



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, October 3, 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 September 12, 2023 Regular Council Meeting 1-9 Adopt
7. **Consent Agenda:**

Recommendation:

THAT Council approve the Consent Agenda: 10-16

 1. Minutes of the September 12, 2023 Public Hearings; and
 2. Minutes of the September 13, 2023 Official Community Plan - Housing Task Force Meeting.

Konanz/Watt
8. **Staff Reports:**
 - 8.1 Revised 2023 Meeting Dates and Council Meeting Schedule for 2024 17-20

Staff Recommendation: THAT Council revise the Regular Council meeting schedule for 2023 and cancel the regular meetings of November 21, 2023 (as it is day 1 of budget deliberations) and December 5, 2023;

AND THAT Council select the following dates for the 2024 Regular Meetings of Council: January 16; February 6, 20; March 5, 19; April 2, 16; May 7, 21; June 4, 18; July 16; August 6, 20; September 10; October 1, 15; November 5; December 3, 17;

AND THAT Special Council meetings be held on November 19, 20, 21, 2024 for budget deliberations.
 - 8.2 Section 57 Notice on Title 21-22
Re: 3145 Juniper Drive

Staff Recommendation: THAT Council, after hearing from the impacted owner, resolve to place a notice on title, under section 57 of the Community Charter, with respect to contraventions of the City of Penticton Building Bylaw No. 2021-21 on Lot 1, District Lot 2710 Similkameen Division Yale District, Plan 26199, located at 3145 Juniper Drive (the Property), stating the following: "Failure to complete building and plumbing permits, which is a violation of the City of Penticton Building Bylaw No. 2021-21. Further information about it may be inspected at the municipal hall."

Kunka

Kunka	8.3	<p>Request for Remedial Action Re: 1438 Government Street <i>Staff Recommendation: THAT Council, under the authority provided in section 74 of the Community Charter, declare the single-family dwelling, three accessory buildings, and one derelict vehicle at and the yards of the Property at 1438 Government Street, (the Property) having a legal description of: Amended Lot 1 (230920F), District Lot 250 Similkameen Division Yale District Plan 11894 Except Plan KAP68408 (Parcel Identifier: 009-484-981) to be so dilapidated or unclean as to be offensive to the community and, as a result, require remedial action to secure all of the structures, to remove any and all graffiti present, remove the one derelict vehicle, and remediate the yards in order to eliminate the dilapidation or uncleanliness;</i> <i>AND FURTHER THAT Council, under the authority provided in section 72 of the Community Charter, impose the following remedial action requirements on the registered Owner of the Property with respect to the structures and property noted above in order to eliminate the declared dilapidation or uncleanliness:</i></p> <ul style="list-style-type: none"> <i>a) to secure the single-family dwelling;</i> <i>b) to secure the three accessory buildings;</i> <i>c) to remove any and all graffiti tags present;</i> <i>d) to remove and/or dispose of the one derelict vehicle;</i> <i>e) remove the fallen tree leaning against the house; and</i> <i>f) to remove all debris from the yards, which includes all overgrown and unmaintained vegetation, to an appropriate disposal site.</i> <p><i>AND FURTHER THAT Council, pursuant to section 76 of the Community Charter, set the time limit for completion of all of the remedial action requirements described, to be no later than 4:30 p.m. on November 17, 2023;</i> <i>AND FURTHER THAT Council, pursuant to section 78 of the Community Charter, set a time limit for giving a written notice of a request for Council to reconsider the remedial action requirements described to be no later than 4:30 p.m. on October 18, 2023;</i> <i>AND FURTHER THAT in the default of such remedial measures being undertaken by the Owner, Council, under the authority of section 17 of the Community Charter, authorize staff, and the City's agents and contractors to carry out or have such work carried out, and for the expense charged to the Owner. If unpaid on December 31st in the year in which the work is done, the expense shall be added to and form part of the taxes to be paid on the real property as taxes in arrears to be collected as a debt.</i></p>	23-33
Policicchio	8.4	<p>City Hall – Chiller Replacement <i>Staff Recommendation: THAT Council receives into the record the report dated October 3, 2023 titled "City Hall – Chiller Replacement";</i> <i>AND THAT Council approve a transfer from the Asset Emergency Reserve of up to a maximum of \$600,000, to fund the required replacement of the City Hall Chiller.</i></p>	34-36
Dixon	8.5	<p>Lake to Lake Route – 100 and 200 block of Martin Street <i>Staff Recommendation: THAT Council direct staff to proceed with the modifications to the Lake-to-Lake Route for the 100 and 200 Block of Martin Street as summarized in this report, at an estimated cost of \$200,000;</i> <i>AND THAT the funding be included as an amendment to the 2023-2027 Financial Plan, from the Gaming Reserve;</i> <i>AND THAT staff bring forward amendments to applicable bylaws to prevent crossings of separated bike facilities (and the associated conflict and signage) when alternative access is available.</i></p>	37-42
Dixon/Kleb	8.6	<p>Lake to Lake Route – Section 1 (South Main) Engagement Results <i>Staff Recommendation: THAT Council receive into the record the report dated October 3, 2023 titled "Lake-to-Lake Route – Section 1 (South Main) Engagement Results";</i> <i>AND THAT Council direct staff to prepare and submit applications to the BC Active Transportation Fund for the Section 1 (South Main) of the Lake to Lake Project;</i> <i>AND THAT the City of Penticton confirms the above project is "shovel-ready" including:</i></p> <ul style="list-style-type: none"> <i>• Completion of detail design work;</i> 	43-65

- Approval of associated funding in the City's 2023-2028 Financial Plan for construction in 2023/2024;
 - Completion of any necessary permitting or land acquisition;
 - Completion of community engagement, including consultation with large vehicle operators;
- AND FURTHER THAT Council authorize the General Manager of Infrastructure and the Director of Finance and Administration to sign and submit the grant applications.

Laven	8.7	<p>Shopping Cart Regulation Options</p> <p><i>Staff Recommendation:</i> THAT Council receive into the record, the report dated October 3, 2023, titled "Shopping cart regulation options";</p> <p>AND THAT Council give staff direction to bring back bylaw(s) with the following regulatory framework:</p> <ul style="list-style-type: none"> - Businesses must label shopping carts with store information and register contact information with the City - Businesses must not permit carts to be removed from their premises, by taking 'reasonable measures' to reduce the unauthorized removal of carts, such as utilizing wheel locking technology, GPS chips, hired security or other methods - Businesses must retrieve carts belonging to the store within a specified time and accept carts belonging to the business - Appropriate fines to be instituted for violations of the regulations - Minimal storage fee for cart storage at City Yards <p>AND THAT Council direct staff to engage organizations that provide service to the unhoused population in options for managing possessions without the use of retail store shopping carts.</p>	66-73
Hallam	8.8	<p>Zoning Amendment Bylaw No. 2023-35</p> <p>Re: 461 Martin Street</p> <p><i>Staff Recommendation:</i> THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-35", for Lot B District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 574, located at 461 Martin Street, a bylaw to add the site-specific provision, within the C5 (Urban Centre Commercial) zone, as follows:</p> <p>"Section 11.5.4.11, In the case of Lot B District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 574, located at 461 Martin Street, a maximum of two dwelling units on the first storey shall be permitted."</p> <p>AND THAT Council forward "Zoning Amendment Bylaw No. 2023-35" to the October 17, 2023 Public Hearing.</p>	74-83
Hallam	8.9	<p>Zoning Amendment Bylaw No. 2023-36</p> <p>Development Permit PL2023-9606</p> <p>Re: 25 Okanagan Avenue West</p> <p><i>Staff Recommendation:</i> THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-36", for Lot 3 District Lot 115 Similkameen Division Yale District Plan 3289, located at 25 Okanagan Avenue W, a bylaw to rezone the subject property from C7 (Service Commercial) to RD4 (Low Density Cluster Housing);</p> <p>AND THAT Council forward "Zoning Amendment Bylaw No. 2023-36" to the October 17, 2023 Public Hearing;</p> <p>AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-36", approve "Development Permit PL2023-9606", for Lot 3 District Lot 115 Similkameen Division Yale District Plan 3289, located at 25 Okanagan Avenue W, a permit to approve the form and character of two side-by-side duplexes (four dwelling units);</p> <p>AND THAT Council direct staff to issue "Development Permit PL2023-9606";</p> <p>AND THAT Council require that a 1.6 m road dedication be completed prior to the issuance of the Occupancy Permit.</p>	84-110

Collyer	8.10	Zoning Amendment Bylaw No. 2023-37 Re: 174 Jermyn Avenue <i>Staff Recommendation: THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-37" for Lot 2 District Lot 202 Similkameen Division Yale District Plan 6240 and That Portion of Closed Road in District Lot 202 Similkameen Division Yale District Adjoining Lot 2 District Lot 202 Similkameen Division Yale District Plan 6420 As Shown on Plan B7815, located at 174 and 176 Jermyn Avenue, a bylaw to add the following site-specific provision to the property within the RD1 (Duplex Housing) zone:</i> <ul style="list-style-type: none">• <i>A major day care centre shall be permitted;</i> <i>AND THAT Council forward "Zoning Amendment Bylaw No. 2023-37" to the October 17, 2023 Public Hearing.</i>	111-122
---------	------	--	---------

Collyer	8.11	Development Variance Permit PL2023-9629 Re: 109 Lee Avenue <i>Staff Recommendation: THAT Council approve "Development Variance Permit PL2023-9629" for Lot 2 District Lot 189 Similkameen Division Yale District Plan 5411, located at 109 Lee Avenue, a permit to vary Section 10.1.2.9 of Zoning Bylaw 2023-08, to increase the maximum combined building footprint for all accessory buildings from 75m² to 110m², to facilitate the construction of a detached garage; AND THAT Council direct staff to issue "Development Variance Permit PL2023-9629".</i>	123-136
---------	------	--	---------

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;*
- (c) labour relations or other employee relations;*
- (d) the security of the property of 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.*

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

12. **Bylaws and Permits**

Collison	12.1	Permissive Tax Exemptions Bylaw No. 2023-29	137-143	Adopt
Collison	12.2	Fees and Charges Amendment Bylaw No. 2023-30 Re: Electric	144 -148	Adopt
Collison	12.3	Official Community Plan Amendment Bylaw No. 2023-31 Zoning Amendment Bylaw No. 2023-32 Re: 791 and 799 Martin Street	149-150 151-152	2 nd /3 rd /Adopt 2 nd /3 rd /Adopt
Collison	12.4	Zoning Amendment Bylaw No. 2023-33 Development Variance Permit PL2023-9638 Re: 126 Deer Place	153-154 155-157	2 nd /3 rd /Adopt Approve

Collison 12.5 Official Community Plan Amendment Bylaw No. 2023-34 158-159 2nd/3rd/Adopt
Re: 1704 Government Street

13. **Staff Reports Continued:**

Dixon/Kleb 13.1 2023 Utility Rate Review – Engagement Results and Recommendations 160-183

Staff Recommendation: THAT Council receive into the record the report titled 2023 Utility Rate Review Engagement Report;

AND THAT Council direct staff to prepare amendments to the Fees and Charges Bylaw that include the following overall utility increases for 2024:

- *3% for electrical*
- *6.4% for treated water, including the adoption of the inclining rate structure for ¾ inch residential customers*
- *6.1% for agricultural water*
- *10.2% for sanitary water*
- *30% for storm sewer*

14. **Notice of Motion**

15. **Business Arising**

16. **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 will 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.

17. **Council Round Table**

18. **Adjournment**

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

Tuesday, September 12, 2023
at 1:00 p.m.

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

Staff: Kristen Dixon, Interim Chief Administrative Officer
Angie Collison, Corporate Officer
Angela Campbell, Director of Finance & Administration
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 1:00 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

311/2023

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on September 12, 2023 as presented.

CARRIED UNANIMOUSLY

4. Adoption of Minutes:

4.1 Minutes of the August 15, 2023 Regular Meeting of Council

312/2023

It was MOVED and SECONDED

THAT Council adopt the Regular Council Meeting minutes of August 15, 2023 as presented.

CARRIED UNANIMOUSLY

5. Consent Agenda:

313/2023

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

1. Minutes of the August 15, 2023 Committee of the Whole Meeting;
2. Draft Minutes of the August 23, 2023 Official Community Plan – Housing Task Force Meeting; and
3. Draft Minutes of the August 28, 2023 Parks and Recreation Advisory Committee Meeting.

CARRIED UNANIMOUSLY

6. Staff Reports:

6.1 Safe & Resilient Council Priority: Public Safety Working Group Update

314/2023

It was MOVED and SECONDED

THAT Council receive into the record the report dated September 12, 2023 titled “Safe & Resilient Council Priority: Public Safety Working Group Update”, a report that outlines the public safety planning and actions being implemented in 2023.

CARRIED UNANIMOUSLY

6.2 RCMP Quarterly Update

315/2023

It was MOVED and SECONDED

THAT Council receive into the record the report titled “RCMP Quarterly Update” dated September 12, 2023.

CARRIED UNANIMOUSLY

6.3 Transit Future Action Plan and Penticton Network Restructure Plan

Delegation: Erin Sparks, BC Transit (via Zoom)

316/2023

It was MOVED and SECONDED

THAT Council receive into the record the report dated September 12, 2023 titled “Transit Future Action Plan and Penticton Network Restructure Plan”;
AND THAT Council adopt the Transit Future Action Plan and the Penticton Network Restructure Plan.

CARRIED UNANIMOUSLY

6.4 BC Transit UMO Fare Review

Delegation: Chelsea Mossey, BC Transit (via Zoom)

317/2023

It was MOVED and SECONDED

THAT Council adopt Option 1b for the UMO fare structure, which will remove pre-paid tickets;
AND THAT Council adopt a 30-day rolling pass fare in place of existing monthly pass fare.

CARRIED UNANIMOUSLY

6.5 BC Transit Expansion Plans

Delegation: Chelsea Mossey, BC Transit (via Zoom)

318/2023

It was MOVED and SECONDED

THAT Council support the following Transit Service Additions as part of the City’s Three-Year Transit Expansion Plan:

- Conventional Transit System

- o 2024/2025 - None;
- o 2025/2026 – Phase 1 of network restructure plan – modify routing and introduce 15-min service on route 5 Main Street;
- o 2026/2027 – Phase 2 of network restructure plan – modify routes 1, 2, 3 and 4 and increase frequency Monday through Saturday.
- Custom Transit
 - o 2024/2025 - Introduce service on Saturdays by means of Taxi Supplement to better align with Conventional Service days.

CARRIED UNANIMOUSLY

6.6 Second Quarter 2023 Financial and Corporate Business Plan Update

319/2023

It was MOVED and SECONDED

THAT Council receive into record the report dated September 12, 2023 titled “Second Quarter 2023 Financial and Corporate Business Plan Update”;

AND THAT Council approve amending the 2023-2027 Financial Plan to provide for budget amendments noted in the report including the reserve draw from the Growing Communities Fund of \$222,000 for inflation increases for indoor soccer facility roof bubble and rental equipment and \$246,500 for significant cost increases for electrical and foundation works on the Fire Hall 2 - two bay garage project.

CARRIED UNANIMOUSLY

Councillor Miller declared a conflict of interest as a member of the Royal Canadian Legion Branch 40 and left the meeting at 2:25 p.m.

6.7 In-Year Grant Requests: The Penticton & Area Access Centre and Royal Canadian Legion Branch 40, Penticton

Main Motion:

It was MOVED and SECONDED

THAT Council approve the following in-year grant requests for 2023 as listed below:

- \$6,700 cash to The Penticton & Area Access Centre; and
- \$8,500 cash to the Royal Canadian Legion Branch 40, Penticton.

Amendment:

320/2023

It was MOVED and SECONDED

THAT Council approve \$11,610 cash to The Penticton & Area Access Centre.

**CARRIED
Councillor Watt, Opposed**

Main Motion as Amended:

321/2023

It was MOVED and SECONDED

THAT Council approve the following in-year grant requests for 2023 as listed below:

- \$11,610 cash to The Penticton & Area Access Centre; and
- \$8,500 cash to the Royal Canadian Legion Branch 40, Penticton.

**CARRIED
Councillor Watt, Opposed**

322/2023

It was MOVED and SECONDED

THAT Council approve the use of general surplus to fund the portion of the in-year grant request that exceeds the grant budget.

CARRIED UNANIMOUSLY

Councillor Miller returned to the meeting at 2:36 p.m.

6.8 2023 Fees and Charges Amendment Bylaw No. 2023-30 - Electric

323/2023

It was MOVED and SECONDED

THAT Council does not proceed with a 5% increase to electric utility rates.

DEFEATED

Mayor Bloomfield and Councillors Gilbert, Graham and Watt, Opposed

324/2023

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Fees and Charges Amendment Bylaw No. 2023-30", a bylaw to amend the 2023 Appendix 7 – Electric rates.

CARRIED

Councillors Boulton, Konanz and Miller, Opposed

The Mayor recessed the meeting at 2:48 p.m. and reconvened at 3:01 p.m.

6.9 2024 Permissive Tax Exemptions Bylaw No. 2023-29

325/2023

It was MOVED and SECONDED

THAT Council give first, second and third reading to the "2024 Permissive Tax Exemption Bylaw No. 2023-29", a bylaw granting permissive tax exemptions as listed in Schedule A for the 2024 Tax Year.

CARRIED UNANIMOUSLY

6.10 BC Hockey League (BCHL) All Star Weekend 2024 Investment

326/2023

It was MOVED and SECONDED

THAT Council approve investing \$50,000 cash to host the BCHL All Star Weekend in 2024 to be included in the 2024-2028 Financial Plan.

CARRIED UNANIMOUSLY

6.11 North Gateway Implementation – Alberni Avenue & Highway 97 Intersection Design

327/2023

It was MOVED and SECONDED

THAT Council receive into the record the report dated September 12, 2023 titled "North Gateway Implementation – Alberni Avenue & Highway 97 Intersection Design";
AND THAT Council approve a transfer of up to \$85,000 from the North Gateway allocation of the Growing Communities Reserve Fund for the Alberni Avenue and Highway 97 intersection design work.

CARRIED UNANIMOUSLY

6.12 Section 57 Notice on Title

Re: 3145 Juniper Drive

328/2023

It was MOVED and SECONDED

THAT the owner of 3145 Juniper Drive (the Property) be notified that Council will consider passing a resolution to place a notice on title, under section 57 of the Community Charter, with respect to contraventions of the City of Penticton Building Bylaw No. 2021-21 on Lot 1, District Lot 2710 Similkameen Division Yale District, Plan 26199, located at 3145 Juniper Drive (the Property), stating the following: "Failure to complete building and plumbing permits, which is a violation of the City of

Penticton Building Bylaw No. 2021-21. Further information about it may be inspected at the municipal hall.”;

AND THAT the owner be notified of the proposed notice on title report and be given the opportunity to speak to the matter at the regular Council meeting on October 3, 2023.

CARRIED UNANIMOUSLY

6.13 Official Community Plan Amendment Bylaw No. 2023-34

Re: 1704 Government Street

329/2023

It was MOVED and SECONDED

THAT Council, prior to consideration of “Official Community Plan Amendment Bylaw No. 2023-34” and in accordance with Section 475 of the Local Government Act, 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 Council determines that the Public Engagement Period carried out from June 27, 2023 to July 30, 2023 is sufficient;

AND THAT Council give first reading to “Official Community Plan Amendment Bylaw No. 2023-34”, a bylaw that amends Map 1: Future Land Use, of Official Community Plan Bylaw No. 2019-08, by changing the future land use designation for Lot A District Lot 3429S Similkameen Division Yale District Plan 23195 Except Plan 37288, located at 1704 Government Street, from “Industrial” to “Mixed Use”, and amends Section 2.1 by adding the following site specific policy statement to Land Use Designations, Mixed Use:

- Site Specific Mixed Use Policy Statement: 1704 Government Street: Allow a maximum building height of 12 storeys;

AND THAT Council forward “Official Community Plan Amendment Bylaw No. 2023-34” to the October 3, 2023 Public Hearing.

CARRIED UNANIMOUSLY

6.14 Official Community Plan Amendment Plan Bylaw No. 2023-31

Zoning Amendment Bylaw No. 2023-32

Development Permit PL2023-9563

Re: 791 and 799 Martin Street

330/2023

It was MOVED and SECONDED

THAT prior to consideration of “Official Community Plan Amendment Bylaw No. 2023-31”, 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 June 27, 2023 to July 30, 2023 is sufficient;

AND THAT Council give first reading to “Official Community Plan Amendment Bylaw No. 2023-31”, 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 B District Lot 202 Similkameen Division Yale District Plan 899, located at 791 Martin Street, and Lot A District Lot 202 Similkameen Division Yale District Plan 1557 Except: Plan EPP80670, located at 799 Martin Street, from 'Detached Residential' to 'Ground Oriented Residential'.

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-32", Lot B District Lot 202 Similkameen Division Yale District Plan 899, located at 791 Martin Street, a bylaw to rezone the subject property from RD1 (Duplex Housing) to RM3 (Medium Density Multiple Housing); AND THAT Council forward "Official Community Plan Amendment Bylaw No. 2023-31" and "Zoning Amendment Bylaw No. 2023-32" to the October 3, 2023 Public Hearing.

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-32", approve "Development Permit PL2022-9563", a permit to approve the form and character of the proposed 14-unit townhouse, consisting of four, 3-storey buildings;

AND THAT issuance be subject to the successful consolidation of 791 and 799 Martin Street, into one lot.

THAT Council require a 1.0 m wide road dedication to be completed in front of 791 Martin Street prior to the issuance of the Occupancy Permit.

CARRIED UNANIMOUSLY

- 6.15 Zoning Amendment Bylaw No. 2023-33
Development Variance Permit PL2023-9638
Development Permit PL2023-9603
Re: 126 Deer Place

331/2023

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-33", for Lot 46 District Lot 2710 Similkameen Division Yale District Plan EPP111154, located at 126 Deer Place, a bylaw to add the site-specific provision, within the RD2 (Duplex Housing: Lane) zone, as follows:

"Section 10.5.4.10, In the case of Lot 46 District Lot 2710 Similkameen Division Yale District Plan EPP111154, located at 126 Deer Place, two single detached dwellings shall be permitted.";

AND THAT Council forward "Zoning Amendment Bylaw No. 2023-33" to the October 3, 2023 Public Hearing;

AND THAT Council, subject to adoption "Zoning Bylaw Amendment Bylaw No. 2023-33", consider "Development Variance Permit PL2023-9638" for Lot 46 District Lot 2710 Similkameen Division Yale District Plan EPP111154, located at 126 Deer Place, a permit to vary Section 10.5.2.9.a of Zoning Bylaw 2023-08 to reduce the rear yard from 6.0 m to 4.5 m:

AND THAT Council, subject to adoption "Zoning Bylaw Amendment Bylaw No. 2023-33", approve "Development Permit PL2023-9603", for Lot 46 District Lot 2710 Similkameen Division Yale District Plan EPP111154, located at 126 Deer Place, a permit to approve the form and character of the proposed 2-unit residential development on the subject property.

CARRIED UNANIMOUSLY

- 6.16 Development Variance Permit PL2023-9627
Re: 196 Rosetown Avenue

332/2023

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2023-9627" for Lot 1 District Lot 1997S Similkameen Division Yale District Plan 27761 Except Plan KAP1946, located at 196 Rosetown Ave, a permit to vary the following sections of Zoning Bylaw 2023-08:

1. Section 12.1.2.6: to reduce the exterior side yard setback (west) from 4.5 m to 1.5 m;
2. Section 12.1.2.6: to reduce the exterior side yard setback (east) from 4.5 m to 2.0 m;

AND THAT Council direct staff to issue the "Development Variance Permit PL2023-9627".

CARRIED UNANIMOUSLY

7. Public Question Period

8. Recess to a Closed Meeting:

333/2023

It was MOVED and SECONDED

THAT Council recess at 4:31 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* as follows: Section 90(1)

- (d) the security of the property of 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; and
- (g) litigation or potential litigation affecting the municipality.

CARRIED UNANIMOUSLY

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

The Mayor reconvened the meeting at 6:55 p.m.

10. Bylaws and Permits

- 10.1 Official Community Plan Amendment Bylaw No. 2023-26
Zoning Amendment Bylaw No. 2023-27
 Re: 1530 Reservoir Road

334/2023

It was MOVED and SECONDED

THAT Council give second and third reading to "Official Community Plan Amendment Bylaw No. 2023-26";

AND THAT Council adopt "Official Community Plan Amendment Bylaw No. 2023-26";

AND THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2023-27";

AND THAT Council adopt "Zoning Amendment Bylaw No. 2023-27".

CARRIED
Councillor Miller, Opposed

The Mayor recessed the meeting at 7:28 p.m. and reconvened at 7:35 p.m.

- 10.2 General Fees and Charges Amendment Bylaw No. 2023-28

335/2023

It was MOVED and SECONDED

THAT Council adopt to "General Fees and Charges Amendment Bylaw No. 2023-28".

CARRIED UNANIMOUSLY

11. Staff Reports Continued

- 11.1 Development Variance Permit PL2023-9546
 Re: 482 Scott Avenue

Council invited Rick Grandbois, Applicant, to speak to the application and answer any questions.

336/2023

It was MOVED and SECONDED

THAT Council, consider and deny "Development Variance Permit PL2023-9546", for Lot 2 District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3504, located at 482 Scott Avenue, a permit to vary the following sections of Zoning Bylaw 2023-08:

1. Section 8.2.3.5.i: to allow a three storey carriage house.
2. Section 8.2.3.12: to increase the maximum carriage house floor area from 135.0 m² to 184.5 m².

DEFEATED

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

337/2023

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2023-9546", for Lot 2 District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3504, located at 482 Scott Avenue, a permit to vary the following sections of Zoning Bylaw 2023-08:

3. Section 8.2.3.5.i: to allow a three storey carriage house.
4. Section 8.2.3.12: to increase the maximum carriage house floor area from 135.0 m² to 184.5 m².

CARRIED UNANIMOUSLY

- 11.2 Development Variance Permit PL2023-9628
Re: 285 Waterford Avenue

338/2023

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2023-9628" for Lot 2 District Lots 116 and 189 Similkameen Division Yale District Plan 10095 Except Plan 20910, located at 285 Waterford Avenue, a permit to vary Section 11.10.2.9 of Zoning Bylaw 2023-08 to reduce the minimum rear yard from 4.5m to 3.5m to facilitate a lot line adjustment subdivision between the subject property and the neighbouring property to the north;
AND THAT Council direct staff to issue "Development Variance Permit PL2023-9628".

CARRIED UNANIMOUSLY

339/2023

It was MOVED and SECONDED

THAT Council postpone item 11.3 Shopping Cart Regulation Options to the October 3, 2023 regular Council meeting.

CARRIED UNANIMOUSLY

12. Notice of Motion

- 12.1 Councillor Gilbert introduced the following Notice of Motion for consideration at the October 3, 2023 meeting of Council:

THAT Council send a letter to the Ministry of Transportation to make sure they come through with funds for the restructure plan and expansion of our transit.

- 12.2 Councillor Gilbert introduced the following Notice of Motion for consideration at the October 3, 2023 meeting of Council:

THAT Council discuss at budget the hiring of a General Manager of Public Safety.

12.3 Councillor Miller introduced the following Notice of Motion for consideration at the October 3, 2023 meeting of Council:

THAT Council direct staff to amend the tree protection bylaw to expand beyond city properties, similar to the City of Surrey.

13. Business Arising

14. Public Question Period

15. Council Round Table

16. Adjournment

340/2023

It was MOVED and SECONDED

THAT Council adjourn the September 12, 2023 Regular meeting of Council at 8:29 p.m.

Certified correct:

Confirmed:

Angie Collison
Corporate Officer

Julius Bloomfield
Mayor

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

Tuesday, September 12, 2023
at 6:00 p.m.

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

Staff: Kristen Dixon, Interim Chief Administrative Officer
Angie Collison, Corporate Officer
Angela Campbell, Director of Finance & Administration
Blake Laven, Director of Development Services
Paula McKinnon, Deputy Corporate Officer
Steven Collyer, Senior Planner

1. Call to order

Mayor Bloomfield called the public hearing to order at 6:00 p.m. for Official Community Plan Amendment Bylaw No. 2023-26 and Zoning Amendment Bylaw No. 2023-27.

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

2. "Official Community Plan Amendment Bylaw No. 2023-26" (1530 Reservoir Road)

The purpose of "Official Community Plan Amendment Bylaw No. 2023-26" is to amend Official Community Plan Bylaw No. 2019-08 as follows:

Amend Section 2.1 by adding the following site specific policy statement to Land Use Designations, Rural Residential:

- Site Specific Rural Residential Policy Statement: 1530 Reservoir Road: Allow a minimum lot size of 0.4 hectares, when connected to the municipal treated water system.

“Zoning Amendment Bylaw No. 2023-27” (1530 Reservoir Road)

The purpose of “Zoning Amendment Bylaw No. 2023-27” is to amend Zoning Bylaw No. 2023-08 as follows:

Rezone Sub Lot 10 District Lot 2711 Similkameen Division Yale District Plan 1190, located at 1530 Reservoir Road, from FG (Forestry and Grazing) to:

- RC (Country Residential) with the following site specific provision:
 - Notwithstanding Section 9.3.2.5. the minimum front yard shall be 4.5m; and
- P4 (Environmental Reserve).

The applicant is proposing to develop a 33-lot single detached housing strata subdivision on the subject property.

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

DELEGATIONS

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

- Lori Goldman, Dauphin Avenue, very concerned about development in city and outside of city that will impact sensitive climate and climate issues, big concern about amount of cars going out of development, evacuation out of Naramata. 33 homes and each are allowed to have a carriage home, can result in 66 homes, 1 or 2 vehicles, increase traffic. Proposal from Fortis BC for twin pipeline from Penticton to Chute Lake goes through area, going to be damaging to homes and development if goes through area. Emissions huge issue, climate action plan set targets, increased emissions from vehicular traffic is counterproductive, can't increase fossil fuel use and reduce emissions at same time, should be building for increased population by building inside city limits. Houses will be strata which has no guidelines for xeriscaping or water use, can see with climate change we're experiencing drought, climate change a reality and needs to be considered when developing any property, hillsides have sensitive biodiversity areas. Council has opportunity to envision and choose to develop great, cool, liable city of vibrant, walkable communities. Urges council to not accept proposal.

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

- Olga Magyar, off Grandview Street, urge to listen to voice of majority on street and tourists that come here, invested hard earned savings to live in small rural resort town. Opening door to further open urban sprawl, agriculture and tourism is all Penticton has, what is the driver – agriculture sector driving rural community. Developer asking to change rules, in business of building and making money, lengthy extensive very thorough engagement process, majority against urban sprawl, developers know how to present case, people voicing their concerns, listen to what people want, urge council to listen to people and hear what majority wants, city can't grow uncontrollably. Lots of other small resort town cities doing very well, figured out golden sector of their economy, Napa, Whistler, Banff, Canmore, not growing much only in necessary spots.
- Gjoa Taylor (via Zoom), Poplar Grove Road, this developer seems to care and doing lots of positive things, things Canadian horizons, Spiller Road and Naramata Benchlands should take notice of, why OCP zoning and land use change from 12-hectare zoning for

forestry and grazing to a .4-hectare country residential zone considered minor, it isn't by those living on countryside. Site specific provision sets a precedent rest of northeast sector of country side, should retain character of country side, currently zoned agriculture for cattle, rural residential zoning is 1 hectare in OCP, should stay that way, retain character, character neighbourhood protected in OCP, why change if OCP Task force reviewing land designations, makes no sense, task force made up of builders and developers including developer of this project, unclear if task force know any concerns of northeast side. These homes will be multimillion dollar homes, tax base will increase but at what cost. Development in fire interface, not cool, impact sensitive ecosystem, scrape away hundreds of trees, geotechnical concern, home to more species at risk than anywhere else in Canada, geotechnical assessment is a concern, what will this mean for farmers below, potential erosion and lawsuits for city? In a climate crisis, future growth should take place in urban growth, Naramata Bench is a treasure, brand, agro-tourism area that brings economic benefit to city, don't destroy it.

- Mike Raffin, Township 7 Winery, Reservoir Road, impact on our seven-acre property, in business of making liquid also concern is liquid, water coming off hill, a lot of right now, septic side, bowl at bottom of hill, every year little or a lot of rain comes down, into our area, built dry wells and had to redo them a few times, dry wells fill up fast, City qualified people watched, issues with leakage on McMillan, getting top water coming off hill and ground water, that is not going away. Concerned eight properties above us will cause excess water coming into our place, already spending a lot of maintenance money, costing economic hardship. Also have vineyards in that place and concerned about 8-16 septic leaching over time, don't know what it will do to vineyard, here to ask to make sure whatever goes in has dealt with these issues so that we don't have to increase expenses at no benefit to us overtime and deal with problems.
- Ian Hornby Smith, why does council think this particular section needs to grow? Two main parts of our economy is tourism and agriculture, already saturated on bench, why do we need to grow there? Tourism comes for wide open space, think they will come back if hillside is covered in houses? Ask council to seriously consider some of these issues, you cannot go against wishes of public, this is not supported the people.
- Jackie Jackson, RDOS resident, drives Reservoir Road every day to property, reviewed information package and concerned about traffic at Naramata Road and Reservoir Road, intersection already extremely busy. Is developer aware RDOS is proposing new compost facility on east side of existing landfill and if passed will add a sewage sludge facility on same property at end of Reservoir Road, produce large amount of trucks passing new development, how will City deal with all the excess traffic, already congested and dangerous. How are you going to deal with smell from landfill, Canadian Horizons for Spiller development were working on having instruments registered against purchaser's title, property owners could never complain about any nuisances from many landfill issues, smell from landfill goes down, will purchasers have instruments registered against title as well? Changing looks of the Naramata Bench considering the different proposed developments. Urge not to accept these proposals.
- Barbara Smallwood, Naramata, vineyard owner, Preserve Naramata Bench member, believes this is a terrible idea, what is happening to our green space beauty and charm, seems to be no breaks or reasoning, all about dollars and not about keeping the bench a beautiful place, tourism is what keeps Penticton and Naramata on the map. Some talk about affordable housing with interest rates the way they are home are not affordable for most, noticed all the barren land up Carmi, why not use hills closer to city, why spoil unique bench, next will be billboard mobile sites considered affordable, sad to see developers and decision makers making poor choices for almighty dollar, still loads of space in Penticton for affordable housing. 8M spent bike lanes, City could have created a lot of affordable housing, close to amenities, development will add traffic congestion,

destroy wildlife corridors, not affordable housing, will create urban sprawl, says no to zoning amendment, opens door to other proposals and decisions made. 56% say no to 1-acre lot size, 65% are concerned about proposal, 39% support development, 59% do not support.

- Annette Ingle, Naramata Road, concerned about project, supports others concerns raised, opposed to developing more land outside of current residential areas, more urban sprawl, opposed to building homes underneath high voltage power lines, opposed to disturbing any land where forest and open grass land meet, wildlife corridor, very valuable ecological area, opposed to building residential area close to road and now composting facility, opposed to developing land with slopes, geological instabilities, already water coming down, even when super dry, traffic in area going to be hard, dangerous intersection, doesn't see this as success, wouldn't want to purchase one of these properties, doesn't see any needs of Penticton people met, only needs met of developers and realtors, only people that benefit from this project.
- Lynn Kelsey, Oakville Street, staff presentation showed land in question, covered in trees, going to lose lots of trees, fire interface needs a careful look at, want to grow but does not consider this smart growth, detrimental, encourages council to deny proposal, rethink what is smart growth for this city, doesn't mean putting stuff on agricultural land and tearing down hundreds of trees.
- Avril Torrence, Edmonton Avenue, selected specific location to live because of phenomenal walkability and quality of life, happy to part of Penticton but also concerned development proposed does not speak to mental and physical health of walkability which is important part of lives well lived. Confused about strata possibility that won't have any walkable amenities, access to schools, health services, requires distance to travel by roads in isolated vehicles. Need to think what sort of persons you want to live in community, create that in the adult persons, in turn create children who see car and far away access as way to interact with world, think about the type of people you'll be creating as future tax payers, who do you want to live here, please reject proposals as written, think about review of OCP, enact climate action plan to make life liveable for people in long turn.
- Nicole Hackworth, Naramata resident, own property adjacent to area on Corbishley Avenue, opposed, amendment and zoning changes don't go together, asking to go from grazing land that can be zoned down to 16 hectares, could be 5 properties made developable, would still make developer considerable amount of money to sell that many parcels, to go from 16 to .4 hectares is not necessary or wise for this area as previous speakers have said.

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

- Drew Barnes, Parallel 50 Construction, all Penticton locals, very proud of project, preserve Naramata bench lands have valid concerns, all had concerns from previous unrelated project. Here for our site of 32.4hectare or 88acre to be rezoned to 33 single family homes. Not asking for change in OCP designated density, asking to cluster homes to preserve the site. OCP designates this site as rural residential, allows for 32.4 single family homes, our proposed development is 33, not increased density but clustered homes on site by decreasing parcel size from 1-hectare to .4-hectares. Proposal clusters for number of reasons and environment is one of them, 23% will be park and conservation and 63% will be undeveloped or undisturbed, working with qualified professional. Geotechnical is being completed for entire north eastern section of Penticton, reviewed report and used as foundation, since have completed full geotechnical report specific to our site, will continue working with professionals until all issues resolved. Wildfires are becoming huge issue in our area, will continue working with professionals to create a fire

smart community plan. Traffic seems significant concern, last counted little over 40 wineries between Penticton and Naramata, our development will have same impact as one winery, land fill along sees as many as 350 vehicles as day in summer months' development will increase traffic by 1%. Perceived conflict of interest, volunteered on many different committees, group purchased property in November 2021 and commenced application in early 2022, recuses self from any rural residential discussions and will continue to do so. Vary front setbacks to help cluster, beautify, lessen traffic, prevent cars from parking on street, remove large garage from facing road. Proposing 33 single family homes on 80-acre site and OCP designates 32.4 homes on this property, simply clustered homes.

The public hearing for "Official Community Plan Amendment Bylaw No. 2023-26" and "Zoning Amendment Bylaw No. 2023-27" was terminated at 6:52 p.m. and no new information can be received on this matter.

Certified correct:

Confirmed:

Angie Collison
Corporate Officer

Julius Bloomfield
Mayor



Minutes

penticton.ca

Official Community Plan - Housing Task Force Meeting

held in-person in Council Chambers
City Hall, 171 Main Street
Wednesday, September 13, 2023
at 4:30 p.m.

Present: Nathan Little, Chair
Nicholas Hill, Vice-Chair
Drew Barnes
Ajeet Brar
Rod Ferguson
Cheryl Kruger
Richard Langfield
Dara Parker
Linda Sankey
Chris Schoenne
Nicolas Stulberg

Council Liaison: Campbell Watt, Councillor

Staff: Anthony Haddad, General Manager, Community Services
Blake Laven, Director of Development Services
JoAnne Kleb, Manager of Communications and Engagement
Steven Collyer, Senior Planner
Hayley Anderson, Legislative Assistant

Regrets: Helena Konanz, Councillor
Alison Gibson
Brian Menzies

1. **Call to Order**

The Chair called the Official Community Plan – Housing Task Force to order at 4:32 p.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED

THAT the Official Community Plan - Housing Task Force adopt the agenda of September 13, 2023 as presented.

CARRIED UNANIMOUSLY

3. **Adoption of Minutes**

It was MOVED and SECONDED

THAT the Official Community Plan - Housing Task Force adopt the minutes of August 23, 2023 as presented.

CARRIED UNANIMOUSLY

4. **New Business**

4.1 Urban Forest Management Plan – For Information Only

Delegation: Matt Shields, Diamond Head Consulting (via Zoom)

The Parks Supervisor and delegation Diamond Head Consulting provided the Task Force with a presentation on the Urban Forest Management Plan.

It was MOVED and SECONDED

THAT the OCP – Housing Task Force receive into the record the presentation titled “Urban Forest Management Plan”.

CARRIED UNANIMOUSLY

4.2 Requested Information from Previous Meeting

The Senior Planner provided the Task Force with information requested from previous meetings.

4.3 OCP Future Land Use Designations Breakout Session

The General Manager, Community Services provided an overview of the breakout groups. Task Force members were divided into two groups, one reviewing low-density maps and the other reviewing high-density maps. The goal of the breakout sessions is to see what areas within the City could change land designation and what areas could stay the same.

Ajeet Brar left the meeting at 5:48pm.

Cheryl Kruger left the meeting at 5:48pm.

5. **Next Meeting**

The next Official Community Plan – Housing Task Force meeting is scheduled for September 27, 2023 at 4:30 p.m. in Council Chambers.

6. **Adjournment**

It was MOVED and SECONDED

THAT the Official Community Plan - Housing Task Force adjourn the meeting held on September 13, 2023 at 6:03 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Hayley Anderson
Legislative Assistant



Council Report



Date: October 3, 2023 File No: 0550-02
To: Kristen Dixon, Interim Chief Administrative Officer
From: Angie Collison, Corporate Officer
Subject: **Revised 2023 Meeting Dates and Council Meeting Schedule for 2024**

Staff Recommendation

THAT Council revise the Regular Council meeting schedule for 2023 and cancel the regular meetings of November 21, 2023 (as it is day 1 of budget deliberations) and December 5, 2023;

AND THAT Council select the following dates for the 2024 Regular Meetings of Council: January 16; February 6, 20; March 5, 19; April 2, 16; May 7, 21; June 4, 18; July 16; August 6, 20; September 10; October 1, 15; November 5; December 3, 17;

AND THAT Special Council meetings be held on November 19, 20, 21, 2024 for budget deliberations.

Background

In accordance with the *Community Charter* and Council Procedure Bylaw, the City must make available to the public annually, a schedule of the dates, time and place of regular Council meetings and give notice of the availability of the schedule through advertising.

Regular Council meetings are held on the first and third Tuesdays of each month commencing at 1:00 p.m. at City Hall except when Council resolves to hold the meeting elsewhere. Meeting dates may be cancelled or moved if they fall on a week of a statutory holiday or during a conference such as UBCM, FCM or SILGA.

Revisions to 2023 Regular Council Meeting Schedule

On February 7, 2023, Council resolved to hold 2024 budget deliberations on November 21 – 23, 2023. At the same meeting, Council moved the regular meeting of December 19 to December 12. As the regular meeting of December 5 and December 12 are only a few days apart, staff are recommending the cancellation of the December 5 regular meeting.

THAT Council hold 2024 budget deliberation Council meeting on November 21 - 23, 2023 with a start time of 8:30 a.m.;

THAT Council revise the December Regular Council Meeting schedule and remove December 19, 2023 and add December 12, 2023.

CARRIED UNANIMOUSLY

The Council Procedure Bylaw outlines the order of proceedings and business for all regular council meetings. As November 21 is going to be day one of budget deliberations and no public hearing or committee of the whole will be held, staff are recommending that Council cancel the regular meeting.

2024 Regular Council Meeting Schedule

For 2024, we are proposing to eliminate the first meeting in January as City Hall is closed the week prior and hold a meeting in weeks in which a statutory holiday falls on the Monday. Special meetings can be called should the need arise.

Month	Meeting Date	Meeting Date
January		16
February	6	20
March	5	19
April	2	16
May	7	21
June	4	18
July		16
August	6	20
September		10
October	1	15
November	5	Budget
December	3	17

Alternate Recommendation

THAT Council select the first and third Tuesday of each month as Regular Council meeting dates for 2024.

Attachments:

Attachment A – 2024 Calendar Events at a Glance

Attachment B – 2024 Meeting Schedule

Respectfully submitted,

Angie Collison
Corporate Officer

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

Attachment A

2024 Calendar Events at a Glance

Event	Date	Details
Southern Interior Local Government Association (SILGA)	April 30 – May 3, 2024	Kamloops, BC
Federation of Canadian Municipalities (FCM)	June 6 - 9, 2024	Calgary, AB
Union of British Columbia Municipalities (UBCM)	September 16 – 20, 2024	Vancouver, BC
Budget deliberations	November 19, 20, 21, 2024	

Attachment B



2024 Meeting Schedule

January						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

March						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

- Weekend/Statutory Holiday
- Council Meeting
- Budget Deliberations
- SILGA
- FCM
- UBCM



Council Report



Date: October 3, 2023 File No: N\city\Address\Juniper Dr\3145
To: Kristen Dixon, Interim Chief Administrative Officer
From: Ken Kunka, Building and Permitting Manager
Address: 3145 Juniper Drive
Subject: **3145 Juniper Drive: Section 57 - Notice on Title**

Staff Recommendation

THAT Council, after hearing from the impacted owner, resolve to place a notice on title, under section 57 of the *Community Charter*, with respect to contraventions of the City of Penticton *Building Bylaw No. 2021-21* on Lot 1, District Lot 2710 Similkameen Division Yale District, Plan 26199, located at 3145 Juniper Drive (the *Property*), stating the following:

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

Background

On September 12, 2023, staff presented a council report that outlined staff’s concerns related to the seven expired building and/or plumbing permits that affected structures, including the primary dwelling, on the Property. As of the date of this report, the property has remained in violation of the City’s bylaws and the *British Columbia Building Code*. Furthermore, the owner’s willingness to have the notice placed on the title to address the violations has wavered.

Through a resolution passed during the regular Council meeting on September 12, 2023, staff received approval from Council for the owner to be notified that Council would consider passing a resolution to place a notice on the title of the Property under section 57 of the *Community Charter*.

Council Resolution No. 328/2023 reads as follows:

328/2023 **It was MOVED and SECONDED**

THAT the owner of 3145 Juniper Drive (the *Property*) be notified that Council will consider passing a resolution to place a notice on title, under section 57 of the *Community Charter*, with respect to contraventions of the City of Penticton *Building Bylaw No. 2021-21* on Lot 1, District Lot 2710 Similkameen Division Yale District, Plan 26199, located at 3145 Juniper Drive (the *Property*), stating the following:

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

AND THAT the owner be notified of the proposed notice on title report and be given the opportunity to speak to the matter at the regular Council meeting on October 3, 2023.

CARRIED UNANIMOUSLY

Since September 12, 2023, staff have informed the owner and their agent that Council will consider a resolution to place a notice on the title of the Property. A meeting on-site with the owner and agent occurred on September 22, 2023, during which the Building Permit BP014139, which had been issued to decommission the illegal secondary suite, was successfully completed. While this one item has been resolved, there are several other open files. During the recent inspection, the owner was once again informed of the opportunity to speak to Council, and further discussions on the outstanding property violations took place.

Given the substantial investment of staff time and the complexities involved to resolve the outstanding expired permits and unpermitted works, staff continue to recommend that Council proceed with passing a resolution to place the notice on the property title through section 57 of the *Community Charter*.

Analysis

In recommending the notice on title, staff are acting in accordance with section 57(1) of the *Community Charter*, which allows for a building inspector to recommend that Council consider a resolution to notify the owner that Council will consider placing a notice on the title of the Property.

