



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, November 7, 2023
at 1:00 p.m.

1. **Call Regular Council Meeting to Order**
2. **Introduction of Late Items**
3. **Adoption of Agenda**
4. **Adoption of Minutes:**

	4.1 Minutes of the October 17, 2023 Regular Council Meeting	1-7	Adopt
	4.2 Minutes of the October 30, 2023 Special Council Meeting	8	Adopt
5. **Consent Agenda:**

Recommendation:

THAT Council approve the Consent Agenda: 9-20

 1. Minutes of the October 17, 2023 Committee of the Whole;
 2. Minutes of the October 17, 2023 Public Hearings;
 3. Minutes of the October 11, 2023 Official Community Plan - Housing Task Force Meeting;
 4. Minutes of the October 25, 2023 Official Community Plan - Housing Task Force Meeting; and
 5. Release of Items from Closed Meeting:

THAT Council appoint Kristi Bauman, Randy Boras, Trisha Kaplan, James Ludvigson, Heather Miller, Grant Pattingale, Krista Russo and Leanne Williams to the Accessibility Committee.

THAT Council appoint Councillor Boulton to the Accessibility Committee.
6. **Staff Reports:**

Kunka	6.1 Reconsideration Request for Remedial Action 21-34
	Re: 1438 Government Street
	<i>Staff Recommendation: THAT Council, pursuant to section 78 of the Community Charter, after reviewing the correspondence that is attached herein as Attachment A, and after providing the owner 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) with the opportunity to make representations to Council, reconfirm the remedial action requirements imposed on the Property, through Council Resolution No. 347/2023, on October 3, 2023.</i>
Vatamaniuck	6.2 RCMP Quarterly Update 35-38
	<i>Staff Recommendation: THAT Council receive into the record the report titled "RCMP Quarterly Update" dated November 7, 2023.</i>

Boyko	6.3	<p>Snow and Ice Control Policy CP#2023-09</p> <p><i>Staff Recommendation: THAT Council rescind "Snow and Ice Control Policy CP#2022-03"; AND THAT Council approve "Snow and Ice Control Policy CP#2023-09", a policy that provides a balance between public safety, the City's snow and ice removal resources, and the annual available budget.</i></p>	39-52
Mercier	6.4	<p>Complimentary on-street parking downtown for the 2023 holiday season</p> <p><i>Staff Recommendation: THAT Council approve free on-street parking in the downtown area for the five weekends in December 2023, which include December 1, 2, 8, 9, 15, 16, 22, 23, 29 and 30.</i></p>	53-54
Raposo	6.5	<p>Commercial Aquatics Land Lease for the Okanagan Lake Marina</p> <p><i>Staff Recommendation: THAT Council direct staff to apply to the Ministry of Forests, Lands and Natural Resource Operations for an Aquatics Land Lease at Okanagan Lake Marina, for a 30-year term; AND THAT Council agree to acquire from the Province of British Columbia a lease for the term of 30 years over the property described as:</i></p> <p style="margin-left: 20px;"><i>Firstly: District Lot 4197, Similkameen Division of Yale District, containing 0.363 hectares;</i></p> <p style="margin-left: 20px;"><i>Secondly: That part of District Lot 3165s, Similkameen Division of Yale District, containing 0.68 hectares more or less;</i></p> <p style="margin-left: 20px;"><i>Thirdly: That part of District Lot 3695s, Similkameen Division of Yale District, containing 1.25 hectares more or less;</i></p> <p style="margin-left: 20px;"><i>Fourthly: That part of Block A of District Lot 216s, Similkameen Division of Yale District, lying west and south of District Lot 3965s containing 4.59 hectares more or less;</i></p> <p style="margin-left: 20px;"><i>For the purposes of use, operation and maintenance of a commercial marina, restaurant, breakwater, seasonal boat storage and public use purposes;</i></p> <p><i>AND THAT the Mayor and Corporate Officer be authorized to execute the application documents to the Ministry of Forests, Lands and Natural Resource Operations;</i></p> <p><i>AND THAT the City Manager and Director of Finance and Administration be authorized to execute the lease agreement with the Province of British Columbia.</i></p>	55-69
Hamming	6.6	<p>Signing Officers and Banker for 2023 and Subsequent Years</p> <p><i>Staff Recommendation: THAT Council approve signing authorities for the City's bank accounts at Valley First Credit Union as follows:</i></p> <p><u>A Signers</u></p> <ul style="list-style-type: none"> <i>• Anthony Haddad, City Manager</i> <i>• Angela Campbell, Director of Finance and Administration</i> <i>• Elma Hamming, Manager of Finance</i> <i>• Courtney Jones, Financial Planning & Budget Specialist</i> <p><u>B Signers</u></p> <ul style="list-style-type: none"> <i>• Julius Bloomfield, Mayor</i> <i>• Amelia Boulton, Councillor</i> <i>• Isaac Gilbert, Councillor</i> <i>• Ryan Graham, Councillor</i> <i>• Helena Konanz, Councillor</i> <i>• James Miller, Councillor</i> <i>• Campbell Watt, Councillor</i> <p><i>Signing officers for memberships 2491165 and 2357879 (City of Penticton) will be for the calendar year ending December 31, 2023 and subsequent years until changed.</i></p> <p><i>AND THAT Council approve:</i></p> <ul style="list-style-type: none"> <i>○ Cliff Last, Director of Finance, South Okanagan Events Centre</i> <i>○ Susan Coombes, Senior Finance Manager, South Okanagan Events Centre</i> <i>○ Dean Clarke, General Manager, South Okanagan Events Centre</i> <i>○ Kevin Webb, Assistant General Manager, South Okanagan Events Centre</i> <i>○ Mary Richards, PTCC Director of Sales, Penticton Trade and Convention Centre</i> 	70-71

- Anthony Haddad, City Manager, City of Penticton
- Angela Campbell, Director of Finance and Administration, City of Penticton
- Elma Hamming, Manager of Finance, City of Penticton

Signing officers for membership 2491223 (South Okanagan Events Centre) for the calendar year ended December 31, 2023 and subsequent years until changed.

Coates	6.7	Utility Fees and Charges Amendment Bylaw No. 2023-38 <i>Staff Recommendation: THAT Council give first, second, and third reading to "Fees and Charges Amendment Bylaw No. 2023-38", a bylaw to set the 2024 Utility fees and charges.</i>	72-89
Johnson/ Haddad	6.8	Grant Operating Agreements <i>Staff Recommendation: THAT Council approve the Municipal Grant Operating Agreements and direct staff to include the amounts from the Municipal Grant Operating Agreements into the 2024-2028 Financial Plan as follows:</i> <ul style="list-style-type: none"> • Art Gallery \$110,000 • SS Sicamous \$85,000 • Penticton & District Arts Council \$ 30,000 • Activate Penticton \$15,000 • Penticton & Area Cycling Association \$49,000 <p><i>AND THAT Council authorize the Director of Finance & Administration to execute the operating agreements.</i></p> <p><i>AND THAT Council direct staff to include the amounts from the Special Event Grant Operating Agreements into the 2024-2028 Financial Plan as follows:</i></p> <ul style="list-style-type: none"> • Downtown Penticton Association (Community Market) \$4,300 • Pentastic Jazz Festival Society \$10,200 • Penticton Elvis Festival \$6,300 • Penticton Farmer's Market \$6,000 • Peach City Beach Cruise \$10,500 • Penticton Paddle Sports Association (Event) \$12,000 • Penticton Peach Festival \$60,000 • Penticton Scottish Festival Society \$8,400 	90-95
Laven	6.9	Short-Term Rental Accommodation Act <i>Staff Recommendation: THAT Council receive into the record the report dated November 7, 2023, titled "Short-Term Rental Accommodation Act".</i>	96-117
Laven	6.10	Community Housing Fund (CHF) grant opportunity <i>Staff Recommendation: THAT Council direct staff to apply for a grant through BC Housing's Community Housing Fund (CHF) for the City owned parcel of land located at 2509 South Main Street.</i>	118-124
7. Bylaws and Permits			
Collison	7.1	Zoning Amendment Bylaw No. 2023-35 Re: 461 Martin Street	125-126 Adopt

8. **Notice of Motion**

8.1 Notice of Motion Introduced by Councillor Miller on October 17, 2023:

127

THAT Council appoint Julius Bloomfield (5), Amelia Boulton (4), James Miller (4), Ryan Graham (4), and Helena Konanz (4) to the Regional District of Okanagan-Similkameen (RDOS) for the remainder of the 2022-2026 term and Campbell Watt and Isaac Gilbert as alternate directors.

9. **Business Arising**

10. **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.

11. **Council Round Table**

12. **Adjourn to Closed Meeting:**

Resolution: THAT Council adjourn 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; and*
- (g) Litigation or potential litigation affecting the municipality.*

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

Tuesday, October 17, 2023
at 1:00 p.m.

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

Staff: Anthony Haddad, City Manager
Paula McKinnon, Deputy Corporate Officer
Angela Campbell, Director of Finance & Administration
Kristen Dixon, General Manager of Infrastructure
Blake Laven, Director of Development Services
Hayley Anderson, Legislative Assistant

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

364/2023

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on October 17, 2023 as presented.

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

365/2023

It was MOVED and SECONDED

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

CARRIED UNANIMOUSLY

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 1:43 p.m.

6. Adoption of Minutes:

6.1 Minutes of the October 3, 2023 Regular Meeting of Council

366/2023

It was MOVED and SECONDED

THAT Council adopt the Regular Council Meeting minutes of October 3, 2023 as presented.

CARRIED UNANIMOUSLY

7. Consent Agenda:

367/2023

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

1. Minutes of the October 3, 2023 Committee of the Whole;
2. Minutes of the October 3, 2023 Public Hearings; and
3. Minutes of the September 27, 2023 Official Community Plan – Housing Task Force Meeting; and
4. Release of Items from Closed Meeting:

THAT Council appoint Anthony Haddad as City Manager for the City of Penticton.

CARRIED UNANIMOUSLY

8. Staff Reports:

8.1 Agreements on City owned Land

368/2023

It was MOVED and SECONDED

THAT Council receive into the record the report dated October 17, 2023 titled “Agreements on City owned Land”.

CARRIED UNANIMOUSLY

8.2 License to Use Agreement – Bishop’s Snow and Marine Ltd. Operating as Pier Water Sports

369/2023

It was MOVED and SECONDED

THAT Council refer the five (5) year License to Use Agreement renewal with Bishop’s Snow and Marine Ltd., operating as Pier Water Sports, for the use of approximately .55 ac. of Rotary Park foreshore, and use of the building for the operation of water leisure activities on Okanagan Lake, to the Parks and Recreation Advisory Committee for their review and recommendation.

DEFEATED

Mayor Bloomfield and Councillors Boulton, Miller and Konanz, Opposed

370/2023

It was MOVED and SECONDED

THAT Council refer the three (3) year License to Use Agreement renewal with Bishop’s Snow and Marine Ltd., operating as Pier Water Sports, for the use of approximately .55 ac. of Rotary Park foreshore, and use of the building for the operation of water leisure activities on Okanagan Lake, to the Parks and Recreation Advisory Committee for their review and recommendation.

CARRIED UNANIMOUSLY

8.3 2024 UBCM CEPF Disaster Risk Reduction – Climate Adaptation Grant

371/2023

It was MOVED and SECONDED

THAT Council allow the City of Penticton’s Emergency Management program to apply for the 2024 UBCM Community Emergency Preparedness Disaster Risk Reduction-Climate Adaptation (DRR-CA) grant for up to \$150,000 to utilize towards a Hazard, Risk and Vulnerability Assessment (HRVA) for the City, in accordance with the legislative requirements outlined in the *Emergency Program Act*.

CARRIED UNANIMOUSLY

8.4 Third Quarter 2023 Financial and Corporate Business Plan Update

372/2023

It was MOVED and SECONDED

THAT Council receive into record the report dated October 17, 2023 titled “Third 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.

CARRIED UNANIMOUSLY

8.5 2024-2028 Financial Plan Overview

373/2023

It was MOVED and SECONDED

THAT Council receive into the record the report dated October 17, 2023 titled “2024-2028 Financial Plan Overview”.

CARRIED UNANIMOUSLY

The Mayor recessed the meeting at 2:30 p.m. and reconvened the meeting at 2:46 p.m.

It was MOVED and SECONDED

THAT Council direct staff to cease all work (design or construction) related to the creation of any new bike lanes for the duration of the 2022 – 2026 Council term;
AND THAT Council direct staff to remove all new bike lane (design or construction) related items from the 2024 Financial & Corporate Business Plan prior to adoption.

374/2023

It was MOVED and SECONDED

THAT Council defer the motion to the Business Arising portion of the agenda.

CARRIED UNANIMOUSLY

8.6 Renewal of FortisBC Operating Agreement for gas distribution facilities

375/2023

It was MOVED and SECONDED

THAT Council authorize the Corporate Officer and Director of Finance and Administration to execute the attached FortisBC Operating Agreement as generally contained in Attachment A.

CARRIED UNANIMOUSLY

8.7 Update on Dog Park Status and Recommended Improvements

It was MOVED and SECONDED

THAT Council receive into the record the report dated October 17, 2023 titled “Update on Dog Park Status and Recommended Improvements”;
AND THAT Council approve \$200,000 for the capital upgrades to the existing off-leash dog parks to be funded from the Gaming Reserve;
AND THAT Council direct staff to conduct a “leash-optional” pilot project at the following locations;

- Riverside Park – 187 Riverside Drive
- Okanagan Park – 45 Lakeshore Drive East
- Skaha Lake Park – Main – 3661 Parkview Street
- Skaha Lake Park – East – 3895 Lakeside Road
- Water Treatment Plant Entrance – 1900 Penticton Ave

at an estimated capital cost of \$15,000, funded by the Gaming Reserve;

AND THAT the 2023-2027 Financial Plan be amended to include the above noted funding;
AND FURTHER THAT staff be directed in 2024 to develop a longer term strategy to evaluate the need, and identify possible locations, for additional dog facilities within the City.

376/2023

It was MOVED and SECONDED
THAT Council divide the question.

CARRIED UNANIMOUSLY

377/2023

It was MOVED and SECONDED
THAT Council receive into the record the report dated October 17, 2023 titled "Update on Dog Park Status and Recommended Improvements";
AND THAT Council approve \$200,000 for the capital upgrades to the existing off-leash dog parks to be funded from the Gaming Reserve.

CARRIED UNANIMOUSLY

378/2023

It was MOVED and SECONDED
THAT Council direct staff to conduct a "leash-optional" pilot project at the following locations;

- Riverside Park – 187 Riverside Drive
- Okanagan Park – 45 Lakeshore Drive East
- Skaha Lake Park – Main – 3661 Parkview Street
- Skaha Lake Park – East – 3895 Lakeside Road
- Water Treatment Plant Entrance – 1900 Penticton Ave

at an estimated capital cost of \$15,000, funded by the Gaming Reserve;

CARRIED
Councillors Miller and Watt, Opposed

379/2023

It was MOVED and SECONDED
THAT the 2023-2027 Financial Plan be amended to include the above noted funding;
AND FURTHER THAT staff be directed in 2024 to develop a longer term strategy to evaluate the need, and identify possible locations, for additional dog facilities within the City.

CARRIED UNANIMOUSLY

8.8 Energy Step Code and Zero Carbon Step Code Update

380/2023

It was MOVED and SECONDED
THAT Council refer the Energy Step Code and Zero Carbon Step Code Update to the Official Community Plan – Housing Task Force for their review and recommendation.

CARRIED
Mayor Bloomfield and Councillor Gilbert and Miller, Opposed

8.9 Official Community Plan Amendment Application for 460 Conklin Avenue

381/2023

It was MOVED and SECONDED
THAT Council, following the Community Engagement for OCP Amendments Procedure, direct staff to commence public engagement for a proposed Official Community Plan amendment to change the future land use designation on 460 Conklin Avenue from 'Detached Residential' to 'Ground Oriented Residential'.

CARRIED UNANIMOUSLY

9. Public Question Period

10. Recess to a Closed Meeting:

382/2023

It was MOVED and SECONDED

THAT Council recess at 4:46 p.m. 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;
- (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;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*; and
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

CARRIED UNANIMOUSLY

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

The Mayor reconvened the meeting at 6:19 p.m.

12. Bylaws and Permits

- 12.1 Zoning Amendment Bylaw No. 2023-35
Re: 461 Martin Street

383/2023

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2023-35".

CARRIED UNANIMOUSLY

- 12.2 Zoning Amendment Bylaw No. 2023-36
Re: 25 Okanagan Avenue West

384/2023

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2023-36"; AND THAT Council adopt "Zoning Amendment Bylaw No. 2023-36".

CARRIED UNANIMOUSLY

- 12.3 Zoning Amendment Bylaw No. 2023-37
Re: 174 Jermyn Avenue

385/2023

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2023-37"; AND THAT Council adopt "Zoning Amendment Bylaw No. 2023-37".

CARRIED UNANIMOUSLY

13. Notice of Motion

13.1 Councillor Miller introduced the following Notice of Motion for consideration at the November 7, 2023 meeting of Council:

THAT the four Regional District of Okanagan-Similkameen (RDOS) appointments be based on election standing as follows: Councillors Boulton, Miller, Graham and Konanz with Councillor Watt as first alternate and Councillor Gilbert as second alternate.

14. Business Arising

14.1 Business Arising from Item 8.5 – 2024-2028 Financial Plan Overview

Main Motion:

It was MOVED and SECONDED

THAT Council direct staff to cease all work (design or construction) related to the creation of any new bike lanes for the duration of the 2022 – 2026 Council term;
AND THAT Council direct staff to remove all new bike lane (design or construction) related items from the 2024 Financial & Corporate Business Plan prior to adoption.

Amendment:

It was MOVED and SECONDED

THAT Council replace “cease all work (design or construction) related to the creation of any new bike lanes” with “cease all work (design or construction) related to the creation of any new separated bike lanes by concrete barriers”;
AND THAT Council replace “remove all new bike lane (design or construction)” with “remove all new separated bike lanes (design or construction) by concrete barriers”.

386/2023

CARRIED

Mayor Bloomfield and Councillors Gilbert and Graham, Opposed

Main Motion as Amended:

It was MOVED and SECONDED

That Council direct staff to cease all work (design or construction) related to the creation of any new separated bike lanes by concrete barriers for the duration of the 2022-2026 Council term;
AND THAT Council direct staff to remove all new separated bike lanes (design or construction) by concrete barriers related items from the 2024 Financial & Corporate Business Plan prior to adoption.

387/2023

CARRIED

Mayor Bloomfield and Councillors Gilbert and Watt, Opposed

15. Public Question Period

16. Council Round Table

17. Adjournment

388/2023

It was MOVED and SECONDED

THAT Council adjourn the October 17, 2023 Regular meeting of Council at 7:09 p.m.

Certified correct:

Confirmed:

Paula McKinnon
Deputy Corporate Officer

Julius Bloomfield
Mayor

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

Monday, October 30, 2023
at 4:00 p.m.

Present: Mayor Bloomfield (via Zoom)
Deputy Mayor Konanz
Councillor Boulton
Councillor Gilbert
Councillor Graham
Councillor Watt
Councillor Miller

Staff: Anthony Haddad, City Manager
Angie Collison, Corporate Officer
Angela Campbell, Director of Finance and Administration
Blake Laven, Director of Development Services
Kristen Dixon, General Manager of Infrastructure
Cheryl Hardisty, Manager, Council and Executive Operations
Shane Mills, Senior Communications Advisor
Brittany Seibert, Emergency Program Coordinator
Jamie Lloyd Smith, Social Development Officer

1. Call to Order

The Mayor called the Special Council Meeting to order at 4:00 p.m.

2. Adoption of Agenda

389/2023

It was MOVED and SECONDED

THAT Council adopt the agenda for the Special Council Meeting held on October 30, 2023 as presented.

CARRIED UNANIMOUSLY

3. Adjournment to a Closed Meeting

390/2023

It was MOVED and SECONDED

THAT Council adjourn to a closed meeting of Council at 4:01 p.m. pursuant to the provisions of the *Community Charter* as follows: *Section 90(1)*

(d) the security of the property of the municipality;

(g) litigation or potential litigation affecting the municipality.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Angie Collison
Corporate Officer

Julius Bloomfield
Mayor

Committee of the Whole

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

Tuesday, October 17, 2023

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

Present:

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

Staff:

Anthony Haddad, City Manager
Paula McKinnon, Deputy Corporate Officer
Angela Campbell, Director of Finance & Administration
Kristen Dixon, General Manager of Infrastructure
Blake Laven, Director of Development Services
Hayley Anderson, Legislative Assistant

1. **Call to order**

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

2. **Adoption of Agenda**

It was MOVED and SECONDED

THAT the agenda for the Committee of the Whole meeting held on October 17, 2023 be adopted as presented.

CARRIED UNANIMOUSLY

3. **Delegations:**

3.1 Update from the Seniors' Centre

Tina Begg, President, and Lewis George, Director, Penticton Seniors' Drop-In Centre Society, provided Council with an update on the Seniors' Drop-In Centre's successes and concerns and requested that Council consider appointing a Council liaison to the Penticton Seniors' Drop-In Centre Society to help provide support finding workable solutions to maintaining the Penticton Seniors' Drop-In Centre.

3.2 Skaha Bluffs Watch Society

Rolf Rybak, President and Founder of the Skaha Bluffs Park Watch Society, provided Council with an update on the many benefits of the Skaha Bluffs Park Watch program and requested that Council consider striking a Committee to help lobby others levels of government to financially support the program.

3.3 Update on Penticton Lawn Bowling Club Activities

Larry Bechard, President, and Graham Smith, Grants Officer, Penticton Lawn Bowling Club, provided Council with a presentation on the Penticton Lawn Bowling Club's activities and challenges and requested that Council consider increasing the club's lease term from one to ten years with a break clause.

4. **Adjourn to Regular Meeting**

It was MOVED and SECONDED

THAT Council adjourn the Committee of the Whole meeting held October 17, 2023 at 1:43 p.m. and reconvene the Regular Meeting of Council.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Paula McKinnon
Deputy Corporate Officer

Julius Bloomfield
Mayor

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

Tuesday, October 17, 2023
at 6:00 p.m.

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

Staff: Anthony Haddad, City Manager
Paula McKinnon, Deputy Corporate Officer
Angela Campbell, Director of Finance & Administration
Kristen Dixon, General Manager of Infrastructure
Blake Laven, Director of Development Services
Hayley Anderson, Legislative Assistant
Steven Collyer, Senior Planner
Jordan Hallam, Planner II

1. Call to order

Mayor Bloomfield called the public hearing to order at 6:00 p.m. for Zoning Amendment Bylaw No. 2023-35.

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

2. "Zoning Amendment Bylaw No. 2023-35" (461 Martin Street)

The purpose of "Zoning Amendment Bylaw No. 2023-35" is to amend Zoning Bylaw No. 2023-08 as follows:

Add 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.

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 a site-specific amendment to the C5 zone to allow a maximum of two dwelling units on the first storey of the subject property.

The Deputy Corporate Officer advised that no 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.

- No one spoke.

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

- No one spoke.

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

- Councillor Konanz, inquired on the size of the units, looks like a very small house or office building.
- Jordan Hallam, Planner II, dwelling itself only covers 18% of the lot, it's quite small, we do not have actual dimensions.
- Mayor Bloomfield, inquired if it is currently being used as accommodations and whether it's being brought into compliance because of its non-conforming use.
- Jordan Hallam, Planner II, units are being currently used and it's being brought into conformance.

