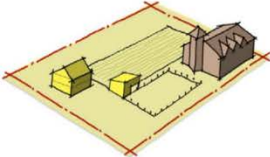
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Agriculture 	Allows for growing, producing, harvesting, storage, processing and sale of agricultural produce.	<ul style="list-style-type: none"> • Agricultural buildings • Detached houses 	<ul style="list-style-type: none"> • Agricultural • Residential 	• 1-2 units per parcel	• A

Figure 2 - Excerpt from OCP Future Land Use Designations

Staff do not expect any impacts to agriculture on the subject property as a result of the proposed development. As the applicants are proposing to convert an existing accessory structure that has been on the property for many years (likely dating back to the 1950/60s), there are no additional lands needed to accommodate the additional dwelling unit on the property. Further, the property owners have undertaken landscaping works (including planting of several fruit trees and shrubs) on the property to introduce natural plants and landscaping back to areas of the property that were previously disturbed (i.e. vineyard).

In addition to alignment with the future land use designation, staff consider that the proposed zoning amendment will also allow for a development that is supported through the following OCP Goals and Policies:

OCP Goal 4.1.3	Ensure a range of housing types, sizes, tenures and forms exist throughout the city to provide housing options for all ages, household types, and incomes.
OCP Policy 4.1.3.2	Increase housing options in low-density single-family areas through development of secondary suites and carriage houses, and ensure carriage houses are sensitively integrated and designed.
OCP Goal 4.5.1	Support, protect and enhance agriculture as a central component of Penticton’s economy, character and identity.
OCP Policy 4.5.1.2	Work with the ALC to ensure that agricultural activities remain the primary use on lands within the ALR and encourage active farming use of those lands. Proposed compatible non-farm uses and non-soil-based agriculture should be comprehensively reviewed to ensure there are no negative impacts on agricultural viability and operations.

Staff consider that the application proposes to add an additional dwelling unit to an existing property within the City, and within an existing accessory structure. Further, the proposal is permitted through the Agricultural Land Commission (ALC) regulations and does not require any additional approvals from the ALC to proceed. Additionally, the property owner(s) have submitted a letter of support from one of the directly adjacent neighbours, which demonstrates their support for the existing bed and breakfast operation and the proposal to add a carriage house to the property (Attachment ‘F’).

As such, staff recommend that Council give first reading to “Zoning Amendment Bylaw No. 2023-15” and forward the Bylaw to the May 2, 2023 Public Hearing to gather comments and feedback from the public.

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 – Letter of Support (Neighbour)
- Attachment G – Proposed Plans
- Attachment H – Zoning Amendment Bylaw No. 2023-15

Respectfully submitted,

Nicole Capewell, RPP, MCIP
Planner II

Concurrence

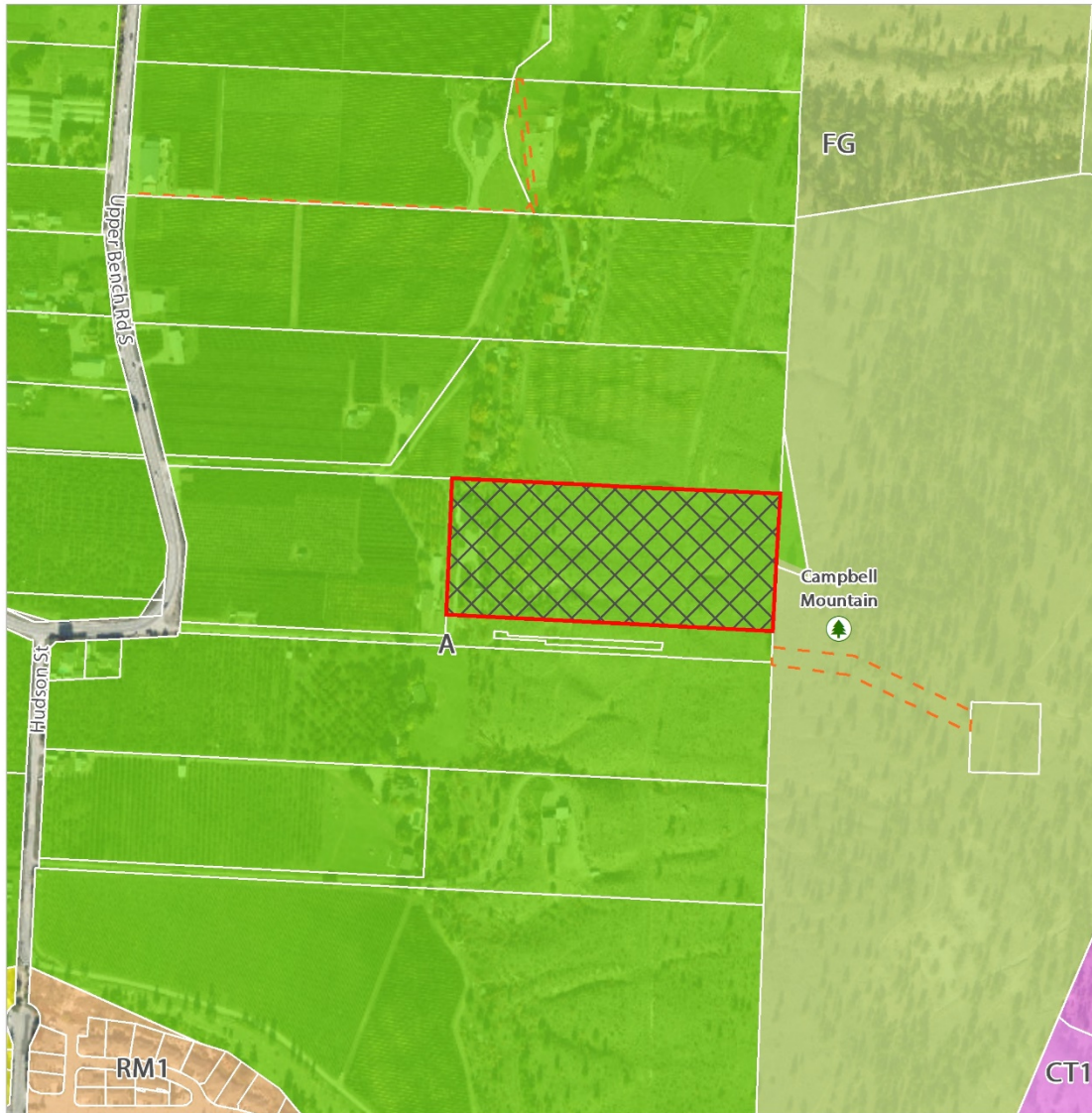
Director of Development Services <i>BL</i>	GM of Infrastructure <i>KD</i>	Chief Administrative Officer DyD
--	---------------------------------------	---

Attachment A – Zoning Map



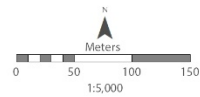
398 Upper Bench Road S

Zoning Bylaw



Legend

- Subject Parcel
- FG - Forestry and Grazing
- RM1 - Bareland Strata Housing
- Site Specific Zoning
- A - Agriculture
- CT1 - Tourist Commercial
- R2 - Small Lot Residential



Terms of Use: The City of Penticton is a depositary 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 resulting 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.