At the time of this report, the Property is out of conformity with the *City's Building Bylaw No. 2021-21* and the *British Columbia Building Code*, because of the six expired building and plumbing permits for the structures on the Property. In addition, staff would like for Council to consider the following information when contemplating this action:

- That potential buyers of the Property should be informed of construction that is not compliant with the British Columbia Building Code and the City's Bylaws;
- The City's potential liability for legal claims as a result of possible damages to surrounding properties;
- A reputation of not ensuring compliance with the City's regulations;
- The continued consumption of staff time and resources to have the Property brought into compliance.

Under the section 57(1) of the *Community Charter*, it is appropriate for Council to consider a resolution to place a notice on title for the failure to complete the building and plumbing permits for the structures. Due to the expired building and plumbing permits, and the agreement reached with the owner, staff are recommending that Council that Council resolve to place a notice on the title of the Property.

Respectfully submitted,

Ken Kunka
Manager of Building and Permitting

Director of Development Services <i>BL</i>	Interim Chief Administrative Officer KD
--	---



Council Report

penticton.ca

Date: October 3, 2023 **File No:** RMS\Address\Government St\1438
To: Kristen Dixon, Interim Chief Administrative Officer
From: Ken Kunka, Manager of Building and Permitting
Address: 1438 Government Street

Subject: Request for Remedial Action: 1438 Government Street

Staff Recommendation

THAT Council, under the authority provided in section 74 of the *Community Charter*, declare the single-family dwelling, three accessory buildings, and one derelict vehicle at and the yards of the Property at 1438 Government Street, (the *Property*) having a legal description of: Amended Lot 1 (230920F), District Lot 250 Similkameen Division Yale District Plan 11894 Except Plan KAP68408 (Parcel Identifier: 009-484-981) to be so dilapidated or unclean as to be offensive to the community and, as a result, require remedial action to secure all of the structures, to remove any and all graffiti present, remove the one derelict vehicle, and remediate the yards in order to eliminate the dilapidation or uncleanliness;

AND FURTHER THAT Council, under the authority provided in section 72 of the *Community Charter*, impose the following remedial action requirements on the registered Owner of the Property with respect to the structures and property noted above in order to eliminate the declared dilapidation or uncleanliness:

- a) to secure the single-family dwelling;
- b) to secure the three accessory buildings;
- c) to remove any and all graffiti tags present;
- d) to remove and/or dispose of the one derelict vehicle;
- e) remove the fallen tree leaning against the house; and
- f) to remove all debris from the yards, which includes all overgrown and unmaintained vegetation, to an appropriate disposal site.

AND FURTHER THAT Council, pursuant to section 76 of the *Community Charter*, set the time limit for completion of all of the remedial action requirements described, to be no later than 4:30 p.m. on November 17, 2023;

AND FURTHER THAT Council, pursuant to section 78 of the *Community Charter*, set a time limit for giving a written notice of a request for Council to reconsider the remedial action requirements described to be no later than 4:30 p.m. on October 18, 2023;

AND FURTHER THAT in the default of such remedial measures being undertaken by the Owner, Council, under the authority of section 17 of the *Community Charter*, authorize staff, and the City's agents and contractors to carry out or have such work carried out, and for the expense charged to the Owner. If unpaid

on December 31st in the year in which the work is done, the expense shall be added to and form part of the taxes to be paid on the real property as taxes in arrears to be collected as a debt.

Executive Summary

This report provides Council with the information pertaining to violations of the City of Penticton's *Good Neighbour Bylaw No. 2012-5030* and seeks Council's authorization to impose remedial action requirements on the Property to obtain compliance. Staff are also seeking Council's authority to proceed with action on the Property should compliance not be achieved by the Owner within the required time limit set by Council.

Strategic Priority Objectives

Safe & Resilient: Enhance and protect the safety of all residents and visitors to Penticton.

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

Background

Staff initially became involved with the Property due to concerns about its unsightly condition, following the discovery of the deceased occupant by the Penticton Fire Department. Staff's involvement began in November 2022 when staff conducted an inspection, identifying unsightly conditions and reaching out to the Public Guardian and Trustee of British Columbia. Subsequent communications ensued, involving the Public Guardian and Trustee and the Wynford Group, who manages properties on behalf of the Public Guardian Trustee. Efforts were made by staff to bring the property into compliance through a Vacant Building Registration Permit for which an application was submitted by the Wynford Group. Yet, despite staff's efforts, the property's unsightly condition has persisted and the Vacant Building Registration Permit has not been made active.

The chronology of events related to the Property are as follows:

December 15, 2012	The registered owner of the Property became deceased. The title of the Property was not transferred following the death of the registered owner.
November 28, 2022	The occupant of the Property was discovered deceased.
November 29, 2022	Staff conducted an inspection of the condition of the Property, found it to be unsightly, and confirmed that the single-family dwelling was secured.
November 29, 2022	Staff initially contacted the Public Guardian and Trustee (PGT) about the condition of the structures and the Property itself. Staff provided the name of the deceased and the previous owner on record to the PGT.
December 1, 2022	The PGT responded to staff that the names provided by staff were not known to the PGT.
December 2, 2022	Staff decided to cease involvement with the Property to allow the PGT to become engaged and complete their processes.
February 10, 2022	Staff learned through communication with the Penticton Fire Department that the PGT was at the Property to perform a cleanup.
April 28, 2023	Staff conducted an inspection of the Property and found the Property to be unsightly.
April 28, 2023	Staff contacted the PGT about the condition of the Property and what the PGT's intentions were for the Property.

May 1, 2023	Staff contacted the PGT again about the condition of the Property and what the PGT's intentions were for the Property.
May 4, 2023	Staff were contacted by the Wynford Group, which managed properties on behalf of the PGT.
May 4, 2023	Staff provided the Wynford Group with options to bring the Property into compliance, which included an application for a Vacant Building Registration (VBR) permit.
May 26, 2023	Staff sent a registered letter to the Wynford Group and the PGT that requested that a permit application be submitted for the Property by June 26, 2023.
May 26, 2023	The Wynford Group confirmed receipt of staff's letter, dated May 26, 2023, and submitted a VBR permit application.
May 31, 2023	Staff received confirmation of the \$2,000,000 liability insurance for the Property from the Wynford Group.
June 6, 2023	Staff received payment for the VBR permit application.
June 15, 2023	Staff conducted a special safety inspection of the Property as part of the VBR permit application. Staff found that the property remained unsightly.
June 16, 2023	Staff provided the outcomes of the special safety inspection of the Property to the Wynford Group and noted the unsightly condition.
June 20, 2023	Staff informed both the Wynford Group and the Public Guardian and Trustee (PGT) of British Columbia of BP014188 being ready for pick up at Penticton City Hall.
July 7, 2023	Staff contacted the Wynford Group about BP014188 not having been picked up and the outstanding VBR permit fee.
July 11, 2023	Staff contacted the Wynford Group to provide a revised copy of the Building Permit Condition Letter and to also enquire about the plan for the unsightly condition.
July 18, 2023	Staff received full payment for the outstanding VBR permit fee for BP014188.
July 19, 2023	Staff contacted the Wynford Group to confirm payment for BP014188, but advised that the Building Permit Condition Letter still needed to be signed for staff to release BP014188.
July 27, 2023	Staff contacted the Wynford Group about the requirement for a returned signed copy of the Building Permit Condition Letter for the Vacant Building Registration (VBR) Permit BP014188.
August 1, 2023	Staff conducted an inspection of the Property and found the Property to be in same unsightly condition as observed during previous inspections.
August 21, 2023	The City received a complaint regarding the unsightly and unsafe condition of the Property.
September 1, 2023	Staff conducted an inspection of the Property and found that one derelict vehicle had been removed, but that Property was still in an unsightly condition as observed during previous inspections.
September 7, 2023	Staff contacted the Wynford Group and the PGT to inform that the City was considering imposing RAR on the Property
September 8, 2023	Staff contacted the PGT of British Columbia to again inform that the City was considering imposing RAR on the Property.
September 15, 2023	Staff provided the staff recommendation requesting Remedial Action Requirements (RAR) to the Wynford Group, as the Public Guardian and Trustee (PGT) had requested the details.

Due to the Wynford Group's inability to obtain a Vacant Building Registration Permit and address the Property's unsightly nature, which extends to the Public Guardian and Trustee, staff are proposing to utilize powers in the *Community Charter*. The powers of the *Community Charter* will be employed to ensure that the Property is brought into a conforming state as soon as possible, by the passing of resolutions deeming the Property to be dilapidated or unclean and imposing a remedial action order.

Financial implication

If the Owner, or in this case, the Public Guardian and Trustee, through its agent, the Wynford Group, should fail to complete the remedial action requirements within the time set by the Council resolution, section 17(1) of the *Community Charter* allows for a municipality to proceed with the works to do the remedial action at the City's initial cost and then recover the costs incurred as a debt. The City will collect the amount incurred from the Owner in the same manner and remedies as property taxes. Therefore, the taxes, if unpaid, are deemed to be in arrears. Furthermore, the unpaid taxes would constitute a charge on the land and have priority over any other claim, lien, privilege, or encumbrance of any person (except the Crown).

The 2023 BC Assessment provides that the land is valued at \$401,000 and the improvements to the land were valued at \$5,500, however, because of the condition of the single-family dwelling, staff estimates the total value of the property to only be equal to that of the land at \$401,000. Regardless, should it be necessary for the City to act on the remedial action requirements, sufficient equity in the Property exists for the recovery of the City's incurred expenses.

Staff have not yet solicited any quotes to complete the remedial actions, but given the property value, staff are confident in the ability to recover any expenses incurred. In addition, the standard 18% administrative fee would also be applied with the possibility of compounding interest of 2% monthly should the City's costs not be paid within 30 days of the delivery of the invoice.

Conclusion

The current condition of the Property and buildings thereon are unsightly and create a nuisance for the neighbours. Through significant effort by staff, compliance to the standards set out in the *Good Neighbour Bylaw No. 2012-5030* have not been met. The management company retained by the Public Guardian and Trustee has been unable to complete the necessary works in agreed upon timeframes. The *Community Charter* provides the City and Council with the authority to impose remedial action requirements to bring the property into a compliant state, meeting acceptable community standards. The *Community Charter* also gives the City the ability to complete the works at the cost of the property owner, should the remedial order not be followed.

The recommendations in this report meet the requirements of the relevant sections of the *Community Charter* and outline the process by which the violations of the City's bylaws at the Property may be resolved. If approved, the recommendations provide staff with the authority to bring the bylaw violations at the Property into compliance.

Attachments

Attachment A – September 1, 2023 Inspection Photographs

Attachment B – Special Safety Inspection Summary

Respectfully submitted,

Ken Kunka
Manager of Building and Permitting

Concurrence

Director of Development Services <i>BL</i>	Interim Chief Administrative Officer KD
--	---

Attachment A – September 1, 2023 Inspection Photographs







Attachment B – Special Safety Inspection Summary



Memo



Date: September 8, 2023 File No: N:\city\Address\Government St\1438
To: Ken Kunka, Building and Permitting Manager
From: Duncan Scandrett, Licensing and Property Use Inspector
Address: 1438 Government Street
Subject: Special Safety Inspection Summary

On June 15, 2023, in accordance with the Vacant Building Registration (VBR) Permit process, Danuta Misutka, Building Official III, and I, Duncan Scandrett, Licensing and Property Use Inspector, conducted a special safety inspection at the property located at 1438 Government Street. The inspection focused exclusively on the exterior of the structures situated on the property. Accompanying this summary are photographs that visually depict areas that necessitate attention or improvement by the property owner. Below, I present the findings and subsequent requirements resulting from staff's inspection:

Property Condition and Security:

1. It was observed that graffiti is present on the front of the single-family dwelling and the travel trailer located in the rear yard. To discourage further vandalism of the property and neighboring properties, it is advisable to promptly remove the graffiti. In the case of the single-family dwelling, painting over the graffiti with a neutral color is an acceptable approach. As for the "tag" on the travel trailer, it is recommended to consider removing the trailer entirely to prevent access by unauthorized individuals, as there is evidence of an attempted break-in on the trailer's door



2. There is uncontrolled growth of vegetation in both the front and rear yards, which should be rectified. The grass height should be maintained at a level consistent with the prevailing standard in the neighborhood. Regular maintenance of vegetation is essential, as it addresses a common source of complaints from neighbors and helps deter transients from recognizing that the property is unoccupied.



3. Any garbage or debris left in the front and rear yards by the previous occupant or transients passing through should be promptly removed. The accumulation of rubbish is another frequent neighbor complaint and can contribute to an increase in vermin population in the neighborhood.
4. Any doors, windows, or other openings that have not been covered should be boarded up using solid plywood that is at least 11mm thick. Secure the plywood with nails or screws that are at least 75mm long and spaced no more than 150mm apart. While staff will continue to monitor to ensure that the structures are not breached, it is essential that the boarding up process be completed.
5. Any remaining combustible materials within the single-family dwelling and accessory buildings should be removed. Should transients breach the property, ignition sources will be present and a higher fire load could then result in fire spread to adjacent properties.



Structural Integrity:

1. A tree in the northern interior yard has grown onto the roof of the single-family dwelling. Due to the tree's precarious position above the roof and in an interior side yard, it is strongly recommended that a certified arborist supervise its removal. The removal may also impact the adjacent property, underscoring the necessity of involving a certified arborist.



2. The rear deck and its cover are failing, which poses a clear hazard to anyone that enters onto the property. The deck lacks Code-compliant guards and stairs for safe access by persons. Both the rear deck and its cover are likely beyond salvage and should be removed. A building or demolition permit is not required for solely for the removal of these two structures. However, to attempt repairs or reconstruction, City-issued permits will be required.



3. An approximately 6-8 inch opening in the soffit of the roof's southeastern corner was noted, suggesting possible water damage. Extensive moss growth was also observed on the roof. Regular monitoring for water ingress is advised, and repairs should be considered to safeguard the integrity of the building envelope. Failure to control water ingress may lead to roof collapse, necessitating remedial action by the city.



Sincerely,

Duncan Scandrett
Licensing and Property Use Inspector



Council Report

penticton.ca

Date: October 3, 2023
To: Kristen Dixon, Interim Chief Administrative Officer
From: Anthony Haddad, General Manager of Community Services
Subject: **City Hall – Chiller Replacement**

File No: 0810

Staff Recommendation

THAT Council receives into the record the report dated October 3, 2023 titled “City Hall – Chiller Replacement”;

AND THAT Council approve a transfer from the Asset Emergency Reserve of up to a maximum of \$600,000, to fund the required replacement of the City Hall Chiller.

Background

In May of 2023 the main chiller feeding City Hall experienced a failure resulting in the loss of air conditioning to the facility during the peak of the cooling season. Upon inspection of the existing chiller it was determined that three of the four compressors within the chiller had failed and could not be repaired with only one compressor being able to be rebuilt to provide partial cooling to the facility. As a result of the failure the existing chiller was determined to require full replacement.

The anticipated replacement cost was estimated to be approximately \$300,000 based on the recently procured chiller replacement cost for the RCMP detachment building. However, upon completion of the RFP process the lowest compliant bid provided was \$477,000.

Financial implication

Funding for this work was not in the financial plan as this was an unexpected failure. The financial implication for the total cost of the chiller replacement includes the \$477,000 RFP cost, approximately \$50,000 in expended costs for the temporary repair of the existing chiller to maintain partial cooling during the 2023 summer season and approximately 15% contingency for any unexpected issues arising during work execution. As at Dec 31, 2022, the Asset Emergency Reserve had a balance of \$4.1M; use of these reserve funds has also been committed via Council resolution to other City assets in 2023 with yet to be determined costs.

Analysis

With City Hall being a core municipal facility housing a number of municipal departments and staff, Council Chambers along with provision of in person services to the general public ensuring adequate environmental temperature control in line with occupational health guidelines and generally accepted best practice is paramount to the continued successful operation of the facility.

As such, staff are recommending that Council authorize staff to transfer up to \$600,000 from the Asset Emergency Reserve for completion of the City Hall Chiller Replacement.

Attachments

Attachment A – Location Map

Respectfully submitted,

Anthony Policicchio

Manager of Facilities

Concurrence

GM Community Services <i>SB</i>	Director of Finance & Administration <i>AMC</i>	Interim Chief Administrative Officer <i>KD</i>
------------------------------------	--	---

Attachment A

Location Map – Chiller





Council Report

penticton.ca

Date: October 3, 2023
To: Kristen Dixon, Interim Chief Administrative Officer
From: Jonathan Chu, City Engineer
Subject: **Lake to Lake Route – 100 and 200 block of Martin Street**

Staff Recommendation

THAT Council direct staff to proceed with the modifications to the Lake-to-Lake Route for the 100 and 200 Block of Martin Street as summarized in this report, at an estimated cost of \$200,000;

AND THAT the funding be included as an amendment to the 2023-2027 Financial Plan, from the Gaming Reserve;

AND THAT staff bring forward amendments to applicable bylaws to prevent crossings of separated bike facilities (and the associated conflict and signage) when alternative access is available.

Strategic priority objective

Vibrant & Connected: The City of Penticton will support vibrant and diverse activities creating opportunities for connection in community.

Background

The first two sections of the lake to lake bike route were installed on Martin Street in 2021. Since the initial installation, the City has received, and continues to receive, various forms of feedback relating to various aspects of the project. Specific to the negative or constructive feedback, staff continue to hear comments that can be generally categorized as follows:

- Overall dislike of the bike lane and/or its location on Martin Street
- General concerns relating to the volume of signage (“sign clutter”)
- Dislike of the metal design-line product
- Perception of lack of usage
- Enjoy the bike lane but wish to see aesthetic improvements (ie landscaping)

At the August 1, 2023 meeting, Council passed the following resolution:

295/2023 It was MOVED and SECONDED

THAT Council direct staff to report back with options to modify the design of the lake-to-lake bike route on Martin Street to respond to the feedback received since opening, and to better reflect the character of the downtown, while maintaining the integrity of the all ages and abilities infrastructure.

CARRIED UNANIMOUSLY

This report will summarize the changes that are recommended in response to the feedback, and summarizes the engagement that was done which informed these recommendations.

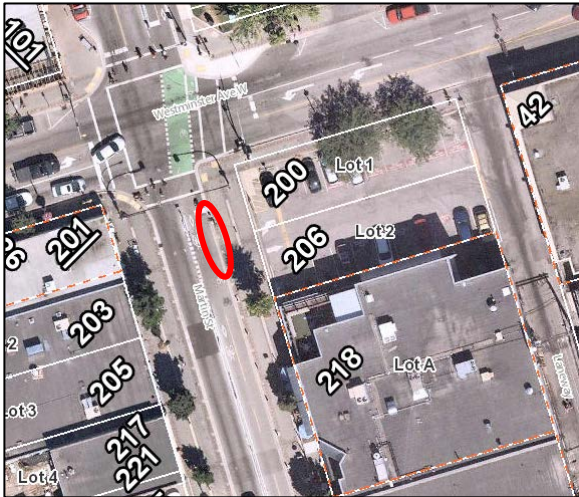
Of note, given the significant financial cost associated with possible relocation, combined with the comprehensive consultation process that was completed to establish the location of the route in the first place, relocation was not considered as part of this report.

Analysis

Overall Sign Diet: Lakeshore Drive to Eckhardt Ave

One of the most common things that staff hear when discussing the bike lane is the proliferation of signage. It is understandable that the design engineer took a very conservative approach to the signage design, given that the separated bike lanes were both new to the City, and the introduction of the two-way cycle track on a one-way street added further complexity. However, now that motorists have adjusted to the new infrastructure, there is no doubt that the sign congestion adds to motorist confusion and takes away from the intent to warn motorists of conflicts with the bike lane infrastructure. Signage proliferation along the route is also a result of volume of driveways. While some driveways were removed as part of the project, many could not be removed due to their configuration (ex. one way drive aisles).

Specific to signage, staff are proposing two primary changes. First, approximately 40 signs that have been deemed redundant will be removed from the Martin Street corridor. In addition, two further driveways can be removed that will eliminate the need for some signage and eliminate the crossing conflict all together. The first driveway is at the parking lot of Westminster Ave/Martin Street, and the second is the parking lot at Wade Ave/Martin Street. Both driveways are further discussed and shown below.



The first driveway located at 200/206 Martin Street is problematic beyond just the signage. The proximity to the intersection is challenging as it can cause queueing to back up in to the intersection if motorists are waiting to turn in to the parking lot, and the driveway gap in the bike lane barriers ends up pushing the barrier and signs further North in to the intersection than would otherwise be required, which makes the left turn from Westminister Ave more difficult. The lot has access via the rear lane, and staff have modified the lane to allow two-way traffic (previously one-way) to facilitate ease of access off Westminister to the lane. The property owners were advised of the intended change, as were the neighbors at Slackwater Brewing.

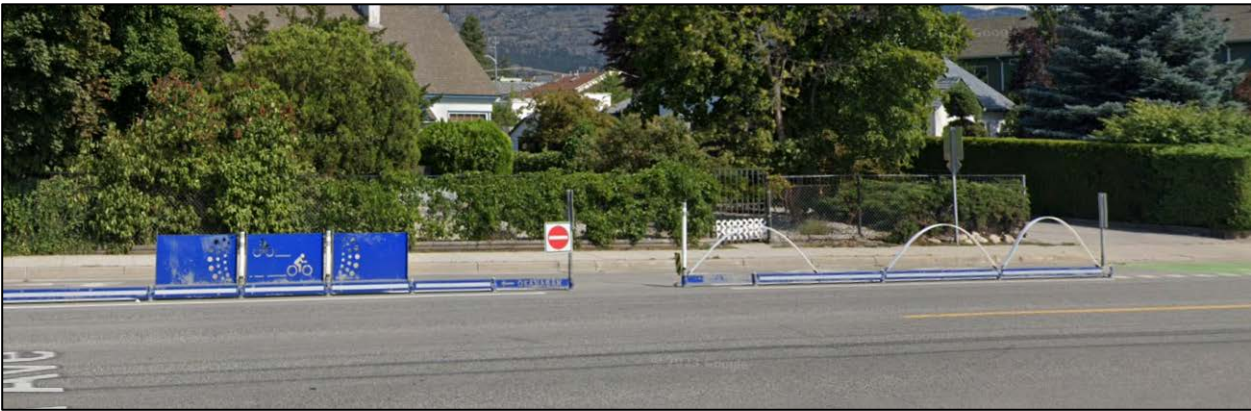
The second driveway is an access to the City Center parking lot. Access to the lot is also provided both on Wade Avenue W as well as off the rear lane. Similarly, the property owners were advised of the intended removal.



In addition to these two driveway removals, staff are recommending that bylaw changes be made to prevent further crossings (and conflicts and signage) from occurring as sites are redeveloped adjacent to separated bike infrastructure when alternative access points are available (such as lanes or other streets).

100 and 200 Block Beautification

Another source of contention with the project is the use of the design-line product.



While the product has been functional, it is a different look than the other downtown products and features, and the frequently spaced white bollards are adding to the overall sign clutter. In addition, the plastic “waves” can become brittle with the temperature fluctuations and have required frequent repairs or replacement. Having said that, the product is less “out of place” outside the 100 and 200 block as those blocks have not yet been revitalized. Given the cost to replace the product, staff are proposing to upgrade the 100 and 200 block for now, and that the remainder be upgraded as redevelopment occurs or as the street is upgraded.

Specific to the 100 and 200 blocks of Martin Street, staff are proposing the following:

- A combination of black bollards, concrete barriers, and landscaped planters for the 100 block, and
- A combination of black bollards and landscaped planters for the 200 block.

The planters and bollards will form the protection required for the all ages and abilities standard, while providing a more aesthetic look. A draft rendering of the proposed changes are shown below to help visualize the proposed changes in the 200 block.



Staff reviewed the proposed changes with the BIA, a number of businesses along the stretch, and the Penticton Area Cycling Association (PACA). Generally, all parties were supportive of the proposed changes, and felt the planters would complement the investments that have been made in adjacent patios etc. The businesses also noted that additional lighting would be appreciated, and staff are investigating a solar lit bollard for the pedestrian crossings. Additional bike racks along the section were also requested, which will be provided.

Utilization

The City has received some questions relating to the utilization of the lake to lake bike route. While some data is available through the City’s traffic counters at upgraded signalized intersections, a more formal count program is planned to coincide with completion of the route in spring of 2024. This will include two visual display boards, one at Gyro Park and the other at Kinney Avenue between Skaha Lake Road and South Main Street. There are other data collection points along the route as well, but they will not have display boards. All of the data will also be used to help determine if the City is meeting its mode-shift goals.

In the meantime, the following data has been extracted from the traffic counters for 2023. The results are encouraging, particularly given the isolated nature of the route (ie. the network is not complete). It is also worth noting that the closest data we currently have for the downtown section is at Eckhardt and Martin, and it is likely that additional cyclists are utilizing Government Street or the KVR to access the lake to lake route downtown, which would not be captured in the data below. There is also a counter at Atkinson/Industrial, reporting similar usage data as summarized below for Atkinson/Warren.

Month	Average daily cyclists @Eckhardt/ Martin	Total monthly cyclists @Eckhardt/ Martin	Average daily cyclists @Atkinson/ Duncan	Total monthly cyclists @Atkinson/ Duncan	Average daily cyclists @Atkinson/ Warren	Total monthly cyclists @Atkinson/ Warren
January	55	1,708	29	901	44	1,370
February	75	2,092	45	1,268	61	1,698
March	143	4,429	93	2,872	118	3,673
April	226	6,774	145	4,359	176	5,273
May	370	11,460	239	7,410	297	9,220
June	463	13,904	294	8,830	362	10,870
July	525	16,289	317	9,833	393	12,178
August	421	13,045	268	8,299	333	10,315
YTD*	300	77,105	187	48,809	234	60,962

*YTD – Includes data until September 18, 2023

*For context and comparison, the average vehicle volume heading southbound on Martin Street is roughly 5,000 vehicles/day.

For year over year data, the month of May was used for the counters at Eckhardt and Martin, as the counting function was offline from a data collection perspective from June-October 2022.

	Average daily cyclists*	Total monthly cyclists*
May 2022	316	9,781
May 2023	370	11,460

*Cyclist counts include all cyclists detected in the intersection, in all directions.

Future considerations for 300 to 600 Block

As noted above, Staff are not recommending any changes to the 300 to 600 Block of Martin Street at this time aside from the “sign diet” that will be completed. However, Council may wish at a future date to explore re-establishing parking on the east side of Martin Street by repurposing one of the vehicle travel lanes. This could be done either as part of future revitalization efforts or as a stand-alone project. Additional consultation would need to be conducted, cost estimates prepared, and consideration for the paid parking arrangements along the corridor.

Financial Implications

The proposed changes are estimated to cost roughly \$200,000. It is recommended these changes are funded by the Gaming Reserve, and that the funds be included as an amendment to the 2023-2027 Financial Plan. The Gaming Reserve had a balance of \$1.8M as of Dec 31, 2022. Should the funding and the proposed changes be approved, the work would happen in the spring of 2024.

Respectfully submitted,

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

Concurrence

<p>Director of Finance and Administration</p> <p><i>AMC</i></p>	<p>Director of Development Services</p> <p><i>BL</i></p>
---	--



Council Report

penticton.ca

Date: October 3, 2023 File No: 1390-01
To: Mayor and Council
From: Kristen Dixon, Interim Chief Administrative Officer
JoAnne Kleb, Communications and Engagement Manager

Subject: **Lake to Lake Route – Section 1 (South Main) Engagement Results**

Staff Recommendation

THAT Council receive into the record the report dated October 3, 2023 titled “Lake-to-Lake Route – Section 1 (South Main) Engagement Results”;

AND THAT Council direct staff to prepare and submit applications to the BC Active Transportation Fund for the Section 1 (South Main) of the Lake to Lake Project;

AND THAT the City of Penticton confirms the above project is “shovel-ready” including:

- Completion of detail design work;
- Approval of associated funding in the City’s 2023-2028 Financial Plan for construction in 2023/2024;
- Completion of any necessary permitting or land acquisition;
- Completion of community engagement, including consultation with large vehicle operators;

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

Strategic priority objective

Safe & Resilient: The City of Penticton will enhance and protect the safety of all residents and visitors to Penticton.

Livable & Accessible: The City of Penticton will proactively plan for deliberate growth; focused on an inclusive, healthy, safe and desirable place to live.

Vibrant & Connected: The City of Penticton will support vibrant and diverse activities creating opportunities for connection in community.

Background

In 2021, the City built the first two phases of the lake to lake all ages and abilities cycling route (Martin/Fairview). The section along Atkinson Street was completed in 2022, and the section along Kinney Ave to the new roundabout at Galt Avenue is under construction as part of the broader grouping of "Point Intersection" projects. Through the 2022 budget process, Council approved funding to complete the route in 2023/2024. The full history of the creation of the route and engagement processes is not included with this report, as the report focuses solely on the detail design and engagement for the final section.

This final section of the route runs along South Main from Galt Ave to Skaha Marina. A first draft of the detailed design was completed in spring 2023. The design aimed to not only deliver the final section of the bike route, but to also address some of the traffic safety concerns on South Main St. The draft design included:

- Introducing concrete curbs to provide separation between vehicles and bikes and to slow traffic.
- Switching the bike lane with the parking lane on the west side to eliminate parked vehicles from crossing the bike lane.
- Creating parking pockets on either the west or east sides of the street to better align with parking demands.
- Replacing some sections of underutilized on-street parking with boulevards, trees and rain gardens.
- Introducing 'floating bus stops' in place of the existing bus stops and allow for new stops identified in the Transit Restructure Plan.
- Changing access to the South Main Market to one-way as agreed to with the owners.
- Reducing the speed limit to 30 km/hour between Parmley Place to south of the South Main Market to accommodate the existing school zone, parks and improve safety around the market.
- Adding left turn lanes to remove the bottleneck on South Main St. at Green Ave.

Consistent with the previous sections of the route, staff conducted an engagement program to review the proposed changes with the community prior to finalizing the design. This report summarizes what was learned through the engagement process and how it was addressed in the final design of the route.

Now that the detail design is complete, the report also seeks support from Council to apply for the BC Active Transportation Fund. Of note, the City has already applied for the Federal Active Transportation Fund and continues to await a decision on that application. However, the grants can be "stacked" and therefore staff are recommending application for the provincial program as well.

Analysis

Engagement Overview

The City conducts community engagement programs to ensure the views of residents are considered in Council decisions along with financial analysis, technical studies and policies and plans. As Council had already made the decision to complete the bike route and meet the 'all ages and abilities standard', the focus of the engagement was on gathering feedback on the features of the design not required to meet the standard such as the locations of parking pockets, pedestrian crossings, rain gardens and street trees. The engagement program for the final section of the Lake-to-Lake Route was conducted between June 20 and July 30, 2023. To ensure residents were aware that the draft design was available for review and what was being proposed, the City prepared the following communications:

- 700 letters were mailed to owners and occupants of properties along South Main St.
- 1,825 flyers were mailed to households in the area
- Two advertisements were placed in the newspapers

- Email notifications were sent to 5,141 residents through shapeyourcitypenticton.ca

The City provided the following opportunities for residents to discuss the proposed design and share their feedback including:

- 1 online information session on July 20 attended by 11 people
- 1 in-person open house attended by 196 people
- Online feedback form completed by 513

Anyone not able to attend had the opportunity to review the materials and share their feedback online at shapeyourcitypenticton.ca.

Engagement Feedback

The complete results of the engagement program are provided in Attachment A – Lake-to-Lake Route South Main Engagement Report. A summary of the feedback is provided below:

- The City received 513 feedback forms. 26% of the participants live along South Main St. The feedback was grouped to differentiate between respondents who live along South Main St., those who live in near the route or in the area, and those who live elsewhere in Penticton.
 - Participants (113) who live along this section were divided in their support for the recommendations between those who agree or somewhat agree with the proposed changes and those that are opposed. Those that are opposed are not supportive of the bike lanes in general because of the changes they have seen on prior sections. Those that support the changes or would like to see some modifications to the design support the reductions to speed limits, parking locations, impacts for vehicle traffic, addition of trees, locations of pedestrian crossings and turn lanes for Green Ave.
 - Participants (262) who live elsewhere in the City were generally more supportive of the proposed design of South Main and seeing the Lake-to-Lake Route completed. Those that did not support the changes were not supportive of the route and expressed concerns about features such as the concrete curbs, reduction in parking, narrowing of the lanes, impacts to visibility and overall functionality of the road.
- Attendees at the open house who provided comments on the draft design or completed a feedback form were mostly opposed to the bike route and many would like to see the final section remain as it is today possibly with some exceptions such as reduced speed limits, left turn lanes on Green, new crosswalks and perhaps some trees.
- Several of the design features generated the most interest and support from participants. The following is a summary of this input.
 - Speed on South Main has long been an issue for residents in the area. The reduction of the speed limit was well supported by most participants as a result. There were even suggestions of extending the 30 km/hour zone in hopes of encouraging people to travel closer to 50 km/hour on the road.
 - Left-turn lanes on Green Ave were also well supported by participants familiar with the traffic issues on South Main.
 - Participants were pleased that an agreement had been reached with South Main Market to protect parking and access to the store while making it safer.
 - Most discussion and comments centred on the proposal to remove parking to incorporate boulevards with trees. Many like the idea of greening and cooling the street. Others believe

parking should be protected and trees may create more problems for visibility, maintenance and impacts on roads and sidewalks.

- The changes to parking also generated much discussion and comments from participants. Participants were not completely opposed to removing some parking and incorporating trees but did express concern about the need to protect parking as the City continues to densify. They also provided comments on parking impacts and needs in specific areas.
- Floating bus stops were a new concept for most participants and there were many questions but not strong opinions about this design feature.
- Proposed pedestrian crosswalks were also largely supported by participants.
- The inclusion of concrete curbs to separate cyclists was the most controversial recommendation. For those that are opposed, they see them as narrowing the roads and an unnecessary expense. They don't believe there is sufficient data to support the need for separation and that the current system or minor modifications is sufficient. These concerns were largely raised by the Citizens Against Barriers group at the open house.
- Many of the participants in this final engagement process, and specifically the open house, had not previously participated and there was interest in revisiting the need for the bike lane on this section and in its entirety. There was also interest in revisiting elements of the design of an all ages and abilities route including the need for curbs to separate cyclists from traffic and initiatives to calm traffic including narrower lanes and the bump-outs on corners.

The complete feedback including comments on specific areas was provided to staff to consider in the final design.

Large Vehicle Operator Consultation

One of the requirements of the grant application is consultation with large vehicle operators. As part of the City's standard design review process, the City consults with these stakeholders, including the Penticton Fire Department, BC Transit and local transit service provider Berry & Smith. Feedback from these groups has been incorporated in the final detail design.

Design Response to Engagement

After reviewing all of the feedback that was received, staff revised the design for South Main Street and the final design is shown in Attachment B. The following are the key changes that were made from the draft design to the final design:

- Relocation of school driveway at Green Avenue to reduce conflict with intersection is currently being investigated in collaboration with the School.
- Detailed review of proposed tree planting locations to ensure sight-lines from driveways, including removal of a number of trees
- Inclusion of additional gaps in curbing across from larger multi-family properties to ensure cyclists could easily access both the Northbound and Southbound cycling facilities
- Expanded gaps in concrete barriers at driveways to allow easier turning movements in and out of driveways
- Preservation of parking on the west side of South Main Street, North of Yorkton Avenue, to more closely reflect existing parking

Generally, aside from the specific feedback relating to the concrete curbs and the need for the overall route, the design was well received by the community.

Intake for BC Active Transportation Infrastructure Grant

The intake for the BC Active Transportation Infrastructure Grant opened on September 1, 2023 and closes on October 27, 2023. The program provides funding up to \$500,000 per project, and the City was successful in this grant program for the section along Kinney/South Main that is currently under construction.

As noted above, the City has previously applied to the Federal Active Transportation program for this section, and the estimated value of the grant (if successful) is approximately \$840,000. Should the City be successful with both the provincial and federal programs, the combined grant would be just over \$1.3M of the estimated \$2.3M cost for the final section.

Financial Implications

The funding for this section is included in the City's 2023-2027 Financial Plan, with a combined \$2.3M budget over 2023/2024.

The complete cycling route is estimated to cost up to \$8 million. This estimate includes all costs associated with the separated bike lanes, intersection and sidewalk improvements, as well as storm system alterations along the route. To date, the City has received \$1 million from the Community Economic Recovery Infrastructure Program (CERIP), \$750,000 from the Canada Community Revitalization Fund (CCRF), \$500,000 from a B.C. Active Transportation Infrastructure Grant, and used \$1.8 million from the Canada Community-Building Fund to offset the costs of the project. This brings the total provincial and federal funding received for the project to \$4.05 million, and the City continues to apply for applicable grants as they become available.

The project is also eligible to benefit from the Roads & Highways Development Cost Charges Reserve, which has contributed \$0.5 million to the route.

Climate Implications

The City endorsed its Community Climate Action Plan on Nov. 16, 2021, with a goal of reducing emissions by a projected 40 per cent below 2007 levels by 2030. The plan identified that approximately 54% of our community emissions are from vehicles, and in order to reach the emissions targets, outlined six areas of focus. One of these six is to "Shift Beyond the Car" by encouraging active transportation and transit.

Specific to this goal, the City is striving to reduce total vehicle kilometers travelled by 13% over the next twenty years, by:

- Eliminating approximately a quarter of the kilometers travelled by better land use planning (locating housing close to services/commercial, reducing or eliminating parking requirements, other land use tools/incentives to reduce car dependency)
- Converting almost half of the kilometers travelled to active transportation (biking, walking, scooters etc.)
- Converting the remaining quarter to transit trips

Completion of the lake to lake cycling route will complete the spine of a future all ages and abilities cycling network as proposed in the City's Master Transportation Plan.

Attachments

Attachment A – Lake-to-Lake Route South Main Engagement Report

Attachment B – Final Design for Section 1 Lake to Lake

Respectfully submitted,

Kristen Dixon, P.Eng, MBA
GM of Infrastructure

Concurrence

Director of
Finance and
Administration

AMC



Lake-to-Lake Route – South Main Engagement Report

September 29, 2023

- 1.0 Overview
- 2.0 Community Participation
- 3.0 Community Feedback
 - 3.1 Online Information Session
 - 3.2 Open House
 - 3.3 Feedback Form
- 4.0 Interest Group and Stakeholders
- 5.0 Conclusions

Appendix A – Engagement Timeline

Notice to reader - Interpreting Engagement Program Results

The purpose of the engagement program is to provide residents with the opportunity to learn more about City initiatives and contribute to City decisions that affect or interest them. It supports better, more informed decisions by ensuring that all issues are identified, understood and addressed where possible.

The engagement program is not intended to be a voting instrument for the community. The results are representative of the views of the people who choose to participate and not the community-as-a-whole. Council is elected to make the decision on behalf of the community and the engagement results are to be considered along with other factors such as financial analysis, technical studies and policies and plans.

1.0 Overview

The City is proceeding with the final section of the Lake-to-Lake Route, which extends along South Main St. from Galt Ave. to the end at Skaha Lake Park. As Council made the decision to complete the bike route and meet the 'all ages and abilities standard', the focus of the engagement was on gathering feedback on the features of the design not required to meet the standard such as parking pockets, pedestrian crossings, rain gardens and street trees.

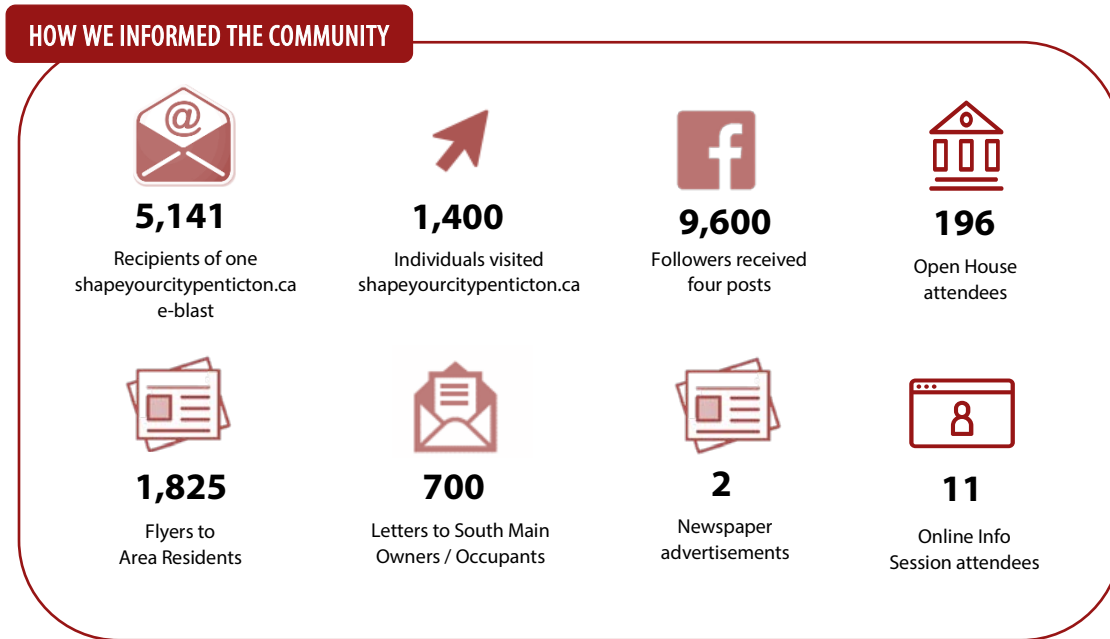
The key changes proposed for the final section that were reviewed with the community include:

- Introducing concrete curbs to provide separation between vehicles and bikes and slow traffic.
- Switching the bike lane with the parking lane on the west side to eliminate parked vehicles from crossing the bike lane.
- Creating parking pockets on either the west or east sides of the street to better align with parking demands.
- Replacing some sections of underutilized on-street parking with boulevards, trees and rain gardens.
- Introducing 'floating bus stops' in place of the existing bus stops and allow for new stops identified in the Transit Restructure Plan.
- Changing access to the South Main Market to one-way as agreed to with the owners.
- Reducing the speed limit to 30 km/hour between Parmley Place to south of the South Main Market to accommodate the existing school zone, parks and improve safety around the market.
- Adding left turn lanes to remove the bottleneck on South Main St. at Green Ave.

Residents were invited to review the draft design, attend an information session or open house to discuss the recommendations with staff, and complete a feedback form before July 30, 2023.

2.0 Community Participation

Communication began one month in advance of the opportunities to learn more and meet with staff about the draft design. The following chart summarizes the activities conducted to notify residents about the engagement opportunities. A detailed timeline is provided in Appendix A.



3.0 Community Feedback

Residents had three different opportunities to provide their feedback to staff including through an Online Information Session, an Open House and a Feedback Form. The following is a summary of the findings from these activities.

3.1 Online Information Session

The City hosted an online information session via Zoom on Thursday, July 20 between 6:30 pm and 8:00 pm to provide residents with a presentation on the proposed design and answer any questions. Eleven attendees participated. The following is a summary of the themes of the discussion:

- Participants inquired about vehicle access to the South Main Market parking lot whether travelling northbound or southbound. Staff clarified that two access points will be created, one as entrance and one as exit to accommodate patrons and accessing the parking lot will be possible from both north and southbound directions
- Participants inquired about how the floating bus stops work. Staff clarified that the concrete sidewalks at the bus stops will be extended so that bikes will have to cross the sidewalk instead of pedestrians crossing the bike lane to reach the bus stop.
- Participants inquired about whether the width of the bike lane can accommodate a wide range of users travelling at varied speeds and whether it is safe for a faster user to pass a slower one. Staff explained 1.5m width will be used throughout but also expanded wider where possible.

- Participants expressed appreciation for more trees and boulevards but concern about whether there will be enough parking spots in the future when single-family homes are redeveloped into higher density housing options. Staff clarified that this would apply only to a small stretch along the South Main route as most residences are stratas that back on to South Main, very few residences front-face the route. Additionally, parking will be retained at the south end adjacent to Skaha Lake Park near the marina.
- Participants indicated no opposition to slowing traffic and beautifying the area, but highly concerned about the use of concrete barriers as many feel they are unsafe. Questioned whether the curbs are necessary if speed will be lowered along South Main and shared anecdotal experiences about drivers hitting existing concrete curbs and tire blow outs. Also indicated there is a petition of 2,500 signatures supporting the group due to uncomfortableness traveling on Atkinson Street and Martin Street because of the cement curbs. Staff noted that the design follows the best practices identified in BC Active Transportation Design Guide and the National Association of City Transportation Officials (NATCO) Designing for All Ages and Abilities standards.
- Participants asked whether the City has considered using structural art on the narrow boulevards in place of landscaping so as not to require as much maintenance and whether or not the boulevards are wide enough to support trees. Staff appreciated the suggestion for art and also explained that the boulevards look smaller in the designs but many will be 2.5m wide in order to support good soil volume for healthy trees.
- Other participants commented about loving extra trees and noted that when trees are considered, make sure that growth won't block view of drivers or cyclists trying to make turns on either side.
- Participants questioned whether all crosswalks will have flashing lights. Staff explained that several of the crosswalks will have the feature but not all. Flashing lights are for higher speed areas and uncontrolled intersections. Crosswalks in lower speed zones wouldn't use expensive flashing light controls because environmental calming would be used to slow down motorists.
- Participants inquired about other barriers being introduced in the city. Staff clarified that smaller, mountable white barriers have been installed on Government Street and Dawson Ave as an experimental option to remind motorists to not cut the corner and reduce vehicles driving in the bike lanes, but noted that they alert the driver but do not provide protection for the cyclist as they are easily driven over.

3.2 Open House

The City held a drop-in open house to discuss the the draft design with residents at the Penticton Seniors’ Drop-In Centre on July 25 between 5 pm and 7 pm. Similar to events held during the design of previous sections, two stations were set up featuring maps of the proposed design of the route and five staff members were in attendance to answer questions and hear feedback from attendees.

In advance of the open house, the Citizens Against Barriers interest group which is opposed to the use of concrete curbs on the bike lane planned an event at the same time and location which resulted in an unusually high attendance of 196 participants. This level of participation overwhelmed the venue and format and the environment was contentious.

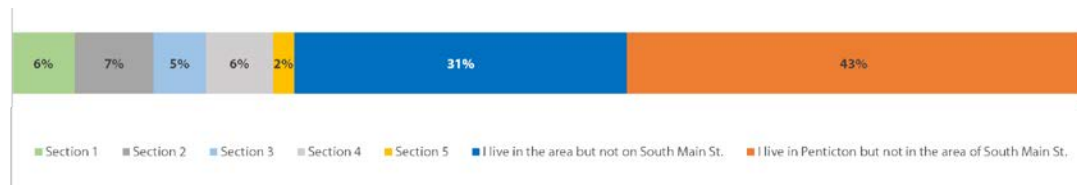
Many of the attendees had not participated in previous engagement activities for the lake-to-lake route. They were interested in revisiting the need for the protected bike lane on this section and in its entirety. There was also interest in revisiting elements of the design of an all ages and abilities route including the need for curbs to separate cyclists from traffic and initiatives to calm traffic including narrower lanes and the bump-outs on corners.