The public hearing for "Zoning Amendment Bylaw No. 2023-35" was terminated at 6:07 p.m. and no new information can be received on this matter.

Certified correct:

Confirmed:

Paula McKinnon
Deputy Corporate Officer

Julius Bloomfield
Mayor

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

Tuesday, October 17, 2023
at 6:00 p.m.

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

Staff: Anthony Haddad, City Manager
Paula McKinnon, Deputy Corporate Officer
Angela Campbell, Director of Finance & Administration
Kristen Dixon, General Manager of Infrastructure
Blake Laven, Director of Development Services
Hayley Anderson, Legislative Assistant
Steven Collyer, Senior Planner
Jordan Hallam, Planner II

1. Call to order

Mayor Bloomfield called the public hearing to order at 6:08 p.m. for Zoning Amendment Bylaw No. 2023-36.

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

2. "Zoning Amendment Bylaw No. 2023-36" (25 Okanagan Avenue West)

The purpose of "Zoning Amendment Bylaw No. 2023-36" is to amend Zoning Bylaw No. 2023-08 as follows:

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

The applicant is proposing to construct two side-by-side duplexes (four dwelling units) on the subject property.

The Deputy Corporate Officer advised that no 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.

- Tony Giroux (via Zoom), Giroux Design Group, available to answer any questions.

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

- No one spoke.

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

- No one spoke.

The public hearing for “Zoning Amendment Bylaw No. 2023-36” was terminated at 6:11 p.m. and no new information can be received on this matter.

Certified correct:

Confirmed:

Paula McKinnon
Deputy Corporate Officer

Julius Bloomfield
Mayor

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

Tuesday, October 17, 2023
at 6:00 p.m.

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

Staff: Anthony Haddad, City Manager
Paula McKinnon, Deputy Corporate Officer
Angela Campbell, Director of Finance & Administration
Kristen Dixon, General Manager of Infrastructure
Blake Laven, Director of Development Services
Hayley Anderson, Legislative Assistant
Steven Collyer, Senior Planner
Jordan Hallam, Planner II

1. Call to order

Mayor Bloomfield called the public hearing to order at 6:11 p.m. for Zoning Amendment Bylaw No. 2023-37.

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

2. "Zoning Amendment Bylaw No. 2023-37" (174 Jermyn Avenue)

The purpose of "Zoning Amendment Bylaw No. 2023-37" is to amend Zoning Bylaw No. 2023-08 as follows:

Add site-specific provision within the RD1 (Duplex Housing) zone, as follows:

- 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.

The applicant is proposing to relocate the AreaKids Day Care from the Kings Park Sportsplex (550 Eckhardt Ave E) to the subject property. To operate the AreaKids Day Care with 25 childcare spaces a zoning amendment is required. The applicant has applied for a site-specific zoning amendment to the RD1 (Duplex Housing) zone to permit 'major day care centre', which allows more than 8 children in care, as a permitted use.

The Deputy Corporate Officer advised that one letter has 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.

- Danica Kennedy, Owner, given notice to vacate City property and spent over ten months trying hard to find commercial building which didn't find, purchased building with expectation and hope to move day care there, letter suggested congestion and agrees, has huge driveway to fit three cars, staff will park at very end and two spots available for pick-up and drop off, parents won't necessarily be on the street contributing to school congestion, purchased due to driveway and had parking.

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

- No one spoke.

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

- Lynn Kelsey, Oakville Street, spoke in support of application, can't afford to lose 25 day care spaces, well established day care, goes to church on Jermyn Avenue and knows sometimes around school pick-up and drop-off can be a little congested but applicant has taken congestion into consideration, in favour of application.

The public hearing for "Zoning Amendment Bylaw No. 2023-37" was terminated at 6:19 p.m. and no new information can be received on this matter.

Certified correct:

Confirmed:

Paula McKinnon
Deputy 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, October 11, 2023
at 4:30 p.m.

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

Council Liaison: Campbell Watt, Councillor

Staff: Anthony Haddad, City Manager
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
Cheryl Kruger
Brian Menzies
Dara Parker

1. **Call to Order**

The Chair called the Official Community Plan – Housing Task Force to order at 4:35 p.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED

THAT the Official Community Plan - Housing Task Force adopt the agenda of October 11, 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 the September 27, 2023 meeting as presented.

CARRIED UNANIMOUSLY

Alison Gibson joined the meeting at 5:02 p.m.

4. **New Business**

4.1 Official Community Plan Housing Policy Review – Breakout Sessions

The City Manager provided an overview of the breakout groups. Task Force members were divided into two groups to review the housing policies as presented (managing growth, housing affordability and diversity, housing quality, neighbourhood character and complete neighborhoods). The goal of the breakout sessions is to review the policies and discuss these policies in more depth, what aspects are working, not working, and what might be missing.

Ajeet Brar left the meeting at 6:01 p.m.

5. **Next Meeting**

The next Official Community Plan – Housing Task Force meeting is scheduled for October 25, 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 October 11, 2023 at 6:02 p.m.

CARRIED UNANIMOUSLY

Certified Correct:



Hayley Anderson
Legislative Assistant

Official Community Plan - Housing Task Force Meeting

held in-person in Council Chambers
City Hall, 171 Main Street
Wednesday, October 25, 2023
at 4:30 p.m.

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

Council Liaison: Helena Konanz, Councillor
Campbell Watt, Councillor

Staff: Anthony Haddad, City Manager
Blake Laven, Director of Development Services
Hayley Anderson, Legislative Assistant

Regrets: Nathan Little, Chair
Brian Menzies
Dara Parker

1. **Call to Order**

The Vice-Chair called the Official Community Plan – Housing Task Force to order at 4:30 p.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED

THAT the Official Community Plan - Housing Task Force adopt the agenda of October 25, 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 the October 11, 2023 meeting as presented.

CARRIED UNANIMOUSLY

Cheryl Kruger joined the meeting at 4:37 pm

4. **New Business**

4.1 Timeline Review

The Director of Development Services provided the Task Force with a review of the remaining timeline for the term.

Ajeet Brar joined the meeting at 4:44 pm.

4.2 Housing Policy Recommendations

The Director of Development Services provided the Task Force with an update on the Housing Policy recommendations. These land use goals and policies include; managing residential growth, housing affordability, housing diversity, housing quality, housing & neighborhood character and complete & healthy neighborhoods.

Councillor Watt left the meeting at 5:34 pm.

5. **Next Meeting**

The next Official Community Plan – Housing Task Force meeting is scheduled for November 8, 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 October 25, 2023 at 6:02 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Hayley Anderson
Legislative Assistant



Council Report

penticton.ca

Date: November 7, 2023 **File No:** RMS\Address\Government St\1438
To: Anthony Haddad, City Manager
From: Ken Kunka, Manager of Building and Permitting
Address: 1438 Government Street

Subject: **Reconsideration Request for Remedial Action: 1438 Government Street**

Staff Recommendation

THAT Council, pursuant to section 78 of the *Community Charter*, after reviewing the correspondence that is attached herein as Attachment A, and after providing the owner 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) with the opportunity to make representations to Council, reconfirm the remedial action requirements imposed on the Property, through *Council Resolution No. 347/2023*, on October 3, 2023.

Background

During the regular meeting of Council on October 3, 2023, under the authority outlined by section 74 of the *Community Charter*, Council resolved to declare the Subject Property to be so unsightly and untidy as to be a nuisance. Council also resolved to impose remedial action requirements that obligated the owner of the Property to eliminate the declared nuisance. The time limit for the completion of all of the remedial action requirements, by the owner, was set to 4:30 p.m. on November 17, 2023, by *Council Resolution No. 347/2023*. Council also directed staff to proceed with works to complete the remedial action requirement should the owner fail to complete the remediation within the time limit, and with the costs of these works being added to the Property's taxes, as allowed by section 17 of the *Community Charter*.

Under section 78 of the *Community Charter*, the owner is to be provided with the opportunity to request reconsideration and make representations to Council in regards to the remedial action requirements. On October 5, 2023, staff informed the Public Guardian and Trustee of British Columbia, and its representative, the Wynford Group, of the right to request reconsideration. Notice of the right to request reconsideration was sent via e-mail, regular mail, and registered mail. The Public Guardian and Trustee of BC has administration of the estate of the late owner of the Property, after the executor and beneficiary of this owner was discovered deceased at the Property in 2022.

The City received a letter from an Estate Administrator of the Public Guardian and Trustee on October 16, 2023, (Attachment A) requesting that Council extend to the time limit for completion of the remedial action requirements to February 1, 2024. The letter outlines that the Property was listed for sale on October 12, 2023, and the expectation is that the potential purchaser will tear down the existing dwelling. Moreover, the letter received claims that the Property is the only asset of the estate of the late owner and that there are no funds available for remediation.

Analysis

As the Property remains in the same unsightly state as it was when presented to Council on October 3, 2023, staff are recommending that Council, deny the request for an extension of the timeline and reconfirm the previous remedial action requirements.

The neighbours of the property and the greater community remain negatively impacted by the state of the property. In addition, if the property does change ownership in the next few months, there is no guarantee this matter will be corrected by the new owner and staff may be involved in additional works to seek compliance.

If Council were to reconfirm the previous decision on remedial action requirements for the Property, staff would continue to work with the Wynford Group and the Public Guardian and Trustee to fulfil Council’s resolution towards remediating the Property. If the Property is not brought into satisfactory compliance by November 17, 2023, then staff will initiate the process to undertake the necessary work by hiring contractors. Any costs incurred by the City will be added to the Property’s tax roll.

Alternatives

Should Council wish to reconsider the previous direction, staff have provided the following alternative for Council’s consideration:

Alternative 1: *THAT Council amend the remedial action requirements for 1438 Government Street imposed on October 3, 2023, through setting the time limit for completion of all of the remedial action requirements described in the recommendation, to be no later than 4:30 p.m. on February 1, 2024.*

The alternative would involve Council reconsidering the time limit that was imposed on October 3, 2023, and is based on the earliest time limit requested by the Public Guardian and Trustee. The Property would still be expected to be acceptably remediated in accordance with *Council Resolution No. 347/2023* by the new date of February 1, 2024. If Council were to choose Alternative 1, staff would continue to work with the Public Guardian and Trustee and the Wynford Group to bring the property into compliance with the City’s bylaws.

Attachments

- Attachment A – Letter Requesting Reconsideration, dated October 16, 2023
- Attachment B – Staff Report, dated October 3, 2023

Respectfully submitted,

Ken Kunka
Manager of Building and Permitting
Concurrence

<p>Director of Development Services</p> <p><i>BL</i></p>	<p>City Manager</p> <p><i>AH</i></p>
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File: 139180

October 16, 2023

Angie Collison
City of Penticton
171 Main Street
Penticton BC V2A 5A9
By Email: Angie.Collison@penticton.ca

**Re: Estate of Irene Reid James
PID 009-484-981, Property at 1438 Government Street, Penticton BC**

The Public Guardian and Trustee (PGT) is administering the estate of Irene Reid James who died at Penticton, BC, on December 15, 2012 (Irene).

The PGT is also administering the estate of Larry Robert James who died at Penticton, BC, on November 1, 2022 (Larry).

Larry is Irene's son, executor and beneficiary of her Will. Larry obtained probate for Irene's estate on January 26, 2017; however, he did not transfer title to Irene's property located at 1438 Government Street, Penticton (the property) or, it appears, complete any other executor duties.

On December 6, 2022, the PGT received a referral for Larry's estate from Penticton RCMP. During the course of our investigations into Larry's assets, we discovered that Irene's estate had an un-administered asset, to wit: the property.

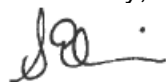
The PGT opened an estate file for Irene on January 10, 2023. On June 14, 2023, former PGT Estate Administrator, Cindy Wong, filed an expedited Probate application in the Penticton Registry. The Grant issued to the PGT on June 29, 2023; however, due to an oversight by our filing agent, the PGT only received the Grant on September 28, 2023.

The property was listed for sale *as is* on October 12, 2023 (REALTOR.ca) based on the market evaluation completed by our realtor. It is expected that a potential purchaser will tear down the existing dwelling, thus the list price reflects land-only value.

The property is Irene's only estate asset and there are no funds to attend to remediation.

Given the extraordinary circumstances surrounding these two estates, we respectfully request that the remediation requirements be extended to February 1, 2024, in order to allow a prospective purchaser the time to close on sale and tear down the dwelling.

Yours truly,



Susan Garnier
Estate Administrator
Estate and Personal Trust Services
Phone: 604-841-0739
Fax: 604-660-0964
Email: sgarnier@trustee.bc.ca
cc: Jacqueline Webb, The Wynford Group



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
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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



Date: November 7, 2023 **File No:**
To: Anthony Haddad, City Manager
From: Staff Sergeant Bob Vatamaniuck – Acting Officer in Charge: Penticton
Subject: **RCMP Quarterly Update**

Staff Recommendation

THAT Council receive into the record the report titled “RCMP Quarterly Report” dated November 7, 2023.

Strategic priority objective

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

Background

Quarterly Report attached.

Financial implication

Not applicable.

Analysis

Not Applicable.


Attachments

Attachment A – Quarterly Report

Respectfully submitted,

S/Sgt Bob Vatamaniuck
 Officer in Charge *[Acting]*
 Penticton South Okanagan Similkameen Regional RCMP Detachment

Concurrence

<p>City Manager</p> 

RCMP·GRC



ROYAL CANADIAN MOUNTED POLICE • GENDARMERIE ROYALE DU CANADA

**PENTICTON SOUTH OKANAGAN
SIMILKAMEEN
REGIONAL DETACHMENT**

**QUARTERLY REPORT
(PENTICTON)**

July – September 2023



Royal Canadian Mounted Police Gendarmerie royale du Canada

Canada

Total reported crime events in the municipality for the quarter was 1,800 which is down 5% from Q3 last year (1,902).

2023/24 Penticton Detachment Policing Priorities

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

Staff Sergeant Bob Vatamaniuck
Acting Officer in Charge
Penticton South Okanagan Similkameen Regional RCMP Detachment.



PENTICTON [MUNICIPAL] Q3 YTD 2023 STATS

Calls for Service	Q3 2022	Q3 2023	% Change 2022 to 2023	Q3 YTD 2022	Q3 YTD 2023	% Change YTD 2022 to 2023
Total Calls for Service	4780	4688	-2%	12779	12999	2%

Violent Crime	Q3 2022	Q3 2023	% Change 2022 to 2023	Q3 YTD 2022	Q3 YTD 2023	% Change YTD 2022 to 2023
Assault (Common & With Weapon/Cause Bodily Harm)	137	143	4%	390	388	-1%
Sex Offences	42	40	-5%	75	89	19%
Uttering Threats	63	67	6%	160	190	19%
Domestic Violence (Violent Crime Only)	36	41	14%	112	118	5%
Violent Crime - Total	278	322	16%	773	857	11%

Property Crime	Q3 2022	Q3 2023	% Change 2022 to 2023	Q3 YTD 2022	Q3 YTD 2023	% Change YTD 2022 to 2023
Auto Theft	29	34	17%	144	114	-21%
Bicycle Theft	93	49	-47%	133	86	-35%
Break & Enter - Business	29	34	17%	141	81	-43%
Break & Enter - Residence	13	16	23%	48	46	-4%
Break & Enter - Other	12	13	8%	47	30	-36%
Mischief to Property	392	424	8%	1179	1341	14%
Theft - Other	117	112	-4%	317	301	-5%
Shoplifting	127	114	-10%	347	321	-7%
Theft from Vehicle	133	97	-27%	417	282	-32%
Fraud	68	89	31%	226	259	15%
Property Crime - Total	1056	1018	-4%	3134	2983	-5%

Top 10 Calls for Service - Penticton Detachment (Municipal)	
Initial Call Type	# of Calls
Unwanted Person	423
Check Wellbeing	327
Theft	290
Disturbance	272
Alarm	253
Assist Other Agency	235
Suspicious Circumstances	197
Suspicious Person	195
Abandoned 911	191
Traffic Incident	171

Criminal Code & CDSA	Q3 2022	Q3 2023	% Change 2022 to 2023
Total Criminal Code & CDSA Files	1902	1800	-5%



Council Report



Date: November 7, 2023
To: Anthony Haddad, City Manager
From: Scott Boyko, Roads & Drainage Supervisor
Subject: **Snow and Ice Control Policy CP#2023-09**

File No: 5400-11

Staff Recommendation

THAT Council rescind “Snow and Ice Control Policy CP#2022-03”;

AND THAT Council approve “Snow and Ice Control Policy CP#2023-09”, a policy that provides a balance between public safety, the City’s snow and ice removal resources, and the annual available budget.

Background

Annually, the City of Penticton Public Works Department provides snow and ice control on City streets, lanes, bus stops, select sidewalks, walkways, parking lots, protected bicycle lanes and City facilities in accordance with the Council Approved Policy. The policy sets service levels and standards from which operational snow and ice control procedures and related budgets are developed.

The policy is reviewed on an annual basis and all recommended changes are brought to City Council for their consideration.

For the 2023/2024 season, the following adjustments were introduced to the Snow and Ice Control Policy:

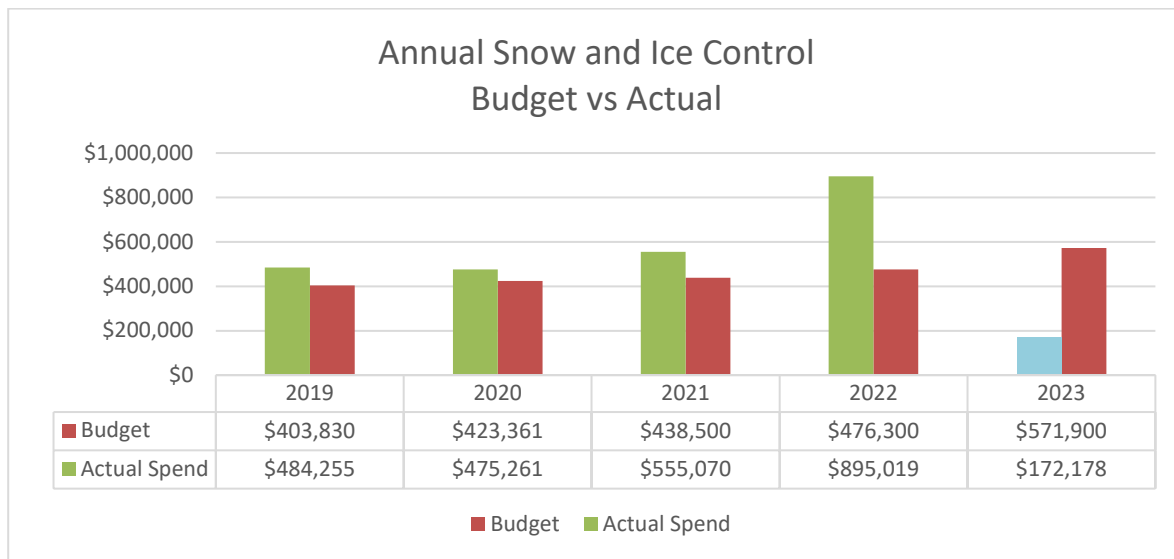
- The addition of 2 new transit shelters, now included in Appendix B
- The addition of two parking lots north and south of the Skaha Marina in Appendix B
- The addition of 0.4 km of multi-use walkway on South Main at the Galt Ave roundabout in Appendix B
- The addition of 0.2 km multi-use walkway between Wilson St and Skaha Lake Road in Appendix B
- The addition of two sets of stairs in The Ridge Phase 2 to Appendix B
- The addition of a 0.125 km multi-use walkway on Alberni St at Westminster to Appendix B
- The removal of 0.125 km of roadway on Alberni St at Westminster in Appendix A

Financial implication

The graph below shows the historical annual budget allotment vs the actual spend for addressing snow and ice control on City infrastructure (note the 2023 data is current to the 4th week of October). Although the

actual budget expenditures are highly dependent on the winter conditions, the overall trend indicates a slowly increasing expense year after year.

The annual budget request is based on the overall trend of the expenses and is not budgeted to address the worst possible case. As can be seen below, a more mild winter for the first portion of 2023 has left ample budget for the remainder of the year. For 2024, the proposed budget is \$592,100, which is based on the average actual results from the previous five years. Any increase over the annual budget allotment of the actual spend is either funded by administrative savings, or withdrawn from appropriate reserves as required.



Analysis

The Snow and Ice Control Policy is broken in to a number of sections which describe how the City’s infrastructure is prepared (anti-icing) and cleared (during and after an event), based on a series of priorities for different types of infrastructure.

The City’s approach can essentially be split in to two categories; snow and ice control on roadways (Appendix A), and snow and ice control on other related infrastructure such as sidewalks, walkways, stairways, bike lanes, bridges, transit stops, and parking lots (Appendix B).

For Roads:

- Priority 1 roads are the main routes, steep hills, emergency routes, and major transit routes;
- Priority 2 roads include collector roads, main industrial routes, minor transit routes, and school zones; and
- Priority 3 include the remainder of the roads inventory such as residential roads, industrial side streets and primary access lanes.

For Other Related Infrastructure:

- Priority 1 routes include stairways, bridges, pathways / sidewalks around City owned buildings, and select parking lots;

- Priority 2 routes include transit stops (with shelters), sidewalks and walkways, protected bike lanes, and traffic calming areas; and
- Priority 3 routes include remaining walkways, traffic islands and traffic circles.

All infrastructure with the defined priorities noted above will be cleared and may have ice control applied in accordance with the following standards:

- Priority 1 – within 12 hours of the end of the storm event;
- Priority 2 – within 24 hours of the end of the storm event; and
- Priority 3 – within 48 hours of the end of the storm event.

Note: Each piece of equipment and each team of hand shovellers has a designated route designed around the priority system to ensure that the snow and ice control is addressed in an orderly fashion. In some instances, a lower priority may be addressed before all higher priorities are complete due to routing, efficiencies, levels of snow accumulation on that particular route, operator experience, equipment performance and other variables that are a challenge to control. The overall objective is to ensure the snow and ice control is addressed in accordance with the service level and standard that corresponds to each priority.

If an additional snow event occurs before all priorities are complete crews will repeat the priorities commencing with Priority 1.

Snow clearing operations will commence upon accumulation of 2.5 cm of snow and in consideration of field conditions and current weather forecast. Ice control will commence upon determining ice conditions exist or are in the immediate forecast. Public complaints received advising of dangerous ice conditions will be investigated and addressed if required within one working day of receiving the complaint.

When road surfaces are dry and temperatures are either forecasted to be at or below 0° Celsius and precipitation is predicted a sodium chloride, anti-icing solution may be applied to the road surface to prevent ice and snow from accumulating.

Snow and ice control is performed 7 days per week between the hours of 4:00 am to 11:00 pm as required by the present conditions and weather forecast.

Alternate recommendations

THAT staff revisit the Snow and Ice Control policy addressing questions or concerns Council may have.

Attachments

Attachment A – Snow and Ice Control Policy CP#2023 -09

Respectfully submitted,

SBoyko

Scott Boyko
Roads & Drainage Supervisor

General Manager of Infrastructure <i>KD</i>	Director of Finance and Administration <i>AMC</i>	City Manager <i>ASH</i>
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Category: PUBLIC WORKS

Subject: Snow and Ice Control Policy

Goal

To provide for the safe passage of vehicles and pedestrians within the City of Penticton by ensuring that the snow and ice control operations are carried out on City roads, lanes, bus stops, select sidewalks and walkways, parking lots and City Facilities in a timely manner in accordance with the priorities identified by Council, included as Appendix A and B of the Policy.

