

**REGULAR MEETING OF COUNCIL  
AGENDA**

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**DATE:** Monday, November 4, 2019  
**TIME:** 4:30 p.m.  
**LOCATION:** Council Chambers, Enderby City Hall

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**1. APPROVAL OF AGENDA**

**2. ADOPTION OF MINUTES**

Regular Meeting Minutes of October 21, 2019

**P1**

**3. PUBLIC AND STATUTORY HEARINGS**

0006-19-OR-END ( Weighill & Wilson c/o Kerry Korberg)

Legal: Lot 2 District Lot 150 Kamloops (Formerly Osoyoos) Division Yale District  
Plan: 15492  
Address: 171 Brickyard Road, Enderby BC  
Owner: Tracey Wilson and George Weighill (Applicant: Kerry Korberg)

**4. PETITIONS AND DELEGATIONS**

Susan Ruck: Citizens on Patrol

**5. DEVELOPMENT MATTERS**

0006-19-OR-END (Weighill & Wilson c/o Kerry Korberg)  
City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw  
No. 1686, 2019 and City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No.  
1687, 2019  
*3<sup>rd</sup> Reading and Adoption*

**P5**

Legal: Lot 2 District Lot 150 Kamloops (Formerly Osoyoos) Division Yale District  
Plan: 15492  
Address: 171 Brickyard Road, Enderby BC  
Owner: Tracey Wilson and George Weighill (Applicant: Kerry Korberg)

0005-19-ZTA-END (0790768 B.C. LTD c/o Browne Johnson) **P28**  
City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1688, 2019  
*1<sup>st</sup> and 2<sup>nd</sup> readings*

Legal: Lot B District Lot 150 Kamloops (Formerly Osoyoos) Division Yale District  
Plan: 5784  
Address: 1900 George Street, Enderby BC  
Owner: 0790768 BC LTD (Applicant: Brown Johnson Land Surveyors)

0022-19-DVP-END (BMG Ventures c/o Central Hardware) **P41**

Legal: That Part of Lot 1 Shown on Plan B50 District Lot 226 Osoyoos Division Yale  
District Plan 151 Except Plans B133  
Plan: KAP75600 And KAP77022  
Address: 701 Bass Avenue, Enderby BC  
Owner: BMG Ventures Ltd. (Applicant : Central Hardware 2018)

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

**7. BYLAWS**

**8. REPORTS**

Mayor and Council **Verbal**

Area F Director **Verbal**

3<sup>rd</sup> Quarter 2019 Policing Report P55

**9. NEW BUSINESS**

2020-22 Gardens and Grounds Maintenance Contract P73  
Memo prepared by Chief Financial Officer dated October 30, 2019

Disclosure of Contracts – Council P74  
Memo prepared by Chief Financial Officer dated October 29, 2019

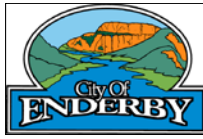
Regulation of Short-term Vacation Rentals P75  
Memo prepared by Planner and Deputy Corporate Officer dated October 31, 2019

**10. PUBLIC QUESTION PERIOD**

**11. CLOSED MEETING RESOLUTION**

Closed to the public, pursuant to Section 90 (1) (k) and 90 (2) (b) of the *Community Charter*

**12. ADJOURNMENT**



## THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held on Monday, October 21, 2019 at 4:30 p.m. in the Council Chambers of City Hall

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

Staff: Chief Administrative Officer – Tate Bengtson  
Chief Financial Officer – Jen Bellamy  
Planner and Deputy Corporate Officer – Kurt Inglis  
Recording Secretary – Laurel Grimm

Other: The Press and Public

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### **APPROVAL OF AGENDA**

Moved by Councillor Baird, seconded by Councillor Knust  
*“THAT the October 21, 2019 Council Meeting agenda be approved as circulated.”*

CARRIED

### **ADOPTION OF MINUTES**

Regular Meeting Minutes of October 7, 2019

Moved by Councillor Shishido, seconded by Councillor Case  
*“THAT the October 7, 2019 Council Meeting minutes be adopted as amended.”*

CARRIED

Public Hearing Report of October 7, 2019

Moved by Councillor Schreiner, seconded by Councillor Baird  
*“THAT the October 7, 2019 Public Hearing Report be adopted.”*

CARRIED

### **DEVELOPMENT MATTERS**

0006-19-OR-END (Korberg)

Legal: Lot 2 District Lot 150 Kamloops (Formerly Osoyoos) Division Yale District  
Plan: 15492  
Address: 171 Brickyard Road, Enderby BC  
Applicant: Kerry Korberg

City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1686, 2019

City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1687, 2019

Moved by Councillor Knust, seconded by Councillor Baird

*“THAT Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1686, 2019 be given First and second Readings and forwarded to a Public Hearing;*

*AND THAT Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1687, 2019 be given First and Second Reading and forwarded to a Public Hearing;*

*AND THAT Council directs Staff to send correspondence to the applicant advising them of the Fire Chief and Public Works Manager’s comments.”*

CARRIED

The Planner and Deputy Corporate Officer gave a synopsis of the report. The application received at this point is a conceptual drawing of the potential development. Prior to issuance of a building permit all requirements will need to be met.

**BUSINESS ARISING FROM THE MINUTES AND/OR UNFINISHED BUSINESS**

None

**BYLAWS**

City of Enderby 2020-2023 Tax Exemption Bylaw No. 1685, 2019

Moved by Councillor Schreiner, seconded by Councillor Davyduke

*“THAT Council adopt the City of Enderby 2020-2023 Tax Exemption Bylaw No. 1685, 2019.”*

CARRIED

**REPORTS**

Mayor and Council Reports

Councillor Case

Councillor Case brought up the Open House being hosted by Sperlich Log Construction Inc. on Friday, October 25, 2019. An invitation for Council to attend has been extended.

Councillor Davyduke

Councillor Davyduke attended the Fire Department Open House on October 12, 2019 and the Fire Training Centre Policy Board Meeting.

Councillor Shishido

Previously discussed in Committee of the Whole.

Councillor Baird

Councillor Baird had a resident inquire into what tax rate is used for the tax requisition and whether Area F pays the same rate. The Chief Financial Officer stated that the average home in Enderby pays \$65 and Area F pays \$59.

Councillor Knust

Councillor Knust requested costing on Christmas lights for City Hall and seasonal banners for downtown.

*Councillor Davyduke left the room (4:45 p.m.)*

*Councillor Davyduke entered the room (4:46 p.m.)*

Mayor McCune

The Enderby and District Lions Club is looking for donations to the Christmas Auction. Members of Council currently donate from their private businesses, so Council does not need to submit another entry.

Memorial Terrace will be holding an Open House on November 8, 2019 at 2:00 p.m.

Councillor Knust and Councillor Davyduke will read at the Remembrance Day ceremonies.

Ministry of Transportation and Infrastructure Public Open House on October 23, 2019 from 5:00 to 7:30 p.m.

Area F Director

Denis Delisle attended the Interface Fire Protection meeting which was very informative. Conversations surrounding better protection of our communities and clearing out interface forest. Tolko has stated that it is willing to clear out problem areas.

Mayor McCune asked staff to add Splatsin's progress on using its fuel treatment grant funds to the agenda for the upcoming Community-to-Community meeting.

RDNO Building Permit Summary for September 2019

Moved by Councillor Baird, seconded by Councillor Case

*"THAT Council receives and files the RDNO Building Permit Summary for September 2019."*

CARRIED

**NEW BUSINESS**

Fire Training Centre Grant Application Support

Moved by Councillor Schreiner, seconded by Councillor Shishido

*"THAT the City of Enderby approves the City of Vernon to be the primary applicant for, receive, and manage the grant funding on behalf of the partners to the Fire Training Centre for a regional application to the UBCM Community Emergency Preparedness Fund, Volunteer and Composite Fire Departments Equipment and Training Grant."*

CARRIED

2019 UBCM Convention

Moved by Councillor Baird, seconded by Councillor Shishido

*“THAT Council receives and files the 2019 UBCM Convention correspondence.”*

CARRIED

Corporation of the Village of Pouce Coupe

Moved by Councillor Case, seconded by Councillor Baird

*“THAT Council receives and files the Corporation of the Village of Pouce Coupe correspondence.”*

CARRIED

**PUBLIC QUESTION PERIOD**

Jaqueline Malkinson, Public Health Nurse, introduced herself to Council.

**CLOSED MEETING RESOLUTION**

Moved by Councillor Shishido, seconded by Councillor Baird (4:59 p.m.)

*“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) and 90 (2) (b) of the Community Charter.”*

CARRIED

**ADJOURNMENT**

Moved by Councillor Davyduke, seconded by Councillor Shishido

*“That the regular meeting of October 21, 2019 adjourn at 6:02 p.m.”*

CARRIED

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

Agenda

**CITY OF ENDERBY**  
**OFFICIAL COMMUNITY PLAN AMENDMENT AND REZONING APPLICATION**

File No: 0006-19-OR-END

October 17, 2019

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**APPLICANT:** Kerry Korberg

**OWNER(S):** George Weighill and Tracy Wilson

**LEGAL DESCRIPTION:** LOT 2 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 15492

**PID #:** 008-818-231

**LOCATION:** 171 Brickyard Road, Enderby BC

**PROPERTY SIZE:** 0.19 hectares (0.4695 acres/1,900 square meters)

**PRESENT ZONING:** Residential Single Family (R.1)

**PROPOSED ZONING:** Residential Multi-Family Medium Intensity (R.3)

**PRESENT O.C.P. DESIGNATION:** Residential Low Density

**PROPOSED O.C.P. DESIGNATION:** Residential Medium Density

**PROPOSED USE:** Adult retirement housing development involving 11 strata units

**RECOMMENDATION:**

THAT Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1686, 2019 which proposes to change the future land use designation of the property legally described as LOT 2 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 15492, and located at 171 Brickyard Road, Enderby BC from Residential Low Density to Residential Medium Density be given First Reading;

AND THAT after First Reading of the Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1686, 2019 and in accordance with Section 477 of the Local Government Act, Bylaw No. 1686 be considered in conjunction with the City's Financial Plan and Regional Solid Waste Management Plan;

AND THAT after considering the Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1686, 2019 in conjunction with the City's Financial Plan and Regional Solid Waste Management Plan, Bylaw No. 1686 be given Second Reading and forwarded to a Public Hearing;

AND THAT the referral process which requests that various authorities and organizations review the amendments proposed by the Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1686, 2019 as outlined in this Staff Report, be considered appropriate consultation for the purposes of Sections 475 and 476 of the Local Government Act;

AND THAT Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1687, 2019 which proposes to rezone the property legally described as LOT 2 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 15492, and located at 171 Brickyard Road, Enderby BC from the Residential Single Family (R.1) zone to the Residential Multi-Family Medium Intensity (R.3) zone be given First and Second Reading and forwarded to a Public Hearing;

AND THAT, should Council wish to adopt Bylaw No. 1686 and Bylaw No. 1687, Council directs Staff to send correspondence to the applicant advising them of the Fire Chief and Public Works Manager's comments.

#### **BACKGROUND:**

This report relates to a Joint Official Community Plan Amendment and Rezoning Application for the property located at 171 Brickyard Road. The applicants are proposing to rezone the property from the Residential Single Family (R.1) zone to the Residential Multi-Family Medium Intensity (R.3) zone and to change the Official Community Plan designation of the property from Residential Low Density to Residential Medium Density. The purpose of the application is to facilitate an adult retirement housing development involving 11 strata units.

#### Site Context

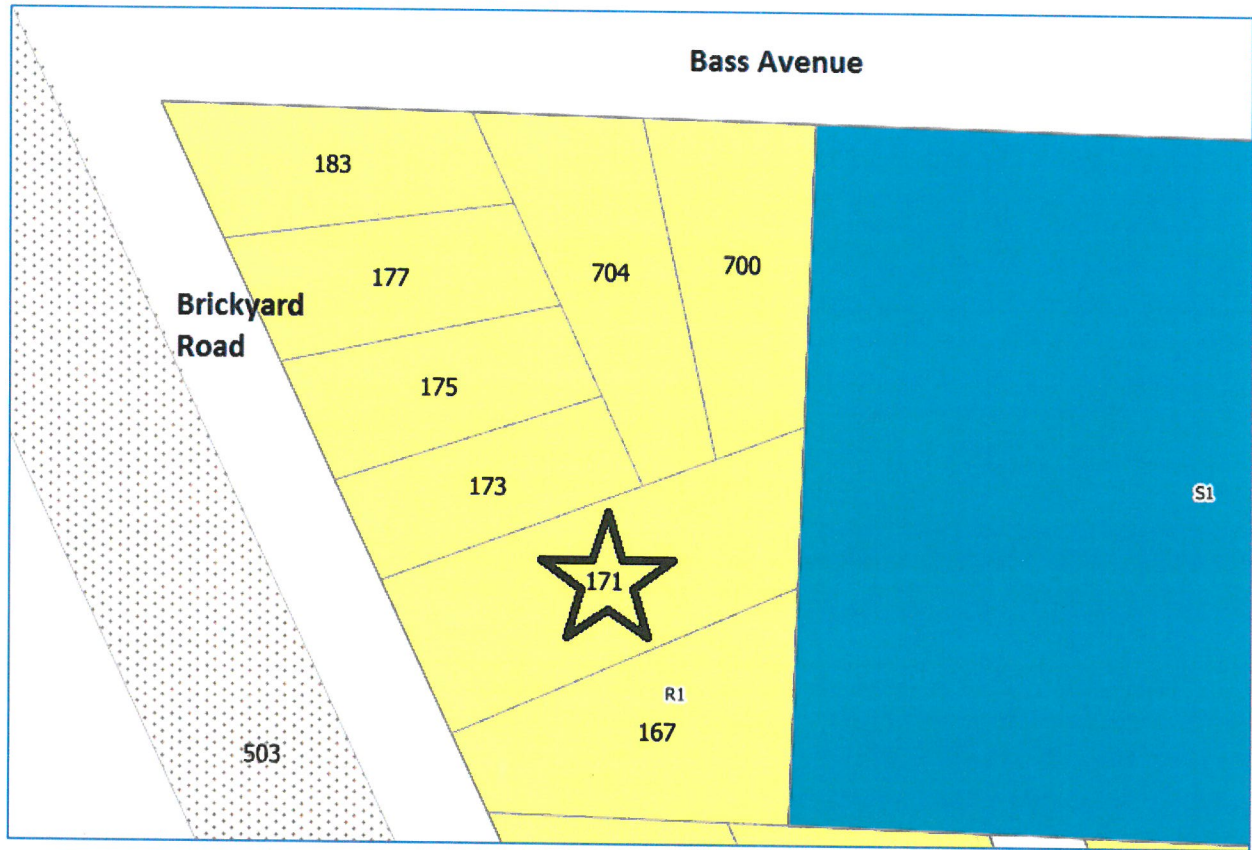
The 1,900 m<sup>2</sup> (0.4695 acre) subject property is located on the east side of Brickyard Road. A single family dwelling, built in 1901, is located in the southwest corner of the property while an accessory residential building is located along the northern property boundary. The property is flat and access is gained via a gravelled driveway off of Brickyard Road. The rear of the property is adjacent to the AL Fortune High School field.

The zoning and OCP designations of the subject property and surrounding properties are as follows:

- Subject property - Zoned Residential Single Family (R.1) and designated in the Official Community Plan (OCP) as Residential Low Density
- North and south properties - Zoned Residential Single Family (R.1) and designated in the OCP as Residential Low Density
- Western property - Zoned Transportation Corridor (S.2) and designated in the OCP as Transportation Corridor
- Eastern property - Zoned Assembly, Civic and Public Service (S.1) and designated in the OCP as School Site



The following figure shows the zoning designations of the subject and surrounding properties:



**Figure 1: Zoning Map**

Yellow - Residential Single Family (R.1)  
Teal - Assembly, Civic and Public Service (S.1)  
Dotted - Transportation Corridor (S.2)

The following orthophoto of the subject and surrounding properties was taken in 2011:



Figure 2: Orthophoto

### The Proposal

The applicants are proposing to rezone the subject property from the Residential Single Family (R.1) zone to the Residential Multi-Family Medium Intensity (R.3) zone and to change the Official Community Plan designation of the property from Residential Low Density to Residential Medium Density. The purpose of the Joint Official Community Plan Amendment and Rezoning application is to facilitate an adult retirement housing development involving 11 strata units, spread amongst several separate buildings.

It should be noted that at this point in the development process the attached site plan (Schedule "A") is purely conceptual, and that if a rezoning application were to be approved, the applicant would not be tied to this proposed layout of the property. Although the applicant may intend to develop the property in accordance with the attached site plan, it is important to note that the property could develop in any

manner that is consistent with regulations of the Zoning Bylaw and respects any charges registered against the title of the property (Section 219 covenant, statutory building scheme, etc.).

**ZONING BYLAW:**

The subject property is zoned Residential Single Family (R.1) and uses permitted within this zone include:

- Accessory residential;
- Restricted agriculture;
- Single family dwellings;
- Secondary suites;
- Bed and breakfasts; and
- Civic and public service use.

Uses permitted within the proposed Residential Multi-Family Medium Intensity (R.3) zone include:

- Apartment and multi-family residential;
- Adult retirement housing;
- Four family dwellings;
- Three family dwellings;
- Two family dwellings;
- Single family dwellings
- Row housing;
- Accessory residential;
- Boarding, lodging or rooming houses;
- Convalescent, nursing and personal care homes;
- Restricted agricultural use;
- Secondary suites;
- Bed and breakfasts; and;
- Civic and public service use.

Section 604.11.b of the Zoning Bylaw states that the maximum permitted gross density for adult retirement housing, apartments or multi-family use shall not exceed sixty (60) units per hectare (24.28 units per acre). Given the property's area of 0.19 hectares, the maximum number of dwelling units permitted on the site is 11. However, given the density bonusing provisions of the Official Community Plan for seniors housing which enables 15% of the total allowable dwelling units to be permitted without being included in the density calculation, the maximum number of dwellings units on the site could be increased to 13.