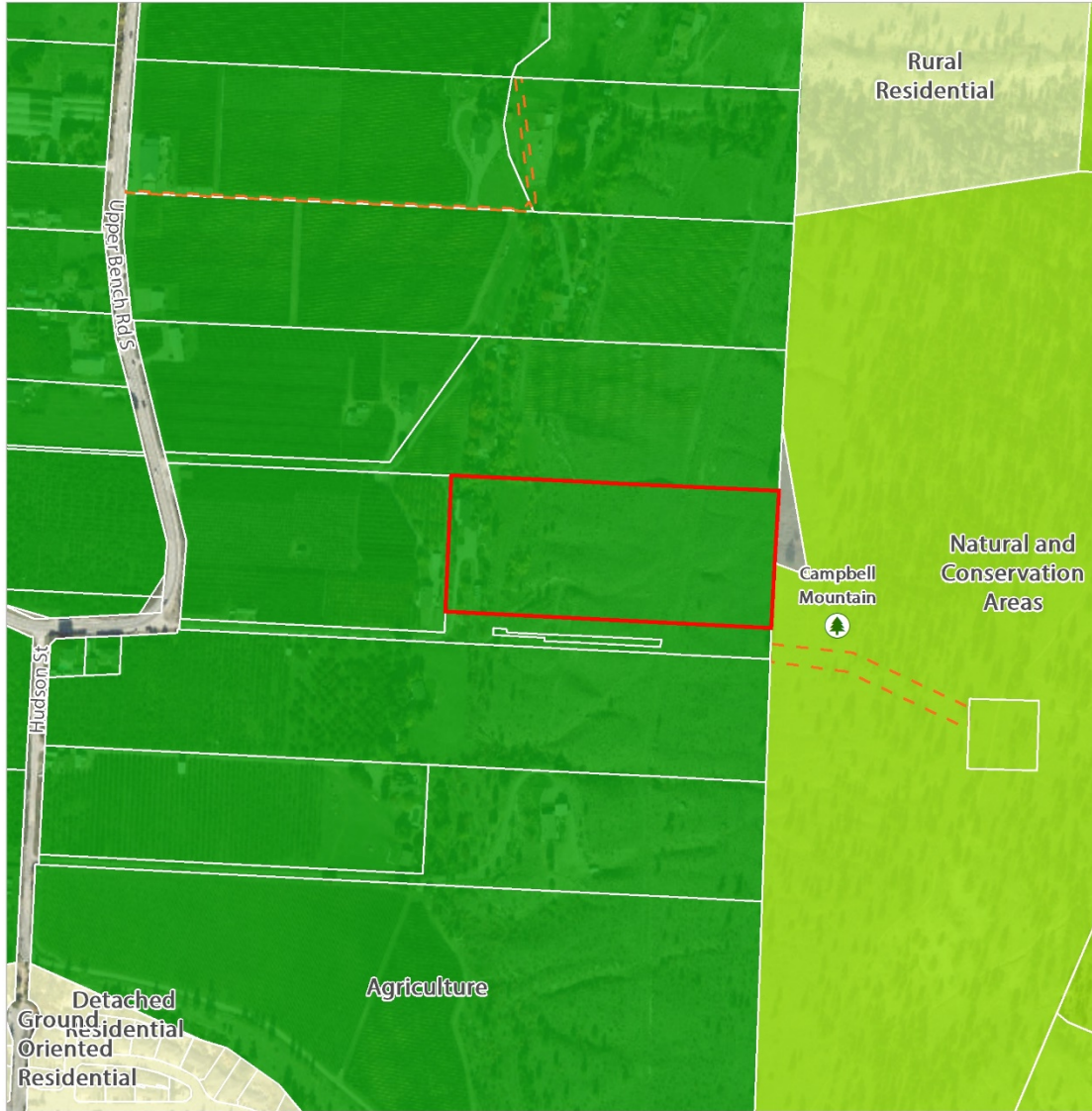
April 4, 2023 7:27:55 AM

Attachment B – Official Community Plan Map



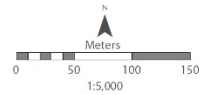
398 Upper Bench Road S

Official Community Plan Map



Legend

- Subject Parcel
- Detached Residential
- Natural and Conservation Areas
- Ground Oriented Residential
- Rural Residential
- Agriculture