This policy provides a balance between public safety and the City's resources, and is reflective of best practices and established procedures.

Scope

Subject to equipment, personnel, and budget constraints, the City of Penticton undertakes snow and ice control on a priority basis to accommodate vehicular and pedestrian access on:

- Road rights-of-way within the geographical boundaries of the City, excluding highway 97 (also known as the Channel Parkway, and Eckhardt Ave W. from Railway Street to the west City limits);
- City owned and maintained building entry-ways;
- Sidewalks adjacent all City owned properties;
- Select stairways, sidewalks, walkways, bridges, lanes, bus stops and parking lots.

As indicated on the following Appendices:

- *Appendix "A" - Roadway Priority Ratings;*
- *Appendix "B" – Stairways, Sidewalks, Bridges, Lanes, Bus Stops, & Parking Lots to be Cleared*

The key objectives of this policy are:

- To provide vehicular and pedestrian traffic with sufficient mobility under prevailing winter conditions within the City's financial resources.
- To reduce the hazards of ice and snow conditions for motorists and pedestrians.
- To facilitate the handling of emergencies by emergency operations personnel.
- To facilitate the operation of public transit.
- To minimize economic losses to the community and industry.
- To ensure the City owned parking lots are adequately maintained to an acceptable standard.
- To provide safe recreational opportunities for residents during winter months.
- To reduce the harmful effects of anti-icing and de-icer chemicals on the environment.

Definitions:

In this policy:

“APPENDIX A” - Appendix A – Roadway Priority Ratings as attached to this policy.

“APPENDIX B” - Appendix B – Stairways, Sidewalks, Bridges, Lanes, Bus Stops, & Parking Lots to be Cleared as attached to this policy.

“APPENDIX C” – Appendix C – Anti-Icing Priorities

“CLEAR (ED, ING)” means the plowing or shoveling of snow on roadways and other surface types.

- Snow clearing of roadways, lanes, and parking lots shall be done in a manner to achieve a minimum of 2.75 meters of width for driving and a maximum accumulation of 5 cm of snow and slush.
- Snow clearing of sidewalks, walkways, and stairs shall be done in a manner to achieve a minimum walking path of 1 meter of width and a maximum accumulation of 5 cm of snow or slush.
- Snow clearing of protected bike lanes shall be done in a manner to achieve a minimum of 1.5 meter width for operating a bicycle and a maximum accumulation of 5 cm of snow and slush.

“COMPACTED SNOW STANDARD” means snow accumulated and packed by traffic or leveled by snow plows.

“DE-ICER” means the chemical agent that the City of Penticton uses or mixes with sand to control ice.

“ICE CONTROL” means the control of the build-up of packed snow or ice through the use of equipment, application of abrasives and de-icing materials. Conditions that warrant ice control are highly variable, depending on temperature, humidity, location, current ground snow cover, and other weather conditions, and can change frequently, at times on an hourly basis. During SNOW AND ICE CONTROL operations staff will monitor conditions and apply their discretion on the application of Ice Control.

“MULTIFAMILY DEVELOPMENTS” means a residential mobile home park, an apartment building, townhouse building, or any other residential building containing 4 or more dwelling units.

“PUBLIC WORKS MANAGER” means the Public Works Manager or his/her approved designate.

“SNOW AND ICE CONTROL” means all operations that may be associated with snow plowing, snow loading, snow hauling, and ice control.

“SNOW PLOWING” means plowing of snow into windrows that may remain on roads, lanes and sidewalks, on or near center lines or medians, boulevards, adjacent to the curb or sidewalk or edge of back lanes or City owned parking lots.

“SNOW REMOVAL” involves loading the windrowed snow onto trucks and subsequently hauling the snow to snow disposal sites. No attempt will be made to remove snow from driveway entrances.

Policy:

1.0 RESPONSIBILITIES

1.1 City Council Shall:

- Set and adopt the SNOW AND ICE CONTROL Budget;
- Set the levels of service.

1.2 The Public Works Manager shall implement the Snow and Ice Control Policy on Public Right of Ways by:

- Determining when and how to initiate and implement SNOW AND ICE CONTROL Operations;
- Allocating and scheduling Public Works resources;
- Obtaining, allocating and scheduling privately held resources;
- Addressing public complaints;
- Managing the allocated budget;
- Implementing revisions as required to APPENDIX A, APPENDIX B, and APPENDIX C on an annual basis.

1.3 The Public Works Department shall operate the City owned equipment and /or hired equipment to carry out SNOW AND ICE CONTROL on public rights of way in accordance with the Snow and Ice Control Policy and in accordance with the instructions of the PUBLIC WORKS MANAGER.

2.0 PRIORITIES AND STANDARDS FOR ROADS AND OTHER SURFACE TYPES

2.1 The City operates with a finite budget, which funds many services. The City in establishing the Snow and Ice Control Policy, has taken into consideration its financial resources and personnel. Priorities are established to provide the greatest benefit to the majority of the traveling public. When setting the priorities consideration is given to traffic volumes, road classification, emergency services, road geometrics, terrain, transit, and access to amenities.

2.2 The City has set the following **3 priority ratings** for roads and other surface types as referenced in APPENDIX A and APPENDIX B of this policy.

Priority 1 Roads - Outlined in Red in APPENDIX A

Generally servicing:

- Major Collectors – main routes serving as connectors/collectors between areas and routes;
- Steep Grades – Hilly terrain with high traffic volumes;
- School Zones – serving as routes to access school;
- Roads serving emergency routes to hospitals and fire equipment;
- Major Transit Routes – serving the majority of the Transit Users.

Priority 2 Roads - Outlined in Green in APPENDIX A

Generally servicing:

- Collectors – remainder of;
- Main Industrial Routes – serving as routes for industrial traffic;
- Minor Transit Routes.

Priority 3 Roads - Outlined in Yellow in APPENDIX A

Generally servicing:

- The remainder of the routes in the City, typically local roads.

2.3 Other Surface Types outlined in APPENDIX B

Generally servicing:

- Stairways - Priority 1
- Bridge – Pedestrian Access – Priority 1
- Parking Lots – Priority 1
- City Owned Buildings - Pedestrian Access – Priority 1

- Transit Stops with Shelters – Priority 2
- Sidewalks and Walkways – Priority 2
- Traffic Calming at School Zones – Priority 2
- Protected Bike Lanes – Priority 2

- Designated Lanes – Priority 3
- Walkways - Priority 3

2.4 The City has set the following **standards** for SNOW AND ICE CONTROL subject to budget constraints, and availability of personnel and equipment:

Priority 1: The roads and the other surface types shall be CLEARED and ICE CONTROL may be applied as required within **12 hours** of the end of the storm event.

Priority 2: The roads and the other surface types shall be CLEARED and ICE CONTROL may be applied as required within **24 hours** of the end of the storm event.

Priority 3: The roads and the other surface types shall be CLEARED and ICE CONTROL may be applied as required within **48 hours** of the end of the storm event.

Exceptions:

- Priority 3 roads or other surface types may not be CLEARED on weekends or statutory holidays. These days are not included in the 48 hour standard noted above. For example if the storm event ends Friday at 11:30 pm all Priority 3 roads and other surface types shall be cleared within 48 hours of 12:00 am Monday morning which is 12:00 am Wednesday.
- When the storms are continuous, or follow within 12 hours of another, SNOW AND ICE CONTROL operations may be repeated or continued on Priority 1 Roads and Other Surface Types until the standards are achieved prior to commencing SNOW AND ICE CONTROL operations on priorities 2 and 3.
- Due to operational circumstances including but not limited to; traffic flow, operational efficiencies, road closures, special events, and other such circumstances deemed appropriate by the PUBLIC WORKS MANAGER, lower level priorities may be addressed prior to high level priorities provided that all priorities will be addressed within the time frame allocated for that priority.
- Snow Removal shall be undertaken only in situations where lack of adequate storage prohibits the reasonable movement of vehicular, bicycle, and/or pedestrian traffic, due to the presence of a windrow or stockpile of snow. During most winter seasons, only a limited amount of Snow Removal will be done due to storage space and budgetary limitations. In the event Snow Removal is required the process will be aligned with the Priorities outlined in Appendices A & B.

3.0 ANTI – ICING BEFORE A SNOW EVENT

- 3.1 When roads surfaces are dry, temperatures are either forecasted to be or are below 0° Celsius and precipitation is predicted, a sodium chloride, anti-icing solution may be applied to roadways and parking lots around the City to help to prevent ice and snow from accumulating and adhering to the road during a snow event. Anti-icing will be applied in accordance with priorities defined in Appendix C – Anti-Icing Priorities.

4.0 SNOW PLOWING OF ROADS, CITY OWNED PARKING LOTS AND LANES

- 4.1 SNOW PLOWING Operations may commence in accordance with the priorities and standards discussed in Sections 2.2, 2.3, and 2.4, upon a snow accumulation of 2.5 cm, and in consideration of field conditions and weather forecast.
- 4.2 Lanes which provide the only available access to MULTIFAMILY DEVELOPMENTS with no available on street parking and lanes as shown in APPENDIX B will be addressed on a Priority 3 basis. All other lanes are considered low priority and may be addressed only in the event of extreme weather resulting in a single snow storm accumulation greater than 30 cm. These lanes may be CLEARED to a COMPACTED SNOW STANDARD as budget and resources permit.

- 4.3 SNOW PLOWING may result in windrows on both sides of the road. The clearing of windrows in front of driveways left by snow plowing equipment shall be the responsibility of the property owner or occupant.
- 4.4 The clearing of windrows as they cross lane entrances shall be the responsibility of the City and may be CLEARED as required as soon as practical after CLEARING all Priority 3 roads and other surface types.
- 4.5 The clearing of snow between the edge of the street and all fire hydrants is the responsibility of the City. The work may commence when the snow depth exceeds 45 cm or when the hydrant is hidden from view.

5.0 ICE CONTROL OF ROADS, CITY OWNED PARKING LOTS AND LANES

- 5.1 The City will provide ICE CONTROL on City roads, parking lots and lanes in accordance with the priorities and standards discussed in Sections 2.2, 2.3, and 2.4, upon determining that ice conditions exist or are in the immediate forecast.
- 5.2 ICE CONTROL on roadways and lanes will not normally be undertaken mid-block and may only be undertaken at intersections with the exception of Priority 1 roads if conditions warrant.

6.0 SNOW AND ICE CONTROL ON STAIRS, SIDEWALKS, BRIDGES, WALKWAYS, TRANSIT STOPS WITH SHELTERS, CITY OWNED BUILDING PEDESTRIAN ACCESSES AND PROTECTED BIKE LANES

- 6.1 The City will CLEAR snow and may provide ICE CONTROL on City owned stairs, sidewalks adjacent to City property, transit stops with shelters, walkways and entrances to City owned buildings where indicated in APPENDIX B as per the priorities and standards identified in Sections 2.2, 2.3 and 2.4.
- 6.2 SNOW AND ICE CONTROL on sidewalks may result in windrows of snow on either side of the sidewalk which may remain in place.
- 6.3 SNOW AND ICE CONTROL for City owned building – pedestrian accesses may involve snow removal and/or the application of DE-ICER and may commence upon accumulation of 2.5 cm of snow or icy conditions being present at the entry-ways of City Owned Buildings as indicated in APPENDIX B.
- 6.4 SNOW AND ICE CONTROL on protected bike lanes may result in windrows of snow on either side of the bike lane which may remain in place.
- 6.5 Public complaints received advising that rain or snow melt has created a layer of ice on the Other Surface Types that has created a hazard may be investigated within one working day of the complaint. If warranted the ice layer may be sanded, treated with DE-ICERs, closed, or allowed to have a level firm snow layer established above the ice level to permit pedestrian use.
- 6.6 Good Neighbour Bylaw 2012 - 5030 Section 7.5, stipulates that “Every owner or occupier of any building or premises, including any vacant lot, within the City, shall clear the

sidewalk of snow and ice adjacent to the property before the hour of eleven o'clock (11:00AM) on the forenoon following the snow event."

This bylaw may be enforced by any Bylaw Enforcement Officer and may be subject to the fines and penalties identified in the bylaw.

7.0 PUBLIC RELATIONS

7.1 The Public Works Clerk at (250) 490-2500, Monday to Friday 7:30 am to 3:00 pm, shall handle all concerns and inquires. At all other times including statutory holidays, emergency concerns and inquires shall be directed to the afterhours line (250) 490-2324.

8.0 HOURS OF OPERATION AND STAFF DEPLOYMENT.

8.1 The City will be prepared to conduct SNOW AND ICE CONTROL Operations during the period November 1 to March 31.

8.2 The City will normally provide SNOW AND ICE CONTROL Operations between the hours of 4:00 am and 11:00 pm, 7 days per week including statutory holidays as per the following:

- During REGULAR HOURS OF OPERATION (7:00 am to 3:15 pm week days with the exception of statutory holidays) crews will provide SNOW AND ICE CONTROL in accordance with the priorities and standards set out in Sections 2.2, 2.3 and 2.4 of this policy.
- Weekends and statutory holidays will have SNOW AND ICE CONTROL on Priority 1 and Priority 2 roads and other surface types only. Priority 3 roads and other surface types may not be CLEARED on weekends or Statutory holidays.
- In the event of winter conditions requiring SNOW AND ICE CONTROL commencing after 3:15 pm, operators and equipment may be dispatched to provide maintenance on Priority 1 roads and other surface types only. Priority 1 roads may be CLEARED and Priority 1 other surface types may be CLEARED until 11:00 pm.

8.3 The Public Works Department standby personnel may monitor weather conditions and will provide a visual inspection at 3:00 am to determine if crews are to be called out as early as 4:00 am (7 days a week). In addition to the above noted, during the regular work week for the period of November 01 to March 31 one equipment operator may commence work at 5:00 am. If conditions warrant, additional operators may be called in to address snow and ice concerns.

- If afterhours standby personnel receive complaints about hazardous road conditions from the R.C.M.P., Public or Fire Department, they may be investigated and dealt with in accordance with this policy. Discretion as to the level of SNOW AND ICE CONTROL required may be applied. If a complaint is received on Priority 3 road or other surface

type or in a low traffic and flat area the complaint may not be investigated or addressed.

8.4 When extreme winter weather (greater than 30 cm snow accumulation) conditions exist as caused by severe or repetitive storms or emergency conditions, overtime, additional City equipment and outside resources may be mobilized under the authorization of the PUBLIC WORKS MANAGER.

9.0 PARKING BANS

9.1 Parking bans may be implemented, as required, to provide for operations. Areas where parking is to be banned will be signed in advance or odd/even parking will be initiated. Vehicles that do not adhere to the parking ban may be towed and the owner of the vehicle will be responsible for all towing costs.

APPENDICES

1. Appendix A - Roadway Priority Ratings, may be revised by the Public Works Manager and adopted by Council as required.
2. Appendix B - Stairways, Sidewalks, Bridges, Lanes, Bus Stops, and Parking Lots to be CLEARED, may be revised by the Public Works Manager and adopted by Council as required.
3. Appendix C – Anti-Icing Priorities, may be revised by the Public Works Manager and adopted by Council as required.

Approval History		
Replaces current policy:	CP#2022-03 Snow and Ice Control Policy	Resolution #392/2022
This policy was approved by Council on:		

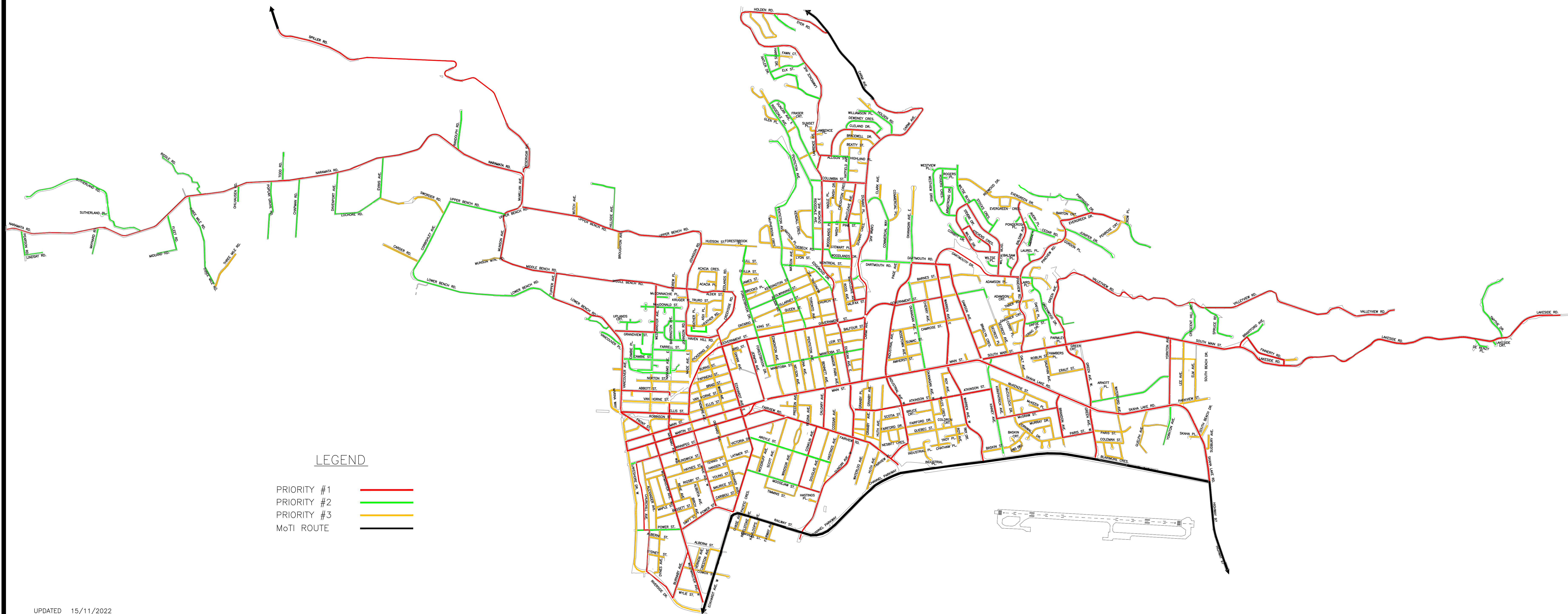
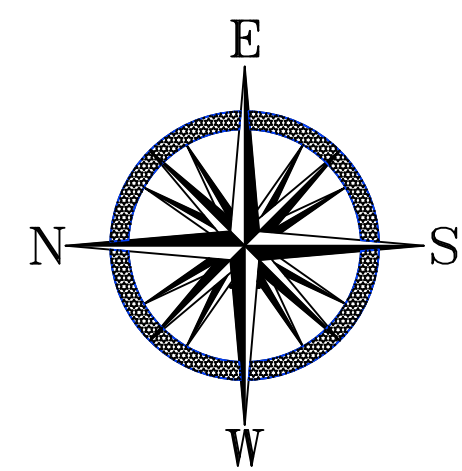
Certified Correct:

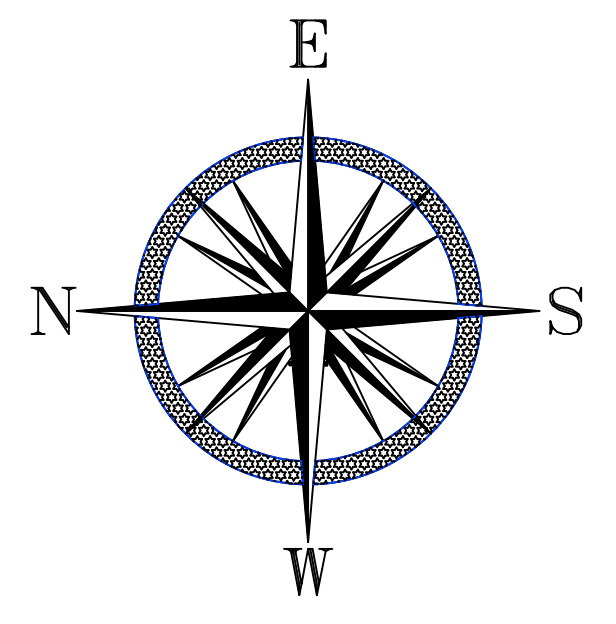
Angie Collison, Corporate Officer



SNOW REMOVAL

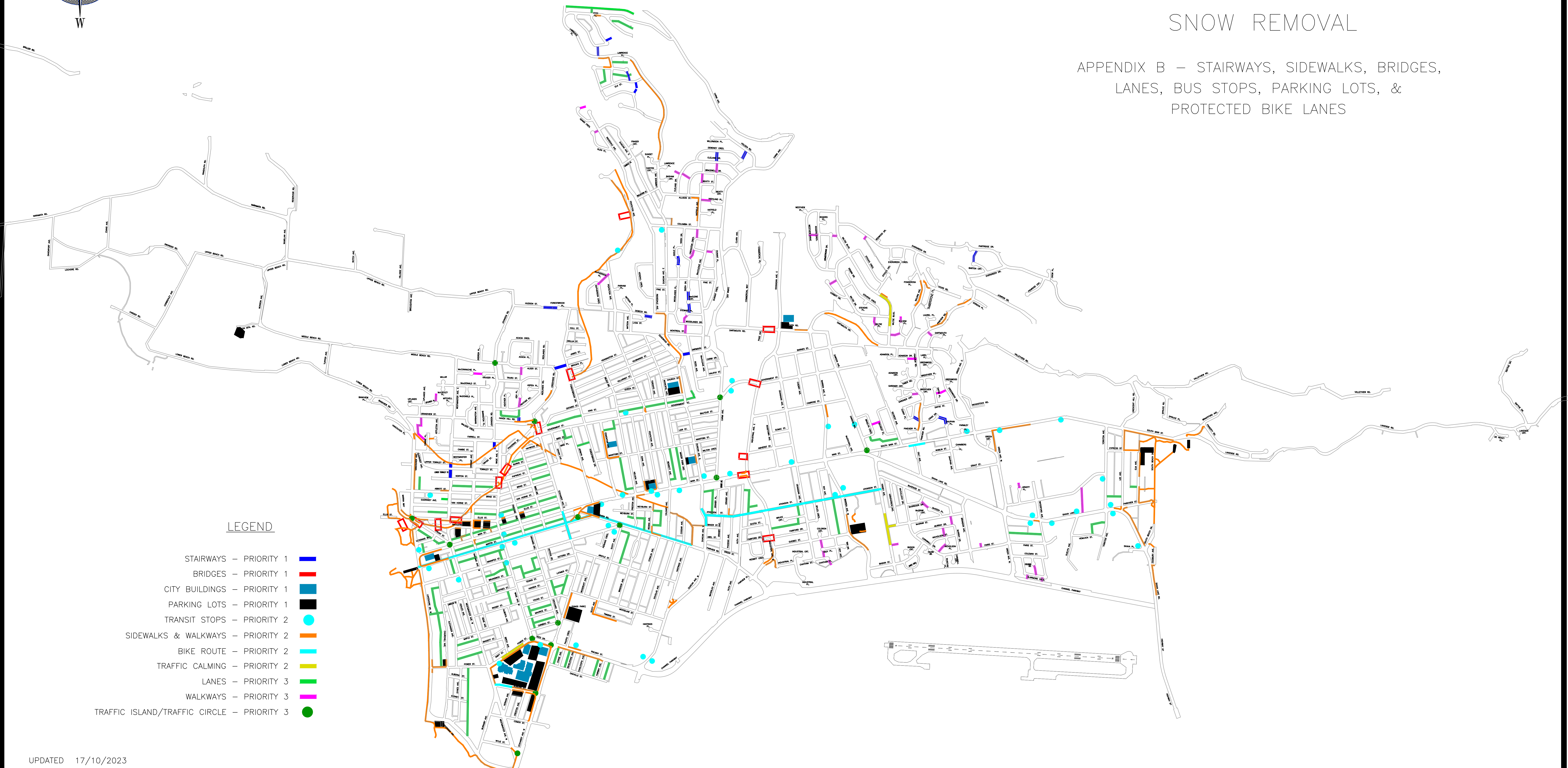
APPENDIX A – ROADWAY PRIORITY RATINGS





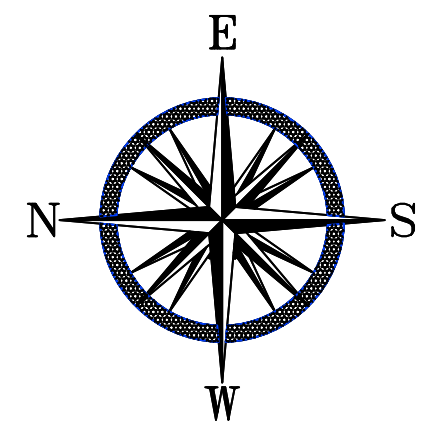
SNOW REMOVAL

APPENDIX B – STAIRWAYS, SIDEWALKS, BRIDGES, LANES, BUS STOPS, PARKING LOTS, & PROTECTED BIKE LANES



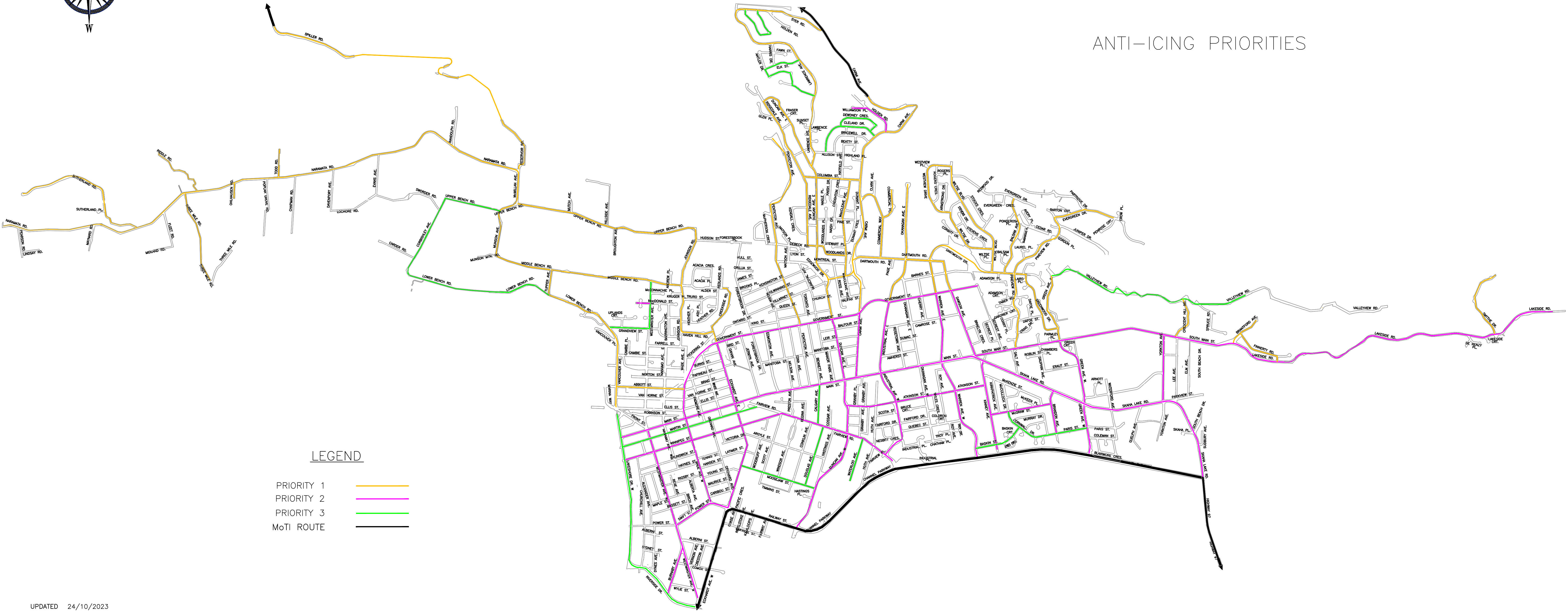
LEGEND

- STAIRWAYS – PRIORITY 1 ■
- BRIDGES – PRIORITY 1 ■
- CITY BUILDINGS – PRIORITY 1 ■
- PARKING LOTS – PRIORITY 1 ■
- TRANSIT STOPS – PRIORITY 2 ●
- SIDEWALKS & WALKWAYS – PRIORITY 2 ■
- BIKE ROUTE – PRIORITY 2 ■
- TRAFFIC CALMING – PRIORITY 2 ■
- LANES – PRIORITY 3 ■
- WALKWAYS – PRIORITY 3 ■
- TRAFFIC ISLAND/TRAFFIC CIRCLE – PRIORITY 3 ●



CITY OF PENTICTON SNOW REMOVAL

ANTI-ICING PRIORITIES



LEGEND

- PRIORITY 1 —
- PRIORITY 2 —
- PRIORITY 3 —
- MoTi ROUTE —



Council Report



Date: November 7, 2023 **File No:** RMS 5480-01
To: Anthony Haddad, City Manager
From: Tina Mercier, Bylaw Services Manager
Subject: Complimentary on-street parking downtown for the 2023 holiday season

Staff Recommendation

THAT Council approve free on-street parking in the downtown area for the five weekends in December 2023, which include December 1, 2, 8, 9, 15, 16, 22, 23, 29 and 30.

Strategic priority objective

Vision: A vibrant, resilient and healthy waterfront city focused on safety, livability and vibrancy.

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

Background

Historically the City has approved free on-street parking on the weekends during the month of December in the Downtown area. This has been done as a Christmas promotion, at the request of the Downtown Penticton Business Improvement Association (DPBIA).

The DPBIA has requested the City’s approval for no charge parking again this year.

Please note this will only apply to on-street metered parking stalls in Downtown Penticton. City parking lots and private parking lot rules remain in effect. The on street pay parking system will resume on Tuesday, January 2, 2024.

Financial implication

The total financial impact for this recommendation is a loss of revenue estimated between \$10k and \$12k.

Analysis

The request submitted by the DPBIA will assist in supporting the downtown business community, which contribute significantly to the vibrancy and vitality of our community. With the additional activities taking place downtown during the Christmas season, the addition of free parking on Fridays and Saturdays will

provide an additional incentive for customers to visit downtown and shop at one of our many local businesses.

Respectfully submitted,

Tina Mercier,
Bylaw Services Manager

Concurrence

Director of Development Services <i>BL</i>	Director of Finance & Administration <i>AMC</i>	City Manager <i>SM</i>
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Council Report

penticton.ca

Date: November 7, 2023
To: Anthony Haddad, City Manager
From: Sheri Raposo, Land Administrator

File No: 3020-01

Subject: Commercial Aquatics Land Lease for the Okanagan Lake Marina

Staff Recommendation

THAT Council direct staff to apply to the Ministry of Forests, Lands and Natural Resource Operations for an Aquatics Land Lease at Okanagan Lake Marina, for a 30-year term;

AND THAT Council agree to acquire from the Province of British Columbia a lease for the term of 30 years over the property described as:

Firstly: District Lot 4197, Similkameen Division of Yale District, containing 0.363 hectares;

Secondly: That part of District Lot 3165s, Similkameen Division of Yale District, containing 0.68 hectares more or less;

Thirdly: That part of District Lot 3695s, Similkameen Division of Yale District, containing 1.25 hectares more or less;

Fourthly: That part of Block A of District Lot 216s, Similkameen Division of Yale District, lying west and south of District Lot 3965s containing 4.59 hectares more or less;

For the purposes of use, operation and maintenance of a commercial marina, restaurant, breakwater, seasonal boat storage and public use purposes;

AND THAT the Mayor and Corporate Officer be authorized to execute the application documents to the Ministry of Forests, Lands and Natural Resource Operations;

AND THAT the City Manager and Director of Finance and Administration be authorized to execute the lease agreement with the Province of British Columbia.

Strategic Priority Objective

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

Background

The City entered into a 30-year Lease agreement with the Province on April 2, 1996 for lands that include breakwater, moorage and shoreline shown outlined in Attachment A and known as Okanagan Lake Marina.

The City currently sub-leases the lands to the Penticton Yacht Club. The current agreement with the Penticton Yacht Club expires December 31, 2023. This agreement has a two year, subject to mutual agreement, renewal clause. The Penticton Yacht Club has requested to initiate the renewal clause. The renewal will be based on the existing sub-lease. As this extension is built into the existing 2018 sub-lease agreement it has already received Council approval.

Financial implication

The Province charges a \$500 renewal application fee for a marina lease. Currently the annual Provincial lease fee is \$41,137.95. Under the terms of the Penticton Yacht Club sub-lease, they are responsible for this annual lease fee.

Analysis

The request for an early renewal of a long term aquatics lease agreement with the Province for the lands related to the marina will allow the City to determine the appropriate next steps with obtaining a long term tenant to operate the Marina, which will form part of a separate process most likely beginning in 2025.

As part of the Lease application process, the Province will undertake the review of the impacts of the marina with their Ecosystems and Engineering staff. The Province will be consulting with and obtaining approvals from various impacted governments and parties, including the Penticton Indian Band.

Staff are recommending that this process with the Province commence now considering the expected lengthy timeframe for the process to be undertaken.

Attachments


[Attachment A –Current Provincial Aquatic Lands Lease](#)

[Attachment B – Aerial view of area](#)

Respectfully submitted,

Sheri Raposo
Land Administrator

Concurrence

Director of Finance & Administration <i>AMC</i>	General Manager Infrastructure <i>KD</i>	City Manager 
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Province of British Columbia

Ministry of Environment, Lands and Parks

Lease Aquatic Lands

Lease No. 2380,20 File No. 0079098

THIS LEASE dated for reference the 2nd day of April, 1996.

IN PURSUANCE of the LAND ACT (Section 35) and the LAND TRANSFER FORM ACT

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA, represented by the Minister of Environment, Lands and Parks, Parliament Buildings, Victoria, British Columbia

(hereinafter called the "Lessor")

OF THE FIRST PART

AND:

THE CORPORATION OF THE CITY OF PENTICTON 171 Main St Penticton, British Columbia V2A 5A9

(hereinafter called the "Lessee")

OF THE SECOND PART

WITNESS THAT WHEREAS the Lessor has agreed to grant to the Lessee a lease over that parcel of land described in the schedule attached entitled Legal Description (hereinafter called the "Land");

NOW THEREFORE in consideration of the fee to be paid by, and the covenants of the Lessee, the parties agree as follows:

Article I - Grant of Lease

(1.01) The Lessor, on the terms set forth herein, hereby demises and leases to the Lessee the Land for commercial marina, restaurant, breakwater, seasonal boat storage and public use purposes .

Article II - Term

(2.01) TO HAVE AND TO HOLD the Land unto the Lessee for a term of 30 years commencing on the 2nd day of April, 1996 (hereinafter called the Commencement Date").

Lease Aquatic Lands

File No. 0079098

Article III - Fees

(3.01) YIELDING AND PAYING THEREFORE for the term the fees prescribed in the Fee Schedule attached.

Article IV - Covenants of the Lessee

(4.01) The Lessee covenants with the Lessor

- (a) to pay fees when due at the address of the Lessor first above written or at such other place as the Lessor may specify by notice in writing;
- (b) to pay and discharge when due all applicable taxes, levies, charges and assessments now or hereafter assessed, levied or charged which relate to the Land or any improvements thereon (herein called "Realty Taxes");
- (c) to observe, abide by and comply with all applicable laws, bylaws, orders, directions, ordinances and regulations of any competent governmental authority in any way affecting the Land and improvements situate thereon, or their use and occupation;
- (d) to keep the Land in a safe, clean and sanitary condition satisfactory to the Lessor, and on written notice from the Lessor to make safe, clean and sanitary any portion of the Land or any improvements that, in the opinion of the Lessor, contravenes the provisions of this covenant;
- (e) not to commit or suffer any willful or voluntary waste, spoil or destruction on the Land or to do or suffer to be done thereon anything that may be or become a nuisance or annoyance to the owners or occupiers of adjoining land;
- (f) to use and occupy the Land in accordance with the provisions of this lease and any Special Proviso Schedule;
- (g) to effect and keep in force during the term, insurance protecting the Lessor and the Lessee (without any rights of cross-claim or subrogation against the Lessor) against claims for personal injury, death, property damage, third party or public liability claims arising from any accident or occurrence on the Land or improvements up to an amount not less than \$1,000,000.00, PROVIDED, however that the Lessor may, in his sole discretion, waive the requirements of this subsection on the delivery to the Lessor of evidence that the Lessee is self insured;
- (h) to deliver to the Lessor from time to time, upon demand, proof of insurance required to be maintained by the Lessee, receipts or other evidence of payment of Realty Taxes, insurance premiums, leasehold mortgage installments or other monetary obligations of the Lessee required to be observed by the Lessee pursuant to this lease;
- (i) notwithstanding subsection (g) of section 4.01, the Lessor may from time to time notify the Lessee that the amount of insurance posted by the Lessee pursuant to that subsection be changed and the Lessee shall, within 60 days of receiving such notice, cause the amount of insurance posted pursuant to subsection (g) of section 4.01 to be changed to the amount specified in the notice and deliver to the Lessor written confirmation of the change, except that when the Lessee is self-insuring this section shall not apply;
- (j) to indemnify and save the Lessor harmless against all loss, damages, costs and liabilities, including fees of solicitors and other professional advisors arising out of
 - (i) any breach, violation or non-performance of any covenant, condition or agreement in this lease by the Lessee,

Lease Aquatic Lands

File No. 0079098

- (ii) any personal injury, death or property damage occurring on the Land or happening by virtue of the Lessee's use or occupation of the Land, and the Lessor may add the amount of such loss, damages, costs and liabilities to the fees and the amount so added shall be payable to the Lessor immediately;
- (k) to pay all accounts and expenses for labour performed on, or material supplied to, the Land, in accordance with the *Builders Lien Act*, and on behalf of the Lessor, to place written notices immediately after the commencement of any construction on the Land, on at least two conspicuous places, giving notice that the Lessor shall not be responsible for the cost of labour, services or materials performed on or supplied to the Land;
- (l) on the expiration or earlier cancellation of this lease
 - (i) to peaceably quit and deliver possession of the Land and any improvements thereon to the Lessor, in a safe and sanitary condition,
 - (ii) to restore the surface of the Land to the satisfaction of the Lessor, AND
 - (iii) notwithstanding section 4.01 (l)(i) to remove any improvements that the Lessor may, in writing, direct or permit to be removed,
 and all right, interest and estate of the Lessee shall cease and vest in the Lessor, and to the extent necessary this covenant shall survive the expiration or earlier cancellation of this lease;
- (m) to permit the Lessor, or his authorized representative, to enter upon the Land at anytime to inspect the Land and any improvements thereon;
- (n) not to deposit on the Land or any part of it, any earth, fill or other material for the purpose of filling in or raising the level of the Land without the prior written consent of the Lessor;
- (o) not to dredge or significantly displace beach material on the Land without the prior written consent of the Lessor;
- (p) not to place any improvements on the Land or carry on any activity on the Land or on the surface of the water covering the Land that may constitute an interference with the riparian rights of the owner or occupier of the land adjacent to the Land.

Article V - Assignment

- (5.01) The Lessee shall not assign, mortgage, sublet or transfer this lease without the prior consent of the Lessor, such consent not to be unreasonably withheld.

Article VI - Covenants of the Lessor

- (6.01) The Lessor covenants with the Lessee for quiet enjoyment.

Article VII - Provisos

- (7.01) PROVIDED always and it is hereby agreed as follows:
 - (a) if, after the termination by the passage of time of this lease or any extension thereof, the Lessor permits the Lessee to remain in possession of the Land and accepts rent in respect thereof, a tenancy from year to year shall not be created by implication of law and the Lessee shall be deemed to be a monthly tenant only subject to all of the terms and conditions of this lease, except as to duration in the absence of a written agreement to the contrary;

Lease Aquatic Lands

File No. 0079098

- (b) title to and ownership of all buildings, structures and other improvements now or hereafter constructed on the Land shall be vested in the Lessor and the Lessee shall neither remove nor permit the removal of them from the Land except as expressly permitted or required by this lease;
- (c) the Lessor is under no obligation to provide access or services to the Land or to maintain or improve existing access roads;
- (d) the Lessor hereby reserves the right to grant other dispositions of the Land, or any part of it, with the prior written consent of the Lessee, which consent shall not be unreasonably withheld, by way of easement, right of way or statutory right of way to a Crown corporation or agency, a municipality, or regional district, or a person or corporation and, upon such consent being given, the Lessee shall forthwith execute and deliver to the Lessor such instrument as may be necessary to subordinate the Lessee's right and interest in the Land under this lease;
- (e) for the purpose of subsection (d) of section 7.01, the Lessee shall be deemed to have withheld his consent reasonably if a grant of rights under that subsection would materially affect the exercise of the Lessee's rights hereunder;
- (f) if a dispute should arise as to whether or not the exercise of the Lessee's rights hereunder would, in fact, be materially affected by a grant of rights under subsection (d) of section 7.01, then, the dispute shall be referred to a sole arbitrator appointed pursuant to the *Commercial Arbitration Act*;
- (g) the Lessee hereby acknowledges and agrees that no claim for compensation shall be made, in any form, in respect of a grant of rights under subsection (d) of section 7.01, where such rights do not materially affect the exercise of the Lessee's rights hereunder;
- (h) this lease and the term herein granted is subject to:
- (i) all subsisting grants to or rights of any person made or acquired under the *Coal Act, Forest Act, Mineral Tenure Act, Petroleum and Natural Gas Act, Range Act, Wildlife Act, or Water Act*, or any extension or renewal of the same, whether or not the Lessee has actual notice of them, AND
 - (ii) the exceptions and reservations of rights, interests, privileges and titles referred to in section 47 of the *Land Act*;
- (i) the Lessee acknowledges and agrees with the Lessor that
- (i) any interference with the rights of the Lessee under this lease by virtue of the exercise or operation of the rights, privileges or interests described in subsections (d) and (h) of section 7.01 shall not constitute a breach of the Lessor's covenant of quiet enjoyment and the Lessee releases and discharges the Lessor from and against any claims for loss or damage arising directly or indirectly out of any such interference,
 - (ii) all costs and expenses, direct or indirect, that arise out of any interference by the Lessee with the rights, privileges and interests described in subsections (d) and (h) of section 7.01 shall be borne solely by the Lessee,
 - (iii) he shall not commence or maintain proceedings under section 60 of the *Land Act* in respect of any interference with his rights hereunder arising directly or indirectly out of the exercise or operation of the right, privileges or interests described in subsections (d) and (h) of section 7.01, AND
 - (iv) all schedules attached to this lease form an integral part of this lease.

Lease Aquatic Lands

File No. 0079098

Article VIII - Events of Default

(8.01) PROVIDED ALSO that this lease and the term and estate hereby granted are subject to the limitation that

- (a) if the Lessee shall default in the payment of any installment of fees, or the payment of any other sum payable hereunder, and such default shall continue for 60 days after the giving of written notice by the Lessor to the Lessee;
- (b) if the Lessee shall fail to perform or observe any of the covenants, agreements, conditions or provisos contained in this lease on the part of the Lessee to be performed or observed (other than the payment of fees or other sums of money) and such failure shall continue for, or shall not be remedied within, the period of 60 days next after the giving of written notice by the Lessor to the Lessee of the nature of such failure;
- (c) if the term hereby granted shall be taken in execution or attachment by any person or the Lessee commits an act of bankruptcy, becomes insolvent or is petitioned into bankruptcy or voluntarily enters into an arrangement with his creditors;
- (d) if the Lessor discovers that the Lessee either in his application for this lease or otherwise has, in the opinion of the Lessor, misrepresented or withheld any fact material to the application; OR
- (e) if, in the opinion of the Lessor, the Lessee fails to make reasonable and diligent use of the Land for the purposes permitted herein, and such failure shall continue for a period of 60 days next after the Lessor gives written notice of the failure to the Lessee;

it shall then be lawful for the Lessor to enter upon the Land or any part thereof in the name of the whole, and this lease shall at the option of the Lessor, and with or without entry, terminate, and all the rights of the Lessee with respect to the Land shall be absolutely forfeited and shall lapse. If the condition complained of (other than the payment of fees or other sums of money) reasonably requires more time to cure than 60 days, the Lessee shall be deemed to have complied with the remedying thereof if the Lessee shall have commenced remedying or curing the condition within the 60 day period and diligently thereafter completes the same.

Article IX - Security

- (9.01) The security in the sum of \$0.00 and all rights, privileges, benefits and interests accruing thereto delivered by the Lessee to the Lessor (herein called the "Security") to guarantee the performance of the Lessee's obligations under this lease shall be maintained in effect until such time as the Lessor certifies in writing that such obligations have been fully performed, Provided, however, that the Lessor may, in his sole discretion, waive the requirements of this subsection.
- (9.02) In the event the Lessee should default in the performance of any of his obligations hereunder, it shall be lawful for the Lessor, in his sole discretion, to sell, call in and convert the Security, or any part of it, and such Security shall be deemed to have been absolutely forfeited to the Lessor.
- (9.03) The rights of the Lessor under this Article shall be deemed to continue in full force and effect notwithstanding the expiration or earlier cancellation of this lease.
- (9.04) Notwithstanding section 9.01, the Lessor may from time to time notify the Lessee that the amount of Security delivered by the Lessee to the Lessor be changed and specify the amount of Security required by the Lessor.

Lease Aquatic Lands

File No. 0079098

- (9.05) The Lessee shall, within 60 days of receiving the notice referred to in section 9.04, cause the amount of security delivered to the Lessor to be changed to the amount specified in the notice and provide the Lessor with written confirmation of the change.

Article X - Notice

- (10.01) Where service of a notice or a document is required under this lease the notice or document shall be in writing and shall be deemed to have been delivered to, or if sent by prepaid registered mail addressed to, the Lessor and the Lessee at the addresses specified for each in this lease, and where service is by registered mail the notice or document shall be conclusively deemed to have been served on the eighth day after its deposit in a Canada Post office at any place in Canada.
- (10.02) Either party may, by notice in writing to the other, specify another address for service of notices under this lease, and where another address is specified under this section, notices shall be mailed to that address in accordance with this Article.
- (10.03) Notwithstanding section 10.01, any written notice to be served or given by the Lessor to the Lessee under this lease shall be effectively given or served by posting the same in a conspicuous place on the Land.