Attendees were invited to make notes on the maps of the draft design to identify concerns and make comments on specific features. These maps and comments were provided to staff to review and consider in the preparation of the final design. Attendees also had the opportunity to complete the feedback form. Fifty seven submissions were received. The majority of submission reiterated opposition to this section of the bike lane.

3.3 Feedback Form Results

Formal feedback on the proposed design was gathered through a feedback form that was available online at shapeyourcitypenticton.ca and at the City’s engagement kiosks. In total, 513 feedback forms were received.

The feedback form was divided into five sections to allow for comment on the specific design features in each section. Participants were asked to identify where they live in the five sections or elsewhere in the city to allow for further analysis of the data based on impact to the resident.

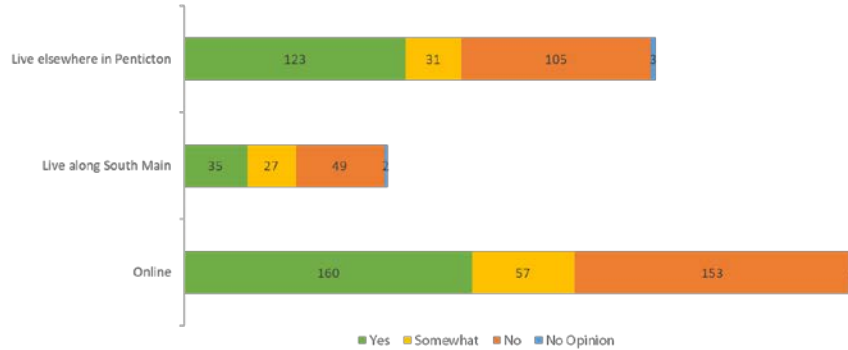


Note: The City collects data through feedback forms as a way to easily summarize the contributions received. The feedback represents the views of the participants and should not be considered a representative vote by the community. The feedback gathered is provided to staff to inform their recommendations, shared with Council to inform their decisions, and made available to the public.

Section 1 – Dauphin Place / Parmley Place / Green Avenue



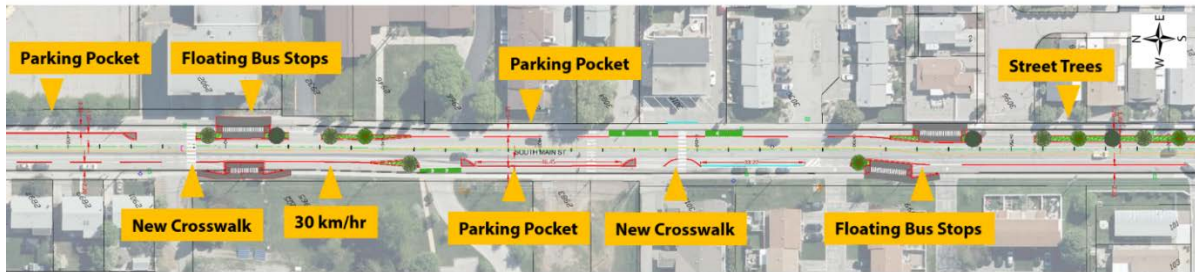
1. For Section 1, the design proposes to create parking pockets on the east side of the street and to replace non-permitted and low-use parking areas with landscaped boulevards and street trees. The parking and trees are proposed on the east side of the street as there are less conflicts with underground and overhead utilities. The design also introduces a reduced 30km/hr speed, and proposes the addition of designated left turn lanes at Green Avenue to alleviate congestion. The turn lanes will result in the removal of some of the on-street parking around the intersection. Do you agree with the changes proposed in the design for Section 1?



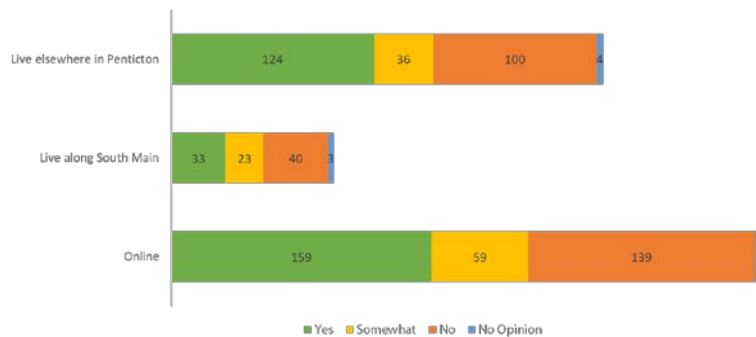
Participants were invited to explain why they somewhat support or do not support the proposed changes. Comments specific to this section include:

- Many agree with reducing the speed to 30 km/hour. Some suggest extending it from the roundabout to South Main Market. Would like to see enforcement.
- Many support left turn lanes at Green Avenue. Concern about the ability of trucks to turn around the concrete bulbs. Consider advance left turn arrow.
- Parking on the block south of Green is used daily by residents and would like to see it retained.
- Support for more trees but concerned about locations where visibility turning onto South Main may be affected such as at Parmley Place or driveways.
- Seems odd to put trees on boulevards in front of properties that have large trees on their front yards. Care for the trees will be important.
- Many suggest that the entrance to the Concordia School at South Main and Green is too close to the intersection. The entrance to the school should be adjacent to the current entrance to the apartment building. This will mean there is only one stop for left hand turns rather than two.
- Concern from residents on the west side about having to park across the street.

Section 2 – Concordia / South Main Market / Penticton Seniors Drop-In Centre



2. For Section 2, parking continues on the east side to allow for the left turn bays at Green Avenue, and there is a new crosswalk to connect to the schools. Parking then switches to the west side following the floating bus stop. The design shows the relocation of the existing crosswalk to better align with the South Main Market and the proposed changes to the access, and maintains the reduced 30km/hr speed to south of the market. Do you agree with the changes proposed in the design for Section 2?

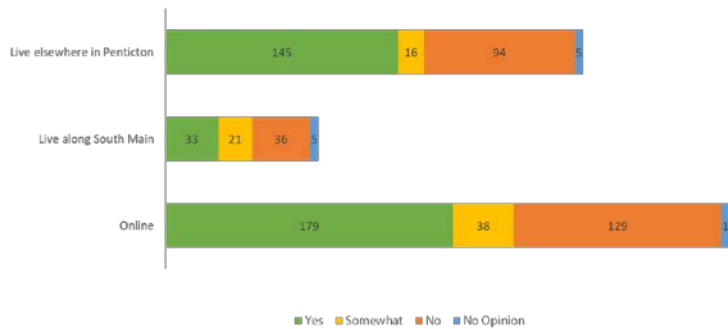


- Participants were invited to explain why they somewhat support or do not support the proposed changes. Comments specific to this section include:
 - More suggestions to eliminate the north entrance to Concordia as it is too close to the intersection at Green and retain the south entrance shown in this illustration.
 - Several concerns from residents at Chateau Village that changes to parking at South Main and new crosswalk will make it more difficult to enter and exit.
 - Suggestion to reduce the number of parking stalls shown between entrance to Senior’s Centre and driveway at 3011 South Main St. to improve visibility from driveway to enter the street.
 - Concern that bump outs at new crosswalks are too severe. Desire to see flashing lights at all crosswalks.
 - Suggestion that too much parking removed in this busy section and to create larger parking pockets.
 - Support for relocation of the crosswalk and changes to access at South Main.
 - Desire to see a bike rest station in the greenspace at the Seniors’ Centre.

Section 3 – Sikh Temple / South Main Street



3. Section 3 proposes to convert a large stretch of underutilized parking to create space for boulevard trees. The design includes new floating bus stops and a new permanent crosswalk. Do you agree with the changes proposed in the design for Section 3?



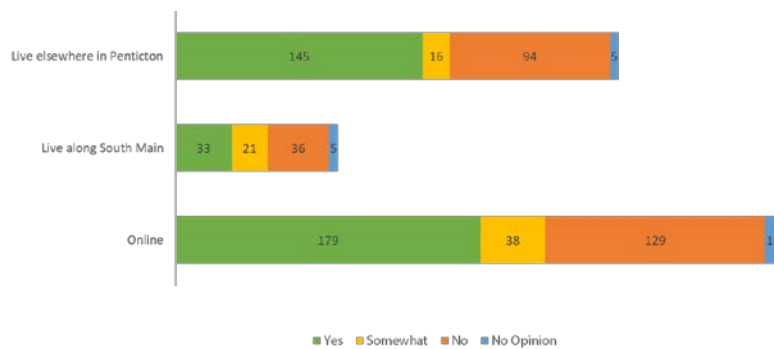
Participants were invited to explain why they somewhat support or do not support the proposed changes. Comments specific to this section include:

- Strata on east side had lower parking requirements and residents use parking on west side. Suggest retaining parking on east side.

Section 4 – South Main Street / Yorkton Avenue



4. Section 4 includes preservation of most of the existing on-street parking, with parking pockets on both the east and west sides to better match the demands for parking. A small number of boulevard trees are also proposed for this section, as well as a new crosswalk at Yorkton Avenue. Do you agree with the changes proposed in the design for Section 4?



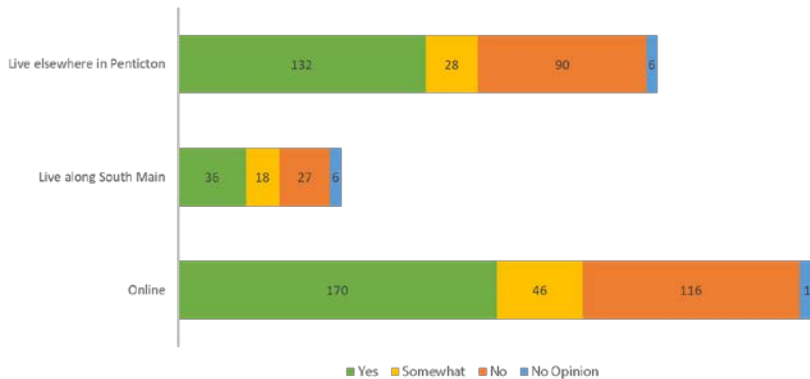
Participants were invited to explain why they somewhat support or do not support the proposed changes. Comments specific to this section include:

- Suggestions to have parking on east side only as it is primarily used by residents of this complex.
- Concern that boulevard at Sandbridge entrance will impede sight lines for drivers. Similar feedback for parking pockets proposed on the east side.
- Suggestion that the parking in the area is used significantly in the evening and should not be removed.
- Support for crosswalk at Yorkton connecting the bus stop and suggestion for a traffic helper i.e. flashing lights or roundabout to assist with access off of Yorkton.

Section 5 – Skaha Shores / Skaha Lake Park



5. Section 5 proposes adding trees in place of a large section of street parking that is not well used. A parking pocket at the south end of the section has also been included on the east side. A new crosswalk is also proposed at Lee Avenue. Do you agree with the changes proposed in the design for Section 5?



Participants were invited to explain why they somewhat support or do not support the proposed changes. Comments specific to this section include:

- Suggestion that parking should be retained on the west side for boat trailer and event parking at Skaha Lake Park.

6. Do you have any other feedback to share on the proposed design of the final section?

The following are the themes from the general comments about the final section and the bike lane provided throughout the feedback form.

Parking

- more parking needed on south end during summer months, festivals and events
- continue parking on east side of South Main Street
- more parking pockets needed
- potential conflicts and access issues for those with boat trailers
- given increasing density and lower on-site parking requirements, need to retain parking not get rid of it

Trucks and Vehicle Traffic

- concrete bulbs at Green Ave limit ability of trucks to turn
- vehicles will not have enough space to pull over for emergency vehicles

- consider access to Chateau Village and South Main Market
- parking pockets will impede traffic flow
- visibility concerns related to signage and barriers
- narrow lanes and bulb outs make it hard to corner
- thank you for considering South Main Market

Trees

- trees will create slippery lanes when the leaves drop
- costs and maintenance related to trees
- consider bird-friendly designing when selecting trees
- trees will obstruct visibility and sightlines
- plant more trees
- consider types of trees for water consumption, height and foliage
- tree roots will destroy pavement
- add street trees to both side of street to shade bike lanes
- do not plant trees in place of valuable parking
- more cooling from canopy

Pedestrians and Transit

- support for new crosswalks
- consider transit users with wheelchairs to access the bus
- drivers will ignore proposed crosswalks
- questions about floating bus stop
- crosswalk location at South Main Market may cause potential conflicts for existing vehicles

Speed Limit

- Support to reduce the speed, some suggestions to make the entire street 30 km/hr
- Concerns with how the reduced speed limit will be enforced
- Preference to keep existing speed limits
- Perfect opportunity to create a slower, safer route

Bike Lanes

- not supportive of bike lanes in any capacity
- not supportive of any plans involving concrete barriers
- existing bike lanes are sufficient

4.0 Interest Group and Stakeholders

Through the engagement process, staff met with stakeholders and groups who are uniquely impacted or have a special interest in the project. The following is a summary of these activities.

South Main Market

Once South Main was identified as a possible location for the Lake-to-Lake Route in 2019, staff reached out to the owners of the South Main Market to ensure they were aware of the work and their opportunities to be involved. Staff met with the owners on multiple occasions in advance of the design of the final section to understand their concerns and needs. As a result of this collaboration, a mutually agreeable solution was reached in June and incorporated in the proposed design that was then shared with the community.

Citizens Against Barriers

As the previous sections of the Lake-to-Lake Route have been constructed and the impacts of the changes felt by residents, opponents of the project have become more vocal. During the planning for this final phase, a number of community members formed the “Citizens Against Barriers” group to oppose the inclusion of concrete curbs to separate the cyclists from traffic.

To advance their cause, this group arranged a protest at City Hall, has solicited signatures for a petition and organized their members to attend the City’s open house. City staff met with the coordinators of this group to understand their concerns including:

- Use of the current lane by e-scooters and mobility scooters contravenes the Motor Vehicle Act and the City may be legally liable as a result.
- Whether or not the design guidelines will change to reflect the growth of micromobility and if it is premature to introduce a bike lane.
- Whether or not the dimensions provided in the City’s drawings are correct and if there is more width to allow for an increase in the buffer between the current bike lane and travel lane as an alternative to the concrete curbs. They also suggested rumble strips may be an appropriate alternative to the curbs.
- Potential for the bike lane to obstruct sightlines for drivers turning onto South Main from some of the residential developments. They would like to ensure that bushes and trees would not inhibit visibility for drivers. They also flagged for staff the importance of providing an opening to the bike lane across from the residential developments to allow access by cyclists.
- Views expressed by their members who are cyclists and say they feel more unsafe riding in the bike lanes because of faster cyclists wanting to pass and the risk of bumping into the curbs. They did not agree with the design guidelines or the need for an All Ages and Abilities Route and would like to see evidence of accidents to warrant the change.

The meeting was very productive in clarifying information and understanding but the group is firm in their belief that the route is functioning well and should remain as-is.

5.0 Conclusions

The following is a summary of the findings from the engagement process.

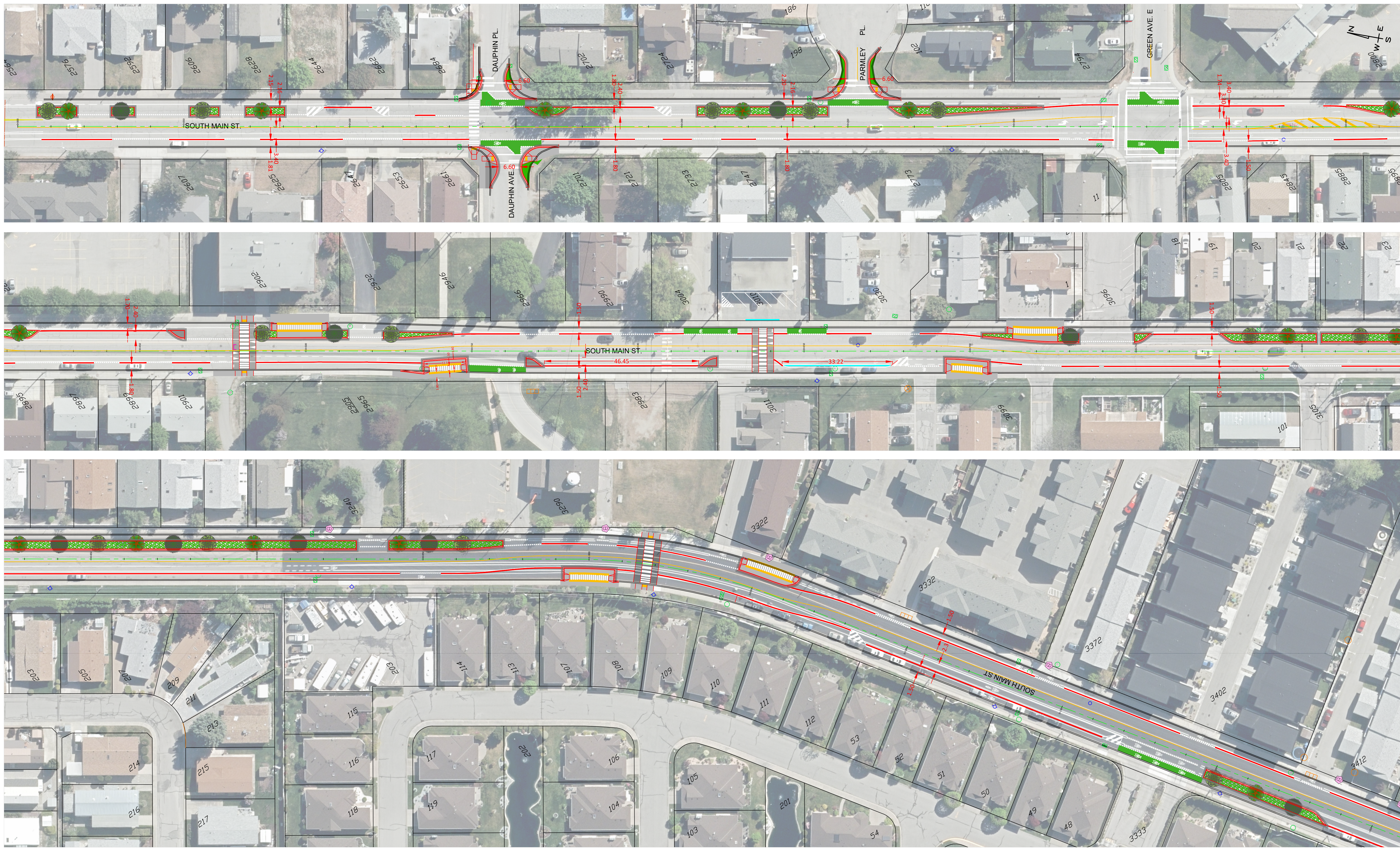
- The City received 513 feedback forms. 30% of the participants live along South Main St. The feedback was grouped to differentiate between respondents who live along South Main St., those who live in near the route or in the area, and those who live elsewhere in Penticton.
 - Participants (113) who live along this section were divided in their support for the recommendations between those who agree or somewhat agree with the proposed changes and those that are opposed. Those that are opposed are not supportive of the bike lanes in general because of the changes they have seen on prior sections. Those that support the changes or would like to see some modifications to the design support the reductions to speed limits, parking locations, impacts for vehicle traffic, addition of trees, locations of pedestrian crossings and turn lanes for Green Ave.
 - Participants (262) who live elsewhere in the City were generally more supportive of the proposed design of South Main and seeing the Lake-to-Lake Route completed. Those that did not support the changes were not supportive of the route and expressed concerns about features such as the concrete curbs, reduction in parking, narrowing of the lanes, impacts to visibility and overall functionality of the road.
- Attendees at the open house who provided comments on the draft design or completed a feedback form were mostly opposed to the bike route and many would like to see the final section remain as it is today possibly with some exceptions such as reduced speed limits, left turn lanes on Green, new crosswalks and perhaps some trees.
- Several of the design features generated the most interest and support from participants. The following is a summary of this input.
 - Speed on South Main has long been an issue for residents in the area. The reduction of the speed limit was well supported by most participants as a result. There were even suggestions of extending the 30 km/hour zone in hopes of encouraging people to travel closer to 50 km/hour on the road.
 - Left-turn lanes on Green Ave were also well supported by participants familiar with the traffic issues on South Main.
 - Participants were pleased that an agreement had been reached with South Main Market to protect parking and access to the store while making it safer.
 - Most discussion and comments centred on the proposal to remove parking to incorporate boulevards with trees. Many like the idea of greening and cooling the street. Others believe parking should be protected and trees may create more problems for visibility, maintenance and impacts on roads and sidewalks.
 - The changes to parking also generated much discussion and comments from participants. Participants were not completely opposed to removing some parking and incorporating trees but did express concern about the need to protect parking as the City continues to densify. They also provided comments on parking impacts and needs in specific areas.
 - Floating bus stops were a new concept for most participants and there were many questions but not strong opinions about this design feature. Concerns were expressed about the idea of busses stopping the travel lane.
 - Proposed pedestrian crosswalks were also largely supported by participants.
 - The inclusion of concrete curbs to separate cyclists was the most controversial recommendation. For those that are opposed, they see them as narrowing the roads and an unnecessary expense. They don't believe there is sufficient data to support the need for separation and that the current system or minor modification is sufficient. These concerns were largely raised by the Citizens Against Barriers group at the open house.

- Many of the participants in this final engagement process, and specifically the open house, had not previously participated and there was interest in revisiting the need for the bike lane on this section and in its entirety. There was also interest in revisiting elements of the design of an all ages and abilities route including the need for curbs to separate cyclists from traffic and initiatives to calm traffic including narrower lanes and the bump-outs on corners.

Appendix A - Engagement Timeline

In accordance with the *Community Engagement for OCP Amendments Procedure* and *Community Engagement Policy and Framework* the following list summarizes the main methods that were used to raise awareness about the application and the opportunities for residents to provide feedback through the community engagement period that took place between June 20 and July 30, 2023:

Date	Activity
June 20	Project information and feedback form on www.shapeyourcitypenticton.ca
June 20	Press Release
June 20	Addressed mail notifying 700 residents along South Main St. Flyer to notify 1,825 residents in the area.
June 28	Eblast
July 10	Social media post
July 17	Social media post
July 19	Newspaper ad
July 20	Online Information Session
July 21	Social media post
July 25	Open House
July 30	Engagement ends
Aug 31	Meeting with Citizens Against Barriers



C:\Users\jgigitt\Desktop\N2L - SECTION 1 - Design Parking 2023-08-30 - CA Edits.dwg
 City of Pentictok
 Design Parking 2023-08-30 - CA Edits.dwg

City Approvals	Date
Public Works Manager	
Electrical Utility Manager	
Parks Supervisor	
City Engineer (if required)	

Existing	
Electrical cable/telephone	Inspection chamber
Sanitary sewer	Sanitary manhole
Storm sewer	Storm manhole
Domestic watermain	Double catch basin
Raw watermain	Side inlet catch basin
Property line	Top inlet catch basin
Curb & gutter	Catch basin manhole
Edge of asphalt	Storm oil interceptor

Proposed	
Sanitary service	Sanitary manhole
Sanitary sewer	Storm manhole
Domestic watermain	Double catch basin
Raw watermain	Side inlet catch basin
Property line	Top inlet catch basin
Edge of asphalt	Catch basin manhole
	Storm oil interceptor

Water service	
Water valve	Water curb stop
Water hydrant	Water air valve
Street light	Power pole
Electrical service box	Electrical vault
Electrical transformer	

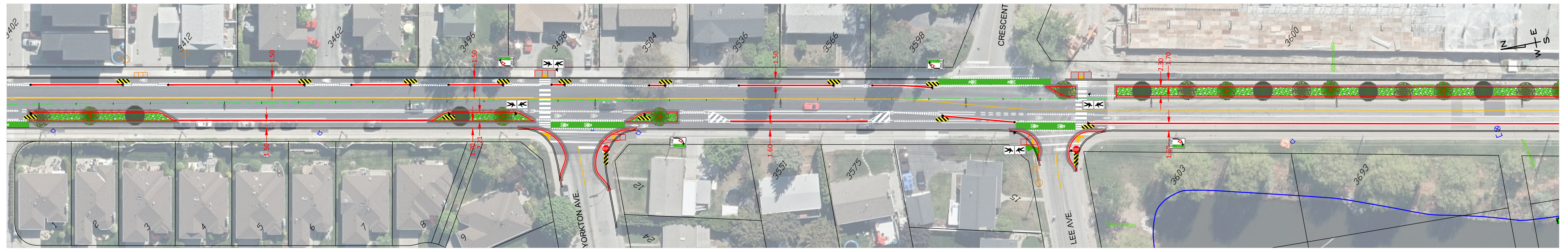
No.	Date	By	Revisions	CKD
01	2023/09/27	CA	ISSUED FOR REVIEW	JC
	YYYY/MM/DD			



Engineer's Seal
Scale horiz. 1:500
Scale vert. 1:50
Sheet 01 of 03
Drawn by CA
Approved by JC
Plot date 2023/09/27

Project	LAKE-TO-LAKE BIKE ROUTE - SECTION 1
Title	DESIGN CONCEPT

Drawing No.	XX
Revision No.	1



C:\Users\jgigitt\Desktop\N21 - SECTION 1 - Design Parking 2023-08-30 - CA Edits.dwg

City Approvals	Date
Public Works Manager	
Electrical Utility Manager	
Parks Supervisor	
City Engineer (if required)	

Existing	
Electrical cable/telephone	Inspection chamber
Sanitary sewer	Sanitary manhole
Storm sewer	Storm manhole
Domestic watermain	Double catch basin
Raw watermain	Side inlet catch basin
Property line	Top inlet catch basin
Curb & gutter	Catch basin manhole
Edge of asphalt	Storm oil interceptor

Proposed	
Electrical cable/telephone	Sanitary service
Sanitary sewer	Inspection chamber
Storm sewer	Sanitary manhole
Domestic watermain	Storm manhole
Raw watermain	Double catch basin
Property line	Side inlet catch basin
Edge of asphalt	Top inlet catch basin
	Catch basin manhole
	Storm oil interceptor

No.	Date	By	Revisions	CKD
01	2023/09/27	CA	ISSUED FOR REVIEW	JC



Engineer's Seal

Scale horiz. 1:500
Scale vert. 1:50
Sheet 01 of 03
Drawn by CA
Approved by JC
Plot date 2023/09/27

Project	LAKE-TO-LAKE BIKE ROUTE - SECTION 1
Title	DESIGN CONCEPT

Drawing No.	XX
Revision No.	1

Council Report

penticton.ca

Date: October 3, 2023 **File No:** RMS 4000-10
To: Kristen Dixon, Interim Chief Administrative Officer
From: Blake Laven, Director of Development Services
Subject: **Shopping cart regulation options**

Staff Recommendation

THAT Council receive into the record, the report dated October 3rd, 2023, titled "Shopping cart regulation options";

AND THAT Council give staff direction to bring back bylaw(s) with the following regulatory framework:

- Businesses must label shopping carts with store information and register contact information with the City
- Businesses must not permit carts to be removed from their premises, by taking 'reasonable measures' to reduce the unauthorized removal of carts, such as utilizing wheel locking technology, GPS chips, hired security or other methods
- Businesses must retrieve carts belonging to the store within a specified time and accept carts belonging to the business
- Appropriate fines to be instituted for violations of the regulations
- Minimal storage fee for cart storage at City Yards

AND THAT Council direct staff to engage organizations that provide service to the unhoused population in options for managing possessions without the use of retail store shopping carts.

Background

Council, at the July 18, 2023 regular meeting requested that staff bring back information on geo-fencing or other options for managing the inappropriate abandonment of shopping carts in the community (276/2023).

276/2023 **It was MOVED and SECONDED**

THAT Council direct staff to look into the viability of geo fencing for shopping carts.

CARRIED UNANIMOUSLY

Current process

Currently, staff receive daily calls about abandoned shopping carts in inappropriate locations - parks, creeks, side of roads, private properties, back lanes or other areas of the community. When calls come in, the Community Safety Officers (CSOs) or other City staff retrieve the shopping carts, empty them (if required), and store them at City Yards. Opportunities are provided for the stores that own the carts to retrieve them, with some stores doing so on a regular basis and others not frequently enough.

At any given time, the City can be storing 100 carts. This is a challenge from a space management perspective as space is limited at City Yards. Also, a significant amount of staff time is spent on the management of this issue, with no method for cost recovery. Periodically, if carts are not claimed or if the carts are damaged beyond repair, they are recycled.

While the current system does effectively manage the carts that are left abandoned in the community, there are no proactive measures to stop removal from commercial properties, other than some stores employing coin deposit technology.

The reality of the situation is that these abandoned carts are used almost exclusively amongst the unhoused population to store belongings as they move from site to site. Restrictions on the use of shopping carts will impact this population's ability to manage their possessions. Regulations though, will reduce the number of carts abandoned in the community and will limit theft of carts from the stores that provide them for customer use. Addressing the needs for the unhoused population to manage their possessions should also be considered in any regulatory changes.

Consultation

Following the direction from Council, staff reached out to Total Cart Management (TCM), a company that supplies several major shopping chains with shopping carts, to learn about approaches to shopping cart management. Staff learned that there are several methods that stores can use to manage their own shopping carts, including geo-fencing, where shopping carts are installed with gatekeeper wheels and when they leave a predetermined geographic area, the wheels lock up. Other approaches include GPS tracking of carts, where carts are affixed with a tracking chip and a notification occurs when the cart leaves the property. Staff also found out that despite many of these technologies, people still find ways to disable the technology and walk away with carts.

Because of this, TCM and other companies also provide retrieval services that stores can sign up for where the company retrieves abandoned carts washes them and otherwise services them and returns them to the store. TCM shared that these services are much more prevalent when a municipal bylaw is in place requiring this to occur. TCM shared their experience working with other municipalities in setting up processes for shopping cart abandonment notification and retrieval means. TCM does have clients in Penticton and these initial discussions sparked additional focus on Penticton.

Carts cost approximately \$150-\$200 for a base cart. Wheel stop or GPS tracking can add an additional \$100-\$200 per cart, but also has significant upfront costs in installing the perimeter fencing. We have heard from stores that with all the decaling and other add-ons, carts can cost upwards of \$1,000 per cart, even without the geo-fencing technology.

Staff also spoke with several store managers to better understand their experiences with cart theft and approaches to the issue. One store manager shared that they were looking into geo-fencing and would not be opposed to the City instituting that type of requirement – it would give a push to the corporate owners to approve the expense. Another store manager had poor experiences with the geo-fencing technology at a store in another community and did not favour that approach. It was shared that the technology doesn't always work and wheels can get stuck – especially in the winter.

Most stores shared that the current system, where stores retrieve carts either from where they are abandoned or from City yards works, works - but that the system could be tightened (with retrieval occurring more often). One store shared that they have a fleet of approximately 150 carts and retrieve on average 5 carts a week from City Yards.

Coin deposit situations, where you need to insert a loonie to get a cart and get a loonie back when you return a cart are also not effective. One store manager said, the coin deposit system is not popular with customers as it isn't convenient and there is the potential to have panhandlers asking for the coins, or otherwise creating an unsafe situation. As seen on the images of carts at the City Yards storage area, many have the coin deposit apparatus – illustrating that the coin deposit system doesn't completely eliminate cart theft (although the fact that some stores do take this approach, means it likely does help).

All store managers spoken to felt it would be unfair to impose any storage fees for carts at City Yards or charge fines or penalties on abandoned carts in the community. Stores consider themselves victims in this situation having their carts stolen on a regular basis and with most stores having retrieval services they have to pay those costs as well.

Options for regulation

In addition to speaking to TCM and store managers, staff researched approaches from several other communities and sought legal advice to assist in creating some options that the City could consider in the regulation and management of shopping carts in Penticton.

Based on that research, staff can confirm that it is well within the City's regulatory authority to regulate shopping cart use within the community, as is done by many communities. There are three main approaches taken by other communities that could be considered:

1. *Regulate businesses to manage and be responsible for their own shopping carts:* Under this approach, the onus is on businesses to label their carts with their store identification and other contact information. Businesses would be responsible for cart retrieval and to take 'reasonable measures' to keep carts on property. This approach would be actioned through an amendment to the Business License Bylaw or could be included in a stand alone 'shopping cart bylaw' (as is done in some communities – Township of Langley for one). In addition to the requirement to label carts and take measures to keep carts on their property, when carts are found to be abandoned in the community, the store would be notified and would then be required to retrieve the cart or risk a fine. Alternatively, City staff will take the cart to City Yards and a retrieval fee would be applied for the storage of the cart. The Bylaw can go as far as requiring businesses that utilize shopping carts to have geo-fencing or other means to keep their carts within their property – beyond the 'reasonable means.' This approach will impose costs and penalties on businesses who are often the victims of the shopping cart thefts and has some administrative challenges (ie notifying the store and ensuring the carts are retrieved).

In speaking with the Township of Langley this approach has been fairly successful in reducing the amount of cart abandonment in the community. Very few fines have been levied since 2016, when the bylaw was implemented. Staff there said they take an educational approach.

This approach also closely mirrors what currently occurs, except solidifies the process through bylaw – giving enforcement more authority and holding the businesses more to account. As stated above though, the stores do not favor any system that levies fines and fees for cart retrieval and storage.

2. *Prohibit the abandonment of shopping carts:* This approach makes the abandonment of shopping carts on City property unlawful and would potentially put fines in place for people allowing carts to be taken off private property (similar to Option 1) and fines for abandoning them. This approach takes a more fine-based approach and creates the ability to penalize both the store and the person abandoning the cart. This approach would see an amendment to the good neighbour bylaw and potentially the parks bylaw making it specifically unlawful to abandon or discard shopping carts in the community or to allow persons to abandon carts. The current good neighbour bylaw has more general language about abandoning ‘chattels’ that Bylaw staff interpret to also mean shopping carts in certain situations, but specific reference to shopping carts would be clearer.

These bylaw changes would also impose requirements for property owners to clean up abandoned carts on private property. With regard to public property, it would give authority for the City to clean up the carts (something that already occurs). This approach would also impose costs for shopping cart retrieval and storage at City Yards and potentially could have fines for allowing shopping carts to be abandoned. The fines could be levied either against the individual doing the abandoning (which would be difficult to determine in many cases and collect from if it is deemed that the individuals who abandoned the carts are unhoused) or from the stores themselves, similar to approach 1. The benefit of this approach is it doesn’t put requirements on the businesses to manage their carts and would only impose costs for cart retrieval and storage. This approach may not be as effective in stopping abandonment, but, like option 1, could provide some cost recovery for cart storage.

3. *Prohibiting the use of shopping carts in public places:* This approach would prohibit the use of shopping carts on City streets, sidewalks and other public places. This would be done through a bylaw amendment to the traffic bylaw and could result in officers fining individuals using carts in public. This approach saves the stores (who are victims of shopping cart theft) from enforcement and fines and then puts the penalties on the individuals removing the carts from store property.

Staff, however, do not recommend this approach. For one, local government authority does not specifically speak to regulating shopping cart use, as it does with other uses. The local government can regulate the abandonment of items in public places, but doesn’t contemplate local government authority over the ‘use’ of a shopping cart, especially if the cart is being used under the care and control of an individual and not impacting pedestrian or traffic safety. Municipalities also have limited seizure powers. According to our legal advice, a bylaw can provide for the seizure of things unlawfully occupying a public space, but there is no authority to seize items being conveyed in a shopping cart. So for example, it would be difficult for a bylaw to allow for a Bylaw Enforcement Officer to stop an individual who has a cart in a public place and then seize the cart from them.

Finally, as pointed out by our legal advisor on this issue, a ban of the use of shopping carts in public areas, would be seen as having a disproportionate impact on unhoused individuals and could be subject to a *Canadian Charter of Rights and Freedoms* legal challenge. It was also noted that proposals to ban shopping cart use in public places has been met with legal challenges in other communities (Vernon and Maple Ridge were both cited as failed attempts to regulate shopping cart 'use').

Ultimately, it is not the City's intent to restrict people from using carts, i but rather to see a reduction in abandonment of the carts in the community. For these reasons, staff do not recommended proceeding with this approach.

Engagement

Limited consultation on this topic has occurred. Staff have reached out to the main stores that utilize shopping carts advising them of the intent of the City to regulate the use of carts in Penticton. Staff provided opportunities for feedback. No wider public consultation has occurred on this topic. Given the limited nature of the scope of these changes, no larger public engagement is recommended. Should Council wish to pursue a new regulatory scheme, staff would continue consultation with impacted parties (stores etc.). Engagement with organizations that provide service to the unhoused, will also be important to ensure the management of their possessions is addresses in any regulatory changes.

Financial implication

The City does not currently have any cost recovery for the management of abandoned shopping carts. If Council wishes to move forward with regulatory changes, staff will determine an appropriate cart storage fee and other applicable fees for service to off-set costs incurred in dealing with this issue. In reality, though, cost recovery will be minimal as the enforcement approach would likely be educative first and foremost as opposed to punitive (levying fines).

Analysis

The abandonment of shopping carts throughout the community is a nuisance issue that takes up staff time and City resources to deal with. Abandoned shopping carts are unsightly and in some cases create environmental hazards and potentially unsafe situations. Despite being a symptom of larger societal issues – namely homelessness – there are proactive measures the City can do to better manage the situation and there are examples that work from other communities.

Based on the research staff have done to date, staff are recommending amendments to the City's business license bylaw (and other applicable bylaws) to institute requirements on stores to take more responsibility over shopping cart management. Staff are recommending the following regulatory framework:

- Businesses must label shopping carts with store information or register contact information with the City
- Businesses must not permit carts to be removed from their premises, by taking 'reasonable measures' to reduce the unauthorized removal of carts, such as utilizing wheel locking technology, GPS chips, hired security or other methods
- Businesses must retrieve carts belonging to the store within a specified time and accept carts belonging to the business
- Appropriate fines to be instituted for violations of the regulations

- Minimal storage fee for cart storage at City Yards

Staff are also recommending that work be done with the service organizations that work with the unhoused in managing personal belongings without the use of retail store carts.

Along with these bylaw/regulatory changes, operational plans and processes will need to be set up to manage the new approach, for example addressing what occurs when a cart is discovered and how the invoicing is managed are considerations that need to be worked out with City Operations staff and Bylaw Services staff.

Staff consider this approach is a reasonable response to the issue.

Alternate recommendations

Regulating shopping carts does present some challenges. While it may result in less shopping cart abandonment, the unhoused population will still have the challenge of transporting their belongings from place to place. And any regulatory scheme may pass on financial costs to businesses who in most cases are victims of the issue (cart theft). Should Council not wish to take any further action at this time, staff recommend the alternative resolution, which maintains the status quo.

Staff however do not recommend maintaining the status quo because of the ongoing challenges with managing the current system. The regulatory approach proposed by staff is reasonable and has been seen to make improvements in other communities that have taken this approach. Staff will need to work with organizations providing service to the unhoused to find alternatives to retail shopping carts to manage their possessions and will need to work with the business community in a cooperative manner, promoting working towards voluntary compliance rather than punitive penalties.

Alternative 1:

THAT Council receive into the record, the report dated September 12th, 2023, titled "Shopping cart regulation options"

AND THAT the City maintain its status quo approach to shopping cart management.

Attachments

Attachment A – Images of abandoned carts and the cart storage facility at City Yards

Respectfully submitted,

Blake Laven,
Director of Development Services

Interim Chief Administrative Officer <i>KD</i>
--

Attachment A – Images of abandoned carts and the cart storage facility at City Yards



Figure 1: Shopping cart compound at Penticton City Yards



Figure 2: Typical abandoned shopping cart on Amherst Avenue



Figure 3: Shopping carts loaded in the back of a Bylaw Enforcement vehicle for transportation to City Yards



Figure 4: typical cart abandonment at Okanagan Lakeshore



Council Report

penticton.ca

Date: October 3, 2023
To: Kristen Dixon, Interim Chief Administrative Officer
From: Jordan Hallam, Planner II
Address: 461 Martin Street

File No: RMS/461 Martin St

Subject: Zoning Amendment Bylaw No. 2023-35

Staff Recommendation

THAT Council give first reading to “Zoning Amendment Bylaw No. 2023-35”, for Lot B District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 574, located at 461 Martin Street, a bylaw to add the site-specific provision, within the C5 (Urban Centre Commercial) zone, as follows:

“Section 11.5.4.11, In the case of Lot B District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 574, located at 461 Martin Street, a maximum of two dwelling units on the first storey shall be permitted.”

AND THAT Council forward “Zoning Amendment Bylaw No. 2023-35” to the October 17, 2023 Public Hearing.

Strategic Priority Objective

Vibrant and Connected: Support vibrant and diverse activities creating opportunities for connection in community.

Proposal

The one-storey building on the subject property was converted from a medical office into dwelling units without the required City of Penticton permitting. The ‘C5 – Urban Centre Commercial’ restricts dwelling units to the second storey or higher. As the dwelling units are on the first storey, the applicant has applied for site-specific zoning to allow the dwelling units as such on the subject property.



Figure 1 – Property Location Map

Background

The subject property is located on the west side of Martin St, in a primarily mixed-use area of Penticton (Figure 1). The property is 1011 m² in size. Surrounding land uses include commercial, residential and public assembly. The property is zoned 'C5 – Urban Centre Commercial' by Zoning Bylaw 2023-08 and is designated 'Downtown Mixed Use' by the Official Community Plan. The building on the subject property was built in 1925. The original building was built as a house until it was converted into a medical office in the 1990's. The medical office business license was closed in 2022.

A complaint was filed with the City of Penticton on December 19, 2022, regarding an illegal suite on the property. As part of the investigation, two dwellings units were discovered within the dwelling. The City of Penticton has no record of permits applied for or obtained converting the medical office into residential units.

Technical Review

The existing dwelling units were reviewed by the Technical Planning Committee, a group of City staff from various departments who review planning applications. Future comments related to the building permit requirements have been forwarded to the applicant in order to help expedite that future approvals process, should this proposed development ultimately be approved by Council.

Development Statistics

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

	C5 Zone Requirement	Provided on Plans
Minimum Lot Width*:	9.0 m	18.2 m
Minimum Lot Area*:	275 m ²	1011.7 m ²
Maximum Lot Coverage:	100%	18.3%
Maximum Density:	6.0 Floor Area Ratio (FAR)	0.18 FAR
Vehicle Parking:	1 per dwelling unit (2 total)	4 parking stalls
Required Setbacks		
Front Yard (Martin St):	0 m	11.5 m
Side Yard (north):	0 m	5 m
Side Yard (south):	0 m	1.57 m
Rear Yard):	0 m	22.8 m
Maximum Building Height	36.6 m	<10.5 m
Other Information:	*Lot width and lot area are only applicable at the time of subdivision.	

Analysis

Zoning Amendment

The Official Community Plan (OCP) designation for the subject property is 'Downtown Mixed Use', which supports downtown developments with active retail, service or civic and cultural uses at ground level and

multi-family residential and/or office uses (Figure 2). Higher-density mixed use buildings are some of the building types envisioned in this designation. The applicant is proposing to have two dwelling units on the first storey in the existing building.

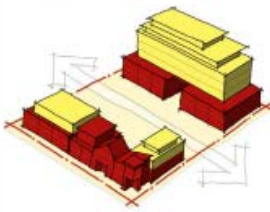
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
 <p>Downtown Mixed Use</p>	<p>Downtown developments with active retail, service or civic and cultural uses at ground level and multi-family residential and/or office uses.</p> <p>Site-Specific Downtown Mixed Use Policy Statement: 603 Main Street: Allow up to a maximum height of 5 storeys. (Bylaw No. 2020-49)</p>	<ul style="list-style-type: none"> Higher-density mixed-use buildings 	<ul style="list-style-type: none"> Commercial (retail, service, office) Residential Civic and cultural 	<ul style="list-style-type: none"> Up to 10 storeys. 3 storey maximum on Main St and Front St (Up to 5 storeys in 100 blk Front St subject to contextual design and adherence to DP guidelines) 	<ul style="list-style-type: none"> C5 C6 C9

Figure 2 – Excerpt from Land Use Designation Table (OCP)

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 Policy 4.1.1.1	Focus new residential development in or adjacent to existing developed areas.
OCP Policy 4.1.3.1	Encourage more intensive “infill” residential development in areas close to the Downtown, to employment, services and shopping, through zoning amendments for housing types compatible with existing neighbourhood character, with form and character guided by Development Permit Area Guidelines.
OCP Policy 4.1.3.5	Ensure through the use of zoning that more-intensive forms of residential development are located close to transit and amenities, such as parks, schools and shopping.
OCP Policy 4.2.5.2	Encourage land use planning that results in neighbourhoods that can be easily serviced by transit.

Staff consider that the application proposes an appropriately scaled development in an area of the City that has been identified for increased residential density by the OCP. There are other dwelling units on this block of Martin St that have been converted to businesses or old stock housing that remains as single detached dwellings. Recognizing that within the downtown core there is a wider range of uses and density. Martin St has its own unique character as a “transitional area” within the downtown, as the outside areas of downtown contain more residential than commercial. In this block of Martin St, there are multiple dwelling units next to, or in close proximity of commercial businesses.

Given that there is adequate policy through the OCP to support the proposed development, staff recommend that Council give first reading to “Zoning Amendment Bylaw No. 2023-35”, and forward the bylaw to the October 17, 2023 Public Hearing to gather comments and feedback from the public.

Alternate Recommendations

Council may consider that the proposed rezoning is not suitable for this site. If this is the case, Council should deny the bylaw amendment. Staff are not recommending this option, as the proposal is well aligned with the OCP policies by gently increasing density in a high-amenity area of the City with a site-specific provision to allow two dwelling units in separate buildings, which is a development form consistent with the Detached Residential OCP designation.

- 1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2023-35".

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Letter of Intent
- Attachment E – Zoning Amendment Bylaw No. 2023-35

Respectfully submitted,

Jordan Hallam
Planner II

Concurrence

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

Attachment A – Zoning Map



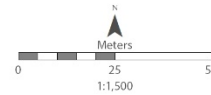
461 Martin St

Zoning Map



Legend

- Subject Parcel
- RD1 - Duplex Housing
- RD2 - Duplex Housing: Lane
- RM2 - Low Density Multiple Housing
- RM3 - Medium Density Multiple Housing
- RM4 - High Density Multiple Housing
- C1 - Commercial Transition
- C3 - Mixed Use Commercial
- C5 - Urban Centre Commercial
- P1 - Public Assembly



Terms of Use: The City of Penticton is a repository of public information in both printed and digital form. This means 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.