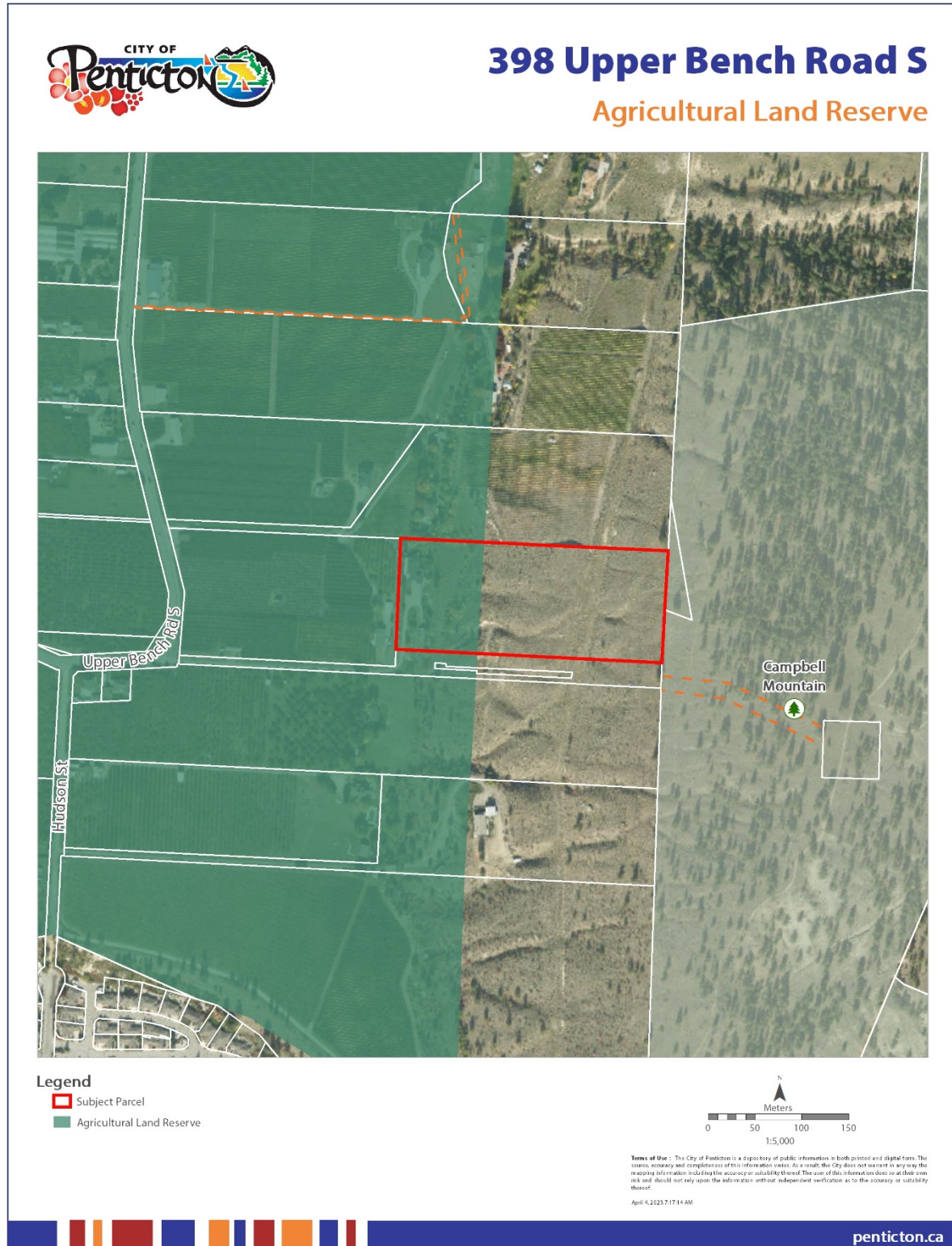


Terms of Use: The City of Penticton is a repository of public information in both printed and digital form. The accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information included in the accuracy or suitability thereof. The user of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

April 4, 2023 7:26:32 AM

pentiction.ca

Attachment C – Agricultural Land Reserve (ALR) Map



Attachment D – Photos of Property



Existing accessory structure (Quonset hut) proposed to be converted to carriage house

Landform Architecture Ltd.

Chris Allen, Architect AIBC

102 Ellis Street
Penticton, BC V2A 4L5
CANADA
t: 250-276-4106

info@landformadb.com
www.landformadb.com

Feb. 9, 2023

Letter of Intent

**Re: 398 Upper Bench Road S
Zoning Bylaw Text Amendment**

The property in question is a large (8.14 acre) property on the eastern margin of Penticton, directly adjacent to Campbell Mountain. It is zoned A, Agriculture, and the lower portion of the property is in the Agricultural Land Reserve.

The owner has operated a bed and breakfast operation out of the existing single family dwelling for several years, as permitted by zoning, and with full support of the neighbours.

They are now proposing to internally renovate an existing accessory building south of the house to create a unique vacation rental option. The building is an arched roof metal building, popularly known as a "Quonset Hut". It is felt that conversion of this distinct but redundant heritage building would both preserve a building form common to the agricultural context, and create an intriguing small accommodation space overlooking the vineyards below.

However:

- Zoning Bylaw Section 8.2.1 states "carriage house shall not be allowed in conjunction with a... bed and breakfast home"
- Zoning bylaw Section 7.6.2.3 states that "In the case of a property containing a single detached dwelling and a carriage house, only one dwelling may be used for the purpose of a vacation rental"

Despite these restrictions in the bylaw, the proposed conversion would not change the use, form and character, or built footprint of the property. It would make use of an existing driveway and large parking area, with no impact on agricultural land. It would preserve a unique farm heritage building, while supporting the existing agricultural accommodation use. Finally, it is located on a large agricultural property on the wildland margin of Penticton, and would have no detrimental impacts on neighbouring properties.

Therefore, we are proposing a Zoning Bylaw Text Amendment to allow a carriage house to be created in conjunction with the existing bed and breakfast operation, and for this renovated structure to be permitted to be used as a vacation rental.



Chris Allen, Architect AIBC
Principal, Landform Architecture Ltd.

March 28, 2023

Dear Mayor and Council,

My name is David Paisley and I am the owner of 330 Upper Bench Road South; I have lived here with my family since 1997.

I am an immediate neighbour to Dara Parker and Nata Belcham who live at 398 Upper Bench Road South, and I am writing in support of their proposed rezoning application going before Council.

I am fully supportive of their intention to convert their quonset hut into a carriage home, to be operated as a short-term rental property. I believe this will be a complement to their existing Bed and Breakfast operation, which provides much needed accommodation in the neighbourhood. I appreciate their responsible and sustainable approach to running their small business.