**OFFICIAL COMMUNITY PLAN:**

Policies contained within the Official Community Plan which apply to this development include:

- Policy 3.3.c - Council recognizes that development of land has social impacts and will act through the approval process to minimize negative and maximize positive impacts.
- Policy 3.3.h - Council will utilize the development approval process, including Phased Development Agreements, to secure an adequate supply of quality affordable, attainable and special needs housing which meets the needs of all residents of the community, regardless of age, mobility, background or socio-economic status.
- Policy 4.4.b - Pursuant to Section 904 of the *Local Government Act*, Council may apply the Density Bonus provisions set out in Sections 10 and 11 of this Bylaw to secure affordable or special needs housing.
- Policy 4.4.c - Council will encourage and support a spectrum of housing choices throughout the community, including secondary suites, in order to meet the diverse housing needs of residents.
- Policy 5.3.f - Council will develop strategies and tools to encourage and facilitate infill and redevelopment within existing developed areas of the community.
- Policy 8.3.h - Council will support infill and redevelopment within the community.
- Policy 8.3.i - Council will employ Smart Growth principles in future development.
- Policy 9.3.f - Council will develop a robust strategy to support infill, redevelopment, and brownfield reclamation that utilizes existing infrastructure, revitalizes the community, and enhances the use of underutilized lands.
- Policy 10.3.c - Housing for the community's seniors within the Medium Density Residential designation to a maximum of 15% of the total allowable dwelling units will be permitted without being included in the density calculation.
- Policy 20.3.f - Council will encourage infill, redevelopment and brownfield strategies that focus growth towards areas with existing infrastructure.
- Policy 20.3.g - Council will support innovative options that will assist in maintaining appropriate levels of infrastructure and service delivery in a fiscally responsible manner.

**REFERRAL COMMENTS:**

The subject application was referred to the City of Enderby Public Works Manager, Chief Financial Officer, Building Inspector, Fire Chief, Manager of Regional Engineering Services, and the Ministry of Transportation and Infrastructure.

The following comments were received in response to the referral:

### Public Works Manager

*"The Developer will need to:*

- *demonstrate prior to Building Permit issuance or subdivision that the development can meet the required fire flows or otherwise make the necessary improvements to the water distribution system or reduce the fire flow requirements through mitigating measures on-site;*
- *demonstrate prior to Building Permit issuance or subdivision that the existing sanitary sewer collection system is adequate to meet the demands of the development or otherwise make the necessary improvements to the sanitary sewer collection system or provide a mitigating measure on-site; and*
- *demonstrate adequate off-street parking for residents and guests without conflicting with a road boulevard area that may be future sidewalk."*

### Fire Chief

*"I understand that the provided site plan is conceptual at this point, but the development must meet firefighting requirements with respect to exposures and lane access prior to the issuance of a Building Permit."*

### Chief Financial Officer

*"The proposal would not have any negative implications on our financial plan; however, the development would increase the assessed values of the property which would increase the City's tax base."*

### District Development Technician - Ministry of Transportation and Infrastructure

*"The Ministry has no issues or objections with the zoning from R.1 to R.3 for the property located at Lot 2, District Lot 150, K(Formerly Osoyoos) DYD, Plan 15492 (Civil address 171 Brickyard Road, Enderby, BC)."*

No other comments were received in response to the referral.

### **PLANNING ANALYSIS:**

The City of Enderby Planner raises no objections to the applicant's request to rezone the subject property from the Residential Single Family (R.1) zone to the Residential Multi-Family Medium Intensity (R.3) zone and to change the Official Community Plan designation of the property from Residential Low Density to Residential Medium Density, and upon consideration of input received at the Public Hearing, recommends that Council approve the subject application for the following reasons:

- The proposed development would facilitate infill development, which is a key element of Smart Growth development and is supported in the OCP, and provides the following community benefits:
  - More efficient use of land by increasing the ratio of improvement-to-land values;

- Reducing pressures related to greenfield development and boundary expansion which in turn facilitates urban containment and rural protection;
  - Focusing future growth within developed areas of the community in order to maximize the value of existing infrastructure; and
  - Adding residential capacity without encroaching upon rural or environmentally sensitive areas.
- Given the property's large lot area, it is a prime candidate for redevelopment to a more intensive residential use;
  - Although the subject property is located on the edge of a low density residential neighbourhood, the property is located in close proximity to the City's northern industrial park, AL Fortune High School, and Highway 97A, and thus the potential redevelopment of the property to a higher density residential use would not be a significant increase to the intensity of the broader neighbourhood;
  - Brickyard Road currently accommodates significant volumes of traffic to access the northeastern sector of the community, and it is not anticipated that the potential densities associated with the proposed development would result in any significant traffic concerns;
  - The portion of the Brickyard Road corridor fronting the property is straight with no significant sight line obstructions, therefore it is not anticipated that the proposed development would have any significant access issues;
  - The proposed development of the property to a more intensive residential land use would facilitate the provision of additional housing within the community, while potentially broadening the spectrum of housing choices, both of which are key elements of Smart Growth;
  - Given the orientation of the single family dwellings to the north and south of the subject property, coupled with the fact that there are no developments directly to the east or west, it is not anticipated that the proposed development would negatively impact the views of surrounding properties; and
  - Although there are concerns with the proposed layout of the development as it relates to the department's fire fighting capabilities and off-street parking, the site plan is purely conceptual at this stage in the development process and the applicant will be required to resolve the issues through the either the strata subdivision or Building Permit processes; should the application be approved and the associated bylaws be adopted, it is recommended that Council directs Staff to send correspondence to the applicant advising them of the Fire Chief and Public Works Manager's comments so that they can update their site plan prior to submitting a strata subdivision or Building Permit application.

## **SUMMARY**

This report relates to a Joint Official Community Plan Amendment and Rezoning Application for the property located at 171 Brickyard Road. The applicants are proposing to rezone the property from the Residential Single Family (R.1) zone to the Residential Multi-Family Medium Intensity (R.3) zone and to change the Official Community Plan designation of the property from Residential Low Density to Residential Medium Density. The purpose of the Joint Official Community Plan Amendment and Rezoning application is to facilitate an adult retirement housing development involving 11 strata units, although there could be a total of 13 units given the density bonusing provisions within the Official Community Plan.

The City of Enderby Planner is recommending that Council support the application.

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**Prepared By:**



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Kurt Inglis, MCIP, RPP  
Planner and Deputy Corporate Officer

**Reviewed By:**



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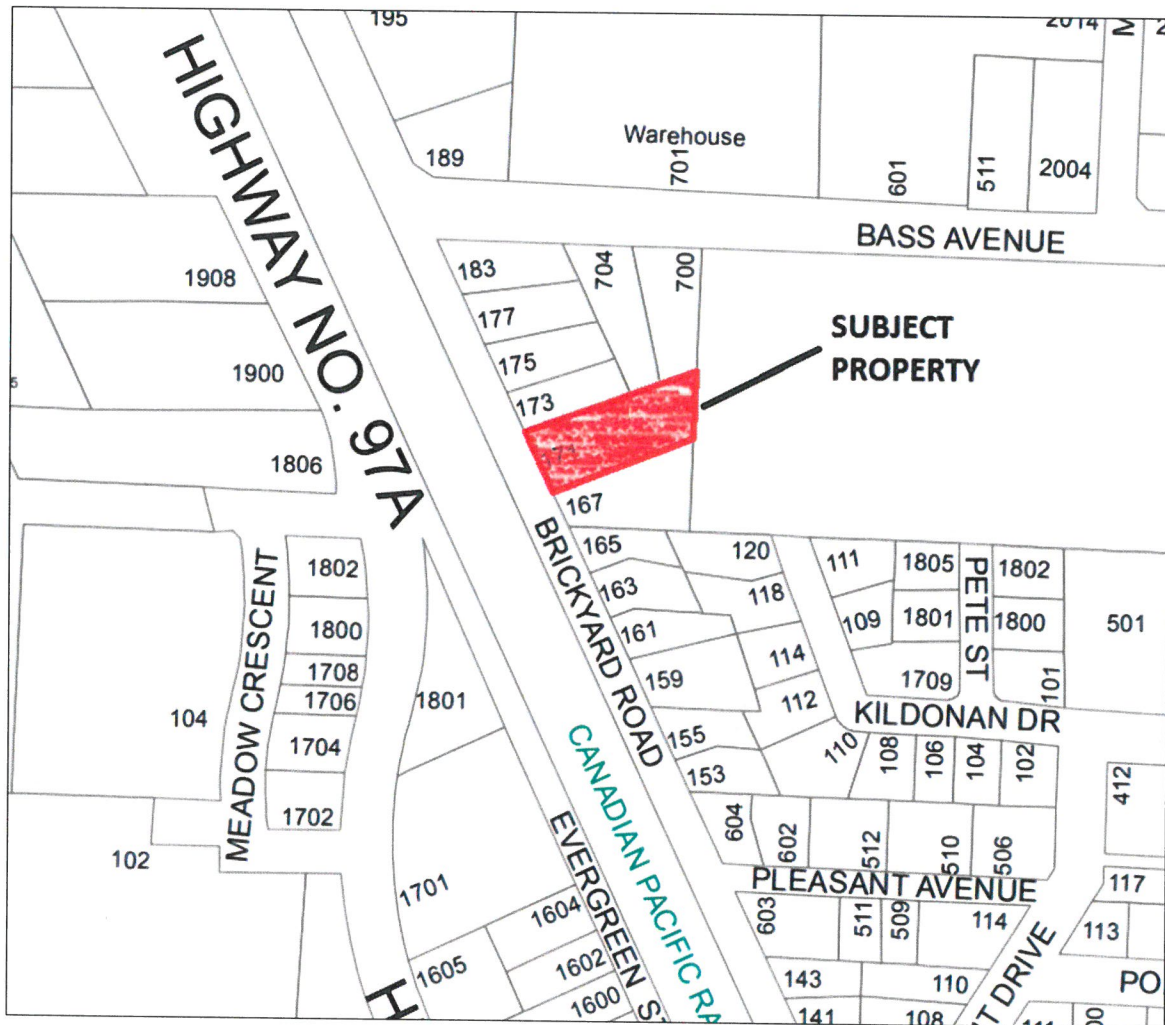
Tate Bengtson  
Chief Administrative Officer

**THE CORPORATION OF THE CITY OF ENDERBY**  
**OCP/REZONING APPLICATION**  
**SUBJECT PROPERTY MAP**

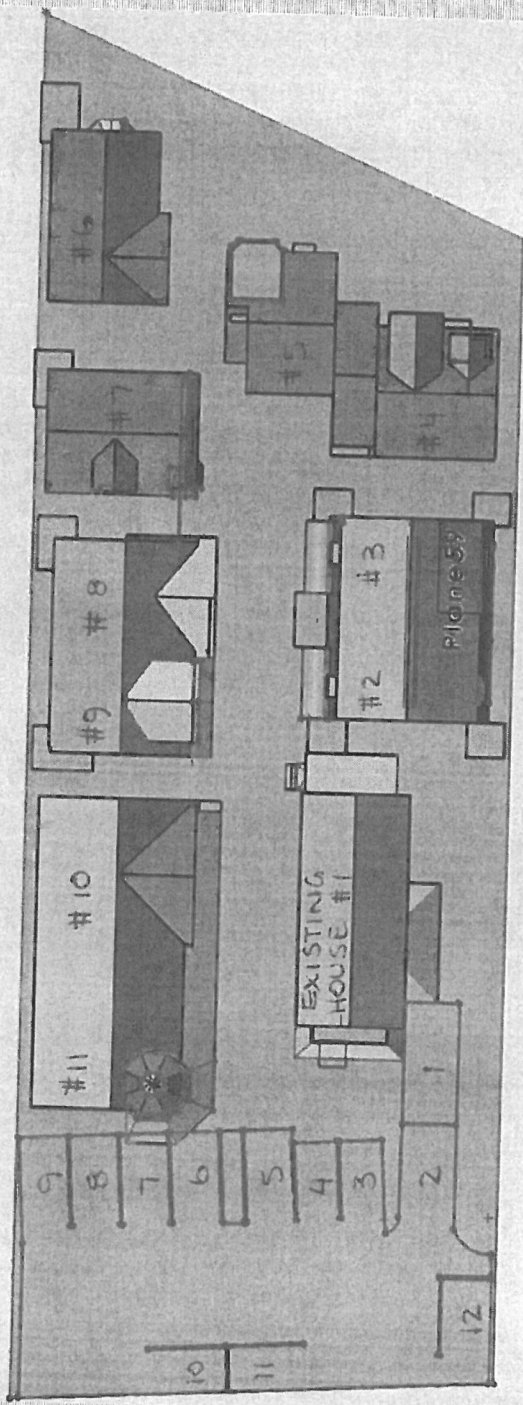
**File:** 0006-19-OR-END

**Applicant:** George Weighill and Tracy Wilson c/o Kerry Korberg

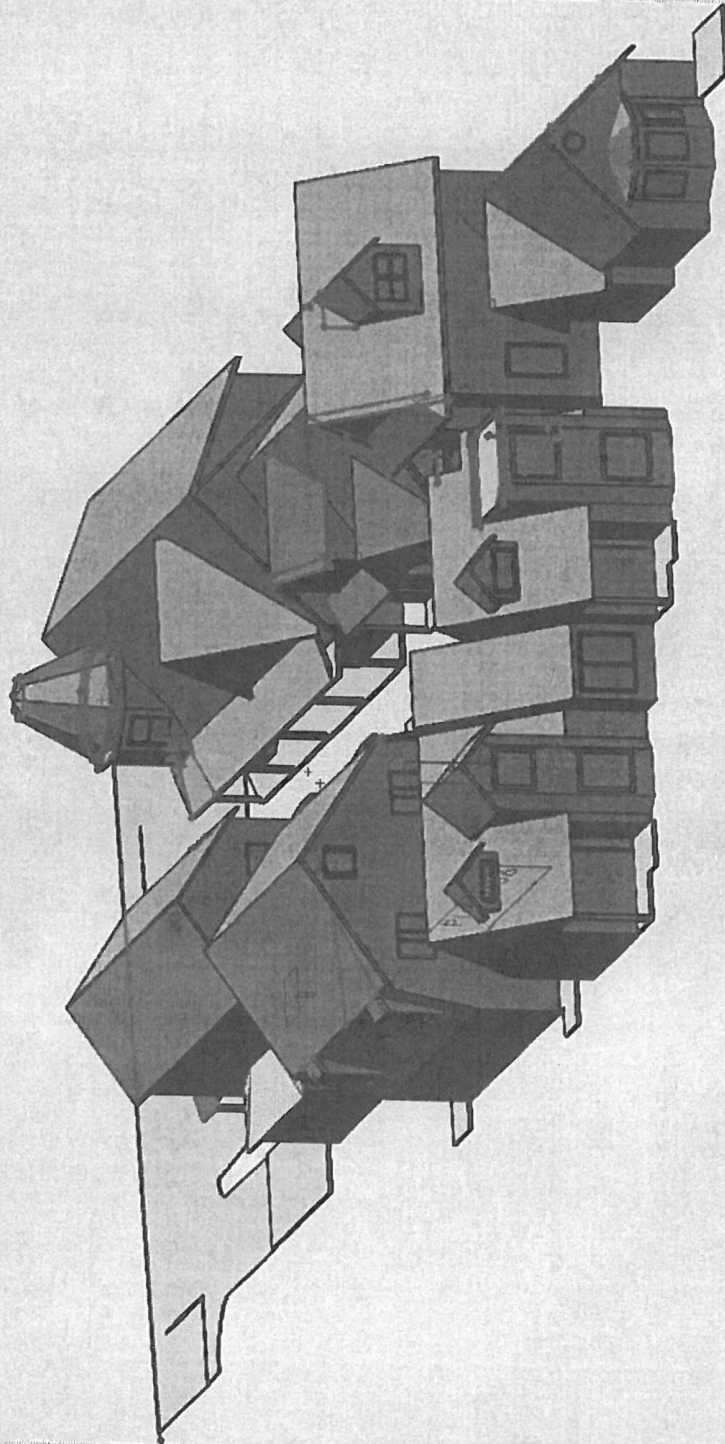
**Location:** 171 Brickyard Road, Enderby BC

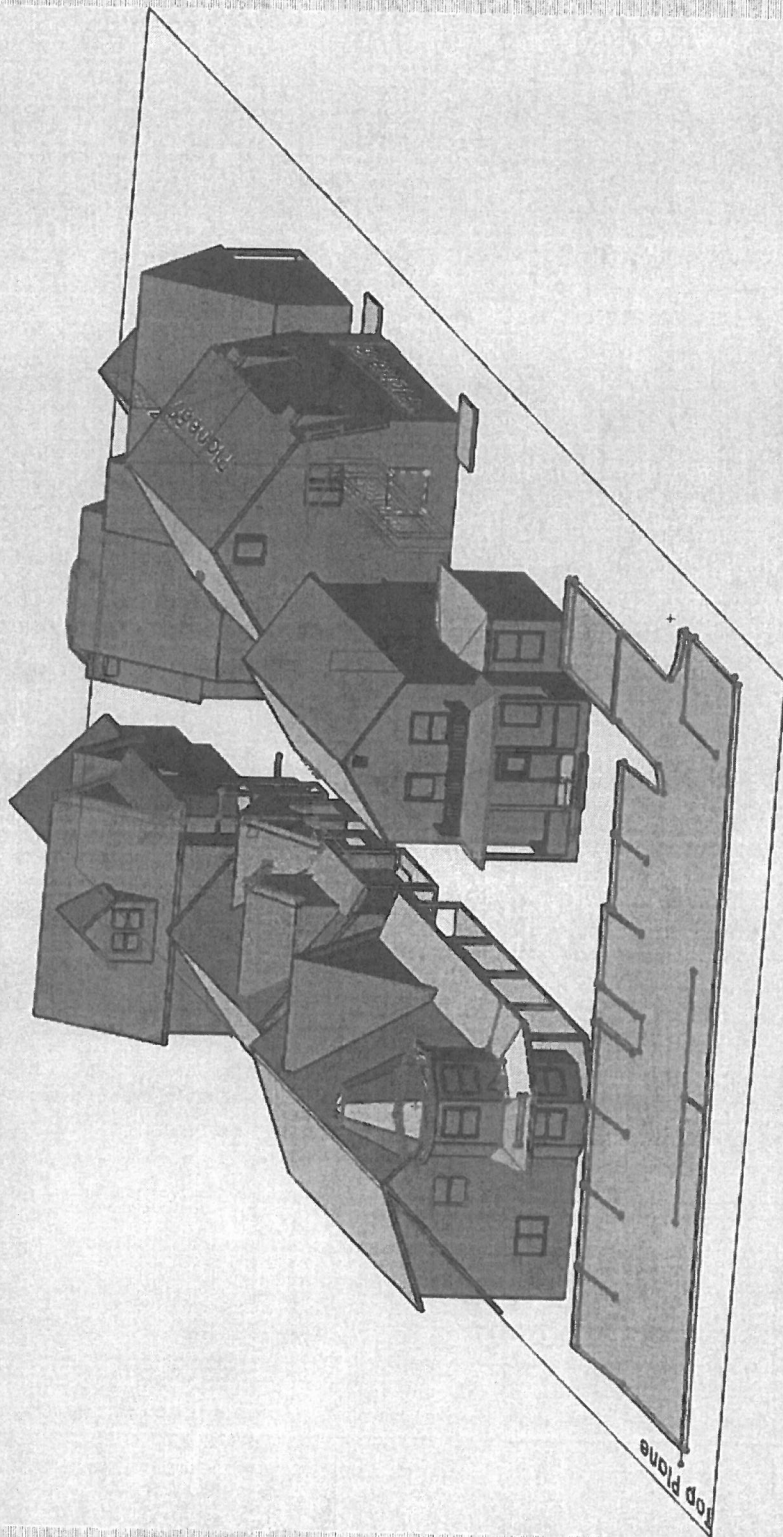






BRICKYARD ROAD













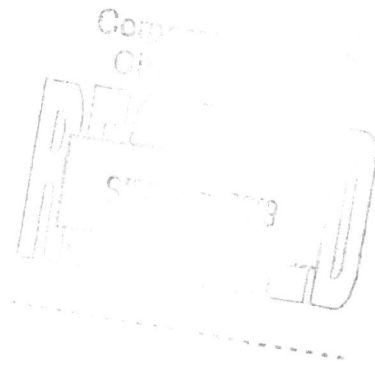




Kerry Korberg  
Box 345  
Armstrong BC  
V0E 1B0

September 22, 2019

The City Of Enderby  
Mr. Kurt Inglis, City Planner  
619 Cliff Avenue  
P.O. Box 400  
Enderby BC  
V0E 1V0



Re: Rezoning and OCP Amendment Application for 171 Brickyard Rd.