Wednesday, July 15, 2023 12:49:19 PM

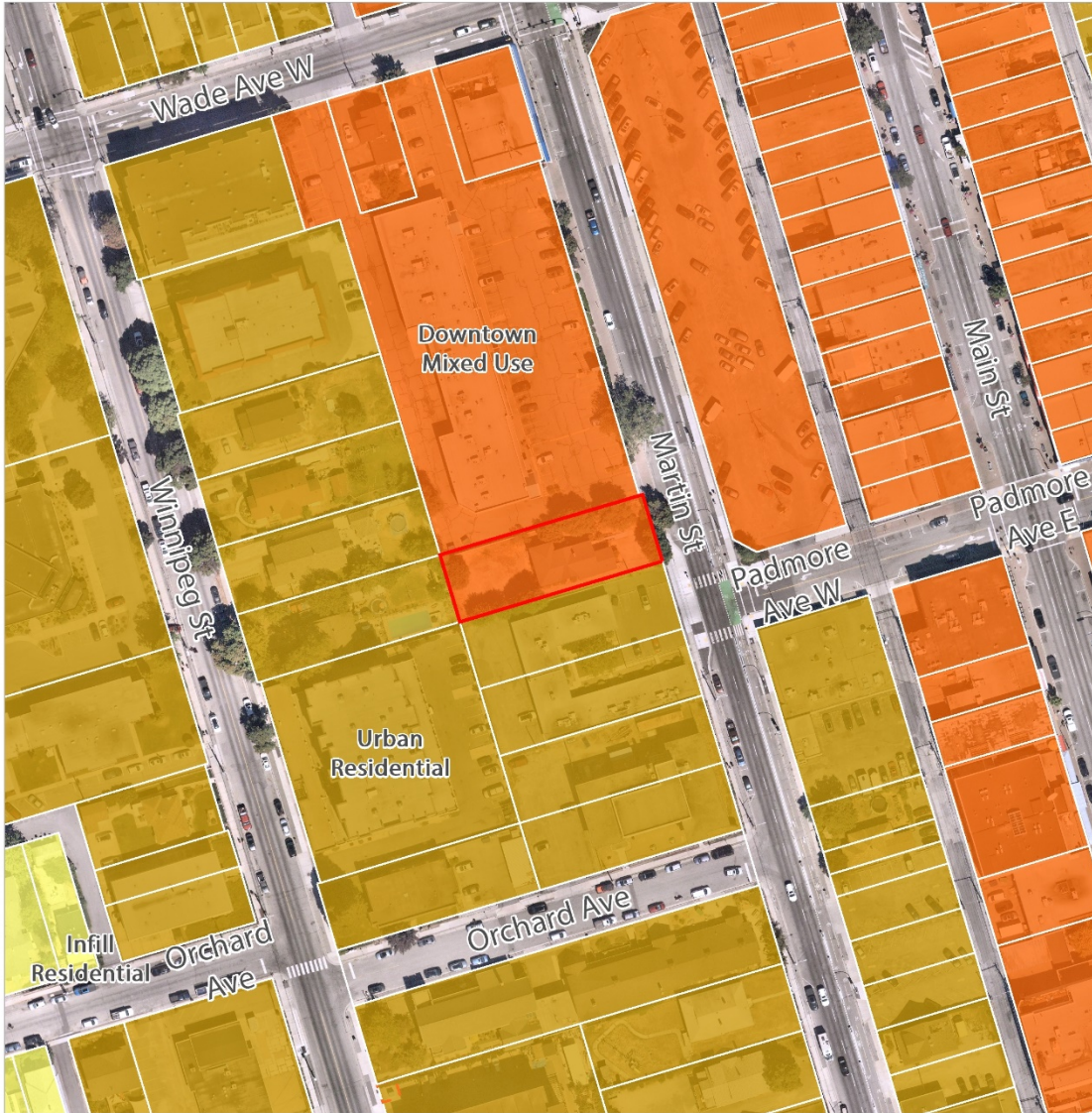
penticton.ca

Attachment B – Official Community Plan Map



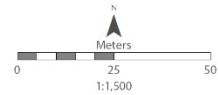
461 Martin St

OCP Map



Legend

- Subject Parcel
- Future Land Use
 - Urban Residential
 - Downtown Mixed Use
 - Infill Residential



Terms of Use: The City of Penticton is a repository of public information in both printed and digital form. This means 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.

Wednesday, July 13, 2023 12:49:46 PM

penticton.ca

Attachment C – Photos of Property



Attachment D – Letter of Intent

Letter of Intent

Date: June 30, 2023

Planning and Licensing Department
City of Penticton.

RE: Proposal for Legal suite at 461 Martin St. Penticton, V2A 5L1

Dear Planning and Licensing Department,

Our Company, Secure Deal Renovation and Construction Ltd. On behalf of the property owner Yadwinder Singh Sohi is proposing a project located at 461 Martin St. Penticton (PID: 003-254-216). This project includes .25 acres and is currently zoned C5 Urban Centre Commercial.

Describe other relevant aspects of project.

This project has .25 acres lot and total built up area is around 1,625 square feet. This property has about four parking lot space at the back with side drive thru entrance. The built up area has five bedroom, 2.5 full bathrooms, two kitchens and two living area and laundry. This house has already two separate entrance so it easy to conversion for legal suite.

There is no need to do any structural changes on this property. There are both side of the property side has commercial buildings so it won't have any bad impact on neighbors because this property already covered with his own fence. There is almost everything done by previous owner so we just need to follow the BC building codes to make legal suite on this property.

There is benefit for our local community because it will generate space for living.

Proposal:

The owner of the property asking permission to make a legal suite (under the BC building code) so he want to add some extra income for future development on this lot.

Kind Regards,
Pardeep Johal

The Corporation of the City of Penticton

Bylaw No. 2023-35

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. 2023-35".

2. Amendment:

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

Add Section 11.5.4.11: "In the case of Lot B District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 574, located at 461 Martin Street, a maximum of two dwelling units on the first storey 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

RECEIVED the approval of the day of , 2023

Ministry of Transportation on the

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.

Approved pursuant to section 52(3)(a) of the Transportation Act this ___ day of ___, 2023
for Minister of Transportation & Infrastructure

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer



Schedule A: Zoning Amendment Bylaw 2023-35

Date:

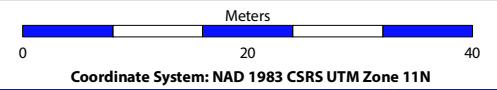
Corporate Officer:



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.



1:672
 September 26, 2023 1:31:39 PM





Council Report

penticton.ca

Date: October 3, 2023
To: Kristen Dixon, Interim Chief Administrative Officer
From: Jordan Hallam, Planner II
Address: 25 Okanagan Avenue West

File No: RMS/25 Okanagan Ave W

**Subject: Zoning Amendment Bylaw No. 2023-36
 Development Permit PL2023-9606**

Staff Recommendation

THAT Council give first reading to “Zoning Amendment Bylaw No. 2023-36”, for Lot 3 District Lot 115 Similkameen Division Yale District Plan 3289, located at 25 Okanagan Avenue W, a bylaw to rezone the subject property from C7 (Service Commercial) to RD4 (Low Density Cluster Housing);

AND THAT Council forward “Zoning Amendment Bylaw No. 2023-36” to the October 17, 2023 Public Hearing;

AND THAT Council, subject to adoption of “Zoning Amendment Bylaw No. 2023-36”, approve “Development Permit PL2023-9606”, for Lot 3 District Lot 115 Similkameen Division Yale District Plan 3289, located at 25 Okanagan Avenue W, a permit to approve the form and character of two side-by-side duplexes (four dwelling units);

AND THAT Council direct staff to issue “Development Permit PL2023-9606”;

AND THAT Council require that a 1.6 m road dedication be completed prior to the issuance of the Occupancy Permit.

Strategic Priority Objective

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



Figure 1 – Property Location Map

Proposal

The applicant is proposing to construct two side-by-side duplexes (four dwelling units) on the subject property (Figure 1). In order to proceed with the proposed development, the applicant has requested to rezone the property from C7 (Service Commercial) to RD4 (Low Density Cluster Housing). Further, the applicant requires Development Permit approval for the form and character of the buildings, which has been included for Council’s consideration.

Background

The subject property is currently zoned C7 (Service Commercial) and is designated as ‘Ground Oriented Residential’ (Figure 2) by the Official Community Plan (OCP). The subject property is currently an empty lot.

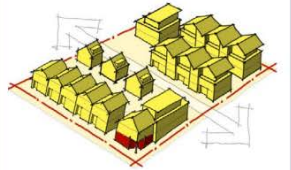
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
	<p>Medium-density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas.</p>	<ul style="list-style-type: none"> • Duplexes with suites • Cluster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

Figure 2 – OCP Land Use Designation

The surrounding area is a mixture of uses, including mostly single family dwellings directly adjacent, infill development, commercial, and the industrial area of Penticton across Main St. The property’s proximity to the variety of uses make it an appropriate location for increased density. The property is within walking distance of Main Street, Cherry Lane Mall, and commercial businesses. This area is also well serviced by transit running north and south along Main St.

Financial Implication

The applicant is responsible for all development costs, including any service upgrades and the payment of Development Cost Charges (DCC’s) to help offset the added demand on City services from the proposed development.

Climate Impact

The development proposes two side-by-side duplexes (four dwelling units) on the property, increasing density in a core area of the City of Penticton well served by transit and in close proximity to services, and employment. Each dwelling unit has a Class 1 bicycle parking space, resulting in 4 Class 1 spaces. Each dwelling unit is required to provide 1 (4 total) Level 2 Electric Vehicle ready spaces.

These buildings will be required to meet Step 3 of the BC Energy Step Code. Step 3 requires new builds to be at minimum 20% more efficient than standard, with a goal of being Net Zero Ready for new construction by 2032.

Technical Review

This application was reviewed by the City’s Technical Planning Committee (TPC). The TPC raised comments regarding landscaping and boulevard trees. The TPC raised comments that a 1.6 m wide road widening is needed in order to accommodate 2 boulevard trees along Okanagan Ave W. Typical servicing requirements have been identified for the Building Permit stage of the project, if the rezoning and development permit applications are supported by Council. These items have been communicated to the applicant.

Development Statistics

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

	RD4 Zone Requirement	Provided on Plans
Minimum Lot Width*:	18 m	16.2 m
Minimum Lot Area*:	540 m ²	592.3 m ²
Maximum Lot Coverage:	40%	39.9%
Maximum Density:	0.8 Floor Area Ratio (FAR)	0.71 Floor Area Ratio (FAR)
Vehicle Parking:	Total Required: 1 per dwelling unit plus 0.25 spaces/unit for visitors Total Required: 5 spaces	Total Per Dwelling: 4 spaces Total Visitor: 1 space Total Provided: 5 spaces
Level 2 Electric Vehicle (EV) Ready Chargers:	Total Required: 1 per dwelling unit Total Required: 4 chargers	Total EV Ready Chargers Provided: 4 chargers
Bicycle Parking:	Total Required: 0.5 per unit Total Class 1 Required: 2 Total Class 2: 0.1 per unit Total Class 2 Required: 0 spaces	Total Class 1 Provided: 4 spaces Total Class 2 Provided: 0 spaces
Landscape Buffer:	Total Required: Minimum 3.0 m wide and one tree for every 10.0 m buffer area. One shrub for every meter of buffer area. Total Required: Minimum 3.0 m wide, 3 trees, and 36 shrubs.	Total Provided: 0.33 m wide (Variance to width through Development Permit), 3 trees, and 47 shrubs.
Required Setbacks		
Front Yard (Okanagan Ave):	4.5 m	4.7 m
Interior Side Yard (east):	1.5 m	1.53 m
Interior Side Yard (west):	1.5 m	1.52 m
Rear Yard (lane):	6.0 m	7.01 m
* Minimum lot areas and lot width are only applicable at the time of subdivision		

Analysis

Zoning Amendment

The Official Community Plan (OCP) designation for the subject property is ‘Ground Oriented Residential’, which supports medium density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas (Figure 2). Duplexes with suites, cluster housing and fourplexes are some of the building types envisioned in this designation. The applicant is proposing to construct two side-by-side duplexes on the subject property. The development and density proposed on the property are aligned with the vision of properties designated within the ‘Ground Oriented Residential’ designation.

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 Policy 4.1.1.1 Focus new residential development in or adjacent to existing developed areas.
- OCP Policy 4.1.3.1 Encourage more intensive “infill” residential development in areas close to the Downtown, to employment, services and shopping, through zoning amendments for housing types compatible with existing neighbourhood character, with form and character guided by Development Permit Area Guidelines.
- OCP Policy 4.1.3.5 Ensure through the use of zoning that more-intensive forms of residential development are located close to transit and amenities, such as parks, schools and shopping.
- OCP Policy 4.1.4.1 Work with the development community – architects, designers and buildings – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.
- OCP Policy 4.1.5.1 Recognize that some traditionally single-family neighbourhoods will see intensification as the city grows, but ensure that new forms of residential development are compatible with the neighbourhood in scale and design, and are appropriately located (e.g., greater density closer to collector roads, services and amenities).
- OCP Policy 4.2.5.2 Encourage land use planning that results in neighbourhoods that can be easily serviced by transit.

A 1.6 m with road dedication is required for boulevard trees. Staff are requesting that the road dedication is taken prior to the issuance of the occupancy permit due to a water agreement on title. This allows the applicant to receive their Zoning Amendment and Development Permit, if approved by Council, while the road dedication is taken and the water agreement is removed from the title.

Staff consider that the application proposes an appropriately scaled development in an area of the city that has been identified for increased residential density by the OCP. The proposed rezoning to RD4 to allow a total of 4 dwelling units on the property is consistent with the increased density and building forms envisioned by the ‘Ground Oriented Residential’ designation.

Given that there is adequate policy through the OCP to support the proposed development, staff recommend that Council give first reading to “Zoning Amendment Bylaw No. 2023-36”, and forward the bylaw to the October 17, 2023 Public Hearing to gather comments and feedback from the public.

Support Development Permit

The proposed development is considered within the Multifamily Residential Development Permit Area of the OCP, which is established to enhance neighbourhoods and create sensitive transitions in scale and density by addressing issues such as privacy, landscape retention and neighbourliness. The proposed development has been designed with the OCP design guidelines in mind.

Staff have completed a development permit analysis (Attachment 'D') that shows how the development conforms to the applicable design guidelines. The applicant has also provided an analysis within their letter of intent (Attachment 'E'), which outlines the project and its conformance to the OCP design guidelines.

As such, staff recommend that Council consider approving the Development Permit after adoption of the Zoning Amendment Bylaw.

OCP Variance

The OCP Section 5.1.4 allows for minor variances through a development permit in certain instances. The applicant is proposing a reduced landscaping buffer along the western property line (Figure 4). Section 5.1.4 of the OCP allows for variances to landscaping buffers in cases where "the proposed building locations make establishment of a buffer difficult or impossible or where trees will not thrive. In cases where the buffer is reduced, compensatory planning elsewhere on the site or in adjacent public realm is required". In this instance, the west landscape buffer is reduced in width from 3.0 m to 0.33 m, as a result of the setbacks and required 1.2 m wide access pathway to the rear units. Staff are supporting this variance, as the landscaping plan still provides more than the required number of shrubs along all property lines. The property to the east of the proposed development is a commercial business. The distance from the proposed development to the east commercial business is greater than 10 m, and creates a buffer between the two properties. As no plantings are reduced, staff are not requiring any compensatory plantings.

Landscaping buffers assist with providing a natural buffer between properties and uses. They also help to increase the urban forest inventory throughout the City. In this instance, the fence, landscape buffer, and required 1.2 m wide pathway between the proposed buildings and the west and east north property line is 1.48 m, which reduces the overlook into the western property. Staff considers that the added distancing between the properties and the proposed buildings, as well as the proposed landscaping plan, which incorporates adequate plantings and species, make this a suitable variance through the Development Permit.

Alternate Recommendations

Council may consider that while the zoning amendment is aligned with the OCP by increasing density in a desirable area of the city, the development as proposed does not fit the character of the neighbourhood. If this is the case, Council may choose the alternate recommendation.

1. THAT Council deny first reading to "Zoning Amendment Bylaw No. 2023-36".

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Development Permit Analysis (staff)
- Attachment E - Letter of Intent and Development Permit Analysis (applicant)
- Attachment F – Draft Development Permit PL2023-9606
- Attachment G – Zoning Amendment Bylaw No. 2023-36

Respectfully submitted,

Jordan Hallam
Planner II

Concurrence

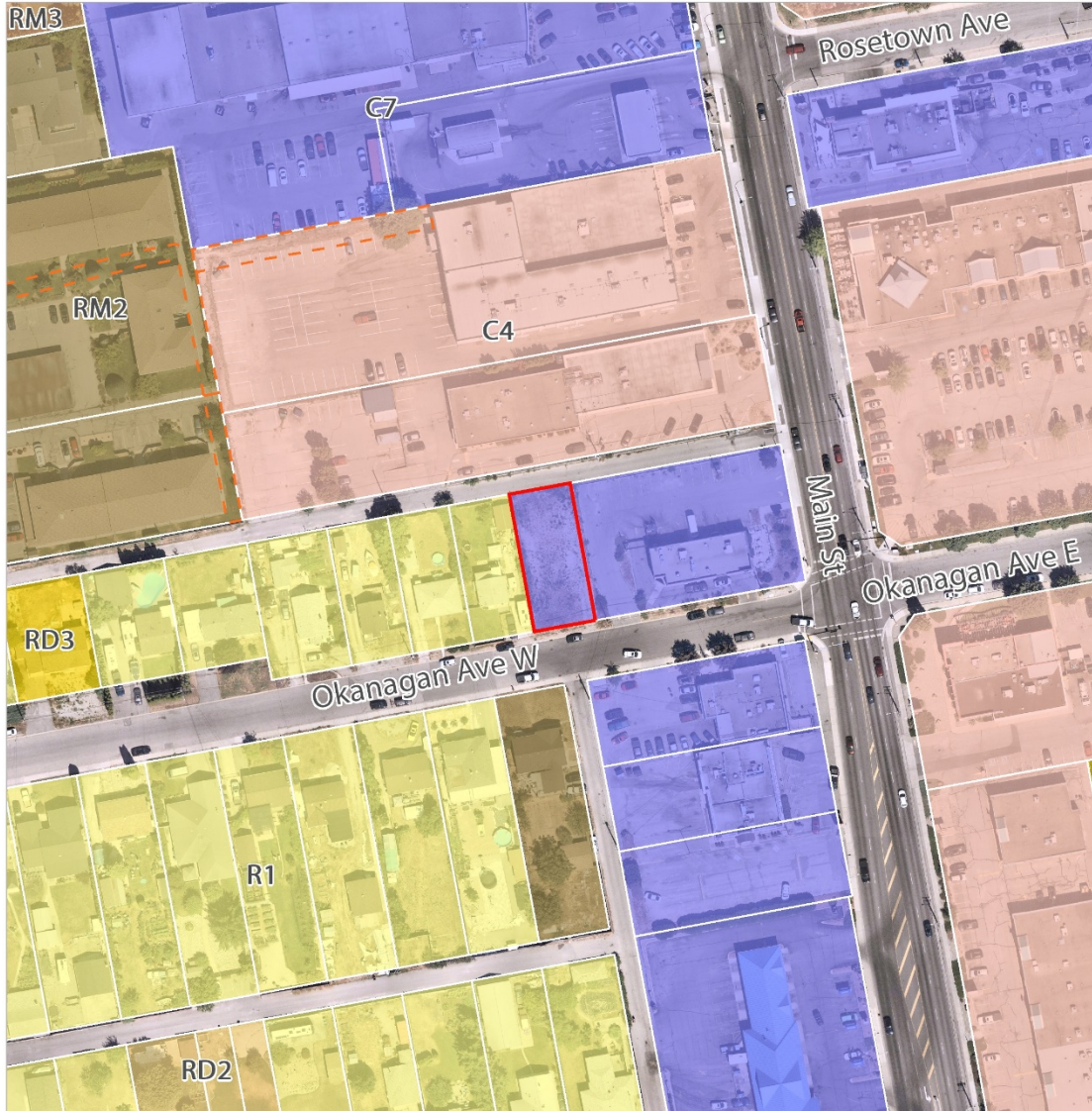
Director of Development Services <i>BL</i>	GM of Infrastructure <i>KD</i>	Interim Chief Administrative Officer <i>KD</i>
--	---------------------------------------	--

Attachment A – Zoning Map



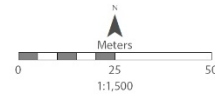
25 Okanagan Ave W

Zoning Map



Legend

- Subject Parcel
- R1 - Large Lot Residential
- R2 - Low Density Multiple Housing
- RSM - Mobile Home Park Housing
- R3 - Medium Density Multiple Housing
- RD2 - Duplex Housing; Lane
- C4 - General Commercial
- RD3 - Residential Infill
- C7 - Service Commercial



Terms of Use: The City of Penticton is a repository of public information in both printed and digital form. This means 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.

Thursday, June 22, 2023 9:03:38 AM

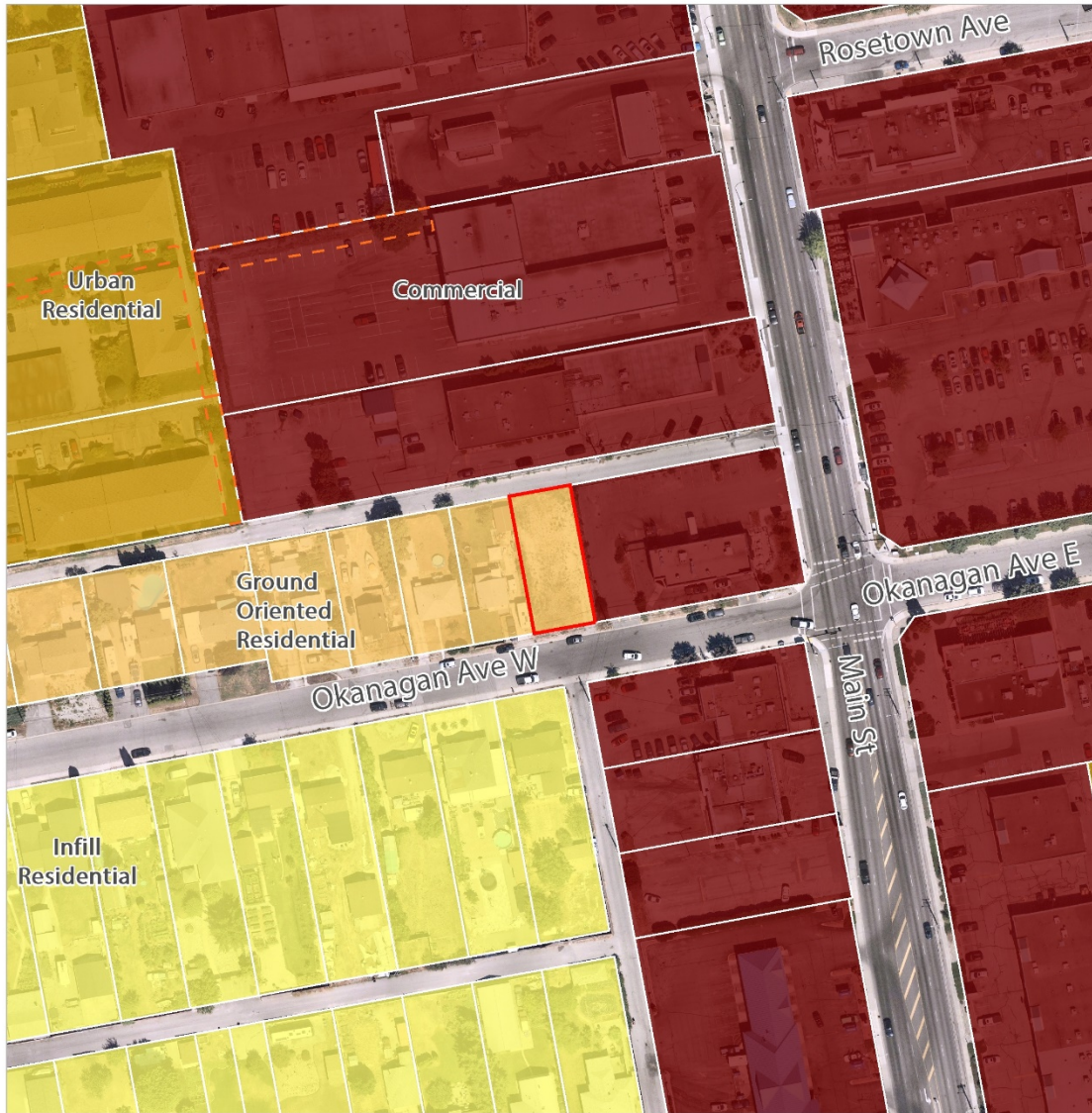
penticton.ca

Attachment B – Official Community Plan Map



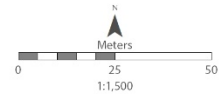
25 Okanagan Ave W

OCP Map



Legend

- Subject Parcel
- Future Land Use
- Ground Oriented Residential
- Commercial
- Urban Residential
- Infill Residential



Terms of Use: The City of Penticton is a repository of public information, in both printed and digital form. This means 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.

Thursday, June 22, 2023 9:10:06 AM

penticton.ca

Attachment C – Photos of Property



Attachment D – Development Permit Analysis (staff)

Development Permit Analysis

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

- Guideline G1 Applications shall include a comprehensive site plan – considering adjacent context for building and landscape architectural design and neighbourhood character analysis - to demonstrate that the development is sensitive to and integrated within its context and surrounding uses and neighbours.*
- The applicant has labelled geodetic elevations on the site plan, to show they have reviewed the topography of the property, which is relatively flat.
- Guideline G5 Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighbouring building setbacks.*
- The applicant has located the proposed front duplex building at 4.7 m from property line, the minimum is 4.5 m front yard setback, which helps to maintain a connection with the street. They have proposed a front door on the units closest to Penticton Avenue that faces the street to add a pedestrian scale to the development.
- Guideline G7 All designs shall consider Crime Prevention Through Environmental Design (CPTED) principles and balance the reduction of crime and nuisance opportunities with other objectives to maximize the enjoyment of the built environment.*
- The proposed front yard fencing is limited to 1.2m (4ft.) in height, which is aligned with the Zoning Bylaw requirements and also helps to retain ‘eyes on the street’ by keeping sightlines open from private property to the public streetscape.
- Guideline G11 Barrier-free pedestrian walkways to primary building entrances must be provided from municipal sidewalks, parking areas, storage, garbage and amenity areas.*
- Okanagan Ave W to the south side of the development provides pedestrian access to the development. The rear lane to the north side of the development also provides pedestrian access to the development.
 - The proposed development has a sidewalk access from Okanagan Ave W to allow barrier-free pedestrian access to all building unit entrances.
- Guideline G21 Orientation of buildings should face public spaces (e.g., street and lane) with a preference for ground-oriented types (e.g., a front door for everyone or every business).*
- The proposed development provides private outdoor amenity behind each dwelling unit.
 - Each dwelling unit has a front door for access from both Penticton Ave, and the rear laneway.
- Guideline G33 Water Conservation and Plant Maintenance: Xeriscaping, Irrigation & Mulching*
- The proposed development includes a landscaping plan that provides adequate and appropriate designs.
 - The plans indicate a fully automatic underground irrigation system, which helps to reduce overwatering and utilizes a drip system.
- Guideline G35 Tree planting...*

- Trees and shrubs have been provided at the front and rear of the property as well along the east and west property line with the landscape buffer.

Guideline MF1 All multifamily developments should incorporate community amenity spaces that provide opportunity for recreation and play and address the needs of all age groups likely to reside within the development.

- The proposed development includes approximately 20.0 m² of outdoor grass amenity space for each unit. Each amenity space is separated by a fence to allow privacy for every unit.

Guideline MF3 Amenity spaces should incorporate vegetation for the purposes of active and passive recreation and/or visual interest, and incorporate safe play areas in interior court yards.

- The proposed development has two private trees and two boulevard trees proposed for each unit and multiple shrubs. This creates visual interest for the residents or tenants living in the units, and provides area of shade during the summer months.

Guideline MF4 Visitor parking should be:

- *In public view,*
- *Easily accessible near the main entry to the site, and*
- *Clearly indicated by pavements markings and/or signs*
- The proposed development has one visitor parking space off of the lane.
- The visitor parking space are in good public view from the rear lane for drivers who come to visit residents or tenants of the proposed development.

Attachment E - Letter of Intent and Development Permit Analysis (applicant)



June 5, 2023

Giroux Design Group Inc.

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

Re: 25 Okanagan Ave W Development Permit Application

To City of Penticton Planning Department,

This letter is regarding the proposed rezoning and development of the property located at 25 Okanagan Avenue West.

The proposal is to rezone the property from C7 to RD4 (Ground Oriented Residential) and construct two 2 duplexes for a total of four units on the property.

We believe the project meets the intent of providing modest densification to an area of town that has a mix of houses, duplexes, townhouses, and high-density apartment buildings. The development is centrally located and is close to Lyon's Community Park and Parkway Elementary School as well as major shopping centers making it an ideal location for families with children.

Thank you for considering our proposal.

Best regards,

Tony Giroux ASTTBC, CTech, RBD, BCABD
Owner/Registered Building Designer
Giroux Design Group Inc.

25 OKANAGAN AVENUE W: DEVELOPMENT PERMIT ANALYSIS

Site Planning

Designing in Context

Contextual designs feel better because they 'fit.' In light of Penticton's complex and unique landscape, views and urban patterns, it is important that designs reflect this character. Guidelines address site conditions and context, including: sensitivity to on-site features (e.g., terrain and sun angle), adjacencies (e.g., street interface and existing uses), potential impacts (e.g., overlook and shading) and other related opportunities (e.g., energy conservation).

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.)

1.6 m setback has been allocated by the city as a prerequisite for future road widening. The city requires driveway access from the rear lane. A 0.6 m high retaining wall runs the length of the west property line to allow for drainage to be maintained on site. There are no other significant restraints that will influence site design.

G3. Private and semi-private open spaces should be designed to optimize solar access (see Figure G3).

Each unit has a private yard with either morning or afternoon sun allowing all residents to enjoy a period of sun and shade each day in an outside environment.

G4. Views through to the mountains and the lakes should be carefully considered and incorporated into the design of new development.

Each unit will have a view of the valley from north and south windows that can be enjoyed either from the private yards or via window view.

Framing Space

In consideration of Penticton's relatively low-scale urban form, future intensification and development should explore how buildings actively frame space(s) as a means to expand and enhance the public realm. The following guidelines aim to promote positive interactions with particular care and attention to transitions between private and public spaces.

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

The existing buildings on the street are varied in the setbacks from Okanagan Ave. The setback of the commercial building to the east is consistent with the development. The proposed 3.0 m setback allows for easy pedestrian access to the building. Landscaping in the front yard provides a variety of trees, shrubs and a lawn creating interest to the public realm.

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

The private backyards provided for each unit will allow residents to enjoy secured outdoor space.

Prioritizing Pedestrians

A high-quality pedestrian environment is a central quality of any welcoming neighbourhood. Penticton is fortunate to have an extensive neighbourhood street network that links distinct areas in a reasonable walking distance. The following guidelines aim to optimize the quality and connectivity of pedestrian infrastructure and reduce conflict between pedestrians and vehicles.

G9. Pedestrian connectivity to adjacent properties is encouraged. With the exception of private yards, open spaces shall be designed for public access and connectivity to adjacent public areas (and publicly accessible private spaces).

The development is within easy walking distance from Cherry Lane mall and other shopping centres. All units have easy access from their front doors to the street.

G12. Where feasible, indicate pedestrian ways with continuity of paving treatments/paving materials.

A 1.2 m wide sidewalk provides access to the units facing south, while the other units can be accessed from the walkway adjoining the paved parking.

G13. Entry to ground-level residential units should be no more than 1.8m (6.0 ft.) above the grade of adjacent public sidewalks and walkways (see Figure G14).

Entrance to the buildings are at the same level as the City street.

Cars and Parking

The following guidelines are intended to reduce the impacts of automobile infrastructure – including access and parking – and to further support a high-quality pedestrian realm. (see Figure 5-3 and Figure 5.4)

G16. Site and building access must prioritize pedestrian movement, minimize conflict between various modes of transportation and optimize use of space:

- Off-street parking and servicing access should be provided from the rear lane (where one exists) to free the street for uninterrupted pedestrian circulation and boulevard landscaping (see Figure 5-4).
- Where possible, shared automobile accesses should be considered to optimize land use, and to reduce impermeable surface coverage and sidewalk crossings.

Located at the rear lane, adequate off-street parking is provided for the development. Each unit has a dedicated parking stall with an additional stall available for visitor parking. There are a total of 5 parking stalls accessed directly from the rear lane with no need for drive aisles.

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

- Parking between the front of buildings and the street is not permitted.
- Parking should be located at the rear of buildings/sites.
- Shared parking (where varying uses have parking demands that peak at different times of the day) is encouraged to reduce parking requirements.
- Outdoor surface parking areas should incorporate pathways that provide safe, accessible, and comfortable pedestrian connections to entries/destinations.

Sidewalks down each of the building provide easy access for all units to access parking at the rear.

Architecture

Design for Our Climate

In response to Penticton's semi-arid climate, design buildings and landscape architecture that reflect a love for indoor/outdoor living resulting from low annual rainfall and hot summer temperatures.

G20. Designs should respond to Penticton's setting and climate through use of:

- passive solar strategies;
- optimized placement of windows to maximize natural light;
- energy-efficient building design;
- passive solar principles;
- landscape design and plantings that provide cooling through shade in summer months;
- selecting roof materials to minimize heat loading and increase reflectivity.; and
- strategies for cross-ventilation.

Each unit has its own private yard giving the option for indoor/outdoor living. A tree will be planted in one of the larger private yards and will provide a shady pleasing environment for all units. All new trees are deciduous providing shade in the summer and sun in the winter. Windows are openable on the east and west facades of the building allowing for cross ventilation. Buildings are designed to Step 3 of the Energy Code.

Friendly Faces, Friendly Neighbours (Orientation & Massing)

Massing (the three-dimensional form) and articulation (how the parts fit together) of architecture are tools that can reduce the apparent size of large buildings and help ensure the sensitive transition to adjacent buildings and open spaces. It can also provide visual interest for pedestrians. New development should consider the scale of its neighbours and avoid abrupt transitions in height and massing between adjacent buildings.

G21. Orientation of buildings should face public spaces (e.g., street and lane) with a preference for ground-oriented types (e.g., a front door for everyone or every business).

The front doors of the building facing the Okanagan Avenue on the South side and the lane on the North side with attractive covered porch entries. The rear units to the north of the development are oriented with the front doors and additional windows facing the rear lane with landscaping in the rear and front yards and City boulevard.

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

On the front and rear of each unit cantilevered projections, porches, setback entries, and varied cladding materials breakup the mass of the building giving the buildings visual interest on all sides.

Eyes on the Street

Create active and safe shared spaces through orientation of primary building entrances, windows, porches/ balconies to the public realm, sidewalks and other shared open spaces.

G28. Entries should be visible and clearly identifiable from the fronting public street.

Entrances to each townhouse unit are at ground level, with two sidewalks provided between the street and the two front facing building entrances. While there is no public sidewalk on the north side of Okanagan Ave there is a cross walk directly to the east of the property giving access to the City sidewalk to the south.

G29. Development should orient windows, porches, balconies and patios toward the public realm, allowing for casual overlook of parks, open spaces, and parking areas (see Figure 5-7).

Windows on all levels of the street facing units provide for visual overlook onto Okanagan Avenue and the public realm. All units have windows looking over the amenity yard areas on all sides of the buildings.

Landscape Architecture

Enhance the Urban Forest

Urban forests are recognized for the economic, social, and environmental benefits they provide. In addition to considerations for form & character, enhancement of Penticton's urban forest will support health and well-being for all.

G35. Tree planting

- Where space permits, landscaped areas, boulevards and setback areas adjacent to streets should be planted with trees with appropriate soil volumes to ensure longevity.
- All areas with planted trees must be irrigated
- All development fronting a public street shall plant a landscaped area fronting the public road with regularly spaced street trees no further than 10 metres apart, and at least 2.5 meters tall at the time of planting.
- The planting of additional trees is strongly encouraged, particularly if existing trees cannot be preserved, in order to maintain and expand the urban forest canopy.

Five new trees will be planted on the property creating. These trees and other proposed landscaping provide buffering between the public realm and adjacent properties.

Utilities, Mechanical Services and Servicing

As essential components of the city's built infrastructure, these elements must be intentionally integrated in the overall design to mitigate impacts on form and character.

G54/55. 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.

Electrical transformer is placed in the front yard and wrapped with vinyl decorative wrap with a 1.2 m fence screen to the east. The water meters are placed in the side yard in the front northwest corner of the property behind a 1.8 m high privacy fence, also wrapped in decorative vinyl wrap.

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.

Garbage and recycling containers are stored on concrete pads in the rear yards within 42" screened enclosures during non-collection days and will be placed at the rear lane curb for pickup on collection days. Access is by the gates from the rear yards.

G59. Garbage and recycling bins should be contained within screened enclosures that are coordinated with the overall design.

The screened enclosure will be of the same material as the privacy fencing to fit into the landscape theme.

G60. Clear access to refuse/recycling areas must be provided.

Each unit will have its own garbage and recycling containers.

Fences

Notwithstanding the fencing regulations in the Zoning Bylaw, fencing design should provide a level of privacy to the development but not present an unfriendly solid wall to the public street.

G63. All plans should show intended fencing.

Fencing is shown on landscape plans. Fencing along the east, west and south property lines is 6' tall wood privacy fence with the exception that the fence is 4' high in the front yard. There is no fence on the front (north) property line. There are 6' fences between each private yard in the side setbacks.

MF1. All multifamily developments should incorporate community amenity spaces that provide opportunity for recreation and play and address the needs of all age groups likely to reside within the development.

Amenity space is provided with each unit having its own private fenced yard. In addition to the private amenity space there is a community amenity area at the north of the property with landscaping and a lawn suitable for play or relaxation.

MF3. Amenity spaces should incorporate vegetation for the purposes of active and passive recreation and/or visual interest and incorporate safe play areas in interior courtyards.

The fenced private yards each have a landscaped section placed to maximize the usefulness of the yard as a play area for children or pets, or for outdoor enjoyment for all age groups. The lawn area at the north end of the yard can be used without vehicles driving past the area, allowing for another safe place for recreation. The landscaping is a mixture of ornamental grasses that are variant in shape, size, and colour. Deciduous trees create a pleasing environment year-round.

MF4. Visitor parking should be:

- in public view,

- easily accessible near the main entry to the site, and
- clearly indicated by pavement markings and/or signs

Visitor parking is located at the rear of the property and easily accessible to all units. This space will be clearly marked for visitors.

Development Permit

Permit Number: DP PL2023-9606

Owner Name
Owner Address

Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.
2. This permit applies to:
 - Legal: Lot 3 District Lot 115 Similkameen Division Yale District Plan 3289
 - Civic: 25 Okanagan Avenue West
 - PID: 010-861-033
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of two side-by-side duplexes as shown in the plans attached in Schedule 'A'.
4. In accordance with Section 502 of the *Local Government Act* a deposit or irrevocable letter of credit, in the amount of \$20,000.00 must be deposited prior to, or in conjunction with, an application for a building permit for the development authorized by this permit. The City may apply all or part of the above-noted security in accordance with Section 502 of the *Local Government Act*, to undertake works or other activities required to:
 - a. correct an unsafe condition that has resulted from a contravention of this permit,
 - b. satisfy the landscaping requirements of this permit as shown in Schedule 'A' or otherwise required by this permit, or
 - c. repair damage to the natural environment that has resulted from a contravention of this permit.
5. The holder of this permit shall be eligible for a refund of the security described under Condition 4 only if:
 - a. The permit has lapsed as described under Condition 8, or
 - b. A completion certificate has been issued by the Building Inspection Department and the Director of Development Services is satisfied that the conditions of this permit have been met.
6. Upon completion of the development authorized by this permit, an application for release of securities (Landscape Inspection & Refund Request) must be submitted to the Planning Department. Staff may carry out inspections of the development to ensure the conditions of this permit have been met. Inspection fees may be withheld from the security in accordance with the City of Penticton Fees and Charges Bylaw (as amended from time to time).

General Conditions

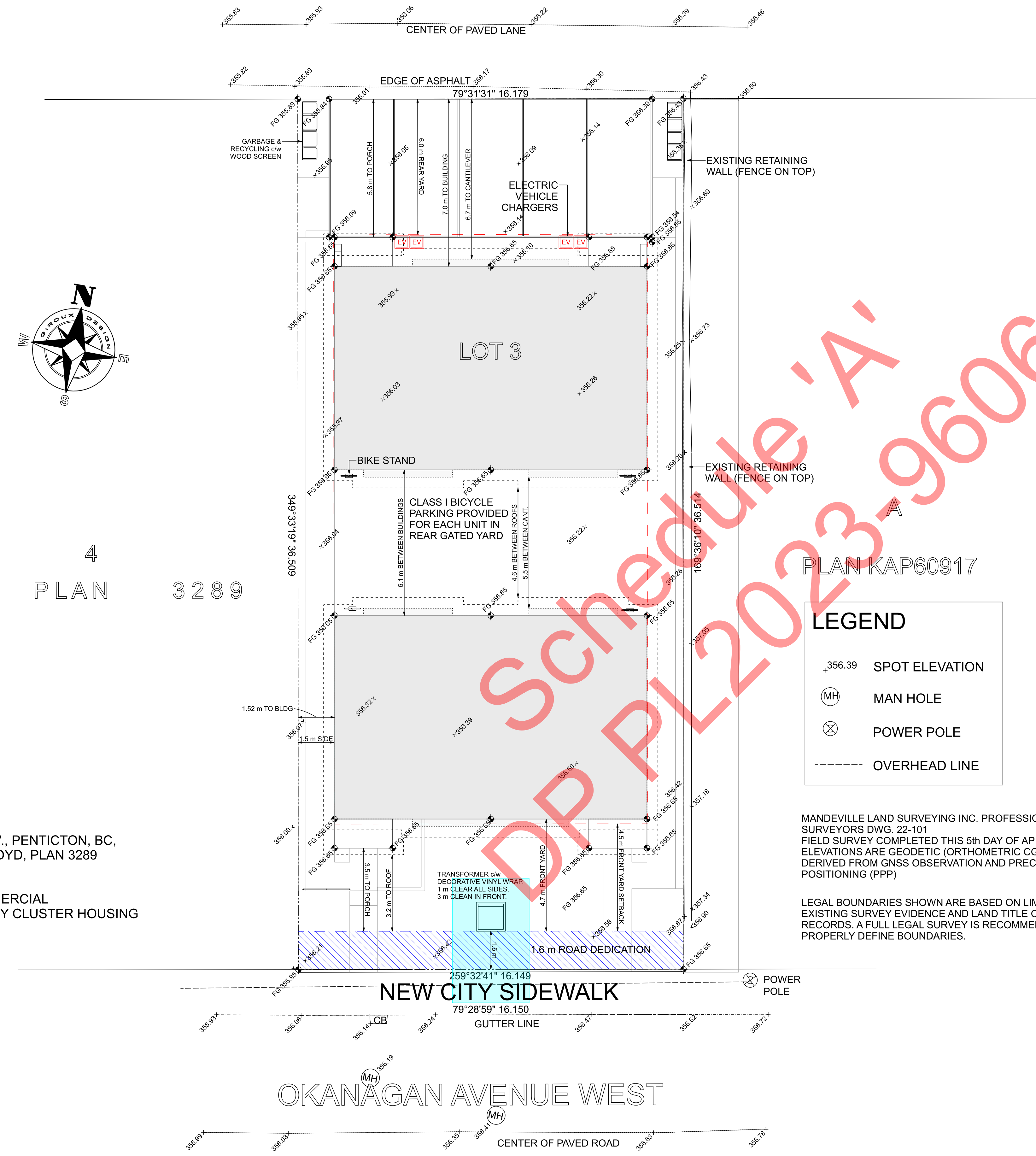
7. In accordance with Section 501(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
8. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
9. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
10. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
11. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the 17th day of October, 2023.

Issued this ____ day of October, 2023.

Angela Collison
Corporate Officer

PARCEL A
PLAN B507



SITE PLAN
 SCALE: 1:100
 CIVIC ADDRESS: 25 OKANAGAN AVE. W., PENTICTON, BC,
 LEGAL DESCRIPTION: LOT 3, DL 115, SDYD, PLAN 3289
 PID: 010-861-033

CURRENT ZONING: C7 SERVICE COMMERCIAL
 PROPOSED ZONING: RD4 LOW DENSITY CLUSTER HOUSING
 SITE AREA: 590.16 m²

LEGEND

- 356.39 SPOT ELEVATION
- (MH) MAN HOLE
- (⊗) POWER POLE
- OVERHEAD LINE

MANDEVILLE LAND SURVEYING INC. PROFESSIONAL LAND SURVEYORS DWG. 22-101
 FIELD SURVEY COMPLETED THIS 5th DAY OF APRIL, 2022.
 ELEVATIONS ARE GEODETIC (ORTHOMETRIC CGVD28 HTV2.0)
 DERIVED FROM GNSS OBSERVATION AND PRECISE POINT POSITIONING (PPP)

LEGAL BOUNDARIES SHOWN ARE BASED ON LIMITED EXISTING SURVEY EVIDENCE AND LAND TITLE OFFICE RECORDS. A FULL LEGAL SURVEY IS RECOMMENDED TO PROPERLY DEFINE BOUNDARIES.

ZONING COMPLIANCE TABLE (PROPOSED ZONING RD4)			
REGULATION	REQUIRED/CURRENT	PROPOSED/PROVIDED	VARIANCE REQUIRED
OCP DESIGNATION	GROUND ORIENTED RESIDENTIAL	GROUND ORIENTED RESIDENTIAL	NO
ZONING	C7	RD4	YES
MINIMUM LOT WIDTH (SUBDIVISION ONLY)	18.0	16.15 m	N/A
LOT AREA (SUBDIVISION ONLY)	540 m ²	590.16 m ²	N/A
MAXIMUM LOT COVERAGE	40% (236 m ²)	39% (230 m ²)	NO
MAXIMUM DENSITY	0.8 FAR	0.71 FAR (418 m ²)	NO
MAXIMUM HEIGHT	8.0 m TWO STOREY	7.5 m	NO
MINIMUM FRONT YARD (SOUTH)	4.5 m	4.5 m	NO
MINIMUM INTERIOR SIDE YARD (OVER TWO STOREYS/8.0 m)	3.0 m	3.0 m	NO
MINIMUM INTERIOR SIDE YARD (UP TO TWO STOREYS/8.0 m)	1.5 m	1.5 m	N/A
MINIMUM EXTERIOR SIDE YARD	3.0 m	N/A	N/A
MINIMUM REAR YARD (NORTH)	6.0 m	6.0 m	NO
AMENITY SPACE (20 m ² PER UNIT)	80 m ²	96 m ²	NO
PARKING SPACES (1 PER UNIT + GUEST)	5	5	NO

WHERE A REAR LANE IS PROVIDED, VEHICULAR ACCESS MUST BE FROM THE REAR LANE.
 AMENITY SPACE SHALL BE PROVIDED AT THE RATE OF 20 M² FOR EACH 25% OF THE REQUIRED DWELLING UNIT.
 AMENITY SPACE MUST BE PROVIDED AT THE GROUND FLOOR LEVEL.
 A MAXIMUM OF 20% OF THE REQUIRED INDOOR.