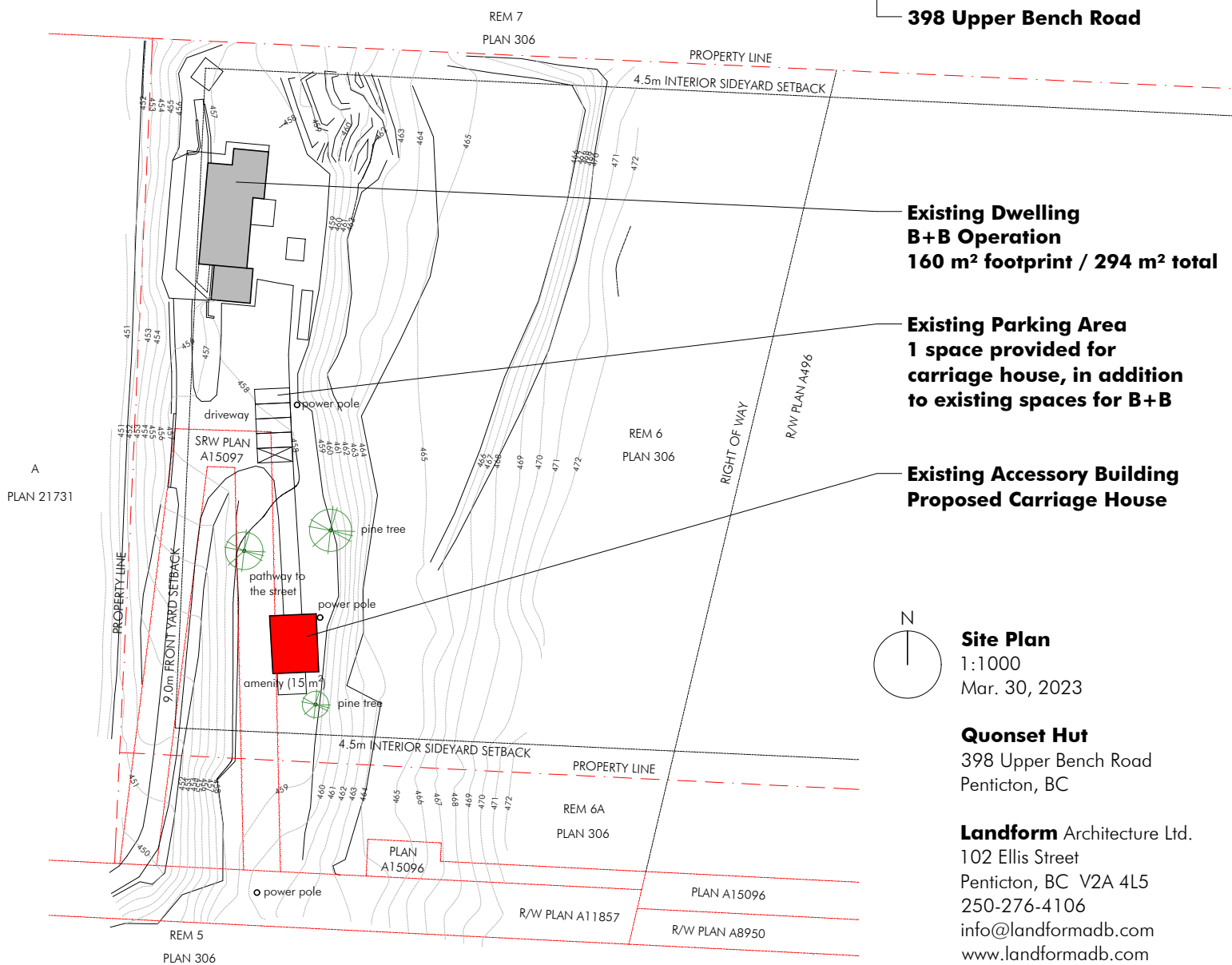
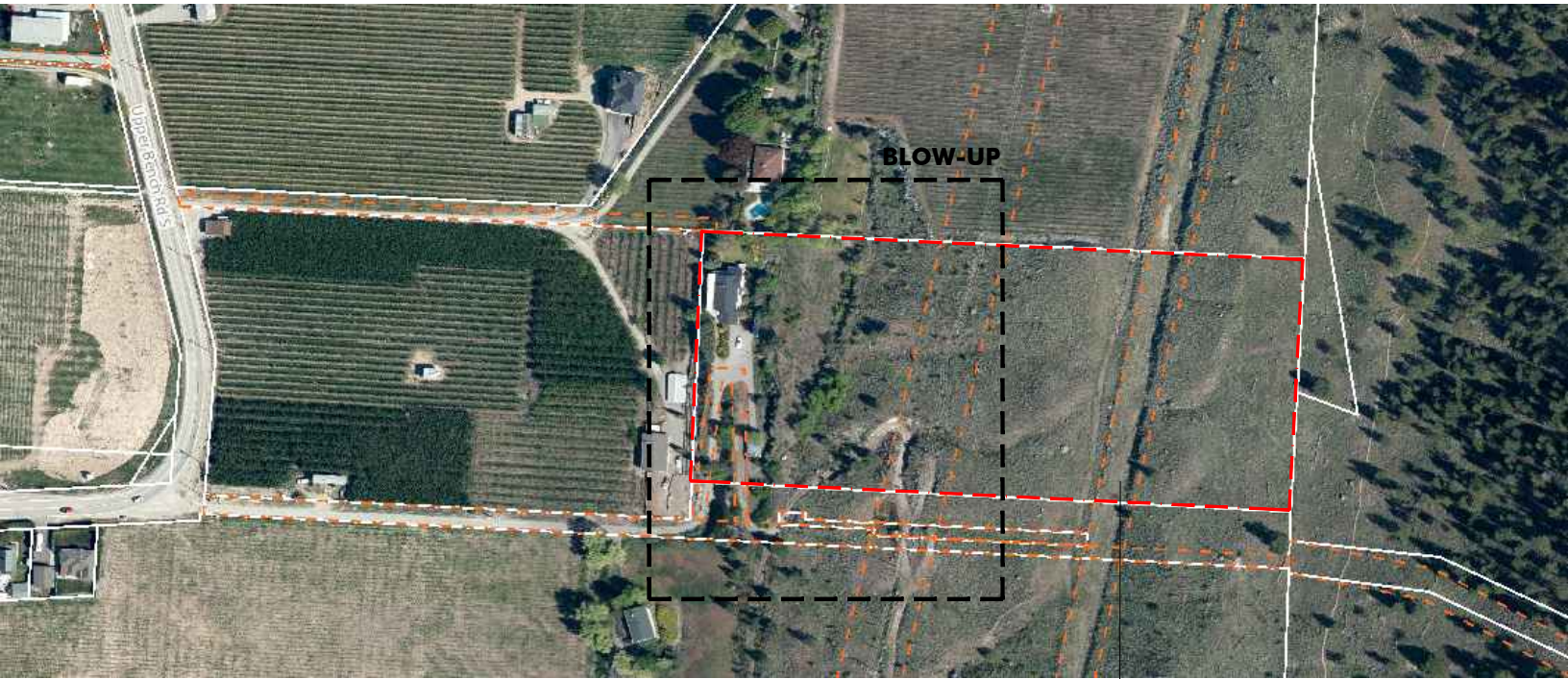
Should you have any questions, please don't hesitate to get in contact.

