

REGULAR MEETING OF COUNCIL

AGENDA

DATE: Monday, February 1, 2016
TIME: 4:30 p.m.
LOCATION: Council Chambers, Enderby City Hall

1. APPROVAL OF AGENDA

2. ADOPTION OF MINUTES

[Regular Meeting Minutes of January 18, 2016](#)

pg 3-8

3. PUBLIC AND STATUTORY HEARINGS

4. PETITIONS AND DELEGATIONS

5. DEVELOPMENT MATTERS

6. BUSINESS ARISING FROM THE MINUTES AND/OR UNFINISHED BUSINESS

[Vacant Commercial and Industrial Buildings Inspection Policy](#) – Memo from Chief
Administrative Officer dated January 28, 2016

pg 9-12

7. BYLAWS – 3 Readings

[Fees and Charges Bylaw No. 1479, 2010 Amendment Bylaw No. 1591, 2016](#)

pg 13-14

A bylaw to amend fees and charges Bylaw No. 1479, 2010

[Upgrades to Cliff Avenue Loan Authorization Bylaw No. 1590, 2016](#)

pg 15-17

BYLAWS – Adoption

[Development Applications Procedures Bylaw No. 1586, 2016](#)

pg 18-45

A bylaw to establish procedures for the processing of development applications, including amendments to the Official Community Plan, Zoning Bylaw, or to a Land Use Contract; or Permits under Part 26 of the *Local Government Act*; Agricultural Land Commission applications; and Phased Development Agreements

[Intermunicipal Emergency Operations Service Amending Bylaw No. 1587, 2016](#) pg 46-48

A bylaw to amend Intermunicipal Emergency Operations Service Bylaw No. 1462, 2010, as amended by Intermunicipal Emergency Operations Service Bylaw No. 1491, 2011

8. REPORTS

[Mayor and Council](#)

9. NEW BUSINESS

- a. [Digital Billboard Sponsorship Application – Enderby and District Museum](#) pg 50-51
- b. [Regional Parkland Legacy Fund/Service](#) – Memo from Assistant Corporate Officer and Planning Assistant dated January 27, 2016 pg 52-70
- c. [2015 Water Consumption and User Fee Revenue](#) – Analysis and Memo from Chief Financial Officer dated January 27, 2016 pg 71-76
- d. [Terms of Reference for Spring Volunteer Fair](#) – Memo from Assistant Corporate Officer and Planning Assistant dated January 27, 2016 pg 77-79

10. PUBLIC QUESTION PERIOD

11. CLOSED MEETING RESOLUTION

Closed to the public, pursuant to Section 90 (1) (g) of the *Community Charter*

12. ADJOURNMENT

THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held on Monday, January 18, 2016 at 4:30 p.m. in the Council Chambers of City Hall

Present: Mayor Greg McCune
Councillor Tundra Baird
Councillor Brad Case
Councillor Roxanne Davyduke
Councillor Raquel Knust
Councillor Brian Schreiner
Councillor Shawn Shishido

Chief Administrative Officer – Tate Bengtson
Chief Financial Officer – Jennifer Bellamy
Assistant Corporate Officer and Planning Assistant – Kurt Inglis
Recording Secretary – Bettyann Kennedy
The Press and Public

APPROVAL OF AGENDA

Moved by Councillor Baird, seconded by Councillor Davyduke that the agenda be approved as circulated.

Carried

ADOPTION OF MINUTES

Regular Meeting Minutes of December 21, 2015

Moved by Councillor Schreiner, seconded by Councillor Shishido that the minutes of the regular meeting of December 21, 2015 be adopted as circulated.

Carried

PETITIONS AND DELEGATIONS

Neil Fidler, Secretary – Enderby and District Arts Council

Re: Request for Grant Increase for 2016

Mr. Fidler expressed appreciation for previous support from Council. Their new office space provides a presence in the community and a place to hold meetings and store materials. More funds are required in order to continue operating at this level. Costs have gone up considerably to secure quality entertainment. A tent is required to ensure that the bandstand area is covered if it rains. Attendance at the Arts Festival continues to rise. Last year's attendance was good, despite the rain.

In response to questions:

- 2014 attendance at the Arts Festival was approximately 2,000. They believe it was almost that many in 2015 despite the rain.

- The only Sunday event was Music by the River. The Drill Hall posed a problem as a back-up venue due to capacity limitations. It was suggested that the Splatsin Community Centre could be an alternate back-up venue.
- Appreciation was expressed to the Arts Council for their involvement with Friday Night Lights event.
- They have some youth members, but not many.
- Enderbeer festival will be the same weekend as the Arts Festival. Each event should benefit the other.

DEVELOPMENT MATTERS

Notice on Title – 509 Mill Avenue – Memo from Chief Administrative Officer dated January 8, 2016

Moved by Councillor Case, seconded by Councillor Baird that Council confirms the recommendations of the Building Inspector with respect to Notice on Title File No. 15-0578-END-NT;

AND THAT Council directs the Corporate Officer to file a notice on the land title stating that a resolution has been made under Section 57 of the *Community Charter* pertaining to the property legally described as Lot 4, DL 150, K (formerly O) DYD, Plan 6406 and located at 509 Mill Avenue;

AND FURTHER THAT Council authorizes the Corporate Officer to make available for public inspection further information about the notice on title pertaining to the property legally described as Lot 4, DL 150, K (formerly O) DYD, Plan 6406 and located at 509 Mill Avenue at City Hall.

Carried

BUSINESS ARISING FROM THE MINUTES AND/OR UNFINISHED BUSINESS

Enderby and District Arts Council – Correspondence dated January 4, 2016

Re: Annual Request for Funding

Moved by Councillor Case, seconded by Councillor Schreiner that the Enderby and District Arts Council funding request be referred to the budget process.

Carried

BYLAWS – 3 Readings

Intermunicipal Emergency Operations Service Amending Bylaw No. 1587, 2016

A bylaw to amend Intermunicipal Emergency Operations Service Bylaw No. 1462, 2010, as amended by Intermunicipal Emergency Operations Service Amending Bylaw No. 1491, 2011

Moved by Councillor Baird, seconded by Councillor Knust that Intermunicipal Emergency Operations Service Amending Bylaw No. 1587, 2016 be given three readings.

Carried

Development Applications Procedures Bylaw No. 1586, 2016

A bylaw to establish procedures for the processing of development applications, including amendments to the Official Community Plan, Zoning Bylaw, or to a Land Use Contract; or permits under Part 26 of the *Local Government Act*; Agricultural Land Commission applications; and Phased Development Agreements

Moved by Councillor Case, seconded by Councillor Baird that Development Applications Procedures Bylaw No. 1586, 2016 be given three readings.

Carried

BYLAWS – Adoption

Parks, Recreation and Culture Fees Imposition Bylaw No. 1578, 2015 Amendment Bylaw No. 1583, 2015

A bylaw to amend Parks, Recreation and Culture Fees Imposition Bylaw No. 1578, 2015

Moved by Councillor Knust, seconded by Councillor Schreiner that Parks, Recreation and Culture Fees Imposition Bylaw No. 1578, 2015 Amendment Bylaw No. 1583, 2015 be adopted.

Carried

REPORTS

Councillor Knust

There appears to be a need for more doggie bag dispensers. Commission members will bring this up at the next Enderby and District Services Commission meeting.

Councillor Shishido

Volunteers that coordinate community events need support in the form of a formal Events Coordinator for big events. The Chamber of Commerce used to take on many of the large events. Mayor McCune suggested coordinating a “Volunteer Fair” to recruit new volunteers. April will be targeted to coordinate this event.

Tech allowance disbursement will be discussed during budget process.

Councillor Davyduke

Dog control issues will be discussed at the next Enderby and District Services Commission meeting.

Councillor Case

Splatsin has expressed an interest in touring our water and wastewater facilities. Dates will be determined at the C2C meeting.

Mayor McCune

The Mayor and Councillor Schreiner will meet with the Assistant Corporate Officer and Planning Assistant on Thursday to discuss potential solutions to the signage issues at Preston Crescent and Preston West.

Mayor McCune will be attending a meeting on Wednesday to see if Enderby could possibly host a BC-U16 baseball tournament.

Building Permit Detail Report – December 2015

Moved by Councillor Baird, seconded by Councillor Shishido that the report be received and filed.

Carried

NEW BUSINESS

Sidewalk Inspection Policy Revision – Memo from Chief Administrative Officer dated January 7, 2016

Moved by Councillor Schreiner, seconded by Councillor Shishido that Council adopts the Revised Sidewalk Inspection Policy.

Carried

Grants in Aid Policy – Memo from Chief Financial Officer dated January 7, 2016

Moved by Councillor Baird, seconded by Councillor Knust that Council adopts the Grants in Aid Policy;

AND THAT Council directs staff to communicate the new policy to applicable 2015 grant recipients.

Carried

Bylaw Enforcement Officer and Dog Control Officer Appointment – Memo from Assistant Corporate Officer and Planning Assistant dated January 7, 2016

Moved by Councillor Case, seconded by Councillor Shishido that Council designates Sandra Edgecombe as a Bylaw Enforcement Officer and Dog Control Officer.

Carried

Shaw Go WiFi Facilities License Agreement – Memo from Chief Administrative Officer dated January 8, 2016

Moved by Councillor Shishido, seconded by Councillor Knust that Council authorizes the Mayor and Chief Administrative Officer to execute the Shaw Go WiFi Facilities License Agreement as presented.

Carried

Fire Department Service Level Policy Statement – Memo from Chief Administrative Officer dated January 12, 2016

Moved by Councillor Case, seconded by Councillor Baird that Council adopt the Fire Department Service Level Policy Statement;

AND THAT Council refers the policy to the Shuswap Fire Protection District.

Carried

Interior Health Tobacco Cessation Project – Memo from Chief Administrative Officer dated January 12, 2016

Moved by Councillor Baird, seconded by Councillor Schreiner that Council explore, in conjunction with Interior Health's Healthy Communities initiative, community support for a tobacco bylaw for the City of Enderby.

Carried

Opposed: Councillor Knust
Councillor Case

Mill Avenue and Belvedere Street Reconstruction Projects Financial Performance – Memo from Chief Administrative Officer dated January 12, 2016

Moved by Councillor Case, seconded by Councillor Baird that the memorandum be received and filed.

Carried

Digital Billboard Sponsorship Renewal for 2016 – Memo from Assistant Corporate Officer and Planning Assistant dated January 12, 2016

Moved by Councillor Baird, seconded by Councillor Shishido that Council renews the annual digital billboard sponsorships for the year 2016;

AND THAT Council increases the annual digital billboard sponsorship value for the Enderby Fire Rescue Society from \$3,500 to \$5,000.

Carried

Vacant Commercial and Industrial Buildings Inspection Program – Discussion – Memo from Chief Administrative Officer dated January 12, 2016

Moved by Councillor Knust, seconded by Councillor Shishido that Council direct Staff to proceed with drafting a Vacant Commercial and Industrial Buildings Inspection Policy and amend the City of Enderby Fees and Charges Bylaw to provide a charge for inspections and incidental matters.

Carried

PUBLIC QUESTION PERIOD

None

CLOSED MEETING RESOLUTION

Moved by Councillor Case, seconded by Councillor Davyduke that, pursuant to Section 92 of the *Community Charter*, the regular meeting convene In-Camera to deal with matters deemed closed to the public in accordance with Section 90 (1) (a) and (e) of the *Community Charter*.

Carried

ADJOURNMENT

The regular meeting reconvened at 6:00 p.m.

Moved by Councillor Baird, seconded by Councillor Case that the meeting adjourn at 6:00 p.m.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Mayor and Council
From: Tate Bengtson, CAO
Date: January 28, 2016
Subject: Vacant Commercial and Industrial Buildings Inspection Policy

RECOMMENDATION

THAT Council approves the Vacant Commercial and Industrial Buildings Inspection Policy;

AND THAT Council gives three readings to City of Enderby Fees and Charges Bylaw No. 1479, 2010 Amendment Bylaw No. 1591, 2016.

BACKGROUND

At Council's regular meeting of January 18, 2016, it supported the development of a Vacant Commercial and Industrial Buildings Inspection Policy ("the Policy"). The Policy is intended to address a gap in the verification tools available to help Staff ensure that vacant commercial and industrial buildings are compliant with relevant codes, regulations, and bylaws.

Vacant or unoccupied commercial and industrial buildings or units pose a hazard or difficulty due to higher density and reduced building setbacks (firefighting challenges), greater likelihood of absentee owners being unaware of trespass and non-permitted occupancies (firefighting, zoning, and building challenges), increased likelihood of combustibles stored inside in contravention of the fire code (firefighting challenges), and changes in use or structural alterations occurring behind boarded-up windows without the appropriate zoning and building code checks (zoning and building challenges).

Inspections will generally consider compliance and hazards in light of the BC Fire Code, BC Building Code, Zoning Bylaw, Fire Protection Bylaw, and Good Neighbour Bylaw. The Policy provides that the costs for the program are funded on a user-pay basis; that is, the costs for the inspection program will be recovered from the owners of vacant commercial and industrial buildings rather than the taxpayer.

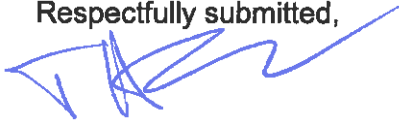
The Policy provides some common sense direction for varying the inspection frequency in accordance with compliance and hazards. Coupled with the proposed Fees and Charges Amendment Bylaw, this will ensure that those owners of vacant commercial and industrial properties who are taking responsibility for their properties – which would require a minimal amount of human resources to perform the inspection – would pay a correspondingly minimal fee. For those properties which are deemed hazardous or noncompliant, the fees reflect the

average cost of an inspection involving a Building Inspector, Fire Inspector, and Planner, plus administration and overhead.

In essence, for a low-hazard, compliant property, the inspection costs would be around \$25 per year. For a high-hazard, non-compliant property, the inspection costs will likely be thousands of dollars per year, in addition to any enforcement penalties or remedial action undertakings that result. Any fees and charges unpaid at the end of the year will be added to property taxes.