**ELECTRIC VEHICLE READY REQUIREMENTS
 IN ACCORDANCE WITH ZONING BYLAW NO. 2023-08**

TO ENSURE NEW HOMES ARE BUILT WITH READY ACCESS TO A POWER SUPPLY CAPABLE OF PROVIDING LEVEL 2 EV CHARGING, THE FOLLOWING REQUIREMENTS MUST BE MET:

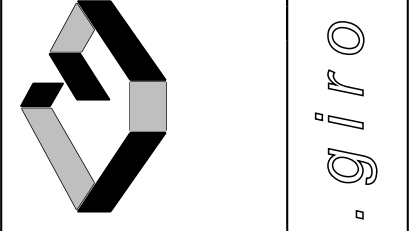
- MINIMUM NUMBER OF ENERGIZED OUTLETS FOR LEVEL 2 CHARGING: 1 PER DWELLING UNIT.
- CONSTRUCTION REQUIREMENTS THAT INCLUDE: ELECTRICAL PANEL CAPACITY, WIRING, AND CONTINUOUS CONDUIT OR RACEWAY (AS APPLICABLE) FROM THE PANEL, TERMINATING AT AN ENERGIZED OUTLET NEAR THE DESIGNATED EV PARKING SPACE(S). ADDITIONAL ELECTRICAL AND EV CHARGING INFRASTRUCTURE IS REQUIRED TO ENERGIZE THE CIRCUIT AND TO SUPPLY POWER TO FUTURE LEVEL 2 EVSE AND EVEMS (IF APPLICABLE).
- A POINT CONNECTED TO A SOURCE OF VOLTAGE IN AN ELECTRICAL WIRING INSTALLATION AT WHICH CURRENT IS TAKEN AND CAN BE CONNECTED TO SUPPLY UTILIZATION EQUIPMENT. AN OUTLET INCLUDES A COVERED TERMINATION BOX, NEMA 14-50R RECEPTACLE, OR NEMA 6-50R RECEPTACLE. ADDITIONAL TERMINATION MEANS MAY BE APPROVED BY THE CITY OF PENTICTON ELECTRIC UTILITY MANAGER.
- ELECTRIC VEHICLE CHARGING AT 208 V OR 240 V THROUGH SUPPLY UTILIZATION EQUIPMENT THAT MEETS THE DEFINITION OF LEVEL 2 BY THE STANDARD "SAE ELECTRIC VEHICLE AND PLUG IN HYBRID ELECTRIC VEHICLE CONDUCTIVE CHARGE COUPLER", J1772.

RAJ DHILLON
 25 OKANAGAN AVE. W.
 PENTICTON, BC.
 DESIGN BY: AJG
 DRAWN BY: AJG
 DATE: 2023-09-08
 REVISED:

© Girox 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 for the use of the buyer except for a limited license to use the drawings for the construction of the site and only one from the drawings. The purchaser of the drawings shall be responsible for obtaining all necessary permits and licenses from the appropriate authorities. 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 construction in any other jurisdiction without the express written consent of the designer. The drawings have been brought into conformity with all local requirements. Additionally, Girox Design Group is unable to accept any liability for the accuracy of the drawings. The purchaser of the drawings shall be responsible for obtaining all necessary permits and licenses from the appropriate authorities. The drawings do not entitle the buyer with license to construct more than one dwelling unit.

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

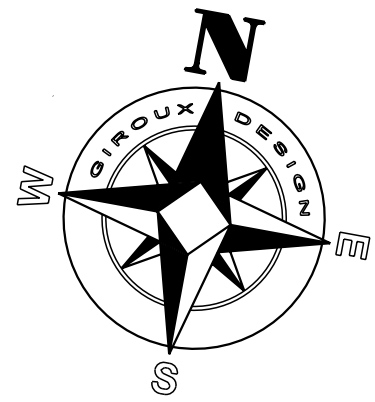
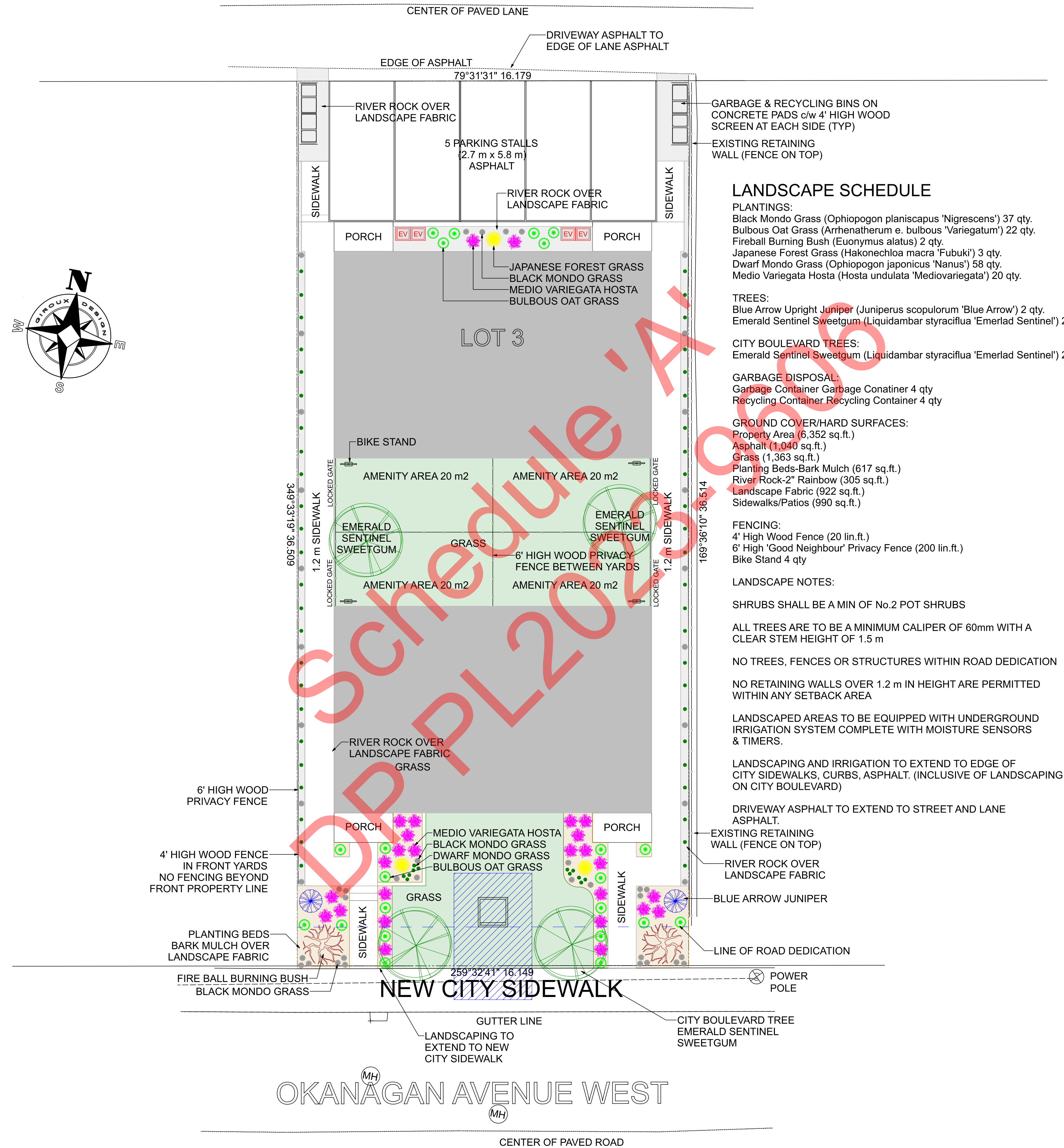


PLAN NO.
WP-5782
 SLAB
 SHEET NO.
A1

www.giroxdesigngroup.com - www.westhomeplanners.com - www.houseplanners.com

COPYRIGHTED DOCUMENTS
 ILLEGAL TO REPRODUCE

Site Plan & Zoning Compliance Table



RAJ DHILLON
25 OKANAGAN AVE. W.
PENTICTON, BC.
DESIGN BY: AJG
DRAWN BY: AJG
DATE: 2023-09-08
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 copyright owner is prohibited. The copyright owner shall not be
responsible for any damages or losses, including reasonable attorneys' fees, incurred by
the buyer except for a limited license to use the drawings for the construction of
the project only. The drawings are the property of the copyright owner and shall remain
the property of the copyright owner. The drawings are not to be used for any other
purpose without the prior written consent of the copyright owner. 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 other locality without the
written consent of the copyright owner. The drawings have been prepared in
accordance with the requirements of the local authorities and shall conform to all
requirements. Additionally, Giroux Design Group Inc. is not liable for any liability for the accuracy
of the drawings. The drawings are the property of the copyright owner and shall remain
the property of the copyright owner. Therefore, the buyer must carefully inspect all drawings and details in these
drawings and assume responsibility for the same.

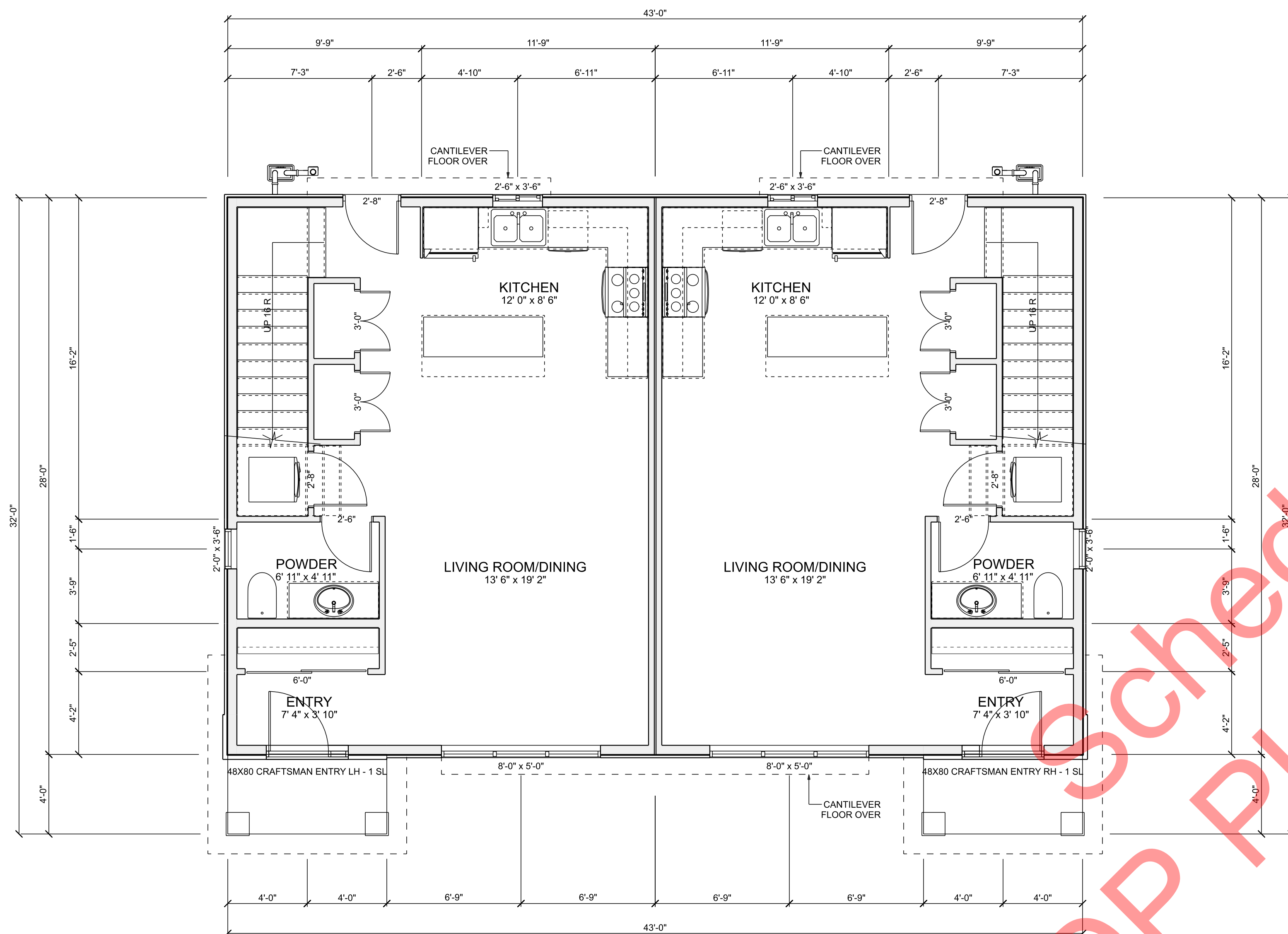
GIROUX DESIGN GROUP
Custom Home and Building Design Since 1950.
Giroux Design Group Inc.
phone: 250.276.4373 e-mail: contact@grouxdesigngroup.com
web: www.grouxdesigngroup.com

PLAN NO.
WP-5782
SLAB
SHEET NO.
A2

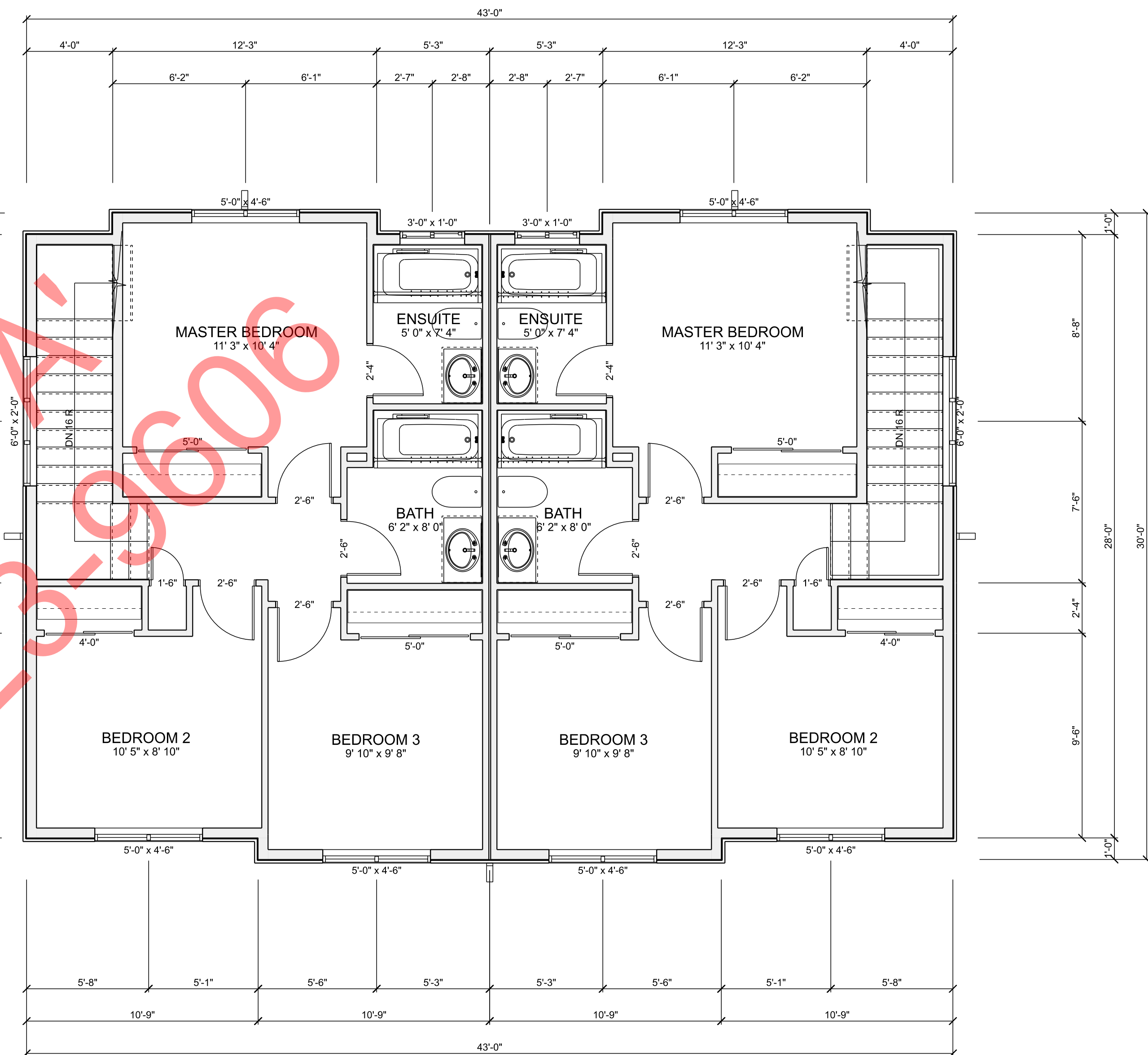
www.grouxdesigngroup.com - www.westhomeplanners.com - www.houseplanners.com

COPYRIGHTED DOCUMENTS
ILLEGAL TO REPRODUCE

Landscape Plan



MAIN FLOOR PLAN (TYPICAL BUILDINGS A & B)
 SCALE: 1/4" = 1'-0"
 MAIN FLOOR LIVING AREA: 1204 sq ft.
 (LIVING AREAS EXCLUDE STAIRS)



SECOND FLOOR PLAN (TYPICAL BUILDINGS A & B)
 SCALE: 1/4" = 1'-0"
 SECOND FLOOR LIVING AREA: 1250 sq ft.
 (LIVING AREAS EXCLUDE STAIRS)

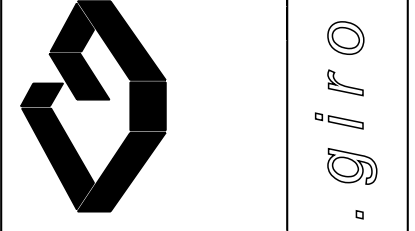
DP PL 2023-9606
 Schedule 'A'

RAJ DHILLON
 25 OKANAGAN AVE. W.
 PENTICTON, BC.
 DESIGN BY: AJG DATE: 2023-09-08
 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 the designer is prohibited. The drawings are the property of the designer
 and shall remain confidential. The drawings are to be used for the construction of the
 project only and are not to be used for any other purpose. The purchaser of these drawings
 shall be responsible for obtaining all necessary permits and licenses. 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 written
 consent of the designer. 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 of these drawings shall be responsible for obtaining all
 necessary permits and licenses. Therefore, the buyer must carefully inspect all drawings 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-5782
 SLAB
 SHEET NO.
A3

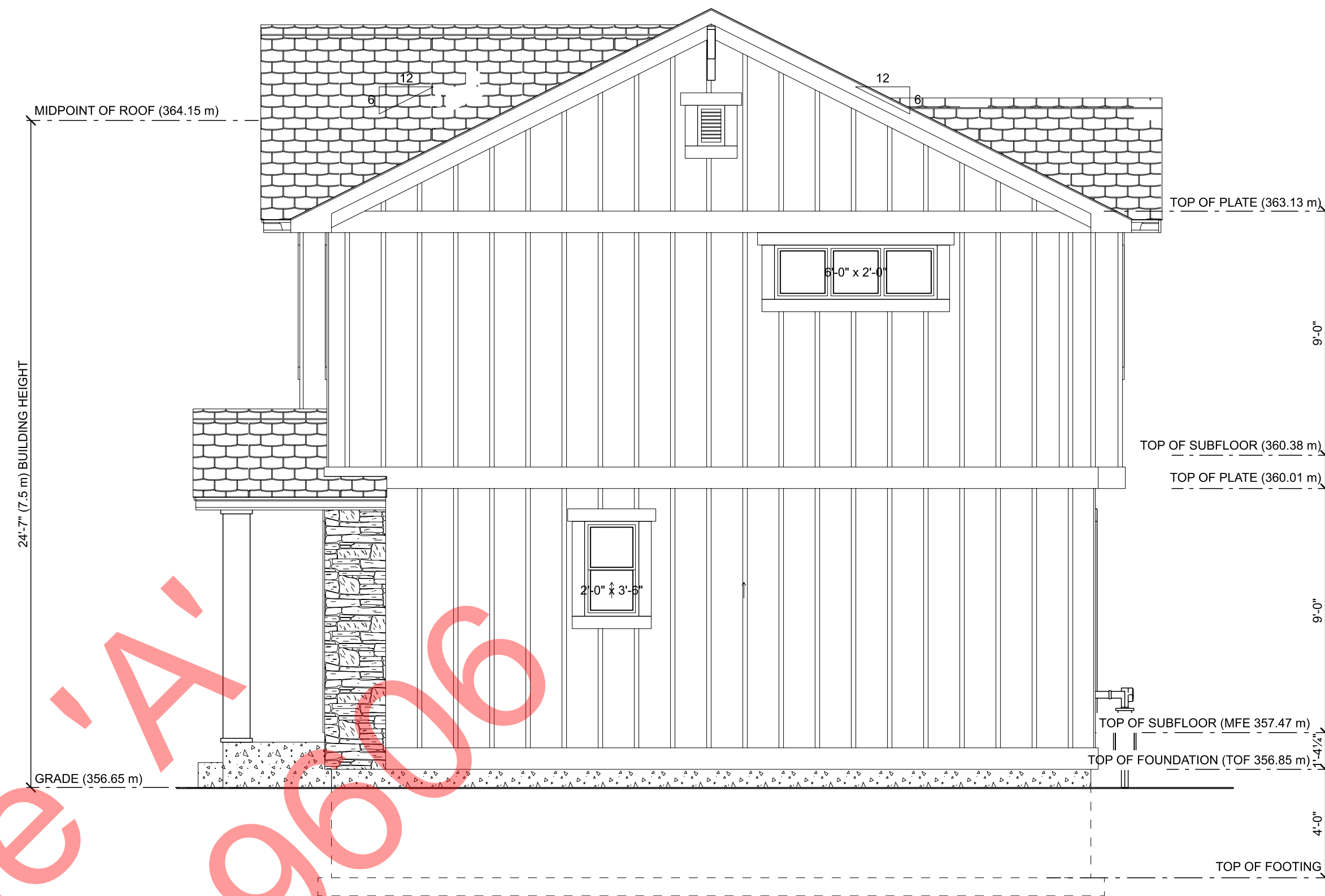
www.girouxdesigngroup.com - www.westhomeplanners.com - www.houseplanners.com

COPYRIGHTED DOCUMENTS
 ILLEGAL TO REPRODUCE

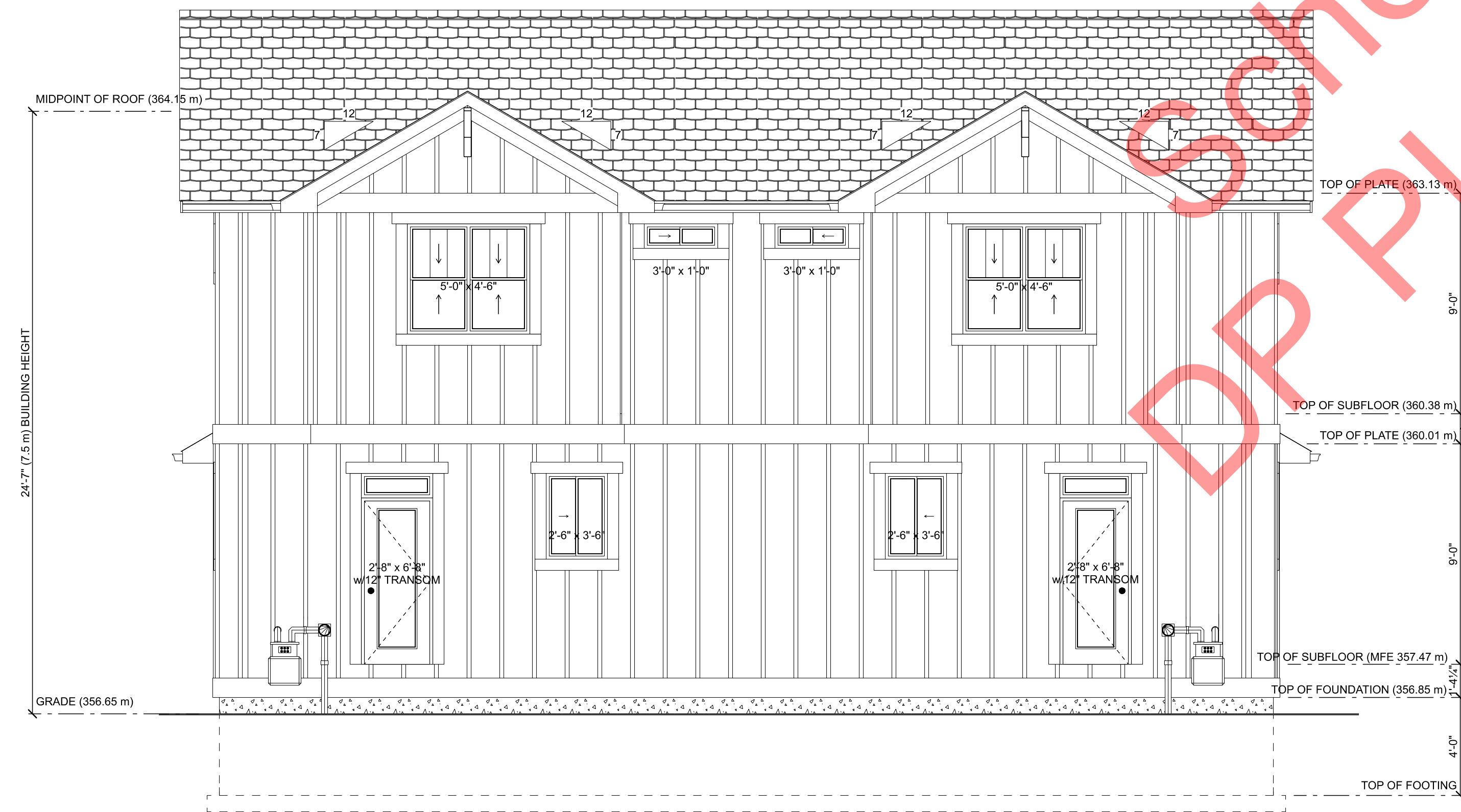
Floor Plans



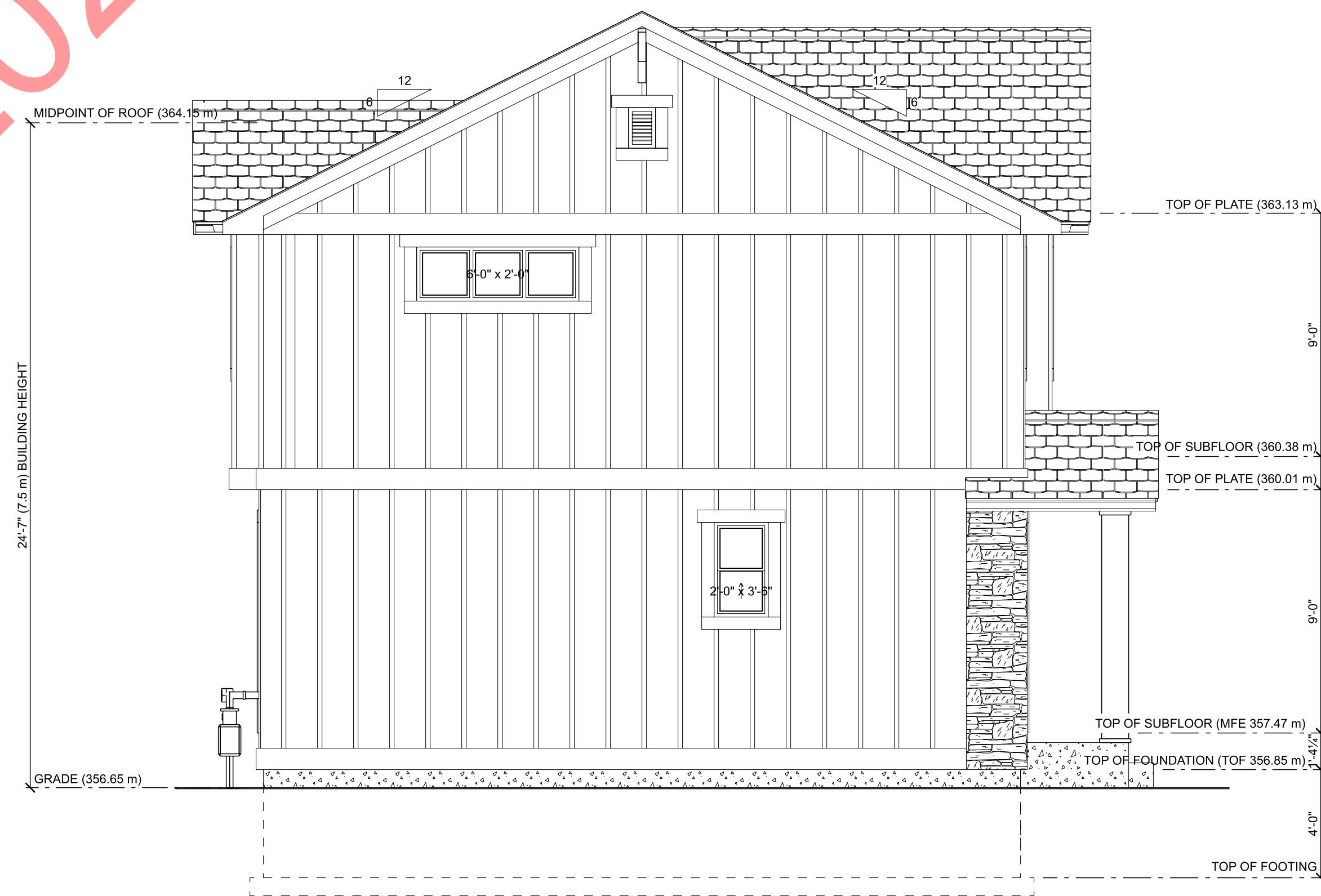
FRONT ELEVATION (TYPICAL BUILDINGS A & B)
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION (TYPICAL BUILDINGS A & B)
SCALE: 1/4" = 1'-0"



REAR ELEVATION (TYPICAL BUILDINGS A & B)
SCALE: 1/4" = 1'-0"



LEFT ELEVATION (TYPICAL BUILDINGS A & B)
SCALE: 1/4" = 1'-0"

RAJ DHILLON
25 OKANAGAN AVE. W.
PENTICTON, BC.
DESIGN BY: AJG DATE: 2023-09-08
DRAWN BY: AJG REVISED:

© 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 consent of Giroux Design Group Inc. is prohibited. The purchaser of these drawings is the buyer and not the licensor. The drawings are provided for the construction of the building and are not to be used for any other purpose. The drawings are the property of Giroux Design Group Inc. and shall remain the property of Giroux Design Group Inc. even if they are used by the buyer to construct more than one dwelling unit. Notwithstanding to whom these drawings are sold, the buyer shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities and shall be responsible for the cost thereof. The drawings are provided as a guide only and do not constitute a contract. The drawings are provided on the basis of information provided by the client and the designer does not warrant the accuracy or completeness of the information provided. The drawings are provided on an 'as is' basis and the designer does not warrant the accuracy or completeness of the information provided. The drawings are provided on an 'as is' basis and the designer does not warrant the accuracy or completeness of the information provided.

Due to local codes, regulations and building practices and/or because of specific 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 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 or completeness 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-5782
SLAB
SHEET NO.
A4

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

COPYRIGHTED DOCUMENTS
ILLEGAL TO REPRODUCE

Exterior Elevations

The Corporation of the City of Penticton

Bylaw No. 2023-36

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. 2023-36".

2. **Amendment:**

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

Rezone Lot 3 District Lot 115 Similkameen Division Yale District Plan 3289, located at 25 Okanagan Avenue W, from C7 (Service Commercial) to RD4 (Low Density Cluster 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



Schedule A: Zoning Amendment Bylaw 2023-36

Date:

Corporate Officer:

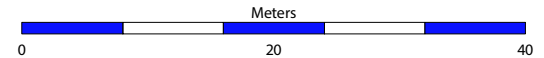


Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user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

September 26, 2023 1:26:43 PM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

Council Report

penticton.ca

Date: October 3, 2023
To: Kristen Dixon, Interim Chief Administrative Officer
From: Steven Collyer, Senior Planner
Address: 174 Jermyn Avenue

File No: RMS/174 Jermyn Ave

Subject: Zoning Amendment Bylaw No. 2023-37

Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-37" for Lot 2 District Lot 202 Similkameen Division Yale District Plan 6240 and That Portion of Closed Road in District Lot 202 Similkameen Division Yale District Adjoining Lot 2 District Lot 202 Similkameen Division Yale District Plan 6420 As Shown on Plan B7815, located at 174 and 176 Jermyn Avenue, a bylaw to add the following site-specific provision to the property within the RD1 (Duplex Housing) zone:

- A major day care centre shall be permitted;

AND THAT Council forward "Zoning Amendment Bylaw No. 2023-37" to the October 17, 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 relocate the AreaKids Day Care from the Kings Park Sportsplex (550 Eckhardt Ave E) to the subject property consisting of two legal lots at 174 Jermyn Ave. The applicant has submitted a letter of intent which describes their proposal and operation in more detail (Attachment 'D'). No external renovations or new construction is required to facilitate the proposed day care use.

A minor day care centre for up to 8 children is permitted on the property, however to operate the AreaKids Day care with 25 spaces a Zoning Amendment Bylaw is required to add 'major day care centre' as a permitted use. A major day care centre is for more than 8 children in care. The property would keep its current RD1 (Duplex Housing) zoning, with 'major day care centre' added as a site-specific use.

Background

Site Context

The subject property is located on the south side of Jermyn Avenue, east of Main Street and adjacent to the KVR trail (Figure 1). The property is across the street from Penticton Secondary School to the north and across the KVR trail from KVR Middle School to the east. A duplex is located on the neighbouring lot to the west (170 & 172 Jermyn Ave).

The subject property currently contains a single detached dwelling which was originally constructed in 1930. The subject property consists of two separate legal lots (174 & 176 Jermyn Ave), with a small vacant triangular piece of land being the side yard for this property. The combined property area is 615m² (0.15ac).



Figure 1 - Property location map

Zoning for Day Cares

Section 3.2 of the Zoning Bylaw defines two categories of day cares:

<p>Minor Day Care Centre: Means a premise that is licensed and regulated by the <i>Community Care and Assisted Living Act: Child Care Licensing Regulation</i>, which provides care for <u>not more than eight (8) children</u>, for not more than thirteen (13) hours per day.</p>	<p>Major Day Care Centre: Means a premise that is licensed and regulated by the <i>Community Care and Assisted Living Act: Child Care Licensing Regulation</i>, which provides care for <u>more than eight (8) children</u>, for not more than thirteen (13) hours per day.</p>
--	--

The key distinction between the two categories is that minor facilities are for no more than 8 children, while major facilities are for more than 8 children. This category change when exceeding 8 children in care comes from the provincial *Community Care and Assisted Living Act: Child Care Licensing Regulation*.

The different categories are allowed in different zones in the Zoning Bylaw. Major day care centres are permitted in the following zones:

- RD4 (Low Density Cluster Housing)
- RM2 (Low Density Multiple Housing)
- RM3 (Medium Density Multiple Housing)
- C1 (Commercial Transition)
- C2 (Neighbourhood Commercial)
- C3 (Mixed Use)
- C4 (General Commercial)
- C5 (Urban Centre Commercial)
- C6 (Urban Peripheral Commercial)
- C7 (Service Commercial)
- CT1 (Tourist Commercial)
- P1 (Public Assembly)

AreaKids Day Care

The applicant intends to relocate their day care operation (AreaKids Day Care) to the subject property. The applicant has been operating the day care in the King's Park Sportsplex, a City-owned facility, for 5 years. The City advised the applicant that the current location of the day care within the Kings Park Sportsplex may be repurposed in the future as part of the planned renovations for the soccer clubhouse project. The applicant has therefore secured another location for the day care operation.

The AreaKids day care at the Kings Park Sportsplex had 25 day care spaces and the new location on the subject property is expected to have 25 day care spaces as well, resulting in no net loss in childcare spaces for Penticton.

Technical Review

Child Care Action Plan

The Penticton Child Care Action Plan identifies that Penticton requires at least 722 net new child care spaces by 2030. Since the plan was endorsed by City Council, there have been several new centres that have opened or started construction to add net new spaces to the community. The retention of existing spaces, such as AreaKids, is important to ensure that Penticton can meet its targets.

Building Permit and Business Licensing

A building permit would be required to ensure the washrooms, existing, and smoke alarm requirements for a day care are met. The Building Department has provided initial comments to the applicant to prepare for that building permit application. A business license will be required for the proposed day care operation on the subject property, should the requested Zoning Bylaw Amendment be adopted by Council.

Analysis

When considering a Zoning Amendment Bylaw application, staff encourage Council to consider the relevant goals, objectives, and policies in the Official Community Plan as well as the potential impacts on surrounding neighbourhoods from the proposal. In this case, no new buildings or structures are proposed, rather a new use is proposed to be allowed on the subject property, enabling a major day care centre with 25 spaces rather than the 8 spaces which are currently permitted.

The OCP contains policy support for childcare and appropriate employment opportunities in residential neighbourhoods, as outlined below:

- | | |
|--------------------------|---|
| OCP Policy
4.1.6.1 | Ensure all residential neighbourhoods in Penticton provide a range of appropriately-scaled housing types and tenures, employment opportunities such as home-based businesses, transportation options like walking and cycling, <i>social supports such as childcare facilities</i> , and access to green space and parks. (emphasis added) |
| OCP Policy or
4.3.6.2 | Develop and <i>implement</i> a plan, in partnership with senior governments, to attract and retain businesses and skilled workers that encompasses strategies around communication, education and training, appropriate and affordable housing and <i>childcare</i> , support for remote workers, support for new immigrants, and promotion of regional attractants such as climate and lifestyle. (emphasis added) |

In addition to the policy support above, staff note the following supportive elements of this application:

- Property Location:
 - Adjacent to two schools in a central location in the city.
 - Only one residential neighbour (side-by-side duplex) to the west, and no neighbours to the east or at the rear.
 - Walking distance to the library, play fields, and the KVR trail.
- Neighbourhood Character and External Appearance:
 - The proposed day care would not significantly change the residential character of the property.
 - No external additions or renovations are proposed as part of this proposed use.
 - Some internal renovations (i.e. washroom upgrades) are required, which will not result in any external visual impact to the property.
- Day Care Function:
 - Drop-off and pick up is easily facilitated along the property's wide frontage (35m or 115 feet) on the south side, and uninterrupted frontage on the north side of Jermyn (adjacent to Penticton Secondary School).
 - Parking spaces for staff are available in the existing driveway on the subject property, leaving street-parking available for pick-ups and drop-offs.
 - The side yard on the east side of the home is well-suited for outdoor play use. Its location away from the neighbouring duplex to the west helps mitigate potential noise concerns.
 - The applicant has shared the day care will not operate late in the evenings, on weekends, or on statutory holidays (Attachment 'D'), which helps mitigate potential impacts on the surrounding area.

Provincial legislation allows home day cares with up to 8 spaces in residential areas regardless of municipal zoning. The City's Zoning Bylaw allows minor day care centres (up to 8 children) in any zone of the City. 'Major' day cares for more than 8 children may have more impacts on their neighbourhoods, and therefore are only allowed in certain zones as-of-right. Staff considered the unique characteristics of this site and its surroundings and consider the proposed major day care use suitable in this location given the reasons noted above.

Rather than rezoning to a commercial or institutional use (which have 'major day care centre' listed as a permitted use), the applicant is requesting a site specific zoning amendment to allow for the major day care use and that the existing RD1 zoning remain, as that is more reflective of other zones in the immediate area.

Given the reasons above, staff recommend that Council give "Zoning Amendment Bylaw No. 2023-37" first reading and forward the bylaw to the October 17, 2023 Public Hearing. The Public Hearing will provide the applicant and any interested persons the opportunity to speak to the proposed bylaw prior to further consideration.

Alternate Recommendations

Council may consider this proposal to add ‘major day care centre’ as a permitted use on the subject property is undesirable. In this case, Council may choose the alternate recommendation which is to deny first reading of the Zoning Amendment Bylaw. Staff are recommending against this option based on the analysis outlined in this report showing the application has merit for consideration.

1. THAT Council deny first reading of “Zoning Amendment Bylaw No. 2023-37.”

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Applicant’s Letter of Intent
- Attachment E – Zoning Amendment Bylaw No. 2023-37

Respectfully submitted,

Steven Collyer, RPP, MCIP
Senior Planner

Concurrence

Director of Development Services <i>BL</i>	Interim Chief Administrative Officer <i>KD</i>
--	--

Attachment A – Zoning Map



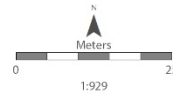
174 Jermyrn Avenue

Zoning Map



Legend

- Subject Parcel
- R2 - Small Lot Residential
- RD1 - Duplex Housing
- RM3 - Medium Density Multiple Housing
- P1 - Public Assembly
- RM2 - Low Density Multiple Housing
- P2 - Parks and Recreation



Terms of Use: The City of Penticton is a repository of public information in both printed and digital form. This means 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.

Thursday, September 14, 2023 8:51:24 AM

pentiction.ca

Attachment B – Official Community Plan Map



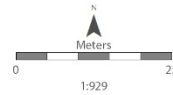
174 Jermyrn Avenue

Official Community Plan Map



Legend

- Subject Parcel
- Future Land Use
- Ground Oriented Residential
- Institutional and Civic
- Urban Residential
- Parks



Terms of Use: The City of Penticton is a repository of public information in both printed and digital form. This means 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.

Thursday, September 14, 2023 9:01:01 AM

penticton.ca

Attachment C – Photos of Property





Subject Property:
174 Jermyn Ave

KVR Trail



Subject Property:
Rear Yard

KVR Trail

Attachment D - Applicant's Letter of Intent

August 3, 2023

Dear City Council,

My name is Danica-Ann Kennedy owner operator of AreaKids Daycare Ltd. which is currently residing at 550 Eckhardt Ave, the top floor of the Sports Plex at Kings Park, a city owned facility. January 2023, I was informed that the city would not be renewing AreaKids Daycare's lease and graciously has given the daycare until December 31, 2023, four months after the lease has expired, to find another facility to rent or purchase.

On July 15, 2023 I have entered an agreement to purchase 174 Jermyn Ave house with the intent to put AreaKids Daycare Ltd. in this house. To do so, I need this property to be rezoned from residential to commercial. Penticton is in a daycare crisis with many parents unable to find childcare and are on many waitlists hoping to find anything. This is true for AreaKids Daycare Ltd. Currently, all 25 spots are full with about 75 families on the waitlist. To lose a group Licensed daycare in this town would be devastating.

The grounds to this property does not need any work as it is fully fenced in and requires nothing in respect to Interior Health Licensing. The only work needed would be remodeling the bathroom to bring the amount of toilets and sinks to three.

This house is situated beside KVR Middle school and a neighboring house. Across the street is Pen High schools running track. There would be no too little negative impact to the neighborhood. There would be an increase in parking traffic with one to three extra cars parking between the hours of 7:30 to 5:15 with the majority of the drop off/pick up times being 7:30 to 9:00 and 4:00 to 5:15. Currently there are two staff with vehicles who would use the large driveway. With staff cars off the street, there would be 2 on property parking spots that parents can access during pick up and drop off times. The daycare is not open during weekend or statutory holidays.

The children at AreaKids Daycare Ltd. enjoy outside time twice a day, once in the morning and again in the afternoon for approximately an hour each time. The yard, which is fully fenced in and ready for use is on the KVR school side. The house and large driveway separate the neighbouring house which creates a large enough buffer for any outside children noise.

AreaKids Daycare Ltd. has been in operation for five years. The Daycare and its staff have built a positive loving environment for Penticton's children and families that foster social and emotional bonds with each other and the adults in their lives. If AreaKids Daycare Ltd. cannot continue to operated, the families that are currently enrolled will be left without childcare in a town where there are not enough daycare spots available and four people who work well together will be out of jobs. The impact on Penticton would be hugely felt. I would like to thank you for considering my rezoning application and look forward to continuing to serve this great town of Penticton.

Sincerely,



Danica-Ann Kennedy
Owner operator of AreaKids Daycare Lt.

The Corporation of the City of Penticton

Bylaw No. 2023-37

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. 2023-37".

2. **Amendment:**

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

Add Section 10.4.4.2: "In the case of Lot 2 District Lot 202 Similkameen Division Yale District Plan 6240 and That Portion of Closed Road in District Lot 202 Similkameen Division Yale District Adjoining Lot 2 District Lot 202 Similkameen Division Yale District Plan 6420 As Shown on Plan B7815, located at 174 and 176 Jermyn Avenue, a major day care centre 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 2023-37

Date:

Corporate Officer:

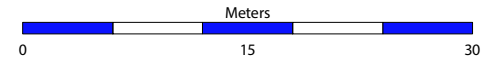


Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user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



1:504

September 26, 2023 1:29:33 PM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

Council Report

penticton.ca

Date: October 3, 2023
To: Kristen Dixon, Interim Chief Administrative Officer
From: Steven Collyer, Senior Planner
Address: 109 Lee Avenue

File No: RMS/109 Lee Ave

Subject: Development Variance Permit PL2023-9629

Staff Recommendation

THAT Council approve "Development Variance Permit PL2023-9629" for Lot 2 District Lot 189 Similkameen Division Yale District Plan 5411, located at 109 Lee Avenue, a permit to vary Section 10.1.2.9 of Zoning Bylaw 2023-08, to increase the maximum combined building footprint for all accessory buildings from 75m² to 110m², to facilitate the construction of a detached garage;

AND THAT Council direct staff to issue "Development Variance Permit PL2023-9629".

Strategic Priority Objective

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

Proposal

The applicants are proposing to construct a one-storey detached garage on the subject property (Figure 1). The proposed building footprint exceeds the maximum size permitted by the R1 zoning on the subject property. To



Figure 1 - Rendering of proposed detached garage

facilitate the proposed development, the applicants are requesting a variance to Section 10.1.2.9 of Zoning Bylaw 2023-08 to increase the maximum combined building footprint for all accessory buildings on the property from 75m² to 110m².

Background

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

Previous Applications for Carriage House Proposal

The applicants previously planned to build a carriage house on the subject property and applied for variances associated with the proposed carriage house in 2021 and 2022.

In 2021, the applicants submitted a development variance permit application to request a carriage house building footprint of 130m². The carriage house plans submitted with that application included a second floor wraparound deck on three sides, as well as a small rooftop patio. The applicants had submitted three letters of support from neighbours with their original application package, however other letters were received from neighbours with concerns about the proposed 130m² building footprint. At the February 1, 2022 Council meeting, Council voted to deny that development variance permit request.

Later in 2022, the applicants submitted a new development variance permit application with revised carriage house plans to request a maximum 109m² building footprint, instead of the original 130m². The revised plans addressed many of the concerns raised through the original application. This variance request was approved by Council on July 5, 2022.



Figure 2 - Property location map



Current Proposal



Previous Proposal

Figure 3 - Rendering of proposed detached garage (left) compared to previous 2022 carriage house rendering (right)

Since that approval of the 109m² carriage house building footprint, the applicants have changed course and plan to build a one-storey detached garage on its own; without a carriage house unit above (Figure 3). Staff reviewed this change and noted that a new development variance permit is required because the previously approved variance varied the carriage house regulations. Because the proposal is no longer a carriage house, a different section of the Zoning Bylaw must be varied to allow the detached garage to proceed on its own at a 110m² building footprint. The discrepancy between 109m² to 110m² is due to measurement rounding.