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Dear: Kurt

Thank you for your prompt reply by phone on Friday to our above described applications. As we are on a tight timeline to assess the viability of this project your early attention to it is much appreciated.

As I advised you my son Jaeden is the prospective purchaser of the property and I am acting as his agent on these applications.

If we receive the necessary approvals it is our intention to restore and renovate the existing heritage home and to construct ten new adult retirement housing units in the form of a mix of 1 ½ to 2 ½ storey duplex and single family strata title homes. They will be marketed to the active 55+ demographic. Our inquiries suggest many would welcome this affordable housing option particularly as it is in close proximity to Enderby's numerous amenities.

We have also paid close attention to your Official Community Plan during our design process which identifies the need to:

- 1-preserve and enhance the city's heritage
- 2-encourage redevelopment within existing developed areas of the city
- 3-reduce vehicle use
- 4-encourage energy efficiency and water conservation
- 5-accommodate population growth within the existing boundaries
- 6-promote urban agriculture and gardening
- 7-encourage diverse, compact neighbourhoods with unique identities
- 8-establish a robust strategy to promote infill development.

1. We are actively researching the history of this property and hope to find some photographs of the original form of the house to aid in its restoration.

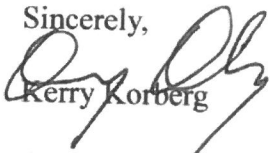
2,3 and 5. Although the proposed density is greater than existing the building footprints are fairly small and the traditional and varied architectural styles are meant to blend into the community.

4.Storm water will be retained and used on site. Buildings will make use of passive solar design and efficient in slab radiant hot water heating systems.

6. This property was originally part of a 70 acre farm and subsequently a 150,000 square foot greenhouse business. We plan to respect this history by incorporating a greenhouse and raised bed hugel style gardens that need little water for the residents use.
7. We have used the proposed home designs on a project on Cummins road in the Landing area of Vernon. The front verandas and the separate parking areas have worked to create a cohesive and popular neighbourhood for more than two decades. The strata structure and regulations we have used in this project has resulted in very low strata fees and only minimal standard rules that ensure the freedom and privacy enjoyed in traditional fee simple subdivisions. We intend to employ a similar strategy here.
8. We hope that our project, if permitted ,could become an example and a catalyst for infill development in Enderby that can accommodate new growth and add to Enderby's tax base without the need for new infrastucture.

In closing Jaeden and I and his brother Bret along with our extended family and business partners are fully committed and eager to bring this exciting project to fruition in Enderby. Please call or write if you require any further information or if you have any suggestions.

Sincerely,



Kerry Korberg

Attachments

1. Revised site plan identifying the existing heritage home and the new units and parking.
2. Photographs of several of the proposed buildings labeled on their backs as to there site locations.

Agenda

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1686

A BYLAW TO AMEND THE CITY OF ENDERBY OFFICIAL COMMUNITY PLAN BYLAW NO. 1549, 2014 AND AMENDMENTS THERETO

WHEREAS Council of the City of Enderby has determined to make an amendment to "City of Enderby Official Community Plan Bylaw No. 1549, 2014";

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

1. This bylaw may be cited as the "City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1686, 2019".
2. The future land use designation of the property legally described as LOT 2 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 15492, and located at 171 Brickyard Road, Enderby BC is hereby changed from Residential Low Density to Residential Medium Density.

READ a FIRST time this day of , 2019.

READ a SECOND time this day of , 2019.

Advertised on the day of , 2019 and the day of , 2019, and a Public Hearing held pursuant to the provisions of Section 464 of the Local Government Act on the day of , 2019.

READ a THIRD time this day of , 2019.

ADOPTED this day of , 2019.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1687

A BYLAW TO AMEND THE CITY OF ENDERBY ZONING BYLAW NO. 1550, 2014 AND  
AMENDMENTS THERETO

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WHEREAS pursuant to Section 479 of the *Local Government Act*, Council of the City of Enderby may, by bylaw, divide the whole or part of the City of Enderby into zones, name each zone, establish boundaries for the zones and regulate uses within those zones;

AND WHEREAS Council has created zones, named each zone, established boundaries for those zones and regulated uses within those zones by Bylaw No. 1550, cited as "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014";

WHEREAS Council of the City of Enderby has determined to make an amendment to "City of Enderby Zoning Bylaw No. 1550, 2014";

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

1. This bylaw may be cited as the "City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1687, 2019".
2. The zoning designation of the property legally described as LOT 2 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 15492, and located at 171 Brickyard Road, Enderby BC is hereby changed from the Residential Single Family (R.1) zone to the Residential Multi-Family Medium Intensity (R.3) zone

READ a FIRST time this day of , 2019.

READ a SECOND time this day of , 2019.

Advertised on the day of , 2019 and the day of , 2019, and a Public Hearing held pursuant to the provisions of Section 464 of the Local Government Act on the day of , 2019.

READ a THIRD time this day of , 2019.

APPROVED pursuant to Section 52(3)(a) of the Transportation Act this day of , 2019.

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District Development Technician  
Ministry of Transportation and Infrastructure

ADOPTED this day of , 2019.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

**CITY OF ENDERBY  
ZONING TEXT AMENDMENT APPLICATION**

File No.: 0005-19-ZTA-END

October 28, 2019

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**APPLICANT:** Melanie Howard – Browne Johnson Land Surveyors

**OWNER:** 0790768 B.C. LTD.

**LEGAL DESCRIPTION:** LOT B DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 5784

**P.I.D:** 010-218-602

**CIVIC ADDRESS:** 1900 George Street, Enderby BC

**PROPERTY SIZE:** 0.39 hectares (0.964 acres/3,900 m<sup>2</sup>)

**ZONING:** Highway and Tourist Commercial (C.2)

**O.C.P DESIGNATION:** Highway and Tourist Commercial

**PROPOSAL:** Continue the residential use of the property which includes two single-family dwellings and one two-family dwelling

**PROPOSED TEXT AMENDMENT** Amend the City of Enderby Zoning Bylaw No. 1550, 2014 to, i) add two-family dwellings as a permitted use for the subject property, and ii) permit residential dwelling units to occur without a principal commercial building on the subject property

**RECOMMENDATION:**

THAT Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1688, 2019 which proposes to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to add two-family dwellings as a permitted use, and to permit residential dwelling units to occur without a principal commercial building, for the property legally described as LOT B DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 5784 and located at 1900 George Street, Enderby, **NOT** be given First Reading.

**ALTERNATE RECOMMENDATION:**

THAT Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1688, 2019 which proposes to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to add two-family dwellings as a permitted use, and to permit residential dwelling units to occur without a principal commercial building, for the property legally described as LOT B DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT

PLAN 5784 and located at 1900 George Street, Enderby, be given First and Second Reading and forwarded to a Public Hearing;

AND THAT, should Council wish to adopt Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1688, 2019, that such approval be subject to the owner registering a Section 219 Covenant on the title of the subject property which, i) restricts the number of detached residential dwelling units permitted on the property to two (2) single-family dwellings and one (1) two-family dwelling, when there is no principal commercial building on the property, and ii) prohibits the expansion of the building footprints for the existing residential dwellings.

**BACKGROUND:**

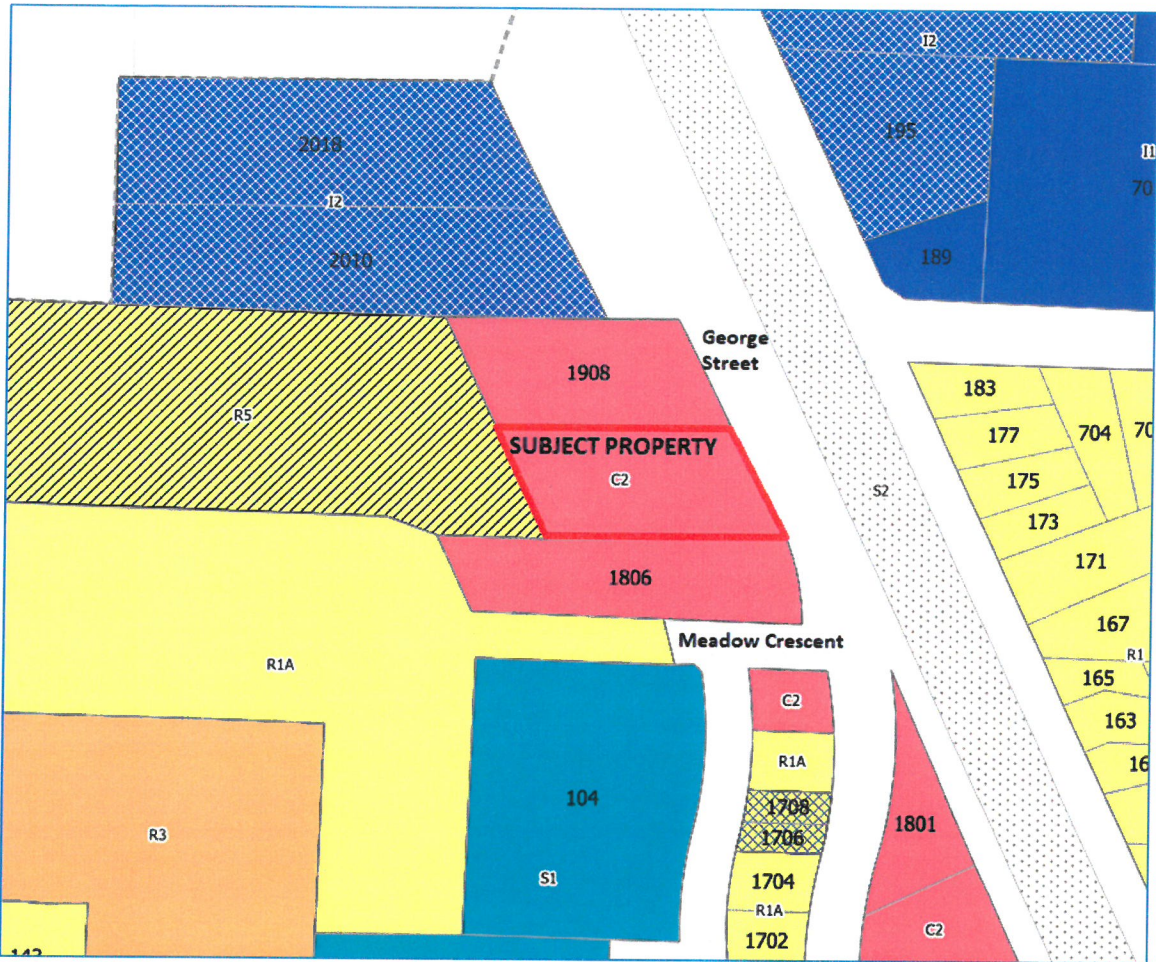
This report relates to an application to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to add two-family dwellings as a permitted use, and to permit residential dwelling units to occur without a principal commercial building, for the property legally described as LOT B DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 5784 and located at 1900 George Street, Enderby BC. The proposed amendments to the Zoning Bylaw would enable the owners to continue the residential use of the property which includes two single-family dwellings and one two-family dwelling, with no principal commercial building on the property.

Site Context

The 0.39 hectares (0.964 acres/3,900 m<sup>2</sup>) subject property is located on the western side Highway 97A. The property is flat with access being gained via a gravelled driveway off of Highway 97A.

A single-family dwelling building, built in 1949, is located along the eastern property boundary while a second single family dwelling (modular home) is located along the western property boundary. A two-family dwelling, which was previously a commercial building, is located in the central portion of the lot.

The subject property and properties to the north and south are zoned Highway and Tourist Commercial (C.2) and are designated as Highway and Tourist Commercial in the Official Community Plan (OCP). The property to the west is zoned Residential Mobile Home Park (R.5) and is designated as Residential Low Density in the OCP, while the property to the east is zoned Transportation Corridor (S.2) and is designated as Transportation Corridor in the OCP. The following map shows the zoning designation of the subject and surrounding properties:



**Figure 1: Zoning Map**

- Pink – Highway and Tourist Commercial (C.2) Zone
- Yellow – Residential Single Family (R.1-A) Zone
- Yellow Crosshatch – Residential Mobile Home Park (R.5) Zone
- Blue Crosshatch – General Industrial (I.2) Zone
- Blue – Light Industrial (I.1) Zone
- Teal – Assembly, Civic and Public Service (S.1) Zone
- Dotted – Transportation Corridor (S.2) Zone



The following orthophoto of the subject and surrounding properties was taken in 2011:



Figure 2: Orthophoto

The Proposal

The applicant is proposing to continue the residential use of the property which includes two single-family dwellings and one two-family dwelling, and no principal commercial building on the property. As two-family dwellings are not a permitted use within the Highway and Tourist Commercial (C.2) zone, and dwelling units must be accompanied by a principal commercial use, the applicant is proposing to amend the text of the City of Enderby Zoning Bylaw No. 1550 to legalize the existing use.

### Development History

The single-family dwelling along the eastern property boundary was originally constructed in 1949, while the commercial building in the central portion of the property was constructed in 1980 and was operated as a 'U-brew'.

In 1997, the previous owners of the subject property had a proposal to:

1. Convert the single-family dwelling into a restaurant; and
2. Construct an additional single-family dwelling in the western portion of the property.

In order to accommodate this proposal, the previous owners had applied for and received a Development Variance Permit (DVP) from the City of Enderby which varied the following provisions of Zoning Bylaw No. 966, 1987:

- i. 502.2 by permitting commercial uses of the subject property to be located in separate buildings;
- ii. 502.11.c by waiving the requirement for any dwelling unit located on the subject property to be attached to a commercial premises; and
- iii. 1001.2.e.iii by waiving the requirement for paving of the off-street parking spaces for a restaurant and single-family dwelling.

In summary, these variances enabled the site to be developed in a manner where commercial uses could take place in separate buildings (i.e. restaurant and U-Brew) and dwelling units could be detached from a principal commercial building. In addition to enabling the proposed development, the issuance of the DVP also brought the residential use of the existing single-family dwelling into conformance, as it had previously been considered 'legally non-conforming' given that single-family dwellings were not a permitted use under the property's current commercial zoning designation, but was legal at the time of construction.

Following the issuance of the DVP in 1997, a modular home was constructed in the western portion of the property, while the proposed conversion of the existing single-family dwelling into a restaurant never occurred. It should be noted that the variances within the DVP which, i) permitted commercial uses of the subject property to be located in separate buildings, and ii) waived the requirement to pave off-street parking spaces for a restaurant, have lapsed and are no longer in effect given that the proposed conversion of the single family dwelling into a restaurant never occurred.

More recently, it came to the City's attention that there may be unlawful residential uses occurring on the property; Staff reached out to the property owners to initiate an inspection in order to verify the uses occurring on the property. Following an inspection of the property, it was determined that the property owners had converted the previous commercial building (which had remained vacant for a number of years) into a two-family dwelling, and had not obtained permits to complete these works. The issues associated with this conversion of the commercial building into a two-family dwelling include:

- i. Two-family dwellings are not a permitted use within the City's Zoning Bylaw;

- ii. Dwelling units are only permitted in the Highway and Tourist Commercial (C.2) zone when there is a principal commercial building on the property, and given that the conversion resulted in there no longer being a commercial building on site, the two single-family dwellings are now considered unlawful; and
- iii. The works associated with converting the commercial building into a two-family dwelling were completed without a Building Permit, therefore the City is unable to verify that the works were completed to the standards of the BC Building Code and municipal bylaws.

Given the above, the City sent correspondence to the property owners advising that they need to either discontinue the unlawful residential uses occurring on the property or apply to legalize these uses through a Rezoning or Zoning Text Amendment. The property owners submitted a Zoning Text Amendment application to attempt to legalize the existing uses occurring on the property.

It should be noted that, even if the residential uses occurring on the property are legalized through an amendment to the Zoning Bylaw, the property owners will still be required to submit a Building Permit application in order to ensure that the works associated with converting the commercial building to a two-family dwelling are in accordance with the BC Building Code and municipal bylaws.