Sincerely,



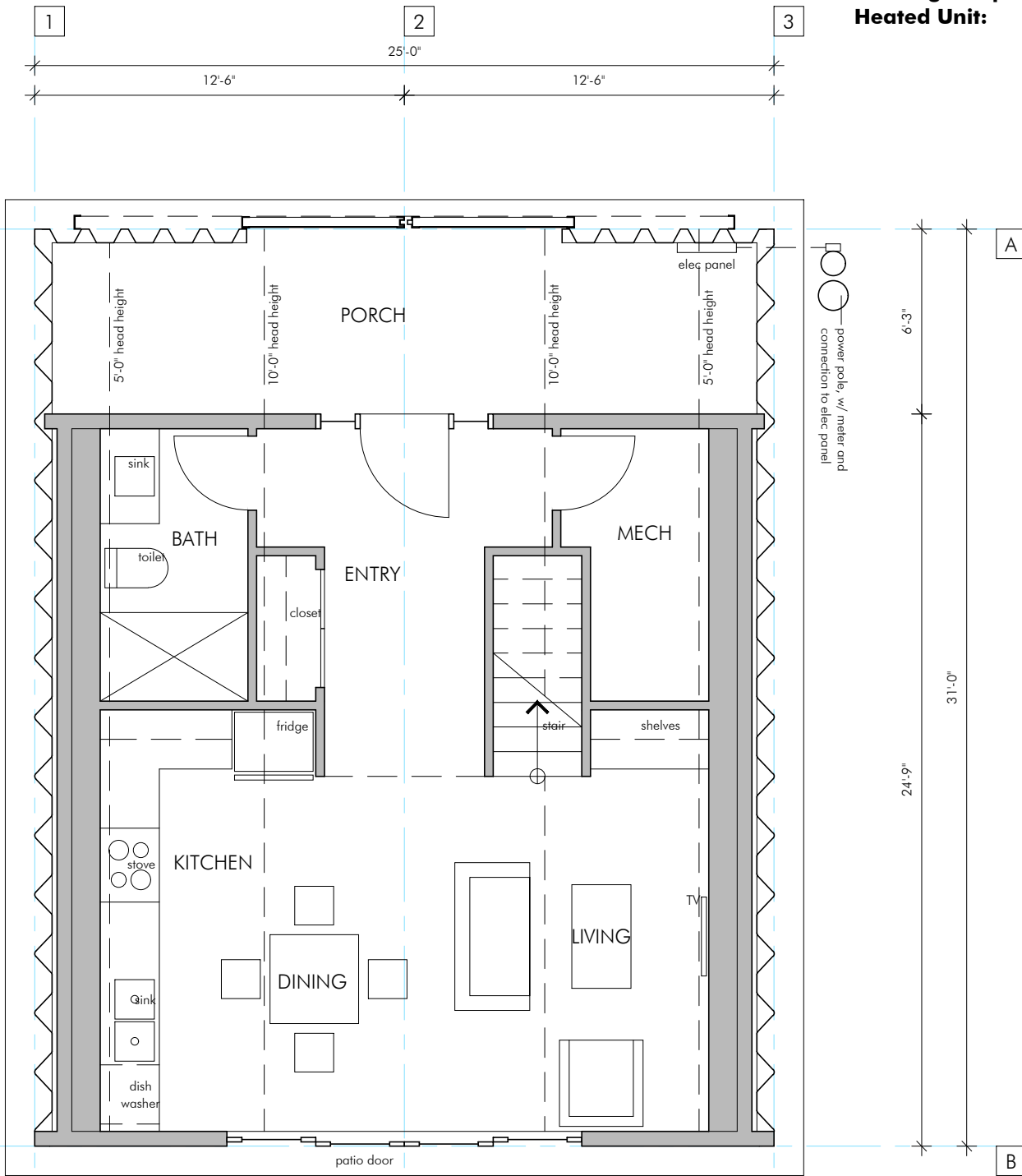
David Paisley
330 Upper Bench Road South
Penticton, BC

250.462.0939

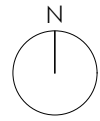


2. Floor Plan

Building Footprint: 775 ft²
Heated Unit: 580 ft²



Compliance Table		
	Allowed	Proposed
Zoning	A, Agriculture	A, Agriculture
Accessory Dwellings (ALC)	90 m ²	72 m ²
Max Lot Coverage (residential)	10%	0.7%
Height	7.0 m	3.8m
Amenity Space	15 m ²	15 m ²
Front Setback	9.0m	19.5m
Side Interior (North)	4.5m	94.0m
Side Interior (South)	4.5m	47.0m
Rear Setback	4.5m	200.0m

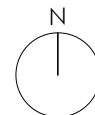
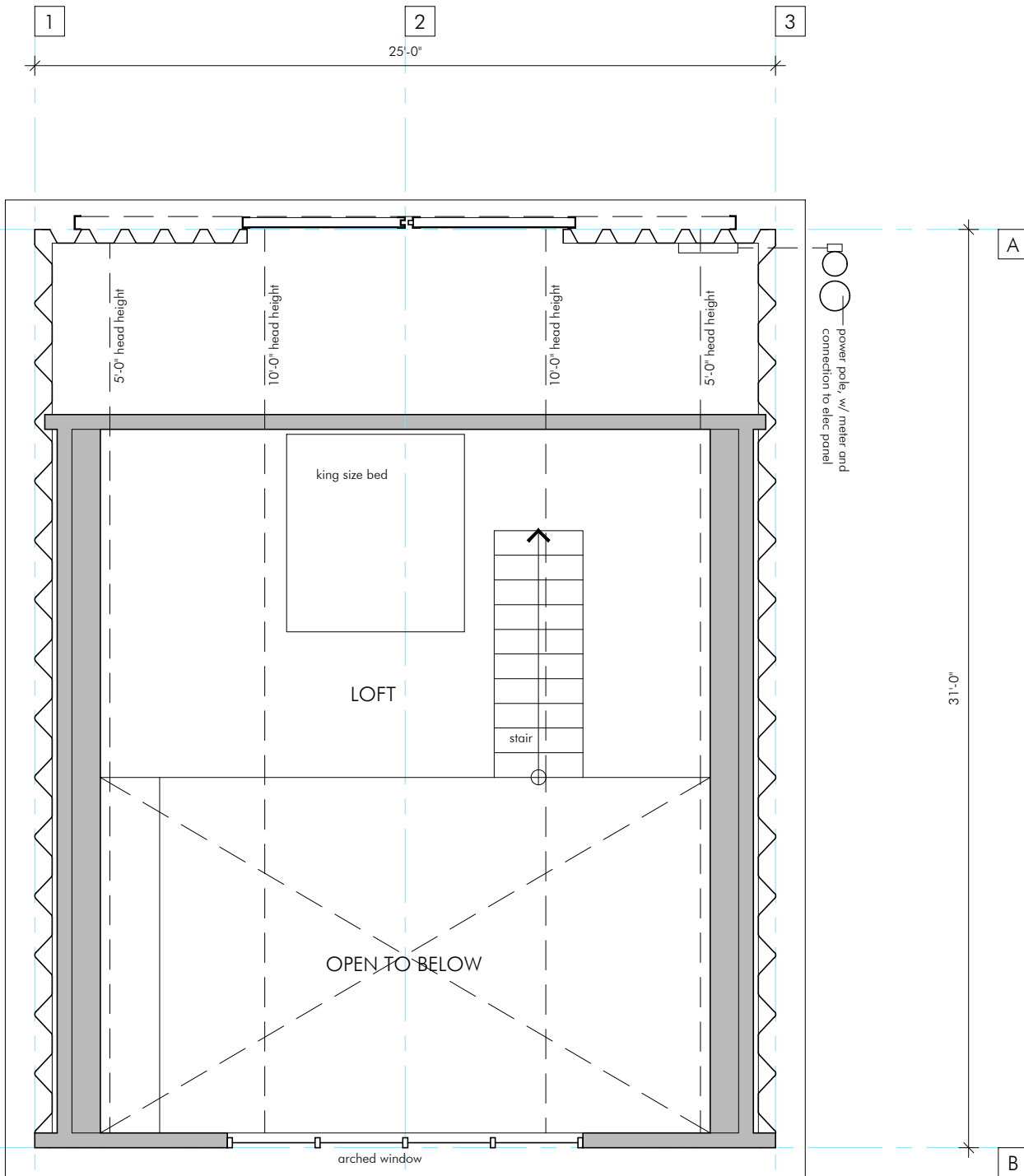


Floor Plan
 1:64
 Mar. 30, 2023

Quonset Hut
 398 Upper Bench Road
 Penticton, BC

Landform Architecture Ltd.
 102 Ellis Street
 Penticton, BC V2A 4L5
 250-276-4106
 info@landformadb.com
 www.landformadb.com

