



## THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held on Monday, November 4, 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  
Clerk Secretary – Laurel Grimm

Other: The Press and Public

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### **APPROVAL OF AGENDA**

Moved by Councillor Davyduke, seconded by Councillor Case  
*“THAT the November 4, 2019 Council Meeting agenda be approved as circulated.”*

CARRIED

### **ADOPTION OF MINUTES**

Regular Meeting Minutes of October 21, 2019

Moved by Councillor Shishido, seconded by Councillor Baird  
*“THAT the October 21, 2019 Council Meeting minutes be adopted as amended.”*

CARRIED

### **PUBLIC AND STATUTORY HEARINGS**

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

The regular meeting gave way to a public hearing at 4:31 p.m.

The regular meeting re-convened at 4:40 p.m.

**PETITIONS AND DELEGATIONS**

Susan Ruck: Citizens on Patrol

Susan Ruck gave an overview of the Citizens on Patrol (COP) program implementation and progress over the last 1.5 years. She is the Volunteer Coordinator. Mayor McCune questioned what the relationship between COP and the RCMP has been like and if there is an opportunity to enhance this relationship. Social media initiatives to promote COP have met with a mixed reception, with some residents advocating for alternative measures.

Mayor and council presented Susan Ruck with a Thank you card for her volunteer service within the community.

**DEVELOPMENT MATTERS**

0006-19-OR-END (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

Moved by Councillor Baird, seconded by Councillor Schreiner

*“THAT Council give third reading and adoption to the 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 subject to the applicant providing screening along the property boundaries adjacent to residential parcels, with such screening to be in accordance with the Zoning Bylaw’s height restrictions.*

CARRIED

0005-19-ZTA-END (Howard)

City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1688, 2019

Moved by Councillor Shishido, seconded by Councillor Knust

*“THAT Council not give first reading to the City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1688, 2019;*

*AND THAT enforcement of the Zoning Bylaw requirements with respect to unlawful uses occurring on the subject property will be delayed for six (6) months to enable the property owner to either submit a complete building permit application for converting the property to lawful uses or otherwise cease the unlawful use of the property;*

*AND FURTHER THAT staff provide correspondence to the property owners requesting that they advise the occupants of the unlawful dwellings of their requirements, so that there is adequate time for the affected occupants to evaluate their options.*

CARRIED

OPPOSED Councillor Knust

0022-19-DVP-END (Central Hardware)

Moved by Councillor Shishido, seconded by Councillor Case

*“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.”

CARRIED

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

None

**BYLAWS**

None

**REPORTS**

Mayor and Council Reports

Councillor Case

Attended the Highway 97A - Enderby-Splatsin Transportation Study Open House on October 23, 2019.

Councillor Davyduke

Previously discussed in Committee of the Whole.

Councillor Shishido

Previously discussed in Committee of the Whole.

Councillor Baird

Previously discussed in Committee of the Whole.

Councillor Knust

Would like to extend acknowledgment from Lorna Fothergill for the contributions received from the FED gardens.

Area F Director

Area F Director, Denis Delisle, attended the Fire Training meeting in Vernon. A common topic was prescribed burning and challenges our region faces. Community Wildfire Grants are available. Discussion on using Fire Smart tactics to protect rural properties.

*Councillor Schreiner left the room (5:22 p.m.)*

*Councillor Schreiner left the room (5:24 p.m.)*

3rd Quarter 2019 Policing Report

Moved by Councillor Baird, seconded by Councillor Davyduke  
"THAT Council receives and files the 3<sup>rd</sup> Quarter 2019 Policing Report."

CARRIED

**NEW BUSINESS**

2020-22 Gardens and Grounds Maintenance Contract

Moved by Councillor Case, seconded by Councillor Baird

*“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.”*

CARRIED

Disclosure of Contracts – Council

Moved by Councillor Shishido, seconded by Councillor Davyduke

*“THAT Council receives and files the Disclosure of Contracts - Council.”*

CARRIED

Regulation of Short-term Vacation Rentals

Moved by Councillor Schreiner, seconded by Councillor Shishido

*“THAT the Regulation of Short-term Vacation Rentals Memorandum is received and filed.”*

CARRIED

Council discussed the impacts and advantages of regulating short-term rentals, including the potential to realize new revenues through the hotel tax. To date there have been a handful of applications received which have been dealt with on a case-by-case basis. Once short-term vacation becomes a permitted use in the City of Enderby Zoning Bylaw it would need to be regulated differently. Given that the Regional District is preparing housing needs reports for all jurisdictions which will give more data to inform a position and there is currently a way to deal with applications on a case-by-case basis, Council decided to continue with the status quo at this time.

**PUBLIC QUESTION PERIOD**

Jackie Pearase, with *The Okanagan Advertiser*, asked for some clarification around World 4H Day. The City of Enderby will change the Cliff Avenue lights to green at 6:30 p.m. in support.

**CLOSED MEETING RESOLUTION**

Moved by Councillor Davyduke, seconded by Councillor Baird (5:53 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) (k) and 90 (2) (b) of the Community Charter.”*

CARRIED

**ADJOURNMENT**

Moved by Councillor Knust, seconded by Councillor Case

*“That the regular meeting of November 4, 2019 adjourn at 6:09 p.m.”*

CARRIED

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**MAYOR**

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**CORPORATE OFFICER**