Technical Review

This application was reviewed by the Technical Planning Committee, a group of internal staff from various departments who review development applications. Many technical comments were previously sent to the applicant during review of the previous carriage house proposals. The current detached garage plans address all the technical requirements needed at the development variance permit stage. Future requirements related to the building permit application have been provided to the applicants, to help expedite the future building permit process, should Council ultimately approve the requested variance.

Development Statistics

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

	R1 Zone - Accessory Building Requirement	Provided on Plans
Minimum Lot Area:	560 m ² *	948 m ²
Minimum Lot Width:	16 m *	18.3 m
Maximum Lot Coverage: All structures on the property	40%	28%
Required Setbacks		
Front Yard (Lee Ave):	6.0 m	36.6 m
Side Yard (east):	1.2 m	3.9 m
Side Yard (west):	1.2 m	1.5 m
Rear Yard (lane):	1.5 m	6.0 m
Maximum Building Height	4.5 m	4.1 m
Maximum combined building footprint of all accessory buildings:	75 m ²	110 m ² – Variance Requested
Other Information:	Lot width and lot area only apply at the subdivision stage.	

Analysis

When considering a variance to a City bylaw, staff encourages Council to consider whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable. Staff have reviewed this new variance request to increase the maximum combined footprint for all accessory buildings from 75m² to 110m² and are recommending support for the following reasons:

1. The proposed development has the same building footprint as the previously approved carriage house and is considered to have less impact on neighbours than the previous 2-storey building.

The applicants were previously planning a 2-storey carriage house with the same footprint as the proposed one-storey detached garage. The change now is they are not planning to build a carriage house unit above, keeping it as a one-storey accessory building. Staff supported the previous variance for the carriage house building footprint, and Council approved it in July 2022. This proposal has the same building footprint requested at 110m² to round up to the nearest whole number. As a one-storey building, it is expected to have less impact on the neighbours than the previously proposed two-storey carriage house.

If the applicants wish to proceed with a second floor addition above the proposed detached garage to create a carriage house, as a second phase of this building, they may do so under the previously approved Development Variance Permit which expires on July 11, 2024. If they wish to proceed after the variance expires, the applicants will need to reapply for a new development variance permit to allow the additional carriage house building footprint and that request would be reviewed and considered at that time.

2. The subject property is large and the proposed design keeps the building footprint at 11.5% of the lot area.

The limitation on the combined size of accessory buildings on R1 zoned properties is intended to keep them secondary in scale and ensure they respectfully fit within the developed urban area. The R1 zone allows lots to be as small as 560m², which is much less than the 948m² subject property. Given the larger lot size, the proposed detached garage would occupy 11.5% of the lot and is considered to have less of an impact on the neighbourhood compared to the same size building being constructed on a smaller lot. Overall, the proposed lot coverage including the existing home and proposed carriage house is about 28%, well under the maximum 40% allowed by the Zoning Bylaw.

If additional accessory buildings are proposed on the subject property in the future, another variance request would be required and considered at that time.

Given the reasons above, staff support this variance application to increase the combined building footprint of all accessory structures on the property from 75m² to 110m² for the proposed one-storey detached garage on the subject property. Staff recommend that Council approve the development variance permit and direct staff to issue the permit. Should Council approve the development variance permit, the next step for the applicants would be to apply for a building permit for the detached garage.

Alternate Recommendations

Council may choose, after hearing from the applicants, to deny the requested variance. If this is the case, Council should proceed with the alternate recommendation.

1. THAT Council, after hearing from the applicants, consider and deny "Development Variance Permit PL2023-9629."

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Applicants’ Letter of Intent
- Attachment E – Draft Development Variance Permit PL2023-9629

Respectfully submitted,

Steven Collyer, RPP, MCIP
Senior Planner

Concurrence

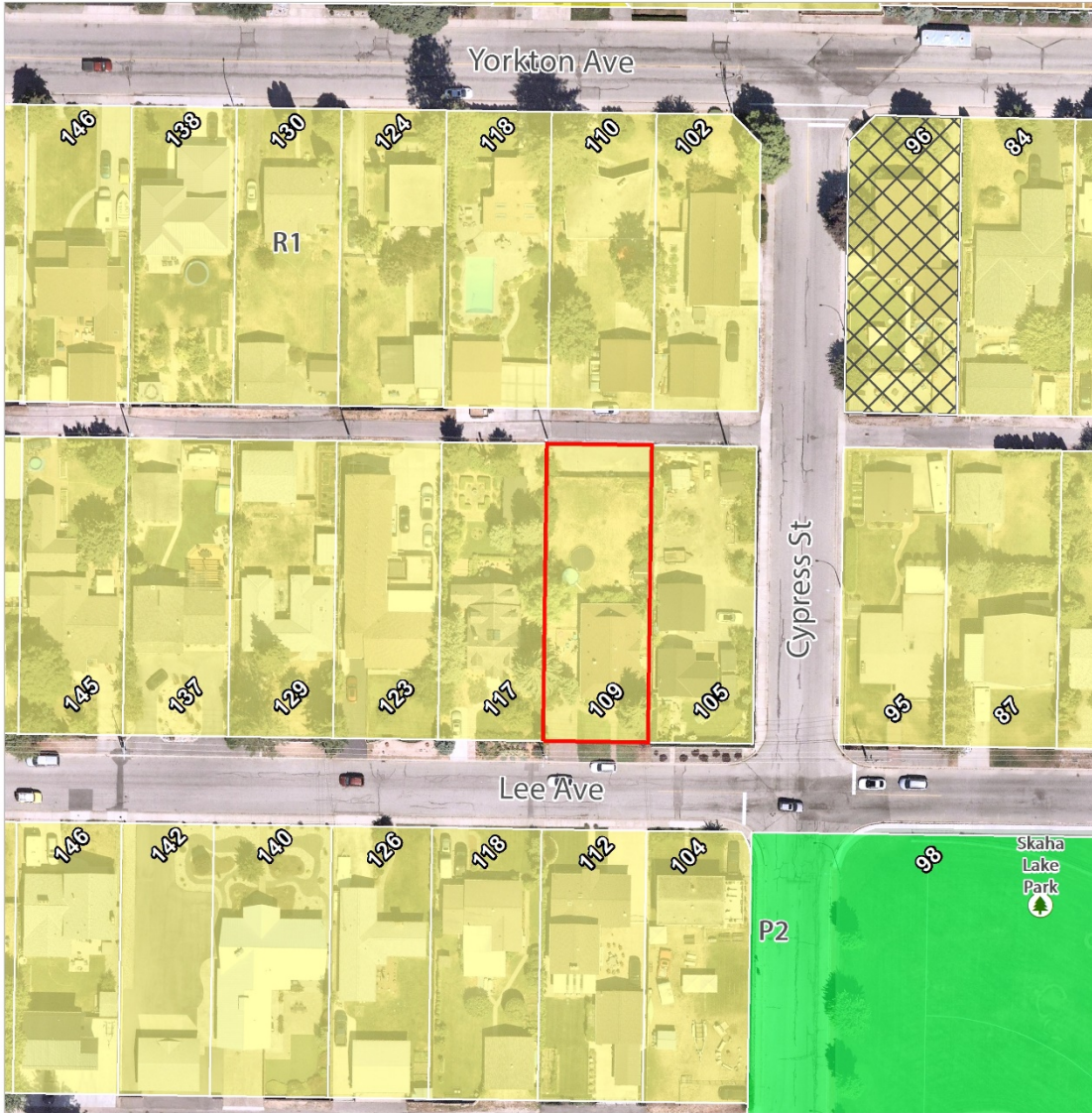
Director of Development Services <i>BL</i>	Interim Chief Administrative Officer <i>KD</i>
--	--

Attachment A – Zoning Map



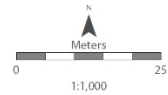
109 Lee Avenue

Zoning Map



Legend

- Subject Parcel
- R1 - Large Lot Residential
- RM1 - Bareland Strata Housing
- Site Specific Zoning
- R2 - Small Lot Residential
- P2 - Parks and Recreation



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.

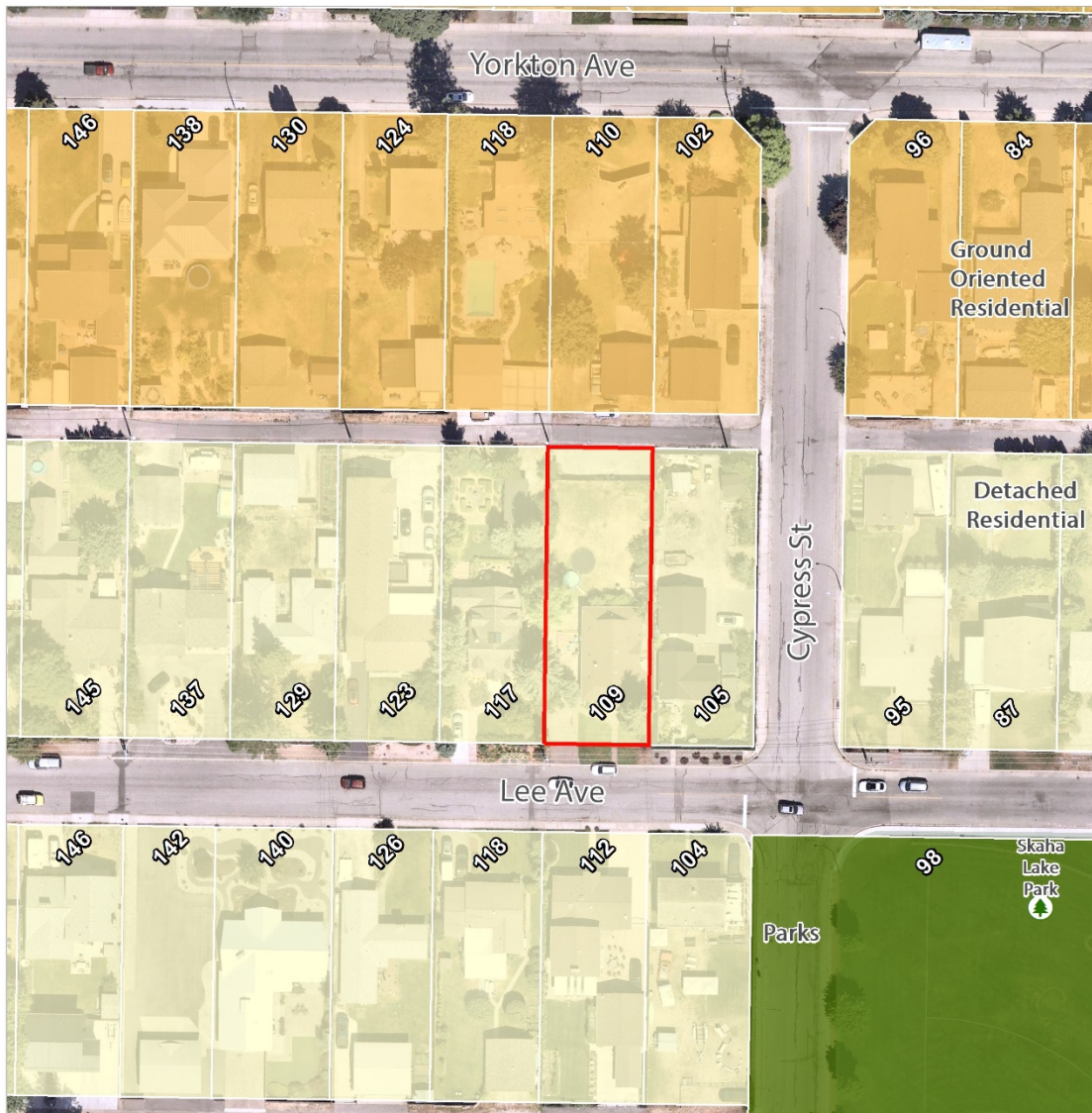
Tuesday, August 1, 2023 4:07:44 PM

Attachment B – Official Community Plan Map



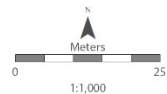
109 Lee Avenue

Official Community Plan Map



Legend

- Subject Parcel
- Future Land Use
- Detached Residential
- Ground Oriented Residential
- Parks



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.

Tuesday, August 1, 2023 4:08:25 PM

penticton.ca

Attachment C – Photos of Property





Attachment D - Applicants' Letter of Intent

Letter of Intent in support of request for Development Variance Permit (garage)

Current zoning: R1 - Large Lot Residential

Civic: 109 Lee Avenue, Penticton, BC

Legal: Lot 2, District Lot 189, Similkameen Division, Yale District, Plan KAP 5411, PID: 004-187-253

We, Daryl & Barbara Royer, owners of the property 109 Lee Ave, Penticton, BC are submitting this Letter of Intent to pursue Development Variance Permit as required by the City of Penticton for the construction of a garage.

We currently have Development approval (July 11, 2022) for garage/carriage home on this property but due to current budget constraints we wish to build garage - only at this time. There will be no dwelling space within the proposed garage.

We have discussed this change with our neighbours and there were no concerns received from them. Our neighbours agree there are no impacts to their properties.

We wish to maintain the same building footprint as per the original DVP approval.

Thank you and regards,

Daryl & Barbara Royer

Development Variance Permit

Permit Number: DVP PL2023-9629

Owner Name
Owner Address

Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.
2. This permit applies to:
 - Legal: Lot 2 District Lot 189 Similkameen Division Yale District Plan 5411
 - Civic: 109 Lee Avenue
 - PID: 004-187-253
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2023-08 to allow for the construction of a detached garage, as shown in the plans attached in Schedule 'A':
 - a. Section 10.1.2.9: to increase the maximum combined area for all accessory buildings from 75m² to 110m².

General Conditions

4. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
5. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
6. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

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

Issued this ____ day of _____, 2023.

Angela Collison
Corporate Officer

DRAFT

The Corporation of the City of Penticton

Bylaw No. 2023-29

A Bylaw to Exempt Certain Parcels of Land from Taxation

WHEREAS it is deemed expedient to exempt certain parcels of land from taxation, subject to final approval of germane authorities;

AND WHEREAS the Community Charter provides specific exemptions for certain type or uses of property;

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

1. Title:

This Bylaw may be cited for all purposes as the "2024 Permissive Tax Exemption Bylaw No. 2023-29".

2. Administration:

2.1 This Bylaw shall come into full force and effect and is binding on all persons during the 2024 taxation year.

2.2 The properties described on the attached Schedule "A" shall be permissively exempt from taxation with respect to land and improvements for the year 2024.

READ A FIRST time this 12 day of September, 2023
READ A SECOND time this 12 day of September, 2023
READ A THIRD time this 12 day of September, 2023
ADOPTED this day of , 2023

Notice of intention to proceed with this bylaw was published on the 1st day of September, 2023 and the 6th day of September, 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

Organization Name	Community Charter	Folio Number	Civic Address	Legal Description	Additional Comments	Sum of Municipal Tax
Affordable Living for Today Society	224 (2)(a)	02166-020	245 Warren Ave W	LT A PL KAP35606 DL 115 SDYD		\$10,254
BC Wine Info Centre	224 (2)(a)	05757-020	101 - 553 Veas Dr	LT 1 PL KAP58604 DL 2 SDYD THAT PART OCCUPIED BY WINE INFORMATION CENTR		\$5,374
BPOE Penticton Elks Lodge #51	224 (2)(a)	06275-000	343 Ellis St	LT 6 BLK 27 PL KAP479 DL 202 SDYD & LT 7 BLK 27 PL KAP479 DL 202 SDYD & LT 8 BLK 27 PL KAP479 DL 202 SDYD	Apportioned based on area used for liquor sales - 66.12% of land/improvements used for charitable purposes	\$2,890
Canadian Mental Health Association - South Okanagan Similkameen Branch	224 (2)(a)	01551-000	102 & 103 - 1873 Main St	PCL A BLK C PL KAP507B DL 115 SDYD PRTN PL 779	25.6% of Class 5 land and improvements	\$4,372
Community Foundation of the South Okanagan Similkameen	224 (2)(a)	00111-005	501 Main St	PCL B BLK 18 PL KAP269 DL 202 SDYD		\$28,433
Community Foundation of the South Okanagan Similkameen *	224 (2)(a)	07049-010	1001 Johnson Rd	LT 1 PL KAP13981 DL 188 SDYD		\$0
Concordia Lutheran Church of Penticton BC	224 (2)(f)	03084-000	2800 South Main St	LT 1 PL KAP26064 DL 251 SDYD EXCPTPLN A16475		\$601
Fraternal Order Of Eagles #4281	224 (2)(a)	01247-000	1197 Main St	LT 2 PL KAP5202 DL 250 SDYD	Class 8 portion used for charitable purposes	\$4,403
Good Samaritan Canada	224 (2)(a)	01162-580	270 Hastings Ave	LT 1 PL KAP67080 DL 1 2 SDYD GRP 7		\$50,801
Grace Mennonite Brethren Church	224 (2)(f)	01737-000	74 Penticton Ave	LT 1 PL KAP9219 DL 250 SDYD		\$2,058
Green Mountain Congregation of Jehovah's Witnesses	224 (2)(f)	02068-100	52 Roy Ave	LT 1 PL KAP70022 DL 115 SDYD	Class 8 portion only	\$4,425
Hellenic Community of Penticton	224 (2)(f)	01064-000	1265 Fairview Ave	LT 25 PL KAP1194 DL 1 SDYD		\$1,870
Holy Cross School	224 (2)(a)	01806-000	1299 Manitoba St	LT 2 PL KAP24489 DL 250 SDYD		\$14,346
Living Way Life Church	224 (2)(f)	00068-000	608 Winnipeg St	LT 4 PL KAP977 DL 202 SDYD		\$1,533
Luso Canadian Multicultural Society	224 (2)(a)	05022-000	135 Winnipeg St	LT 14 BLK A PL KAP269 DL 4 SDYD GRP 7		\$2,988
Oasis United Church	224 (2)(g)	02241-101	2964 Skaha Lake Rd	LT A PL EPP16739 DL 116 SDYD		\$17,304
Okanagan Boys & Girls Clubs	224 (2)(a)	01806-010	1295 Manitoba St	LT 1 PL KAP24489 DL 250 SDYD		\$7,712
Okanagan Similkameen Neurological Society	224 (2)(a)	07464-006	103 - 550 Carmi Ave	NO LEGAL	No lease registered by Interior Health - no taxable property to exempt for 2023	\$0
OneSky Community Resources Society	224 (2)(a)	00734-030	847 Winnipeg St	LT 3 PL KAP14087 DL 202 250 SDYD EXCPTPLN 27357		\$2,302
OneSky Community Resources Society	224 (2)(a)	01162-060	216 Hastings Ave	LT 1 PL KAP44774 DL 1 5 SDYD		\$13,062
OneSky Community Resources Society	224 (2)(a)	01603-010	470 Edmonton Ave	LT 5 PL KAP1410 DL 202 249 250 SDYD & LT 6 PL KAP1410 DL 202 250 SDYD		\$4,106
OneSky Community Resources Society	224 (2)(a)	01603-020	500 Edmonton Ave	LT 4 PL KAP1410 DL 249 250 SDYD		\$998
OneSky Community Resources Society	224 (2)(a)	02176-500	2434 Baskin St	LT 6 PL KAP25214 DL 198 SDYD		\$1,328
OneSky Community Resources Society	224 (2)(a)	02176-510	2450 Baskin St	LT 7 PL KAP25214 DL 198 SDYD		\$1,328
OneSky Community Resources Society	224 (2)(a)	02844-000	150 McPherson Cres	LT 15 PL KAP14013 DL 267 SDYD		\$3,078
OneSky Community Resources Society	224 (2)(a)	02845-000	154 McPherson Cres	LT 16 PL KAP14013 DL 267 SDYD		\$3,078
OneSky Community Resources Society	224 (2)(a)	06234-011	101 - 208 Ellis St	LT 1 PL KAS1233 DL 202 SDYD		\$2,648
OneSky Community Resources Society	224 (2)(a)	06300-300	330 Ellis St	PCL A PL KAP32873 DL 202 SDYD		\$15,265
OneSky Housing Society	224 (2)(a)	05099-011	107 - 285 Nanaimo Ave W	LT 1 PL EPS6049 DL 4 SDYD GRP 7		\$697
OneSky Housing Society	224 (2)(a)	05099-012	108 - 285 Nanaimo Ave W	LT 2 PL EPS6049 DL 4 SDYD GRP 7		\$894
OneSky Housing Society	224 (2)(a)	05099-013	110 - 285 Nanaimo Ave W	LT 3 PL EPS6049 DL 4 SDYD GRP 7		\$736
OneSky Housing Society	224 (2)(a)	05099-014	111 - 285 Nanaimo Ave W	LT 4 PL EPS6049 DL 4 SDYD GRP 7		\$735
OneSky Housing Society	224 (2)(a)	05099-015	112 - 285 Nanaimo Ave W	LT 5 PL EPS6049 DL 4 SDYD GRP 7		\$1,034
OneSky Housing Society	224 (2)(a)	05099-016	113 - 285 Nanaimo Ave W	LT 6 PL EPS6049 DL 4 SDYD GRP 7		\$860
OneSky Housing Society	224 (2)(a)	05099-017	114 - 285 Nanaimo Ave W	LT 7 PL EPS6049 DL 4 SDYD GRP 7		\$1,268
OneSky Housing Society	224 (2)(a)	05099-018	115 - 285 Nanaimo Ave W	LT 8 PL EPS6049 DL 4 SDYD GRP 7		\$1,153
OneSky Housing Society	224 (2)(a)	05099-019	101 - 285 Nanaimo Ave W	LT 9 PL EPS6049 DL 4 SDYD GRP 7		\$658

Properties listed with \$0 Municipal Tax and are Class 3 are not taxable. These applications are made by the Organizations in the event their classification changes

Organization Name	Community Charter	Folio Number	Civic Address	Legal Description	Additional Comments	Sum of Municipal Tax
OneSky Housing Society	224 (2)(a)	05099-020	102 - 285 Nanaimo Ave W	LT 10 PL EPS6049 DL 4 SDYD GRP 7		\$891
OneSky Housing Society	224 (2)(a)	05099-021	103 - 285 Nanaimo Ave W	LT 11 PL EPS6049 DL 4 SDYD GRP 7		\$891
OneSky Housing Society	224 (2)(a)	05099-022	104 - 285 Nanaimo Ave W	LT 12 PL EPS6049 DL 4 SDYD GRP 7		\$1,171
OneSky Housing Society	224 (2)(a)	05099-023	105 - 285 Nanaimo Ave W	LT 13 PL EPS6049 DL 4 SDYD GRP 7		\$916
OneSky Housing Society	224 (2)(a)	05099-024	106 - 285 Nanaimo Ave W	LT 14 PL EPS6049 DL 4 SDYD GRP 7		\$1,386
OneSky Housing Society	224 (2)(a)	05099-025	207 - 285 Nanaimo Ave W	LT 15 PL EPS6049 DL 4 SDYD GRP 7		\$710
OneSky Housing Society	224 (2)(a)	05099-026	208 - 285 Nanaimo Ave W	LT 16 PL EPS6049 DL 4 SDYD GRP 7		\$910
OneSky Housing Society	224 (2)(a)	05099-027	209 - 285 Nanaimo Ave W	LT 17 PL EPS6049 DL 4 SDYD GRP 7		\$910
OneSky Housing Society	224 (2)(a)	05099-028	210 - 285 Nanaimo Ave W	LT 18 PL EPS6049 DL 4 SDYD GRP 7		\$1,199
OneSky Housing Society	224 (2)(a)	05099-029	211 - 285 Nanaimo Ave W	LT 19 PL EPS6049 DL 4 SDYD GRP 7		\$1,206
OneSky Housing Society	224 (2)(a)	05099-030	212 - 285 Nanaimo Ave W	LT 20 PL EPS6049 DL 4 SDYD GRP 7		\$709
OneSky Housing Society	224 (2)(a)	05099-031	213 - 285 Nanaimo Ave W	LT 21 PL EPS6049 DL 4 SDYD GRP 7		\$1,421
OneSky Housing Society	224 (2)(a)	05099-032	214 - 285 Nanaimo Ave W	LT 22 PL EPS6049 DL 4 SDYD GRP 7		\$1,162
OneSky Housing Society	224 (2)(a)	05099-033	201 - 285 Nanaimo Ave W	LT 23 PL EPS6049 DL 4 SDYD GRP 7		\$738
OneSky Housing Society	224 (2)(a)	05099-034	202 - 285 Nanaimo Ave W	LT 24 PL EPS6049 DL 4 SDYD GRP 7		\$910
OneSky Housing Society	224 (2)(a)	05099-035	203 - 285 Nanaimo Ave W	LT 25 PL EPS6049 DL 4 SDYD GRP 7		\$910
OneSky Housing Society	224 (2)(a)	05099-036	204 - 285 Nanaimo Ave W	LT 26 PL EPS6049 DL 4 SDYD GRP 7		\$1,196
OneSky Housing Society	224 (2)(a)	05099-037	205 - 285 Nanaimo Ave W	LT 27 PL EPS6049 DL 4 SDYD GRP 7		\$935
OneSky Housing Society	224 (2)(a)	05099-038	206 - 285 Nanaimo Ave W	LT 28 PL EPS6049 DL 4 SDYD GRP 7		\$1,414
OneSky Housing Society	224 (2)(a)	05099-039	307 - 285 Nanaimo Ave W	LT 29 PL EPS6049 DL 4 SDYD GRP 7		\$726
OneSky Housing Society	224 (2)(a)	05099-040	308 - 285 Nanaimo Ave W	LT 30 PL EPS6049 DL 4 SDYD GRP 7		\$928
OneSky Housing Society	224 (2)(a)	05099-041	309 - 285 Nanaimo Ave W	LT 31 PL EPS6049 DL 4 SDYD GRP 7		\$928
OneSky Housing Society	224 (2)(a)	05099-042	310 - 285 Nanaimo Ave W	LT 32 PL EPS6049 DL 4 SDYD GRP 7		\$1,224
OneSky Housing Society	224 (2)(a)	05099-043	311 - 285 Nanaimo Ave W	LT 33 PL EPS6049 DL 4 SDYD GRP 7		\$1,231
OneSky Housing Society	224 (2)(a)	05099-044	312 - 285 Nanaimo Ave W	LT 34 PL EPS6049 DL 4 SDYD GRP 7		\$721
OneSky Housing Society	224 (2)(a)	05099-045	313 - 285 Nanaimo Ave W	LT 35 PL EPS6049 DL 4 SDYD GRP 7		\$1,449
OneSky Housing Society	224 (2)(a)	05099-046	314 - 285 Nanaimo Ave W	LT 36 PL EPS6049 DL 4 SDYD GRP 7		\$1,190
OneSky Housing Society	224 (2)(a)	05099-047	301 - 285 Nanaimo Ave W	LT 37 PL EPS6049 DL 4 SDYD GRP 7		\$712
OneSky Housing Society	224 (2)(a)	05099-048	302 - 285 Nanaimo Ave W	LT 38 PL EPS6049 DL 4 SDYD GRP 7		\$928
OneSky Housing Society	224 (2)(a)	05099-049	303 - 285 Nanaimo Ave W	LT 39 PL EPS6049 DL 4 SDYD GRP 7		\$928
OneSky Housing Society	224 (2)(a)	05099-050	304 - 285 Nanaimo Ave W	LT 40 PL EPS6049 DL 4 SDYD GRP 7		\$1,218
OneSky Housing Society	224 (2)(a)	05099-051	305 - 285 Nanaimo Ave W	LT 41 PL EPS6049 DL 4 SDYD GRP 7		\$953
OneSky Housing Society	224 (2)(a)	05099-052	306 - 285 Nanaimo Ave W	LT 42 PL EPS6049 DL 4 SDYD GRP 7		\$1,446
OneSky Housing Society	224 (2)(a)	05099-053	407 - 285 Nanaimo Ave W	LT 43 PL EPS6049 DL 4 SDYD GRP 7		\$741
OneSky Housing Society	224 (2)(a)	05099-054	408 - 285 Nanaimo Ave W	LT 44 PL EPS6049 DL 4 SDYD GRP 7		\$947
OneSky Housing Society	224 (2)(a)	05099-055	409 - 285 Nanaimo Ave W	LT 45 PL EPS6049 DL 4 SDYD GRP 7		\$947
OneSky Housing Society	224 (2)(a)	05099-056	410 - 285 Nanaimo Ave W	LT 46 PL EPS6049 DL 4 SDYD GRP 7		\$1,249
OneSky Housing Society	224 (2)(a)	05099-057	411 - 285 Nanaimo Ave W	LT 47 PL EPS6049 DL 4 SDYD GRP 7		\$1,256
OneSky Housing Society	224 (2)(a)	05099-058	412 - 285 Nanaimo Ave W	LT 48 PL EPS6049 DL 4 SDYD GRP 7		\$737
OneSky Housing Society	224 (2)(a)	05099-059	413 - 285 Nanaimo Ave W	LT 49 PL EPS6049 DL 4 SDYD GRP 7		\$1,480
OneSky Housing Society	224 (2)(a)	05099-060	414 - 285 Nanaimo Ave W	LT 50 PL EPS6049 DL 4 SDYD GRP 7		\$1,212
OneSky Housing Society	224 (2)(a)	05099-061	401 - 285 Nanaimo Ave W	LT 51 PL EPS6049 DL 4 SDYD GRP 7		\$725
OneSky Housing Society	224 (2)(a)	05099-062	402 - 285 Nanaimo Ave W	LT 52 PL EPS6049 DL 4 SDYD GRP 7		\$947
OneSky Housing Society	224 (2)(a)	05099-063	403 - 285 Nanaimo Ave W	LT 53 PL EPS6049 DL 4 SDYD GRP 7		\$947
OneSky Housing Society	224 (2)(a)	05099-064	404 - 285 Nanaimo Ave W	LT 54 PL EPS6049 DL 4 SDYD GRP 7		\$1,243
OneSky Housing Society	224 (2)(a)	05099-065	405 - 285 Nanaimo Ave W	LT 55 PL EPS6049 DL 4 SDYD GRP 7		\$975
OneSky Housing Society	224 (2)(a)	05099-066	406 - 285 Nanaimo Ave W	LT 56 PL EPS6049 DL 4 SDYD GRP 7		\$1,474
Ooknakane Friendship Centre	224 (2)(a)	06033-020	146 Ellis St	LT 7 BLK 12 PL KAP479 DL 202 SDYD & LT 8 BLK 12 PL KAP479 DL 202 SDYD		\$4,917
Our Redeemer Lutheran Church of Penticton, B.C.	224 (2)(g)	02574-110	1370 Church St	LT 8 PL KAP12141 DL 250 SDYD EXCPTPLN 17894 26105 75724		\$2,103
Penticton & District Community Arts Council	224 (2)(a)	01807-200	220 Manor Park Ave	LT 20 PL KAP5937 DL 250 SDYD		\$13,395
Penticton & District Minor Hockey Association	224 (2)(i)	05757-000	399 Power St	LT 1 PL KAP58604 DL 2 SDYD GRP 7 EXCPTPLN KAP87244		\$1,806

Properties listed with \$0 Municipal Tax and are Class 3 are not taxable. These applications are made by the Organizations in the event their classification changes

Organization Name	Community Charter	Folio Number	Civic Address	Legal Description	Additional Comments	Sum of Municipal Tax
Penticton Alliance Church	224 (2)(a)	02178-060	197 Brandon Ave	LT 1 PL KAP24720 DL 116 SDYD		\$5,246
Penticton and District Emergency Program Society	224 (2)(a)	07565-010	251 Dawson Ave	DL 251 SDYD LSLCNCNMBR 4320.80		\$1,455
Penticton and District Multicultural Society	224 (2)(a)	06300-260	340 Ellis St	LT 8 PL KAP32873 DL 202 SDYD		\$6,202
Penticton and District Society for Community Living	224 (2)(a)	01031-000	252 Conklin Ave	LT 24 PL KAP2518 DL 1 SDYD		\$2,482
Penticton and District Society for Community Living	224 (2)(a)	01552-030	180 Industrial Ave W	LT 1 PL EPP71459 DL 115 SDYD		\$11,671
Penticton and District Society for Community Living	224 (2)(a)	04794-000	259 Backstreet Blvd (up to 15 units)	LT A PL KAP49910 DL 202 SDYD	Only those residential units held in the name of PDSCL (up to 15 units). Land Title registrations in process.	\$13,861
Penticton and District Society for Community Living	224 (2)(a)	06209-000	234 Van Horne St	LT 4 BLK 24 PL KAP479 DL 202 SDYD & LT 5 BLK 24 PL KAP479 DL 202 SDYD		\$2,970
Penticton and District Society for Community Living	224 (2)(a)	07475-010	1706 Main St	LT A PL EPP75769 DL 1997S SDYD		\$12,888
Penticton and District Society for Community Living	224 (2)(h)	00375-010	453 Winnipeg St (Chestnut Place)	LT A PL KAP77551 DL 4 SDYD GRP 7		\$3,585
Penticton and District Society for Community Living	224 (2)(j)	01552-040	146 & 150 Bruce Crt	LT 2 PL EPP71459 DL 115 SDYD		\$13,233
Penticton Art Gallery	224 (2)(a)	05888-000	199 Marina Way	PCL A BLK C PL KAP479 DL 202 SDYD PRTN (PLAN B166) EXCPTPLN KAP79184 & PCL B BLK C PL KAP479 DL 202 SDYD PRTN (PLAN B166) EXCPTPLN M86 & LT 12 PL KAP802 DL 202 SDYD EXCPTPLN KAP79184		\$22,617
Penticton Bethel Pentecostal Tabernacle	224 (2)(a)	01195-020	945 Main St	LT A PL KAP33974 DL 250 SDYD		\$7,397
Penticton Bethel Pentecostal Tabernacle	224 (2)(f)	01194-000	65 Preston Ave	LT 8 PL KAP5140 DL 250 SDYD		\$2,606
Penticton Bethel Pentecostal Tabernacle	224 (2)(f)	01194-505	973 Main St	LT 1 PL KAP42595 DL 250 SDYD EXCPTPLN 42596		\$5,636
Penticton BMX Society	224 (2)(i)	07338-105	630 Munson Mountain Rd	DL 187 SDYD LSLCNCNMBR 4320-80		\$3,461
Penticton Christian School Society	224 (2)(h.1)	01657-001	1060 Main St	DL 250 SDYD LSLCNCNMBR 4320-80		\$1,318
Penticton Community Gardens Society	224 (2)(i)	05986-001	480 Vancouver Ave	DL 202 SDYD		\$1,331
Penticton Curling Club	224 (2)(a)	05757-040	505 Vees Dr	LT 1 PL KAP58604 DL 2 SDYD GRP 7 EXCPTPLN KAP87244		\$14,133
Penticton Disc Golf Club	224 (2)(i)	05902-012	500 Marina Way	SDYD LSLCNCNMBR 4320.70		\$8,624
Penticton First Baptist Church	224 (2)(g)	02623-000	1498 Government St	LT 2 PL KAP964 DL 250 SDYD EXCPTPLN H476 17134 B8017 KAP68050 KAP69048 & LT 3 PL KAP964 DL 250 SDYD EXCPTPLN 17134 B8017 KAP68050 KAP69048		\$5,151
Penticton Free Presbyterian Church	224 (2)(g)	01202-000	120 Preston Ave	LT 2 PL KAP8006 DL 250 SDYD		\$3,490
Penticton Golf & Country Club	224 (2)(i)	04245-010	600 Comox St	PCL A PL KAP11299 DL 366 SDYD PRTN (KD42751)	Approx. 172,000 sf exempt for land and all improvements associated with the golf course to be exempted with the exception of the 6,410 sf restaurant/bar area and 1,120 sf pro shop area	\$8,838
Penticton Golf & Country Club	224 (2)(i)	04251-000	852 Eckhardt Ave W	LT A PL KAP40972 DL 2 366 367 SDYD EXCPTPLN KAP75590 & PORTION OUTSIDE MUN BNDRY (C/REF 715-02713.010)		\$14,400
Penticton Kiwanis Housing Society	224 (2)(a)	06064-011	101 - 150 Van Horne St	LT 1 PL KAS3861 DL 202 SDYD		\$659
Penticton Kiwanis Housing Society	224 (2)(a)	06064-012	103 - 150 Van Horne St	LT 2 PL KAS3861 DL 202 SDYD		\$575
Penticton Kiwanis Housing Society	224 (2)(a)	06064-013	105 - 150 Van Horne St	LT 3 PL KAS3861 DL 202 SDYD		\$575
Penticton Kiwanis Housing Society	224 (2)(a)	06064-017	113 - 150 Van Horne St	LT 7 PL KAS3861 DL 202 SDYD		\$575
Penticton Kiwanis Housing Society	224 (2)(a)	06064-018	115 - 150 Van Horne St	LT 8 PL KAS3861 DL 202 SDYD		\$691
Penticton Kiwanis Housing Society	224 (2)(a)	06064-019	112 - 150 Van Horne St	LT 9 PL KAS3861 DL 202 SDYD		\$688
Penticton Kiwanis Housing Society	224 (2)(a)	06064-022	104 - 150 Van Horne St	LT 12 PL KAS3861 DL 202 SDYD		\$572
Penticton Kiwanis Housing Society	224 (2)(a)	06064-023	102 - 150 Van Horne St	LT 13 PL KAS3861 DL 202 SDYD		\$684
Penticton Kiwanis Housing Society	224 (2)(a)	06064-024	201 - 150 Van Horne St	LT 14 PL KAS3861 DL 202 SDYD		\$698

Properties listed with \$0 Municipal Tax and are Class 3 are not taxable. These applications are made by the Organizations in the event their classification changes

Organization Name	Community Charter	Folio Number	Civic Address	Legal Description	Additional Comments	Sum of Municipal Tax
Penticton Kiwanis Housing Society	224 (2)(a)	06064-028	209 - 150 Van Horne St	LT 18 PL KAS3861 DL 202 SDYD		\$585
Penticton Kiwanis Housing Society	224 (2)(a)	06064-029	211 - 150 Van Horne St	LT 19 PL KAS3861 DL 202 SDYD		\$585
Penticton Kiwanis Housing Society	224 (2)(a)	06064-030	213 - 150 Van Horne St	LT 20 PL KAS3861 DL 202 SDYD		\$585
Penticton Kiwanis Housing Society	224 (2)(a)	06064-031	215 - 150 Van Horne St	LT 21 PL KAS3861 DL 202 SDYD		\$704
Penticton Kiwanis Housing Society	224 (2)(a)	06064-032	214 - 150 Van Horne St	LT 22 PL KAS3861 DL 202 SDYD		\$695
Penticton Kiwanis Housing Society	224 (2)(a)	06064-033	212 - 150 Van Horne St	LT 23 PL KAS3861 DL 202 SDYD		\$589
Penticton Kiwanis Housing Society	224 (2)(a)	06064-034	210 - 150 Van Horne St	LT 24 PL KAS3861 DL 202 SDYD		\$585
Penticton Kiwanis Housing Society	224 (2)(a)	06064-037	204 - 150 Van Horne St	LT 27 PL KAS3861 DL 202 SDYD		\$585
Penticton Kiwanis Housing Society	224 (2)(a)	06064-038	202 - 150 Van Horne St	LT 28 PL KAS3861 DL 202 SDYD		\$695
Penticton Kiwanis Housing Society	224 (2)(a)	06064-039	301 - 150 Van Horne St	LT 29 PL KAS3861 DL 202 SDYD		\$712
Penticton Kiwanis Housing Society	224 (2)(a)	06064-046	315 - 150 Van Horne St	LT 36 PL KAS3861 DL 202 SDYD		\$719
Penticton Kiwanis Housing Society	224 (2)(a)	06064-047	314 - 150 Van Horne St	LT 37 PL KAS3861 DL 202 SDYD		\$712
Penticton Kiwanis Housing Society	224 (2)(a)	06064-048	312 - 150 Van Horne St	LT 38 PL KAS3861 DL 202 SDYD		\$601
Penticton Kiwanis Housing Society	224 (2)(a)	06064-049	310 - 150 Van Horne St	LT 39 PL KAS3861 DL 202 SDYD		\$600
Penticton Kiwanis Housing Society	224 (2)(a)	06064-050	308 - 150 Van Horne St	LT 40 PL KAS3861 DL 202 SDYD		\$693
Penticton Kiwanis Housing Society	224 (2)(a)	06064-052	304 - 150 Van Horne St	LT 42 PL KAS3861 DL 202 SDYD		\$597
Penticton Kiwanis Housing Society	224 (2)(a)	06064-053	302 - 150 Van Horne St	LT 43 PL KAS3861 DL 202 SDYD		\$712
Penticton Kiwanis Housing Society	224 (2)(a)	06064-054	401 - 150 Van Horne St	LT 44 PL KAS3861 DL 202 SDYD		\$696
Penticton Kiwanis Housing Society	224 (2)(a)	06064-060	413 - 150 Van Horne St	LT 50 PL KAS3861 DL 202 SDYD		\$613
Penticton Kiwanis Housing Society	224 (2)(a)	06064-061	415 - 150 Van Horne St	LT 51 PL KAS3861 DL 202 SDYD		\$613
Penticton Kiwanis Housing Society	224 (2)(a)	06064-062	414 - 150 Van Horne St	LT 52 PL KAS3861 DL 202 SDYD		\$727
Penticton Kiwanis Housing Society	224 (2)(a)	06064-063	412 - 150 Van Horne St	LT 53 PL KAS3861 DL 202 SDYD		\$614
Penticton Kiwanis Housing Society	224 (2)(a)	06064-064	410 - 150 Van Horne St	LT 54 PL KAS3861 DL 202 SDYD		\$613
Penticton Kiwanis Housing Society	224 (2)(a)	06064-065	408 - 150 Van Horne St	LT 55 PL KAS3861 DL 202 SDYD		\$707
Penticton Kiwanis Housing Society	224 (2)(a)	06064-066	406 - 150 Van Horne St	LT 56 PL KAS3861 DL 202 SDYD		\$609
Penticton Kiwanis Housing Society	224 (2)(a)	06064-067	404 - 150 Van Horne St	LT 57 PL KAS3861 DL 202 SDYD		\$609
Penticton Kiwanis Housing Society	224 (2)(a)	06064-068	402 - 150 Van Horne St	LT 58 PL KAS3861 DL 202 SDYD		\$727
Penticton Kiwanis Housing Society	224 (2)(a)	05117-100	360 Brunswick St	LT A PL KAP61351 DL 4 SDYD		\$13,506
Penticton Kiwanis Housing Society	224 (2)(a)	05117-200	390 Brunswick St	LT B PL KAP61351 DL 4 SDYD		\$4,479
Penticton Lawn Bowling Club	224 (2)(i)	05104-010	260 Brunswick St	LT A PL KAP65989 DL 4 SDYD		\$5,509
Penticton Masonic Building Association	224 (2)(a)	05289-010	416 Westminster Ave W	LT A PL EPP21235 DL 4 SDYD GRP 7		\$4,142
Penticton New Beginnings Christian Fellowship	224 (2)(f)	01619-000	101 - 96 Edmonton Ave	LT 1 PL KAP14625 DL 250 SDYD		\$1,083
Penticton Recovery Resource Society	224 (2)(a)	01679-000	101 Edna Ave	LT 9 PL KAP910 DL 250 SDYD		\$2,551
Penticton Recovery Resource Society *	224 (2)(a)	00634-000	633 Winnipeg St	LT 6 PL KAP804 DL 202 SDYD	Qualified for Class 03-Supportive Housing in 2022	\$0
Penticton Safety Village Society	224 (2)(a)	01603-030	490 Edmonton Ave	LT 4 PL KAP1410 DL 249 250 SDYD LSLCNCNMBR 4320.70 & LT 5 PL KAP1410 DL 249 250 SDYD LSLCNCNMBR 4320.70		\$7,087
Penticton Seniors' Drop-In Centre Society	224 (2)(a)	02233-000	2905 South Main St	LT 118 PL KAP333 DL 116 SDYD EXCPTPLN B5593 20532 KAP45357		\$26,333
Penticton Sikh Temple and Indian Cultural Society	224 (2)(a)	03096-010	3290 South Main St	PCL A PL KAP5331 DL 251 SDYD	Class 1 Residential portion not eligible for exemptions & 5% of taxable Class 8 portion not eligible for exemption as not usable in relation to worship or charitable works.	\$9,219
Penticton Tennis Club	224 (2)(i)	05902-025	675 Marina Way	DL 3965S SDYD		\$4,996
Penticton United Church	224 (2)(g)	06900-000	696 Main St	LT 6 BLK 33 PL KAP269 DL 202 SDYD & LT 7 BLK 33 PL KAP269 DL 202 SDYD & LT 8 BLK 33 PL KAP269 DL 202 SDYD & LT 9 BLK 33 PL KAP269 DL 202 SDYD & LT 10 BLK 33 PL KAP269 DL 202 SDYD EXCPTPLN B3558		\$3,728

Properties listed with \$0 Municipal Tax and are Class 3 are not taxable. These applications are made by the Organizations in the event their classification changes

Organization Name	Community Charter	Folio Number	Civic Address	Legal Description	Additional Comments	Sum of Municipal Tax
Penticton Vineyard Community Church	224 (2)(g)	01540-050	102 - 1825 Main St	LT 1 PL KAP32190 DL 115 SDYD	Class 8 portion only	\$9,857
Penticton Yacht Club	224 (2)(a)	03909-001	3895 Lakeside Rd	SDYD LSLCNCNMBR 342689 LNDBRNCHFLNMBR 3403233		\$2,567
Penticton Yacht Club	224 (2)(a)	03909-000	124 South Beach Dr	LT A PL KAP9936 DL 189 SDYD LSLCNCNMBR 4380.20	Apportioned based on area used for commercial tenants; 16% of land/improvements eligible for exemption.	\$777
Penticton Yacht Club	224 (2)(a)	05905-000	293 Marina Way	BLK A DL 4197 SDYD LSLCNCNMBR 336979 LNDBRNCHFLNMBR 0079098	Apportioned based on area used for liquor sales and commercial tenants; 93% of land/improvements eligible for exemption.	\$12,123
Regional District of Okanagan-Similkameen	224 (2)(b)	04641-010	176 Main Street	LT 1 PL KAP82201 DL 202 SDYD	10.7% of Class 6 land and improvements	\$7,087
Regional District of Okanagan-Similkameen	224 (2)(b)	04752-050	153 Estabrook Ave	LT A PL KAP39292 DL 4 202 SDYD	17.7% of Class 6 land and improvements	\$3,087
Royal Canadian Legion Branch 40	224 (2)(a)	05275-000	257 Brunswick St	LT 20 PL KAP877 DL4 SDYD & LT 21 PL KAP877 DL 4 SDYD GRP 7	Class 8 portion only	\$567
S.S. Sicamous Restoration Society	224 (2)(a)	08729-000	1099 Lakeshore Dr W	LT 46 PL KAP764 SDYD		\$9,712
Seventh-day Adventist Church (British Columbia Conference)	224 (2)(f)	02167-000	290 Warren Ave W	LT 2 PL KAP26161 DL 115 198 SDYD		\$5,320
South Okanagan Similkameen Brain Injury Society	224 (2)(a)	00721-000	742 Argyle St	LT 8 PL KAP783 DL 4 202 SDYD		\$2,647
South Okanagan Similkameen Brain Injury Society	224 (2)(a)	00739-000	332 Eckhardt Ave W	LT 4 PL KAP2757 DL 202 SDYD		\$2,982
South Okanagan Women in Need Society *	224 (2)(a)	NOT DISCLOSED	Hughes House	LOCATION NOT DISCLOSED	Qualified for Class 03-Supportive Housing in 2022	\$0
South Okanagan Women in Need Society *	224 (2)(a)	NOT DISCLOSED	Tamarack	LOCATION NOT DISCLOSED	Qualified for Class 03-Supportive Housing in 2022	\$0
South Okanagan Women in Need Society	224 (2)(a)	05838-010	101 - 1027 Westminster Ave W	LT 1 PL KAS1711 DL 366 SDYD		\$633
South Okanagan Women in Need Society	224 (2)(a)	05838-020	102 - 1027 Westminster Ave W	LT 2 PL KAS1711 DL 366 SDYD		\$1,298
St. Andrew's Presbyterian Church	224 (2)(a)	04857-000	397 Martin St	LT 20 BLK A PL KAP373 DL 4 SDYD & LT 21 BLK A PL KAP373 DL 4 SDYD		\$1,546
St. Ann's Parish	224 (2)(g)	01805-000	1296 Main St	LT 3 PL KAP24489 DL 250 SDYD	Class 8 portion only	\$6,831
St. Ann's Parish (Penticton Recovery Resource Society)	224 (2)(a)	05311-000	397 Wade Ave W	LT 7 PL KAP810 DL 4 SDYD GRP 7 & LT 8 PL KAP810 DL 4 SDYD GRP 7		\$1,882
St. Ann's Parish (St. John Vianney)	224 (2)(f)	05310-000	361 Wade Ave W	LT 1 PL KAP810 DL 4 SDYD GRP 7 & LT 2 PL KAP810 DL 4 SDYD GRP 7 & LT 3 PL KAP810 DL 4 SDYD GRP 7 & LT 4 PL KAP810 DL 4 SDYD GRP 7 & LT 5 PL KAP810 DL 4 SDYD GRP 7 & LT 6 PL KAP810 DL 4 SDYD GRP 7	Class 8 portion only	\$2,863
St. Saviour's Anglican Church	224 (2)(f)	00059-000	150 Orchard Ave	LT 7 BLK 17 PL KAP269 DL 4 SDYD GRP 7		\$4,789
The British Columbia Society for the Prevention of Cruelty to Animals	224 (2)(a)	07658-050	2200 Dartmouth Dr	LT 1 PL KAP73659 DL 3821S SDYD		\$18,405
The Care Closet	224 (2)(a)	06572-000	574 Main St	LT 10 BLK 19 PL KAP269 DL 202 SDYD		\$2,938
The Church of Jesus Christ of Latter-day Saints in Canada	224 (2)(f)	03085-030	2946 South Main St	LT 3 PL KAP1478 DL 251 SDYD EXCPTPLN KAP45205 & LT 4 PL KAP1478 DL 251 SDYD EXCPTPLN KAP45205 & LT 5 PL KAP1478 DL 251 SDYD EXCPTPLN KAP45205		\$6,867
The Penticton Church of the Nazarene	224 (2)(a)	00238-010	523 Jermyn Ave	LT 1 PL KAP6797 DL 202 SDYD	Class 8 portion only	\$3,807
The Penticton Horseshoe Pitchers Club	224 (2)(a)	02233-005	2905 South Main St	LT 118 PL KAP333 DL 116 SDYD LSLCNCNMBR 4320.70		\$2,890
The Salvation Army Penticton	224 (2)(a)	02189-010	2399 South Main St	LT 1 PL KAP23543 DL 116 SDYD		\$14,284
The Salvation Army Penticton	224 (2)(a)	02193-020	2469 South Main St	LT A PL KAP43842 DL 116 SDYD		\$4,686

Properties listed with \$0 Municipal Tax and are Class 3 are not taxable. These applications are made by the Organizations in the event their classification changes

Organization Name	Community Charter	Folio Number	Civic Address	Legal Description	Additional Comments	Sum of Municipal Tax
The Salvation Army Penticton	224 (2)(a)	06300-355	318 Ellis St	LT A PL KAP45852 DL 202 SDYD		\$4,951
YMCA of Okanagan Association	224 (2)(a)	05628-012	630 Birch Ave	LT A PL KAP91728 DL 2 SDYD GRP 7		\$2,575
Total Permissive Tax Exemptions			188 Properties			\$702,258

The Corporation of the City of Penticton

Bylaw No. 2023-30

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

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

AND WHEREAS the Council of the City of Penticton wishes to amend "Fees and Charges Bylaw No. 2014-07";

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

1. **Title:**

This Bylaw may be cited as "Fees and Charges Amendment Bylaw No. 2023-30".

