

**REGULAR MEETING OF COUNCIL
AGENDA**

DATE: January 20, 2020
TIME: 4:30 p.m.
LOCATION: Council Chambers, Enderby City Hall

1. APPROVAL OF AGENDA

2. ADOPTION OF MINUTES

Regular Meeting Minutes of December 16, 2019

P1

Public Hearing Report of December 16, 2019

P7

3. PUBLIC AND STATUTORY HEARINGS

0007-19-OR-END (Francks) and City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1691, 2019 and Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1692, 2019

4. PETITIONS AND DELEGATIONS

Enderby and District Arts Council
Neil Fidler, Secretary

P9

5. DEVELOPMENT MATTERS

0007-19-OR-END (Francks) and City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1691, 2019 and Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1692, 2019 – 3rd and adoption

P16

Legal: LOT 14 BLOCK 7 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A

Address: 709 Russell Avenue, Enderby BC

Applicant: Dean Francks

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

7. REPORTS

Mayor and Council

RDNO Building Permit Summary for December 2019

P31

8. NEW BUSINESS

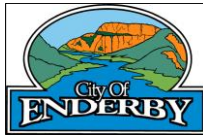
<u>Emergency Management Modernization Comments</u> Memo prepared by Chief Administrative Officer dated January 7, 2020	P32
<u>Fortune Parks Consent for Bylaw Revisions</u> Memo prepared by Chief Administrative Officer dated January 7, 2020	P35
<u>Support for Infrastructure Planning Grant for Northern Drainage Basin Stormwater Management Plan</u> Memo prepared by Chief Administrative Officer dated January 13, 2020	P42
<u>Digital Billboard Sponsorship Renewal for 2020</u> Memo prepared by Planner and Deputy Corporate Officer dated January 10, 2020	P43
<u>Bylaw Enforcement Statistics for Third Period of 2019</u> Memo prepared by Planner and Deputy Corporate Officer dated January 13, 2020	P45
<u>Bylaw Compliance Policy</u> Memo prepared by Planner and Deputy Corporate Officer dated January 15, 2020	P48
<u>Community Emergency Preparedness Fund – Flood Risk Assessment, Flood Mapping And Flood Mitigation Planning Program</u> Memo prepared by Planner and Deputy Corporate Officer dated January 13, 2020	P54
<u>Request for Temporary Sign at 1806 George Street</u> Memo prepared by Planner and Deputy Corporate Officer dated January 16, 2020	P56
<u>Ministry of Public Safety and Solicitor General</u> Correspondence dated December 6, 2019	P60
<u>RDNO Funding Request 2020 Canadian Cross Country Skiing Championships</u> Correspondence dated December 17, 2019	P64

9. PUBLIC QUESTION PERIOD

10. CLOSED MEETING RESOLUTION

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

11. ADJOURNMENT



THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held on Monday, December 16, 2019 at 4:30 p.m. in the Council Chambers of City Hall

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

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

Other: The Press and Public

APPROVAL OF AGENDA

Moved by Councillor Baird, seconded by Councillor Davyduke
“THAT the December 16, 2019 Council Meeting agenda be approved as circulated.”

CARRIED

ADOPTION OF MINUTES

Regular Meeting Minutes of December 2, 2019
Moved by Councillor Shishido, seconded by Councillor Knust
“THAT the December 2, 2019 Council Meeting minutes be adopted as circulated.”

CARRIED

PUBLIC AND STATUTORY HEARINGS

0004-19-TUP-END (Van Dongen)

Legal: LOT 9 SECTIONS 26 AND 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH
MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 28806
Address: 110 West Enderby Road, Enderby BC
Applicant: Jacobus and Eleanor Van Dongen

The regular meeting gave way to a public hearing at 4:32 p.m.

The regular meeting re-convened at 4:43 p.m.

PETITIONS AND DELEGATIONS

Okanagan Regional Library: Don Nettleton, CEO

Discussed in Committee of the Whole Meeting.

DEVELOPMENT MATTERS

0004-19-TUP-END (Van Dongen)

Legal: LOT 9 SECTIONS 26 AND 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH
MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 28806
Address: 110 West Enderby Road, Enderby BC
Applicant: Jacobus and Eleanor Van Dongen

Moved by Councillor Shishido, seconded by Councillor Knust
“THAT Council authorize the issuance of a Temporary Use Permit (0004-19-TUP-END) for the property located at 110 West Enderby Road, Enderby BC to permit a short-term vacation rental use to occur within an attached secondary suite for a three year period, subject to the property owner providing a sworn affirmation confirming that should the subject property be sold while the Temporary Use Permit is in effect, the property owner will disclose as part of the sale that a short-term vacation rental use on the property is subject to the terms and conditions of a Temporary Use Permit;

AND THAT the Temporary Use Permit (0004-19-TUP-END) and located at 110 West Enderby Road, Enderby BC is subject to the following conditions:

- a. The short-term vacation rental use may only occur in the attached secondary suite;*
- b. All parking must be contained on-site and the property owner cannot rely on the secondary access/parking area off of Northern Avenue (as shown on the attached Schedule “A”) to accommodate the demands of the short-term vacation rental, given that this access/parking area does not conform with the City’s Zoning Bylaw or Streets and Traffic Bylaw; and*
- c. The use must not become noxious or undesirable, nor result in any adverse impacts to surrounding properties.”*

CARRIED

0007-19-OR-END (Francks) and City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1691, 2019 and Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1692, 2019 - 1st and 2nd readings

Legal: LOT 14 BLOCK 7 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS)
DIVISION YALE DISTRICT PLAN 211A
Address: 709 Russell Avenue, Enderby BC
Applicant: Dean Francks

Moved by Councillor Schreiner, seconded by Councillor Case
THAT Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1691, 2019 be given first and second readings 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. 1691, 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. 1692, 2019 be given First and Second Reading and forwarded to a Public Hearing.”

CARRIED

The Planner and Deputy Corporate Officer gave a synopsis of the report. Council discussed parking regulations and the developer’s requirement to have onsite parking.

BUSINESS ARISING FROM THE MINUTES AND/OR UNFINISHED BUSINESS

None

BYLAWS

City of Enderby Lane Naming Bylaw No. 1690, 2019 – adoption
Moved by Councillor Schreiner, seconded by Councillor Baird
“THAT Council adopt the City of Enderby Lane Naming Bylaw No. 1690, 2019.”

CARRIED

REPORTS

Mayor and Council Reports

Councillor Schreiner

- Councillor Schreiner attended the RDNO River Conservation meeting and discussed the potential to improve river traffic.
- Attended the Interior Health meeting with Councillor Knust.
- Legion Annual General Meeting.
- Enderby and District Arts Council Social.
- Councillor Schreiner will attend the Seniors Luncheon on behalf of Mayor McCune.

Councillor Knust

- Attended the Interior Health Meeting and thanked them for the additional lab service hours.

Staff to send a letter inquiring about patient service level supports in Enderby compared to similar locations.

Councillor Schreiner left the room (5:03 p.m.)

Councillor Schreiner entered the room (5:04 p.m.)

- 170 children attended the Santa Skate at the Arena.

- Discussion on snow removal in Enderby and priority sequence. The volunteer snow plow permit program is being used, Staff to inquire whether contact information for individual volunteers may be disclosed to the public.
- Discussion on sharps containers. Staff to inquire with Public Works where these containers may be needed in the community and report back.

Councillor Baird

- Great turn out for the 2019 Christmas Light Up.
- Planning underway for Canada Day.
- Diversity Training at the Okanagan Regional Library Board.
- Councillor Baird was approached at the Health Fair and asked for a donation of \$500 for Women's Health. Item to be discussed during budget.
- The Enderby Santa's Workshop raised \$8000, had a total of 80 volunteers and \$2000 has been donated to Parkview Place for needed supplies.

Councillor Case

- Councillor Case stated that there needs to be a clearer description of what is needed around community events in advance, with a proper budget attached so that the objectives can be more readily achieved.
- Council discussed the benefits of having an events manual with best practices to benefit whoever is organizing the events in the future.

Councillor Davyduke

- Christmas was amazing, thank you to all who volunteered their time.
- Enterprise Challenge set to launch again, with openings for 25 businesses and opportunities for significant prize money.

Councillor Shishido

- Would like to see the downtown core the focus for improved Christmas lighting. Could implement the Mayor's speech, countdown, light-up into one event to encourage business participation. These things should be coordinated by an Events Coordinator.
- Enderby & District Community Resource Centre Unplug and Play
- Shuswap Children's Association Workshop. Working on the autism spectrum and identifying the gap between when identified and when diagnosed. This includes training parents on therapeutic techniques for their children prior to diagnosis, as symptoms can be identified as early as 9 months.

Mayor McCune

- Staff to provide advance notice to the Area F Director about opportunities for a Shuswap River Management Meeting in February 2020.

RDNO Building Permit Summary – November 2019

Moved by Councillor Baird, seconded by Councillor Knust

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

CARRIED

NEW BUSINESS

Appointments to the Okanagan Regional Library Board for 2020

Moved by Councillor Knust, seconded by Councillor Case
“*THAT Council appoints Councillor Tundra Baird as Trustee and Councillor Brian Schreiner as Alternate Trustee to serve on the Okanagan Regional Library Board for 2020.*”

CARRIED

Proposed Amendments to North Okanagan Regional Growth Strategy

Moved by Councillor Schreiner, seconded by Councillor Shishido
“*THAT the Regional District of North Okanagan reference competing hypotheses on the causes of climate change in the Climate Adaptation section of the Regional Growth Strategy Amendment Bylaw No. 2846, 2019 and ensure that the proposed policy responses take into account the full breadth of scientific information.*”

CARRIED
OPPOSED COUNCILLOR CASE

Parking Management for Tuey Park

Moved by Councillor Case, seconded by Councillor Baird
“*THAT Council directs Staff to install signage at Tuey Park to educate river floaters that Belvidere Hand Launch is only a 15-20 minute walk from Tuey Park;*

AND THAT the City expands overflow parking to the grassy area along the western side of Tuey Park while restricting parking to one-side only along that portion of Waterwheel Street adjacent to agriculture land.”