#### **ZONING BYLAW:**

The subject property is currently zoned Highway and Tourist Commercial (C.2); uses permitted within this zone include:

- Accessory buildings and structures
- Accommodation including apartments, dwelling units, hotels and motels
- Assembly and civic use and public service
- Food service including coffee shops, dairy bars, restaurants, bakeries, butcher shops, caterers, and fish shops
- Retail sales and service for: automobiles, farm equipment, boats, mobile homes, trucks, recreation vehicles, motorcycles, and sporting goods; also included is the rental of the aforementioned items
- Retail sales including servicing where applicable: confectionery stores, flowers, fruit, plants, produce, nurseries, green houses, tire shops, wine and beer shops, appliances, beverages, bicycles, electronic equipment, furniture, garden supplies, glass, hardware, paint, pets, pet food, plants, animal beauty parlours, bakery shops, hairdressers, locksmith shops, optical shops, shoe repair, tailor shops, and watch repair
- Service - repair and rental: service stations, garages for automobile service and repairs, mini storage facilities, car washes, petroleum distribution, costume rentals, and video rentals
- Transportation facilities including commercial parking lots, passenger transportation depots, taxi dispatch offices, and weigh scales
- Retail sales of beer, wine and liquor
- Educational facilities and professional studios including art studios, business colleges, dance studios, music studios, photography studios, radio studios, television studios, and trade schools

- Entertainment and recreation facilities including arcades, billiard halls, bowling alleys, drive-in clubs, sports clubs, and sports facilities
- Office and commerce facilities and accommodations for engineers, funeral homes, land surveyors, management companies, mortuaries, newspapers, publishing, real estate, surveyors, veterinarians, massage therapy clinics, dentists, doctors, and any other professional office

**OFFICIAL COMMUNITY PLAN:**

The following policies from the City of Enderby Official Community Plan relate to this development:

- Policy 3.3.c - Council recognizes that development of land has social impacts and will act through the approval process to minimize negative and maximize positive impacts.
- Policy 5.3.b - Council will review land use bylaws and policy in support of mixed uses in commercial, industrial and growth areas aimed at strengthening the existing business sector and attracting new business and industry.
- Policy 5.3.c - Council will work with the business community and stakeholders to promote a diverse local economy that provides the goods and services necessary to competitively meet local demand and attract visitors.
- Policy 5.3.f - Council will develop strategies and tools to encourage and facilitate infill and redevelopment within existing developed areas of the community.
- Policy 8.3.h - Council will support infill and redevelopment within the community.
- Policy 9.3.f - Council will develop a robust strategy to support infill, redevelopment, and brownfield reclamation that utilizes existing infrastructure, revitalizes the community, and enhances the use of underutilized lands.
- Policy 20.3.f - Council will encourage infill, redevelopment and brownfield strategies that focus growth towards areas with existing infrastructure.

**REFERRAL COMMENTS:**

The subject application was referred for comment to the City of Enderby Public Works Manager, Building Inspector, Fire Chief, and the Ministry of Transportation and Infrastructure.

No comments were received in response to the referral.

## **PLANNING ANALYSIS:**

The City of Enderby Planner has a number of concerns with the application to amend the Zoning Bylaw to add two-family dwellings as a permitted use, and to permit residential dwelling units to occur without a principal commercial building, for the property located at 1900 George Street and is recommending that the proposed bylaws **NOT** be given First Reading.

The primary concern with the proposed amendments to the Zoning Bylaw is that they would enable the site to be used solely for residential purposes, which is not a preferred land use for the property for the following reasons:

- The subject property is well suited to a commercial land use given its large area and location along Highway 97A; commercial development provides numerous benefits to the community including local jobs, economic stimulus, and increased business assessment value which will help to reduce the taxation burden on residential property owners;
- The City of Enderby does not have a large supply of lands that are available for commercial development;
- Enabling additional residential development on the property could negatively impact the commercial viability of the site (less incentive for the property owners to undertake commercial development, reducing the available land on the site to undertake commercial development, etc.);
- If the property were to be used solely for low-density residential purposes, this would not be the highest and best use of the land.

Should Council wish to support the application, it is recommended that adoption of Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1688, 2019 be subject to the owner registering a Section 219 Covenant on the title of the property which, i) restricts the number of detached residential dwelling units permitted on the property to two (2) single-family dwellings and one (1) two-family dwelling, when there is no principal commercial building on the property, and ii) prohibits the expansion of the building footprints for the existing residential dwellings. This requirement is intended to preserve the commercial viability of the subject property by limiting the intensity of residential development that could occur on the property in the absence of a principal commercial building, while still legalizing the current uses.

## **SUMMARY**

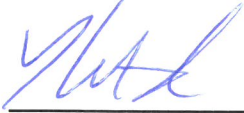
This report relates to an application to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to add two-family dwellings as a permitted use, and to permit residential dwelling units to occur without a principal commercial building, for the property legally described as LOT B DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 5784 and located at 1900 George Street, Enderby BC. The proposed amendments to the Zoning Bylaw would enable the owners to continue the

residential use of the property which includes two single-family dwellings and one two-family dwelling, and no principal commercial use occurring on the property.

It is recommended that Council **NOT** give First Reading to Zoning Bylaw Amendment Bylaw No. 1684, 2019.

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**Prepared By:**



Kurt Inglis, MCIP, RPP  
Planner and Deputy Corporate Officer

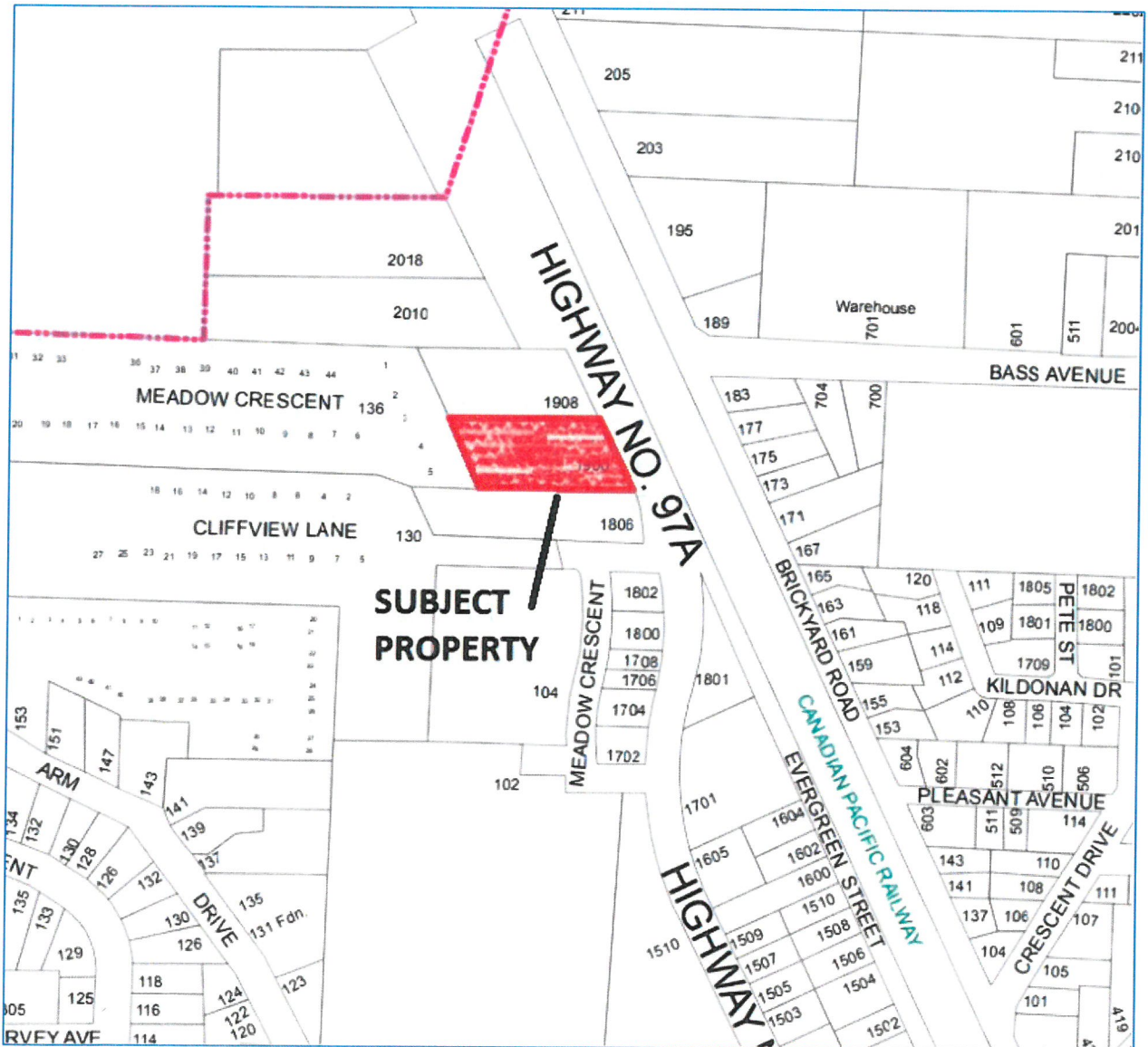
**Reviewed By:**



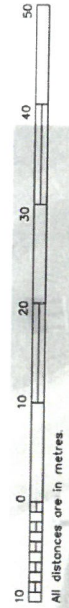
Tate Bengtson  
Chief Administrative Officer

**THE CORPORATION OF THE CITY OF ENDERBY**  
**ZONING TEXT AMENDMENT APPLICATION**  
**SUBJECT PROPERTY MAP**

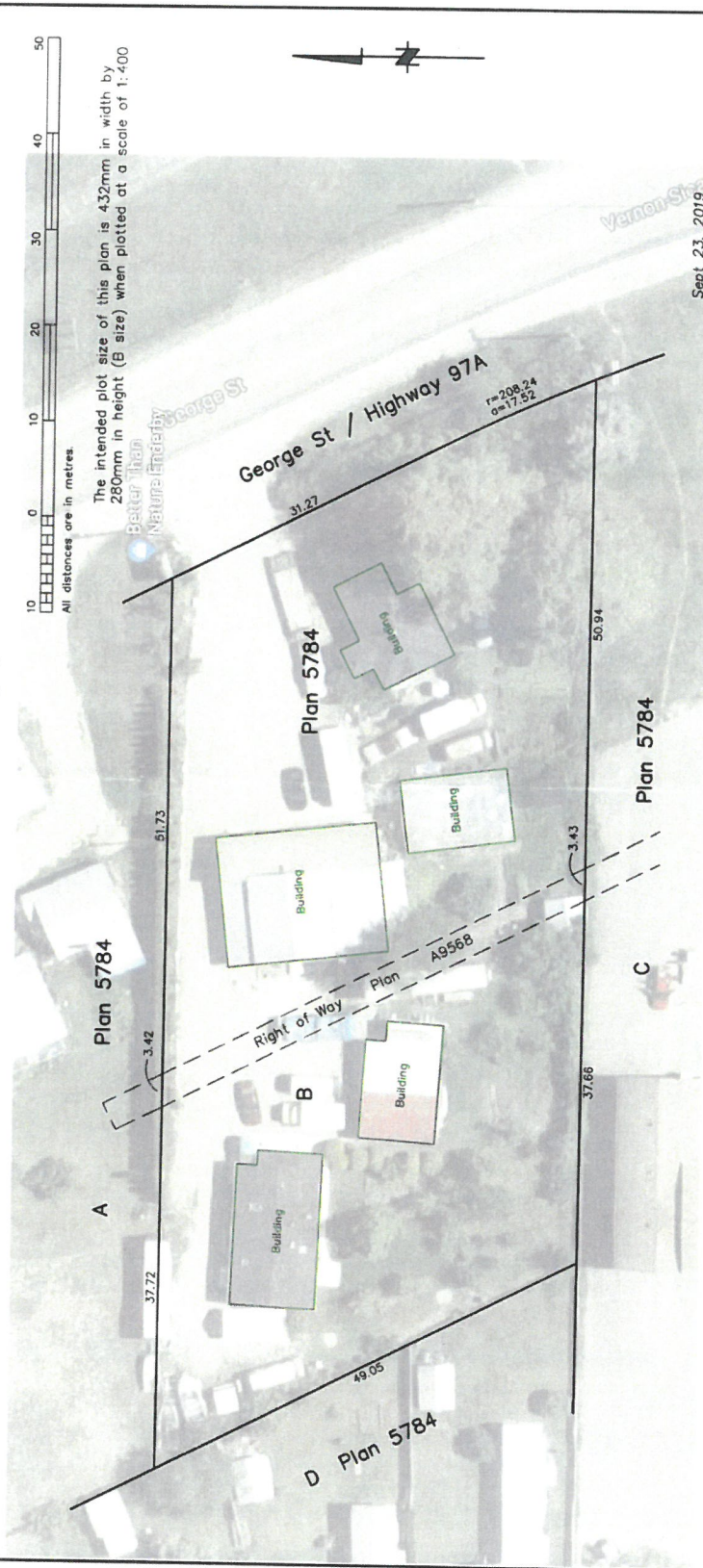
**File:** 0005-19-ZTA-END  
**Applicant:** Browne Johnson Land Surveyors  
**Owner:** 0790768 B.C. LTD.  
**Location:** 1900 George Street, Enderby BC



# Sketch Plan to Accompany Zoning Amendment on Lot B, DL 150, KDYD, Plan 5784



The intended plot size of this plan is 432mm in width by 280mm in height (B size) when plotted at a scale of 1:400



Sept 23, 2019

BROWNE JOHNSON LAND SURVEYORS  
B.C. AND CANADA LANDS  
SALMON ARM, B.C. 250-832-9701  
File: 447-19

Dimensions Derived from Plan A9568.  
Building locations are approximate and are derived from air photos.

Schedule "A"



Agenda

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1688, 2019

A BYLAW TO AMEND THE TEXT OF THE CITY OF ENDERBY ZONING BYLAW NO. 1550,  
2014 AND AMENDMENTS THERETO

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WHEREAS pursuant to Section 479 of the *Local Government Act*, Council of the City of Enderby may, by bylaw, divide the whole or part of the City of Enderby into zones, name each zone, establish boundaries for the zones and regulate uses within those zones;

AND WHEREAS Council has created zones, named each zone, established boundaries for those zones and regulated uses within those zones by Bylaw No. 1550, cited as "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014";

AND WHEREAS Council of the City of Enderby has determined to make an amendment to "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014";

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

1. This bylaw may be cited as the "City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1688, 2019".
2. Division Four – Commercial Zones (C.2) of Schedule "A" of Zoning Bylaw No. 1550, 2014 is hereby amended by adding Sections 402.11.h and 402.11.i as follows:
  - h. Notwithstanding the permitted uses outlined in Section 402.1 of this Bylaw, 'two-family dwellings' are a permitted use for the property legally described as LOT B DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 5784 and located at 1900 George Street, Enderby BC.
  - i. Residential dwelling units are permitted occur without a principal commercial building for the property legally described as LOT B DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 5784 and located at 1900 George Street, Enderby BC.

READ a FIRST time this day of , 2019.

READ a SECOND time this day of , 2019.

Advertised on the day of , 2019 and the day of , 2019 and a Public Hearing held pursuant to the provisions of Section 464 of the *Local Government Act* on the day of , 2019.

READ a THIRD time this day of , 2019.

APPROVED pursuant to Section 52(3)(a) of the Transportation Act this    day of    , 2019.

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District Development Technician  
Ministry of Transportation and Infrastructure

ADOPTED this    day of    , 2019.

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MAYOR

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CORPORATE OFFICER

Agenda

**CITY OF ENDERBY**  
**DEVELOPMENT VARIANCE PERMIT APPLICATION**

File No: 0022-19-DVP-END

October 31, 2019

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**APPLICANT:** Central Hardware/Dave Danforth

**OWNER:** BMG Ventures Ltd.

**LEGAL DESCRIPTION:** THAT PART LOT 1 SHOWN ON PLAN B50 DISTRICT LOT 226 OSOYOOS DIVISION YALE DISTRICT PLAN 151 EXCEPT PLANS B133, KAP75600 AND KAP77022

**PID #:** 012-663-476

**LOCATION:** 701 Bass Avenue, Enderby BC

**PROPERTY SIZE:** 1.327 hectares (3.279 acres/13,270 square meters)

**ZONING:** Light Industrial (I.1)

**O.C.P DESIGNATION:** Light Industrial

**PROPOSAL:** Continue to use the property for the sale and storage of building materials

**PROPOSED VARIANCE:** Vary Zoning Bylaw No. 1550, 2014 to, i) reduce the minimum height for screening along the southern property boundary, ii) not provide screening along the western, northern and eastern property boundaries to screen an outdoor storage area, iii) permit required screening to be located within the front yard setback area, iv) permit a fence not greater than 2.5 m (8.202 feet) in height to be located within the required front yard setback area, v) not provide a landscaped buffer area equal to the required front yard setback area, and vi) reduce the required width of an unobstructed maneuvering aisle for right-angle parking from 8 m (26.25 feet) to 1.8 m (5.91 feet) for the maneuvering aisle for the parking stalls adjacent to the southern side of the main building.

**RECOMMENDATIONS:**

THAT Council authorize the issuance of a Development Variance Permit for the property legally described as THAT PART LOT 1 SHOWN ON PLAN B50 DISTRICT LOT 226 OSOYOOS DIVISION YALE DISTRICT PLAN 151 EXCEPT PLANS B133, KAP75600 AND KAP77022 and located at 701 Bass Avenue, Enderby B.C. to permit variances to the following Sections of the City of Enderby Zoning Bylaw No. 1550, 2014:

- 309.1.a by reducing the minimum height for screening along the southern property boundary from 2.5 m (8.202 feet) to 1.829 m (6 feet);
- 309.1.a.i by not providing screening along the western, northern and eastern property boundaries to screen an outdoor storage area, as shown on the attached Schedule “A”;
- 309.1.a.i by permitting required screening to be located within the front yard setback area, as shown on the attached Schedule “A”;
- 309.1.f.iii by permitting a fence not greater than 2.5 m (8.202 feet) in height to be located within the required front yard setback area, as shown on the attached Schedule “A”;
- 309.2.a.iii by not providing a landscaped buffer area equal to the required front yard setback area (9 m/29.53 feet), as shown on the attached Schedule “A”; and
- 901.2.b by reducing the required width of an unobstructed maneuvering aisle for right-angle parking from 8 m (26.25 feet) to 1.8 m (5.91 feet), for the maneuvering aisle for the parking stalls adjacent to the southern side of the main building, as shown on the attached Schedule “A”.

subject to the following conditions:

1. The property owner registering a Section 219 covenant on the title of the subject property which:
  - a) Confirms that, in the event that Bass Avenue is realigned or redesigned such that vehicles cannot safely maneuver to and from the parking stalls adjacent to the southern portion of the main building, the property owner will discontinue the use of the aforementioned parking stalls and relocate them to the area shown as ‘future parking’ on the attached Schedule “A”;
  - b) Designates the future parking area shown on the attached Schedule “A” as a ‘no build area’; and
  - c) Indemnifies and saves harmless the City of Enderby against all claims, liabilities, judgments, costs, and expenses of whatever kind, which may in any way accrue against the said City in consequence of, and incidental to, the issuance of Development Variance Permit 0022-19-DVP-END; and
2. The property owner entering into a License of Occupation with the City of Enderby for that portion of the Bass Avenue road dedication intended to be used as a maneuvering aisle for the parking stalls to the south of the main building.