Article XI - Miscellaneous

- (11.01) No term, condition, covenant or other provision herein shall be considered to have been waived by the Lessor unless such waiver is expressed in writing by the Lessor. Any such waiver of any term, condition, covenant or other provision herein shall not be construed as or constitute a waiver of any further or other breach of the same or any other term, condition, covenant, or other provision and the consent or approval of the Lessor to any act by the Lessee requiring the consent or approval of the Lessor shall not be considered to waive or render unnecessary such consents or approvals to any subsequent same or similar act by the Lessee.
- (11.02) No remedy conferred upon or reserved to the Lessor is exclusive of any other remedy herein or provided by law, but such remedy shall be cumulative and shall be in addition to any other remedy herein or hereafter existing at law, in equity, or by statute.
- (11.03) The terms and provisions of this lease shall extend to, be binding upon and enure to the benefit of the parties hereto and their successors and permitted assigns.
- (11.04) Time is of the essence in this agreement.

Article XII - Interpretation

- (12.01) In this lease, unless the context otherwise requires, the singular includes the plural and the masculine includes the feminine gender and a corporation.
- (12.02) The captions and headings contained in this lease are for convenience only and are not to be construed as defining or in any way limiting the scope or the intent of the provisions hereof.
- (12.03) Where this lease contains the forms of words contained in Column I of Schedule 4 of the *Land Transfer Form Act*, those words shall have the same effect and be construed as if the appropriate forms of words contained in Column II of that Schedule were contained herein in their place, unless the context requires another construction of those words.

Lease Aquatic Lands

File No. 0079098

(12.04) Where in this lease there is a reference to an enactment of the Province of British Columbia or of Canada, that reference shall include a reference to any subsequent enactment of like effect, and unless the context otherwise requires, all statutes referred to herein are enactments of the Province of British Columbia.

(12.05) If any section of this lease or any part of a section is found to be illegal or unenforceable, that part or section, as the case may be, shall be considered separate and severable and the remaining parts or sections, as the case may be, shall not be affected thereby and shall be enforceable to the fullest extent permitted by law.

IN WITNESS WHEREOF, the parties have executed this lease as of the day and year first above written.

SIGNED on behalf of HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA by a duly authorized representative of the Minister of Environment, Lands and Parks in the presence of:

Witness

For the Minister of Environment, Lands and Parks

SIGNED on behalf of THE CORPORATION OF THE CITY OF PENTICTON by a duly authorized signatory in the presence of:

Witness

C.E. INGRAM, City of Penticton
A Commissioner for taking Affidavits for
British Columbia
171 Main Street, Penticton, B.C. V2A 5A9

Authorized Signatory - Mayor Kimberley

Leo den Boer, Clerk

Council Approval
Res. No. 579/96
Date OCTOBER 7/96



Province of
British Columbia

Ministry of
Environment,
Lands and Parks

Legal Description Schedule

Lease No. _____

File No. 0079098

1. Legal Description

Firstly: District Lot 4197, Similkameen Division of Yale District,
containing 0.363 hectares;

Secondly: That part of District Lot 3165s, Similkameen Division of Yale
District, as shown outlined in red on sketch attached and
containing 0.68 hectares more or less;

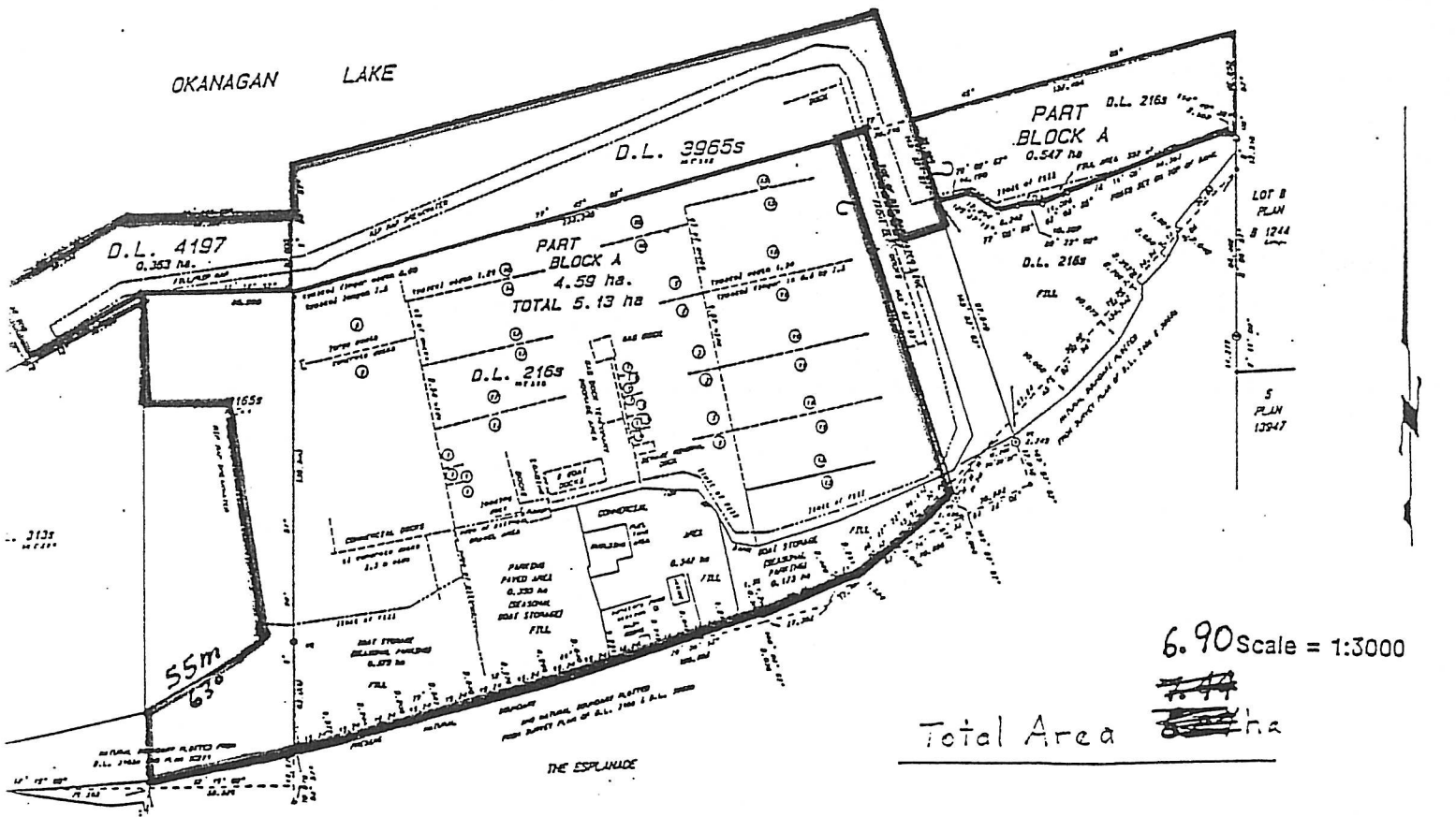
Thirdly: That part of District Lot 3965s, Similkameen Division of Yale
District, shown outlined in red on sketch attached and
containing 1.25 hectares more or less;

Fourthly: That part of Block A of District Lot 216s, Similkameen Division
of Yale District, lying west and south of District Lot 3965s
as shown outlined in red on sketch below and containing 4.59
hectares more or less.

Legal Description Schedule

File No. 0079098

2. Sketch Plan





Province of
British Columbia

Ministry of
Environment,
Lands and Parks

FEE SCHEDULE

Lease No. _____

File No. 0079098

1. THE FEE SHALL BE

(a) for the first year of the term, a fee of \$19,484.00 payable in advance on the Commencement Date, the receipt and sufficiency of which is hereby acknowledged;
AND

(b) during the balance of the term, the annual fee determined by the Lessor under this Schedule, payable in advance, beginning on the first anniversary of the Commencement Date and thereafter on each successive anniversary of that date.

2. The Lessor shall, in each year of the term not later than 15 days before the anniversary of the Commencement Date during those years, give written notice to the Lessee specifying the annual fee payable for the immediately succeeding year of the term and the annual fee specified in the notice shall constitute conclusive evidence of the annual fee payable for the year of the term specified in it.

3. If the Lessor does not give notice to the Lessee under section 2, the annual fee payable for that year shall be equal to the annual fee payable for the immediately preceding year of the term.



Province of
British Columbia

Ministry of
Environment,
Lands and Parks

SPECIAL PROVISIO SCHEDULE

Lease No. _____

File No. 0079098

1. The Lessee shall

- (a) not anchor or secure any buildings, structures or improvements on the Land except as ~~shown in~~ provided for in the sublease agreement between the Lessee and the Penticton Yacht and Tennis Club as consented to by the Lessor.;
- (b) not interrupt the movement of beach sedimentary material by water along the shoreline without the prior written consent of the Lessor;
- (c) not construct a fence, bulkhead, groin, breakwater, floating boom or any structure by another name which acts in a like manner, on the Land, without the prior written consent of the Lessor;
- (d) dispose of raw sewage and refuse only in accordance with the requirements and regulations of appropriate federal and provincial agencies;
- (e) store bulk hazardous petroleum products and other toxic substances in accordance with the provisions of the *Waste Management Act*;
- (f) not use construction materials containing toxic substances, except in marine waters where the use of preservative-treated wood may be necessary;
- (g) not involve pile driving in the construction or maintenance of improvements on the Land without the prior written consent of the Lessor.

2. ADDITIONAL PROVISOS

- (a) The Lessee covenants and agrees that at the request of the Lessor the Lessee shall have a boundary survey of the Land completed by a British Columbia Land Surveyor under instructions from the Surveyor General, which shall be completed within 12 months of the request and at the expense of the Lessee.
- (b) The Lessee further covenants and agrees:
 - (i) to provide adequate facilities to control and clean up any petrochemical spills;
 - (ii) to the maintenance of hookups to the community sewage disposal system for sani-dump facilities for boaters, recreational vehicles and motorhomes.



Province of
British Columbia

Ministry of
Environment,
Lands and Parks

ENDORSEMENTS

Lease No.

113717

File No. 0079098

Sub-let unto Penticton Yacht & Tennis Club for a period of 20 years from April 2nd, 1996.

Attachment B – Aerial View



Council Report

penticton.ca

Date: November 7, 2023
To: Anthony Haddad, City Manager
From: Elma Hamming, Manager of Finance
Subject: **Signing Officers and Banker for 2023 and Subsequent Years**

File No:

Staff Recommendation

THAT Council approve signing authorities for the City's bank accounts at Valley First Credit Union as follows:

A Signers

- Anthony Haddad, City Manager
- Angela Campbell, Director of Finance and Administration
- Elma Hamming, Manager of Finance
- Courtney Jones, Financial Planning & Budget Specialist

B Signers

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

Signing officers for memberships 2491165 and 2357879 (City of Penticton) will be for the calendar year ending December 31, 2023 and subsequent years until changed.

AND THAT Council approve:

- Cliff Last, Director of Finance, South Okanagan Events Centre
- Susan Coombes, Senior Finance Manager, South Okanagan Events Centre
- Dean Clarke, General Manager, South Okanagan Events Centre
- Kevin Webb, Assistant General Manager, South Okanagan Events Centre
- Mary Richards, PTCC Director of Sales, Penticton Trade and Convention Centre
- Anthony Haddad, City Manager, City of Penticton
- Angela Campbell, Director of Finance and Administration, City of Penticton
- Elma Hamming, Manager of Finance, City of Penticton

Signing officers for membership 2491223 (South Okanagan Events Centre) for the calendar year ended December 31, 2023 and subsequent years until changed.

Background

Valley First Credit Union, the City’s financial institution, requires a Council resolution outlining those with signing authority. When changes occur in Mayor, Council, or managers with signing authorities’, an updated resolution is passed to satisfy the financial institutions’ requirements. Charges against any of the City’s accounts must be signed by two signers.

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

Per the City’s Payment Signing Authority Policy, all cheques are signed by two A signers, or in rare circumstances, when two A signers are not available, a B signer will be requested to sign.

Signing authorities on the SOEC (membership 2491223) account require signing of two individuals on the list.

The signing authority for this purpose is to legally validate the charges against the City’s bank accounts as required by the financial institution and is distinct from authorities to expend as set out in the City’s Purchasing Policy.

Analysis

The proposed signing authority is being updated as a result of staffing changes including the addition of Anthony Haddad, the new City Manager, and removal of Donny van Dyk, the former Chief Administrative Officer.

Respectfully submitted,



Elma Hamming
Manager of Finance

Approvals

Director of Finance and Administration <i>AMC</i>	City Manager <i>AH</i>
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Council Report

penticton.ca

Date: November 7, 2023
To: Anthony Haddad, City Manager
From: Amber Coates, Financial Analyst
Subject: **Utility Fees and Charges Amendment Bylaw No. 2023-38**

File No: 1810-01

Staff Recommendation

THAT Council give first, second, and third reading to “Fees and Charges Amendment Bylaw No. 2023-38”, a bylaw to set the 2024 Utility fees and charges.

Background

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

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

With the 2023 Utility Rate Review and related engagement activities completed, Council provided direction at the October 3, 2023 Council meeting for staff to prepare the 2024 Utilities Fees & Charges as follows:

362/2023

It was MOVED and SECONDED

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

CARRIED

Councillors Boulton, Konanz and Miller, Opposed

Fees and charges are typically set in advance of financial plan preparations as they directly inform budgeted revenues and are an important component in finalizing proposed Five Year Financial Plans each year. The revenue changes resulting from Resolution 362/2023 have been incorporated into the 2024-2028 Draft Financial Plan and related budget materials.

Financial implication

The combined anticipated revenue increase for the proposed rate changes in the Utility Fees and Charges is \$5.6M. The change is a result of a combination of the recommended, interim, and smoothed rate changes as well as the customer growth anticipated by the 2023 Utility Rate Review. Based on budget, the anticipated revenue increase resulting from these factors by utility is as follows:

- Electric: \$3.58M
- Sewer: \$915k
- Water: \$710k
- Storm Water: \$378k

Analysis

Customer Class Rate Rebalancing

Engagement activities showed support for Recommendation #2 of the 2023 Utility Rate Review report, which reaffirmed support for setting rates for each utility customer class based on the cost of service for that sector. Respondents either agreed (56%) or somewhat agreed (26%) that utility customer classes should pay for the resources they use, without one class subsidizing another.

During the development of rates by Intergroup for the electric, sewer, and water utilities, the rates for each service size or type were examined to identify any cross-subsidization between customer classes. When it was found that one customer class was subsidizing another, a phased approach was used to update the rates. This approach aims to gradually reduce subsidization over time.

As a result, while the overall utility rate increases are discussed as an average, each customer class within the utility may experience a different level of increase. Some classes may see an increase higher than the average, while others may see a lower increase. This approach is intended to move each customer class closer to achieving a more accurate cost recovery for their respective services.

Individual Utilities

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

Appendix 7: Electric

Rates for the electric utility have been reduced in comparison to those advised in the draft 2023 Utility Rate Review. An overall average 2024 increase of 8% is recommended in response to the engagement results as opposed to the initial recommendation of 10%. As an interim 5% increase was adopted at the October 3,

2023 meeting, a further average adjustment of 3% as well as incorporating customer class rate rebalancing is required to the 2024 electrical rates.

Average Electric Account	Interim 2023	2024	Monthly \$ Change
Residential Monthly 914 kwh	\$127.18	\$131.86	\$4.68
Business Monthly 5,000 kwh	\$686.00	\$687.57	\$1.57

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

Appendix 25: Sewer

The recommended average 10.2% and associated customer class rate rebalancing for 2024 from the rate review have been incorporated into Appendix 25, resulting in the following monthly changes to the average sewer accounts:

Average Sewer Account	2023	2024	Monthly \$ Change
Residential Monthly ¾" service, 583 cu. ft.	\$45.14	\$49.18	\$4.04
Business Monthly 1 ½" service, 7,060 cu. ft.	\$372.16	\$415.05	\$42.89

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

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

Appendix 29: Water

The recommended average 6.4%, associated customer class rate rebalancing and introduction of the inclining block rate for ¾" residential water use beginning after 600 cubic feet of monthly consumption for 2024 from the rate review have been incorporated into Appendix 29.

With the residential average usage of 1,060 cu. ft., changes to monthly charges to the average water accounts are as follows:

Average Water Account	2023	2024	\$ Change
Residential Monthly ¾" service, 1,060 cu. ft.	\$53.51	\$59.53	\$6.02
Business Monthly 1 ½" service, 7,060 cu. ft.	\$293.70	\$324.96	\$31.46

While the average water account for reporting purposes shows the residential monthly consumption as 1,060 cu. ft., the detailed analysis of water users undertaken as part of the rate review indicate approximately 50% of the ¾" residential water accounts will remain in the first block of the inclining rate. Those customers with usage of 600 cu. ft. or less would see a monthly change of \$2.74.

50% of Water Accounts	2023	2024	\$ Change
Residential Monthly ¾" service, 600 cu. ft.	\$43.31	\$46.05	\$2.74

The recommended average 6.1% increase for agricultural water is also incorporated, bringing the utility closer to eventually fund 100% of the operations and maintenance costs in the long term.

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

Appendix 31: Storm Water

The recommended average 30% for 2024 from the rate review have been incorporated into Appendix 31, resulting in the following monthly changes to the average storm water accounts:

Average Storm Water Account	2023	2024	Monthly \$ Change
Residential Monthly Single Family	\$5.22	\$6.78	\$1.57
Business Monthly Non-Residential \$300,001-\$800,000	\$15.88	\$20.64	\$4.76

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

Summary of Impact to the Rate Payer

The summarized estimated average monthly impact of the proposed utility rate increases, inclining water conservation rates for ¾" residential water customers using above 600 cu. ft. per month, and customer rate class rebalancing for residential and business customers is detailed in the following tables:

Residential	2023	2024	% Change	Monthly \$ Change
Electric	\$127.18	\$131.86	3.68%	\$4.68
Water (1,060 cu. ft.)	\$53.51	\$59.53	11.25%	\$6.02
Sewer	\$45.14	\$49.18	8.95%	\$4.04
Storm Water	\$5.22	\$6.78	30.00%	\$1.57
Total Monthly Impact:	\$231.05	\$247.35		\$16.30

Business	2023	2024	% Change	Monthly \$ Change
Electric	\$686.00	\$687.57	0.23%	\$1.57
Water	\$293.70	\$324.96	10.64%	\$31.26
Sewer	\$372.16	\$415.05	11.52%	\$42.89
Storm Water	\$15.88	\$20.64	30.00%	\$4.76
Total Monthly Impact:	\$1,367.73	\$1,448.21		\$80.48

Alternate recommendations

THAT Council provide alternative direction to staff.

Attachments

Attachment A – Utility Fees and Charges Amendment Bylaw No 2023-38

Respectfully submitted,

Amber Coates

Amber Coates, Financial Analyst

Director of Finance and Administration <i>AMC</i>	GM of Infrastructure <i>KD</i>	City Manager <i>JAM</i>
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The Corporation of the City of Penticton

Bylaw No. 2023-38

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. 2023-38".

2. **Amendment:**

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

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

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

READ A FIRST time this day of , 2023

READ A SECOND time this day of , 2023

READ A THIRD time this day of , 2023

ADOPTED this day of , 2023

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer

Appendix 7

ELECTRIC	Effective October 3rd, 2023	2024
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Utility Administration Rates

Utility credit references (current or recent account)	\$17.85	\$18.40
Archived account	\$31.50	\$32.40
Utility account history	\$17.85	\$18.40
Interest rate on delinquent utility accounts	10% per annum	10% per annum
Special electric meter reading	\$42.25	\$43.50
Special electric meter inspection fee	\$42.25	\$43.50

AMR Opt Out

AMR Opt Out manual electric meter reading for an individual meter	\$17.90	\$18.40
AMR Opt Out manual combined electric and water meter reading for an individual for an individual meter read	\$18.75	\$19.30
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	\$18.30 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.	\$19.30 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	\$160.70
Utility application fee – next day service	\$48.50	\$50.00
Utility application fee – same day service (accounts with combined electric and water)	\$107.00	\$110.30
Utility application fee (electric only) same day service	\$60.50	\$62.40
Non-Payment: Electric disconnect and re-connect(during City Hall hours only)	\$84.50	\$87.10
Non-Payment: Site visit without a disconnect (during City Hall hours only)	\$42.25	\$43.60
Electrical disconnect or re-connect or site visit (cost per visit after hours with call-out)	\$454.00	\$467.70
Electrical disconnect or reconnect or site visit (cost per visit during City Hall hours)	\$42.25	\$43.60
Electrical disconnect or reconnect or site visit (cost per visit after hours without call-out)	\$84.50	\$87.10
Service Safety Inspection Call Out	No Charge	No Charge
Illegal reconnection administration charge	\$296.00	\$304.90
Utility fee - Leave on Authorized	\$13.00	\$13.40
Electrical Disconnect and reconnect from pole	\$457.75	\$471.50
Special Administration charge per service	\$29.60	\$30.50

Electric Rates

Rate Code 10 - Residential

Basic Charge	\$17.50 per billing plus	19.07 per billing plus
Energy Charge	\$0.1200 per kWh for all consumption during the billing period	\$0.1234 per kWh for all consumption during the billing period

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

Basic Charge	\$17.50 per billing plus	\$19.07 per billing plus
Energy Charge		
First 10,000 kwh per billing	\$0.1337 per kWh	\$0.1337 per kWh
Next 90,000 kwh per billing	\$0.1053 per kWh	\$0.1054 per kWh
Additional kwh per billing	\$0.0738 per kWh	\$0.0739 per kWh
Demand Charge	\$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	\$10.28 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

Appendix 7

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Rate Code - 25, 30 and 35

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

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

Basic Charge	\$17.50 per billing plus	\$19.07 per billing plus
Energy Charge		
First 10,000 kwh per billing	\$0.1317 per kWh	\$0.1317 per kWh
Next 90,000 kwh per billing	\$0.1036 per kWh	\$0.1037 per kWh
Additional kwh per billing	\$0.0727 per kWh	\$0.0727 per kWh
Demand Charge	\$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	\$10.11 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	\$17.50 per billing plus	\$19.07 per billing plus
Energy Charge		
First 10,000 kwh per billing	\$0.1337 per kWh	\$0.1337 per kWh
Next 90,000 kwh per billing	\$0.1053 per kWh	\$0.1054 per kWh
Additional kwh per billing	\$0.0738 per kWh	\$0.0739 per kWh
Demand Charge	\$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	\$9.34 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	\$17.50 per billing plus	\$19.07 per billing plus
Energy Charge		
First 10,000 kwh per billing	\$0.1317 per kWh	\$0.1317 per kWh
Next 90,000 kwh per billing	\$0.1036 per kWh	\$0.1037 per kWh
Additional kwh per billing	\$0.0727 per kWh	\$0.0727 per kWh
Demand Charge	\$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	\$9.21 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	\$0.0891 per kWh for all consumption	\$0.0920 per kWh for all consumption
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Appendix 7

ELECTRIC	Effective October 3rd, 2023	2024
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Rate Code 55 - Street Lighting, Traffic Lights & Other Un-metered Loads

Per fixture watt or volt ampere per billing subject to Electric Utility Services Bylaw No. 2017-44	\$0.1005 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.	\$0.1892 per kWh	\$0.1892 per kWh
Monthly minimum charge per fixture or service connection	\$17.50 per billing plus	\$19.07 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	\$236.20
Service Call – 2 stops (1.75 hr. max)	\$401.25	\$413.30

Electrical Service Connections

Temporary Service Connection

1 Phase up to 200 amps	\$388.00	\$399.70
all except 1 phase up to 200 amps	Actual Cost	Actual Cost

Service Relocate

1 phase up to 200 amps	\$461.15	\$475.00
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Service Upgrade

1 phase up to 200 amps	\$461.15	\$475.00
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	\$537.00
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	\$467.80

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%	As per Contract
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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

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2024

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.

