

THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held on Monday, March 5, 2018 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 Shawn Shishido

Chief Administrative Officer – Tate Bengtson
Planner and Deputy Corporate Officer – Kurt Inglis
The Press and Public

APPROVAL OF AGENDA

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

Carried

ADOPTION OF MINUTES

Regular Meeting Minutes of February 19, 2018

Moved by Councillor Case, seconded by Councillor Knust that the minutes of the regular meeting of February 19, 2018 be adopted as circulated.

Carried

DEVELOPMENT MATTERS

0014-18-DVP-END (Development Variance Permit)

- Lot E, Sec 27, Township 18, Range 9, W6M, KDYD, Plan 5293 Except: (1) Parcel G (DD 152175F and Plan B68998 (2) Plans 7600, 10853, 17166, 28974 and KAP46393 – 16 Purnell Drive;
- Parcel G (DD152175F and Plan B6998) of Lot E, Section 27, Township 18, Range 9, W6M, KDYD, Plan 5293 Except Plan KAp59464 – 24 Purnell Drive;
- Lot 1, Section 27, Township 18, Range 9, W6M, KDYD, Plan KAP46912 – 99 Gunter Ellison Road

Applicants: Del and Coleen Purnell
Co-Applicants: Dale Baker and Bonny Kilgour

The Planner introduced the application and reviewed his report.

The applicants declined to speak.

The Mayor invited comments from the public:

Judy Kniffen of 105 West Enderby Road stated that it makes sense to develop lot 1 in this manner further south. She queried about whether she could subdivide. She purchased her property because she liked the rural area. Concern was expressed about water run-off issues and underground water if more than one dwelling goes in. Suggested that a hydrologist be consulted if development in addition to what is currently being proposed occurs.

Alice Brown of 123 West Enderby Road does not have an issue with the variances, but is concerned about stream flow changes with development.

Del Purnell of 116 Purnell Drive (applicant) stated that drainage occurs from Twin Lakes and is a long-standing issue. He has sump pumps running in different places. The property experiences a lot of groundwater historically. Any development would be engineered.

Dusten Tulak of 121 West Enderby Road agreed with the comments from Ms. Kniffen and Ms. Brown regarding groundwater and surface run-off.

There were no other speakers.

Moved by Councillor Case, seconded by Councillor Knust that Council authorize the issuance of a Development Variance Permit for the property legally described as Lot E, Section 27, Township 18, Range 9, W6M, KDYD, Plan 5293 Except: (1) Parcel G (DD 152175F and Plan B6998), (2) Plans 7600, 10853, 17166, 28974 and KAP46393 and located at 16 Purnell Drive to permit variances to the following sections of the City of Enderby Zoning Bylaw No. 1550, 2014:

- Section 308.4.a by reducing the minimum front yard setback requirement for an accessory residential building from 8 m (26.25 feet) to 4.9 m (16.08 feet), as shown on the attached Schedule "A";
- Section 602.3 by increasing the maximum number of accessory residential buildings from two (2) to four (4), as shown on the attached Schedule "A";
- Section 1101.3.b.ii by reducing the minimum width of a private access driveway from 5.5 m (18.04 feet) for the first 6 m (19.68 feet) from the finished road surface, and 4 m (13.12 feet) thereafter, to 3 m (9.843 feet), as shown on the attached Schedule "A"; and
- Section 1101.3.b.iii by increasing the maximum slope of a private access driveway from 15% to 17.4%, as shown on the attached Schedule "A",

Subject to the owners of 16 Purnell Drive obtaining an *Unconstructed Road Right of Way Access Area Permit* from the City of Enderby to facilitate access to 16 Purnell Drive.

AND THAT Council authorize the issuance of a Development Variance Permit for the property legally described as Parcel G (DD 152175F and Plan B6998) of Lot E, Section 27, Township 18, Range 9, W6M, KDYD, Plan 5293 Except Plan KAP59464 and located at 24 Purnell Drive to permit variances to the following sections of the City of Enderby Zoning Bylaw No. 1550, 2014:

- Section 1101.3.b.ii by reducing the minimum width of a private access driveway from 5.5 m (18.04 feet) for the first 6 m (19.68 feet) from the finished road surface, and 4 m (13.12 feet) thereafter, to 3 m (9.843 feet), as shown on the attached Schedule "A"; and
- Section 1101.3.b.iii by increasing the maximum slope of a private access driveway from 15% to 17.4%, as shown on the attached Schedule "A",

Subject to the owners of 24 Purnell Drive obtaining an *Unconstructed Road Right of Way Access Area Permit* from the City of Enderby to facilitate access to 24 Purnell Drive.

AND THAT Council authorize the issuance of a Development Variance Permit for the property legally described as Lot 1, Section 27, Township 18, Range 9, W6M, KDYD, Plan KAP46912 and located at 99 Gunter Ellison Road to permit variances to the following sections of the City of Enderby Zoning Bylaw No. 1550, 2014:

- Section 701.9.e.v by reducing the minimum side yard setback requirement for an accessory building from 3 m (9.843 feet) to 1.7 m (5.577 feet), as shown on the attached Schedule "A"; and
- Section 1101.3.b.ii by reducing the minimum width of a private access driveway from 5.5 m (18.04 feet) for the first 6 m (19.68 feet) from the finished road surface, to 5 m (16.404 feet), as shown on the attached Schedule "A",

Subject to the owners of 99 Gunter Ellison Road indemnifying and saving harmless the City of Enderby from all costs, charges or damages which the City may incur or suffer by reason of the issuance of the Development Variance Permit described above.