AND THAT Council directs Staff to send correspondence to the applicant advising them that, prior to the issuance of a Building Permit to legalize the coverall structures and addition to the main building, they will be required to either, i) demonstrate that stormwater management for the property is in accordance with the engineering report from Omega Engineering dated December 6, 2006, or, ii) submit a new stormwater management plan for the property that is acceptable to the City of Enderby.

## **BACKGROUND:**

This report relates to a Development Variance Permit application for the property located at 701 Bass Avenue. The applicant has submitted a Building Permit application in order to attempt to legalize two existing coverall structures, and an addition to the principal building, which were previously constructed without a Building Permit; prior to a Building Permit being issued, the applicant is required to demonstrate compliance with the City of Enderby Zoning Bylaw No. 1550, 2014 and is now seeking several variances to address existing non-conformities on the site.

### Site Context

The subject property is 1.327 hectares (3.279 acres/13,270 square meters) in area and is located on the north side of Bass Avenue, which is identified as 'municipal minor collector' in the Official Community Plan (OCP). The property is flat with the principal retail building located in the southeast corner of the lot, two storage buildings in the southwest corner, and two coverall structures in the northeast corner. Lumber materials are stacked in the northwest corner of the property, while various building materials and supplies are stored along the perimeter of the site.

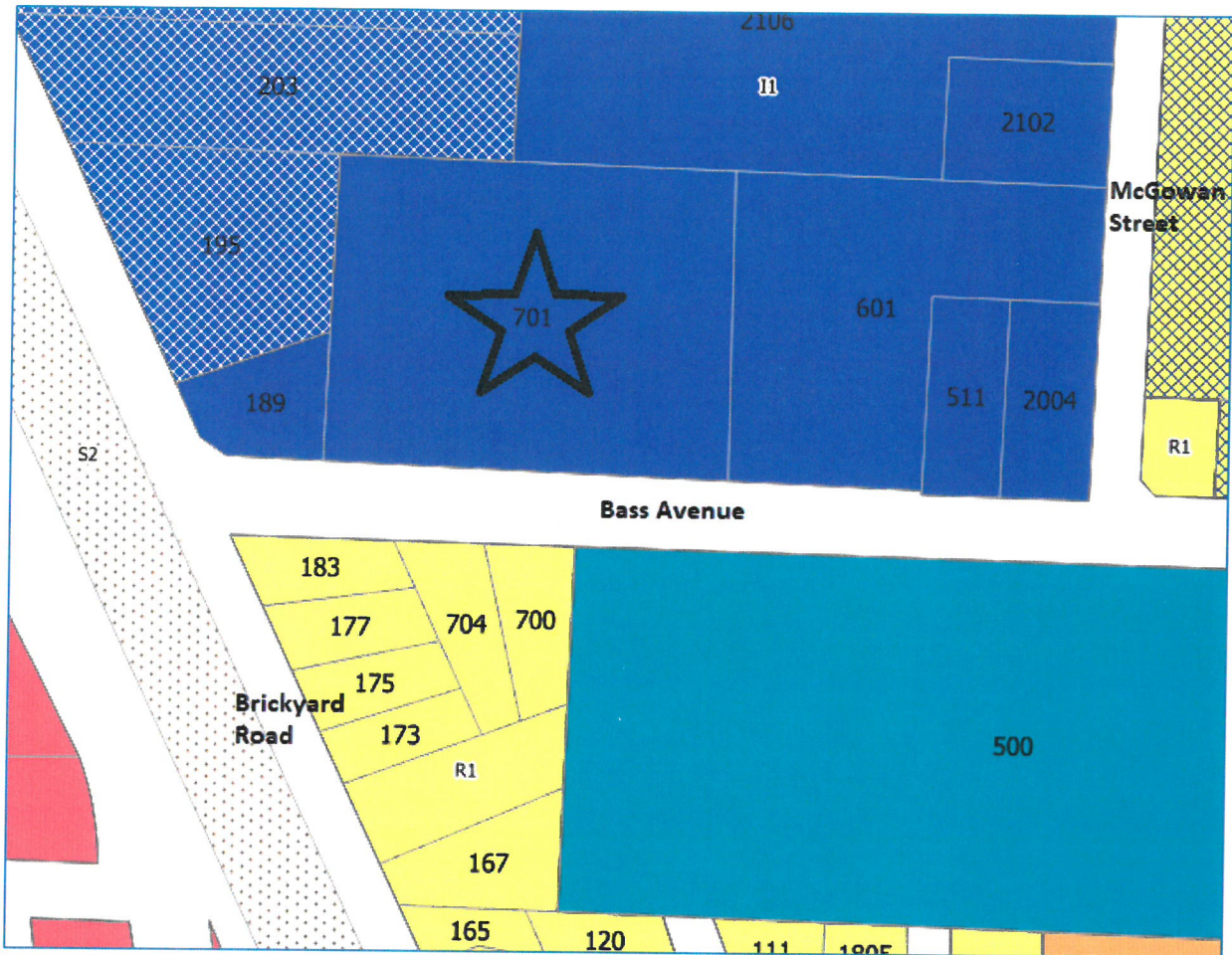
The perimeter of the property is secured through a chain link fence. A paved maneuvering aisle off of Bass Avenue provides access to the central portion of the property, with access being restricted through a rolling gate. All of the parking for the development is located off-site in the aforementioned paved boulevard area (public property) between the southern boundary of the subject property and the travelled portion of Bass Avenue.

The attached Schedule "A" shows the proposed layout of the site.

The zoning and OCP designations of the subject property and surrounding properties are as follows:

- Subject property – Zoned Light Industrial (I.1) and designated as Light Industrial in the OCP
- Northeast, east and southwest properties - Zoned Light Industrial (I.1) and designated as Light Industrial in the OCP
- Northwest properties – Zone General Industrial (I.2) and designated as General Industrial in the OCP
- Southeast property – Zoned Assembly, Civic and Public Service (S.1) and designated as School Site in the OCP
- Southwest properties – Zoned Residential Single Family (R.1) and designated as Residential Low Density in the OCP

The following figure shows the zoning designations of the subject and surrounding properties:



**Figure 1: Zoning Map**

- Blue – Light Industrial (I.1)
- Blue Crosshatch – General Industrial (I.2)
- Yellow - Residential Single Family (R.1)
- Teal - Assembly, Civic and Public Service Use (S.1)

The following orthophoto of the subject and surrounding properties was taken in 2011:



Figure 2: Orthophoto

### Development History

The principal retail building was originally constructed in 1999.

In December 2006, the previous property owners applied for a Development Permit to construct two 60'x120' coverall structures which would be used for storage purposes. The site plan provided as part of this Development Permit application did not meet all requirements of Zoning Bylaw No. 966, 1987, and the applicants subsequently submitted a Development Variance Permit application in January 2007 seeking variances to reduce the width of a maneuvering aisle for angle parking from 6 m to 5 m, waive the requirement to provide a landscape buffer area, and waive the requirement to screen an outdoor storage area. Council did not approve the variance requests but did state that they would be supportive of reducing the width of a landscape buffer area from 9 m to 1 m and reducing the width of a maneuvering aisle from 6 m to 4 m, but the applicants did not pursue these alternate variance requests. In addition, Council authorized the issuance of a Development Permit subject to the applicant meeting several conditions, including:

- i. ensuring stormwater management occurred in a manner consistent with an engineering report from Omega Engineering dated December 6, 2006;
- ii. installing screening for the outdoor storage area; and
- iii. providing financial security for the completion of landscaping, paving and screening works.

These conditions were not met and the Development Permit application expired.

Later in 2007 it came to the City's attention that the property owner had proceeded with constructing the two coverall structures, along with an addition to the main building, all without having received Building Permits or Development Permits. Correspondence was sent to the property owner advising that the City was aware of the construction of the two coverall structures and the addition to main building, and that the property owner was required to obtain the necessary permits to legalize the structures or otherwise the City would pursue registering a Notice on Title. A Notice on Title is an enforcement tool used by local governments which involves placing a legal notation on the title of a property, in order to serve as a notice that the property in question may be in breach of local government bylaws or regulations. In March 2008, Council resolved to register a Notice on Title for 701 Bass Avenue, and the property owner was advised of this through written correspondence; in this correspondence, the property owner was also advised that the Notice on Title could be removed if the unlawful works were brought into conformance with the City's bylaws and regulations.

The subject property was recently sold and the new property owner is looking to remove the Notice on Title issue by legalizing the unlawful coverall structures and addition to the main building; the first step in that process is obtaining variances to the City's Zoning Bylaw in order to address non-conformities on the site, which in turn will enable them to obtain a Building Permit. Once a Building Permit has been issued and there is demonstrated compliance with local bylaws and the BC Building Code, the owner will be eligible to request that the Notice on Title be removed.

#### The Proposal

The applicant is not proposing any new construction and is only intending to address non-conformities on the site in order to obtain a Building Permit to legalize the coverall structures and addition to the main building. The property will continue to be used for the sale and storage of building materials.

The applicant is proposing to keep the layout of the site largely similar to how it currently operates, although there are several proposed changes including:

1. Given that a property owner cannot rely on parking stalls in a boulevard area to meet the minimum *off-street* parking requirements for their development, the parking stalls currently located in the paved boulevard area adjacent to Bass Avenue are proposed to be relocated entirely on private property;
2. The fenced outdoor retail area to the east of the main building will be converted to a one-way maneuvering aisle and angle parking for staff;
3. There will be 8 new right-angle parking stalls installed to the north of the main building;
4. There is a proposed 'future parking' area to the rear of the main building, adjacent to the southern coverall structure; and



5. The applicant is proposing to install privacy slatting along the southern portion of the chain link fence to act as screening.

**ZONING BYLAW:**

The subject property is zoned Light Industrial (I.1) and the permitted uses within this zone include accessory buildings and structures, one dwelling unit for the owner, operator or employee of the principal and permitted use, civic use, food service, limited agriculture, public service use, retail sales, service and repair, transportation facilities, manufacturing, processing, and storage. The proposal as compared to the Zoning Bylaw requirements for the I.1 zone is as follows (highlighted items are the ones requiring a variance):

<b>CRITERIA</b>	<b>I.1 ZONING REQUIREMENTS</b>	<b>PROPOSAL</b>
Height of Buildings and Structures (max.)	12 m (39.37 feet)	<12 m (39.37 feet)
Lot Area (min.)	650 m <sup>2</sup> (6.997 square feet)	13,270 m <sup>2</sup> (142,837 square feet)
Lot Coverage (max.)	60%	<60%
Lot Frontage (min.)	20 m (65.62 feet)	~127 m (416.7 feet)
Off-street Parking (min.)	29 stalls  1 per 180 m <sup>2</sup> of covered sales and storage area = 18 stalls  1 per 2 employees = 11 stalls	38 stalls
Maneuvering aisle	8 m (26.25 feet) for right-angle parking	1.8 m (5.91 feet)
Off-street Loading (min.)	3	3+
Setbacks (min.)		
Front Yard	9 m (29.53 feet)	> 9 m (29.53 feet)
Rear Yard	0 m (0 feet)	6.3 m (20.67 feet)
Side Yard	6 m (19.68 feet)	> 6 m (19.68 feet)
Screening/Fencing	Screening of 2.5 m (8.202 feet) in height on all sides to enclose outdoor storage area  Fences or walls not greater than 2.5 m (8.202 feet) in height, and screening, to be located to the rear of the required front yard	Fencing/screening to be located within the front yard setback area  Screening only provided along the southern property boundary, with a height of 1.829 m (6 feet)
Landscaping	Landscape buffer area, 9 m (29.53 feet) in width, along the southern property boundary	No landscape buffer area

## **OFFICIAL COMMUNITY PLAN:**

Policies contained within the Official Community Plan which apply to this development include:

- Policy 2.2.c - To maintain and enhance the social well-being, development, and the quality of life for all citizens of Enderby.
- Policy 3.3.c - Council recognizes that development of land has social impacts and will act through the approval process to minimize negative and maximize positive impacts.
- Policy 5.3.f - Council will develop strategies and tools to encourage and facilitate infill and redevelopment within existing developed areas of the community.
- Policy 8.3.h - Council will support infill and redevelopment within the community.
- Policy 8.3.l - Council will support alternative infrastructure standards and urban design principles which promote environmental, economic, and social sustainability.

## **REFERRAL COMMENTS:**

The subject application was referred to the City of Enderby Public Works Manager, Building Inspector, Fire Chief, and Ministry of Transportation and Infrastructure.

The City's Public Works Manager provided the following comments in response to the referral:

*"The Developer will need to demonstrate adequate off-street parking for employees and customers without conflicting with loading bays, maneuvering aisles, or the adjacent Bass Avenue boulevard area that may be future sidewalk.*

*It is unclear that the Developer completed the stormwater management plan that was submitted as part of a prior Development Permit application that was abandoned; the Developer will need to demonstrate that a stormwater management plan acceptable to the City of Enderby has been implemented before Building Permit issuance and should be advised of this requirement in advance."*

No other comments were received in response to the referral.

## **PLANNING ANALYSIS:**

### Landscaping and Screening

The City of Enderby Planner raises no objections to the applicant's request to vary Zoning Bylaw No. 1550, 2014 to, i) reduce the minimum height for screening along the southern property boundary from 2.5 m (8.202 feet) to 1.829 m (6 feet), ii) not provide screening along the western, northern and eastern property boundaries to screen an outdoor storage area, iii) permit required screening to be located within the front yard setback area, iv) permit a fence not greater than 2.5 m (8.202 feet) in height to be located within the required front yard setback area, and v) waive the requirement to provide a landscaped buffer area equal

to the required front yard setback area (9 m/29.53 feet), as shown on the attached Schedule “A”, and recommends that Council authorize the proposed variances for the following reasons:

- Surrounding properties to the west, north and east are all currently used for industrial purposes, and therefore it is not anticipated that a lack of screening along these common boundaries would negatively impact the adjacent properties;
- It is anticipated that a height of 1.829 m (6 feet) for screening along the southern property boundary (i.e. chain link fencing with privacy slatting) will be sufficient to screen the adjacent residential properties from viewing the outdoor storage areas on the subject property; in addition, the Zoning Bylaw prohibits materials from being stored above the height of screening, so it is not anticipated that a slight reduction in the minimum height of screening would result in any adverse visual impacts to the adjacent residential properties;
- The property relies on the paved boulevard adjacent to Bass Avenue for access to the site and its parking areas, and therefore installing a landscape buffer in this area would negatively impact access to the site; furthermore, given the industrial setting, it is not anticipated that the waiving of the landscape buffer area would negatively impact the aesthetics of the area; and
- The requirement to have screening and fencing located to the rear of a front yard setback area is directly related with the requirement to have a landscape buffer area equal to the required front yard setback area (i.e. if fencing/screening were located within the required front yard setback area it would visually block the landscape buffer area); the requirement to have fencing/screening to the rear of the front yard setback area is no longer necessary if the landscape buffer requirement is waived.

#### Maneuvering Aisle

The applicant is proposing to reduce the required width of an unobstructed maneuvering aisle for right-angle parking from 8 m (26.25 feet) to 1.8 m (5.91 feet) for the right-angle parking stalls on the southern side of the main building, as shown on the attached Schedule “A”. Although the formal maneuvering aisle located on the subject property would only be 1.8 m (5.91 feet) in width, the paved boulevard area adjacent to Bass Avenue would act as an ‘off-site’ maneuvering aisle and would provide ample area for vehicles to maneuver to and from the aforementioned parking stalls. Having said that, this paved boulevard area is part of the Bass Avenue road dedication and the property owner cannot rely on its use, given that it could potentially be used for other purposes should Bass Avenue be realigned or redesigned in the future (i.e. a future sidewalk could directly abut the property’s southern property boundary). Given this, the City of Enderby Planner is recommending that Council authorize the proposed variance subject to the following conditions:

1. The property owner registering a Section 219 covenant on the title of the subject property which:
  - a) Confirms that, in the event that Bass Avenue is realigned or redesigned such that vehicles cannot safely maneuver to and from the parking stalls adjacent to the southern portion of the main building, the property owner will discontinue the use of the aforementioned parking stalls and relocate them to the area shown as ‘future parking’ on the attached Schedule “A”;

- b) Designates the future parking area shown on the attached Schedule "A" as a 'no build area'; and
  - c) Indemnifies and saves harmless the City of Enderby against all claims, liabilities, judgments, costs, and expenses of whatever kind, which may in any way accrue against the said City in consequence of, and incidental to, the issuance of Development Variance Permit 0022-19-DVP-END; and
2. The property owner entering into a License of Occupation with the City of Enderby for that portion of the Bass Avenue road dedication intended to be used as a maneuvering aisle for the parking stalls to the south of the main building.

Item #1 above will ensure that if Bass Avenue is realigned or redesigned in the future, such that the paved boulevard area is no longer available to be used as an off-site maneuvering aisle, the property owner will be required to remove the stalls and relocate them to a pre-designated area to the north of the main building. The 'no build' component to the Section 219 Covenant will ensure that the property owner does not construct any improvements in this area which could limit the ability of the aforementioned parking stalls to be relocated there in the future. These requirements directly address the comments provided by the City's Public Works Manager.

Item #2 above will ensure that the property owner's use of the paved boulevard area is formalized through a standard document that defines the permission and ensures clarity with respect to liability and maintenance.