Staff anticipates Policy implementation following adoption of the Fees and Charges Amendment Bylaw.

Respectfully submitted,



Tate Bengtson
Chief Administrative Officer

Policy Title	Vacant Commercial and Industrial Buildings Inspection Policy
Policy #	

Effective Date:	Adopted By:	Replaces:
	Mayor and Council Regular Meeting of	n/a

PURPOSE: This policy is intended to provide guidance to Staff on safety and compliance inspections for vacant commercial and industrial buildings and units within the City of Enderby.

POLICY: The City hereby establishes the following directives for the implementation of safety and compliance inspections for vacant commercial and industrial buildings and units within the City of Enderby:

- 1) For the purposes of assessing safety and compliance with applicable codes and regulations, any commercial or industrial building or unit which has not been continuously occupied for more than three (3) months shall be subject to regular inspections by City of Enderby Staff and other authorized agents.
- 2) Inspections shall generally consider compliance with the following codes and regulations, subject to available Staff resources:
 - a. BC Fire Code
 - b. BC Building Code
 - c. Zoning Bylaw
 - d. Fire Protection Bylaw
 - e. Good Neighbour Bylaw
- 3) Subject to Staff availability, inspections shall occur at approximately two (2) month intervals unless adjusted in accordance with Section 4.
- 4) The inspection frequency may be increased or decreased by the Chief Administrative Officer or designate based on the results of a hazard and compliance assessment, or other relevant factors. The assessment may consider matters including but not limited to:
 - a. Opportunity for natural surveillance
 - b. Adequacy of measures taken to secure the building or unit against intrusion
 - c. Adequacy of measures taken to prevent fires
 - d. No evidence of contravention of the BC Building Code
 - e. Demonstrated compliance with all bylaws of the City of Enderby involving hazards.
- 5) Should the Chief Administrative Officer vary the frequency as a result of an assessment, he must provide reasons to the property owner upon request. Should the property owner consider the assessment unreasonable, the property owner may request that the Council

reconsider the decision of the Chief Administrative Officer by providing a written request to the Corporate Officer. Council, after considering the reasonableness of the assessment, as well as any representations from the property owner or Staff, may confirm, adjust, or overturn the decision.

- 6) Notwithstanding a variation to the inspection frequency, additional spot inspections may occur at any reasonable time in accordance with the City's existing authority.
- 7) The costs for inspection are described in the City of Enderby Fees and Charges Bylaw No. 1479, 2010 as amended from time to time.
- 8) Notwithstanding any other remedy or power available to the City for the collection of outstanding fees and charges, all invoices unpaid as of December 31st of the year in which they were incurred shall be deemed in arrears in respect of the property and be entered on the real property tax roll in the following year as a special charge.
- 9) This Policy is for verification purposes and in no way constrains, replaces, or otherwise limits the use of enforcement tools available to the City for resolving non-compliance with a code, bylaw, regulation or other matter.

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1591

A BYLAW TO AMEND FEES AND CHARGES BYLAW NO. 1479, 2010

WHEREAS Council of the City of Enderby has adopted "The City of Enderby Fees and Charges Bylaw No. 1479, 2010";

NOW THEREFORE Council of the City of Enderby, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the "The City of Enderby Fees and Charges Bylaw No. 1479, 2010 Amendment Bylaw No. 1591, 2016".
2. Schedule "11" attached hereto is hereby established, and forms part of this Bylaw.

READ a FIRST time this ____ day of _____, 2016.

READ a SECOND time this ____ day of _____, 2016.

READ a THIRD time this ____ day of _____, 2016.

ADOPTED this ____ day of _____, 2016.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

SCHEDULE 11
VACANT COMMERCIAL AND INDUSTRIAL BUILDINGS INSPECTION FEES

1.	Initial Inspection When Initiated by Owner	\$50.00
2.	Initial Inspection When Initiated by City	\$550.00
3.	Each Inspection Following Initial Inspection	\$450.00
4.	Each Inspection Following Initial Inspection of a Compliant Premises	\$25.00
5.	Failure to Attend Scheduled Inspection	\$550.00

Inspections may be either per unit or per structure depending upon the nature of the building and any other occupancies contained therein.

All fees and charges unpaid as of December 31st of the year in which they were incurred shall be deemed in arrears in respect of the property and be entered on the real property tax roll in the following year as a special charge.

Agenda

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Tate Bengtson, CAO
From: Jennifer Bellamy, CFO
Date: January 27, 2016
Subject: Upgrades to Cliff Avenue - Loan Authorization Bylaw

Recommendation:

THAT Council give first, second and third readings of the bylaw cited as "Upgrades to Cliff Avenue Loan Authorization Bylaw No. 1590, 2016"

Background:

At the December 7, 2015 Committee of the Whole meeting, Council was presented with the different funding options for the Cliff Avenue upgrades. The option that included borrowing of \$650,000 was referred to budget. The topic of applying any surplus funds from the Mill Ave and Belvedere Street upgrades to Cliff Ave project to reduce the borrowing was also discussed. These surplus funds (\$183,713) were presented to Council at the January 18, 2016 Council meeting, which would decrease the borrowing needed to \$467,000.

When borrowing money over a period of more than 5 years, a loan authorization bylaw is required. The attached loan authorization bylaw is for borrowing up to \$467,000. Once the bylaw is given three readings it will be forwarded to the Inspector of Municipalities for approval. Once approval is obtained the City will need to obtain elector approval for the borrowing. This can be done through a referendum or the Alternate Approval Process (AAP). Normally for infrastructure projects, the AAP is used as it is a less costly approach, which requires only those who oppose the borrowing to come forward. Note that the elector approval is only seeking for approval to borrow, not for approval of the project.

Staff will be presenting Council with the elector approval information once Ministry approval is received. If the AAP proceeds, it is anticipated that those against the borrowing will be able to fill out an Elector Response Form by mid March.

Respectfully submitted,


Jennifer Bellamy
Chief Financial Officer

THE CORPORATION OF THE CITY OF ENDERBY

LOAN AUTHORIZATION BYLAW NUMBER 1590

**A Bylaw to Authorize the Borrowing of the Estimated Cost of Upgrading
Cliff Avenue**

WHEREAS it is deemed desirable and expedient to construct improvements to Cliff Avenue within the City of Enderby and;

WHEREAS the estimated cost of constructing improvements to Cliff Avenue, including expenses incidental thereto, is the sum of One Million Eight Hundred Ninety Five Thousand Dollars (\$1,895,000.00), of which the amount of debt intended to be created by this bylaw is Four Hundred Sixty Seven Thousand Dollars (\$467,000.00).

NOW THEREFORE the Council of the City of Enderby in the Province of British Columbia, in an open meeting assembled enacts as follows:

1. Council is hereby empowered to borrow for the construction of the upgrades to Cliff Avenue in accordance with general plans on file in the municipal office and to do all things necessary in connection therewith and without limiting the generality of the foregoing;
 - a) to borrow upon the credit of the municipality a sum not exceeding Four Hundred Sixty Seven Thousand Dollars (\$467,000.00).
 - b) to acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the upgrades to Cliff Avenue.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is twenty (20) years.
3. This bylaw may be cited as **“Upgrades to Cliff Avenue Loan Authorization Bylaw Number 1590, 2016”**.

READ A FIRST TIME this ____ day of ____, 2016.

READ A SECOND TIME this ____ day of ____, 2016.

READ A THIRD TIME this ____ day of ____, 2016.

RECEIVED the approval of the Inspector of Municipalities this ____ day of ____, 2016.

RECEIVED the approval of the electors of the City of Enderby on the ____ day of ____, 2016.

ADOPTED this ____ day of ____, 2016.

MAYOR

ADMINISTRATOR

Certified a true copy of Bylaw No. 1590 as at third reading.

Corporate Administrator

Certified a true copy of Bylaw No. 1590 as adopted.

Corporate Administrator

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1586

A bylaw to establish procedures for the processing of development applications, including amendments to the Official Community Plan, Zoning Bylaw, or to a Land Use Contract; or Permits under Part 26 of the Local Government Act; Agricultural Land Commission applications; and Phased Development Agreements

WHEREAS the Council of the City of Enderby has adopted an Official Community Plan and a Zoning Bylaw;

AND WHEREAS pursuant to Section 895 (1) of the Local Government Act, the Council of the City of Enderby must, by bylaw, define procedures to amend an Official Community Plan or Zoning Bylaw or issue a permit under Part 26 of the Local Government Act;

AND WHEREAS the Council of the City of Enderby has designated areas within its Official Community Plan wherein Temporary Use Permits may be issued;

AND WHEREAS pursuant to Section 930 of the Local Government Act, the Council of the City of Enderby may modify, vary, or discharge a Land Use Contract;

AND WHEREAS pursuant to Section 905.1 of the Local Government Act, the Council of the City of Enderby may, by bylaw, enter into a phased development agreement with a developer;

AND WHEREAS pursuant to Section 25 (3) of the Agricultural Land Commission Act, an application for permission for non-farm use under Section 20 (3) or for subdivision under Section 21 (2) may not proceed unless authorized by a resolution of the Council of the City of Enderby if, on the date the application is made, the application:

- a. applies to land that is zoned by bylaw to permit agricultural or farm use; or
- b. requires, in order to proceed, an amendment to an official settlement plan, an official community plan, an official development plan or a zoning bylaw.

AND WHEREAS pursuant to Section 30 (4) of the Agricultural Land Commission Act, an application to have land excluded from the agricultural land reserve may not proceed unless authorized by a resolution of the Council of the City of Enderby if, on the date the application is made, the application:

- a. applies to land that is zoned by bylaw to permit agricultural or farm use; or
- b. requires, in order to proceed, an amendment to an official settlement plan, an official community plan, an official development plan or a zoning bylaw.

NOW THEREFORE the Council of the City of Enderby, in open meeting assembled, enacts as follows:

1. CITATION

This Bylaw shall be cited as “The Corporation of the City of Enderby Development Applications Procedures Bylaw No. 1586, 2016”.

2. INTERPRETATION

- 2.1 Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein is a reference to an enactment of the Council of the City of Enderby, as amended, revised, consolidated or replaced from time to time.
- 2.2 If any section, subsection, sentence, clause or phrase of this Bylaw is held to be invalid by a court of competent jurisdiction, that section, subsection, sentence, clause or phrase, as the case may be, will be severed and the validity of the remaining portions of the Bylaw will not be affected.
- 2.3 The schedules attached to this Bylaw form part of this Bylaw.
- 2.4 The headings given to the sections and paragraphs in this Bylaw are for convenience of reference only. They do not form part of this Bylaw and will not be used in the interpretation of this Bylaw.

3. DEFINITIONS

In this Bylaw:

"Agricultural Land Commission" or **"ALC"** means the Agricultural Land Commission established by the *Agricultural Land Commission Act*.

"Agricultural Land Reserve" or **"ALR"** means lands designated pursuant to the *Agricultural Land Commission Act* to be preserved for agricultural uses or uses compatible with agricultural purposes. The Agricultural Land Commission decides on requests for exclusion, inclusion, subdivision, and non-farm use of land in the ALR.

"Applicant" means any person who makes application for development under provisions of this Bylaw as authorized by the owner of the parcel(s) of land.

"Board of Variance" means the City of Enderby Board of Variance established pursuant to the City of Enderby Board of Variance Bylaw No. 1373, 2005.

"Bylaw Enforcement Officer" means the officers, employees, or agents appointed by Council as such.

"Certified Irrigation Designer" means an Irrigation Designer certified by the Irrigation Industry Association of British Columbia (IIABC) in good standing with that association and operating in accordance with its Code of Ethics.

"Chief Administrative Officer" or **"CAO"** means the Chief Administrative Officer for the City of Enderby appointed by Council pursuant to Section 147 of the *Community Charter*, or the Chief Administrative Officer's designate.

"City" means the Corporation of the City of Enderby.

"Corporate Officer" means the employee appointed by Council pursuant to Section 148 of the *Community Charter*, or the Corporate Officer's deputy.

"Council" means the Council of the City of Enderby.

"Fees and Charges Bylaw" means the Fees and Charges Bylaw No. 1479, as amended from time to time.

"Development Variance Permit" means a permit authorized by Section 922 of the *Local Government Act*.

"Landscape Architect" means a registered Landscape Architect in good standing with the British Columbia Society of Landscape Architects (BCSLA) and acting in accordance with all applicable Acts and bylaws and policies of that Society.

"Land Use Contract" means a current Land Use Contract which is being amended, varied, or discharged as per Section 930 of the *Local Government Act*.

"Local Government Act" means the *Local Government Act* prior to the Statutory Revision which took effect on January 1, 2016.

"Lot" means a parcel of land, including Crown land, which is legally described either by registered plan or description.

"Official Community Plan" or **"OCP"** means the City of Enderby Official Community Plan Bylaw No. 1549, 2014, as amended from time to time.

"Owner" means the registered owner(s) of property as indicated on the Land Title Certificate.

“Phased Development Agreement” means an agreement authorized by Section 905.1 of the *Local Government Act*.

“Public Hearing” means a Public Hearing of Council pursuant to Section 890 of the *Local Government Act*.

“Qualified Environmental Professional” means an applied scientist or technologist, acting alone or together with another Qualified Environmental Professional, if:

- a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association’s code of ethics and subject to disciplinary action by that association;
- b) the individual’s area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal; and
- c) the individual is acting within that individual's area of expertise.

"Qualified Registered Professional" means person who has a valid license from or a registration by an applicable professional association or professional regulatory organization and is presently a member in good standing.

"Site" means an area of land consisting of a Lot, or two or more abutting Lots.

“Temporary Use Permit” means a permit authorized by Section 921 of the *Local Government Act*.

"Zoning Bylaw" means City of Enderby Zoning Bylaw No. 1550, 2014 as amended from time to time.