2. **Amendment:**

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

Appendix 7 Electric

2.2 Appendix 7 attached hereto forms part of this bylaw.

READ A FIRST time this 12 day of September, 2023

READ A SECOND time this 12 day of September, 2023

READ A THIRD time this 12 day of September, 2023

ADOPTED this day of , 2023

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer

Appendix 7

ELECTRIC	2023	Effective October 3rd, 2023
----------	------	--------------------------------

Utility Administration Rates

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

AMR Opt Out

AMR Opt Out manual electric meter reading for an individual meter	\$17.90	\$17.90
AMR Opt Out manual combined electric and water meter reading for an individual for an individual meter read	\$18.75	\$18.75
AMR Opt Out manual electric meter reading for a meter bank installation	\$17.80 for the first meter and \$1.00 per read for each additional meter in the meter bank per meter read. The total cost for the electric meter bank read is to be equally split between all customers serviced by the bank meter	\$17.80 for the first meter and \$1.00 per read for each additional meter in the meter bank per meter read. The total cost for the electric meter bank read is to be equally split between all customers serviced by the bank meter
AMR Opt Out combined electric and water meter reading for a combined electric and water meter bank installation	\$18.73 for the first meter and \$1.00 per read for each additional meter in the meter bank per meter read. The total cost for the combined electric and water meter bank read is to be equally split between all customers served by the meter bank.	\$18.73 for the first meter and \$1.00 per read for each additional meter in the meter bank per meter read. The total cost for the combined electric and water meter bank read is to be equally split between all customers served by the meter bank.
AMR Opt Out electric meter use of a digital non radio frequency electric meter	\$156.00	\$156.00
Utility application fee – next day service	\$48.50	\$48.50
Utility application fee – same day service (accounts with combined electric and water)	\$107.00	\$107.00
Utility application fee (electric only) same day service	\$60.50	\$60.50
Non-Payment: Electric disconnect and re-connect(during City Hall hours only)	\$84.50	\$84.50
Non-Payment: Site visit without a disconnect (during City Hall hours only)	\$42.25	\$42.25
Electrical disconnect or re-connect or site visit (cost per visit after hours with call-out)	\$454.00	\$454.00
Electrical disconnect or reconnect or site visit (cost per visit during City Hall hours)	\$42.25	\$42.25
Electrical disconnect or reconnect or site visit (cost per visit after hours without call-out)	\$84.50	\$84.50
Service Safety Inspection Call Out		No Charge
Illegal reconnection administration charge	\$296.00	\$296.00
Utility fee - Leave on Authorized	\$13.00	\$13.00
Electrical Disconnect and reconnect from pole	\$457.75	\$457.75
Special Administration charge per service	\$29.60	\$29.60

Electric Rates

Rate Code 10 - Residential

Basic Charge	\$16.67 per billing plus	\$17.50 per billing plus
Energy Charge	\$0.1143 per kWh for all consumption during the billing period	\$0.1200 per kWh for all consumption during the billing period

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

Basic Charge	\$16.67 per billing plus	\$17.50 per billing plus
Energy Charge		
First 10,000 kwh per billing	\$0.1273 per kWh	\$0.1337 per kWh
Next 90,000 kwh per billing	\$0.1003 per kWh	\$0.1053 per kWh
Additional kwh per billing	\$0.0703 per kWh	\$0.0738 per kWh
Demand Charge	\$8.99 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing or b) 75% of the maximum kVA billable demand in excess of 45kVA recorded during the previous 364 days to the current billable demand read	\$9.44 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing or b) 75% of the maximum kVA billable demand in excess of 45kVA recorded during the previous 364 days to the current billable demand read

Appendix 7

ELECTRIC

2023

Effective
October 3rd, 2023

Rate Code - 25, 30 and 35

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

Primary Metering	1.5% discount on consumption and demand charges. Customer-owned transformation - 9.0% discount on demand charges only	1.5% discount on consumption and demand charges. Customer-owned transformation - 9.0% discount on demand charges only
------------------	--	--

Rate Code 25 - General - Primary metered and City owned Transformation

Basic Charge	\$16.67 per billing plus	\$17.50 per billing plus
Energy Charge		
First 10,000 kwh per billing	\$0.1254 per kWh	\$0.1317 per kWh
Next 90,000 kwh per billing	\$0.0987 per kWh	\$0.1036 per kWh
Additional kwh per billing	\$0.0692 per kWh	\$0.0727 per kWh
Demand Charge	\$8.84 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA billable demand in excess of 45kVA recorded during the previous 364 days to the current billable demand read	\$9.28 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA billable demand in excess of 45kVA recorded during the previous 364 days to the current billable demand read

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

Basic Charge	\$16.67 per billing plus	\$17.50 per billing plus
Energy Charge		
First 10,000 kwh per billing	\$0.1273 per kWh	\$0.1337 per kWh
Next 90,000 kwh per billing	\$0.1003 per kWh	\$0.1053 per kWh
Additional kwh per billing	\$0.0703 per kWh	\$0.0738 per kWh
Demand Charge	\$8.17 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous 364 days to the current billable demand read	\$8.58 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous 364 days to the current billable demand read

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

Basic Charge	\$16.67 per billing plus	\$17.50 per billing plus
Energy Charge		
First 10,000 kwh per billing	\$0.1254 per kWh	\$0.1317 per kWh
Next 90,000 kwh per billing	\$0.0987 per kWh	\$0.1036 per kWh
Additional kwh per billing	\$0.0692 per kWh	\$0.0727 per kWh
Demand Charge	\$8.05 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous 364 days to the current billable demand read	\$8.45 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous 364 days to the current billable demand read

Rate Code 45 - General - City Accounts

Energy Charge	\$0.0849 per kWh for all consumption	\$0.0891 per kWh for all consumption
---------------	--------------------------------------	--------------------------------------

Appendix 7

ELECTRIC	2023	Effective October 3rd, 2023
-----------------	-------------	--

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

Per fixture watt or volt ampere per billing subject to Electric Utility Services Bylaw No. 2017-44	\$0.0957 per fixture kWh or kVAh per billing	\$0.1005 per fixture kWh or kVAh per billing
Per watt or volt ampere per billing based on equipment name plate data or customer information, or where data is insufficient, the City will determine by appropriate measurement and calculation what equipment kilowatt-hour or kilovolt ampere-hour loading shall be used for billing purposes.	\$0.1802 per kWh	\$0.1892 per kWh
Monthly minimum charge per fixture or service connection	\$16.67 per billing plus	\$17.50 per billing plus

Net Metering Rate Code (aka Micro-DR)

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

Electrical Service Calls

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

Electrical Service Connections

Temporary Service Connection

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

Service Relocate

1 phase up to 200 amps	\$461.15	\$461.15
------------------------	----------	----------

Service Upgrade

1 phase up to 200 amps	\$461.15	\$461.15
1 phase over 200 amps	Actual Cost	Actual Cost
3 phase overhead and underground (all)	Actual Cost	Actual Cost

Service Connection

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

Electrical Service Connections Non-Refundable Fee

Non-refundable portion of invoiced service connection cost if the project is cancelled after payment is received but prior to construction start	3%
--	----

Electrical Pole Contacts

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

Power Factor Surcharge:

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

Appendix 7		
ELECTRIC	2023	Effective October 3rd, 2023

Notes:

- #1. Any applicable Federal or Provincial taxes are in addition to the above charges. Penalty interest at the rate of two percent (2%) per bill for current charge amounts remaining unpaid after the passage of the due date denoted on the bill will be applied.
 - #2. Basic charges will be applicable to accounts that are disconnected from electric for seasonal or temporary purposes when the electric is being turned off at the account holders request but the account holder(s) is not altering.
 - #3. City Electrical Infrastructure is defined as: Any items related to the City of Penticton Electrical Utility distribution system including but not limited to primary duct and secondary duct, street lighting, power cables, transformers and associated appurtenances.
 - #4. All customers are eligible to access the "Electrical Service Payment Plan" for the installation of City Electrical Infrastructure and/or customer owned Micro-DR equipment that supplies power to their properties. The details of this program are summarized as follows:
 - Payment Plan range: A customer can put a minimum amount of \$2,000 up to a maximum amount of \$50,000 on a Payment Plan;
 - Payment Plan terms: 5 year payback in equal monthly amounts on the Electric Utility Bill plus interest calculated at the Prime Interest Rate +0.5%; and
 - The customer has the ability to end the Payment Plan at any time by repaying the balance owing in full at any time without penalty.
- Eligibility requirements:
- Must be for a new or an upgrade to an Electrical Service;
 - Must be a City of Penticton Electric Utility customer;
 - Must have a credit score of: 650 or greater for an individual, or less than 25 for a business;
 - Must have a maximum of 19 City of Penticton Utility Credit Points;
 - The customer must own both the land and building where the service is required; and
 - If Micro-DR, receipts must be submitted from the contractor performing the work; and
 - Protection: Any defaults on the Payment Plan will be subject to the normal City of Penticton utility collection procedures, including service disconnect and ultimately transfer of outstanding amount to taxes. Any outstanding payment plan amounts must be paid in full upon sale of the property.

The Corporation of the City of Penticton

Bylaw No. 2023-31

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. 2023-31."

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 B District Lot 202 Similkameen Division Yale District Plan 899, located at 791 Martin Street, and Lot A District Lot 202 Similkameen Division Yale District Plan 1557 Except: Plan EPP80670, located at 799 Martin Street, from 'Detached Residential' to 'Ground Oriented Residential' as shown on Schedule 'A'.

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

READ A FIRST time this	12	day of	September, 2023
A PUBLIC HEARING was held this	3	day of	October, 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 22nd day of September, 2023 and the 27th day of September, 2023 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Julius Bloomfield, Mayor

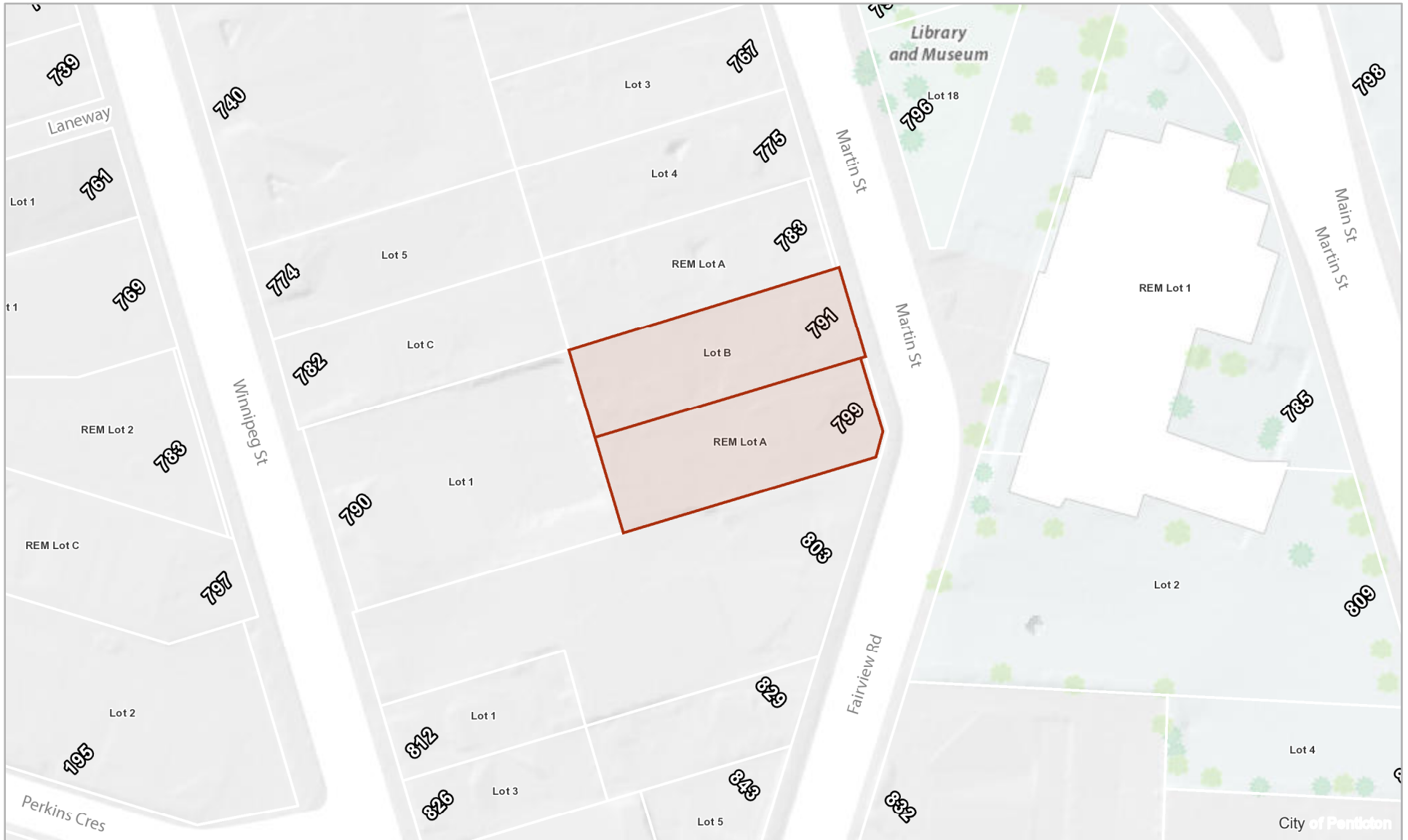
Angie Collison, Corporate Officer



Schedule A: OCP Amendment Bylaw 2023-31

Date:

Corporate Officer:

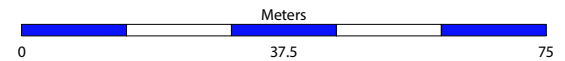


Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user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



1:1,080

August 28, 2023 9:33:34 AM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

The Corporation of the City of Penticton

Bylaw No. 2023-32

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. 2023-32".

2. **Amendment:**

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

Rezone Lot B District Lot 202 Similkameen Division Yale District Plan 899, located at 791 Martin Street, from RD1 (Duplex Housing) to RM3 (Medium Density Multiple Housing) as shown on Schedule 'A'.

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

READ A FIRST time this	12	day of	September, 2023
A PUBLIC HEARING was held this	3	day of	October, 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 22nd day of September, 2023 and the 27th day of September, 2023 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Julius Bloomfield, Mayor

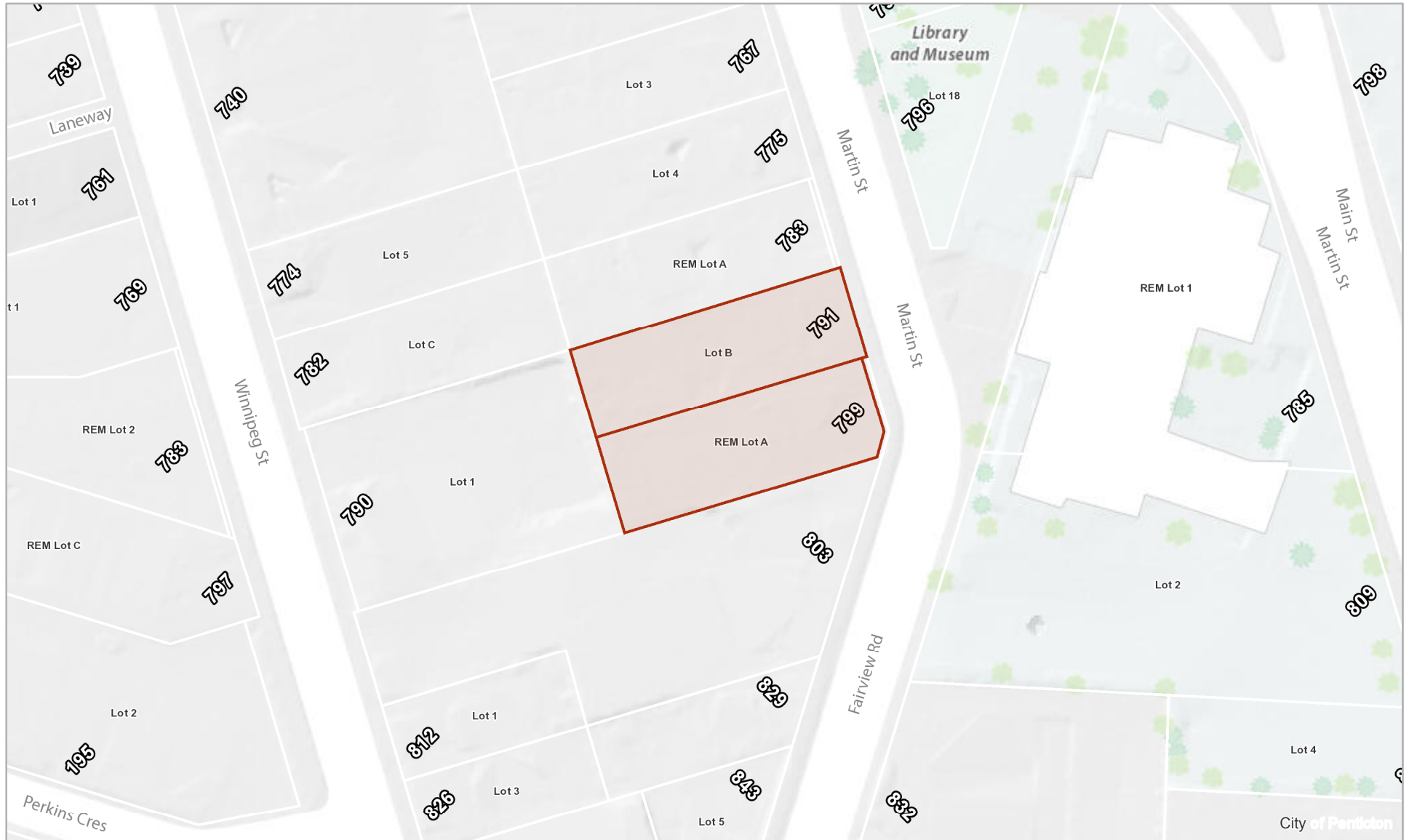
Angie Collison, Corporate Officer



Schedule A: Zoning Amendment Bylaw 2023-32

Date:

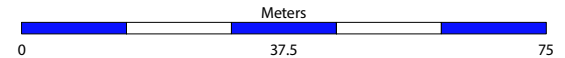
Corporate Officer:



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.



1:1,080
 August 28, 2023 9:34:50 AM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

The Corporation of the City of Penticton

Bylaw No. 2023-33

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. 2023-33".

2. **Amendment:**

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

Add Section 10.5.4.10: "In the case of Lot 46 District Lot 2710 Similkameen Division Yale District Plan EPP111154, located at 126 Deer Place, two single detached dwellings shall be permitted."

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

READ A FIRST time this	12	day of	September, 2023
A PUBLIC HEARING was held this	3	day of	October, 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 22nd day of September, 2023 and the 27th day of September, 2023 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Julius Bloomfield, Mayor

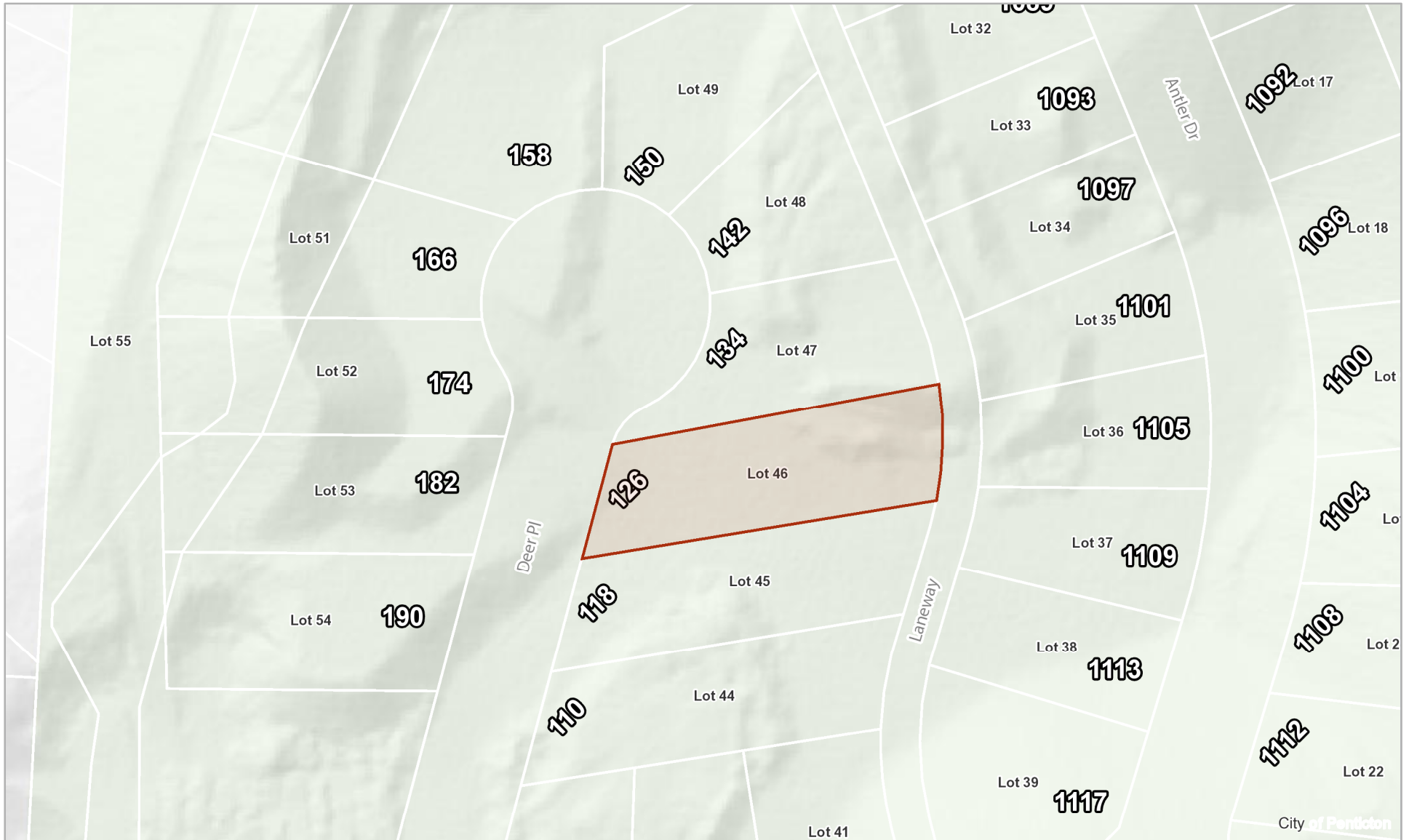
Angie Collison, Corporate Officer



Schedule A: Zoning Amendment Bylaw 2023-33

Date:

Corporate Officer:

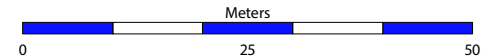


Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user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



1:840

August 29, 2023 9:56:29 AM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

Development Variance Permit

Permit Number: DVP PL2023-9638

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 46 District Lot 2710 Similkameen Division Yale District Plan EPP111154
 - Civic: 126 Deer Place
 - PID: 031-461-140
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2023-08 to allow for the construction of two single detached dwellings as shown in the plans attached in Schedule 'A':
 - a. Section 10.5.2.9.a: to reduce the rear yard from 6.0 m to 4.5 m.

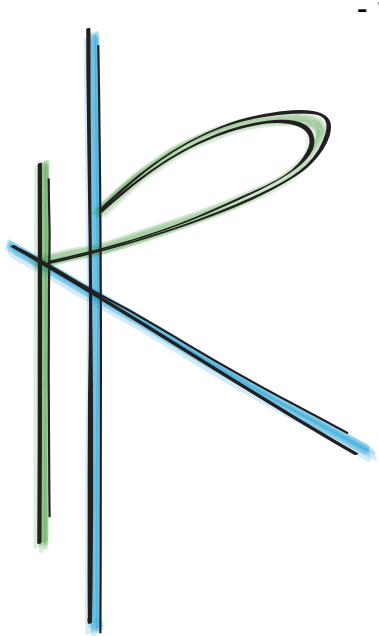
General Conditions

4. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
5. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
6. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the 12th day of September, 2023.

Issued this ____ day of September, 2023.

Angela Collison
Corporate Officer



UPRISE HOUSE PLANS
BY UPRISE DESIGN + DRAFTING INC.
#110-3121 HILL RD, LAKE COUNTRY, BC
PH: 778.480.0341

126 A/B DEER PLACE DHILLON - SPEC HOME

DATE: JULY 19, 2023
SCALE: AS NOTED

GENERAL NOTES
1. ALL PLANS AND DIMENSIONS MUST BE REVIEWED BY CONTRACTOR BEFORE CONSTRUCTION AND MUST VERIFY ANY DISCREPANCIES BETWEEN THE DRAWING AND EXISTING CONDITIONS PRIOR TO WORK BEING DONE.
2. CONTRACTOR MUST COMPLY WITH ALL CURRENT BUILDING CODES, BY-LAWS AND REGULATIONS.
3. THESE PLANS ARE FOR A SINGLE PROJECT AND THE COPYRIGHT BELONGS TO UPRISE DESIGN + DRAFTING INC. THE DESIGN MUST NOT BE COPIED AND THESE DRAWINGS MUST NOT BE DUPLICATED BY ANY PERSONS.

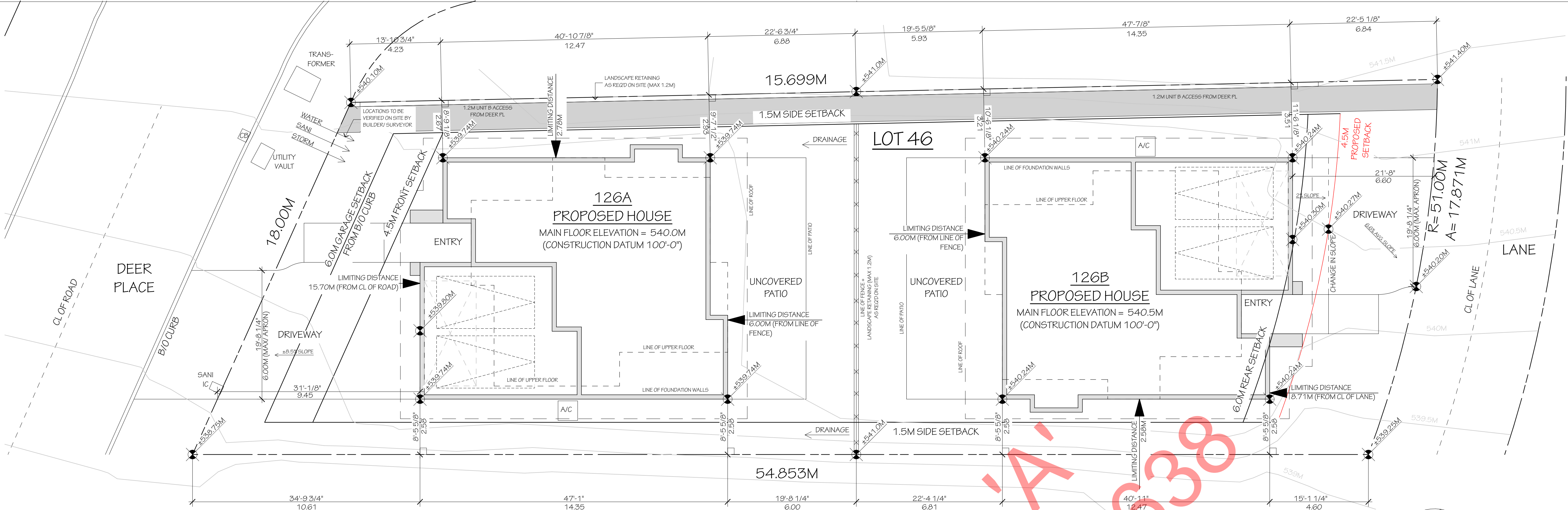
REVISIONS		
#	DATE	DESCRIPTION
2	07/19/2023	REVISED - TECHNICAL PLANNING COMMITTEE COMMENTS
1	02/17/2023	ISSUED FOR BUILDING PERMIT

SITE PLAN

0.1

SHEET 2 OF 9

DRAWN BY: AW REVISIONS BY: CD



1 SITE PLAN

SCALE: 1:100

THIS SITE PLAN WAS CONSTRUCTED BASED ON INFORMATION PROVIDED TO UPRISE DESIGN AND DRAFTING INC. UPRISE CANNOT TAKE RESPONSIBILITY. AND ALL GEODETIC VALUES AND POSITIONING OF HOUSE MUST BE REVIEWED AND CONFIRMED BY BUILDER AND SURVEYOR BEFORE THE COMMENCEMENT OF CONSTRUCTION.

SITE INFORMATION	
CLIENTS:	DHILLON - SPEC HOME
ZONING DISTRICT:	RD2
LEGAL ADDRESS:	LOT 46 DISTRICT LOT 2710 SIMILKAMEEN DYD PLAN EPP111154
CIVIC ADDRESS:	126A DEER PLACE PENTICTON, BC
ELEVATIONS:	126B DEER PLACE PENTICTON, BC
U/S FOOTING	AS REQ'D BY FROST/BEARING
T/O CRAWL SPACE SLAB	538.45M (94'-10 3/4")
T/O FOUNDATION WALL	539.95M (99'-9 7/8")
T/O GARAGE	539.95M (99'-9 7/8")
T/O MAIN FLOOR	540.00M (100'-0")
T/O UPPER FLOOR	543.39M (111'-1 1/4")
FINISHED GRADE FRONT	539.74M (99'-1 7/8")
FINISHED GRADE BACK	539.74M (99'-1 7/8")
ROOF PEAK	547.92M (125'-11 5/8")
HOUSE AREA:	SPRINKLERED THROUGHOUT TO NFPA 13D
MAIN FLOOR	1146.09 SQFT
UPPER FLOOR	1059.03 SQFT
TOTAL LIVABLE SPACE:	2205.12 SQFT
CRAWLSPACE	1132.71 SQFT
GARAGE	461.85 SQFT
PATIO	507.22 SQFT
TOTAL UN-LIVABLE SPACE:	2101.78 SQFT
TOTAL HOUSE AREA:	4306.90 SQFT
LOT:	
AREA	9596.7 SQFT (891.56M ²)
SITE COVERAGE	3326.6 SQFT (309.05M ²)
% LOT COVERAGE	33.17%
LOT DENSITY (FAR) (0.95 MAX)	0.46

2 SITE INFORMATION

DVP PL2023-9638

GENERAL NOTES:
These notes constitute a part of the drawing package and are intended to be understood before commencement of the project.
All construction to comply with BC Building Code 2018 and applicable bylaws.
All work shall be completed as good building practice and be consistent with the standards set out by each trades professional association.
Contractor/BUILDER is responsible for verifying all dimensions and specifications before commencing construction.
Written dimensions take precedence over scaled dimensions.
Dimensions are from the face of stud on the exterior of the building to face of stud on interior partitions.
Uprise is not responsible for changes or variations from these drawings to site conditions or the structural drawings provided by the P.E.N.G. for Roof, Floor, Wall or Foundation, and is the responsibility of the Contractor/BUILDER to resolve discrepancies.
Any and all design that requires Engineering is the sole responsibility and at the cost of the Owner.

ERRORS AND OMISSIONS:
Uprise makes every effort to provide a clear, concise and complete set of construction documents. However Uprise cannot assume liability for any errors or omissions which may affect construction. It is the responsibility of the Contractor/BUILDER to verify dimensions, details and specifications before construction. If an error or omission is found in this set of documents, please bring it to our attention and we will correct it and provide an amendment document immediately.

STRUCTURAL DESIGN AND ENGINEERING:
All load carrying elements including but not limited to joist, beams and columns within roofs, walls and floors must comply with the limits set out in Part 9 of the BCBC of the designed by P.E.N.G.
The design of this building will require the professional assurances of an Engineer for the Roof System, Floor System, Beams (optional) and Foundation.

CONSTRUCTION SITE NOTE:
The Contractor/BUILDER is responsible for the correct positioning of the house on the site.
Driveways, walkways, steps, patios, walls and all other site works to be verified once finished grade is established in relation to the top of foundation wall.
Finished grading of all surfaces are to be designed to slope away from the building.

FOUNDATIONS:
Foundations shall be concrete on solid undisturbed or compacted bearing and below frost line.
Unless otherwise noted the compressive strength of unreinforced concrete after 28 days shall be not less than 15 MPa for walls, columns, fireplaces and chimneys, footings, foundation walls, grade beams and piers, 20 MPa for floors other than those in garages and carports, and for garage and carport floors, and the exterior steps 32 MPa.
Concrete used for garage and carport floors and exterior steps shall have an entrainment of 5 to 8%.
Foundation Wall elevations are based off least information provided and relate to specific construction methods as seen in drawing details and assumes location of solid bearing and must be confirmed by builder.
Where the exterior finished ground level is at a higher elevation than the ground level inside the foundation walls, exterior surfaces of foundation walls below ground level shall be damp proofed.
Soil Gas Prevention: All wall, roof and floor assemblies separating conditioned space from the ground shall be protected by an air barrier system.
Concrete Walls exceeding max heights for unreinforced concrete must be designed by a P.E.N.G.
It is recommended that Footings and Foundations are of the reinforced type and therefore are designed by a P.E.N.G.
Subsurface perimeter drainage to conform to 2018 BCBC and be connected to a dry well.

WOOD FRAMING:
Lumber for joists, rafters, trusses and beams shall be identified by a grade stamp to indicate its grade as determined by N.L.G.A 2007, "Standard Grading Rules for Canadian Lumber".
Owner/Contractor to confirm all rough openings for doors, windows and other units with manufactures installation recommendations before commencement of construction.
Security blocking to be installed at all exterior doors.
Builder is responsible for proper framed backing between studs, trusses, joist, etc. For the installation of rails, grab bars, cabinets, etc.
Laminated column supporting built-up beams or girder trusses to be same width as supported member unless otherwise noted by P.E.N.G.
All beams, lintels and columns are subject to engineering as roof loads may not be covered by the building code.
All installation of Engineered products must follow specifications of P.E.N.G. structural drawings.
Interior partitions over 6'-0" long running parallel to the floor direction shall have either double joist or cross framing for support.
All lintels to be built-up 2 ply 2x10 unless otherwise noted.
All members shall be so framed, anchored, fastened, tied and braced to provide the necessary strength and rigidity.
Ends of wood joists, beams and other members framing into masonry or concrete shall be treated to prevent decay where the bottom of the member is at or below ground level or a 12 mm air space shall be provided at the end and sides of the member.

Wood framing members that are not pressure-treated with a wood preservative and that are supported on concrete in contact with the ground or fill shall be separated from the concrete by not less than 0.05 mm polyethylene film or Type 30 mil roofing.
Building frames shall be anchored to the foundation.
All spans to comply with the limits stated in the 2018 BCBC.
Floors, Walls and Trusses to be braced, strapped and bridged for maximum rigidity.

PLUMBING AND ELECTRICAL:
Installation of plumbing and electrical must comply with local and regulations in all aspects.
Outlet locations are to comply with current building code requirements.
No electrical or plumbing fixture or outlet or any service run may be installed in or through fire separation walls between suites.
All locations of drains shown in fixtures are just symbols and should be reviewed with owner and contractor before any installation. Locations of drains are subject to the type of fixture being installed.

HVAC:
Design and sizing of HVAC should be done in consultation with a professional as increased focus is being placed on energy savings and indoor air quality.
Installation of entire heating system, whether electric, forced air or warm water, must comply with manufactures directions and local code and regulations.
Fuel burning appliances, including furnaces, fireplaces and stoves, to be provided with combustion air supply from the exterior.

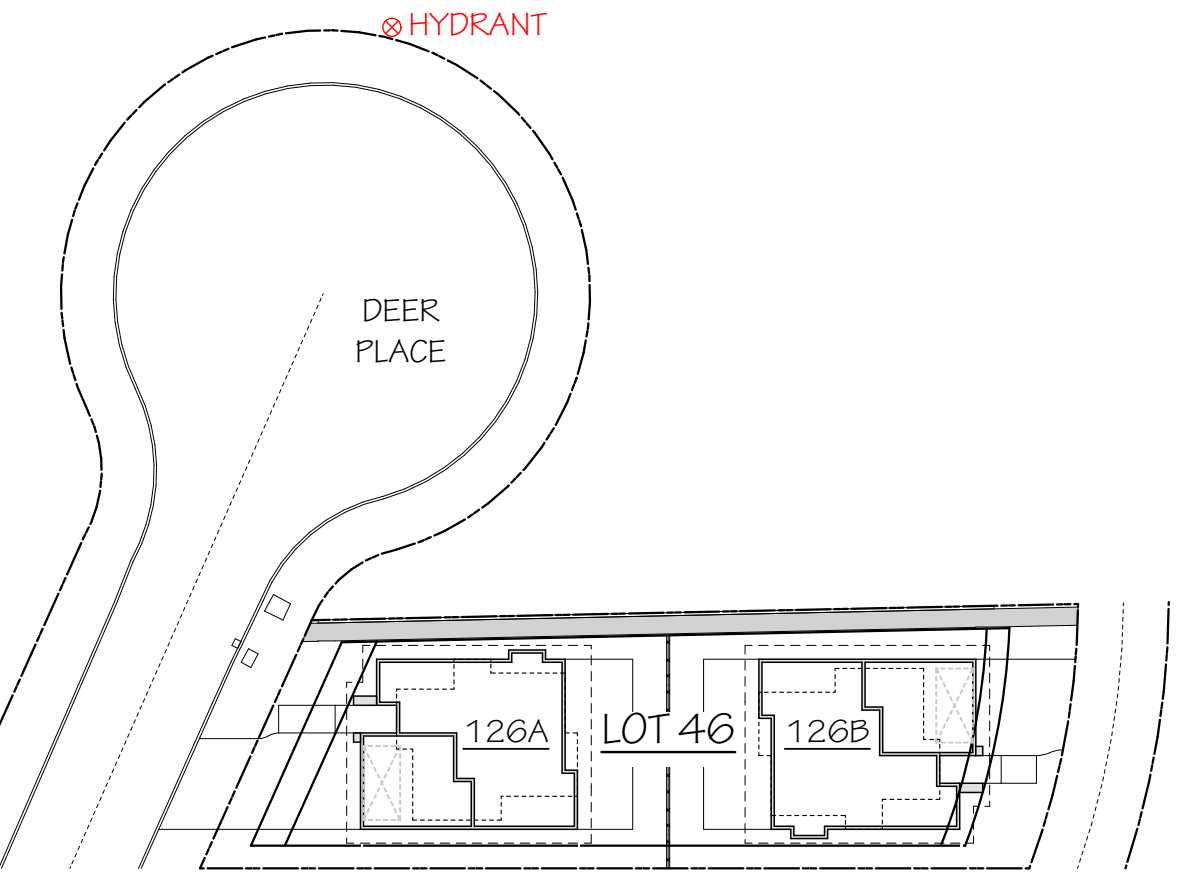
ROOF:
Except where it can be shown to be unnecessary a space shall be provided between the insulation and the sheathing, and vents shall be installed to permit the transfer of moisture from the space to the exterior.
The unobstructed vent area shall be not less than 1/500 of the insulated ceiling area.
Where the roof slope is less than 1 in 6 or in roofs that are constructed with roof joists, the unobstructed vent area shall be not less than 1/150 of the insulated ceiling area.
Roofs shall be protected with roofing, including flashing, installed to shed rain effectively and prevent water due to ice damming from entering the roof.
All drainage, downspouts, and roof drains to be confirmed by truss supplier and contractor. All roof drains must conform to Part 7 of the BCBC.
Eave protection shall be provided on shingle, shake or tile roofs, extending from the edge of the roof a minimum of 900 mm up the roof slope to a line not less than 300 mm inside the inner face of the exterior wall.

BUILDING ENVELOPE:
All walls, ceilings and floors separating conditioned space from unconditioned space, the exterior air or the ground shall be provided with thermal insulation, a continuous air barrier and a vapour barrier.
Flashing shall be installed at every horizontal junction between cladding elements, every horizontal offset in the cladding, and every horizontal line where the cladding substrates change.
Flash at all unprotected openings.
Sealant shall be provided where required to prevent the entry of water into the structure.
Sealant shall be provided between masonry, siding or stucco and the adjacent door and window frames or trim, including sills, unless such locations are completely protected from the entry of rain.
Sealant shall be provided at vertical joints between different cladding materials unless the joint is suitably lapped or flashed to prevent the entry of rain.
Minimum distance between finished grade and exterior cladding must be 6 in.

INSULATION:
Degree Days for Kelowna: 3400 Climate Zone: 5 (3000 to 3999 HDD)
Insulation specifications as required by Energy Report, (by others).

FINISHING:
All interior and exterior finishes shall be specified by owner.
Finishing shown on plans shall be confirmed by owner.
Soffits to be stained T&G pine or perforated aluminum on all exterior trusses as noted on plans.
It is recommended that suitable water resistant backer board be used in all high moisture areas.
All doors and windows must meet or exceed 2018 BCBC performance and installation Standards.
Exterior Doors shall be solid core and weather striped. Garage doors to dwelling to be solid core, weather striped and self closing.
Coat and clothing closets shall have one rod and shelf. Linen closets shall have 5 shelves if possible and broom closets shall have one shelf.
All millwork and cabinets to be determined in consultation with millwork and cabinet suppliers.