3. Loft Plan 84 -



Loft Plan

1:64

Mar. 30, 2023

Quonset Hut

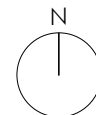
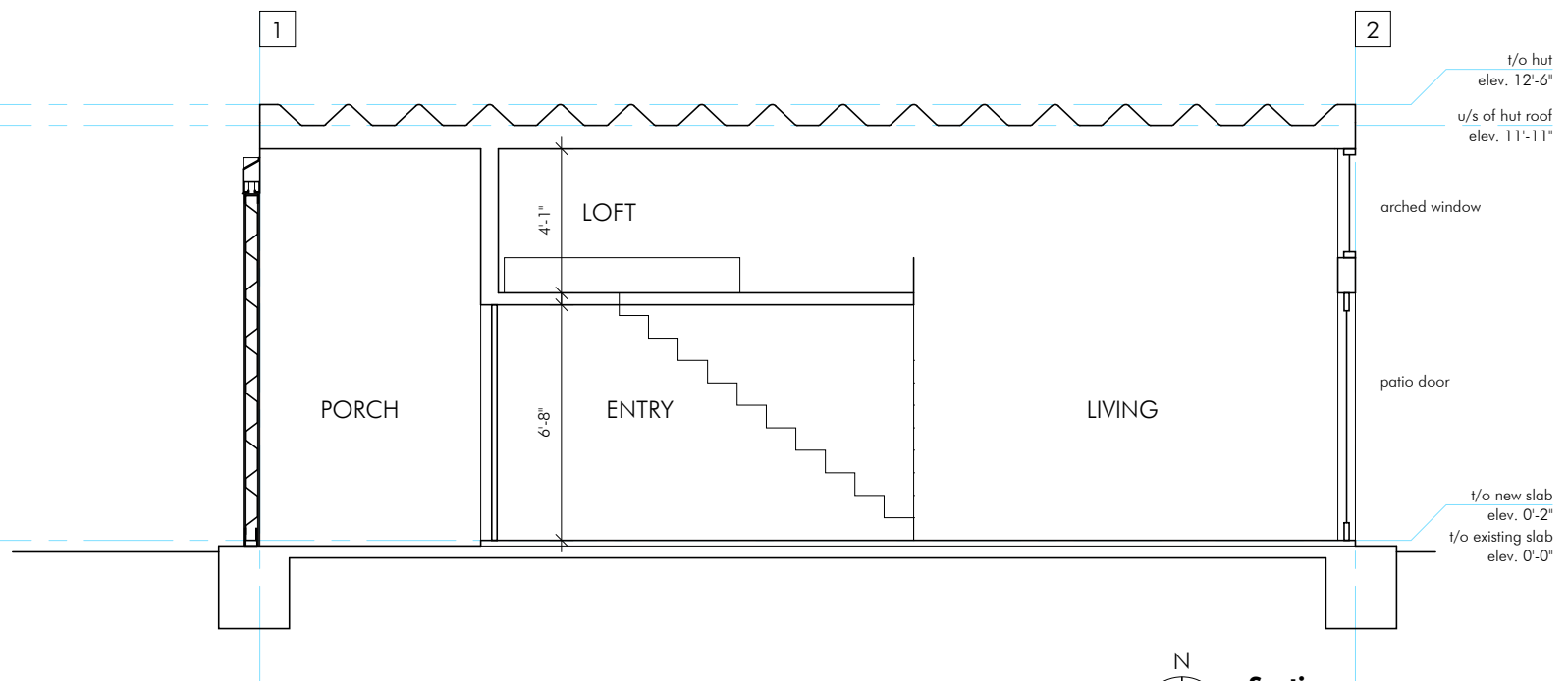
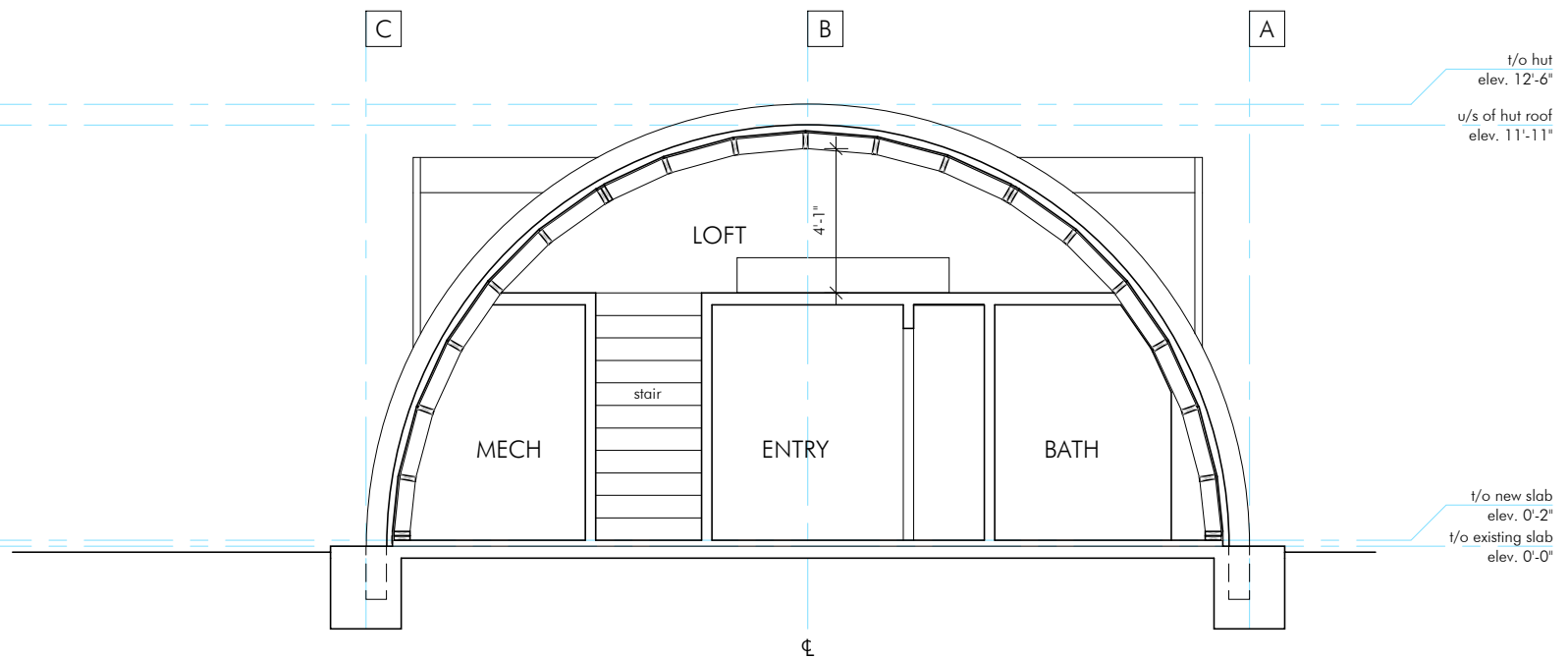
398 Upper Bench Road
Penticton, BC

Landform Architecture Ltd.