Appendix 25		
SEWER	2023	2024

Sanitary Sewer Fixture Charges

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

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

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

Sanitary Sewer Charges based on Treated Water Use

Residential Use

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

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month April to October)	\$40.69	\$44.00
25mm (1 inch) / month April to October	\$104.31	\$126.13
38 mm (1 1/2 inches) / month April to October	\$209.02	\$242.22
50 mm (2 inches) / month April to October	\$343.29	\$376.67
75 mm (3 inches) / month April to October	\$720.55	\$786.79
100 mm (4 inches) / month April to October	\$1,370.67	\$1,526.79

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

Variable Usage Charge / 2.83 cubic meters (100 cubic feet) charged monthly November to March [Minimum monthly consumption charge for 3/4" meter size customer based on 250 cubic feet]	\$8.81	\$9.68
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Non- Residential Use

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

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month January to December)	\$20.09	\$21.72
25mm (1 inch) / month January to December	\$50.21	\$60.71
38 mm (1 1/2 inches) / month January to December	\$100.45	\$116.41
50 mm (2 inches) / month January to December	\$160.71	\$176.34
75 mm (3 inches) / month January to December	\$351.56	\$383.88
100 mm (4 inches) / month January to December	\$632.81	\$704.89

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

Variable Usage Charge / 2.83 cubic meters (100 cubic feet) charged monthly January to December	\$3.85	\$4.23
Request for Reduction Submission and Review	\$110.00	\$114.00
Fee for falsification of information on a Request for Reduction	\$550.00	\$550.00

NOTES

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

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

Appendix 25		
SEWER	2023	2024

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

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

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

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

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

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

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

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

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

Fee based on property zoning as follows:

For properties zoned Single Family Residential	\$40.18	\$44.27
For properties zoned I Multi Family Residential	\$57.18	\$63.01
For properties zoned Commercial	\$134.44	\$148.16
For properties zoned Industrial	\$913.29	\$1,006.44
For all other properties	\$134.44	\$148.16

Miscellaneous Rates

Sanitary sewer charges based on a negotiated agreement	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council
Sanitary Sewer Fixture Charge	\$62.12	\$63.99
Minimum flat rate charge for sanitary sewer for residential properties adjacent to a sanitary sewer main but not connected *	\$48.68	\$53.65
Minimum flat rate charge for sanitary sewer for non-residential properties adjacent to a sanitary sewer main but not connected *	\$394.07	\$434.27
Permit to Discharge	\$273.36	\$281.60
Evaluation of restricted wastes of over strength matter	Actual Cost	Actual Cost
Over strength B.O.D. charge (over 300 mg/l) per kilogram	\$0.66	\$0.66
Over strength C.O.D. surcharge (over 600 mg/l)	Fee to be developed	Fee to be developed
Over strength oil and grease surcharge (over 100 mg/l) per kilogram	\$0.285	\$0.285
Over strength phosphorous surcharge (over 10 mg/l)	Fee to be developed	Fee to be developed
Over strength total suspended solids surcharge (over 300 mg/l) per kilogram	\$0.67	\$0.67

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

Appendix 25		
SEWER	2023	2024

Septic Waste Receiving Facility Rates

Tipping Fee for receiving septic waste per cubic meter	\$37.50	\$41.33
Repair/remediation of septic receiving area	Actual Cost	Actual Cost

Sanitary or Storm Sewer Service Connections

(a) 100mm (4") BASE RATE sanitary or storm sewer service and connections - for up to 10 meters in length from the sanitary or storm sewer main to the property line	\$6,200.00	\$6,200.00
(b) 100mm (4") PER METER RATE OVER 10m IN LENGTH sanitary or storm sewer service and connections - Additional amount to the BASE RATE for the portion of sanitary and storm sewer service greater than 10 meters in length from the sanitary sewer or storm sewer main to property line.	\$585.00	\$585.00
(c) Two – 100mm (4") BASE RATE sanitary or storm sewer service and connections installed in the same trench - for up to 10 meters in length from the sanitary or storm sewer main to the property line	\$7,140.00	\$7,140.00
(d) Two – 100mm (4") PER METER RATE OVER 10m IN LENGTH sanitary or storm sewer service and connections installed in the same trench - Additional amount to the BASE RATE for the portion of sanitary and storm sewer service greater than 10 meters in length from the sanitary sewer or storm sewer main to property line.	\$660.00	\$660.00
(e) All other sanitary or storm sewer and service and connections	Actual Cost	Actual Cost
(f) When winter conditions prevail or hot mix asphalt is not available, if installation is to proceed, add \$525.00 each to the estimated and flat rate costs for service provided by the city that requires excavation.	\$560.00	\$560.00
(g) Repair of service failure or interruption	Actual Cost	Actual Cost
(h) Winter Trench Repair maintenance	\$460.00	\$460.00
(i) Reconnecting to a capped sewer service - No work by City - Reconnection Fee Only	\$225.00	\$225.00
(j) Sanitary or Storm Sewer Service Video Inspection	\$190.00	\$190.00

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

Other:

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

Appendix 29

WATER	2023	2024
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Utility Administration Rates

Utility credit references (current or recent account)	\$17.85	\$18.40
Archived account	\$31.50	\$32.40
Utility account history	\$17.85	\$18.40
Interest rate on delinquent utility accounts	10% per annum	10% per annum
Special water meter reading	\$42.25	\$43.50
Special water meter inspection fee	\$42.25	\$43.50

AMR OPT OUT

AMR Opt Out manual water meter reading for an individual meter	\$17.46	\$18.40
AMR Opt Out manual combined electric and water meter reading for an individual meter read	\$18.36	\$19.30
AMR Opt Out manual water 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 water meter bank read is to be equally split between all customers serviced by the bank meter	\$18.40 for the first meter and \$1.00 per read for each additional meter in the meter bank per meter read. The total cost for the water meter bank read is to be equally split between all customers serviced by the bank meter
AMR Opt Out combined electric and water meter reading for a combined electric and water meter bank installation	\$18.73 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.	\$19.30 for the first meter and \$1.00 per read for each additional meter in the meter bank per meter read. The total cost for the combined electric and water meter bank read is to be equally split between all customers served by the meter bank.

Applications / Connect / Disconnect / Reconnect

City padlocks	\$22.50	\$22.50
City lock boxes (installed by City)	\$68.00	\$68.00
City lock boxes (installed by customer)	\$50.00	\$50.00
Utility application fee (Water Only) – next day service	\$34.68	\$35.80
Utility application fee – same day service (accounts with combined electric and water)	\$107.00	\$110.30
Utility application fee (water only) same day service (accounts that only have water services)	\$68.34	\$70.40
Water disconnect / re-connect fee (for non payment during regular City hall hours)	\$37.74	\$38.90
Water disconnect / re-connect fee (for non payment after hours without call-out)	\$96.90	\$99.90
Water disconnect or re-connect (customer / agent request during City hall hours)	\$33.66	\$34.70
Water disconnect or re-connect (customer / agent request after hours without call-out)	\$48.96	\$50.50
Water disconnect or re-connect (customer / agent request after hours with call-out)	\$224.40	\$231.20
Water Illegal reconnection administration charge	\$295.80	\$304.70
Utility fee - Leave on Authorized	\$13.00	\$13.40
Water Disconnection (for non-payment) requiring capping or plugging service	\$244.80	\$252.20
Special Administration charge per service	\$29.60	\$30.50

Non Treated Irrigation Water Charges

No Meter

Non-treated irrigation water per acre per year	\$198.21	\$210.23
Minimum charge for non-treated irrigation water / year	\$198.21	\$210.23
Household use from a connection to the untreated irrigation water system, unless metered, in which case metered rates then apply. (per annum per residence)	\$465.19	\$493.57

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

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)	\$11.66	\$12.37
25mm (1 inch) / month	\$24.99	\$26.51

Appendix 29		
WATER	2023	2024
38 mm (1 1/2 inches) / month	\$73.61	\$78.08
50 mm (2 inches) / month	\$162.08	\$171.91
75 mm (3 inches) / month	\$465.31	\$493.54
100 mm (4 inches) / month	\$1,023.15	\$1,085.22
150 mm (6 inches) / month	\$2,871.61	\$3,045.81
PLUS Variable Consumption Charge for all Meter Sizes		
Variable Consumption Charge / 2.83 cubic meters (100 cubic feet)	\$0.28	\$0.30

Reclaimed Treated Effluent for Irrigation Charges

Monthly Fixed Reclaimed Treated Effluent Meter Rates Based on Meter Size

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)	\$14.37	\$15.25
25mm (1 inch) / month	\$53.67	\$56.94
38 mm (1 1/2 inches) / month	\$65.62	\$69.63
50 mm (2 inches) / month	\$154.67	\$164.10
75 mm (3 inches) / month	\$336.75	\$357.29
100 mm (4 inches) / month	\$715.28	\$758.91

PLUS Variable Consumption Charge for all Meter Sizes

Variable Consumption Charge / 2.83 cubic meters (100 cubic feet)	\$1.08	\$1.15
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Treated Water Rates

Monthly Fixed Treated Water Meter Rates Based on Meter Size

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)	\$30.00	\$31.95
25mm (1 inch) / month	\$111.32	\$118.45
38 mm (1 1/2 inches) / month	\$136.96	\$158.34
50 mm (2 inches) / month	\$322.82	\$343.84
75 mm (3 inches) / month	\$698.46	\$683.75
100 mm (4 inches) / month	\$1,492.92	\$1,525.01
Individually metered Barend Strata Properties with 19mm meters UPON APPLICATION ONLY	\$8.45	\$8.99

PLUS Variable Consumption Charge for all Meter Sizes

Variable Consumption Charge / 2.83 cubic meters (100 cubic feet)	\$2.22	
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PLUS Variable Consumption Charge

Residential Use Variable Consumption Charge / 2.83 cubic meters (100 cubic feet)

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch)	\$2.22	
Block 1 First 600 Cubic Feet		\$2.35
Block 2 From 601-1,600 Cubic Feet		\$2.93
Block 3 Over 1,600 Cubic Feet		\$3.52
25mm (1 inch)	\$2.22	\$2.36
38 mm (1 1/2 inches)	\$2.22	\$2.36
50 mm (2 inches)	\$2.22	\$2.36
75 mm (3 inches)	\$2.22	\$2.36
100 mm (4 inches)	\$2.22	\$2.36
Non-Residential Use Variable Consumption Charge / 2.83 cubic meters (100 cubic feet)	\$2.22	\$2.36

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

Appendix 29		
WATER	2023	2024

Monthly Fixed Non Metered Treated Water Rates Based on Service Size

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)	\$47.92	\$50.68
25mm (1 inch) / month	\$147.85	\$156.37
38 mm (1 1/2 inches) / month	\$242.20	\$256.17
50 mm (2 inches) / month	\$544.91	\$576.36
75 mm (3 inches) / month	\$1,385.83	\$1,465.82
100 mm (4 inches) / month	\$2,934.27	\$3,103.62
Treated water charges based on a negotiated agreement	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council
Minimum charge for treated water for domestic purposes	Fee to be minimum monthly Basic Charge based on the meter size or the minimum monthly charge based on the size of service	Fee to be minimum monthly Basic Charge based on the meter size or the minimum monthly charge based on the size of service

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

Fee based on property zoning as follows:

For properties zoned Single Family Residential *	\$47.92	\$50.98
For properties zoned I Multi Family Residential *	\$147.85	\$157.31
For properties zoned Commercial *	\$242.20	\$257.70
For properties zoned Industrial *	\$2,934.27	\$3,122.07
For all other properties *	\$242.20	\$257.70

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

NOTES:

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

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

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

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

Treated and Irrigation Services and Metering

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

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

19mm (3/4") water service	N/A	N/A
25 mm (1") water service - BASE RATE - for up to 10 meters in length from the water line to the property line.	\$6,100.00	\$6,100.00
25 mm (1") water service - PER METER RATE OVER 10m IN LENGTH - Additional amount to the BASE RATE for the portion of water service greater than 10 meters in length from the water main to property line.	\$575.00	\$575.00
All other water services	Actual Cost	Actual Cost

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

19mm (3/4") water meter	\$650.00	\$650.00
25 mm (1") water meter	\$900.00	\$900.00
38 mm (1 1/2") water meter with register and Radio Frequency	\$1,515.00	\$1,515.00
50 mm (2") compound water meter with register and Radio Frequency	\$1,850.00	\$1,850.00
(c) All other water meters with register and Radio Frequency	Actual Cost	Actual Cost
(d) Water meter chamber up to 25 mm (1") supply and installation (in conjunction with service install)	\$880.00	\$880.00
(e) Water meter chamber up to 25 mm (1") supply and installation (not installed with service)	\$2,300.00	\$2,300.00
(f) Provision of temporary water	Actual Cost	Actual Cost
(g) All other water meter chambers supply and installation	Actual Cost	Actual Cost
(h) Water meter register and Radio Frequency - Supply and install	\$350.00	\$350.00

Appendix 29

WATER	2023	2024
(l) Water meter testing or repair if replacement is required and deemed the fault of the owner additional charges may be applied.	\$97.00	\$97.00

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

Customer request to relocate (or alter due to construction) meter or appurtences	Actual Cost	Actual Cost
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Water Connection Charges

(a) Service inspection of an irrigation water service, treated water service, sanitary sewer service and storm sewer service.	\$183.60	\$189.20
(b) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service	\$2,550.00	\$2,626.50
(c) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service - COMPLETED IN CONJUNCTION WITH SERVICE INSTALLATION IN SAME LOCATION	No Charge	No Charge
(d) Service calls regarding water service, treated water service, sanitary sewer service and storm sewer service	Actual Cost	Actual Cost

Fire Hydrants (both City and private hydrants)

(a) Fire hydrant supply and installation not requiring curb, gutter and asphalt work	\$7,750.00	\$7,750.00
(b) Fire hydrant supply and installation requiring curb, gutter and asphalt work	\$9,500.00	\$9,500.00
(c) Fire Hydrant rental (includes hook-up and water usage) Note: if total # of days is not known (amount to be billed)	\$117.00 first day and \$25.00 each day thereafter	\$120 first day and \$25.00 each day thereafter
(d) Portable water meter rental	\$20 per day (plus cost of water used at the current metered rate)	\$20 per day (plus cost of water used at the current metered rate)
(e) Fire Hydrant ACCEPTANCE - Level A Inspection - post final inspection or prior to city acceptance	\$174.50	\$179.80

Other:

(a) Service inspection of an irrigation water service, treated water service, sanitary sewer service and storm sewer service.	\$183.60	\$189.20
(b) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service	\$2,550.00	\$2,626.50
(c) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service - COMPLETED IN CONJUNCTION WITH SERVICE INSTALLATION IN SAME LOCATION	No Charge	No Charge
(d) Service calls regarding water service, treated water service, sanitary sewer service and storm sewer service	Actual Cost	Actual Cost
(f) When winter conditions prevail or hot mix asphalt is not available, if installation is to proceed, add \$525.00 each to the estimated and flat rate costs for service provided by the city that requires excavation.	\$525.00	\$525.00

Appendix 31

STORM WATER	Unit	2023	2024
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Storm Water NO Direct Connect Fees	
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Notes:

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

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

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

Residential			
No direct connection to the Storm Sewer:			
Single Family Dwellings	\$/year per folio	\$62.60	\$81.38
Multi Family Apartment Buildings with 4 or less units	\$/year per folio	\$100.30	\$130.39
Multi Family Apartment Buildings with more than 4 units	\$/year per unit	\$33.40	\$43.42
Multi Family Dwellings [strata]	\$/year per folio	\$33.40	\$43.42
Farm/Recreational/Non Profit/Supportive Housing			
No Direct Connection to the Storm Sewer	\$/year per folio	\$62.60	\$81.38
Business/Light Industry/Major Industry/Utilities			
No direct connection to the Storm Sewer, with gross assessment value:			
Below \$300,000	\$/year per folio	\$127.00	\$165.10
Between \$300,001 and \$800,000	\$/year per folio	\$190.50	\$247.65
Above \$800,000	\$/year per folio	\$285.80	\$371.54

Storm Water Direct Connect Fees	
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Notes:

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

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

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

Residential			
Direct Connection to the Storm Sewer:			
Single Family Dwellings	\$/year per folio	\$81.40	\$105.82
Multi Family Apartment Buildings with 4 or less units	\$/year per folio	\$130.40	\$169.52
Multi Family Apartment Buildings with more than 4 units	\$/year per unit	\$43.50	\$56.55
Multi Family Dwellings [strata]	\$/year per folio	\$43.50	\$56.55
Farm/Recreational/Non Profit/Supportive Housing			
Direct Connection to the Storm Sewer	\$/year per folio	\$81.40	\$105.82
Business/Light Industry/Major Industry/Utilities			
Direct connection to the Storm Sewer, with gross assessment value:			
Below \$300,000	\$/year per folio	\$165.10	\$214.63
Between \$300,001 and \$800,000	\$/year per folio	\$247.70	\$322.01
Above \$800,000	\$/year per folio	\$371.50	\$482.95



Council Report

penticton.ca

Date: November 7, 2023
To: Mayor & Council
From: Anthony Haddad, City Manager
Jeff Plant, Sport and Event Supervisor
Subject: **Grant Operating Agreements**

File No: 1850-01

Staff Recommendation

THAT Council approve the Municipal Grant Operating Agreements and direct staff to include the amounts from the Municipal Grant Operating Agreements into the 2024-2028 Financial Plan as follows:

- Art Gallery \$110,000
- SS Sicamous \$85,000
- Penticton & District Arts Council \$ 30,000
- Activate Penticton \$15,000
- Penticton & Area Cycling Association \$49,000

AND THAT Council authorize the Director of Finance & Administration to execute the operating agreements.

AND THAT Council direct staff to include the amounts from the Special Event Grant Operating Agreements into the 2024-2028 Financial Plan as follows:

- Downtown Penticton Association (Community Market) \$4,300
- Pentastic Jazz Festival Society \$10,200
- Penticton Elvis Festival \$6,300
- Penticton Farmer's Market \$6,000
- Peach City Beach Cruise \$10,500
- Penticton Paddle Sports Association (Event) \$12,000
- Penticton Peach Festival \$60,000
- Penticton Scottish Festival Society \$8,400

Strategic priority objective

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

Background

At the Regular Council Meeting on April 3, 2023, Council passed resolution 160/2023 which directed staff to provide an alternative to the yearly grant application process for organizations, such as those applicants that use city property, where the provision of longer term funding may be desirable. This process aims to streamline the grant application process while still meeting the City's objectives to improve the well-being and quality of life of the community and its residents through its grant program. Updated policies that incorporated a pilot program for operating agreements for both municipal and special events grants were approved by Council June 20, 2023 for the 2024-2025 grant years.

Analysis

Municipal Grants

Upon review of the overall municipal grant program applicants, staff worked with the following organizations with potential for the provision of longer term agreements. These organizations all operate out of City owned facilities. The following provides a summary of each and a high-level outline of how they would utilize the proposed funding as part of the 2-year pilot program.

Penticton Art Gallery Society

The Penticton Art Gallery exists to exhibit, interpret, preserve, and promote our collective artistic and cultural heritage as expressed through the visual arts, providing opportunities for the public to interact with artists & the artistic process. This is achieved by through the creation of an annual exhibition program which is supported by education and outreach programs to engage our community in local, regional, and global issues while also being attentive to cultural and gender diversity and the work of Indigenous artists. The gallery strives to be accessible to everyone as a safe vibrant public space in service of our citizens, to foster and celebrate greater community engagement, social cohesion, critical thinking, and creativity.

Financial information was submitted by the Society and reviewed with staff in coming to the recommended amounts for the 2 year agreement of \$110,000. Use of the funds will be for operating purposes to contribute towards costs such as maintenance, programming and salaries.

SS Sicamous Restoration Society

The society aims to preserve, protect and promote the marine heritage of the Okanagan Valley including continued restorations on the Sicamous, and the other ships and structures in their care. Their goals are to protect the marine heritage of the Okanagan and to allow residents to learn about local history. The SS Sicamous Restoration Society is responsible for the daily operations of the SS Sicamous Heritage Park.

Financial information was provided by the Society and reviewed by staff. The proposed agreement would allow for a contribution of \$85,000 each year that would go towards sustaining the operations of the facility into the future covering costs such as maintenance and daily operating costs.

Penticton & District Community Arts Council (PDCAC)

The PDCAC's mission is to stimulate, foster, and celebrate arts and culture by supporting a vibrant, flourishing, and sustainable arts community for the inclusion and benefit of all residents and visitors to Penticton and Area. They believe in building a vibrant, and sustainable artistic community through their Arts Matter Program; Aging Well Penticton partnerships; management of Leir House; resources and advocacy for artists; and partnerships with local businesses, tourism, community, and service groups.

Financial information was provided by the Society and reviewed by staff. The proposed agreement would allow for a contribution of \$30,000 each year that would go towards sustaining the operations of the facility into the future covering costs such as maintenance and daily operating costs.

Activate Penticton

Activate's mission is to give back to Penticton and create more year-round amenities in the community, while creating vibrancy and safety in the downtown core of Penticton. The Society built an outdoor skating rink, which opened in March of 2022 with the maintenance and operations of the rink being the responsibility of the society.

The City entered into a 5-year Licence to Use agreement with the Society to operate the facility. Costs associated with the proposed agreement would go towards offsetting utility costs and enable the society to concentrate on efforts to bring new events and support their large volunteer base into the future.

Financial information was provided by the Society and reviewed by staff. The proposed agreement would allow for a contribution of \$15,000 each year that would go towards sustaining the operations of the facility into the future covering the costs of utilities.

Penticton & Area Cycling Association (PACA)

PACA's mission is to create, maintain and improve cycling opportunities throughout the South Okanagan. PACA maintains trails on 4000 acres of land in the Three Blind Mice (3BM). Approximately 300 acres of the network is located on property owned by the City. The City's trails are the main exit routes in the network and require annual safety upgrades safety due to high traffic. PACA raised approximately \$75,000 to build Flow Coaster, but all maintenance has been done through a depleted volunteer pool. This places PACA in the position of having to sacrifice other club priorities to maintain city infrastructure. High quality cycling opportunities are of benefit to residents, residents, and tourism.

Financial information was provided by the Society and reviewed by staff. This 2-year agreement with a contribution of \$49,000 will allow PACA to schedule and deliver an appropriate level of maintenance to enhance public safety, reduce risk and improve the quality of the 3BM trail network on City land. This operational investment will contribute to increasing local use, but also support increased economic activity into the community through the form of events and tourist visitations to this highly desirable and increasingly well used location.

Special Event Grants

Upon review of the overall special event grant program applicants, staff worked with the following organizations with the potential for the provision of longer term agreements. The following provides a

summary of each and a high-level outline of how they would utilize the proposed funding as part of the 2-year pilot program.

Downtown Penticton Business Improvement Association (DPBIA) (Community Market)

The Community Market is a seasonal market hosted by the DPBIA. The Community Market is complimentary to the Penticton Farmers Market. Together, the markets attract thousands of visitors to downtown Penticton every Saturday through the season.