#### Stormwater Management Plan

As mentioned above, one of the conditions of the issuance of the Development Permit in 2007 was that the previous property owner was required to ensure that stormwater management occurred in a manner consistent with an engineering report from Omega Engineering dated December 6, 2006. As noted by the City's Public Works Manager in his referral comments, it is unclear whether the applicant ever implemented the stormwater management measures identified in this engineering report from Omega Engineering. Given this, it is recommended that correspondence be sent to the applicant advising them that, prior to the issuance of a Building Permit to legalize the coverall structures and addition to the main building, they will be required to either, i) demonstrate that stormwater management for the property is in accordance with the engineering report from Omega Engineering dated December 6, 2006, or, ii) submit a new stormwater management plan for the property that is acceptable to the City of Enderby.

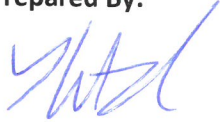
#### **SUMMARY**

This report relates to a Development Variance Permit application for the property located at 701 Bass Avenue. The applicant has submitted a Building Permit application in order to attempt to legalize two existing coverall structures, and an addition to the principal building, which were previously constructed without a Building Permit; prior to a Building Permit being issued, the applicant is required to demonstrate compliance with the City of Enderby Zoning Bylaw No. 1550, 2014 and is now seeking several variances to address existing non-conformities.

The City of Enderby Planner is supportive of the proposed variances, and upon consideration of input from adjacent landowners, is recommending that Council authorize the issuance of the Development Variance Permit subject to the conditions described above.

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**Prepared By:**



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Kurt Inglis, MCIP, RPP  
Planner and Deputy Corporate Officer

**Reviewed By:**



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Tate Bengtson  
Chief Administrative Officer

**THE CORPORATION OF THE CITY OF ENDERBY**  
**DEVELOPMENT VARIANCE PERMIT APPLICATION**  
**SUBJECT PROPERTY MAP**

**File:** 0022-19-DVP-END

**Applicant:** Central Hardware/David Danforth

**Owner:** BMG Ventures Ltd.

**Location:** 701 Bass Avenue, Enderby BC

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Schedule "A"

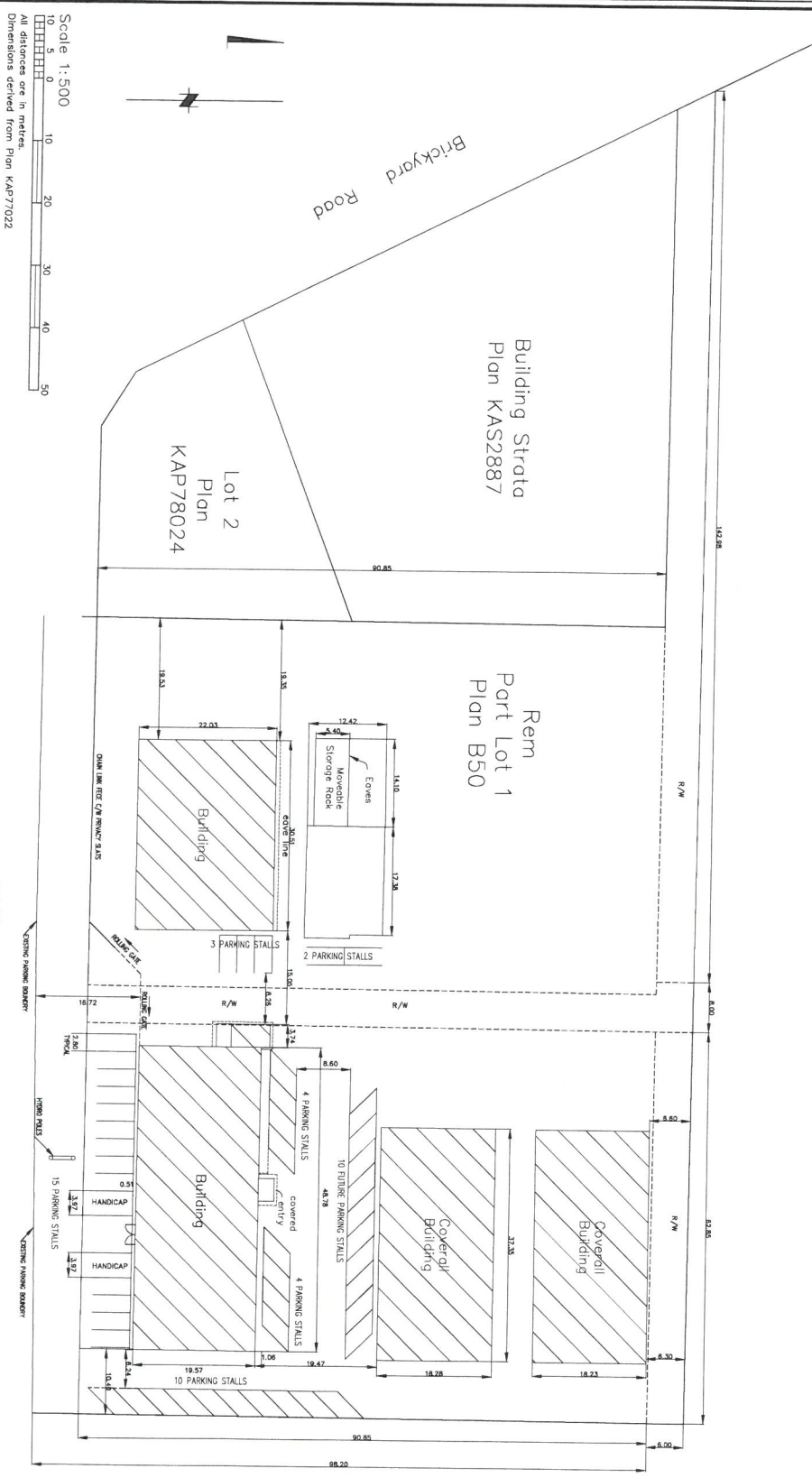
**ASHTON CREEK**  
**DRAFT AND DESIGN**

932 MARLE LAKE RD  
 ENDERBY, B.C.  
 V0E 1V5  
 EMAIL: [ap@ashtons.com](mailto:ap@ashtons.com)  
 PH: 250-517-9223

To: Central Okanagan Holdings Ltd.  
 6/8 Doye Demforth  
 605 5th  
 Enderby, BC, V0E 1V0  
 Your File:

Re: Part Lot 1 Shown on Plan B50, DL 226,  
 Geoyos Division Yale District, Plan 151,  
 Except Plans B133, KAP75600 and KAP77022  
 Parcel Identifier (PID): 012-663-476  
 Civic Address: 701 Bass Avenue, Enderby

Re: Lot 1, District Lot 226, Kamloops  
 (Formerly Geoyos) Division Yale District,  
 Plan 40397  
 Parcel Identifier (PID): 012-383-928  
 Civic Address: 203 Bridgeway Road, Enderby



TOTAL PARKING: 38 STALLS PLUS -  
 10 PROPOSED FUTURE PARKING STALLS  
 STANDARD PARKING STALLS - TYPICAL SIZE IS 2.8m X 6m  
 HANDICAP PARKING STALLS - TYPICAL SIZE IS 4.0m X 6m

Lot 1  
 Plan  
 KAP75600

CLIENT:  
 CENTRAL HARDWARE LTD,  
 701 BASS AVENUE,  
 ENDERBY B.C.

PROJECT:  
 PROJECT #

REVISIONS:

DATE: 09/25/2019

DRAWING DESCRIPTION:  
 PROPOSED PARKING LAYOUT

SCALE: N.T.S.

DRAWING NO: 001

**From:**  
**Sent:** October 16, 2019 1:55 PM  
**To:** kinglis@cityofenderby.com  
**Subject:** RE: Site Plan

Hi Kurt.  
It is 1.8 Metres  
Greg

-----Original Message-----

From: kinglis@cityofenderby.com [mailto:kinglis@cityofenderby.com]  
Sent: Wednesday, October 16, 2019 10:15 AM  
To: t>  
Subject: RE: Site Plan

Hi Greg,

Do you happen to have the measurement between the southern property boundary and the edge of the right angle parking spaces in front of the building?

Thanks!

Kurt Inglis, MCIP, RPP  
Planner and Deputy Corporate Officer  
City of Enderby  
P.O. Box 400, 619 Cliff Avenue  
Enderby BC, V0E 1V0

Telephone: 250-838-7230 | Fax 250-838-6007  
Email: kinglis@cityofenderby.com | Website: cityofenderby.com

-----Original Message-----

From:  
Sent: October 16, 2019 7:56 AM  
To: kinglis@cityofenderby.com  
Subject: RE: Site Plan

Her you go, Kurt;  
Cheers, Greg

-----Original Message-----

From: kinglis@cityofenderby.com [mailto:kinglis@cityofenderby.com]  
Sent: Tuesday, October 15, 2019 1:52 PM  
To:  
Subject: Site Plan

Hi Greg,





# VERNON NORTH OKANAGAN DETACHMENT

3rd Quarter (July to September) 2019

## QUARTERLY POLICING REPORT

Committed to preserve the peace, uphold the law and provide quality service in partnership with our communities.

Superintendent Shawna BAHER

Officer in Charge

## POLICING ACTIVITY REPORT ~ 3<sup>rd</sup> Quarter 2019

The Vernon North Okanagan Detachment continues to focus on the priorities of Enhanced Public Safety, Community Connections and Road Safety. To support our plan, we have implemented various initiatives including prolific and priority offender management, increased police visibility, and traffic enforcement. One method used to track our performance is to compare crime statistics with the same quarter from the previous year. All crime statistics for specific areas are featured at the end of this report. The statistics reflect monthly totals for July to September 2019 with comparisons from the previous year. This report is a synopsis of some of the recent investigations conducted by the Vernon North Okanagan Detachment and does not reflect all the tasks our police officers are working on nor does it include information which could impact on going police investigations.

### COMMUNITY EVENTS

The Vernon North Okanagan Detachment provided policing coverage at many events in our community to ensure the safety of attendees, including the Funtastic Ball Tournament and Music Fest in Vernon, the Okanagan Military Tattoo and the Interior Provincial Exhibition in Armstrong. Large events such as these require significant safety planning and additional resource deployment to ensure success. In September, the Vernon North Okanagan Detachment hosted the Emergency Services Showcase at Polson Park. The showcase provided a venue for the Vernon Fire Department, Vernon Search and Rescue, BC Ambulance Service as well as RCMP specialized sections to display their talents and equipment.

### VERNON/COLDSTREAM

#### OPERATIONS

The below graph shows the total number of calls for service with Criminal Code offences and property crime extracted for the 3<sup>rd</sup> quarter of 2019, as well as the cumulative number since January 1, 2019 to the end of the quarter.

Category	Vernon		Coldstream		Vernon Rural	
	Q3	YTD	Q3	YTD	Q3	YTD
<b>Calls for Service</b>	<b>5,958</b>	<b>15,741</b>	<b>518</b>	<b>1,244</b>	<b>582</b>	<b>1,391</b>
<b>Criminal Code Offences</b>	<b>1,891</b>	<b>5,064</b>	<b>96</b>	<b>286</b>	<b>114</b>	<b>288</b>
<b>Property Offences</b>	<b>1,130</b>	<b>3,202</b>	<b>61</b>	<b>187</b>	<b>73</b>	<b>188</b>

The following graph shows the total number of criminal charges forwarded to Vernon Crown Counsel, the total number of prisoners held in the Vernon cell block and the total number of interventions by the Vernon North Okanagan Police Dog Service unit. Since June of 2019, the Vernon North Okanagan has begun to track the number of files associated to the street entrenched population. "SEPTA" is an acronym for Street Entrenched Policing Target Analysis.

July 1 – September 30, 2019	Q3	YTD
Charges Forwarded	642	1,726
Total Prisoners	433	1,218
PDS Interventions	6	21
SEPTA files	656	803*

*\*Tracking of SEPTA began June 25, 2019*

## FRONT LINE POLICING

### Vernon

On July 17<sup>th</sup>, police responded to a report of three street entrenched persons in a dispute in which one person produced a weapon. Two individuals were arrested for uttering threats and released on conditions of no contact with the other pending a court appearance.

On August 1<sup>st</sup>, multiple police officers responded to a robbery where an unknown man attended to a business and produced a weapon. After a thorough investigation identified a suspect, a search warrant was executed at a residence and a 19 year old man was arrested. The matter is before the court.

On August 2<sup>nd</sup>, a 28 year old man and a 45 year old woman were arrested for robbery following an incident in the back alley of a local business, when an employee on a break was confronted by the man. The matter is before the court.

On August 19<sup>th</sup>, a BC Transit driver was physically assaulted when he exited the bus to advise a man that smoking was prohibited at the bus stop. A witness was also assaulted when she attempted to intervene. Police arrested a 25 year old man and the incident is pending court.

On September 3<sup>rd</sup>, multiple police officers, including the Police Dog Service, assisted with the traffic stop of a vehicle reported to have a firearm in view of passing motorists. Two men were taken into custody without incident and later released when it was determined the firearm was a long range paintball gun.

On September 3<sup>rd</sup>, a vehicle was in the drive thru of a local restaurant when a man approached the driver and produced a weapon. The suspect fled into a nearby park however was located by responding police officers. A 33 year old man was arrested and the weapon located. The man remains in custody pending court.

### Coldstream

On July 21<sup>st</sup>, police responded to a report of mischief at the rainbow crosswalk at Kalamalka Beach where white paint had been poured across the street. A thorough investigation was conducted, including utilizing the resources of the Forensic Identification Section and the Media Relation Officer, however, no suspects were identified.

On July 26<sup>th</sup>, police were conducting routine patrols of Husband Road when they located a male performing stunts on a motorcycle. The male attempted to evade police, loss control of the motorcycle and fled the area on foot. The registered owner of the motorcycle was located at a nearby house party. The operator of the motorcycle was followed up with at a residence in another community and is charged under the Motor Vehicle Act.

On July 27<sup>th</sup>, police assisted the BC Coroner Service and Vernon Search and Rescue with the body recovery of a 71 year old man who fell from a cliff at Kalamalka Park.

On August 10<sup>th</sup>, police investigated the discovery of the body of a 29 year old man on the roadside in Lavington. The investigation determined the man had been operating a dirt bike without a helmet and had struck his head when he slid off the road.

On September 11, police responded to an assault in Kalamalka Park. A race organizer was setting up for a 100 km race when confronted by a male who head butted her in the face. A 59 year old man was arrested and faces charges of assault. The matter is pending court.

Cpl Fritz Schmid is the liaison with the District of Coldstream and provided a visible police presence with patrols of the community including the beaches and parks. In conjunction with Bylaw Enforcement, Cpl Schmid and his team were regularly seen on mountain bike, operating the marked police utility vehicle and conducting radar enforcement in Coldstream.

## GENERAL INVESTIGATION SECTION

### Serious Crime Unit (SCU)

In July 2019, SCU assisted the Professional Standards Unit with a breach of court conditions investigation by obtaining a Production Order to search a data base for records.

In July 2019, SCU assumed conduct of a robbery investigation which resulted in the identification of a suspect. A 20 year old man was arrested and charges were approved. The suspect remains in custody and the matter is before the court.

In August 2019, SCU provided support during a robbery investigation. SCU secured witness statements, identified a suspect, and executed a search warrant on a residence. A 20 year old male was arrested and remains in custody pending court.

In August 2019, SCU assisted another jurisdiction with a missing person investigation. SCU conducted an extensive video canvass from numerous businesses in our area and followed up on tips from the public. The missing people were subsequently located in Saanich, BC.

In August 2019, SCU became aware of a victim with a gunshot wound at a location in Vernon. SCU assumed conduct of the incident and determined a home invasion had occurred at a residence in the Lumby area. SCU examined the scene, interviewed potential witnesses and conducted video canvass. The investigation continues.

In September 2019, SCU assumed conduct of a criminal negligence investigation. SCU secured the scene, interviewed witnesses and executed a search warrant. This matter is still under investigation.

In September 2019, a SCU assisted General Duty officers with an examination of a residential fire. The investigation continues.

### Special Victim Unit (SVU)

The Special Victim Unit investigate crimes relating to vulnerable victims. The SVU is comprised of a Corporal and two Constables who are responsible for high risk investigations relating to domestic violence, sex crimes and missing persons.

### *Domestic Violence Unit (DVU)*

The Domestic Violence Unit continues to monitor numerous files which are either in the court process or require a multi-agency response through the Integrated Case Assessment Team (ICAT). These files include situations where there is a high risk to the safety of the victim. During this reporting period, there were six new ICAT referrals and an additional file from a previous ICAT was re-opened.

DVU conducted a criminal harassment investigation where a production order warrant was required, liaised with external partners regarding a high risk social/domestic client, assisted an outlying detachment with a sensitive investigation, completed an interview of a victim and submitted a report to Crown Counsel for a high risk investigation, and completed an extensive B-SAFER review on a high risk domestic investigation.

### *Sex Crimes*

The Sex Crimes investigator received a report of child pornography from the BC Integrated Child Exploitation Unit (BC ICE), executed two search warrants on residences for previous BC ICE investigations, conducted 15 child interviews, of which six were based on a disclosure from the Ministry of Children and Families, and forwarded charges on a breach of conditions by a high risk sex offender.

### *Missing Persons*

The Missing Persons Coordinator provided support and guidance for seven high risk missing person investigations, completed an initial stage review for a high risk missing person investigation for a neighbouring detachment and discussed Uniform Crime Reporting code amendments with the PRIME Coordinator.

## TARGETED POLICING

In an effort to continue to work closely with partner agencies and stakeholders, the Targeted Policing Unit met regularly with numerous partner agencies including Interagency, Outreach and Mentally Disordered Offenders.

### *Task Force*

On July 3<sup>rd</sup>, Task Force arrested a 19 year old man in a stolen vehicle who was held in custody and charged with possession of stolen property.

On July 9<sup>th</sup>, Task Force executed a search warrant under the Controlled Drugs and Substances Act on a problem premise in the downtown area. Upon police attendance, twenty people were located inside, as well as a significant quantity of drugs and currency. A second search warrant was obtained for a vehicle on the property, yielding further drugs and drug trafficking paraphernalia. A 30 year old woman was charged with possession for the purpose of trafficking.