102 Ellis Street
Penticton, BC V2A 4L5
250-276-4106
info@landformadb.com
www.landformadb.com

PATIO

4. Sections - 85 -



Sections

1:64

Mar. 30, 2023

Quonset Hut

398 Upper Bench Road
Penticton, BC

Landform Architecture Ltd.

102 Ellis Street
Penticton, BC V2A 4L5
250-276-4106
info@landformadb.com
www.landformadb.com

The Corporation of the City of Penticton

Bylaw No. 2023-15

A Bylaw to Amend Zoning Bylaw 2023-08

WHEREAS the Council of the City of Penticton has adopted a Zoning Bylaw pursuant the Local Government Act;

AND WHEREAS the Council of the City of Penticton wishes to amend Zoning Bylaw No. 2023-08;

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

1. Title:

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw No. 2023-15".

2. Amendment:

2.1 Zoning Bylaw No. 2023-08 is hereby amended as follows:

Add the following to 9.2.6 SITE SPECIFIC PROVISIONS:
.13 "In the case of Lot 6, District Lot 155 Similkameen Division Yale District Plan 306 Except Plan 21731, located at 398 Upper Bench Road South, a carriage house and a bed and breakfast home shall be permitted."

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

READ A FIRST time this day of , 2023
A PUBLIC HEARING was held this day of , 2023
READ A SECOND time this day of , 2023
READ A THIRD time this day of , 2023
ADOPTED this day of , 2023

Notice of intention to proceed with this bylaw was published on the ___ day of ___, 2023 and the ___ day of ___, 2023 in an online news source and the newspaper, pursuant to Section 94.2 of the Community Charter.

Julius Bloomfield, Mayor

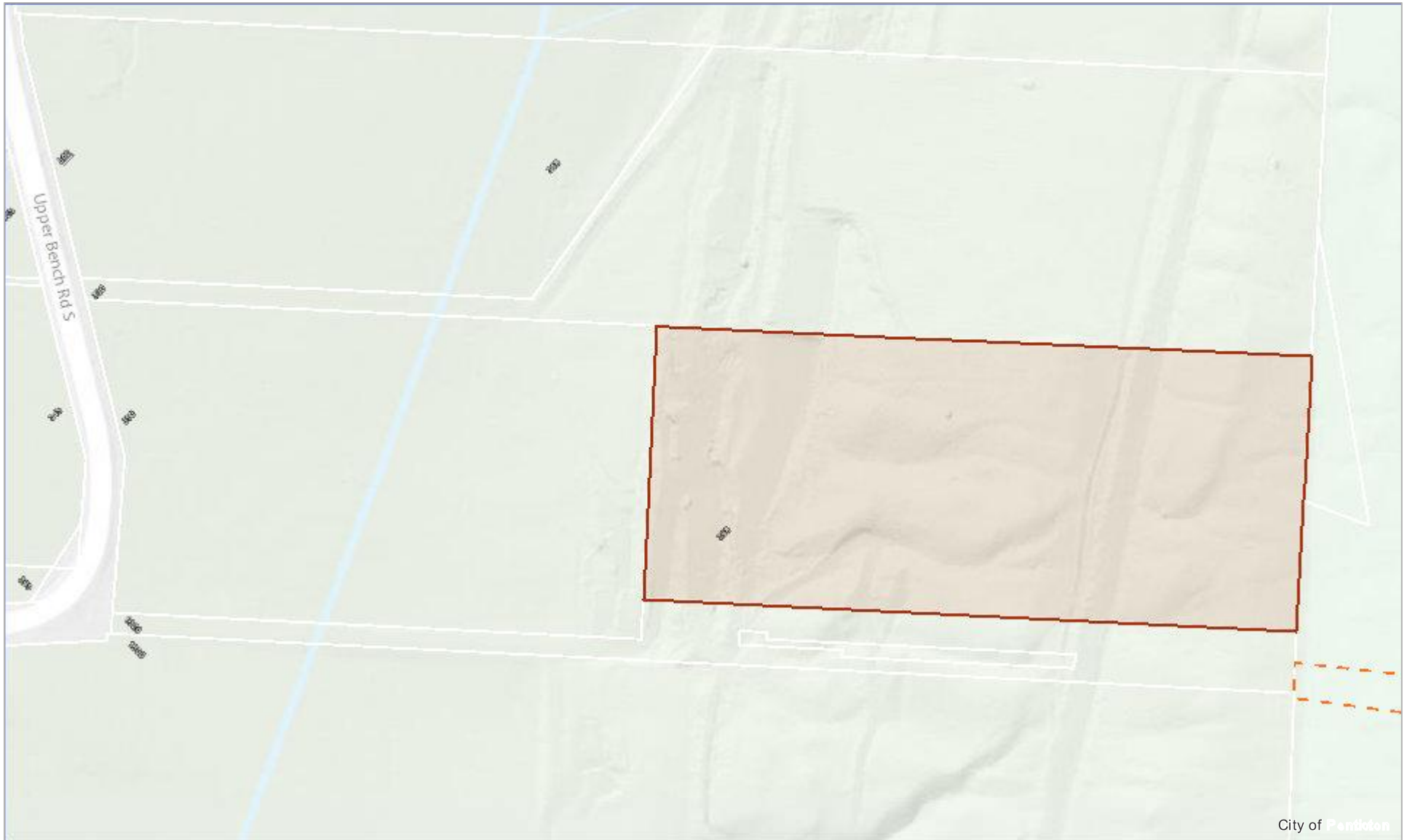
Angie Collison, Corporate Officer



Schedule A: Zoning Amendment Bylaw 2023-15

Date:

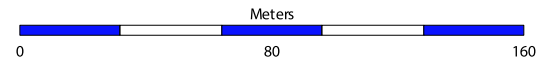
Corporate Officer:



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.



1:2,400
April 12, 2023 8:56:57 AM



Coordinate System: NAD 1983 CSRSUTM Zone 11N

The Corporation of the City of Penticton

Bylaw No. 2023-10

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 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. 2023-10."

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 7 Block 34 District 34 District Lot 202 Similkameen Division Yale District Plan 269 Except Plan KAP58563, located at 674 Martin Street, and Lot 8 Block 34 District Lot 202 Similkameen Division Yale District Plan 269, located at 686 Martin Street, from 'Urban Residential' to 'Downtown Mixed Use' as shown on Schedule 'A'.