Funding will be used to cover the cost of road closure permits, barricades and electrical use.

Penticton Jazz Festival Society

Since 1998, the Jazz Festival has been successful in bringing excellent entertainment to Penticton and extending the peak tourism season past the Labour Day weekend. The festival hosts performances in a number of venues, including the Penticton Trade and Convention Centre (PTCC).

Funding will be used for operating costs, including PTCC Rental.

Penticton Elvis Festival

The Penticton event is Canada's longest running and most successful Elvis Festival. The Tribute Artist Competition highlights dozens of Elvis tribute artists and is one of a few events in the world sanctioned by Elvis Presley Enterprises. The 2023 festival generated record attendance.

Funding will be used to pay for use of City facilities and services.

Penticton Farmer's Market (PFM)

The Penticton Farmers' Market Society has a mandate to provide an opportunity for local agricultural producers and craftspeople to sell their products directly to the public. Since 1991, the PFM has grown into one of the most vibrant and successful "farm to city" food micro-systems in BC. Alongside the Community Market, the PFM attracts thousands of people to downtown Penticton every Saturday through the season.

Funding will be used to cover the cost of road closure permits, barricades and electrical use.

Peach City Beach Cruise

Organized by the Penticton Historic Automobile Society, the Peach City Beach Cruise (PCBC) has been a signature event in Penticton for twenty-one years. The PCBC is one of Canada's premier hot rod, antique and classic car shows. Thousands of visitors are drawn to see eight hundred classic cars displayed along Lakeshore Drive, parades, live entertainment, vendors, beverage garden and a host of activities.

Funding will be used to pay for City facilities and services including park rentals, road closure permits and equipment rental.

Penticton Paddle Sports Association – Dragon Boat Festival

Held over two days on the second weekend in September, and attracting over 2000 paddlers, the Penticton Dragon Boat festival has been a fixture in Penticton for twenty-two years.

Funding will be used to pay for event related use of City facilities and services.

Penticton Peach Festival Society

The annual Penticton Peach Festival, which began in 1947, is part of the City’s identity. The festival includes parades, live entertainment, a carnival and a variety of affiliated events like sky diving, motocross, softball, beach volleyball, sand castle sculpting and peach bin races.

Funding will be used to pay for the festival’s use of City facilities and services and to build content.

Penticton Scottish Festival Society

The Penticton Scottish Festival Society was established in 2013 to celebrate Celtic events. The weekend festival attracts over 3000 people to appreciate musical, cultural, artistic, athletic and community activities.

Funding will be used to pay for use of City facilities and services.

Financial implication

Staff worked with each of these organizations to determine their annual financial needs, and based on that have proposed the agreement amounts as noted in the tables below. Specific to the event agreements the increases are mainly attributable to inflation and increases in annual charges for items such as park or facility rentals. The financial impact of entering into these operating agreements is \$139k with \$131k of that attributed to municipal grant agreements (Table 1) and \$8k for special events (Table 2).

Table 1

New Municipal Agreements	2024	2023
Penticton Art Gallery Society	110,000.00	55,000.00
SS Sicamous Restoration Society	85,000.00	65,000.00
PDCAC	30,000.00	12,312.00
Activate Penticton	15,000.00	10,000.00
PACA	49,000.00	5,500.00
	289,000.00	147,812.00
Difference		141,188.00

Table 2

New Event Agreements	2024	2023
DPBIA (Community Market)	4,300.00	4,100.00
Pentastic Jazz Festival Society	10,200.00	9,700.00
Penticton Elvis Festival	6,300.00	6,000.00
Penticton Farmers' Market	6,000.00	5,700.00
Peach City Beach Cruise	10,500.00	10,000.00
Penticton Paddle Sports Association	12,000.00	11,371.00
Penticton Peach Festival Society	60,000.00	55,000.00
Penticton Scottish Festival Society	8,400.00	8,000.00
	117,700.00	109,871.00
Difference		7,829.00

Respectfully submitted,

Anthony Haddad
City Manager

Jeff Plant
Sport and Event Supervisor

Concurrence

Director of Finance & Administration <i>AMC</i>	City Manager <i>JH</i>
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Council Report

penticton.ca

Date: November 7, 2023
To: Anthony Haddad, City Manager
From: Blake Laven, Director of Development Services
Subject: **Short-Term Rental Accommodation Act**

File No: RMS: 4300-01

Staff Recommendation

THAT Council receive into the record the report dated November 7, 2023, titled "Short-Term Rental Accommodation Act".

Strategic priority objective

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

Background

On October 26, 2023 the Province, as part of their Homes for People Action Plan, passed a new piece of legislation, the *Short Term Rental Accommodation Act*, with the goal of curtailing the growth of short term rentals and their perceived negative impact on housing in the province. The intent of this report is to provide Council and the public with background on the changes, how they impact Penticton's short-term rental program and begin the discussion on next steps.

The legislation, comes into effect through a phased-in approach between now and late 2024, and includes the following components, which are applicable to Penticton:

- Requiring short-term rentals in to be offered only in the principal residence of a host or within one accessory dwelling unit (secondary suite or carriage house)
- Removing legal non-conforming use protections for short-term rentals
- Increased fines for unlicensed operators
- Requiring online short-term rental platforms to share their data with the Province, so the Province can provide that information to local governments
- Requiring short-term rental platforms to include business licence numbers on listings
- Establishing a provincial compliance and enforcement unit to make sure rules are being followed

The timeline for the new rules is as follows:

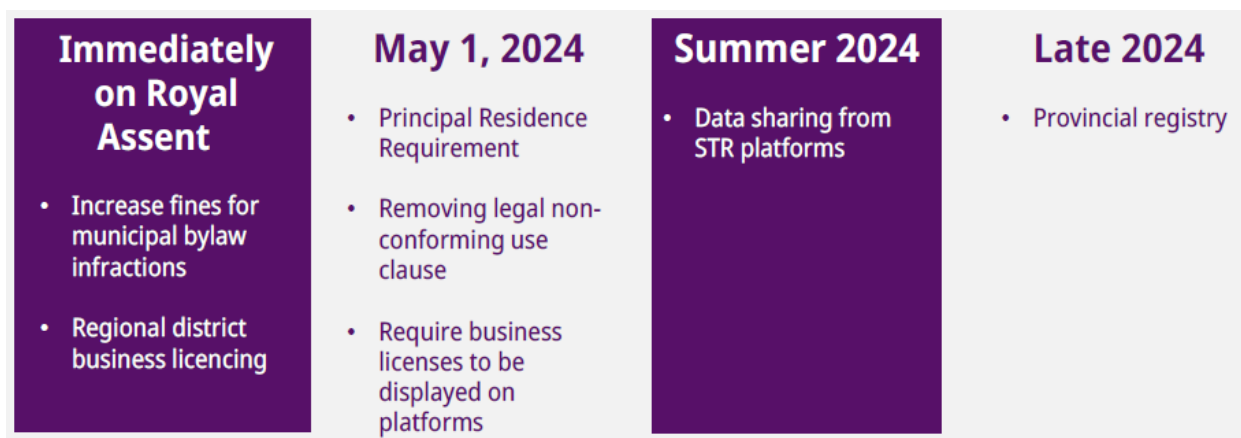


Figure 1: From Provincial Technical Briefing Document

The new *Short Term Rental Accommodation Act* does have a provision whereby a municipality can ask for an exemption from the principal residence requirement. Information shared by the province though, focusses exemptions on the size of the community (under 10,000 in population) and on having a rental vacancy rate over 3% (Penticton’s current vacancy rate sits below 1%). This suggests that Penticton would not be successful in an application for an exemption of the primary residence requirement, but is something that staff will seeking clarification on.

In the provincial announcement there was also an exemption included for strata hotels.

Details on both the municipal exemption to the principal residence requirement and the strata hotel exemption are to be contained in the not yet released Regulations, intended to accompany the Act.

Implications of the new legislation on Penticton’s short-term rental program

The new legislation will require changes to the City of Penticton’s short-term rental program. Under Penticton’s rules, short-term rentals are allowed to be operated by anyone whether they live on site or not. In addition, definitions of short-term rentals will need to be amended in the business license and zoning bylaws, expanding the definition from 30 days to 90 days. The way enforcement occurs will also be impacted.

Staff are not recommending any changes to the program at this time until discussions with impacted groups and Council occurs on the best path forward.

In the meantime, staff have updated the City’s STR program website with a holding statement and links to the Provincial information. Communication will also be going out to all current STR license holders raising awareness of the new rules.

Broader discussion

Discussions are ongoing with organizations such as Travel Penticton, Chamber of Commerce, event organizers and other groups to understand the larger economic impacts of the new legislation. Staff are also receiving feedback from STR operators and other groups such as 100 More Homes Penticton. The information contained in this report will also be shared with the OCP Housing Task Force.

Discussions so far, show that most organizations are in a similar position as the City with trying to fully understand the new legislation and the potential pros and cons for their constituencies.

Once these discussions are complete staff will be in a better position to provide any additional updates to Council on the next phase of the short-term rental program.

Financial implication

The current short-term rental licensing revenue projected in the 2024 Budget is \$200,000. In addition to direct licensing revenue, the City receives funds through the on-line accommodation platform (OAP) portion of the Municipal and Regional District Tax (MRDT) program. This revenue is anticipated to be over \$300,000 in 2023, with a similar amount in 2024.

When changes are proposed, staff will provide more detailed financial analysis.

Analysis

The recent legislation passed by the Province impacts Penticton’s existing short-term rental program in significant ways. This report is intended to update Council and the community on the changes and what staff are doing as a response to the recent announcements and to ensure accurate information is shared on this issue to inform Council and the community.

Attachments

Attachment A: Technical Briefing

Respectfully submitted,

Blake Laven,
Director of Development Services

Concurrence:

Director of Finance and Administration <i>AMC</i>	City Manager <i>BL</i>
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Short-Term Rental Accommodations Act

Technical Briefing

Oct 16, 2023

What we will cover today

- The short-term rental situation – why action is needed.
- How other jurisdictions are taking action towards a growing global housing concern.
- Upcoming changes to short-term rentals:
 - Three key elements of the changes
 - Where elements will apply
 - Timelines



Building from a strong foundation

- Government has taken strong action since 2017 to deliver more homes for people, including:
 - Tackling vacant homes by introducing the Speculation and Vacancy Tax
 - Taking historic action to deliver new homes
- In the spring, the Government introduced the *Homes for People Action Plan* designed to double-down on historic investments in housing and introduce new ways of creating more homes for people, faster.
- B.C. has made real progress. To date, nearly **77,000 homes are open or on the way**, and **tens of thousands more to come**.
- Progress includes:
 - Continuing to take substantial action to increase supply and deliver homes that people can afford to rent or buy. (Nearly 77,000 homes open or underway).
 - Working with municipalities to introduce housing targets to deliver more homes in communities with the greatest housing need.
 - Introducing and expanding the Speculation and Vacancy Tax to deliver more homes for people.
 - Freezing rent increases during the pandemic and capping increases over the last two years at well below the rate of inflation.
 - Banning illegal renovations and strengthening the financial penalties for landlords who evict tenants in bad faith.
 - Adding more resources and staff at the Residential Tenancy Branch to provide faster resolutions to renter/landlord disputes.
 - Giving extra support to renters with low and moderate incomes through the new \$400 income-tested Renter's Tax Credit.

The Challenge

- We have made real progress over the past years to deliver housing for people in B.C., but the pandemic, inflation, rising interest rates, growing population and a global labour shortage have added new challenges.
- These housing challenges have been highlighted by low vacancy rates and a lack of long-term rentals in B.C.
- Many communities throughout B.C. are facing rental vacancy rates well below 1.5%. (*Provincial Vacancy Rate is 1.3%*). The CHMC defines a healthy vacancy rate between 3-5%.
- As a result of low long-term rental stock, the cost of rent has climbed in most B.C. communities causing financial stress for many working families.
- This rental crisis is impacting local economies, contributing to more worker shortages in an already tight labour market and impacting the delivery of key services that people count on (health care, education, early childhood education).
- We're in a housing crisis – we must look at new ways to turn housing units in B.C. into long-term homes for people.



The Short-Term Rental Situation

- Finding an affordable place to live is already a big challenge, and short-term rentals (STRs) are making the problem even worse.
- Short-term rental (STR) listings on online platforms (which may include, for example, Airbnb, VRBO, Expedia, FlipKey) have expanded rapidly over recent years, and data tells us it continues to surge since the pandemic.
- There are currently approximately 28,000 STR listings in B.C (an increase of 20% from a year ago).
- Research from [McGill University](#) specifically on the B.C. market indicates that more than **16,000 “entire homes”** have been pulled out of the housing market and are being used as short-term rentals. Entire homes are units listed for the majority of the year, booked for more than 90 nights during a calendar year.
- Various studies and research show:
 - The STR market in BC is dominated by a small segment of profit-driven operators (mini-hotel operators).
 - The top 10% of hosts earned 48.8% of all revenue, and nearly half of all operators have multiple listings.
 - Website [Inside Air bnb Vancouver](#) also looks at STR data in Vancouver and shows 12 operators in Vancouver have 30 listings or more, with one operator hosting 123 separate listings.
 - Based on sample data from 15 municipalities with local bylaws in place, the Province estimates the percentage of non-compliant short-term rental listings in 2023 is about 40-50%.



In summary, research studies and ministry data show that STRs are diverting thousands of long-term rental homes onto the short-term market, taking away homes people need, and in many communities, adding to the challenge of finding an affordable place to rent.

Growing global problem

- Globally, studies show there are more than 6 million homes rented on Airbnb alone, in 100,000 cities.
- Short-term rentals are increasingly seen as contributing to global housing challenges.
- In response, jurisdictions around the world are increasingly trying to regulate, restrict or ban short-term rental of units that could otherwise be used for long-term housing.
 - **Quebec**
 - Requires hosts to register with the Province and display a registration number issued by the Province on their listing.
 - Fines of up to \$100,000 per illegal listing.
 - STR platforms may only permit listings with a registration number to be posted online.
 - **New York City**
 - Hosts must demonstrate that they will be physically present during their guests' stay, and that no more than two paying guests will stay at one time.
 - **San Francisco**
 - STRs are limited to principal residences with a maximum of 90 days rented out when a host is not living at the home.
 - **Spain**
 - Has had regulations on STRs for many years. Each autonomous community has its own regulations, but most require business licenses and limit STRs.
 - **European Union**
 - Requires host registration and countries have tools to ensure safe and compliant data-sharing.

What is currently being done in B.C.?

- To manage the growing need for regulation of STRs, municipal bylaws or license fees are currently in place in approximately 30 municipalities across B.C.
- These bylaws range in levels of restrictions and rules towards hosting STRs and demonstrate the need for a whole of province approach.
 - **Vancouver**
 - Principal residence requirement
 - Individuals can only have one license – licensed only to the person that resides in the property
 - Operators must have a business license and include their license number in all online listings
 - **Victoria**
 - Principal residence requirement
 - Must have a business license
 - **Tofino**
 - Principal residence requirement plus one secondary suite on property
 - Must have a business license
 - Maximum of six guests and 3 bedrooms per listing
 - **Cumberland**
 - Principal residence requirement
 - One listing on a property
 - Maximum of six guests and 3 bedrooms per listing
 - **Revelstoke**
 - Principal residence requirement and rules around secondary suites in certain zones of community
 - Must have a business license
 - Maximum of six guests and 3 bedrooms per listing



Short-term rental impact in B.C.

- Some local bylaws in B.C have been effective in creating more long-term rentals for people. In Vancouver, city data says 800 STRs have been converted to long-term rentals as a result.
- **But municipalities are facing challenges in the face of a STR market that is growing quickly and taking homes off the long-term rental market.**
- **In Vancouver**, city data shows more than 30% of hosts are operating illegally.
- **In Victoria**, approx. 1,600 hosts are operating under the legal non-conforming clause, which prohibits city bylaws from applying to certain buildings and homes. City records also show that 42% of STR licenses are held by operators who live out-of-town.
- **In the District of Squamish**, [city reports](#) show STR units have increased 38% from 2021 to 2022 and less than half of listings are compliant with regulations.
- Municipalities, [including UBCM recommendations](#), are asking the Province for support in addressing short-term rentals through more oversight and stronger tools to address this growing issue (including a central database and more data sharing).



Action on Short-Term Rentals

Turning more short-term rentals back into homes for people through 3 key responses:



Increasing fines and strengthening tools for local governments

- Increasing fines for operators breaking local rules
- Requiring short-term rental platforms to share data to improve local enforcement
- Increasing platform accountability to make sure local rules are followed
- Providing regional districts with more tools



Returning more short-term rentals into long-term homes for people

- Limiting short-term rentals in B.C. to principal residences only - plus one additional unit on that property - for B.C. municipalities with more than 10k people
- Removing legal non-confirming rules being taken advantage of by investors



Establishing provincial rules and enforcement

- Requiring all STR hosts to join a provincial registry
- Launching a provincial Short-Term Rental Compliance and Enforcement Unit to make sure rules are being followed

Increased fines and strengthening tools for local governments

- **Increasing fines for operators breaking local rules**
 - Through regulations, fines will increase for hosts breaking local municipal by-law rules from **\$1000 to \$3000** per infraction, per day.
 - The proposed rules allows regional districts to set the same maximum penalty of \$50,000 for severe contraventions (like municipalities).
- **Requiring short-term rental platforms to share data with municipalities to improve local enforcement**
 - A key request from municipalities, this will help bylaw officers and city staff crack down on hosts breaking local rules.
 - The proposed rules would make it mandatory for STR platforms to share information with the Province, including information about STR hosts. The Province can then share that information with local governments to support a more integrated approach to regulation and enforcing provincial rules.
 - No private information about hosts will be released publicly.
- **Increasing STR platform accountability to make sure local rules are followed**
 - Requiring short-term rental platforms to include businesses license and registration numbers on listings where they are required by a local government, and to remove listings without them quickly.
- **Providing regional districts with more tools**
 - Currently, regional districts do not have business regulation and licensing powers. Proposed action will grant all regional districts broad business regulation and licensing powers. Regional districts will then be able to require businesses, including short-term rental businesses, to obtain and maintain a business license to operate.
 - This will help regional districts gain a better understanding of the number and type of short-term rentals operating in their communities.
 - The business regulation and licensing powers provided to regional districts will parallel those of municipalities.



Note: Short term rental accommodation service refers to a period of less than 90 days.

Providing more homes for people in communities with greatest housing needs



- **Principal residence requirement (+1 secondary suite)**

- Principal residence is defined as a place in which an individual lives for a longer period in a calendar year than any other place.
- Short-term rentals in non-principal residences across the province are taking away homes for people in B.C. Entire homes are being used as short-term rentals when they could be put on the long-term rental market or sold. Other jurisdictions have brought in principal residence requirements – including several communities in B.C.
- B.C.'s principal residence requirement will:

- **Require short-term rentals to be only in the principal residence* of a host in municipalities with a population of 10,000 people or more (*principal residence plus one secondary suite or laneway home/garden suite on property allowed).**

- Through forthcoming regulations, it is intended that 14 [resort municipalities](#), mountain resort areas, electoral areas (incl. Gulf Islands), and most municipalities with a population under 10,000 people (except those adjacent to larger municipalities, e.g. Highlands, Belcarra) will initially be **exempt from the principal residence requirement** but can opt in if the local government decides to.
- Communities adjacent to larger municipalities are defined as smaller communities less than 15 KM away from a larger community with the Principal Residence requirement. They are listed on the following slide.

Note: PR requirement applies to homeowners and renters

List of Communities

- The B.C. municipalities with a population over 10,000 people are listed below by population size descending from highest to lowest.
- For reference, an * has been added on communities that currently have a vacancy rate above 3 percent (2023 CMHC Data).
- When regulations are released, it is intended that communities over a 3 percent vacancy rate (using the most current data available) may request an exemption from the principal residence requirement.
- The provincial principal residence requirement will function as province-wide floor for communities with populations over 10,000 people **but local governments will still be able to use existing bylaws and introduce additional bylaws that are more restrictive for STRs.**

- | | | | | |
|--------------|--------------------|------------------|--------------------|------------------|
| • Vancouver | • Kamloops | • Vernon | • Fort. St. John* | • Parksville |
| • Surrey | • Chilliwack | • West Vancouver | • Cranbrook | • Dawson Creek* |
| • Burnaby | • Victoria | • Mission* | • Salmon Arm | • Sidney |
| • Richmond | • Maple Ridge | • Penticton | • Pitt Meadows | • Prince Rupert* |
| • Abbotsford | • North Vancouver | • West Kelowna* | • Colwood | • North Saanich |
| • Coquitlam | (district) | • Campbell River | • Port Alberni | • Summerland |
| • Kelowna | • New Westminister | • Port Moody | • Oak Bay | • Terrace |
| • Langley | • Prince George* | • North Cowichan | • Esquimalt | • View Royal |
| (township) | • Port Coquitlam | • Langley (city) | • Central Saanich* | • Coldstream |
| • Saanich | • North Vancouver | • Courtenay | • Lake Country | • Nelson |
| • Delta | (city) | • Squamish | • Sooke | • Williams Lake* |
| • Nanaimo | • Langford | • White Rock | • Comox | • Sechelt |
| | | | • Powell River | |

- Adjacent Communities**
- Qualicum Beach
 - Metchosin
 - Duncan
 - Cumberland
 - Highlands
 - Anmore
 - Pouce Coupe*
 - Belcarra


Providing more homes for people in communities with greatest housing needs



- **Removing legacy rules being taken advantage of by investors**
 - Currently, 'legal non-conforming use principle' allows hosts to operate despite local bylaws in place (under a land use bylaw). This is because short-term rentals were allowed in a building or structure prior to the bylaw being put in place.
 - These legacy authorities are in place in Victoria, Kelowna and several other communities.
 - For example, in Victoria, according to the City, there are approx. 1,600 units the City cannot regulate due to this “legacy” law whereby short-term rentals were zoned as an allowable prior to their STR bylaw being put in place.
 - **We will remove STRs from legal non-confirming use so that all operators will need to follow local government rules.**
 - The provision would apply to only the use of land for STR accommodation services, or similar services, and not to any other uses permitted by a local government land use bylaw.

More details on actions to rein in STRs



- The principal residence requirement is designed to make sure that many accommodation buildings and operations that have operated in communities for a long period of time can continue to provide stays for visitors – including in tourism driven communities.
 - This will **not apply to hotels and motels**, as these types of buildings were never intended as long-term housing.
 - Future regulations will enable the Province to exempt additional types of properties, for example: strata hotels, timeshares and fishing lodges, which are not intended to be included.
 - Communities on First Nations reserve land will be exempt. Modern treaty nations will also be exempt but will be able to opt in, if desired.
- 
- Requirements to share data with the Province to improve enforcement efforts and the requirement to remove listings not following local and provincial rules will only apply to online platforms that book and receive payments for a short-term stay.
 - To ensure STR hosts are following rules, the requirement to register listings and the principal residence requirement will apply to all advertised short-term rental listings.