CARRIED

Council discussed different concepts for signs. Staff to explore opportunities to admit a “donation app” for users to voluntarily support Tuey Park amenity improvements.

North Okanagan Shuswap Employment and Business Fair

Moved by Councillor Knust, seconded by Councillor Baird
“*THAT Council supports the North Okanagan Shuswap Employment and Business Fair by providing a grant of \$250 and inviting the Area F Director to match the contribution.*”

CARRIED

Reducing Curbside Garbage Collection and Greenhouse Gas Emissions

Moved by Councillor Baird, seconded by Councillor Davyduke
“*THAT Staff enter into discussions with a supplier about the potential for a 6-month community composting trial.*”

CARRIED

PUBLIC QUESTION PERIOD

None

CLOSED MEETING RESOLUTION

Moved by Councillor Shishido, seconded by Councillor Knust (6:32 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) (c) (k) of the Community Charter.”

CARRIED

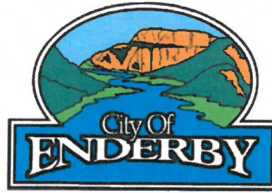
ADJOURNMENT

Moved by Councillor Shishido, seconded by Councillor Knust
“That the regular meeting of December 16, 2019 adjourn at 7:30 p.m.”

CARRIED

MAYOR

CORPORATE OFFICER



THE CORPORATION OF THE CITY OF ENDERBY

Report of a **Public Hearing** held on December 16, 2019 at 4:32 p.m. in the Council Chambers of City Hall.

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

Chief Administrative Officer – Tate Bengtson
Chief Financial Officer – Jennifer Bellamy
Planner and Deputy Corporate Officer – Kurt Inglis
Clerk Secretary – Laurel Grimm
The Press and Public

Mayor McCune read the rules of procedure for the public hearings and introduced the following Application:

0004-19-TUP-END (Van Dongen)

Legal: LOT 9 SECTIONS 26 AND 27 TOWNSHIP 18 RANGE 9 WEST OF THE
6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT
Plan: 28806
Address: 110 West Enderby Road, Enderby BC
Applicant: Jacobus and Eleanor Van Dongen

The Planner provided an overview of the background information related to the application and the floor was opened to comments from the public:

Judy Kniffen, 105 West Enderby Road

- Is in support of this application. Stated that the current owners have had several family members and friends staying in the suite with no issues being reported. This suite is self contained and there is abundant space to support this land use. Occupants have not been utilizing the side access.

No written submissions were received.


The applicant, Jacobus Van Dongen, spoke to the application.

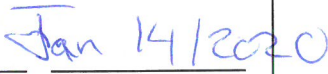
- 37 reviews of this suite have been submitted online with an average rating of 4.9 out of 5.0 which qualifies the location as a "Super Host"
- Enderby is in need of short-term rentals and this helps to bridge the gap.
- The applicant has had tenants stay at this property from as far away as Belgium. Great tourist opportunity and helps to showcase the area.
- The applicant has been renting out the suite an average of 13 nights a month.

There were three calls for the public to make representation regarding the application. There were no speakers.

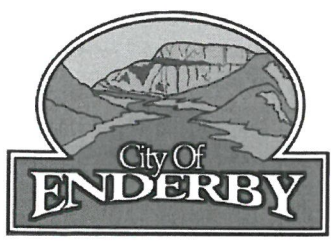
The Mayor made his closing statement and declared the Public Hearing closed at 4:43 pm.

Pursuant to Section 465 (6) of the *Local Government Act, I*, Tate Bengtson, Corporate Officer, hereby certify this to be a fair and accurate report of the Public Hearing held on December 16, 2019.


Signature


Date

Agerda



REQUEST TO APPEAR AS A DELEGATION

On 20 01 2020
Day Month Year

Date of Request JAN 9 2020

Name of Person Making Request NEIL FIDLER

Name and Title of Presenter(s) NEIL FIDLER

SECRETARY ENDERBY AND DISTRICT ARTS COUNCIL

Contact Information infidler@shaw.ca 250 838 0577

Details of Presentation Annual report to City Council
answer any questions arising from letter to City Council
re annual funding request

Desired Action from Council (check all that apply)

- Information Only
- Proclamation
- Funding Request
- Road Closure
- Policy or Resolution

Please describe desired action in detail _____

request annual funding from City Council
in the amount of \$4000

Please attach any supporting documentation or presentation materials related to your delegation request.