4. GENERAL PROVISIONS

4.1 MAKING APPLICATION

4.1.1 General Requirements for All Applications

In addition to application requirements found elsewhere in this Bylaw, the following is required for all applications made under this Bylaw:

- a. An application made pursuant to this Bylaw will be made to the Chief Administrative Officer and will be executed in writing by the Owner(s) of the land that is subject to the application, or by a person authorized by the Owner(s).
- b. If there is a change of ownership of a Lot that is the subject of an application pursuant to this Bylaw, the City will require an updated title certificate and written authorization from the new Owner(s) prior to proceeding with the application.
- c. An application made pursuant to this Bylaw will be submitted to the City on the prescribed application form approved by the Chief Administrative Officer and will include an application fee, payable to the City, in accordance with the Fees and Charges Bylaw.

4.1.2 Application Requirements and Processing

- a. An application for an amendment to the Official Community Plan, Zoning Bylaw, or a Land Use Contract amendment or discharge will be made and processed substantially as outlined in Schedule '1' of this Bylaw.
- b. An application for a Development Variance Permit will be made and processed substantially as outlined in Schedule '2' of this Bylaw.
- c. An application for a Temporary Use Permit will be made and processed substantially as outlined in Schedule '3' of this Bylaw.
- d. An application in respect of land within the Agricultural Land Reserve will be made and processed substantially as outlined in Schedule '4' of this Bylaw.
- e. An application for a Phased Development Agreement will be made and processed substantially in accordance with Schedule '5' of this Bylaw.

4.2 COUNCIL'S RIGHT TO POSTPONE

Council may, by resolution, agree to postpone consideration of individual amendments to the Official Community Plan Bylaw or the Zoning Bylaw until completion of any major review that the said Bylaw may be undergoing at the time of the request.

4.3 DELEGATION OF AUTHORITY

Pursuant to Section 154 (1) (b) of the *Community Charter*, Council delegates to the Chief Administrative Officer the duties and powers of Council as follows:

4.3.1 Form and Content of Application Forms

The Chief Administrative Officer may designate the form and content of application forms and in so doing may prescribe different forms for different categories of applications based on the nature or complexity of the application.

4.3.2 Development Approval Information

The powers of Council under Section 920.1 of the *Local Government Act* to require development approval information in respect of an application made under this Bylaw. Development approval information required under this Section will be provided by the applicant at the applicant's expense.

4.3.3 Performance Security

The powers of Council under Section 925 of the *Local Government Act* to require security as a condition of the issuance of a Development Variance Permit or Temporary Use Permit in accordance with Section 4.6 of this Bylaw.

4.3.4 Council Reconsideration

- a. Within fourteen (14) business days of being notified in writing of the decision of the Chief Administrative Officer to require Development Approval Information or to require security as a condition of the issuance of a Development Variance Permit or Temporary Use Permit, the applicant may, and at no charge, request Council to reconsider the decision.
- b. For a request under Section 4.3.4.(a), the applicant must give notice in writing to the Corporate Officer setting out the grounds on which the Owner considers the decision to be inappropriate and what decision Council ought to use as a substitute.
- c. The Corporate Officer will notify the Chief Administrative Officer of a request for reconsideration and the Chief Administrative Officer will, prior to the date of the meeting at which the reconsideration will occur, provide a written report to Council setting out the reasons for the decision.
- d. The Corporate Officer will place each request for reconsideration on the agenda of a regular, open meeting of Council upon receiving all relevant information, unless the closed meeting provisions of the *Community Charter* apply, in the sole determination of the Corporate Officer.
- e. The Corporate Officer will notify the applicant of the date of the meeting at which reconsideration will occur. The applicant will be given an opportunity to make representation before Council with respect to the reconsideration.

- f. Council will either confirm the decision of the Chief Administrative Officer or substitute its own decision.
- g. In a reconsideration, Council's decision is final.

4.4 DEVELOPMENT APPROVAL INFORMATION

4.4.1 Where the OCP specifies circumstances or designates areas of “development approval information”, the Chief Administrative Officer may require in writing that the applicant provides development approval information in a report that is certified by a Qualified Registered Professional and complies with and fully addresses the terms of reference which are provided by the Chief Administrative Officer in accordance with Section 4.4.4 of this Bylaw, which may include:

- a. Identifying and defining the context, interaction, scope, magnitude and significance of the anticipated impacts of the activity or development on the site, area, and/or community, as well as the data and methodological accuracy, assumptions, uncertainties, acceptability thresholds, and how the anticipated impacts may cumulatively contribute to existing risks, stressors, and threats;
- b. Providing recommendations for conditions or requirements that may be imposed to mitigate or ameliorate the anticipated impacts; and
- c. Providing recommendations and detailed costs for modifications to the environment, or construction of works, to mitigate or ameliorate the anticipated impacts.

4.4.2 Pursuant to Section 920.1 of the *Local Government Act* and the Official Community Plan, and without limiting any power or ability expressed elsewhere, the City may require an applicant to provide reports and impact studies including but not limited to the following:

- a. Environmental Impact Assessment;
- b. Environmental Management Plan;
- c. Biophysical Constraints;
- d. Geotechnical Study;
- e. Transportation and Traffic Impact Study;

- f. Site Access and Servicing (including sensitive habitat and natural hazards, accessibility, energy and water conservation);
- g. Visual Impact Assessment;
- h. Stormwater Management Study;
- i. Wildfire Hazard Assessment;
- j. Biological Assessment;
- k. Functional Servicing Report;
- l. Tree Assessment Study;
- m. Demand for Local Community Service Study; and
- n. Other Studies as deemed necessary.

4.4.3 Where applicable, an assessment required under this Section must make recommendations on measures to mitigate and to compensate for any impacts identified.

4.4.4 The applicant will be required to work with the City to review and confirm the terms of reference for the report or impact study.

4.4.5 The applicant will be required to provide the reports and studies prepared by Qualified Registered Professionals at the applicant's expense and in accordance with the terms of reference for the report or study. The City may require an independent review of the study at the applicant's expense, in certain circumstances including but not limited to: Staff expertise, Staff capacity, and to ensure the timely review of the study results. The applicant will be notified if an independent review is required and will be provided a cost estimate prior to the independent review proceeding.

4.4.6 If it is determined by the Chief Administrative Officer that a report or study containing development approval information is incomplete or deficient, the applicant will be notified in writing of the nature of the deficiencies and the timeframe to submit the revised report or study.

4.4.7 The City may request, at the applicant's expense, the presentation of the report or study to Council, the public, and/or Staff by the Qualified Registered Professional(s) that prepared the document.

- 4.4.8** The City may at its sole discretion make available to any person or the public more generally, all or part of a report, study, or independent review required under this part, consistent with applicable legislation.

4.5 PLANS COMPLETED BY A REGISTERED PROFESSIONAL

- 4.5.1** Where a development proposal indicates a building that meets any of the following criteria, all building plans, elevations and floor plans must be completed by a registered architect or engineer in good standing and licensed to practice in BC:

- a. The building footprint exceeds 600 m²;
- b. The building height exceeds three storeys;
- c. The building is used for Assembly Occupancies, including but not limited to theatres, churches, community halls, restaurants, schools and arenas;
- d. The building is used for Care and Detention Occupancies, including but not limited to prisons, hospitals and nursing homes;
- e. The building is used for High Hazard Occupancies, including but not limited to spray painting operations, waste paper processing plants, chemical plants and bulk plants for flammable liquids; or
- f. The building requires firewalls as provided for in the BC Building Code with a common egress system for occupants.

4.6 PERFORMANCE SECURITY

4.6.1 Form of Security

Security will be in the form of a cash deposit, certified cheque, or an irrevocable letter of credit, effective for a period to be determined by the Chief Administrative Officer. Such irrevocable letter of credit will be clean and unconditional, automatically renewing and redeemable at a financial institution acceptable to the City, and may be subject to additional conditions to be specified by the Chief Administrative Officer. Security will be required prior to the issuance of a permit.

4.6.2 Amount of Security

The amount of security will be calculated using:

- a. An estimate or quote provided at an applicant's expense by a professional qualified to undertake or supervise the works for which the securities are required; and
- b. The Chief Administrative Officer may require the applicant to obtain a second quote from a qualified professional of the Chief Administrative Officer's choosing, at the applicant's expense; or
- c. Such methodologies as the Chief Administrative Officer may prescribe from time to time.

4.6.3 Conditions of Security

Where security is a condition of a permit,

- a. In the case of a condition in a permit respecting landscaping works, the amount will be 125% of the cost of the works, including inspections, monitoring and maintenance, paid in full prior to permit issuance.
- b. In the case of an unsafe condition that might result from a contravention of a permit condition, the amount of security will reflect the nature of the permit condition, the nature of the unsafe condition, and the cost to the City of entering on the land, undertaking work to correct the unsafe condition, including the cost of repairing any damage to land and improvements that may have been caused by the unsafe condition or that may have occurred in connection with the repair work.
- c. In the case of damage to the natural environment that might result from a contravention of a permit condition, the amount will reflect the nature of the permit condition, the nature of the damage, and the cost to the City of entering on the land, correcting the damage to the environment, and restoring or enhancing the natural environment to compensate for the damage that has been caused by the contravention of the permit condition.
- d. Where security is required pursuant to Sections 4.6.3 (b) and (c) of this Bylaw, the City will return to the applicant the entirety of the security deposit, and any accrued interest equivalent to the interest rate charge on the City's operating bank account, upon receipt of a Letter of Assurance from a Qualified Registered Professional certifying that the unsafe condition or damage to the natural environment has been corrected, less the value of any expenditure incurred by the City pursuant to Section 4.6.3 (b) and (c) of this Bylaw.

- e. Where security is required as a condition of a permit as per Section 4.6.3 (a), the following will also apply:
 - i. The landscape works (including irrigation) will be considered substantially complete upon receipt of letters or statements from a Landscape Architect or Certified Irrigation Designer which certify that the landscape and irrigation works have been completed in accordance with the approved permit.
 - ii. Upon substantial completion, the City will return to the applicant ninety percent (90%) of the security deposit. The City may withhold the remaining ten (10) percent for up to two (2) growing seasons.
 - iii. At least one (1) year after substantial completion of the landscape works, the City may return the remainder of the security deposit on the condition that a letter or statement has been submitted by a Landscape Architect certifying that the landscaping remains in substantial compliance with the approved permit.

4.7 NOTICE OF DECISION

Written notice of a Council decision will be mailed or otherwise delivered by the Corporate Officer to an applicant at the address provided on the application form.

4.8 INCOMPLETE APPLICATIONS

If the Chief Administrative Officer determines that an application is incomplete, the applicant will be requested to provide the required information. If an applicant does not provide the required information within three (3) months of the request, the application and fee will be returned. An incomplete application is deemed not to have been received.

4.9 PERMIT RENEWALS, EXTENSIONS AND LAPSES

4.9.1 Permit Renewals and Extensions

- a. Applications to renew or to extend a Development Variance Permit or Temporary Use Permit must make application prior to the lapse of the permit.
- b. Applications to renew or to extend a Development Variance Permit or Temporary Use Permit will be made and processed substantially in accordance with Schedules '2' and '3' of this Bylaw, as applicable.

- c. A Development Variance Permit may only be renewed or extended three (3) times, with each individual renewal or extension not exceeding two (2) years in duration measured from the date of issuance of the permit by Council.
- d. A Temporary Use Permit may be renewed only once as provided for in Section 921 of the *Local Government Act*.

4.9.2 Permit Issuance and Lapse

- a. A Development Variance Permit and Temporary Use Permit are considered to have been issued upon the date of their authorization by Council.
- a. Subject to the terms of the permit, if the holder of a permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date it is issued, the permit lapses pursuant to Section 926 of the *Local Government Act*.

4.10 LAPSE OF APPLICATION

4.10.1 In the event that an application made pursuant to this Bylaw is one (1) year old or older and has been inactive for a period of six (6) months or greater:

- a. The application will be deemed to be abandoned;
- b. In the case of an amendment application, the Corporate Officer may place on the agenda of a meeting of Council a motion to rescind all readings of the bylaw associated with that amendment application.

4.10.2 Upon written request by the applicant prior to the lapse of the application, and subject to the payment of any applicable fees and charges, the Corporate Officer may extend the deadline for a period of six (6) months.

4.10.3 If a proposal under Schedules '1' or '3' is deemed to have lapsed prior to advertising, the applicable refund will be paid to the applicant in accordance with the Fees and Charges Bylaw.

4.10.4 For a lapsed application to proceed, a new application and fee will be required and the process restarted, and any readings associated with a bylaw that has not been adopted shall be considered repealed or rescinded notwithstanding any other Council resolution.

4.11 RE-APPLICATION

Where an application made pursuant to this Bylaw has been refused by Council, re-application will not be accepted for a six (6) month period immediately following the date of refusal, but this time period may be varied by an affirmative vote of at least 2/3 of Council, pursuant to Section 895 (3) of the *Local Government Act*.

4.12 BOARD OF VARIANCE

Board of Variance applications shall follow the regulations and process as outlined in the City of Enderby Board of Variance Bylaw No. 1373, 2005, as amended from time to time, and Sections 901 and 902 of the *Local Government Act*.

4.13 ENFORCEMENT

4.13.1 Inspection

The Chief Administrative Officer or any other authorized agent of the City is hereby authorized to enter at all reasonable times upon any premises to ascertain whether the regulations and provisions of this Bylaw are being, or have been met.

4.13.2 Offence

- a. Every person who violates a provision of this Bylaw commits an offence and is liable on summary conviction to a penalty not exceeding Ten Thousand Dollars (\$10,000.00) and the costs of prosecution.
- b. Each day a violation of the provisions of this Bylaw exists or is permitted to exist will constitute a separate offence.
- c. No person will interfere with or obstruct the entry of an authorized agent of the City onto any land or into any building to which entry is made or attempted pursuant to the provisions of this Bylaw.