AND THAT Council authorize the issuance of a Development Variance Permit for the properties legally described as, i) Lot E, Section 27, Township 18, Range 9, W6M, KDYD, Plan 5293 Except: (1) Parcel G (DD 152175F and Plan B6998), (2) Plans 7600, 10853, 17166, 28974 and KAP46393 and located at 16 Purnell Drive, and ii) Parcel G (DD 152175F and Plan B6998) of Lot E, Section 27, Township 18, Range 9, W6M, KDYD, Plan 5293 Except Plan KAP59464 and located at 24 Purnell Drive, to permit variances to the following sections of the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000:

- Section 2.0 of Schedule "A" and Schedule "B" by not dedicating and constructing Purnell Drive as a local road;
- Section 3.0 of Schedule "A" and Schedule "B" by not installing community water works within Purnell Drive;
- Section 4.0 of Schedule "A" and Schedule "B" by not installing community sanitary sewer works within Purnell Drive;
- Section 5.0 of Schedule "A" and Schedule "B" by not installing community storm drainage works within Purnell Drive;
- Section 6.0 of Schedule "A" and Schedule "B" by not providing street lighting along Purnell Drive; and
- Section 7.3 and 7.4 of Schedule "A" and Schedule "B" by not providing underground wiring for power, telephone and cablevision along Purnell Drive,

Subject to the owners of 16 and 24 Purnell Drive:

- i. Obtaining *Unconstructed Road Right of Way Access Area Permits* from the City of Enderby to facilitate access to 16 and 24 Purnell Drive;
- ii. Registering a covenant on the titles of 16 and 24 Purnell Drive which:
 - a. States that the property cannot be further subdivided until such time as the entirety of Purnell Drive, to the extent of its northern boundary, is constructed to the City of Enderby's Subdivision Servicing and Development Bylaw standard;

- b. Explicitly acknowledges the *Unconstructed Road Right of Way Access Area Permit* and states that access to the property is subject to the Permit; and
- c. Indemnifies and saves harmless the City of Enderby from any loss, claim, damage or harm.

AND THAT Council authorizes Staff to discharge the existing no-build covenant registered on the title of 24 Purnell Drive, subject to the owners of 16 and 24 Purnell Drive satisfying the requirements noted above.

AND THAT the minimum lot frontage requirement of Section 1101.1.b.i of the City of Enderby Zoning Bylaw No. 1550, 2014 be waived by permitting the frontage along proposed Lot 2 to be less than one-tenth of the perimeter of the parcel, as shown on the attached Schedule "A".

Carried

BYLAWS – 3rd Reading

Development Cost Charges Bylaw No. 1646, 2018

A bylaw to impose development cost charges

The Mayor invited comments from the public. There were no speakers and no written submissions were received.

Moved by Councillor Baird, seconded by Councillor Shishido that Development Cost Charges Bylaw No. 1646, 2018 be given third reading.

Carried

Development Cost Charges Waivers and Reductions Bylaw No. 1647, 2018

A bylaw to waive or reduce development cost charges

Moved by Councillor Shishido, seconded by Councillor Knust that Development Cost Charges Waivers and Reductions Bylaw No. 1647, 2018 be given third reading.

Carried

BYLAWS – 3 Readings

Parks, Recreation and Culture Fees Imposition Bylaw No. 1578, 2015 Amendment Bylaw No. 1649, 2018

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

Moved by Councillor Shishido, seconded by Councillor Baird that Parks, Recreation and Culture Fees Imposition Bylaw No. 1578, 2015 Amendment Bylaw No. 1649, 2018 be given three readings.

Carried

REPORTS

Councillor Knust

Interagency Meeting:

- Well attended with positive feedback.

- Nexus made a presentation and spoke about affordable housing in Enderby.
- Affordable housing is under discussion.
- Splatsin and RCMP were both in attendance.

Councillor Shishido

The water temperature and/or pressure of the showers at the arena are still an issue. The CAO offered to set up a meeting with Councillor Shishido and Parks staff to review the matter together.

NEW BUSINESS

City of Salmon Arm – Correspondence dated February 13, 2018

Re: Support for Flexible Ride-Sharing Regulation

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

Carried

Little Free Library Request – Literacy Alliance of the Shuswap Society – Memo from Planner and Deputy Corporate Officer dated March 1, 2018

Moved by Councillor Baird, seconded by Councillor Knust that Council support the request from the Literacy Alliance of the Shuswap Society to install a Little Free Library in the garden bed of the Cliff Avenue Breezeway, with location to be determined in consultation with the City's gardener;

AND THAT Council support the installation of Little Free Libraries on City property adjacent to the Enderby and District Chamber of Commerce and Enderby and District Community Resource Centre, subject to the Literacy Alliance of the Shuswap Society receiving support from these organizations and the proposed locations not creating any operational concerns.

Carried

PUBLIC QUESTION PERIOD

None.

CLOSED MEETING RESOLUTION

Moved by Councillor Shishido, seconded by Councillor Knust 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) (e) and (k) of the *Community Charter*.

Carried

ADJOURNMENT

The regular meeting reconvened at 5:55 p.m.

Moved by Councillor Case, seconded by Councillor Davyduke that the regular meeting adjourn at 5:55 p.m.

Carried

MAYOR

CHIEF ADMINISTRATIVE OFFICER