On August 21<sup>st</sup>, Task Force executed a second search warrant on the above noted problem premise. At this time, eleven people were located on the property as well as a significant quantity of drugs, currency and stolen property. City of Vernon By law attended with a building inspector and the residence was deemed uninhabitable. The investigation continues.

### *Crime Reduction Unit (Downtown Enforcement)*

The Crime Reduction Unit perform a significant role in the bi-weekly comparative statistics meeting where emerging crime trends, hot spots of criminal activity, problem premises, priority prolific offenders and social chronic offenders are identified and tasks assigned to various units to help reduce crime.

During this reporting period, the Crime Reduction Unit executed 118 arrest warrants and recommended 42 investigations to Crown Counsel for charge approval, of which 17 persons were found in breach of court ordered conditions.

### *Prolific Offender*

A Prolific Offender is identified as an adult or youth offender with an established pattern of persistent Criminal Code and/or Controlled Drugs and Substances Act offences; who is identified by current intelligence to be criminally active, and assessed by police and partner agencies as medium to high risk

to re-offend. These offenders reside in, or have ties to, our detachment area and are capable of causing a disproportionate amount of crime in the community.

At the conclusion of this reporting period there were 19 Prolific Offenders identified for monitoring in Vernon/North Okanagan. Of those, 7 are currently in custody and 12 are not in custody. Of those not in custody, 9 reside in the Vernon/North Okanagan detachment area and 3 reside outside of the detachment area.

## NORTH OKANAGAN RURAL

### OPERATIONS

The below graph indicates the total number of calls for service with Criminal Code offences and property crime extracted for the 3<sup>rd</sup> quarter, as well as the cumulative number since January 1, 2019 to the end of the quarter.

Category	Armstrong		Spallumcheen		Enderby	
	Q3	YTD	Q3	YTD	Q3	YTD
<b>Calls for Service</b>	<b>338</b>	<b>915</b>	<b>416</b>	<b>1018</b>	<b>844</b>	<b>2023</b>
<b>Criminal Code Offences</b>	<b>72</b>	<b>222</b>	<b>83</b>	<b>158</b>	<b>212</b>	<b>502</b>
<b>Property Offences</b>	<b>34</b>	<b>125</b>	<b>49</b>	<b>93</b>	<b>108</b>	<b>259</b>

Category	Falkland		Lumby		Westside	
	Q3	YTD	Q3	YTD	Q3	YTD
<b>Calls for Service</b>	<b>212</b>	<b>552</b>	<b>397</b>	<b>918</b>	<b>257</b>	<b>772</b>
<b>Criminal Code Offences</b>	<b>25</b>	<b>82</b>	<b>78</b>	<b>182</b>	<b>55</b>	<b>155</b>
<b>Property Offences</b>	<b>10</b>	<b>44</b>	<b>27</b>	<b>82</b>	<b>27</b>	<b>78</b>

The following graph is a total number of charges forwarded to Vernon Crown Counsel, the total number of prisoners held in the Vernon cell block and the total number of interventions by the Vernon North Okanagan Police Dog Service.

<b>July 1 – September 30, 2019</b>	<b>Q3</b>	<b>YTD</b>
Charges Forwarded	129	379
PDS Interventions	5	8
Total Prisoners	58	180

### FRONT LINE POLICING

#### Armstrong

On July 6<sup>th</sup>, police were advised of a break and enter which occurred at a local business where a vehicle was seen leaving the area. Police conducted a thorough investigation and identified a suspect. As police have been unable to locate the individual, a warrant has been issued for the individual's arrest.

On July 30<sup>th</sup>, police attended to a local business for a report of animal rights protestors on the property. The group had dispersed upon police arrival and no further complaints were received.

On August 13<sup>th</sup>, police responded to a suspicious occurrence on Salmon River Road. An individual was excavating a property when bones were discovered. The BC Coroner Service and an anthropologist assisted police to determine the bones were from an animal.

On September 11<sup>th</sup>, police attended a two vehicle collision on Jackson Avenue which resulted in damage to a neighbouring residence. The driver of the vehicle was charged under the Motor Vehicle Act.

#### Enderby

On July 4<sup>th</sup>, a vehicle was stolen from Enderby and recovered by police, abandoned in a ditch in Grindrod. Forensic investigators examined the vehicle, however, no suspects were identified.

On August 5<sup>th</sup>, police conducted patrols on Enderby Mabel Lake Road and observed a number of vehicles in No Parking zones along the road. Police issued 12 warnings to motorists with an additional three warnings given at boat launch on Trinity Valley Road for similar parking related issues.

On September 22<sup>nd</sup>, police attended to a structure fire in Deep Creek to assist the local Fire Department. Later that evening police were called back to the residence after a report of a second fire. The file is still under investigation.

#### Falkland

On July 21<sup>st</sup>, police attended to Westwold for a report of an individual shooting birds in an unsafe manner. Police learned the person was prohibited from possessing firearms and located loaded firearms not stored in a safe manner. The individual faces charges under the Criminal Code.

On September 12<sup>th</sup>, the vehicle of a man reported missing by his family was located on Hwy 97 in Westwold. An extensive search of the area was conducted by police with the assistance of Search & Rescue, however were unable to locate the man. The investigation continues.

#### Lumby

On July 1<sup>st</sup>, police attended to a single vehicle roll over on Sugar Lake Road in Cherryville. The driver was taken to hospital with non-life threatening injuries and was charged under the Motor Vehicle Act for no driver's license, no insurance and misuse of license plate.

On August 6<sup>th</sup>, police attended a single motor vehicle collision on Highway 6 near Cherryville. The driver showed signs of intoxication by alcohol and was issued a 24 hour driving prohibition.

On September 28<sup>th</sup>, police responded to a bush party on Harris Creek Forest Service Road which resulted in three separate incidents. Police originally responded to a report of shots fired and found 50-60 persons at the party, however were able to identify the individual responsible. A man was arrested for careless use of a firearm and four rifles were seized. The matter is pending court. While on scene, police located a motor vehicle collision which resulted in the driver being issued a 24 hour suspension and the vehicle was impounded. As well, an intoxicated individual approached one of the police officers, yelling profanities and spat on him. The individual was arrested for assaulting a police officer and was held in custody until able to care for themselves. The individual was charged under the Liquor Control and Licensing Act for being intoxicated in a public place.

## Spallumcheen

On July 2<sup>nd</sup>, police responded to a suspicious vehicle on Simons Road. The vehicle had been stolen from Vernon. The Forensic Identification Section examined the vehicle, however no suspects were identified.

On September 18<sup>th</sup>, a man fled the scene of a collision with a power pole on Otter Lake Road. Police located the man and conducted an impaired driving investigation. The man failed two Approved Screening Device tests and was issued a 90 day driving prohibition, the vehicle was impounded for 30 days and he was charged under the Motor Vehicle Act for fail to remain at the scene of an accident.

## Westside

On July 1<sup>st</sup>, police observed a vehicle traveling 150 km/h in a 60 km/h zone on Westside Road. The driver was charged under the Motor Vehicle Act for excessive speed and no insurance, and the vehicle was impounded for seven days.

## GENERAL INVESTIGATION SECTION

In August, Rural GIS investigators assumed conduct of an aggravated assault investigation. This investigation is ongoing.

In August, Rural GIS investigators and the Forensic Identification Section conducted a thorough search of a rural location that was unusual in nature. The investigation determined there was nothing criminal or suspicious regarding the site and the file is concluded.

In September, Rural GIS assumed conduct of a home invasion investigation. Police obtained statements, conducted neighborhood enquiries, and executed a search warrant at a residence. The investigation is ongoing.

In September, Rural GIS investigated an allegation of forcible confinement. A thorough investigation was completed resulting in the alleged victim being located. The allegation was unsupported and the investigation concluded.

## TRAFFIC ENFORCEMENT

### North Okanagan Rural

- Road Check Stops: 6
- Impaired Drivers taken off the road by way of suspension or charge: 5
- Distracted Driver Charge: 2

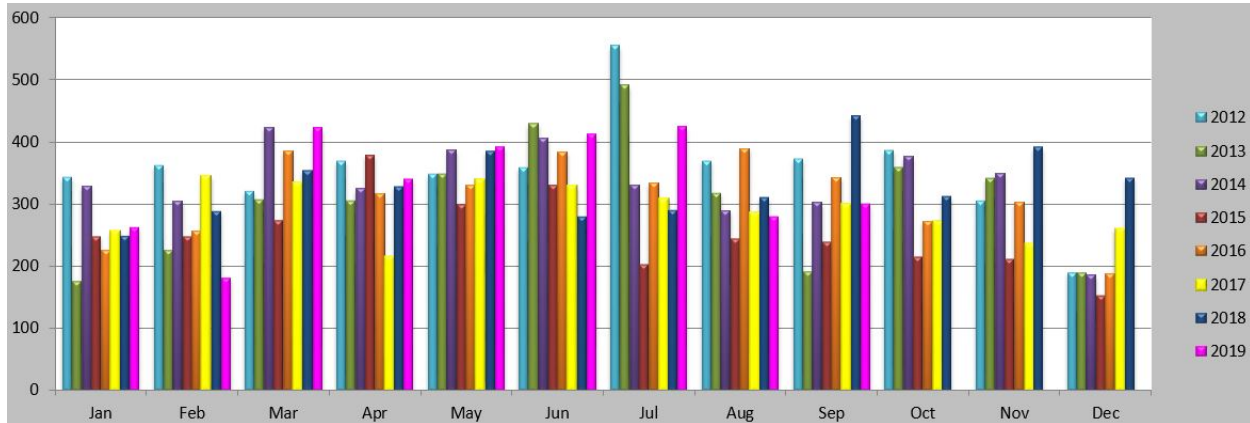
Area	Violation Ticket	Warning
Armstrong	33	19
Enderby	25	50
Falkland	19	9
Lumby	33	11
Spallumcheen	25	16
Westside	13	6

### Vernon/Coldstream

- Road Check Stops: 16
- Impaired Drivers taken off the road by way of suspension or charge: 62
- Distracted Driver Charge: 3



Area	Violation Ticket	Warning
Vernon	461	185
Coldstream	178	93
Vernon Rural	63	5



This graph depicts the total traffic enforcement (Tickets and Warnings) results for the Vernon, Coldstream & Vernon Rural area.

## FORENSIC IDENTIFICATION SECTION

The Vernon North Okanagan Forensic Identification Section has two members in rotation since the departure of one FIS member to front line policing in September. During the 3<sup>rd</sup> Quarter of 2019, a total of 22 individuals were identified on 24 files through fingerprints or other types of physical evidence.

Call for Service	Vernon/Coldstream	North Rural
Break and Enter	12	3
Drugs	2	0
Theft from Vehicle	7	0
Theft of Vehicle	19	3
Mischief	2	0
Possession of Stolen Property	1	0
Assault	2	2
Theft Under	2	0
Robbery	5	0
Other Criminal Code	4	2
Arson	1	0
<b>Total</b>	<b>57</b>	<b>10</b>

*Vernon FIS Calls for Service encompass Vernon, Vernon Rural and Coldstream.*

*The North Rural calls for service include Armstrong, Enderby, Falkland, Lumby & Westside.*

## POLICE DOG SERVICE

In August, the Vernon North Okanagan Detachment welcomed PDS Hawkes and his handler, Corporal Brady Kyle to the unit. Over the past couple of months, PDS Hawkes has conducted a successful track to locate a suspect who was brandishing a firearm, was involved in a multi-day search for a missing person at Monte Lake, assisted with validating Search & Rescue dogs and attended to the Emergency Services Showcase.

## RESERVE CONSTABLE PROGRAM

There are currently seven Reserve Constables who provide a variety of functions to the Vernon North Okanagan including; assist with in house training, conduct traffic enforcement, provide coverage for personnel shortages in front line policing and FIS, and conduct crime scene security.

AREA	PATROLS	VIOLATION TICKET	WARNING
Vernon	21	216	55
Coldstream	23	91	58
<b>Total</b>	<b>44</b>	<b>307</b>	<b>113</b>

## SCHOOL RESOURCE OFFICER

Over the summer, a competition was held to identify a new School Resource Officer. Constable Chris Terleski was the successful candidate and brings with him 12 years of policing experience. While familiarizing himself with his new role, Constable Terleski had a busy month of September. He has met with the administration from every school in School District 22, participated in seven assemblies, five Terry Fox runs, three elementary music classes, two elementary gym classes, read to three kindergarten classes, conducted a presentation to a Law 12 class, and conducted an elementary school lockdown drill. Constable Terleski has made an impact with his presence in and around the schools by playing with children on the playground, parking his police vehicle in high visibility areas to assist with traffic control, meeting with classrooms one on one, and making himself available to staff, students, and parents.

## COMMUNITY POLICING

### Vernon RCMP Volunteers

With 45 volunteers and 10 new candidates waiting for a security clearance, the City of Vernon RCMP Volunteers have been busy with safety patrols at community events, 3727 kilometers of vehicle patrols, 258 hours dedicated to Speed Watch operations and 144 vessels checked for invasive mussels. As well, there are three new Block Watches, bringing the total to 82 trained crime prevention groups, representing 1,971 homes and 3,414 residents.

## HUMAN RESOURCES

### Established Levels

Vernon North Okanagan Detachment is currently at 101 Regular Members: 56 City of Vernon; 30 Provincial; 4 City of Armstrong; 7 District of Coldstream; 3 Township of Spallumcheen & 1 Splat's in First Nation. The Indigenous Police Service constable position for the Okanagan Indian Band has been relocated from West Kelowna to the North Okanagan Rural. A staffing action is underway to identify a suitable candidate.

### Funded Levels

As of September 30<sup>th</sup> 2019, the Vernon North Okanagan Detachment billed 51.6 City of Vernon; 25.73 Provincial; 4.01 City of Armstrong; 6.7 District of Coldstream; 3.66 Township of Spallumcheen & .68 Splat's in First Nation.

3 <sup>rd</sup> Quarter Statistics – City of Vernon						
ACTIVITY TYPE	Jul 2018	Jul 2019	Aug 2018	Aug 2019	Sep 2018	Sep 2019
<b>Total Files</b>	1625	1693	1607	1815	1340	1504
Robbery	2	4	9	8	1	2
Assault (Includes DV)	41	49	35	53	27	63
Domestic Violence	7	9	5	7	4	12
Sex Offence	3	9	12	17	4	4
B&E Residence	7	14	7	11	10	14
B&E Commercial	14	8	22	18	22	9
Theft of Vehicle	17	13	19	14	5	18
Theft From Vehicle	62	75	71	64	62	58
Theft Over \$5000	3	3	1	1	1	3
Theft Under \$5000	65	112	79	129	71	107
Drug Offence	37	71	32	43	16	40
Liquor Offences	49	37	25	29	25	26
Impaired Driving	14	17	2	19	7	5
24 Hour Driving Suspension	4	5	7	2	-	4
Motor Vehicle Accidents	49	17	36	25	35	21

3 <sup>rd</sup> Quarter Statistics – Vernon Rural						
ACTIVITY TYPE	Jul 2018	Jul 2019	Aug 2018	Aug 2019	Sep 2018	Sep 2019
<b>Total Files</b>	153	151	139	167	141	158
Robbery	-	-	-	-	-	-
Assault (Includes DV)	3	3	1	2	2	1
Domestic Violence	1	-	-	-	1	-
Sex Offence	2	-	-	1	-	-
B&E Residence	-	3	1	-	2	1
B&E Commercial	-	1	1	1	3	-
Theft of Vehicle	2	3	1	3	3	4
Theft From Vehicle	10	7	7	4	9	1
Theft Over \$5000	1	-	-	-	-	-
Theft Under \$5000	10	5	2	8	4	8
Drug Offence	1	-	-	1	-	4
Liquor Offences	-	-	2	1	-	2
Impaired Driving	3	2	2	3	3	2
24 Hour Driving Suspension	1	-	-	-	-	1
Motor Vehicle Accidents	6	2	8	3	4	5

The quarter crime statistics are a sampling of the 15 most commonly reported Crime Codes which have the greatest impact on communities and provide police with valuable insight into crime activities and trends. Currently, there are over 700 Crime/Survey Codes utilized by Canadian policing agencies in the reporting of crime to the Canadian Centre for Justice in Ottawa.