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

READ A FIRST time this	3	day of	April, 2023
A PUBLIC HEARING was held this		day of	, 2023
READ A SECOND time this		day of	, 2023
READ A THIRD time this		day of	, 2023
ADOPTED this		day of	, 2023

Notice of intention to proceed with this bylaw was published on the 7th day of April, 2023 and the 12th day of April, 2023 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 2023-10

Date:

Corporate Officer:

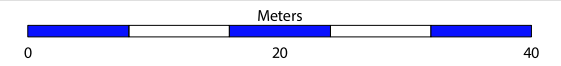


Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user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



1:600

March 29, 2023 3:07:19 PM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

The Corporation of the City of Penticton

Bylaw No. 2023-11

A Bylaw to Amend Zoning Bylaw 2023-08

WHEREAS the Council of the City of Penticton has adopted a Zoning Bylaw pursuant the *Local Government Act*;

AND WHEREAS the Council of the City of Penticton wishes to amend Zoning Bylaw No. 2023-08;

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

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw No. 2023-11".

2. **Amendment:**

2.1 Zoning Bylaw No. 2023-08 is hereby amended as follows:

Rezone Lot 8 Block 34 District Lot 202 Similkameen Division Yale District Plan 269, located at 686 Martin Street, from RD1 (Duplex Housing) to C5 (Urban Centre Commercial).

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

READ A FIRST time this	3	day of	April, 2023
A PUBLIC HEARING was held this		day of	, 2023
READ A SECOND time this		day of	, 2023
READ A THIRD time this		day of	, 2023
ADOPTED this		day of	, 2023

Notice of intention to proceed with this bylaw was published on the 7th day of April, 2023 and the 12th day of April, 2023 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 2023-11

Date:

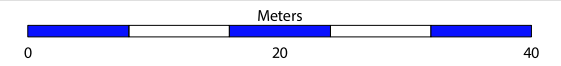
Corporate Officer:



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.



1:600
 March 29, 2023 3:09:39 PM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

**The Corporation of the City of Penticton
Bylaw No. 2023-12**

A Bylaw to close a portion fronting 674 Martin Street to all vehicular traffic.

WHEREAS Section 40 of the *Community Charter* provides that a Council may, by bylaw, permanently close all or part of a highway that is vested in the municipality to all or some types of traffic;

AND WHEREAS before adopting this bylaw, the Council has given notice of its intention in accordance with section 94.2 of the *Community Charter*;

AND WHEREAS before adopting this bylaw, Council has provided an opportunity for persons who consider themselves affected by the bylaw to make representation to Council;

AND WHEREAS before adopting the bylaw, Council has delivered notice of its intention to the operators of utilities whose transmission or distribution facilities or works will be affected by the closure;

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 "Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12".
2. **Purpose:**
Authority is hereby given to the Corporation of the City of Penticton to close a portion of the road as shown in detail on Schedule 'A' attached hereto and forming part of this bylaw.

READ A FIRST time this	3	day of	April, 2023
READ A SECOND time this	3	day of	April, 2023
READ A THIRD time this	3	day of	April, 2023
ADOPTED this		day of	, 2023

Notice of intention to proceed with this bylaw was published on the 7th day of April, 2023 and the 12th day of April, 2023 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Julius Bloomfield, Mayor

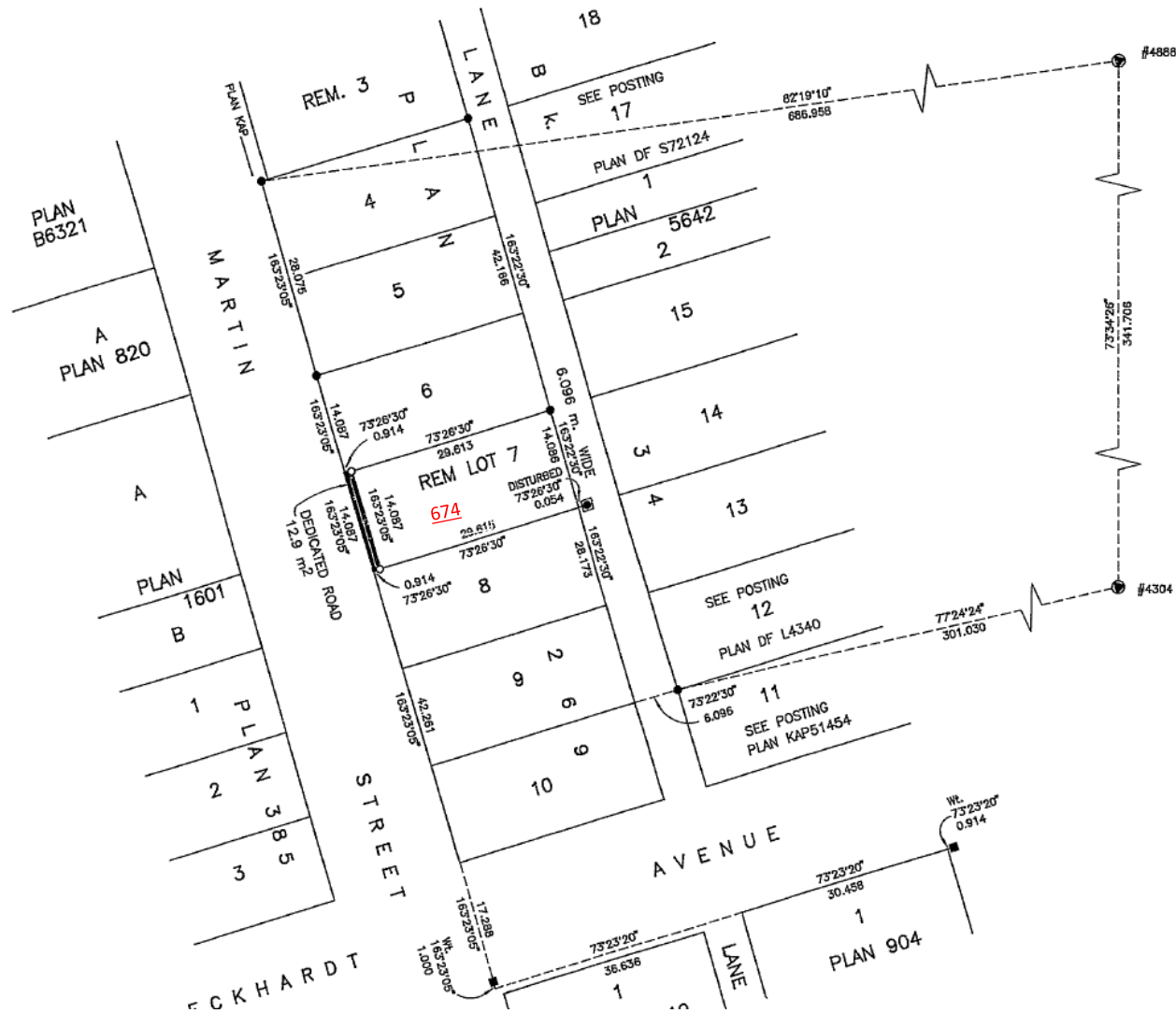
Angie Collison, Corporate Officer



Schedule A: Road Closure (portion fronting 674 Martin St) Bylaw 2023-12

Date:

Corporate Officer:



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.

