

THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held on Monday, June 20, 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 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 Shishido, seconded by Councillor Case that the agenda be approved as circulated.

Carried

ADOPTION OF MINUTES

Regular Meeting Minutes of June 6, 2016

Moved by Councillor Baird, seconded by Councillor Shishido that the minutes of the regular meeting of June 6, 2016 be adopted as circulated.

Carried

PETITIONS AND DELEGATIONS

Kirstie Blanleil – Okanagan Boys and Girls Clubs

Re: After School Programs in Enderby

- Requesting funding to offer programs for a second day.
- Sharing of successes since last presentation to Council:
 - Annual report was circulated.
 - Support from elementary school – they have asked for another day of programming.
 - Recreation Services have been involved.
- Recreation Programs:
 - The focus is on providing a sense of belonging. A positive environment results in positive behavior.
 - All programs are provided free of charge. The United Way has been contributing to support the one day per week and the school is providing the space.
 - After school care focuses on leadership and recreation.
 - Boys and Girls Club is committed to continuing the one day programs regardless if additional funding request is successful.
 - Mental health programs are offered at the high school.
 - Federal funding for a summer student was successful. She is working with Recreation Services.

BUSINESS ARISING FROM THE MINUTES AND/OR UNFINISHED BUSINESS

Okanagan Boys and Girls Club – Request for Funding

Moved by Councillor Schreiner, seconded by Councillor Case that Council direct staff to explore partnership opportunities with Electoral Area F and local service groups to share funding cost for second day of programs to be provided by the Okanagan Boys and Girls Club.

Carried

DEVELOPMENT MATTERS**0011-16-DVP-END**

Lot 15, DL 336, (K(formerly O)DYD, Plan 12866 – 105 Riverdale Drive

Applicant: Patrick Woodford

The Assistant Corporate Officer and Planning Assistant introduced the application and presented his report.

Moved by Councillor Schreiner, seconded by Councillor Case that Council grant an exemption to Section 1401.3.b of the City of Enderby Zoning Bylaw No. 1550, 2014 for the property legally described as Lot 15, District Lot 226, Kamloops (formerly Osoyoos) Division Yale District, Plan 12866 and located at 105 Riverdale Drive to permit the Shuswap River floodplain setback area to be reduced from 30 m to 19.132 m for the construction of a single family dwelling, as shown on Schedule “A” with the condition that the applicant register a covenant as a priority charge on the title of the property to:

1. require the Covenantor to acknowledge and agree that the City of Enderby does not represent that any building or structure constructed in compliance with the covenant terms will not be damaged by flooding or erosion, and the Covenantor agrees not to claim damages or to hold the City of Enderby responsible for damages caused by flooding or erosion; and
2. require the Covenantor to indemnify and save harmless the City of Enderby from any claims, demands, actions, and costs associated with losses or damages occurring as a result of the breach of any provisions of the Covenant by the Covenantor.

Carried

The meeting gave way to a Public Hearing at 4:55 p.m.

Mayor McCune read the rules of the public hearing and introduced the following Temporary Use Permit Application:

001-16-TUP-END

Lot 3, Block 11, District Lot 150, Kamloops (formerly Osoyoos) Division Yale District, Plan 211A – 506 Cliff Avenue

Applicant: Jennifer and Edward Koochin

The Assistant Corporate Officer and Planning Assistant introduced the application and presented his report. Members of the public were invited to speak to the application:

The applicants, Jennifer and Edward Koochin addressed Council with their vision for the property:

- The revitalization of Cliff Avenue presented an opportunity to purchase this property for an entrepreneur venture.
- Corbilt will be leasing the main building and a temporary unit will be placed on the lot. It will only be temporary until they are able to afford to pave the property. It will be constructed as a permanent building, but will operate with a temporary use permit for now.
- The property is situated ideally for visibility of tourists and locals accessing the river.
- They will be offering ice cream as well as healthy snack options. They intend to bring health, fitness and adventure to Enderby.
- They are worried that the 120% removal condition may be daunting for them if quotes are high.

There were no other speakers or written submissions.

The Mayor read the closing statement of the Public Hearing.

The regular meeting resumed at 5:10 pm.

Moved by Councillor Baird, seconded by Councillor Schreiner that Council approve a Temporary Use Permit for the property legally described as Lot 3, Block 11, District Lot 150, Kamloops (formerly Osoyoos) Division Yale District, Plan 211A and located at 506 Cliff Avenue to permit a temporary building to be placed on the subject property until October 1, 2017 for the purposes of food service and retail sales, subject to the following conditions:

- a) Throughout the duration of the Temporary Use Permit, the applicant must provide adequate dust control measures for the subject property;
- b) Throughout the duration of the Temporary Use Permit, the applicant must ensure that particulate matter is not tracked onto Vernon Street beyond what is currently occurring;
- c) Throughout the duration of the Temporary Use Permit, the applicant must provide sufficient on-site garbage and recycling receptacles which are well-maintained;
- d) The applicant must provide security in the form of an irrevocable letter of credit, or a cash deposit, in the amount equal to 120% of the estimated costs of removing the temporary building from the subject property;
- e) The dimensions and siting of the temporary building and parking spaces shall be in general accordance with the attached Schedules “A” and “B”; and
- f) The Temporary Use Permit shall expire on October 1, 2017.