**3<sup>rd</sup> Quarter Statistics – District of Coldstream**

ACTIVITY TYPE	Jul 2018	Jul 2019	Aug 2018	Aug 2019	Sep 2018	Sep 2019
<b>Total Files</b>	170	157	146	157	112	132
Robbery	-	-	-	-	-	-
Assault (Includes DV)	4	2	1	1	1	3
Domestic Violence	2	1	1	-	1	-
Sex Offence	1	-	1	3	-	1
B&E Residence	1	-	-	1	1	1
B&E Commercial	-	1	2	1	1	-
Theft of Vehicle	1	2	4	1	6	1
Theft From Vehicle	22	2	24	7	16	5
Theft Over \$5000	-	-	-	-	1	-
Theft Under \$5000	7	6	5	10	2	3
Drug Offence	2	-	-	-	2	1
Liquor Offences	2	6	1	6	1	1
Impaired Driving	3	-	1	1	-	2
24 Hour Driving Suspension	-	1	1	1	-	-
Motor Vehicle Accidents	6	6	3	4	3	3

**3<sup>rd</sup> Quarter Statistics – City of Armstrong NR4100 and NR4101**

ACTIVITY TYPE	July 2018	July 2019	August 2018	August 2019	Sept 2018	Sept 2019
<b>Total Files</b>	92	99	105	119	113	92
Robbery	-	-	-	-	1	-
Assault (includes DV)	1	5	3	3	8	3
Domestic Violence	-	2	3	1	-	1
Sex Offence	-	-	1	-	-	1
B&E Residence	1	1	1	-	-	-
B&E Commercial	-	1	1	-	-	-
Theft of Vehicle	-	-	-	-	2	1
Theft From Vehicle	8	2	1	4	-	2
Theft Over \$5000	-	-	1	-	-	-
Theft Under \$5000	5	3	7	2	5	8
Drug Offence	1	-	1	1	-	-
Liquor Offences	3	-	6	3	5	-
Impaired Driving	1	-	1	1	-	1
24 Hour Driving Suspension	-	-	-	1	-	1
Motor Vehicle Accidents	3	3	1	3	3	2

*The quarter crime statistics are a sampling of the 15 most commonly reported Crime Codes which have the greatest impact on communities and provide police with valuable insight into crime activities and trends. Currently, there are over 700 Crime/Survey Codes utilized by Canadian policing agencies in the reporting of crime to the Canadian Centre for Justice in Ottawa.*

3<sup>rd</sup> Quarter Statistics – Spallumcheen NR4200

ACTIVITY TYPE	July 2018	July 2019	August 2018	August 2019	Sept 2018	Sept 2019
<b>Total Files</b>	91	123	96	133	81	122
Robbery	-	-	-	-	-	1
Assault (Includes DV)	-	2	-	5	3	1
Domestic Violence	1	1	-	2	1	-
Sex Offence	-	-	-	-	-	-
B&E Residence	1	-	-	1	1	-
B&E Commercial	-	-	-	1	1	1
Theft of Vehicle	2	1	-	-	-	3
Theft From Vehicle	2	1	1	2	1	2
Theft Over \$5000	-	-	-	1	1	-
Theft Under \$5000	-	4	-	1	-	3
Drug Offence	1	-	-	1	-	-
Liquor Offences	1	-	-	2	-	1
Impaired Driving	2	-	2	-	-	2
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	9	4	7	10	8	8

3<sup>rd</sup> Quarter Statistics – City of Enderby NR1200 and NR1201

ACTIVITY TYPE	July 2018	July 2019	August 2018	August 2019	Sept 2018	Sept 2019
<b>Total Files</b>	95	120	103	160	82	105
Robbery	-	-	-	-	-	-
Assault (Includes DV)	4	3	3	5	2	2
Domestic Violence	1	-	-	-	1	1
Sex Offence	1	1	-	-	-	-
B&E Residence	1	-	-	1	-	2
B&E Commercial	2	1	-	2	3	2
Theft of Vehicle	1	2	4	1	4	1
Theft From Vehicle	-	10	5	9	4	5
Theft Over \$5000	-	-	1	-	-	-
Theft Under \$5000	-	4	4	6	6	3
Drug Offence	-	-	-	-	-	-
Liquor Offences	3	3	4	4	2	2
Impaired Driving	1	-	-	-	-	-
24 Hour Driving Suspension	-	-	-	-	-	1
Motor Vehicle Accidents	2	3	3	3	2	1

The quarter crime statistics are a sampling of the 15 most commonly reported Crime Codes which have the greatest impact on communities and provide police with valuable insight into crime activities and trends. Currently, there are over 700 Crime/Survey Codes utilized by Canadian policing agencies in the reporting of crime to the Canadian Centre for Justice in Ottawa.

**3<sup>rd</sup> Quarter Statistics – Enderby Rural NR1202 to NR1204**

ACTIVITY TYPE	July 2018	July 2019	August 2018	August 2019	Sept 2018	Sept 2019
<b>Total Files</b>	87	109	98	123	79	90
Robbery	-	-	-	-	-	-
Assault (Includes DV)	3	4	2	4	-	7
Domestic Violence	1	1	1	1	1	2
Sex Offence	-	-	-	-	-	-
B&E Residence	1	2	1	-	1	2
B&E Commercial	1	-	-	-	3	-
Theft of Vehicle	1	1	1	2	1	1
Theft From Vehicle	2	1	2	4	1	2
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	-	1	-	2	1	2
Drug Offence	1	-	-	-	-	-
Liquor Offences	2	3	1	-	-	-
Impaired Driving	3	1	-	-	-	-
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	4	8	3	7	4	5

**3<sup>rd</sup> Quarter Statistics – Village of Falkland NR1300 and NR1301**

ACTIVITY TYPE	July 2018	July 2019	August 2018	August 2019	Sept 2018	Sept 2019
<b>Total Files</b>	16	14	7	15	12	17
Robbery	-	-	-	-	-	-
Assault (Includes DV)	2	-	-	1	-	-
Domestic Violence	-	-	-	-	-	-
Sex Offence	-	-	-	-	-	-
B&E Residence	-	-	-	-	-	-
B&E Commercial	-	-	1	-	2	-
Theft of Vehicle	-	-	-	1	-	-
Theft From Vehicle	1	-	-	-	-	-
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	-	-	-	1	-	-
Drug Offence	-	-	-	-	-	-
Liquor Offences	-	-	-	-	-	-
Impaired Driving	-	-	-	-	-	-
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	1	-	-	1	1	1

*The quarter crime statistics are a sampling of the 15 most commonly reported Crime Codes which have the greatest impact on communities and provide police with valuable insight into crime activities and trends. Currently, there are over 700 Crime/Survey Codes utilized by Canadian policing agencies in the reporting of crime to the Canadian Centre for Justice in Ottawa.*

**3<sup>rd</sup> Quarter Statistics – Falkland Rural NR1302 and NR1303**

ACTIVITY TYPE	July 2018	July 2019	August 2018	August 2019	Sept 2018	Sept 2019
<b>Total Files</b>	49	49	63	58	36	50
Robbery	-	-	-	-	-	-
Assault (Includes DV)	-	1	2	-	2	2
Domestic Violence	1	1	-	-	1	-
Sex Offence	-	-	-	-	-	-
B&E Residence	-	-	-	-	-	-
B&E Commercial	-	-	1	-	1	-
Theft of Vehicle	-	-	2	-	-	1
Theft From Vehicle	-	-	-	-	-	1
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	-	-	2	-	-	1
Drug Offence	1	-	-	-	-	-
Liquor Offences	-	1	-	-	-	-
Impaired Driving	-	-	-	-	-	-
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	3	1	7	8	2	1

**3<sup>rd</sup> Quarter Statistics – Village of Lumby NR1400 and NR1401**

ACTIVITY TYPE	July 2018	July 2019	August 2018	August 2019	Sept 2018	Sept 2019
<b>Total Files</b>	46	48	36	55	39	74
Robbery	-	-	-	-	-	-
Assault (Includes DV)	1	3	2	1	-	5
Domestic Violence	1	2	-	-	-	2
Sex Offence	-	-	-	-	-	-
B&E Residence	-	-	-	-	-	-
B&E Commercial	-	-	1	-	2	-
Theft of Vehicle	1	-	-	-	1	-
Theft From Vehicle	5	1	-	-	1	8
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	-	-	1	-	1	2
Drug Offence	3	1	1	1	1	-
Liquor Offences	-	-	-	-	1	-
Impaired Driving	1	-	-	-	-	-
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	1	-	-	-	2	4

*The quarter crime statistics are a sampling of the 15 most commonly reported Crime Codes which have the greatest impact on communities and provide police with valuable insight into crime activities and trends. Currently, there are over 700 Crime/Survey Codes utilized by Canadian policing agencies in the reporting of crime to the Canadian Centre for Justice in Ottawa.*

**3<sup>rd</sup> Quarter Statistics – Lumby Rural NR1402 and NR1403**

ACTIVITY TYPE	July 2018	July 2019	August 2018	August 2019	Sept 2018	Sept 2019
<b>Total Files</b>	78	70	78	63	48	52
Robbery	-	-	-	-	-	-
Assault (Includes DV)	1	1	1	2	3	1
Domestic Violence	1	1	-	1	1	1
Sex Offence	1	1	-	-	1	-
B&E Residence	-	-	-	-	-	1
B&E Commercial	-	-	-	1	-	-
Theft of Vehicle	-	-	1	-	1	-
Theft From Vehicle	-	-	1	1	1	-
Theft Over \$5000	-	-	1	-	-	-
Theft Under \$5000	1	1	2	2	1	1
Drug Offence	4	-	-	-	-	-
Liquor Offences	-	-	1	1	1	1
Impaired Driving	1	-	1	1	1	-
24 Hour Driving Suspension	-	-	-	-	-	1
Motor Vehicle Accidents	10	8	7	12	2	6

**3<sup>rd</sup> Quarter Statistics – OKIB NR8000, NR8001, NR8101, NR8102**

ACTIVITY TYPE	July 2018	July 2019	August 2018	August 2019	Sept 2018	Sept 2019
<b>Total Files</b>	71	52	41	52	53	38
Robbery	-	-	-	-	-	-
Assault (Includes DV)	2	-	2	2	2	-
Domestic Violence	3	-	1	1	-	-
Sex Offence	1	-	1	-	2	-
B&E Residence	-	-	1	-	-	-
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	-	1	1	-	-	-
Theft From Vehicle	2	-	-	1	1	-
Theft Over \$5000	1	-	-	-	-	1
Theft Under \$5000	3	1	-	2	2	3
Drug Offence	1	-	-	-	-	-
Liquor Offences	-	-	-	-	-	-
Impaired Driving	-	-	-	-	1	-
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	3	3	4	3	5	3

*The quarter crime statistics are a sampling of the 15 most commonly reported Crime Codes which have the greatest impact on communities and provide police with valuable insight into crime activities and trends. Currently, there are over 700 Crime/Survey Codes utilized by Canadian policing agencies in the reporting of crime to the Canadian Centre for Justice in Ottawa.*



**3<sup>rd</sup> Quarter Statistics – Splatsin NR8100 and NR8200**

ACTIVITY TYPE	July 2018	July 2019	August 2018	August 2019	Sept 2018	Sept 2019
<b>Total Files</b>	34	36	29	49	20	32
Robbery	-	-	-	-	-	-
Assault (Includes DV)	1	-	-	4	-	2
Domestic Violence	1	-	-	1	1	2
Sex Offence	-	-	-	-	-	-
B&E Residence	1	-	-	2	-	-
B&E Commercial	-	2	-	1	-	-
Theft of Vehicle	-	-	-	-	1	-
Theft From Vehicle	1	-	-	-	-	-
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	-	-	-	3	-	1
Drug Offence	-	-	1	-	-	-
Liquor Offences	1	1	-	1	2	1
Impaired Driving	-	-	-	-	-	-
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	2	-	3	2	1	2

**3<sup>rd</sup> Quarter Statistics – Westside Road NR1000**

ACTIVITY TYPE	July 2018	July 2019	August 2018	August 2019	Sept 2018	Sept 2019
<b>Total Files</b>	87	41	69	39	54	27
Robbery	-	-	-	-	-	-
Assault (Includes DV)	4	1	3	-	1	-
Domestic Violence	1	-	-	-	-	-
Sex Offence	-	-	-	-	-	-
B&E Residence	-	1	1	-	-	-
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	-	-	2	-	3	2
Theft From Vehicle	-	-	2	-	2	-
Theft Over \$5000	-	-	-	1	-	-
Theft Under \$5000	1	2	1	1	2	-
Drug Offence	3	-	-	-	-	-
Liquor Offences	1	1	-	-	-	-
Impaired Driving	1	-	-	-	1	-
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	2	1	3	1	6	1

*The quarter crime statistics are a sampling of the 15 most commonly reported Crime Codes which have the greatest impact on communities and provide police with valuable insight into crime activities and trends. Currently, there are over 700 Crime/Survey Codes utilized by Canadian policing agencies in the reporting of crime to the Canadian Centre for Justice in Ottawa.*

Note: In January 2019, Canadian Centre of Justice Statistics (CCJS) established new clearance statuses and updated the definitions relating to the collection of data for the Uniform Crime Reporting (UCR) survey, which has an effect on the Crime Severity Index (CSI). Founded occurrences gathered as of January 2019 include offences where it has been determined that the reported incident did occur or was attempted, or there was no credible evidence to confirm that the incident did not take place. Prior to 2019 only offences that were proven to have occurred were included in founded occurrences. As a result, this may indicate an increase when comparing 2019 founded occurrences with reports from previous years.

Agenda

**THE CORPORATION OF THE CITY OF ENDERBY**  
**MEMO**

**To:** Tate Bengtson, CAO  
**From:** Jennifer Bellamy, CFO  
**Date:** October 30, 2019  
**Subject:** 2020-22 Gardens and Grounds Maintenance Contract

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**Recommendation:**

THAT Council award the Gardens and Grounds Maintenance Contract for 2020 - 2022 to Summer Scape Designs;

AND THAT the Mayor and Corporate Officer be authorized to execute the contract on behalf of the City of Enderby.

**Background:**

The current Gardens and Grounds Maintenance Contract expired on October 15, 2019. A Request for Quotes was advertised for the 2020-2022 term with a possible two-year extension. Two submissions were received:

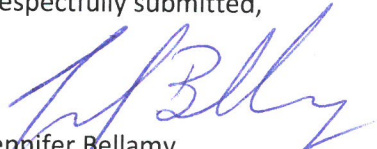
	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>Total (ex. GST)</b>
Summer Scape Designs	\$ 63,810	\$ 61,905	\$ 61,905	\$ 187,620
2191087 AB Ltd	\$ 75,000	\$ 76,500	\$ 78,030	\$ 229,530

The cost of the 2019 gardens and grounds work was approximately \$60,000.

Summer Scape Designs, our current contractor, came in with the lowest quote.

Staff are recommending that the 2020 – 2022 Gardens and Grounds Maintenance Contract be awarded to Summer Scape Designs.

Respectfully submitted,

  
Jennifer Bellamy  
Chief Financial Officer

THE CORPORATION OF THE CITY OF ENDERBY

Agenda

MEMO

**To:** Tate Bengtson, CAO  
**From:** Jennifer Bellamy, CFO  
**Date:** October 29, 2019  
**Subject:** Disclosure of Contracts - Council

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**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:

July 01, 2019 to September 30, 2019

<b>Council Member</b>	<b>Supplier</b>	<b>Amount</b>
Councillor Baird	Baird Bros. Ltd.	\$ 1,670.94
Mayor McCune	GTI Petroleum	\$ 6,943.92
Mayor McCune	Sutherland's Bakery	\$ 150.00

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, Planner and Deputy Corporate Officer  
Date: October 31, 2019  
Subject: Regulating of Short-term Vacation Rentals

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**RECOMMENDATION**

THAT Council considers whether it wishes to provide further policy direction to Staff on the regulating of short-term vacation rentals, which would be integrated into the planned update to the City of Enderby Zoning Bylaw.

**BACKGROUND**

At its recent Strategic Workshop, Council discussed its approach to regulating short-term vacation rentals within the community and had requested information from Staff regarding the planning considerations for this type of use. Below is an excerpt from the memorandum titled 'Discussion on Update to City of Enderby Zoning Bylaw No. 1550, 2014' which informed Council's original decision on the regulating of short-term vacation rentals in 2017:

**Short Term Vacation Rentals:**

*Vacation rentals provide short-term accommodations to the travelling public for up to one month in duration. This type of use has not been permitted in the City of Enderby, currently or previously.*

*The increase in online rental and home sharing services has led to significant growth in this sector. Although short-term vacation rentals can broaden the spectrum of accommodation options for tourists, while providing supplemental income opportunities for property owners, they present challenges and risks including:*

- i. A potential reduction in long-term rental housing inventory;*
- ii. An increase in non-resident property ownership for the purposes of using residential properties for commercial interests;*
- iii. Nuisances to residential neighbourhoods in the form of excess noise and parking spill-over; and*
- iv. A potential lack of compliance with local bylaws and the BC Building Code, which could lead to safety issues.*

*Although the vacation rental sector appears to have limited traction within Enderby at this time, proactively managing this use will help to ensure that potential nuisances and impacts are minimized.*

*Short-term vacation rentals are very similar to a bed and breakfast use. The key difference is that vacation rentals are more independent (i.e. no meals provided on site, cooking facilities are provided). Currently, bed and breakfasts are a permitted use within all residential zones (both low and medium density) as well as the Country Residential (C.R) zone; should Council wish to permit vacation rentals, Staff recommend including them as a permitted use within the same zones as bed and breakfasts. From there, some very basic general regulations for short-term vacation rentals could be integrated into the Zoning Bylaw, including:*

- Only permitting short-term vacation rentals within single family dwellings;*
- Not permitting short-term vacation rentals within a detached suite (if this type of use is approved by Council);*
- Referencing the fact that short-term vacation rentals must meet the BC Building Code requirements;*
- Stating that short-term vacation rentals shall not create any form of nuisance for surrounding residents by way of noise, light, excessive traffic, etc.;*
- Not permitting exterior signs advertising a short-term vacation rental; and*
- Requiring one additional parking space for a short-term vacation rental, over and above the two required for a single-family dwelling.*

*Permitting short-term vacation rentals may reduce long-term rental housing inventory within the community; given that the supply of rental housing within Enderby is already limited, this could be a significant by-product of permitting this type of use, should the sector grow in popularity. Given this, Council should turn its attention to whether short-term rentals should be allowed within attached secondary suites. If Council chooses to prohibit vacation rentals within attached secondary suites, this would help to secure and protect a significant segment of the rental housing spectrum. However, attached secondary suites are a popular option for short-term vacation rentals and, if not permitted, this may eliminate some vacation rental opportunities in the community. Should Council wish to permit short-term rental accommodations within attached secondary suites, it is recommended that the owner be required to reside within the primary single family dwelling which would ensure that, i) both dwelling units are not being rented out concurrently, and ii) the owner is available to manage potential impacts and nuisances.*

*Given that short-term vacation rentals are used by property owners to obtain supplemental income, this type of use is considered a 'business' under the City of Enderby Business License and Regulation Bylaw No. 1558, 2013. This means that vacation rental operators must obtain a Business License, which would:*

- i. *Trigger an initial building and fire inspection to ensure that the building is safe for the intended use;*
- ii. *Allow the City to track the number of vacation rentals throughout the community; and*
- iii. *Provide a tool to ensure that owners of vacation rentals are adequately managing the use (i.e. operators would be aware that on-going nuisances or impacts may result in the suspension or revocation of their business license).*

Since the time that the above excerpt was written, several things have changed, including:

1. There are now more property owners interested in participating in short-term vacation rentals than previously;
2. There are indications that allowing short-term vacation rentals may affect existing and potential hotel developments; and
3. Where short-term vacation rentals have started unlawfully, the neighbourhood reception has been mixed and there have been occasional conflicts, particularly with respect to parking.

Given that the Regional District of North Okanagan is producing Housing Needs Reports for the entire region, Staff suggest that Council may wish to postpone a reconsideration of this matter until there is more data to inform the decision, given the potential loss of long-term rental housing stock.

It should be noted that a Zoning Text Amendment application is in process for a property owner seeking permission to operate a short-term vacation rental. Should Council wish to change its current approach to regulating short-term vacation rentals, Staff will notify the applicant accordingly so they can consider how it affects their application and how they wish to proceed.

Respectfully Submitted,



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Kurt Inglis  
Planner and Deputy Corporate Officer