5. APPLICATION FEES

5.1 APPLICATION FEE REQUIREMENT

- 5.1.1** At the time of application, the applicant will pay to the City any application fees in the amounts as set out in the Fees and Charges Bylaw.

- 5.1.2** Where one or more Public Information Meeting(s) is required, the applicant will pay all costs associated with the Public Information Meeting(s).
- 5.1.3** The fees prescribed in Fees and Charges Bylaw apply to each parcel of land for which the application is made, as follows:
- a. If an application involves two or more contiguous parcels of land, they will be treated as one proposal;
 - b. If an application involves two or more parcels of land that are not contiguous, they will be treated as separate applications and the fee prescribed in the Fees and Charges Bylaw applies to each parcel of land for which the application is made;
 - c. The Chief Administrative Officer, at his/her discretion, may waive the fee described in 5.1.3 (b) of this Bylaw if it is determined that the planning analyses for the two or more parcels of land that are not contiguous, are essentially similar, and do not represent a significant incremental cost to the City.

6. PUBLIC NOTIFICATION AND CONSULTATION

6.1 PUBLIC NOTIFICATION

6.1.1 Giving Notice

- a. In accordance with the *Local Government Act*, the City will mail or otherwise deliver individual notices to all Owners and tenants of the subject property for which an application is being made, and all Owners and tenants of all other properties within a distance of not less than 30 metres measured from the boundaries of any subject property to which the application pertains and which are located within City limits, advising of:
 - i. A scheduled Public Hearing for an Official Community Plan or Zoning Bylaw amendment, or Land Use Contract Discharge or Amendment;
 - ii. A scheduled Council meeting for considering a Development Variance Permit;
 - iii. A scheduled Council meeting for considering a Temporary Use Permit;
 - iv. A scheduled Council meeting for considering a Phased Development Agreement Bylaw; or

- v. A scheduled Board of Variance meeting to consider an application.
- b. The notification outlined in sub-section 6.1.1(a) is not required if 10 or more parcels owned by 10 or more persons are subject of the application.
- c. Individual notices will be mailed or otherwise delivered not less than ten (10) days prior to Council consideration of a Temporary Use Permit or Development Variance Permit, or the consideration of an application by the Board of Variance, and not less than ten (10) days prior to the holding of a Public Hearing for an Official Community Plan or Zoning Bylaw amendment, Land Use Contract Discharge or Amendment, or Phased Development Agreement.

6.2 PUBLIC HEARINGS

In accordance with the *Local Government Act*, the City will not adopt or amend an Official Community Plan Bylaw, Zoning Bylaw, Phased Development Agreement Bylaw or a Bylaw under Section 548 of the *Local Government Act* [early termination of Land Use Contracts] of the *Local Government Act*, or approve a permit, without first holding a Public Hearing on the bylaw or permit in order to allow the public to make representations to Council respecting matters contained in the proposed bylaw or permit.

6.2.1 Waiving of a Public Hearing

Pursuant to Section 890 (4) of the *Local Government Act*, the City may waive the holding of a Public Hearing for an application to amend the Zoning Bylaw, if the proposed bylaw is consistent with the Official Community Plan.

6.2.2 Giving Notice of a Public Hearing

In addition to the public notification requirements contained in Section 6.1 of this Bylaw, public notice of a Public Hearing to be held under Section 6.2 of this Bylaw must:

- a. State the following:
 - i. the time and date of the hearing;
 - ii. the place of the hearing;
 - iii. in general terms, the purpose of the bylaw;
 - iv. the land or lands that are the subject of the bylaw; and
 - v. the place where and the times and dates when copies of the bylaw may be inspected.

- b. Be published in at least 2 consecutive issues of a newspaper, the last publication to appear not less than 3 days and not more than 10 days before the public hearing, except for in the case of a Temporary Use Permit in which case the public notice must be published in a newspaper at least 3 days and not more than 14 days before the adoption of the resolution to issue the permit.
- c. Include a sketch that shows the area that is the subject of the bylaw alteration, including the name of adjoining roads if applicable, if the public notice is given in relation to a Temporary Use Permit or a bylaw which, i) proposes to alter the permitted use or density of any area, or ii) is a bylaw under section 548 of *the Local Government Act* [early termination of land use contracts]. If the location of the land can be clearly identified in the notice in a manner other than a sketch, it may be identified in that manner.

6.2.3 Obligation to Deliver Notice of Public Hearing

The obligation to deliver a notice under Section 6.2.2 of this Bylaw is satisfied if a reasonable effort was made to mail or otherwise deliver the notice, pursuant to Section 892 (6) of the *Local Government Act*.

6.2 PUBLIC INFORMATION MEETINGS

- a. Applicants are encouraged as a best practice to hold Public Information Meetings prior to a statutory Public Hearing or prior to the application being considered by Council to provide an opportunity for the public to access information about the proposal.
- b. Council may require an applicant to arrange and conduct a Public Information Meeting to the satisfaction of the City according to the following guidelines:
 - i. The location, time and duration of a Public Information Meeting shall be set in accordance with the intent to provide a reasonable opportunity for the public to access information and to inquire thoroughly about the proposal.
 - ii. Where a Public Information Meeting is required by Council, the applicant shall submit to the Corporate Officer a report summarizing the Public Information Meeting and providing, at a minimum, responses to the following questions:
 - Where was the meeting held?
 - At what time and for what duration was the meeting held?
 - How many people attended the meeting?

- How was the meeting advertised?
 - How were surrounding property owners notified of the meeting?
 - What information was provided at the meeting?
 - What specific concerns were expressed by the public, and what was the nature of the response given?
- c. The Corporate Officer shall advance the report of the Public Information Meeting to Council as part of a Statutory Public Hearing information package or otherwise as part of the information that Council will review when considering the application.

6.3 INTERNAL AND EXTERNAL REFERRAL PROCESS

- a. When reviewing applications, Staff may develop a referral list of agencies, organizations, levels of government, or internal departments to which the application may be sent for review and comment.
- b. Each agency, organization, level of government, or internal department will be given thirty (30) days, or less at the discretion of the Chief Administrative Officer, from receipt of the referral, to provide any comments. If after thirty (30) days, or fewer if referral period has been reduced at the discretion of the Chief Administrative Officer, the agency, organization, level of government, or internal department has not notified the City in writing about their concerns, the agency, organization, level of government, or internal department is considered to have no concern.
- c. The Chief Administrative Officer may grant an extension of up to thirty (30) days as requested by an agency, organization, level of government, or internal department as long as the request is made before the initial referral period has ended.

7. IRREGULARITY

- 7.1 The failure of Council to observe the provisions of this Bylaw does not affect the validity of resolutions passed or bylaws enacted by Council.

8. REPEAL AND EFFECTIVE DATE

8.1 This Bylaw repeals the "City of Enderby Land Use Procedures Bylaw No. 1116, 1994" and all amendments thereto.

8.2 This Bylaw comes into force and takes effect on the date of adoption.

READ a FIRST time this 18th day of January, 2016.

READ a SECOND time this 18th day of January, 2016.

READ a THIRD time this 18th day of January, 2016.

ADOPTED this _____ day of _____, 2016.

Mayor

Chief Administrative Officer

Schedule '1' - Applications for an Amendment to the Official Community Plan Bylaw, Zoning Bylaw or Land Use Contract Amendment or Discharge

This information is not regarded as the right to development approval if the steps indicated are followed.

1.0 APPLICATION REQUIREMENTS

- 1.1** Application requirements are specified in the City of Enderby Development Application Form.
- 1.2** Additional Development Approval Information may be required by the Chief Administrative Officer to adequately evaluate an amendment application, in accordance with Section 4.4 of this Bylaw.

2.0 PROCESSING PROCEDURES

An application for an amendment to the Official Community Plan, Zoning Bylaw, or a Land Use Contract amendment or discharge submitted in accordance with this Bylaw will be processed as follows:

- 2.1** The applicant will have a pre-application meeting to discuss the proposal and application requirements with Staff prior to submitting a formal application to the City.
- 2.2** Upon receipt of an application package submitted to the City in accordance with the requirements of this Bylaw, Staff will issue a fee receipt to the applicant.
- 2.3** Staff will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. Staff will open a file only upon receipt of a complete submission package.
- 2.4** Staff will review the proposal for compliance with relevant City bylaws and policies, and may meet with the applicant (as required). Staff may conduct a site visit(s) as part of the evaluation process.
- 2.5** Staff will refer the application to all applicable agencies, organizations, levels of government, and internal departments.
- 2.6** Staff may prepare a Comprehensive Letter(s), incorporating feedback received from the referral process to identify preliminary development conditions/requirements which will be sent to the applicant to:
 - 2.6.1** Resolve conditions/requirements identified in the Comprehensive Letter(s);

- 2.6.2** Submit any necessary reports/studies; and
- 2.6.3** Complete any required approvals.
- 2.7** Staff will prepare a Staff report for Council's consideration, incorporating feedback received from the referral process.
- 2.8** Staff will mail or otherwise deliver notices to adjacent property owners as per Section 6.1.1 of this Bylaw and as per requirements of the *Local Government Act*.
- 2.9** Staff will give notice of a Public Hearing as per Section 6.2.2 of this Bylaw and as per requirements of the *Local Government Act*.
- 2.10** The applicant is encouraged to attend the Council meeting at which the application will be considered.
- 2.11** Council will receive the Staff report, and if Council decides to proceed with the amendment application, the amending bylaw(s) may be given first and second readings. Council may alternatively decide to postpone or deny the application.
- 2.12** Should the bylaw(s) receive first and second readings, a Public Hearing will be held to allow the public to comment on the application and notice of the Public Hearing will be given pursuant to Section 6.2.2 of this Bylaw and the *Local Government Act*.
- 2.12.1** In accordance with Section 890(4) of the *Local Government Act* and Section 6.2.1 of this Bylaw, Staff may include a request in the Staff report for first and/or second reading of a Zoning Bylaw amendment bylaw(s) for Council to consider waiving the Public Hearing if the proposed bylaw(s) is consistent with the Official Community Plan.
- 2.13** Following the close of the Public Hearing, Council may proceed with third reading of the amending bylaw(s) (including the imposition of conditions), postpone or deny the application. Upon third reading, an amendment bylaw(s) may need to be referred to the relevant provincial minister(s) for signature before proceeding to adoption.
- 2.14** Once the applicant has adequately addressed all of the conditions identified (if any), and the bylaw(s) has received signatures from any relevant provincial minister(s), Council will consider the adoption of the bylaw(s).
- 2.15** The Corporate Officer will notify the applicant in writing of the decision of Council.

Schedule '2' - Applications for a Development Variance Permit

This information is not regarded as the right to development approval if the steps indicated are followed.

1.0 APPLICATION REQUIREMENTS

- 1.1** Application requirements are specified in the City of Enderby Development Application Form.
- 1.2** Additional information may be required by the Chief Administrative Officer to evaluate adequately and to make a recommendation to Council concerning a Development Variance Permit, in accordance with Section 4.4 of this Bylaw.

2.0 PROCESSING PROCEDURES

A Development Variance Permit application submitted in accordance with this Bylaw will be processed as follows:

- 2.1** The applicant will have a pre-application meeting to discuss the proposal and application requirements with Staff prior to submitting a formal application to the City.
- 2.2** Upon receipt of an application package submitted to the City in accordance with the requirements of this Bylaw, Staff will issue a fee receipt to the applicant.
- 2.3** Staff will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. Staff will open a file only upon receipt of a complete submission package.
- 2.4** Staff will review the proposal for compliance with relevant City bylaws and policies, and may meet with the applicant (as required). Staff may conduct a site visit(s) as part of the evaluation process.
- 2.5** Staff will refer the application to all applicable agencies, organizations, levels of government, and internal departments.
- 2.6** Staff may prepare a Comprehensive Letter(s), incorporating feedback received from the referral process to identify preliminary development conditions/requirements which will be sent to the applicant to:
 - 2.6.1** Resolve conditions/requirements identified in the Comprehensive Letter(s);
 - 2.6.2** Submit any necessary reports/studies; and

- 2.6.3** Complete any required approvals.
- 2.7** Staff will mail or otherwise deliver notices to adjacent property owners as per Section 6.1.1 of this Bylaw and as per requirements of the *Local Government Act*.
- 2.8** Staff will prepare a Staff report for Council's consideration, incorporating feedback received from the referral process.
- 2.9** The applicant is encouraged to attend the meeting of the Council at which the application is being considered.
- 2.10** Council will receive Staff report, and Council may grant the requested permit, or may postpone or deny the application.
- 2.11** The Corporate Officer will notify the applicant in writing of the decision of Council.
- 2.12** If a Development Variance Permit is granted, a Notice of Permit will be registered on the title of the property at the Land Title Office by Staff.

Schedule '3' - Applications for a Temporary Use Permit

This information is not regarded as the right to development approval if the steps indicated are followed.

1.0 APPLICATION REQUIREMENTS

- 1.1** Application requirements are specified in the City of Enderby Development Application Form.
- 1.2** Additional information may be required by the Chief Administrative Officer to evaluate adequately and to make a recommendation to Council concerning a Development Variance Permit, in accordance with Section 4.4 of this Bylaw.