Carried

0001-16-OR-END

Lot 1, Section 26, Township 18, Range 9, W6M, KDYD, Plan 12549 – 141 Salmon Arm Drive
Applicant: Robert Toews

The Assistant Corporate Officer and Planning Assistant introduced the application and presented his report. A covenant restricting building height would protect the views of neighbours. Also, a covenant addressing fire flows would be required. The subdivision approving officer may impose requirements for adequate access as part of subdivision approval process.

Moved by Councillor Case, seconded by Councillor Baird that Zoning Bylaw Amendment Bylaw No. 1603, 2016 which proposes to rezone the property legally described as Lot 1, Section 26, Township 18, Range 9, W6M, KDYD, Plan 12549 and located at 141 Salmon Arm Drive from the Residential Single Family (R.1-A) zone to the Residential Apartment and Multi-Family (R.3) zone be given First and Second Reading and forwarded to a Public Hearing;

AND THAT, should Council adopt Zoning Bylaw Amendment Bylaw No. 1603, 2016 following the Public Hearing, the amendments shall be of no force or effect until a covenant is registered on the title of the property requiring any new development which increases its density to provide a report sealed by a qualified registered professional demonstrating that adequate fire flows are available to service the proposed building(s) prior to issuance of a Building Permit;

AND THAT, should Council adopt Zoning Bylaw Amendment Bylaw No. 1603, 2016 following the Public Hearing, the amendments shall be of no force or effect until a covenant is registered on the title of the property restricting the maximum height of apartment and multi-family buildings to 9 m (29.52 feet) or two (2) storeys except if the average natural slope of the lot exceeds five percent (5%), in which case the height of apartment and multi-family buildings shall not exceed a height of 7 m (22.97 feet) above the centre line of Salmon Arm Drive immediately adjacent to the centre of the front of the principal building.

Carried

Unconstructed Road Right of Way Access Area Permit – 16 and 24 Purnell Drive – Memo from Assistant Corporate Officer and Planning Assistant dated June 16, 2016

The Assistant Corporate Officer and Planning Assistant introduced the Unconstructed Road Right of Way Access Area Permit and presented his report.

Moved by Councillor Case, seconded by Councillor Shishido that Council direct Staff to issue an *Unconstructed Road Right of Way Access Area Permit* to Coleen and Delmar Purnell for 16 and 24 Purnell Drive, subject to the Purnell's registering a covenant on the title of 16 and 24 Purnell Drive which:

- i. States that the property cannot be further subdivided until such time as the entirety of Purnell Drive, to the extent of the property's northern boundary, is constructed to the City of Enderby's Subdivision Servicing and Development Bylaw standard (as shown on a reference plan to accompany the covenant);
- ii. Explicitly acknowledges the *Unconstructed Road Right of Way Access Area Permit* and states that access to the property is subject to the Permit; and
- iii. Indemnifies and saves harmless the City of Enderby from any loss, claim, damage or harm.

Carried

REPORTS**Building Permit Detail Report- May 2016**

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

Carried

NEW BUSINESS**Royal Canadian Legion – Road Closure Application**

Moved by Councillor Baird, seconded by Councillor Davyduke that the application be received and filed.

Carried

Enderby and District Chamber of Commerce – Road Closure Applications

Moved by Councillor Schreiner, seconded by Councillor Davyduke that the applications be received and filed.

Carried

Water Sustainability Act – Correspondence from Ministry of Environment dated June 9, 2016

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

Carried

Terms of Reference for Illegal Dumping Reporting Program – Memo from Assistant Corporate Officer and Planning Assistant dated June 15, 2016

Moved by Councillor Baird, seconded by Councillor Case that Council approve the proposed terms of reference for an Illegal Dumping Reporting Program as presented.

Carried

Municipal Security Issuing Resolutions – 2016 Fall Borrowing – Memo from Chief Financial Officer dated June 16, 2016

Moved by Councillor Shishido, seconded by Councillor Schreiner that Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the *2016 Fall Borrowing Session, Four Hundred Sixty-Seven Thousand Dollars* as authorized through *“Upgrades to Cliff Avenue Loan Authorization Bylaw No. 1590, 2016”* and that the *Regional District of North Okanagan* be requested to consent to our borrowing over a *twenty* year term and include the borrowing in their Security Issuing Bylaw.

Carried

PUBLIC QUESTION PERIOD

Jackie Pearase of Rivertalk queried whether the plaza area would be ready for heavy trucks in the Canada Day parade. The CAO confirmed that compression testing will determine whether the street can be opened, but, if the typical seven-day period is sufficient to meet the requirement, it would be opened for the parade.

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) (b), (f), (g), (i) and (k) of the *Community Charter*.

Carried

ADJOURNMENT

The regular meeting reconvened at 5:50 p.m.

Moved by Councillor Schreiner, seconded by Councillor Baird that the meeting adjourn at 5:50 p.m.

Carried

MAYOR

CHIEF ADMINISTRATIVE OFFICER