3 GENERAL NOTES



4 HYDRANT LOCATION

SCALE: 1:500

EXPOSED BUILDING FACE CALCULATIONS			
FRONT ELEVATION A		FRONT ELEVATION B	
TOTAL EBF = 72.20M ² (777.2 SQFT)	100% ALLOWED	TOTAL EBF = 72.20M ² (777.2 SQFT)	100% ALLOWED
LIMITING DISTANCE = 15.70M	100% ALLOWED	LIMITING DISTANCE = 8.71M	100% ALLOWED
AREA ALLOWED: 777.2 SQFT	AREA PROVIDED: 235.5 SQFT	AREA ALLOWED: 777.2 SQFT	AREA PROVIDED: 235.5 SQFT
LEFT ELEVATION A		LEFT ELEVATION B	
TOTAL EBF = 92.81M ² (999.0 SQFT)	12.81% ALLOWED	TOTAL EBF = 92.81M ² (999.0 SQFT)	100% ALLOWED
LIMITING DISTANCE = 2.78M	12.81% ALLOWED	LIMITING DISTANCE = 2.58M	100% ALLOWED
AREA ALLOWED: 127.97 SQFT	AREA PROVIDED: 112.0 SQFT	AREA ALLOWED: 117.58 SQFT	AREA PROVIDED: 112.0 SQFT
BACK ELEVATION A		BACK ELEVATION B	
TOTAL EBF = 72.20M ² (777.2 SQFT)	46.88% ALLOWED	TOTAL EBF = 72.20M ² (777.2 SQFT)	100% ALLOWED
LIMITING DISTANCE = 6.00M	46.88% ALLOWED	LIMITING DISTANCE = 6.00M	100% ALLOWED
AREA ALLOWED: 361.91 SQFT	AREA PROVIDED: 248.0 SQFT	AREA ALLOWED: 361.91 SQFT	AREA PROVIDED: 248.0 SQFT
RIGHT ELEVATION A	RIGHT ELEVATION B	RIGHT ELEVATION A	RIGHT ELEVATION B
AREA GLAZING PROVIDED: 0 SQFT	AREA GLAZING PROVIDED: 0 SQFT	AREA GLAZING PROVIDED: 0 SQFT	AREA GLAZING PROVIDED: 0 SQFT
HOUSE 126B SPRINKLERED TO NFPA 13D			

5 E.B.F.

The Corporation of the City of Penticton

Bylaw No. 2023-34

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. 2023-34."

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 A District Lot 3429S Similkameen Division Yale District Plan 23195 Except Plan 37288, located at 1704 Government Street, from "Industrial" to "Mixed Use" as shown on Schedule 'A'.

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

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

Site-Specific Mixed Use Policy Statement:
1704 Government Street: Allow a maximum building height of 12 storeys.

READ A FIRST time this	12	day of	September, 2023
A PUBLIC HEARING was held this	3	day of	October, 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 22 day of September, 2023 and the 27 day of September, 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 No. 2023-34

Date:

Corporate Officer:

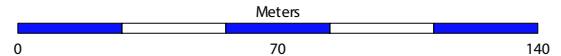


Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user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



1:2,040

September 1, 2023 3:44:45 PM



Coordinate System: NAD 1983 CSRSUTM Zone 11N

Council Report

penticton.ca

Date: October 3, 2023

To: Mayor and Council

From: Kristen Dixon, Interim Chief Administrative Officer
JoAnne Kleb, Communications and Engagement Manager

Subject: **2023 Utility Rate Review – Engagement Results and Recommendations**

Staff Recommendation

THAT Council receive into the record the report titled 2023 Utility Rate Review Engagement Report;

AND THAT Council direct staff prepare amendments to the Fees and Charges Bylaw that include the following overall utility increases for 2024:

- 3% for electrical
- 6.4% for treated water, including the adoption of the inclining rate structure for $\frac{3}{4}$ inch residential customers
- 6.1% for agricultural water
- 10.2% for sanitary water
- 30% for storm sewer

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

At the August 15, 2023 Council meeting, a report was provided to Council with the preliminary results of the Utility Rate Review and details on the proposed engagement strategy. The draft report proposed the following six key changes to the City's utility rates, to ensure that residents have dependable and sustainable utilities.

1. Increase rates to support the Annual Asset Life Cycle Investment Plan.
2. Adopt inclining water rates for residential customers with a $\frac{3}{4}$ inch meter (where high users pay more).
3. Increase agricultural water rates to fund 100% of the operation and maintenance costs.
4. Adjust rates for customer classes to reflect the cost of service (i.e. no subsidies).
5. Update reserve policies to ensure balances reflect future asset management needs

6. Create a policy to formalize the calculation and utilization of the electrical dividend.

The following resolution was passed:

305/2023	<p>8.4 <u>2023 Utility Rate Review – Preliminary Results and Engagement Strategy</u> Delegation: Hayitbay Mahmudov, <u>InterGroup Consultants Inc.</u></p> <p>It was MOVED and SECONDED THAT Council receive into the record the report dated August 15, 2023 titled “2023 Utility Rate Review – Preliminary Results and Engagement Strategy”; AND THAT Council endorse the proposed Utility Rate Review Engagement Strategy as outlined in the report; AND THAT Council direct staff to prepare an amendment to the Fees and Charges Bylaw to increase electrical utility rates by an interim 5%.</p>	<p>CARRIED Councillors Konanz and Miller, Opposed</p>
----------	---	---

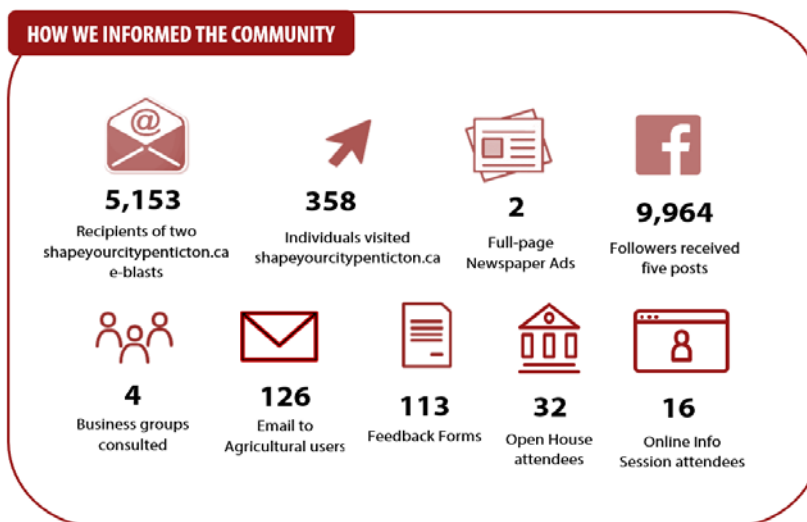
In advance of the engagement period, recognizing the magnitude of the proposed increases, staff also recommended Council adopt an interim 5% increase electrical rates. The corresponding fees and charges bylaw received first three readings on Septmeber 12, 2023 and the bylaw will be available for adoption at the October 3, 2023 Council meeting.

This report will summarize the engagement results, and provides recommendation to finalize the rate review report and to amend the fees and charges bylaws for 2024.

Analysis

Engagement Overview

The City conducts community engagement programs to ensure the interests of residents are considered in Council decisions along with financial analysis, technical studies and policies and plans. The engagement program for the 2023 Utility Rate Review was conducted between August 25 and September 15, 2023. The main goals of this process were to raise awareness of the six recommendations in the review and provide an opportunity for interested residents to learn more and share their feedback. The following chart summarizes the activities of the engagement program.



Engagement Results

The complete findings from the engagement program are included in Attachment A – 2023 Utility Rate Review Engagement Report. The following are the key conclusions from the process:

- Resident participation in the 2023 Utility Rate Review engagement program was fairly low. This is consistent with prior years and similar subject matter. The results shared reflect the views of the residents who chose to participate and are not necessarily representative of the community-as-a-whole. The findings were reviewed to identify any issues that should be considered prior to finalizing the recommendations in the view.
- *Recommendation #1 Implement rate increases that support the City’s asset management investment plans.* While respondents understand the need to invest to maintain infrastructure, half (50%) do not support utility rate increases because of rising costs of living. The remaining participants agreed (24%) or somewhat agreed (26%) to the need to set rates that support asset management investment plans. Concerns about affordability were reiterated by participants in the online information
- *Recommendation #2 Set the rates for each utility customer class to reflect the cost of service for that sector.* Respondents agree (56%) or somewhat agree (26%) that the utility customer classes should pay for what they use and not have one class subsidize another.
- *Recommendation #3 Introduce an inclining rate structure for residential customers with a ¾ inch meter to encourage conservation.* Support for a change to inclining water rates was consistent between the results of this engagement program and the recent 2023 Citizen Survey (76% and 72%, respectively). Concerns that watering vegetable gardens should be considered essential, lawns and other landscaping are not.
- *Recommendation #4 Increase agricultural water rates to cover 100% of the operation and maintenance cost.* 82% of respondents agreed or somewhat agreed with increasing agricultural water rates to cover 100% of the operation and maintenance costs. Concerns from both sides noted a preference for differentiating between livestock, produce and vineyard watering, stating some agricultural watering is more important than others. Other concerns noted here included encouraging more conservation education and efforts for agricultural water users and consideration for increasing these rates incrementally to ease financial burdens of farming. Those

not in favour indicated that increased water rates will be passed on to consumers in increased food prices, and noted that farmers already struggle greatly due to climate change, crop insecurity, etc.

- *Recommendation #5 Update reserve policies to reflect balances needed for future asset management plans.* There is strong support (69% in favour, 19% somewhat supportive) for the City to update its reserve policies to improve transparency and reflect balances needed for future asset management plans. There was confusion about the interfund borrowing and debate about whether or not the City should borrow from reserves.
- *Recommendation #6 Formalize the process for calculating the electrical dividend and its utilization into a City policy.* Most participants agree (52%) or somewhat agree (19%) with this recommendation. Those that somewhat or disagree question whether or not dividends should be used for capital projects outside of the electric utility.
- The City arranged for meetings with local business and industrial groups to discuss the draft findings of the review. The participants were mostly concerned about the rate increases and the financial hardships facing businesses following a difficult few years and a challenging August. The business community is aware of the need to increase electrical rates specifically and prefer predictable and moderate increases. The industrial community believes the city is at risk of losing major employers due to the cost of doing business in Penticton. Both groups would like to see more incentives for conservation and energy efficiency.
- Residents also expressed interest in the City developing rebates or other reward programs to support conservation.
- Some participants felt that communications in support of the utility rate review could be more effective to support greater awareness and understanding.
- Specific to the electric utility, there was also significant confusion relating to the interfund borrowing, and the perception that electric rates were being increased as a result of this borrowing. Despite the City issuing a clarifying "FAQ" confirming that the borrowing had no effect on the consultants recommendations, there continues to be confusion.

Next Steps

As noted above, there was general support for the recommendations in the draft report, including the adoption of the inclining block rate structure for treated water, and updating the City's policies relating to reserves and the electrical dividend. Where there was not support, it generally stemmed from concerns relating to affordability and the overall ability to pay. While staff understand and acknowledge the cost pressures that residents and businesses are facing, this feedback is difficult to respond to in a meaningful way as the City is facing the same inflationary cost pressures that its customers are facing.

One way the City can respond to this feedback is to adjust the rates to temper the impact of the increases, specifically for the electrical utility. Rather than 10% for 2024, followed by subsequent 7% annual increases, staff are recommending the increases be tempered to 8% annually. Assuming the interim 5% is adopted on October 3, this would result in a further 3% increase for 2024 for the electric utility, as opposed to an additional 5%.

This modification would result in the following average increases for each of the utilities for 2024:

- 3% for electrical (in addition to the interim 5%)
- 6.4% for treated water
- 6.1% for agricultural water
- 10.2% for sanitary water
- 30% for storm sewer

It is recommended that staff prepare the appropriate fees and charges amendment bylaws for these overall utility increases, noting that the increases for each of the customer classes will differ to ensure the rates reflect the cost of providing the service, as supported through *Recommendation #2* above.

Should the staff recommendations be supported, the Utility Rate Review report will be finalized with the summary of the engagement results and the proposed modifications to smooth the electrical rate increase. Future year increases will be further refined as the City goes through each of the financial planning processes, utilizing the report as a key reference point. The other recommendations, including updating the reserve policies and the creation of the policy relating to the electrical dividend, will come forward as they are prepared by the Finance Department.

Financial implication

Implementing the proposed rate increases are important to ensuring the long term sustainability of the City's utilities. For the Electric utility specifically, the annual operating budget is currently being offset by a draw from surplus. If this continues, the Electric surplus will continue to decrease until it is no longer sufficient to cover the annual losses regardless of the repayment of the interfund borrowing. This impact will be further compounded as FortisBC continues to pass along increases, which will only result in larger increases being required for Penticton ratepayers in the future once surplus funds are exhausted.

Alternate recommendations

Should Council not support the staff recommendations, they may wish to receive the engagement results, and explore other financial scenarios. If so, Council could consider a resolution along the lines of:

THAT Council receive into the record the report titled 2023 Utility Rate Review Engagement Report;

AND THAT staff be directed to bring back additional information as requested by Council.

Attachments

Attachment A – 2023 Utility Rate Review Engagement Report

Respectfully submitted,

Kristen Dixon,
GM of Infrastructure

JoAnne Kleb,
Communications and Engagement Manager

Director of
Finance and
Administration

AMC



2023 Utility Rate Review Engagement Report

September 29, 2023

1.0 Overview

2.0 Community Participation

3.0 Community Feedback

3.1 Information Session

3.2 Open House

3.3 Feedback Form Results

3.4 Interested Party Consultations

- Business Community (Chamber of Commerce and DPBIA)
- Industrial Community (Penticton Industrial Development Association)
- Agricultural Community

4.0 Citizen Survey on Inclining Water Rates

5.0 Conclusions

Appendix A– Engagement Timeline

Notice to reader - Interpreting Engagement Program Results

The purpose of the engagement program is to provide residents with the opportunity to learn more about City initiatives and contribute to City decisions that affect or interest them. It supports better, more informed decisions by ensuring that all issues are identified, understood and addressed where possible.

The engagement program is not intended to be a voting instrument for the community. The results are representative of the views of the people who choose to participate and not necessarily the community-as-a-whole. Council is elected to make the decision on behalf of the community and the engagement results are to be considered along with other factors such as financial analysis, technical studies and policies and plans.

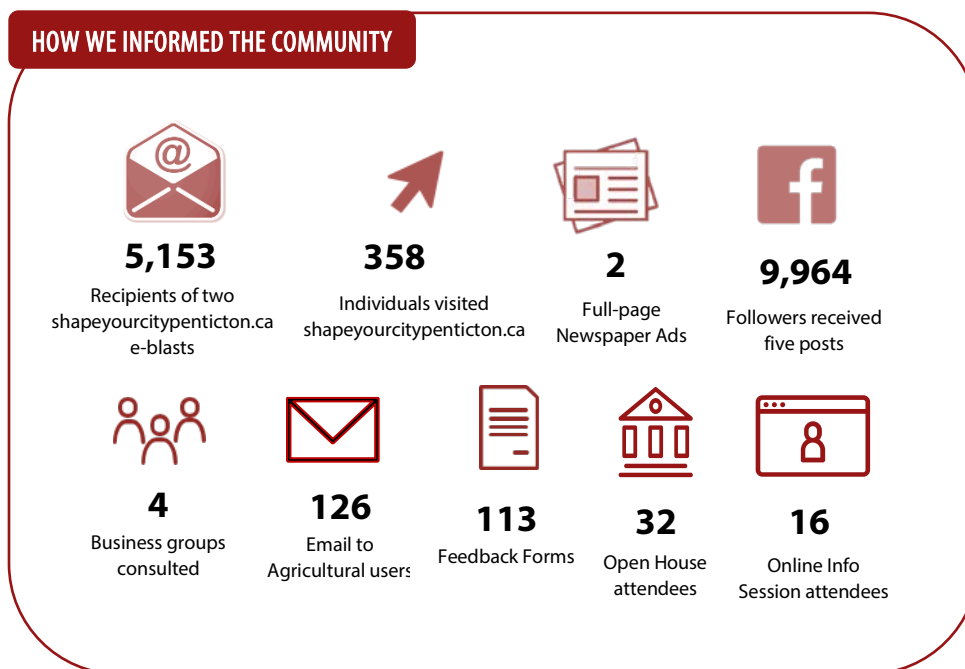
1.0 Overview

One of the City’s main responsibilities is ensuring that residents have dependable and sustainable utilities, including electrical, water, storm water and sanitary sewer. Every four years or so, the City reviews its utility rates to ensure they are competitive and that they provide the necessary funding to keep our utilities going now and into the future. The draft report includes six key recommendations to ensure the long term financial sustainability of our utilities.

Residents were invited to review the recommendations, attend an information session or open house to discuss the recommendations with staff, and share their feedback before September 15, 2023.

2.0 Community Participation

The engagement program was conducted between August 25 and September 15, 2023. The following chart summarizes the activities conducted to notify residents about the engagement opportunities. A detailed timeline is provided in Appendix A.



3.0 Community Feedback

Residents had three different opportunities to provide their feedback to staff including through an Online Information Session, an Open House and a Feedback Form. The following is a summary of the findings from these activities.

3.1 Open House

The City hosted an in-person open house to provide residents with an opportunity to learn more about the findings of the Utility Rate Review as well as share their feedback. The open house was held on Sept. 6 between 5 pm and 7 pm at the Penticton Trade and Convention Centre. The open house was attended by 32 residents. The following are the key themes from the discussion at this event.

- Participants suggested that many residents are struggling as a result of inflation. They indicated that electrical rates will have been increased twice in 2023 with the approval of the budget in the New Year, two incremental increases and the new rates resulting from the review. They indicated that seniors on a fixed income are not keeping pace with the increases.
- Participants inquired about the inclining rate structure and how they might be affected. Staff indicated that 50% of the population fall within the first block, the next 30% fall within the first and second block and only 20% fall will have consumption in all three blocks.
- Participants inquired about the possibility of having a two-tier rate for the electrical utility also in an effort to support conservation.
- Participants inquired about whether or not the City has plans to bury power lines throughout the City. Staff indicated that the City does not have a City wide strategy for relocating power lines underground. This work is planned for the future.
- Participants inquired about whether or not electrical rates need to increase to repay the amount borrowed to fund the bike lane. Staff clarified that the amount borrowed was used to fund multiple projects and will be repaid over ten years through gaming revenues from the casino and the asset sustainability reserve.
- Participants suggested increases are crippling for low-income families and single-parent families.
- Participants were aware that the City has borrowed internally but were confused about what it meant and how it would be repaid. Some suggested the rate increase is needed to repay money borrowed from electrical reserve to fund projects including section of the lake-to-lake route. Staff indicated that the funds borrowed from the reserve saved \$3 million in interest fees and that the bike lane portion will be repaid through casino and asset sustainability funds.

- Participants indicated that the communications materials were not explicit enough on the rate increases and should have highlighted the interim increases plus the planned annual increases. It was also suggested that a “mock bill” would be a more effective way to communicate what will change.
- Some participants felt that the municipal comparisons were used to determine and justify the increases. Staff clarified that the municipal comparisons were done after the financial analysis was complete in order to provide context for the proposed changes.

3.2 Online Information Session

The second opportunity was an online information session via Zoom held on Monday, September 11 between 6 pm and 8 pm. Sixteen attendees participated in the discussion and the session ended early as there were not many questions after the presentation. Themes and discussions included:

- Participants suggested that the consultants review did not offer alternatives to increases. Staff indicated that the direction to consultants was to perform the calculations based on maintaining existing service levels, including appropriate funding to meet the City’s asset management objectives.
- Participants indicated that the estimated total may seem reasonable but is difficult for low income and inquired what resources are available to people unable to pay their utilities. It was also indicated that many people struggle from time to time. Staff indicated there are resources available and are provided when the need arises.
- Participants inquired about alternative billing options for electrical such as time-of-use. Staff indicated that time-of-use is misleading as it creates multiple peak billing times and the City has other strategies it will be pursuing to try to “level-off” and reduce consumption.

3.3 Feedback Form Results

One of the primary ways the City gathers formal feedback is through the use of feedback forms. The focus of the feedback forms was to gather feedback on the recommended principles from the Utility Rate Review report that will guide the calculations. Residents were invited to review the information and complete a feedback form before Friday, September 15, 2023. In total, **119 feedback forms** were received.

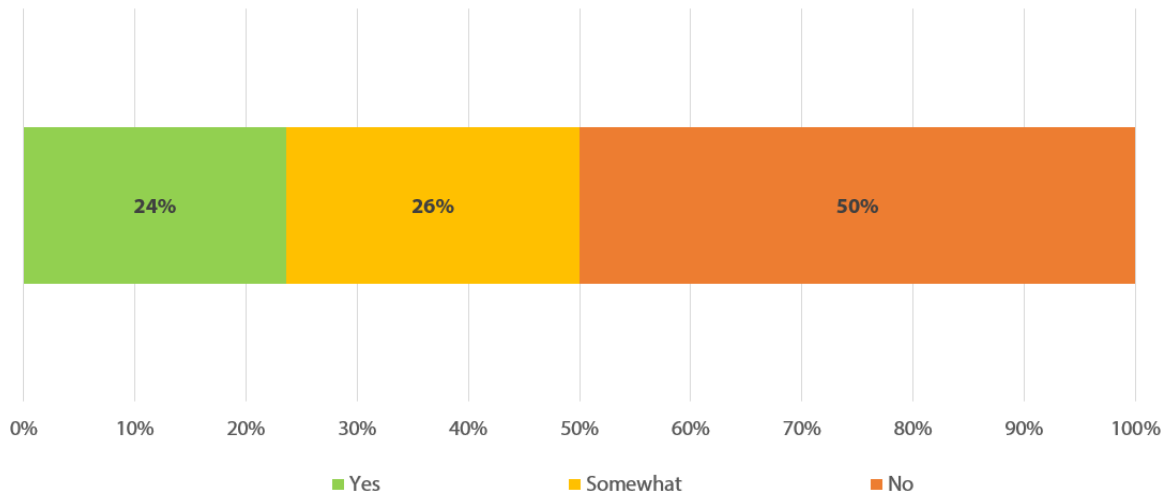
Please note that the key findings from the feedback forms are presented in this report. Complete results, including full comments, are available at shapeyourcitypetriocn.ca.

1. Planning for asset management

Recommendation: Implement rate increases that support the City’s asset management investment plans

The review is recommending rate increases that will ensure there is sufficient funding in our reserves when we need it, to replace or renew our infrastructure over the long-term – this is best practice. This also ensures that customers today are paying for the average “life” of the assets they are using.

Do you agree with implementing rate increases to support the City’s asset management investment plans?



Themes of the comments from respondents in support include:

- Recognizing the importance and need to maintain infrastructure
- Acknowledgement that if rate increases are delayed more it will result in higher jumps in the future
- Recognizing the risks that come with not maintaining infrastructure
- Desire to know that increases are being used for relevant improvements (i.e.: funds are for improvements to infrastructure not to support projects)

Themes of the comments from respondents that indicated ‘Somewhat’ include:

- Concerns for financial impact of these increases on ratepayers will have given current high prices for everything else
- Suggestions that surplus should be used to reduce rates or returned to ratepayers
- Suggestions that increase should be gradual, not all at once
- Comments that funds from electrical reserve shouldn’t be used to pay for projects (i.e. bike lanes)

- Suggestions to regularly review assets for opportunities to save, such as community solar panels, wind farms and other renewable energies

Themes of the comments from respondents that indicated 'No' include:

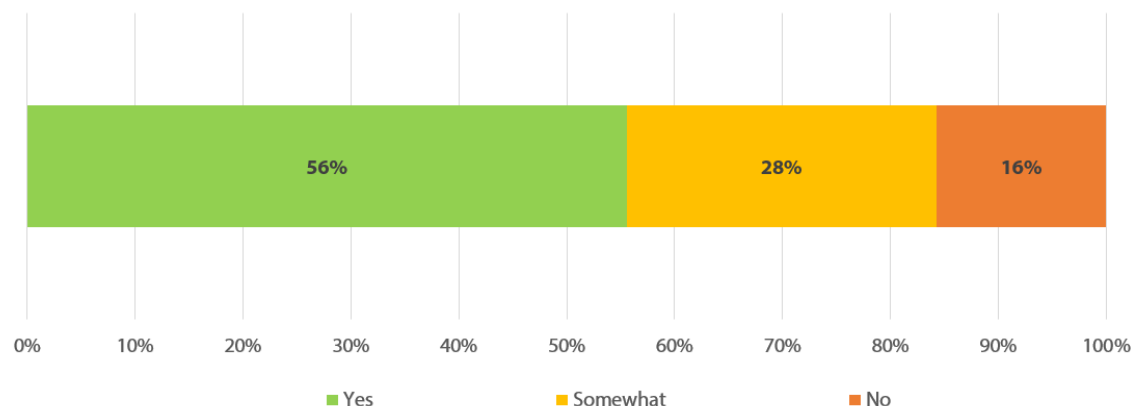
- Questions why electrical rates were steady or declined during pandemic
- Comments regarding the senior population and the limits of their fixed incomes
- Comments that rates would not need to be increased if funds were not used for other projects
- Suggestions to switch to BCHydro
- Comments that increase is too much with rising mortgages, inflation and high costs of living
- Questions why no other alternatives other than a rate increase is considered
- Concerns that increase is not needed as utility continues to make money
- Concerns about having to choose between paying utilities or groceries or medications
- Concern that increase is higher than inflation rate plus City taxes increased 10% already

2. Equity amongst users

Recommendation: Set the rates for each utility customer class (ex. residential, commercial) to reflect the cost of service for that sector

The review recommends adjustments to the various customer classes to ensure each customer class is paying the appropriate amounts relative to the cost of providing the service, and therefore ensuring that one class is not subsidizing the other.

Do you agree with setting the rates for each utility customer class to reflect the cost of service for that sector?



Themes from comments from respondents in support include:

- Comments that users should pay their share of costs
- Comments that large companies use more utilities than residential and should pay accordingly
- Concern for consideration of small businesses consuming less than large residential homes

Themes of the comments from respondents that indicated 'Somewhat' include:

- Suggestion to consider customers' income, consider different rates based on tax bracket
- Comments that one class should not subsidize the other
- Comment that large industries are able to transition to renewable energies easier than residential customers
- Comments that commercial and industrial classes can write off increases, residential consumers cannot

Themes of the comments from respondents that indicated 'No' include:

- Comments that increases should be the same across classes for fairness
- Concern for how baseline use amounts will be determined
- Question why there should be classes with different rates, why not just pay for what you use

3. Inclining residential water rate structure

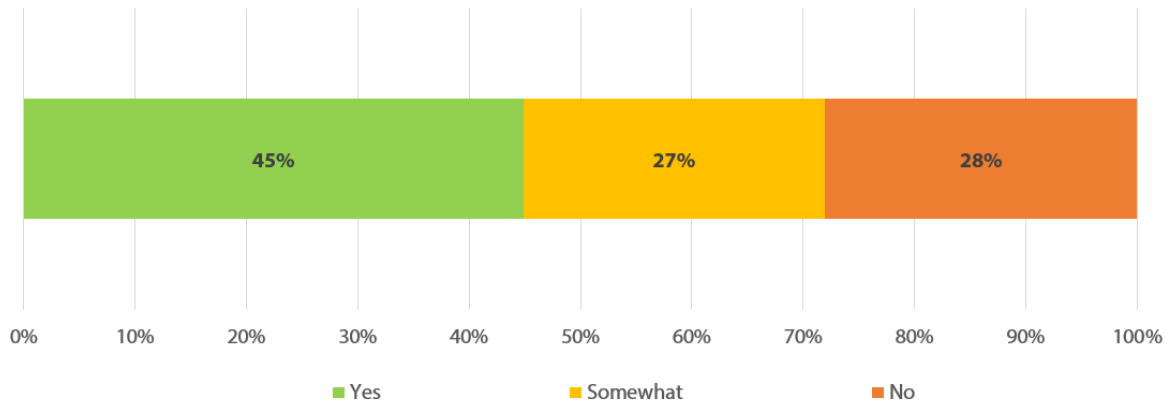
Recommendation: Introduce an Inclining Rate Structure for residential customers with a ¾ inch meter to encourage conservation

Inclining rate structures are a commonly used tool to encourage conservation. The idea is that customers pay a lower rate for water that is typically consumed as an essential need, while water that is used for more discretionary purposes is a higher rate (ie. high consumers pay more).

Alternative: Same rate for all users

Rates can be the same for all regardless of use.

Do you agree with implementing an Inclining Rate Structure for the Water Utility?



Themes from comments from respondents in support include:

- Suggestions for incentivizing going 'lawn-less' and recognizing those that already have
- Suggestions to be more aggressive for third consumption block to encourage conservation
- Concern for what is considered essential use (i.e.: watering a vegetable garden should be essential, watering grass should not)
- Comment that all residential properties should have individual water metres and rates should be based on water levels consumed
- Suggestion to reduce basic charge amount and increase rates for higher consumption blocks

Themes of the comments from respondents that indicated 'Somewhat' include:

- Concerns for what water usage will be considered discretionary and what is a need
- Comment that details for Mobile Home Parks is unclear, usage is high but individual use is low
- Suggestion to provide easily accessible resources for how all classes can reduce water use
- Suggestion to incentivize new construction to be water smart
- Concern with City use for water parks and other landscaping
- Questions about what is meant by non-essential as water to properly irrigate trees and food gardens during extreme temperatures can be considered essential

Themes of the comments from respondents that indicated 'No' include:

- Comments that there should not be any rate increase at all
- Concern for being charged more for watering essential vegetable gardens

- Comment base rates should be the same for all classes with charges for extra uses
- Comment that existing ¾" line customers are being penalized, fee differences should be based on metre reading only

4. Remove operations and maintenance subsidy for Agricultural Water

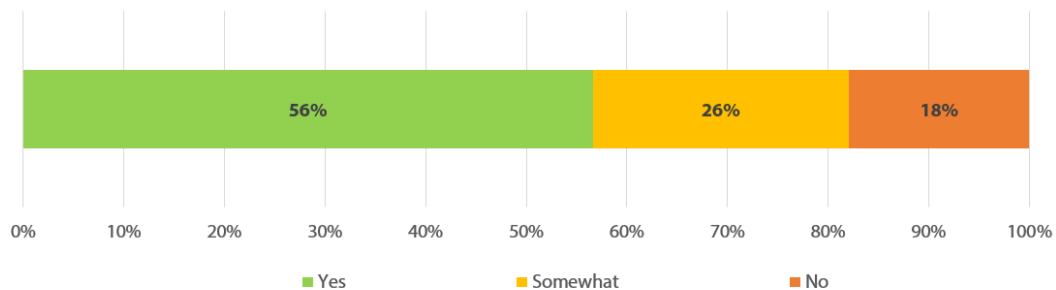
Recommendation: Increase agricultural water rates to cover 100% maintenance and operations funding

Agricultural water rates are currently subsidized by 12%, and it is recommended that this subsidy be eliminated such that the rates cover 100% of the operations and maintenance costs. Capital costs will still be subsidized, however, the review did also recommend this be studied and reconsidered in the future.

Alternative: Continue current practice

Agricultural water rates are currently subsidized by 12%.

Do you agree with increasing agricultural water rates to cover 100% of the operation and maintenance costs?



Themes from comments from respondents in support include:

- Comments that users should pay for what they consume
- Concerns related to water/irrigation abuse, overwatering
- Concern for difference in watering requirements for produce and grapes versus livestock
- Comments encouraging stopping the subsidizing of agricultural water
- Comments that residential users are taken advantage of
- Comments supporting agricultural users to explore conservation options
- Suggestions that food for human consumption not be included as it is essential

- Support for raising rates in more incremental increases

Themes of the comments from respondents that indicated 'Somewhat' include:

- Concern increased agricultural water usage costs will be passed onto consumers (i.e. even higher food prices)
- Suggestions to consider reduced subsidy vs. total removal
- Suggestions that increases only apply to non-essential farming (i.e. growing grapes for wine) and exempt those growing essential vegetables and other produce

Themes of the comments from respondents that indicated 'No' include:

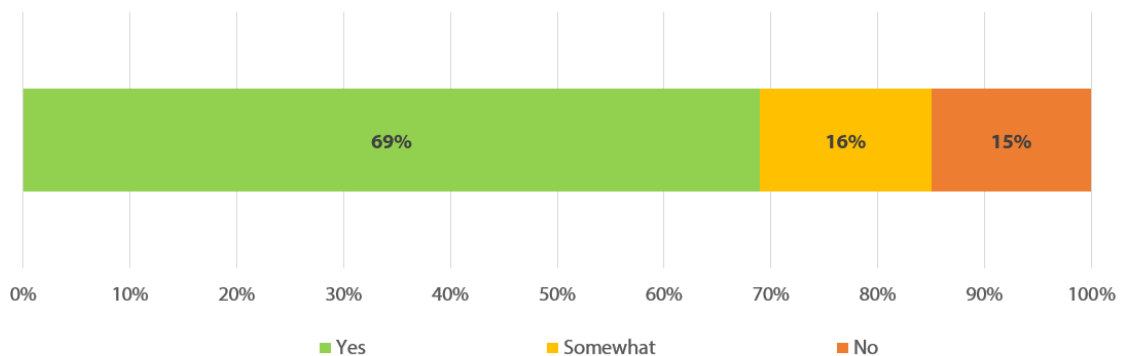
- Concerns that food prices will increase as a result
- Concerns rate increase could put farmers out of business
- Concerns farmers already need financial supports, this is another burden

5. Update reserve policies

Recommendation: Update reserve policies to reflect balances needed for future asset management plans

The report recommends the City update its reserve policies to reflect the balances needed to support future asset management plans. This includes setting minimum and optimal reserve balances to reflect the long term asset management investment plans. This policy would increase transparency, and provide clarity as to why the funds are being collected and saved.

Do you agree with updating the reserve policies to improve transparency and clarity?



Themes from comments from respondents in support include:

- Comments recognizing the need for proper planning, future funding requirements should be transparent so residents understand the need for saving
- Comments that reserve funds should not be used for funding other projects

Themes of the comments from the respondents that indicated 'Somewhat' include:

- Comments that not enough information is available at this time
- Comment that policies must have strong language to not use funds for projects
- Concerns that increasing costs at this time will negatively impact residents

Themes of the comments from the respondents that indicated 'No' include:

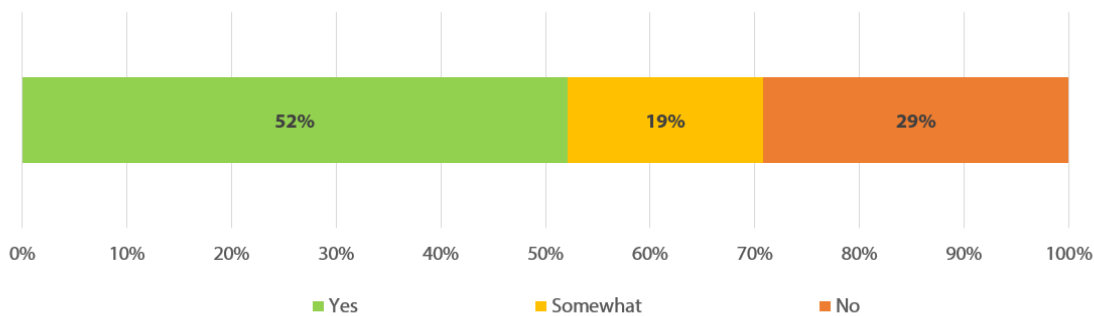
- Comments that reserve funds should not be used to fund projects
- Suggestion that reserve policies should be established in advance before increases are implemented
- General comments against rate increases

6. Formalize the calculation and utilization of the electrical dividend

Recommendation: Formalize the process for calculating the electrical dividend and its utilization into a City policy

It is recommended that the City create a policy outlining how dividends from the electric utility are calculated and used for funding capital projects. The report recommends the dividend be set at 8.5-10% of the budgeted electrical utility revenues, which aligns with other utilities. This funding is then available for capital projects, which would otherwise require funding through taxation.

Do you agree with formalizing the process for calculating the electrical dividend and its utilization into a City policy?



Themes from comments from respondents in support include:

- Comments that dividends must be used for capital projects within the utility, not to be used for unrelated projects
- Comment that transparency is the key to the communication of spending to the end user
- Comments agreeing in principle, seeking assurance funds won't be used for other projects
- Suggestion to have tiered electrical blocks similar to inclining water rates

Themes of the comments from the respondents that indicated 'Somewhat' include:

- Comment that it's unclear why electrical dividend is being used to fund capital projects
- Concerns for how funding will be used

Themes of the comments from the respondents that indicated 'No' include:

- Comments that profits and dividends should be returned to customers
- Comments that non-utility capital projects should not be funded by utility reserves
- Comments that dividend is too high, rates can be lowered instead

3.4 Interested Party Consultations

Staff invited members of the commercial, industrial and agricultural community to discuss the findings of the review and the recommendations. Themes from those discussions are provided below.

Chamber of Commerce, Downtown Penticton Business Improvement Association and Travel Penticton

The City invited representatives to an information session that was held on Thursday, September 7 between 11:30 am and 1 pm. The meeting was attended by representatives from the Chamber, the DPBIA and Travel Penticton. A representative from the consultants who completed the review was also available for questions. The following are the key themes from the discussion.

- Participants recognized that the electrical rates had been reduced or held steady in recent years to provide relief from the economic impacts of the pandemic. Participants

indicated for some, they would prefer consistent small increases rather than holding the rates and introducing large increases to make up the difference.

- Participants also indicated that many businesses are struggling after this summer but acknowledged the need to address the FortisBC rising costs. There was a suggestion that the City explore rebate programs or other incentives to assist businesses in investing in energy efficient equipment and to support conservation. Additionally, there may be an opportunity to expand the Home Energy Loan Program (HELP) with a business program.
- Participants indicated that one of the challenges is helping their members understand that the decision to borrow from the Surplus Electrical Reserve to help fund a number of capital projects, including the bike lane, is not contributing to the need to raise rates. They also indicated there continues to be questions about the value of the electric utility and the perception of the dividend. They suggested the City increase communications on this topic to increase understanding of these complex topics.
- Participants inquired if the City could market the competitive advantage of the utility services to attract businesses. Ideas were also proposed to install dark fiber.
- Participants inquired if the City is investigating alternative power sources to reduce reliance on FortisBC.
- Participants also inquired if the City could do more to educate businesses on how they can contribute to reducing the City's bulk bill from Fortis by reducing their utility use at peak times.
- Participants indicated their appreciation for their close relationship with water treatment plant staff, especially breweries who rely on high quality water for the quality of their product.
- Discussion recognized that some members of the participating associations are agricultural users and these users should be consulted with as well.
- Participants inquired if a list of future upgrades are available to explain to members why money is being saved.
- Participants also inquired about future upgrades to downtown and when electrical infrastructure will be moved underground.

Penticton Industrial Development Association

Staff arranged a special meeting with representatives of the Penticton Industrial Development Association on Sept. 13, 2023. The following are the themes of the discussion.

- Participants want to ensure the City fully considers the consequences of increases for industrial community. Believe increases will have devastating impacts combined with other increases (inflation, property tax etc.).

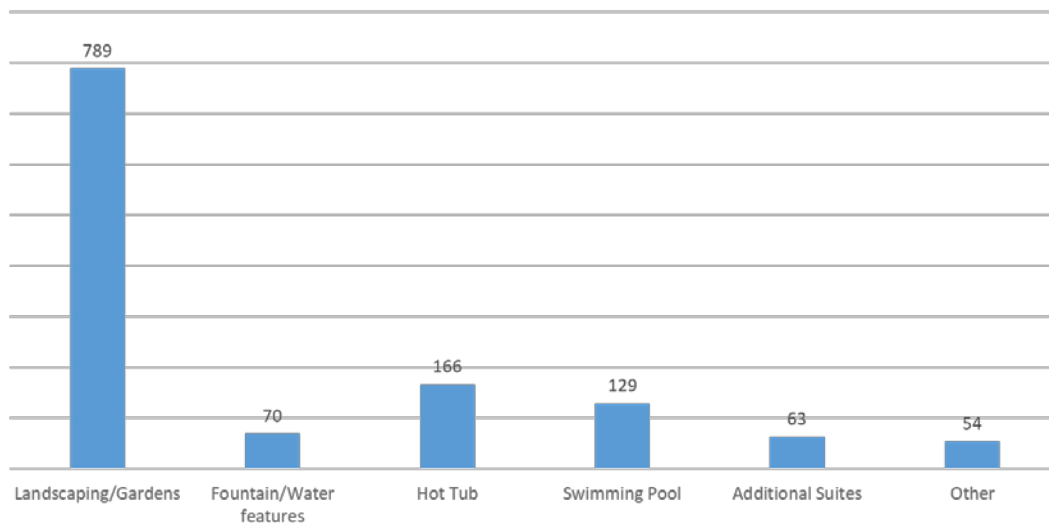
- Participants suggested the industrial community is blindsided by the increases and need certainty when preparing their budgets.
- Question whether the City is still a partner for the industrial community. Would like to see quarterly forums with chamber, college and airport (etc.) restarted. Also interest in having Council attend an event to develop relationship with members. Unclear if position in the OCP that industrial community as the primary economic contributor remains.
- Indicated there are ten businesses that generate ½ billion in revenue within Penticton that the City needs to ensure remain. City needs to consider its competitiveness and attractiveness to industry.
- Suggestion that the City should lobby the province to control FortisBC increases. Perception that FortisBC is doing very well financially and have a monopoly on the South Okanagan. Desire to see rates competitive with BC Hydro.
- Curious about opportunities to encourage conservation with industrial community similar to HELP, such as rebate for solar panels.
- Question about whether inclining water rate has delivered conservation in other communities.

Agricultural Ratepayers

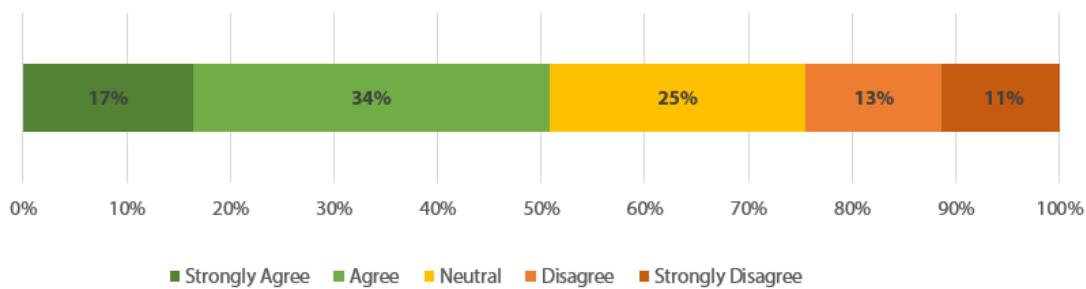
Staff sent an email notice to 126 agricultural customers to inform them about the proposed rate increases to eliminate the subsidy and invite them to meet if they are interested. The City received two responses and one responder opted to attend the general information session.

4.0 Citizen Survey on Inclining Water Rates

As part of the bi-annual Citizen Survey, the City included questions to gather input on the inclining block water rates. Residents were asked whether or not they use water for uses that are considered non-essential and if they agree or disagree that people who use water for non-essential uses should pay a higher rate for that use.



The City learned that 505 of the 1400 total participants did not indicate that they need water for non-essential users and of the remaining 895, the majority of residents use water for landscaping and a portion also have discretionary uses such as hot tub or swimming pool.



The City also learned that of the total 1108 responses to the question about whether or not people who use water for non-essential uses should pay a higher rate, Residents are generally supportive of the tiered rates as a way to encourage water conservation (51% agree or strongly agree).

5.0 Conclusions

The main goals of this process were to raise awareness of the six recommendations that are proposed to guide the calculations of utility rates for the next few years and provide an opportunity for residents to learn more and share their feedback. The following are the key conclusions from the process:

- Resident participation in the 2023 Utility Rate Review engagement program was fairly low. This is consistent with prior years and similar subject matter. The results shared

reflect the views of the residents who chose to participate and are not necessarily representative of the community-as-a-whole. The findings were reviewed to identify any issues that should be considered prior to finalizing the recommendations in the view.

- *Recommendation #1 Implement rate increases that support the City's asset management investment plans.* While respondents understand the need to invest to maintain infrastructure, half (50%) do not support utility rate increases because of rising costs of living. The remaining participants agreed (24%) or somewhat agreed (26%) to the need to set rates that support asset management investment plans. Concerns about affordability were reiterated by participants in the online information
- *Recommendation #2 Set the rates for each utility customer class to reflect the cost of service for that sector.* Respondents agree (56%) or somewhat agree (26%) that the utility customer classes should pay for what they use and not have one class subsidize another.
- *Recommendation #3 Introduce an inclining rate structure for residential customers with a ¾ inch meter to encourage conservation.* Support for a change to inclining water rates was consistent between the results of this engagement program and the recent 2023 Citizen Survey (76% and 72%, respectively). Concerns that watering vegetable gardens should be considered essential, lawns and other landscaping are not.
- *Recommendation #4 Increase agricultural water rates to cover 100% of the operation and maintenance cost.* 82% of respondents agreed or somewhat agreed with increasing agricultural water rates to cover 100% of the operation and maintenance costs. Concerns from both sides noted a preference for differentiating between livestock, produce and vineyard watering, stating some agricultural watering is more important than others. Other concerns noted here included encouraging more conservation education and efforts for agricultural water users and consideration for increasing these rates incrementally to ease financial burdens of farming. Those not in favour indicated that increased water rates will be passed on to consumers in increased food prices, and noted that farmers already struggle greatly due to climate change, crop insecurity, etc.
- *Recommendation #5 Update reserve policies to reflect balances needed for future asset management plans.* There is strong support (69% in favour, 19% somewhat supportive) for the City to update its reserve policies to improve transparency and reflect balances needed for future asset management plans. There was confusion about the interfund borrowing and whether or not electrical rates were being increased to repay the loan.
- *Recommendation #6 Formalize the process for calculating the electrical dividend and its utilization into a City policy.* Most participants agree (52%) or somewhat agree

(19%) with this recommendation. Those that somewhat or disagree question whether or not dividends should be used for capital projects outside of the electric utility.

- The City arranged for meetings with local business and industrial groups to discuss the draft findings of the review. The participants were mostly concerned about the rate increases and the financial hardships facing businesses following a difficult few years and a challenging August. The business community is aware of the need to increase electrical rates specifically and prefer predictable and moderate increases. The industrial community believes the city is at risk of losing major employers due to the cost of doing business in Penticton. Both groups would like to see more incentives for conservation and energy efficiency.
- Residents also expressed interest in the City developing rebates or other reward programs to support conservation.
- Some participants felt that communications in support of the utility rate review could be more effective to support greater awareness and understanding.

As noted above, there was general support for all of the recommendations in the draft report, aside from the first question relating to setting rates that will fund the City's asset management investment plans. More specifically, those who opposed this did so out of concern for the overall increases, not because they disagreed with the principle or philosophy of appropriately maintaining infrastructure.

Appendix A - Engagement Timeline

The following list summarizes the main methods that were used to raise awareness about the recommendations and the opportunities for residents to provide feedback through the community engagement period that took place between August 25 and September 15, 2023:

Date	Activity
Aug 25	Project information and feedback form on www.shapeyourcitypenticton.ca
Aug 25	Project information at Engagement Kiosks at City Hall, Library, Community Centre
Aug 25	Press Release
Aug 25	Eblast
Aug 25	Newspaper ad
Aug 30	Newspaper ad
Sept 1	Social media post
Sept 6	Open House
Sept 7	Chamber of Commerce, DPBIA and Travel Penticton Meeting
Sept 11	Eblast
Sept 11	Social media post
Sept 11	Online information session
Sept 13	Penticton Industrial Development Association Meeting
Sept 13	Eblast
Sept 15	Engagement ends