2.0 PROCESSING PROCEDURE

A Temporary Use Permit application submitted in accordance with this Bylaw will be processed as follows:

- 2.1** The applicant will have a pre-application meeting to discuss the proposal and application requirements with Staff prior to submitting a formal application to the City.
- 2.2** Upon receipt of an application package submitted to the City in accordance with the requirements of this Bylaw, Staff will issue a fee receipt to the applicant.
- 2.3** Staff will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. Staff will open a file only upon receipt of a complete submission package.
- 2.4** Staff will review the proposal for compliance with relevant City bylaws and policies, and may meet with the applicant (as required). Staff may conduct a site visit(s) as part of the evaluation process.
- 2.5** Staff will refer the application to all applicable agencies, organizations, levels of government, and internal departments.
- 2.6** Staff may prepare a Comprehensive Letter(s), incorporating feedback received from the referral process to identify preliminary development conditions/requirements which will be sent to the applicant to:
 - 2.6.1** Resolve conditions/requirements identified in the Comprehensive Letter(s);
 - 2.6.2** Submit any necessary reports/studies; and

- 2.6.3** Complete any required approvals.
- 2.7** Staff will prepare a Staff report for Council's consideration, incorporating feedback received from the referral process.
- 2.8** Staff will mail or otherwise deliver notices to adjacent property owners as per Section 6.1.1 of this Bylaw and as per requirements of the *Local Government Act*.
- 2.9** Staff will give notice of a Public Hearing as per Section 6.2.2 of this Bylaw and as per requirements of the *Local Government Act*.
- 2.10** The applicant is encouraged to attend the Council meeting at which the application will be considered.
- 2.10** Council will receive Staff report, and Council may grant the requested permit, or may postpone or deny the application.
- 2.11** The Corporate Officer will notify the applicant in writing of the decision of Council.
- 2.12** If a Temporary Use Permit is granted, a Notice of Permit will be registered on the title of the property at the Land Title Office by Staff.

Schedule '4' - Applications under the Agricultural Land Commission Act

This information is not regarded as the right to development approval if the steps indicated are followed.

1.0 APPLICATION REQUIREMENTS

Please review the Agricultural Land Commission's (ALC) "Applicant Information Package" (available at www.alc.gov.bc.ca) prior to submitting an application to the City. This package contains details on ALC application requirements as well as the ALC process for issuing approvals.

An application under Section 30(4) of the *Agricultural Land Commission Act* for exclusion of land from the ALR requires evidence that all registered owners of land that share a common boundary with the property under application, including Owners of property separated by a public road have been served a signed copy of the application (note that these requirements exceed ALC notification requirements).

2.0 PROCESSING PROCEDURES

An application under the *Agricultural Land Commission Act* submitted in accordance with this Bylaw will be processed as follows:

- 2.1** The applicant will have a pre-application meeting to discuss the proposal and application requirements with Staff prior to submitting a formal application to the City.
- 2.2** Upon receipt of an application package submitted to the City in accordance with the requirements of this Bylaw, Staff will issue a fee receipt to the applicant.
- 2.3** Staff will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. Staff will open a file only upon receipt of a complete submission package.
- 2.4** Staff will review the proposal for compliance with relevant City bylaws and policies, and may meet with the applicant (as required). Staff may conduct a site visit(s) as part of the evaluation process.
- 2.5** Staff will refer the application to all applicable agencies, organizations, levels of government, and internal departments.
- 2.6** Staff may prepare a Comprehensive Letter(s), incorporating feedback received from the referral process to identify preliminary development conditions/requirements which will be sent to the applicant to:

- 2.6.1** Resolve conditions/requirements identified in the Comprehensive Letter(s);
 - 2.6.2** Submit any necessary reports/studies; and
 - 2.6.3** Complete any required approvals.
- 2.7** Staff will prepare a Staff report for Council's consideration, incorporating feedback received from the referral process.
- 2.8** The applicant is encouraged to attend the Council meeting at which the application will be considered.
- 2.9** Council will receive the Staff report. If the proposal triggers Sections 25 (3) or 30(4) of the *Agricultural Land Commission Act*, Council will consider the technical report and may:
 - 2.9.1** Authorize the application to proceed to the ALC; or
 - 2.9.2** Not authorize the application to proceed to the ALC.
- 2.10** If Sections 25 (3) or 30(4) of the *Agricultural Land Commission Act* are not triggered by the proposal, Council may make a recommendation(s) for ALC consideration.
- 2.11** The Corporate Officer will notify the applicant in writing of the decision of Council.
- 2.12** If the application is authorized by Council, Staff will forward a Local Government Report, including the complete application, Staff report and Council resolution to the ALC for consideration.

Schedule '5' - Applications for a Phased Development Agreement

This information is not regarded as the right to development approval if the steps indicated are followed.

1.0 APPLICATION REQUIREMENTS

Prior to the preparation of any Phased Development Agreement documents, an applicant subject to this schedule must first submit a request for Council's authorization to proceed with a Phased Development Agreement. The request must include, but will not be limited to, the following:

- 1.1 A State of Title certificate, printed within ninety (90) days before making application, for all properties subject of the application;
- 1.2 Owner's Authorization (where applicable);
- 1.3 A letter of request outlining the subject property(s), including legal descriptions, and an outline of the proposed development;
- 1.4 A map illustrating the subject property(s);
- 1.5 A terms of reference for the Phased Development Agreement addressing those items required under the applicable provisions of the *Local Government Act*.

2.0 PROCESSING PROCEDURES

A Phased Development Agreement application submitted in accordance with this Bylaw will be processed as follows:

- 2.1 The applicant will have a pre-application meeting to discuss the proposal and application requirements with Staff prior to submitting a formal application to the City.
- 2.2 Upon receipt of an application package submitted to the City in accordance with the requirements of this Bylaw, Staff will issue a fee receipt to the applicant.
- 2.3 Staff will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. Staff will open a file only upon receipt of a complete submission package.
- 2.4 Staff will review the proposal and work with the applicant as necessary to prepare a report for Council's authorization to proceed with the preparation of a Phased Development Agreement.

- 2.5** Council will consider the Staff report and may consider whether to authorize, authorize with conditions, or deny the preparation of a Phased Development Agreement.
- 2.6** If authorized, Staff will work with the applicant to prepare a draft Phased Development Agreement, which may require additional supporting information.
- 2.7** Staff will refer the draft Phased Development Agreement to all applicable agencies, organizations, levels of government, internal departments, and the City's solicitor.
- 2.8** Staff will prepare a Staff report incorporating feedback received from the referral process, accompanied by the draft Phased Development Agreement, for Council's consideration.
- 2.9** The applicant is encouraged to attend the Council meeting at which the application will be considered.
- 2.10** Council will receive the Staff report, and if Council decides to proceed with the application, the Phased Development Agreement bylaw will be given first and second readings (including the placement of conditions, where appropriate). Council may alternatively decide to defer, postpone or deny the application.
- 2.11** Should the bylaw receive first and second readings, a Public Hearing will be held to allow the public to comment on the application and notice of the Public Hearing will be given pursuant to Section 6.2.2 of this Bylaw and the *Local Government Act*.
- 2.12** Following the close of the Public Hearing, Council will consider the bylaw and may proceed with third reading, defer, postpone or deny the application.
- 2.13** Once the applicant has adequately addressed all of the conditions identified (if any), Council will consider the adoption of the bylaw.
- 2.14** The Corporate Officer will notify the applicant in writing of the decision of Council.
- 2.15** If approved, notice of the Phased Development Agreement will be registered on Title.

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1587

A bylaw to amend Intermunicipal Emergency Operations Service Bylaw No. 1462, 2010, as amended by Intermunicipal Emergency Operations Service Amending Bylaw No. 1491, 2011

WHEREAS the Council of the City of Enderby enacted the *Intermunicipal Emergency Operations Service Bylaw No. 1462, 2010* to establish an intermunicipal scheme in relation to Emergency Operations Services with other intermunicipal participants and to approve the 2010 Agreement dated June 1st, 2010 which was attached to and formed part of the 2010 Bylaw in accordance with powers granted to the participants under the *Community Charter* and *Local Government Act*;

AND WHEREAS in 2014 all of the Intermunicipal Participants agreed to replace the 2010 Agreement with a new 2014 Agreement;

AND WHEREAS the Intermunicipal Participants wish to terminate the Intermunicipal Emergency Operations Service as of December 31, 2016;

NOW THEREFORE the Council of the City of Enderby ENACTS AS FOLLOWS:

Citation

1. This bylaw shall be cited for all purposes as "*Intermunicipal Emergency Operations Service Amending Bylaw Number 1587, 2016.*"

Definitions and Interpretation

2. In this amending bylaw:

(a) "**2014 Agreement**" means the Intermunicipal Emergency Operations Service Agreement dated for reference December 8, 2014 and entered into by all of the Intermunicipal Participants;

(b) "**Bylaw**" means the *Intermunicipal Emergency Operations Service Bylaw No. 1462, 2010*, as amended by *Intermunicipal Emergency Operations Service Amending Bylaw No. 1491, 2011*;

(c) "**Intermunicipal Participant**" means, subject to section 3 of this bylaw, the City of Vernon, District of Coldstream, Village of Lumby, Township of Spallumcheen, City of Armstrong, City of Enderby, and Regional District of North Okanagan.

Amendment

3. The Bylaw, as amended, is further amended as follows:

(a) by deleting the content of section 7 and substituting the words "The Intermunicipal Service is terminated as of December 31, 2016.";

(b) in Schedule A, by the amendments to the 2014 Agreement that are set out in Addendum 1 to this bylaw.

Agreement

4. The City of Enderby enters into and the Mayor and Corporate Officer are authorized to execute an agreement containing the amendments to the 2014 Agreement, which amendments are attached to and form part of this bylaw as set out in Addendum 1 to this bylaw.

READ A FIRST TIME the	18 th	day of	January, 2016
READ A SECOND TIME the	18 th	day of	January, 2016
READ A THIRD TIME the	18 th	day of	January, 2016
ADOPTED the		day of	

Mayor

Corporate Officer

ADDENDUM 1

Amendments to Intermunicipal Emergency Operations Service Agreement dated for reference December 8, 2014 (the "Agreement")

The Agreement is amended as follows:

1. in section 4.11, by deleting paragraph (a) and substituting the following:

“(a) act in accordance with the approved 2016 Financial Plan;”
2. by deleting section 5.5 in its entirety, and substituting the following:

“5.5 The Parties agree that in order to operate the Intermunicipal Services Vernon will provide support by appointing one or more of its employees to coordinate the Intermunicipal Services and to take such actions as the Manager deems necessary to complete the cessation of the service in relation to the termination agreed to by the Parties”;
3. by adding a new section 5.16 as follows:

“5.16 The Manager must report to the Parties on or before November 1, 2016 with respect to the particulars of the termination of the Service;
4. in section 6.8, by deleting the words “prior to the end of February in each calendar year” and substituting the words “prior to the end of March 1, June 1, September 1 and December 1 of 2016, as applicable and in accordance with the Financial Plan”;
5. in section 6.9, by deleting the words “prior to March 31 of each calendar year during the term of this Agreement” and substituting the words “prior to the end of March, June, September and December of 2016, as applicable and in accordance with the Financial Plan”;
6. in section 12.1, by deleting “five years from the date of the making of this Agreement, provided that this Agreement may be renewed by mutual agreement in writing” and substituting “December 31, 2016”;
7. by deleting section 12.2 in its entirety, and substituting the following:

“12.2 This Agreement is terminated on December 31, 2016”.

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

Agenda

To: Tate Bengtson, CAO
From: Jennifer Bellamy, CFO
Date: January 25, 2016
Subject: Disclosure of Contracts - Council

RECOMMENDATION

THAT Council receives and files this memorandum

BACKGROUND

Section 107 of the Community Charter requires that any contract entered into by the City that would provide a member of Council with a direct or indirect financial interest be reported at a Council meeting that is open to the public.

During the said period, the City of Enderby entered into the following contracts:

Oct 1, 2015 - Dec 31, 2015

Council Member	Supplier	Amount
Councillor Baird	Baird Bros Ltd.	\$28,525.12
Mayor McCune	GTI Petroleum	\$4,320.05

Respectfully submitted,


Jennifer Bellamy
Chief Financial Officer

Agenda

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Assistant Corporate Officer and Planning Assistant
Date: January 25, 2016
Subject: Digital Billboard Sponsorship Application - Enderby & District Museum Society

RECOMMENDATION


THAT Council considers the Enderby & District Museum Society's sponsorship application valued at \$2,100 in-kind.

BACKGROUND

The Enderby & District Museum Society has submitted a Digital Billboard Sponsorship Application and is requesting an in-kind sponsorship valued at \$2,100 (3 weeks of advertising) for messaging related to the promotion of museum events and programming.

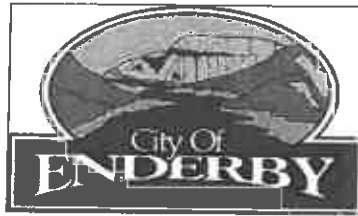
The Enderby & District Museum Society is a not-for-profit society and therefore qualifies for a digital billboard sponsorship from Council.

Respectfully Submitted,



Kurt Inglis
Assistant Corporate Officer and Planning Assistant

619 Cliff Avenue
P. O. Box 400
Enderby, B. C. V0E 1V0



The Corporation of the City of Enderby
Top of the Okanagan

Tel: (250) 838-7230
Fax: (250) 838-6007
Website: www.cityofenderby.com

Digital Billboard Sponsorship Application

Please Note: This form must be submitted at least 60 days prior to the requested start date of initial messaging.

Name of Organization/Society:

Enderby & District Museum Society

Name of Applicant:

Naomi Fournier

Phone Number:

250-838-7170

Email:

enderbymuseum@gmail.com

Nature of Messaging:

(community events, programming,
announcements, etc.)

Museum events and programming

Annual Sponsorship Needs:

1 week in February for Heritage
Week/Night programming; 1 week
in November for AGM; 1 week
in spring/summer for fundraising event.

Requested Value of Sponsorship:

\$ 2,100.00

(NOTE: Each message will be displayed for a minimum of one week, which may be non-consecutive days, to a maximum of three weeks. One week of messaging = \$700 in-kind value.)

Naomi K. Fournier
Signature of Applicant

20 January 2016
Date

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Tate Bengtson, Chief Administrative Officer
 From: Kurt Inglis, Assistant Corporate Officer and Planning Assistant
 Date: January 27, 2016
 Subject: Regional Parkland Legacy Fund/Service

RECOMMENDATION

THAT Council continues to support parkland activities at the local authority and sub-regional parks service level;

AND THAT Council does not support the establishment of a Regional Parkland Legacy Fund/Service given the sufficiency of the existing, established mechanisms at the local authority and sub-regional parks service level;

AND THAT Council considers addressing truly regional parkland acquisition opportunities through participation in property-specific regional services, rather than an on-going general service;

AND THAT Council directs Staff to advance the attached, completed Regional Parkland Legacy Consensus Matrix to the Regional Planning Projects Manager.