Establishing provincial rules and enforcement

- **Require all STR hosts to register with a provincial registry**
 - The Province will establish a **short-term rental registry** that will require all hosts and platforms to register with the Province.
 - Hosts will be required to include a valid provincial registration number on their listing, in addition to a business license number, where required.
 - Platforms will be required to only advertise listings that are compliant as indicated by a provincial host registration number. Platforms will be required to validate host's registration numbers with the Province.
 - Once the registry is active (late 2024), platforms will have 3 months to register their companies and hosts will have 6 months to register their units.
- **Launch Provincial Short-Term Rental Compliance and Enforcement Unit to make sure rules are being followed**
 - We expect that hosts, platforms and other will do their best to comply and the need for the enforcement will be relatively rare.
 - In those rare cases, the Provincial Unit will:
 - Track compliance
 - Issue orders
 - Administer penalties for violations

What does this mean for:

STR Hosts

- ❖ Can still rent out home when they are away, or a secondary/ laneway suite if permitted by local bylaws
- ❖ Can still rent out vacation property if in areas exempt from principal residence requirement
- ❖ Can turn STR into long-term rental home
 - ❖ Must register with provincial registry (when active)

STR Platforms

- ❖ Must share data with Province to help enforce rules
- ❖ Must remove listings not playing by the rules and validate registration numbers
- ❖ Must register with provincial registry (when active)

People living in B.C.

- ❖ More rental options in communities with low vacancy rates and high housing needs.
- ❖ Can still use STR listings for B.C. vacations/trips

Timelines

Changes to be brought in through a phased-in approach:

Immediately on Royal Assent

- Increase fines for municipal bylaw infractions
- Regional district business licencing

May 1, 2024

- Principal Residence Requirement
- Removing legal non-conforming use clause
- Require business licenses to be displayed on platforms

Summer 2024

- Data sharing from STR platforms

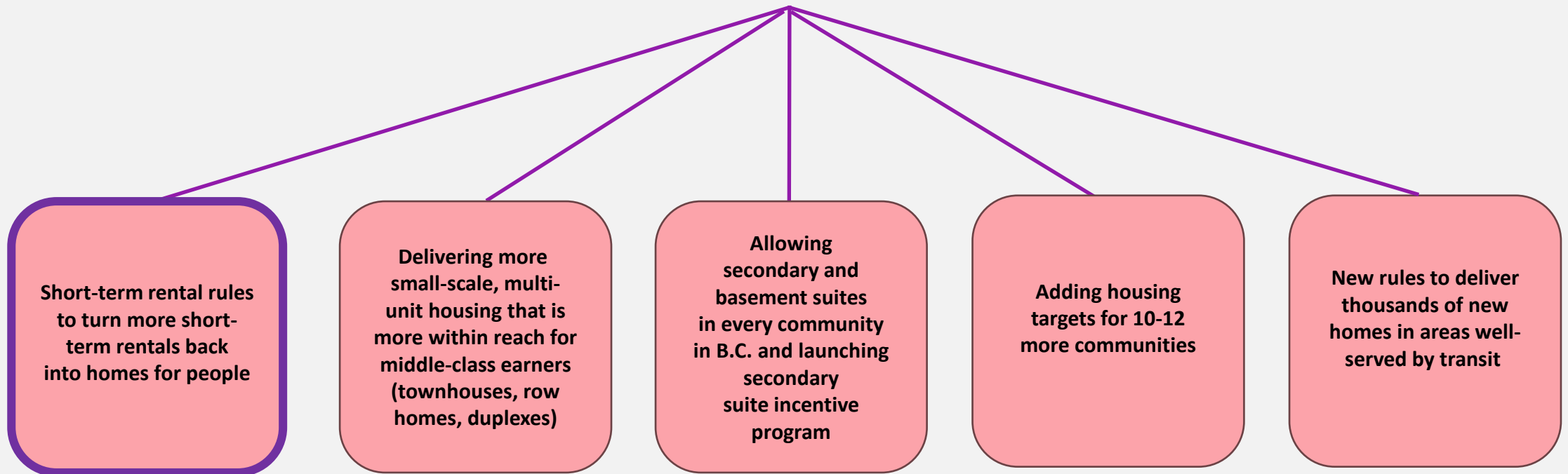
Late 2024

- Provincial registry

Further housing actions this fall

Several more housing bills and actions will to be introduced in the fall as part of the Province's Homes for People Action Plan.

This includes:



These strong actions are necessary in the face of high interest rates, inflation and a growing global housing affordability crisis.

In Summary

- People are calling on all levels of government to work together to address the housing crisis and deliver more homes that are within reach.
- That's why we are taking strong action to rein in a fast-expanding short-term rental market, where operators with multiple listings are taking homes off the long-term market to make big profits – while people pay the price.
- People using STR platforms to book vacation rentals will not be subject to fines under new rules – it's up to hosts and platforms to ensure they are following the rules.
- Provincial principal residence requirement will function as province-wide floor for communities with population over 10,000 people - local governments will still be able to restrict STRs further through their own bylaws.
- The approach is comprehensive and designed to target areas with high-housing needs, while making sure smaller communities and communities that are dependent on short-term rentals for tourism have more tools to regulate STRs at a local level, or opt-in to the principal residence requirement if they choose.
- It's strong action and a thoughtful, phased in approach to tackle the short-term rental challenge and deliver more homes for people.



Council Report



Date: November 7, 2023 **File No:** RMS/Address
To: Anthony Haddad, City Manager
From: Blake Laven, Director of Development Services
Address: 2509 South Main Street
Subject: **Community Housing Fund (CHF) grant opportunity**

Staff Recommendation

THAT Council direct staff to apply for a grant through BC Housing’s Community Housing Fund (CHF) for the City owned parcel of land located at 2509 South Main Street.

Strategic priority objective

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

Council at the July 19, 2022 Regular Meeting of Council, supported the use of funds from the City’s Affordable Housing Reserve, to develop architectural plans for an affordable rental housing development on a City owned property at 2509 South Main Street.

	6.1 <u>2509 South Main Street Shovel Ready Project – Affordable Housing Reserve</u>
259/2022	<p>It was MOVED and SECONDED</p> <p>THAT Council approve the use of up to \$50,000 to be funded from the City of Penticton Affordable Housing Reserve to get 2509 South Main Street (Lot 1 District Lot 116 Similkameen Division Yale District Plan 2027 Except Plan M13339) to a shovel ready state for submission to a future capital grant funding program; AND THAT Council direct staff to work with partners to get 2509 South Main Street to a shovel ready state in order to support a community submission to a future capital grant funding program; AND THAT the Financial Plan be amended accordingly.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>

The intent of these funds was to help this piece of land move closer to a shovel ready state with development schemes and high-level renderings to be included in future capital grant applications.

The property, formerly operated as the Shielings Motel, was purchased by the City for a road infrastructure project (Point Intersection Project). The motel, at the time, was being used as affordable, long-term rentals operated by a private landlord. When the motel was decommissioned, the City worked with the South Okanagan Similkameen Brain Injury Society (SOSBIS) on the relocation of the tenants of the motel into other housing.

Since the direction from Council to utilize funds towards moving the project to a shovel ready state, the City has worked with an architect team in the development of various different development scenarios for the property. Three development scenarios have been developed with a low density scheme featuring 15 townhouse units, a medium density scheme with 30 units and a high density scheme with over 60 units.

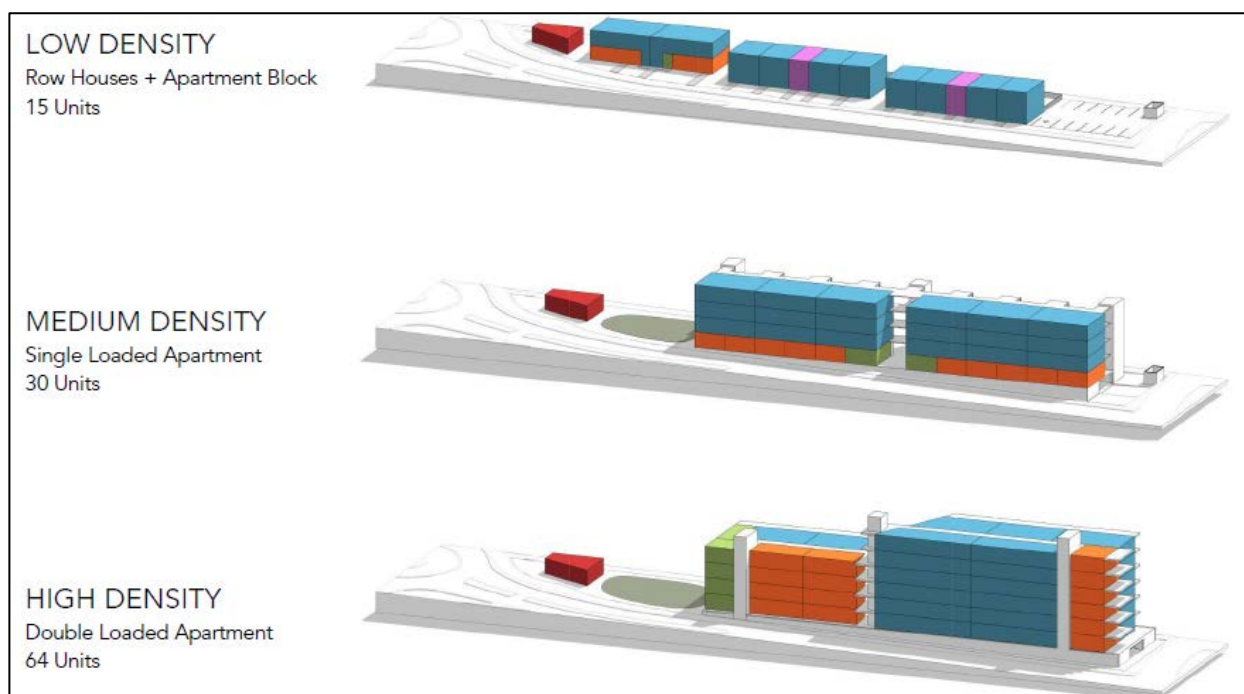


Figure 1: Initial development schemes prepared by the architectural team

Detailed design work is being done to further refine the high density scheme, as this was considered the most appropriate use of the land to meet the communities housing challenges (See section below on Housing Needs Assessment).

The architects engaged on the project have worked closely with SOSBIS who operate the neighbouring social housing development (Columbus Court) to ensure impacts on the site are minimized and opportunities are identified/ realized between the two sites, such as shared amenity space and landscaping.

BC Housing Community Housing Fund

The BC Housing Community Housing Fund is a \$3.3 Billion dollar investment to build more than 20,000 affordable rental homes for people with moderate and low incomes in the province by 2031-32. The Province, on August 28th, 2023 announced that the fund would be accepting applications until November 17, 2023. Staff also understand that a second intake will occur in 2024 as well.

The program would pay all of the capital costs of the proposed build. The CHF investment includes affordable rental housing, but it does not include support services or residential care components. If the City were successful in receiving the grant for the capital build, the intention would be to find a not-for-profit housing organization to own the units and manage the housing. The City would maintain ownership of the land, under a long term lease agreement.

Under this model, the operator selects the tenants with the three (3) different rental options: market rent, rent geared to income (RGI) or RGI deep subsidy (i.e. subsidized housing). This is one of the streams of housing funding provided by BC Housing and is not part of the supportive housing stream. For this specific fund, target populations are families, seniors, women/women and children who have experienced or at risk of violence, youth transitioning out of care and people with disabilities capable of living independently without on-site supports. The Province is looking at projects that can be built out within 18 months.

The CHF program does not offer operational support. Housing projects are intended to be self-sufficient once built, with residents paying close to market rents or paying rent geared toward income. It is likely the building will see a mix of low and moderate income levels.

Alignment with Housing Needs Assessment

As part of the work to update the housing sections of the Official Community Plan (OCP), a housing needs assessment (HNA) was completed in the summer of 2023. That report identified the need for between 240 (low growth scenario) to 380 (under the high growth scenario) new units of housing constructed per year to meet basic growth requirements.

The HNA stressed the need for housing with 3+ bedrooms to support families in the community and for housing to support an aging population. The plans currently drafted feature 60% of the units in the preferred building design with 3 bedroom units that will be oriented towards families. The remainder are studio and one bedroom units which can be for singles or couples. The decision to not include 2 bedroom units in the building was intentional and an acknowledgement of the large amount of 2 bedroom units currently available on the market in Penticton.

The proposal

Staff are proposing that the City apply to the Community Housing Fund (CHF) for a rental apartment housing project at 2509 South Main Street. The project as currently designed, has 64 units, but may shift slightly up or down through the design refinement process. The project features 47 parking spaces and extra bicycle parking and amenity space.

The City does not have a partner operator at this time. Should the City be successful in receiving funding from the province, a process will be launched to find a housing operator.

The property is currently zoned for CT1 (Tourist Commercial), but is designated in the OCP for residential uses. As part of any development proposal further approvals from Council will be required on changes to the OCP, zoning and for development permit approval. More detailed designs would come forward for Council's review and consideration, as well as technical background, at that time.

Ideally, the City would have a partner organization to make the application jointly with that organization. The partner organization will be essential in developing the operational budget of the building and the

programming model. Should the City be successful in the grant, an Expression of Interest will be released to find an appropriate organization. The City is not intending to be involved with the operation of the finished building.

Financial implication

Initial construction costs for the high density scheme are estimated at \$21.4 million (approximately \$335 k per unit). The full construction cost will be grant funded. The City's contribution to the project would be the land in the form of a long term lease. The property was appraised in 2020 at \$834,000. A revised appraisal will be undertaken if the grant funding is successful. The Community Housing Fund is a capital funding program. All projects are intended to be self-sufficient (no operating / rent subsidies).

Climate Impact

BC Housing requires all buildings to meet specific energy efficiency targets. The subject building would be built to a minimum of Step 3 on the BC Energy Step Code. Opportunities for additional sustainability features would be investigated. The current design features a reduced amount of vehicle parking to support alternative forms of transportation and increase the number of affordable rental units in the project. The property is also located in a strategic area of the community, connected to the City's Lake-to-Lake Bike Route and is close to employment and educational opportunities.

Analysis

In July 2022 Council supported the use of funds from the City's Affordable Housing Reserve for architectural drawings for the preparation of the subject site for potential grant opportunities. The CHF program, is the Province's most flexible granting program for housing projects. In review of the eligibility criteria, staff consider that the property at 2509 South Main Street with the plans currently developed would be a strong candidate for funding.

Staff are recommending that Council support the submission of a grant application to the Community Housing Fund program for the November 17, 2023 deadline.

Attachments

Attachment A – CHF – RFP – Fact Sheet

Respectfully submitted,

Blake Laven,
Director of Development Services
Concurrence

Director of Finance and Administration <i>AMC</i>	General Manager of Infrastructure <i>KD</i>	City Manager <i>AH</i>
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About the Community Housing Fund



The Province of British Columbia created the Community Housing Fund (CHF) in 2018. This fund is a \$3.3-billion investment to build more than 20,000 affordable rental homes for people with moderate and low incomes by 2031-32. Approximately 9,000 of these homes are open or underway across the province.

The CHF has received funds for an extra 6,000 new homes for families and seniors. Over the next four years, the plan is to issue more CHF proposal calls and allocate the remaining units.

CHF is one of the many housing funds available. There is also an Indigenous Housing fund, a Supportive Housing Fund and a Women’s Transitional Housing Fund.

For more information on other Building BC funding programs, please go to the BCH website.

What is happening?

The BC Housing Management Commission put out a Request for Proposals (“RFP”) for the CHF on August 28, 2023. Submissions for this round are due November 17, 2023.

Who can apply?

- Non-profit, co-operative, and municipal housing providers
- Organizations interested in applying for future proposal calls are encouraged to begin planning early. For more information, please go to www.bchousing.org/CHF-RFP or reach out to your local BC Housing representative.
- Private partners are permitted to apply on behalf of non-profit societies, Indigenous groups, co-operative and municipal housing providers

The CHF investment includes affordable rental housing, but it does not include support services or residential care components. The rental mix must be as follows:

Rent Category	Program Requirement	Rent Amount	Resident Selection	Tenant Income Eligibility	Proof of Eligibility
Market Rent Unit	30% of Units	Initial market rent approved by BC Housing. Market rents must be maintained at or above the CMHC Average Market Rent.	Operator selects the market tenants (Option to use the Housing Registry .)	Eligible applicants must meet current low-and-moderate income limits . For 2023, this means applicants must make between \$82,310 to \$128,810 to apply.	Proof of income is required at move in only.
Rent Geared to Income (RGI)	50% of Units	Varies based on RGI Rent Scale	The operator selects the residents, and applicants must be selected from the Housing Registry. The Housing Registry is a centralized database of applicant information to non-profit and co-operative providers of affordable housing.	Tenants with an income below the applicable Housing Income Limits (HILs) will be selected from The Housing Registry.	Proof of Income and Assets required annually.
RGI Deep Subsidy	20% of Units			Residents with an income below the Deep Subsidy Income Limits , as established by BC Housing, selected from the Housing Registry.	Proof of Income and Assets required annually.

BC Housing intends to issue another CHF RFP in fiscal 2024/25. Operators / applicants are encouraged to start planning for this round by having conversations with partners, including BC Housing.



How to Apply

Program Requirements:

Check out the RFP to find more information on:

- the types of ownership
- current and proposed land and building ownership interest structure
- zoning and subdivision status
- current and proposed financing partnerships

Who Can Live Here?*



Women and women with children who have experienced or are at risk of violence



Youth, including those transitioning out of care



Individuals leaving transitional or supportive housing that can live independently without supports



Equity and/or rights-seeking community members

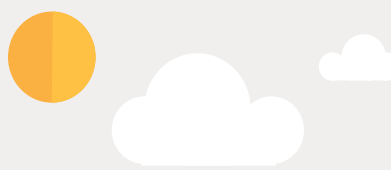


Selected tenants must be consistent with the households identified in the CHF program












*Supports are not offered in this housing.

Partnership Requirements:

- The primary applicant must be a non-profit society, housing co-op, municipal housing provider legally incorporated in Canada or First Nation. Public/private partnerships are allowable if they work with one of these groups, and that group is the primary applicant.
- In general, the applicant must have a mortgageable interest in the land.
- No layering or cross-subsidy from other BC Housing programs is permitted.
- The project must reflect the correct ratio of rents and income eligibility. See rental mix on previous page.
- The applicant must be in good standing with the applicable corporate registrar.
- Applicants are encouraged to discuss the National Housing Co-investment Fund (NHCF) and their proposal with CMHC Specialists to learn more about potential additional funding source options and social outcome targets. If you do not have a local contact, please email: ahc_bc@cmhc-schl.gc.ca

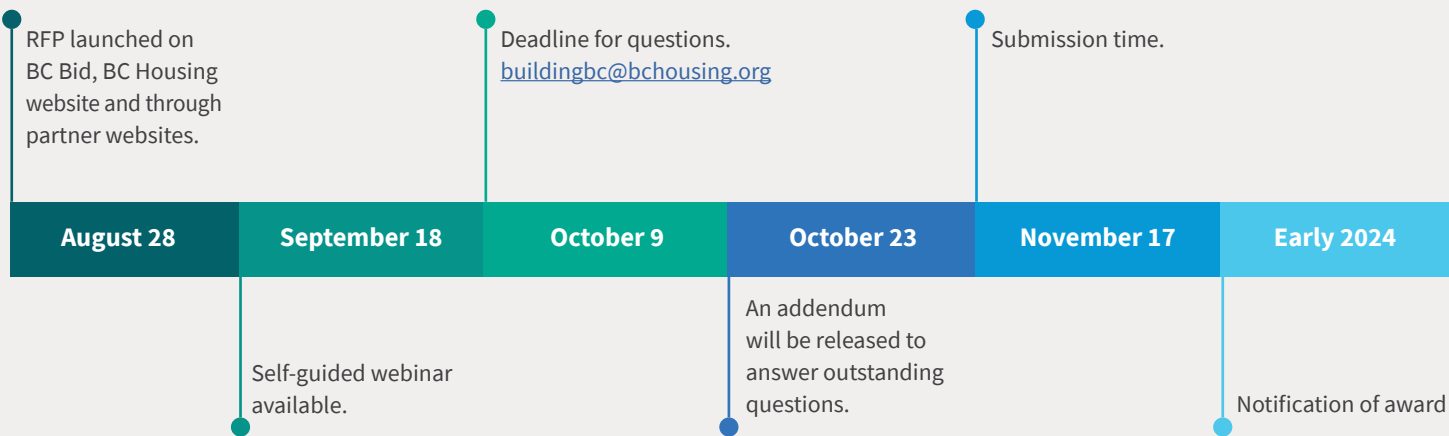


Roles and Responsibilities

Provided by BC Housing	Provided by Operator
 Capital Grant per unit	 Resident Selection
 Interim Construction Financing	 Collection of Rents
 Operating Subsidy	 Equitable and non-Discriminatory resident management
	 Building maintenance and upkeep
	 Community partnerships and engagement
	 Financial Management and Governance: <ul style="list-style-type: none"> • Capital planning • Annual operating budgets
	 Business Continuity Plan
	 Data collection and management

Proposal Submission:

- When developing your proposal consider the need for housing in the community.
- Use the instructions and templates provided by BC Housing. There will be a Response Template Part A (Microsoft Excel file) and Part B (Microsoft Word document). Detailed instructions are embedded in the templates. They will be available on BC Bid and the BC Housing website.
- When both Part A and B are completed, please submit via BC Bid (preferred method) or email your submission to buildingbc@bchousing.org.



For more information:

CHF Website: www.bchousing.org/CHF-RFP

Building BC Website www.bchousing.org/Building-BC-funding

Email address: buildingbc@bchousing.org

BC Bid Website: <https://www2.gov.bc.ca/gov/content/bc-procurement-resources/bc-bid>

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:

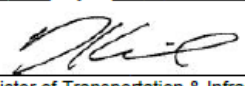
Add Section 11.5.4.11: "In the case of Lot B District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 574, located at 461 Martin Street, a maximum of two dwelling units on the first storey shall be permitted."

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

READ A FIRST time this	3 day of	October, 2023
A PUBLIC HEARING was held this	17 day of	October, 2023
READ A SECOND time this	17 day of	October, 2023
READ A THIRD time this	17 day of	October, 2023
RECEIVED the approval of the	18 day of	October, 2023
Ministry of Transportation on the		
ADOPTED this	day of	, 2023

Notice of intention to proceed with this bylaw was published on the 6th day of October, 2023 and the 11th day of October, 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 18 day of October, 2023



for Minister of Transportation & Infrastructure

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer



Schedule A: Zoning Amendment Bylaw 2023-35

Date:

Corporate Officer:

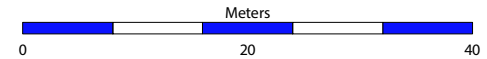


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1:672

September 26, 2023 1:31:39 PM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

NOTICE OF MOTION

For November 7, 2023

BACKGROUND: In 2022, near the end of the 2018-2022 term, upon a staff recommendation, Council voted 5-2 in favour (Couns. Robinson and Sentes opposed) to basing the RDOS appointments on standing within the municipal election.

The intention was to make this the public's decision and not that of mayor and/or council.

Shortly after the 2022 election, Coun. Boulton declared she was unavailable due to professional commitments and shew as replaced by the fifth place finisher in the election. She is now available to serve on the RDOS.

Therefore...

THAT Council appoint Julius Bloomfield (5), Amelia Boulton (4), James Miller (4), Ryan Graham (4), and Helena Konanz (4) to the Regional District of Okanagan-Similkameen (RDOS) for the remainder of the 2022-2026 term and Campbell Watt and Isaac Gilbert as alternate directors.

Sincerely

Coun. James Miller