BACKGROUND

In 2013, the Regional District of North Okanagan Board of Directors endorsed undertaking a Regional Parks Legacy Fund Feasibility Study as the fourth Regional Growth Strategy priority implementation initiative; it was contemplated that such a fund could act as a mechanism to provide a local and regional government with the opportunity to:

- Acquire large landscapes of regional and local value;
- Protect the integrity of watersheds;
- Build a network of regional park sites and areas for wildlife;
- Enhance quality of life, tourism and recreation opportunities, and understanding of the natural environment; and
- Partner with land stewardship organizations and senior levels of government to pool financing resources and leverage funding.

Following this endorsement from the Board of Directors, a letter was sent to the member municipalities of the Regional District of North Okanagan requesting feedback regarding the conditions under which they may consider a Regional Parkland Legacy Fund/Service. At its Regular Meeting of March 16, 2015, Enderby City Council considered this request and resolved to advise the Regional District of North

Okanagan that the City of Enderby is supportive of exploring the concept of a parkland legacy fund that balances regional and sub-regional initiatives.

Following the receipt of feedback from the member municipalities, the Board of Directors directed Regional District Staff to develop a consensus matrix for a Regional Parkland Legacy Fund/Service, the purpose of which would be to determine if there is a level of support for such an initiative at a regional level.

The attached Regional Parkland Legacy Consensus Matrix frames a series of questions related to the following topic areas:

1. Potential activities which could become a part of a Regional Parkland Legacy Fund/Service;
2. Service establishment options; and
3. Funding mechanisms.

Below is an overview of the questions posed within the Regional Parkland Legacy Consensus Matrix, along with Staff feedback:

Table 1: Are you interested in any of the following activities for a Regional Parkland Legacy?

1. *Regionally significant parkland acquisition*

This activity is adequately addressed at the inter-municipal and sub-regional parks service level. Truly regional parkland acquisition opportunities are anomalies that are better addressed through property-specific regional services, rather than an on-going general service that may not be tailored to the particular needs.

2. *Regionally significant trail acquisition*

This activity is adequately addressed at the inter-municipal and sub-regional parks service level. Truly regional parkland acquisition opportunities are anomalies that are better addressed through property-specific regional services, rather than an on-going general service that may not be tailored to the particular needs.

3. *Open space, wildlife and habitat conservation*

As this is not a regional matter, it is better addressed at the local authority, inter-municipal, or sub-regional parks service level.

4. *Crown land grants, leases and purchases*

This activity is adequately addressed at the local authority, inter-municipal, or sub-regional parks service level.

5. *Bequeathed Parkland*

This activity is adequately addressed at the local authority, inter-municipal, or sub-regional parks service level.

Table 2: If there is general support/areas of shared interest within Table 1, what service establishment options are you in support of?

1. *Expand existing service to include sub-regional parkland acquisition*

This option is redundant with existing sub-regional parks services.

2. *Establish a separate Regional Parks Service*

Given the proposed activities outlined in Table 1 of the consensus matrix, there appears to be a limited need for a separate Regional Parks Service. Truly regional parkland acquisition opportunities are anomalies that are better addressed through property-specific regional services, rather than an on-going general service that may not be tailored to the particular needs.

Table 3: If there is general support/areas of shared interest within Tables 1 & 2, what funding mechanisms are you in support of?

1. *No taxation - ability to accept donations/gifts of land and develop partnerships with non-government organizations*

Such a funding mechanism is more appropriate at the local authority or sub-regional parks service level.

2. *Taxation - parcel tax (e.g. \$1.00 per parcel)*

Given the position outlined in Tables 1 and 2, this funding mechanism does not seem appropriate.


3. Taxation - (e.g. \$0.02 per \$1,000.00 property tax assessment values)

Given the position outlined in Tables 1 and 2, this funding mechanism does not seem appropriate.

4. Development Cost Charges

Development Cost Charges are already collected at the sub-regional parks level.

Respectfully Submitted,



Kurt Inglis
Assistant Corporate Officer and Planning Assistant

Table 1. Consensus Matrix- Regional Parkland Legacy					
Activities					
Are you interested in any of the following activities for a Regional Parkland Legacy?					
Member Municipality / Electoral Area	1. Regionally significant parkland acquisition	2. Regionally significant Trail acquisition	3. Open space, wildlife and habitat conservation	4. Crown land grants, leases and purchases	5. Bequeathed Parkland
City of Armstrong					
District of Coldstream					
City of Enderby	This activity is adequately addressed at the inter-municipal and sub-regional parks service level. Truly regional parkland acquisition opportunities are anomalies that are better addressed through property-specific regional services, rather than an on-going general service that may not be tailored to the particular needs.	This activity is adequately addressed at the inter-municipal and sub-regional parks service level. Truly regional parkland acquisition opportunities are anomalies that are better addressed through property-specific regional services, rather than an on-going general service that may not be tailored to the particular needs.	As this is not a regional matter, it is better addressed at the local authority, inter-municipal, or sub-regional parks service level.	This activity is adequately addressed at the local authority, inter-municipal, or sub-regional parks service level.	This activity is adequately addressed at the local authority, inter-municipal, or sub-regional parks service level.
Village of Lumby					
Township of Spallumcheen					
City of Vernon					
Electoral Area B					
Electoral Area C					
Electoral Area D					
Electoral Area E					
Electoral Area F					

Table 2. Consensus Matrix - Regional Parkland Legacy Service Establishment

If there is general support / areas of shared interest within Table 1, what Service Establishment options are you in support of?		
Member Municipality / Electoral Area	Expand existing service to include sub-regional parkland acquisition	Establish a separate Regional Parks Service
City of Armstrong		
District of Coldstream		
City of Enderby	This option is redundant with existing sub-regional parks services.	Given the proposed activities outlined in Table 1 of the consensus matrix, there appears to be a limited need for a separate Regional Parks Service. Truly regional parkland acquisition opportunities are anomalies that are better addressed through property-specific regional services, rather than an on-going general service that may not be tailored to the particular needs.
Village of Lumby		
Township of Spallumcheen		
City of Vernon		
Electoral Area B		
Electoral Area C		
Electoral Area D		
Electoral Area E		
Electoral Area F		

Table 3. Consensus Matrix - Regional Parkland Legacy Funding Mechanisms

If there is general support / areas of shared interest within Tables 1 & 2, what Funding Mechanisms are you in support of?				
Member Municipality / Electoral Area	No taxation-ability to accept donations / gifts of land & develop partnerships with non-government organizations	Taxation- parcel tax (e.g. \$1.00 per parcel)	Taxation- (e.g. \$0.02 per \$1000.00 property tax assessment values)	Development costs charges
City of Armstrong				
District of Coldstream				
City of Enderby	Such a funding mechanism is more appropriate at the local authority or sub-regional parks service level.	Given the position outlined in Tables 1 and 2, this funding mechanism does not seem appropriate.	Given the position outlined in Tables 1 and 2, this funding mechanism does not seem appropriate.	Development Cost Charges are already collected at the sub-regional parks level.
Village of Lumby				
Township of Spallumcheen				
City of Vernon				
Electoral Area B				
Electoral Area C				
Electoral Area D				
Electoral Area E				
Electoral Area F				



REGIONAL DISTRICT OF NORTH OKANAGAN

MEMBER MUNICIPALITIES:

CITY OF ARMSTRONG
DISTRICT OF COLDSTREAM
CITY OF ENDERBY

VILLAGE OF LUMBY
TOWNSHIP OF SPALLUMCHEEN
CITY OF VERNON

ELECTORAL AREAS:

"B" – SWAN LAKE
"C" – B.X. DISTRICT
"D" – LUMBY (RURAL)

"E" – CHERRYVILLE
"F" – ENDERBY (RURAL)

OFFICE OF: PLANNING DEPARTMENT

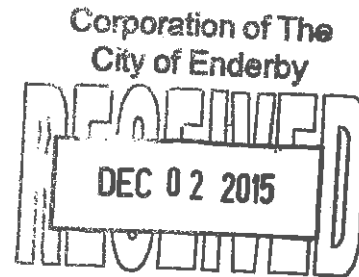
OUR FILE No.: 3045.01.02

December 1, 2015

City of Enderby
PO Box 400
Enderby, BC V0E 1V0

Dear Mayor and Council:

Re: Regional Parkland Legacy Fund



The Board of Directors endorsed undertaking a Regional Parks Legacy Fund Feasibility Study as the fourth Regional Growth Strategy priority implementation initiative for 2013.

A number of discussions have occurred over the past two years in regards to the establishment of a Regional Parkland Legacy Fund with varying levels of interest and support.

At the May 6, 2015 Regular Meeting of the Board of Directors a resolution was passed that staff develop a consensus matrix for a Regional Parkland Legacy Fund as part of the Regional Growth Implementation Plan process. The purpose of the matrix is to determine if there is a nexus of interests that would allow continued discussions to further develop the concept of a Regional Parkland Legacy Fund/Service or obtain feedback to conclude this initiative and not pursue the matter any further.

The Board of Directors passed the following resolution on November 4, 2015:

"That the Regional Parkland Legacy Consensus Matrix be referred to member municipal Councils and the Electoral Area Advisory Committee for consideration"

The Board discussed the above resolution as an opportunity for the municipalities and electoral areas to fill in the matrix to see if there is some level of support at a regional level.

Attached to this letter is the October 2, 2015 staff report regarding a Regional Parkland Legacy Fund and Consensus Matrix. Staff are looking for feedback from the member municipalities and Electoral Area Advisory Committee by February 28, 2016.

If you have any questions or require further information, please contact Laura Frank at (250) 550-3768 or laura.frank@rdno.ca.

Yours truly;

Laura Frank
Regional Planning Projects Manager
/f

Regional District of North Okanagan
9848 Aberdeen Road
Coldstream, BC V1B 2K9

Phone: 250-550-3700
Fax: 250-550-3701
Web: www.rdno.ca
E-Mail: info@rdno.ca

REPORT

File No.: 3045.01.04

**Regional Growth Management Advisory Committee
Planning Department**

DATE: October 2, 2015

SUBJECT: Regional Parkland Legacy Consensus Matrix

RECOMMENDATION:

That, upon review and discussion of the Regional Parkland Legacy Consensus Matrix, if there is preliminary support for a Regional Parkland Legacy Fund/Service, it be recommended to the Board of Directors, the Regional Parkland Legacy Consensus Matrix be referred to member municipal Councils and the Electoral Area Advisory Committee for completion.

DISCUSSION:

The Board of Directors endorsed undertaking a Regional Parks Legacy Fund Feasibility Study as the fourth Regional Growth Strategy priority implementation initiative for 2013.

A number of discussions have occurred over the past two years in regards to the establishment of a Regional Parkland Legacy Fund with varying levels of interest and support. Most recently, the Board of Directors passed the following resolution on February 4, 2015:

That a letter be sent to Member Municipalities and the Electoral Areas requesting under which conditions they may consider a legacy fund.

At the April 15, 2015 regular meeting of the Regional Growth Management Advisory Committee (RGMAC) three letters were presented and received for information including:

- February 16, 2015 letter from the Regional Growth Strategy Coordinator which contained the February 4, 2015 Board resolution requesting the identification of conditions that municipalities and electoral areas may consider a legacy fund.
- March 18, 2015 letter from the Village of Lumby which contained the following resolution:
That the Village of Lumby opt out of the current model proposed by the RDNO regarding the Regional Legacy Parks Fund.
- March 24, 2015 letter from the City of Enderby which contained the following resolution:
That the Regional District of North Okanagan be advised that the City of Enderby is supportive of exploring the concept of a parkland legacy fund that balances regional and sub-regional initiatives.

Following the April 15, 2015 RGMAC meeting two additional letters were received in regards to the February 16, 2015 letter from the Regional Growth Strategy Coordinator. One from the City of Vernon which contained the following resolution:

That Council not support the establishment of a Regional Parkland Legacy Fund.

The second letter came from the City of Armstrong which contained the following resolution:

That the City of Armstrong supports the Regional Parkland Legacy Fund in principal with consensus of all participants on all projects undertaken and that we see a funding model prior to final approval.

*The above noted letters are attached to this report as **Schedule A**.

During the April 15, 2015 RGMAC meeting a discussion ensued regarding setting up a service culminating in a resolution that staff develop a consensus matrix for a Regional Parkland Legacy Fund as part of the Regional Growth Implementation Plan process. At the May 6, 2015 Regular Meeting of the Board of Directors the following resolution was passed:

That staff develop a consensus matrix for a Regional Parkland Legacy Fund as part of the Regional Growth Implementation Plan process.

Schedule B, attached to the Planning Department report dated October 2, 2015 is a consensus matrix which is to be reviewed and discussed by the RGMAC. If there is preliminary support for a Regional Parkland Legacy it is recommended that the consensus matrix be referred to and filled out by the member municipalities and electoral areas. The matrix poses a series of questions with binary answers to assist in determining if there are any areas where consensus may be possible. The topic areas include activities which could become a part of a Regional Parkland Legacy Fund/Service; Service Establishment Options; and Funding Mechanisms. The RDNO recognizes there are multiple jurisdictions with various interests and therefore a need to find a nexus of agreement if this discussion is to proceed.

BACKGROUND/HISTORY:

To assist the Board of Directors in the discussion on how to proceed with RGS implementation in the short term, a RGS 2013 Action Planning Workshop was held at the November 8, 2012 Regional Growth Management Advisory Committee (RGMAC) meeting. The goal of this workshop was to identify a manageable number of new key projects that were to be included within the RGS 2013 Action Plan, based on identified issues, priorities, budgets and staff capacity.

The RGMAC selected four RGS implementation projects to be initiated in 2013, which in order of priority, were:

1. Regional Agricultural Area Plan, with a focus on economic development and long-term industry resilience;
2. In-kind support for regional economic development initiatives;
3. Regional Housing Needs Assessment, in partnership with the City of Vernon; and
4. **Regional Parks Legacy Fund Feasibility Study**

The Board of Directors endorsed these four RGS priority initiatives on January 2, 2013.

Many regional districts in British Columbia have created opportunities to steward, acquire and protect ecologically important, unique or regionally significant lands through a regional parks service. However, most local and regional governments have limited resources available for acquisition of parklands.

A regional parkland acquisition fund is a mechanism that can provide a local and regional government with the opportunity to:

- acquire large landscapes of regional and local value;
- protect the integrity of watersheds;

- build a network of regional park sites and areas for wildlife;
- enhance quality of life, tourism and recreation opportunities, and understanding of the natural environment; and,
- partner with land stewardship organizations and senior levels of government to pool financial resources and leverage funding.

SUMMARY:

The Board of Directors selected four priority RGS implementation items to be initiated in 2013, including determining the feasibility of establishing a Regional Parkland Legacy Fund. Support for the exploration of a regional parks service (including a regional parkland acquisition fund) has varied over the last two years. Some member municipalities and electoral areas have indicated interest in a Regional Parkland Legacy Fund/Service while other municipalities have indicated they are not currently interested in such a service.

At the May 6, 2015 regular meeting of the Board of Directors a resolution was passed that staff develop a consensus matrix for a Regional Parkland Legacy Fund as part of the Regional Growth Implementation Plan process. The purpose of the matrix is to determine if there is a nexus of interests that would allow continued discussion to further develop the concept of a Regional Parkland Legacy Fund/Service or conclude this initiative. The attached consensus matrix outlines activities which could become a part of a Regional Parkland Legacy Fund/Service; Service Establishment Options; and Funding Mechanisms.

Submitted by:



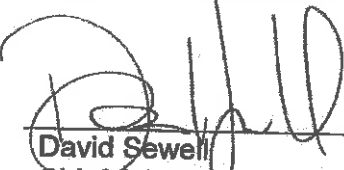
Laura Frank, MCIP, RPP
Regional Planning Projects Manager

Endorsed by:



Rob Smalles, MCIP, RPP
General Manager, Planning and Building

Approved for Inclusion:



David Sewell
Chief Administrative Officer



REGIONAL DISTRICT OF NORTH OKANAGAN

MEMBER MUNICIPALITIES:

CITY OF ARMSTRONG
DISTRICT OF COLDSTREAM
CITY OF ENDERBY

VILLAGE OF LUMBY
TOWNSHIP OF SPALLUMCHEEN
CITY OF VERNON

ELECTORAL AREAS:

"B" – SWAN LAKE
"C" – B.X. DISTRICT
"D" – LUMBY (RURAL)

"E" – CHERRYVILLE
"F" – ENDERBY (RURAL)

OFFICE OF: PLANNING DEPARTMENT

OUR FILE No.: 3045.12.03.09

February 16, 2015

«AddressBlock»

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Re: Regional Parkland Legacy Fund

The Board of Directors passed the following resolution on February 4, 2015:

"That a letter be sent to Member Municipalities and the Electoral Areas requesting under which conditions they may consider a legacy fund."

Further to the above resolution, the Board of Directors passed the following resolution on April 16, 2014:


"That the feasibility study for the establishment of a regional parkland legacy fund be deferred until the City of Vernon Parks Master Plan is completed."

Based upon the proposed City of Vernon Parks Master Plan timeline and anticipated date of completion, it is unlikely that this matter will be revisited until the third quarter of 2015 as a priority Regional Growth Strategy implementation project.

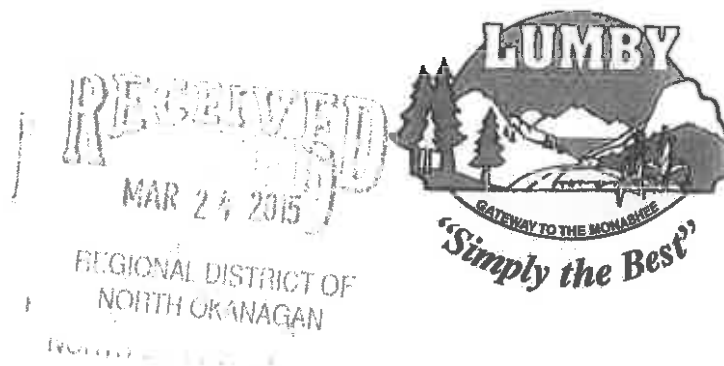
Attached to this letter are three staff reports in regards to a Regional Parkland Legacy Fund.

If you have any questions or require further information, please contact Rob Smailes at (250) 550-3736 or rob.smailes@rdno.ca.

Yours truly;


Anthony Kittel
Regional Growth Strategy Coordinator
/ab

March 18, 2015



Mr. Anthony Kittel
Regional Growth Strategy Coordinator
Regional District of North Okanagan
9848 Aberdeen Road
Coldstream, BC V1B 2K9

Dear Mr. Kittel:

Re: Regional Parkland Legacy Fund Support in Principle

The following Resolution was adopted at the March 16, 2015 regular meeting of Council:

15/068 Moved by Councillor Ostafichuk seconded by Councillor Pilon that the Village of Lumby opt out of the current model proposed by the RDNO regarding the Regional Legacy Parks Fund.

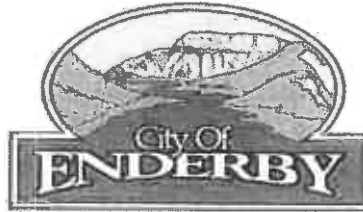
CARRIED

I hereby certify the above to be a true and correct copy of a resolution of the Council of the Village of Lumby adopted the 16th day of March 2015.

Tom Kadla
Corporate Officer

THE CORPORATION OF THE VILLAGE OF LUMBY

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The Corporation of the City of Enderby
Where the Shuswap Meets the Okanagan

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RECEIVED
MAR 27 2015

REGIONAL DISTRICT OF
NORTH OKANAGAN

March 24, 2015

Regional District of North Okanagan
9848 Aberdeen Road
Coldstream, BC V1B 2K9

Attn: Anthony Kittel, Regional Growth Strategy Coordinator

Dear Mr. Kittel:

Re: Regional Parkland Legacy Fund

Your correspondence of February 16, 2015 was presented to Council at the regular meeting of March 16, 2015.

Please be advised that Council resolved the following:

"THAT the Regional District of North Okanagan be advised that the City of Enderby is supportive of exploring the concept of a parkland legacy fund that balances regional and sub-regional initiatives"

Yours truly,

Tate Bengtson
Chief Administrative Officer



THE CORPORATION OF THE CITY OF VERNON

File: 6135-01

April 15, 2015

Mr. David Sewell, CAO
Regional District of North Okanagan
9848 Aberdeen Road
Coldstream, BC
V1B 1K9

Dear Mr. Sewell;

Re: Regional Parkland Legacy Fund

At their Regular Open Meeting held on April 13, 2015 Council for the City of Vernon discussed the above captioned issue in conjunction with Mr. Anthony Kittel, Regional Growth Strategy Coordinator's letter dated February 15, 2015 wherein Council was requested to 'provide conditions under which they would consider a legacy fund'. The following resolution was passed:

'THAT Council not support the establishment of a Regional Parkland Legacy Fund.'

CARRIED.'

Please see the enclosed staff report which will provide clarification as to the City of Vernon's position regarding this matter. Please contact Mr. Rob Miles, Manager Long Range Planning and Sustainability at 250-550-3247 or rmiles@vernon.ca should you have any questions regarding the staff report.

Thank you for providing the opportunity to consider this issue.

Yours truly

Patti Bridal, Corporate Officer
Director, Corporate Services

Enclosure

pc: R. Miles, Mgr Long Range Planning & Sustainability
W. Pearce, CAO, City of Vernon
T. Bengtson, CAO, City of Enderby, P.O. Box 400, Enderby, BC V0E 1V0
M. Stickney, CAO, City of Armstrong, P.O. Box 40, Armstrong, BC V0E 1B0
T. Kadla, CAO/Corporate Officer, Village of Lumby, P.O. Box 430, Lumby, BC V0E 2G0
K.A. Austin, Corporate Officer, District of Coldstream, 9901 Kalamalka Lake Rd, Coldstream, BC V1B 1L6
C. Paiement, CAO, Township of Spallumcheen, 4144 Spallumcheen Way, Spallumcheen, BC V0E 1B6



THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Will Pearce, CAO **FILE:** March 30, 2015

PC: Kim Flick, Director, Community Development **DATE:** 6135-01

FROM: Rob Miles, Manager, Long Range Planning and Sustainability

SUBJECT: REGIONAL PARKLAND LEGACY FUND

The Regional District of North Okanagan (RDNO) is exploring the feasibility of establishing a Regional Parkland Legacy Fund to acquire regionally significant parkland. Regional parks often complement a local parks system with larger outdoor recreation facilities, regional trails, passive outdoor recreation activities and environmentally sensitive lands that may otherwise not be possible to acquire with the resources available or within the jurisdiction of a single municipality.

The exploration of such a fund was first endorsed by the RDNO Board of Directors as one of the four Regional Growth Strategy (RGS) implementation initiatives for 2013, and its establishment would be consistent with several RGS priorities. If established, a Regional Parks Legacy Fund would be collected through taxation, either by parcel or assessment, on properties throughout the Regional District.

At its Regular Meeting of January 27, 2014, Council adopted the following resolution:

"THAT Council consider establishment of a Regional Parkland Legacy Fund by the Regional District of North Okanagan following conclusion of the City of Vernon Parks Master Plan and the establishment of the related Development Cost Charge bylaw for local parks."

A draft Parks Master Plan has since been developed. The adoption of the final plan is anticipated by October 2015. The completion of the associated Development Cost Charges (DCC) Bylaw is targeted for completion by April 2016.

On February 27, 2015, the City of Vernon received a letter from RDNO indicating that the following resolution was passed by the RDNO Board of Directors (see Attachment 1):

"THAT a letter be sent to Member Municipalities and the Electoral Areas requesting under which conditions they may wish to consider a legacy fund."

As indicated in the memorandum from the Manager of Long Range Planning and Sustainability dated January 15, 2014, entitled "Regional Parkland Legacy Fund", the concerns are as follows:

- *Distribution of proposed regional parkland:* while specific locations for regional parks funded by this proposed process have not been determined, it is unclear what

proportion of the proposed parks identified as part of that process would be located in or near Vernon, given the types of parks that would be acquired for a regional function. As Vernon makes up approximately 47% of the population of the Regional District, its residents would be the largest single contributor to the fund, and it is possible that most of the parkland acquired for this system would be beyond the reach of many Vernon residents.

- *A third level of parks administration:* While it is not known at this time how a regional parks function would be administered, establishment of such a system would result in a total of three levels of parks services within the Regional District of North Okanagan: regional (Regional District), subregional (Greater Vernon) and local (City of Vernon). Given that the subregional parks function is responsible for many types of parks that are typically managed by a regional function, the creation of a third level of parks services in the region may be redundant. Vernon residents also contribute taxes towards the Provincial parks system and forestry access points, as well as Crown Lands and other natural with public access. These types of lands could be considered a fourth and fifth administration level of parks and public lands within or near the Greater Vernon area.

What these two concerns have in common is the over-arching theme that Vernon already has, in addition to a local parks function, a subregional parks function that is responsible for several larger outdoor recreation facilities, regional trails, several environmentally sensitive lands and larger passive outdoor spaces in the city. This subregional parks function also ensures that its parks are relatively close to or within the City of Vernon, which could not be said of a larger regional function. It is also not clear what gaps there are in the subregional service that would be addressed by the creation of a new regional parkland service and the associated fund.

While the acquisition of additional parkland in the North Okanagan is desirable, it is not clear that a region-wide levy on properties is the most equitable method of realizing this vision. If it is RDNO's intent to continue with a subregional parks system for Greater Vernon, exploration of a similarly structured park system in other subregions of the RDNO may be another option to consider.

Recommendation:

THAT Council not support the establishment of a Regional Parkland Legacy Fund.



Rob Miles
Manager, Long Range Planning and Sustainability

Attachment 1: Letter dated February 16, 2015 from the Regional District of North Okanagan entitled Regional Parkland Legacy Fund.

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REGIONAL DISTRICT OF NORTH OKANAGAN

MEMBER MUNICIPALITIES:

CITY OF ARMSTRONG
DISTRICT OF COLDSTREAM
CITY OF ENDERBY

VILLAGE OF LUMBY
TOWNSHIP OF SPALLUMCHEEN
CITY OF VERNON

ELECTORAL AREAS:

"B" - SWAN LAKE
"C" - B.X. DISTRICT
"D" - LUMBY (RURAL)

"E" - CHERRYVILLE
"F" - ENDERBY (RURAL)

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Patti
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OFFICE OF: PLANNING DEPARTMENT

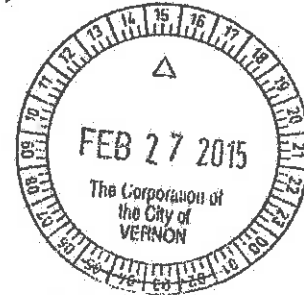
OUR FILE No.: 3045.12.03.09

February 16, 2015

City of Vernon
3400 30th Street
Vernon, BC V1T 5E6

Dear Sir or Madam:

Re: Regional Parkland Legacy Fund



The Board of Directors passed the following resolution on February 4, 2015:

"That a letter be sent to Member Municipalities and the Electoral Areas requesting under which conditions they may consider a legacy fund."

Further to the above resolution, the Board of Directors passed the following resolution on April 16, 2014:

"That the feasibility study for the establishment of a regional parkland legacy fund be deferred until the City of Vernon Parks Master Plan is completed."

Based upon the proposed City of Vernon Parks Master Plan timeline and anticipated date of completion, it is unlikely that this matter will be revisited until the third quarter of 2015 as a priority Regional Growth Strategy implementation project.

Attached to this letter are three staff reports in regards to a Regional Parkland Legacy Fund.

If you have any questions or require further information, please contact Rob Smailes at (250) 550-3736 or rob.smailes@rdno.ca.

Yours truly;


Anthony Kittel
Regional Growth Strategy Coordinator
/ab



City of Armstrong

3570 Bridge Street | PO Box 43 | Armstrong, BC V0E 1B0
P 250.546.3023 | F 250.546.3710 | info@cityofarmstrong.bc.ca

April 29, 2015

File No. 0210-00

David Sewell, CAO
Regional District of North Okanagan
9848 Aberdeen Road
Coldstream, BC V1B 2K9

Dear Mr. Sewell;

Re: Regional Parkland Legacy Fund

At their Regular Meeting of April 27, 2015, Council of the City of Armstrong reviewed your correspondence requesting under which conditions the City may consider establishing a Regional Parkland Legacy Fund. The following resolution was passed:

That the City of Armstrong supports the Regional Parkland Legacy Fund in principal with consensus of all participants on all projects undertaken and that we see a funding model prior to final approval.

We thank you for your letter and look forward to continued communication on the issue.

Sincerely,

Melinda Stickney
Chief Administrative Officer

cc: Terry Martens, Chief Financial Officer

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MAY 06 2015

REGIONAL DISTRICT OF
NORTH OKANAGAN

2015 Water Rate Analysis

Enderby's Rate Structure: A Balance of Principles

- Encourage conservation to defer infrastructure upgrades while distributing the tax burden over a greater number of customers to reduce the individual impact.
- Introduce concept fairness and equity – customers should pay for some degree of the volume of water that they consume.
- Ensure a financially sustainable utility. A reasonable rate structure, demand-side management, and prudent financial planning must work together to ensure that the utility is not in a structural deficit position.

What is Enderby's Rate Structure?

The rate structure blends a base allocation charge (fixed) and metered consumption rate (variable). The rate structure for a single-family residence is as follows:

- Base allocation of 180m³ per year.
- Base allocation charge is \$234 per year.
- This buys a share (an allocation) of water made available for consumption.
- The base allocation was never intended to indicate how much a residence *should* use.
 - It is designed to set an average volume based on a typical year and a typical home, following a reduction in consumption that is typically associated with metering water.
 - Some residences will use more water and some will use less water than the allocation volume. This does not necessarily mean that water is being wasted. The goal of the blended rate structure is to ensure that those who use less water than the allocation are not subsidizing 100% of the consumption of the larger water consumers, as happens under a flat rate.
- The metered consumption rate is \$1.30/m³ on any consumption over 45m³ in the first and third billing periods, and over 90m³ in the second (summer) billing period.

Other Elements of the Rate Structure

- There is a phased cap on consumption charges over a certain amount. This is designed to provide an adjustment period for the City's largest residential consumers. It will be phased out over the course of the adjustment period.
- As part of demonstrating the validity of its rate structure, the City committed to returning to its customers any amount collected over the revenue that it targeted to operate the water utility for 2015.

Consumption Trends and Analysis

- 68.3% of residential customers paid less for water in 2015 than they would have if the non-metered flat rate had been continued.
- Annual Base Allocation and Median Consumption (m³)

Type	Allocation	Median Consumption
Single Family	180	161
Multi Family	145	76
Strata	145	81
Single Family w/ suite	250	204

- Rate structure assumed a 15% reduction in consumption. This assumption was built in to protect against a revenue shortfall and a sudden increase the following year to make up the deficit.
- Residential water consumption decreased by 14%, which is generally consistent with the assumed reduction.
- Most of this decrease occurred among those properties consuming over two times the base allocation amount. If the 97 properties (out of 1,400 total) that used more than double the base allocation are excluded, the decrease is 1.2%.
 - The largest consumers of water appear to be adjusting their habits in a way that did not occur during the mock billing period. When a value is attached to the volume of water consumed, conservation occurs.
- When comparing the mock billing period to 2015, the percentage of residential customers entirely within the base allocation increased in every period.
- The percentage of residential households within the base allocation is highest (73%) in the summer period when the allocation is doubled. This implies that the summer allocation is generally sufficient for tending to an average lawn and garden.

Revenues

- 75.1% of revenue derived from a fixed source (the base allocation).
- 24.9% of revenue derived from a variable source (the metered consumption).
- The revenue target was \$459,309.
- The revenue collected was \$498,448.
- The hot, dry, weather conditions of 2015 and the actual decrease in consumption being slightly less than assumed were the main drivers behind the difference between the revenue target and actual amount collected.
- The primary source of the difference between the target and actual revenue was residential customers. Businesses were generally within their allocation.
- Council has committed to returning the difference, \$39,870, to customers.
- The actual revenue collected is generally consistent with the assumptions and targets. This suggests the rate structure may be valid for the longer term.

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Tate Bengtson, CAO
From: Jennifer Bellamy, CFO
Date: January 27, 2016
Re: 2015 Water Consumption and User Fee Revenue

Recommendation:

THAT Council directs staff to refund the difference between the targeted and actual metered water rate revenue for 2015 based on an equal amount to each residential customer;

AND THAT Council directs staff to review the metered rate structure for 2016 once the 2016 water fund budget is known.

Alternate Recommendation:

For rate refund:

THAT Council provides staff with additional direction for the refund of the metered water rate collection difference.

Background/Discussion:

The metered water rates were implemented, in part, to decrease water consumption in order to defer infrastructure upgrades while collecting sufficient revenue to operate the water system. With the final utility bills for 2015 sent out, staff are now able to prepare water revenue data based on actual usage. The 2015 Water Rate Analysis provided presents a summary of the following information.

Annual Usage

During the 2014 mock billing period, 59.1% of residents had water usage within the base allocation. For 2015, this increased to 65.2% of residents having water usage within the base allocation. Note that the allocation amount is based on the average consumption for a typical home in a typical year and assumes a reduction in consumption that typically occurs when metered rates are introduced. It does not represent what the water usage for a home should be as there will be homes that use over or under this amount. 68.3% of residences paid an amount equal to or less than what they would have if the non-metered flat rates were still in place.

Appendix A compares the 2015 residential consumption in each period to the mock billing year. In each period, the amount of customers within the base allocation increased over the previous year and the amount of customers who had water usage over two times the base allocation decreased.

The median residential consumption for 2015 was 161.05 m³ which was well under the annual base allocation of 180m³. The median consumption for each period was also under the base allocation for the period. The greatest range was in the summer period.

Metered Rate Revenue

Generally when metered water rates are introduced, customers reduce their consumption. A 15% reduction estimate was used to calculate the metered water rates. A reduction estimate is used to help ensure enough fees are collected to operate the system and to reduce the need for rate increases in the following year. Overall residential water usage for 2015 decreased by 14% from 2014, which was generally consistent with the reduction estimate. If the properties that used over two times the base consumption amount are removed (approximately 97 properties out of 1,400), the decrease in consumption is 1.2%. This is consistent with the fact that metered rates reduce consumption. As the higher users have a higher incentive to reduce their usage, this is where most of the reduction occurred.

As the regular household reduced its consumption by 1.2% the user fees generated an extra 8.7% (or \$39,870 over the targeted fees to operate the water system).

Metered Rate Refund

In 2014, Council committed to returning any surplus realized in 2015 from the metered rate structure to customers. This was in response to concerns of a potential over collection as a result of a rate structure that had not yet been validated.

A total of \$39,870 is available to refund. The surplus was realized primarily from residential customers and it would be appropriate to allocate the refund amongst the residential customers only. There are several ways that Council could provide this refund:

- Allocate the refund equally to all residential customers regardless of usage. This would provide each customer with a refund of \$26.39.
 - Advantages - least administrative cost to implement.
 - Disadvantages - provides every customer, even those with high usage, a refund. Although the high users reduced their consumption the most, they still use more water in one period than the majority do in a year.
- Allocate the refund to all residential customers inversely proportional to usage.
 - Advantages - can provide a larger refund to those who used less water and could provide an incentive to further reduce consumption.
 - Disadvantages - would require significantly more staff time to implement as the refund would need to be calculated manually for each individual customer. Depending on how the refund is structured, the higher water users could receive

less of a refund (if any) even though this group decreased their consumption significantly. It could be also be viewed as penalizing those with larger families as they will have higher consumption than the base amount.

- Allocate the refund to all residential customers proportional to usage.
 - Advantages - The refund would be provided to those who used above the base allocation, thus generating the additional revenue.
 - Disadvantages - would also require significantly more staff time to implement. It could be viewed as being unfair to those who may have been trying to conserve but were already under the base allocation.

Note that this refund was deemed appropriate for the first year of billing as the fee structure was new and the City did not yet have a complete year of usage data. This is not a sustainable practice on an ongoing basis, as if the water fund incurs a deficit, the rates will need to be increased to fund the deficit. Rate structures should be developed to sustain the system over the long term and will have years where user fees collected are higher and years that are lower; however, overall the fees collected should net out.

It is recommended that no changes are made to the rate structure until the 2016 budget is known. Once the amount that needs to be collected in order to run the water system is known, staff will be able to bring forward changes, if any, to the metered rates.

Respectfully submitted,



Jennifer Bellamy
Chief Financial Officer

City of Enderby
Residential Consumption Comparison
Appendix A

Consumption	Period 1		Period 2		Period 3		Annualized	
	2014	2015	2014	2015	2014	2015	2014	2015
Customers within base allocation	57.8%	59.8%	63.9%	72.9%	55.6%	62.9%	59.1%	65.2%
Between base allocation and flat rate equivalent	4.2%	3.9%	1.5%	1.3%	3.5%	4.2%	3.0%	3.1%
Between flat rate equivalent and 1.5x base allocation	16.3%	20.8%	14.5%	12.0%	18.2%	17.4%	16.4%	16.7%
Between 1.5x base allocation and 2x base allocation	10.8%	8.6%	9.5%	6.8%	11.6%	8.7%	10.6%	8.0%
Between 2x base allocation to maximum chargeable usage	8.5%	6.5%	9.5%	6.6%	10.4%	6.5%	9.5%	6.5%
Above maximum chargeable usage	2.4%	0.4%	1.1%	0.4%	0.7%	0.3%	1.4%	0.4%
Total	100%	100%	100%	100%	100%	100%	100%	100%

Single Family Homes:	Period 1		Period 2		Period 3		Annualized	
	2014	2015	2014	2015	2014	2015	2014	2015
Average usage (m ³)	60.43	50.32	112.55	96.29	56.98	47.98	229.96	194.59
Median usage (m ³)	44.85	43.48	85.78	75.79	46.39	41.78	177.02	161.05

Agenda

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Assistant Corporate Officer and Planning Assistant
Date: January 27, 2016
Subject: Terms of Reference for Spring Volunteer Fair

RECOMMENDATION

THAT Council considers and provides comment on the proposed Terms of Reference for a Spring Volunteer Fair.

BACKGROUND

At its Regular Meeting of January 18, 2016, Council discussed the coordination of a 'Volunteer Fair' which would be an event geared towards connecting potential volunteers with local groups/organizations who are in need of volunteers.

Staff have developed the following broad Terms of Reference for a Spring Volunteer Fair and are seeking feedback from Council:

1. Location

Enderby Seniors Centre

- Large enough to support a significant number of booths and attendees;
- Sufficient parking located on-site;
- Necessary equipment and supplies located on-site (tables, chairs, kitchen facility, PA system, etc.); and
- Close proximity to the downtown core.

2. Date and Time

The morning of the first or second Saturday in April (April 2 or 9, 2016)

- Consistent with Council direction to schedule the event in April; and
- Weekend date will help to maximize attendance.

NOTE*: Is Council aware of any events scheduled in the area which may conflict with either of the proposed dates?

3. Format

Open house format with each participating local group/organization setting up a booth and attendees being free to explore the booths at their leisure; the local groups/organizations will have an opportunity to connect with potential volunteers by answering questions, discussing opportunities, and distributing resources and literature.

4. Potential Groups/Organizations to Participate

The following is a list of potential groups/organizations who may wish to participate in the Spring Volunteer Fair:

- Enderby & District Arts Council
- Enderby & District Lions Club
- Enderby & District Volunteer Fire Department
- Feeding Enderby & District (FED) Food Bank
- Harvest Hut
- Enderby & District Community Resource Centre
- Enderby & District Museum Society
- Enderby & District Senior Citizens Society
- Royal Canadian Legion
- Splatsin
- Kingfisher Interpretive Centre
- Shuswap Trail Alliance
- Enderby Christmas Committee
- Canada Day Committee
- Parent Advisory Committees
- Enderby Library Friends (ELF)
- IODE - Lambly's Landing Chapter
- Partners in the Horn of Africa - Enderby
- Enderby Army Cadets
- Girl Guides of Canada
- Scouts Canada
- Okanagan Boys & Girls Club
- Enderby Minor Fastball Association
- North Okanagan Minor Hockey Association
- Shuswap Ringette
- Enderby & District Youth Soccer Association
- Enderby & District Curling Club

NOTE*: Staff are seeking feedback from Council regarding:

- a) Any additional groups/organizations not noted above who may wish to participate; and
- b) Whether Council would like to limit the event to Enderby-oriented groups/organizations with no express religious or political affiliations, or if it would like to broaden the event to also include national or provincial groups/organizations (i.e. Canadian Cancer Society, Alzheimer Society of BC, etc.) or groups/organizations with express religious or political affiliations.

5. Marketing

The following marketing strategies would be used to promote the details and purpose of the event:

- Submitting Press Releases to local news outlets;
- Creating a Facebook event and marketing it through the Our Enderby Facebook Page;
- Posting a notice on the City of Enderby website; and
- Posting a message on the City of Enderby's digital billboard.

Respectfully Submitted,



Kurt Inglis
Assistant Corporate Officer and Planning Assistant