1. letter to City Council
2. 2019 Financial report
3. 2019 EoAC schedule of Events
4. 2020 Draft schedule of Events

ENDERBY AND DISTRICT ARTS COUNCIL
Box 757
Enderby, V0E 1V0

City of Enderby
619 Cliff Ave., P.O. Box 400
Enderby, BC V0E 1V0

January 10, 2020

Attn: Mayor Greg McCune and City Council

Dear Sirs: **Re: 2020 Annual Contribution to EDAC from the City of Enderby**

This letter concerns the City of Enderby's annual financial contribution to the Enderby & District Arts Council (EDAC). The City has requested that EDAC send a letter of reminder early in the calendar year, so that funds can be made available at a consistent time each year.

EDAC is requesting continued support from the City in the amount of \$4,000. We will continue to provide a wide range of artistic, musical and other cultural activities for residents of Enderby, as we have done for the past 28 years.

Prior to 2018 we received the majority of our funding from our annual BC Arts Council grant. The elimination of the annual performance award of \$5,000 in 2018 and the institution of a 2 year funding cycle brought our income from that source down to \$9429 basic and \$5000 local government matching. Our present funding application (under yet another new system) is still pending so results are unknown at this time.

We have in the past year continued to meet the funding challenge by reorganizing our priorities such as downsizing our office space to a small office in the Courtyard Gallery. There has been a natural progression from this reorganization that has led to the merger of EDAC and the Enderby Artists Initiative (Courtyard Gallery). It has been quite apparent that, in a small town, having two organizations with similar goals (promoting the arts) would over time be unsustainable. During the past year EDAC has faced some major organizational challenges resulting in us falling short of some of our goals such as achieving a higher quality experience at Music by the River. Bringing the two organizations together means significant consolidation of resources, particularly in our ability to fill our Board of Directors. It will also bring increased financial stability to the Courtyard Gallery. Although the gallery manages to pay its way, there is not much left over for extras. Income depends on sales and monthly artists fees, neither of which is guaranteed. Completing this merger is our main goal for the first part of 2020. This should be fully in place by our AGM in March. The Gallery will continue to operate as before, offering a place for local artists to display and sell their work while at the same time be the centre of art activities in Enderby. Events such as the twice yearly Open Exhibition and the Art in the Garden event held last August will continue.

We will continue to offer the people of Enderby our monthly Coffee House, the Arts Festival, with its artisan market, family fun zone, music stage and Food Court, and four Music by the River concerts. In addition we plan on holding art workshops and special event concerts such as last years Jim Leonard Jazz piano concert and the Hank Lionhart Tribute to the Blues Songs of Christmas held this past December at the Splatsin Centre. We also plan on finishing the Mural Project started last year but delayed

due to poor weather in September. We will continue as always our two bursaries to AL Fortune students and as much as possible grants and support to deserving local artists and art projects.

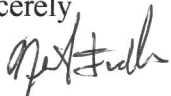
EDAC has and will continue to play an important role in providing local cultural events and opportunities for the residents of the City of Enderby, and in promoting cultural tourism to our city. In 2019 over 2,000 people attended our events and there were 2,500 visits to the Courtyard Gallery.

Your past and future support and interest in what we are doing is very important to us and we thank you for it. Having Shawn Shishido and Brian Schreiner attend our meetings and events has kept the lines of communication open and is very much appreciated.

In summary, we are requesting a grant of \$4,000 from the City to help fund EDAC's activities, including the 2020 Arts Festival.

A Schedule of Events for 2019 and draft Schedule of 2020 EDAC Events are enclosed along with a financial report from 2019.

Sincerely,



Neil Fidler

Secretary (on behalf of the Board of the Enderby and District Arts Council)

nfidler@shaw.ca

250-838-0577

Maureen Robertson

President, Enderby and District Arts Council

moedaverobertson@gmail.com

250-838-7816

ASSET

Current Assets

Credit Union Chequing Account		7,944.87
Credit Union Savings First		5,377.54
Credit Union Equity Shares		5.89
Term # 87890 - 4 (Grand Piano)	5,525.86	
Term # 87890 - 6 (Mural Fund)	3,400.00	
Total Term Deposits		8,925.86
Total Current Assets		22,254.16

TOTAL ASSET 22,254.16

LIABILITY

Restricted Funds

Grand Piano Fund	5,525.86
Mural Fund	3,400.00
Total Restricted Funds	8,925.86

TOTAL LIABILITY 8,925.86

EQUITY

Member Equity

Retained Equity	7,746.04
Current Earnings	5,582.26
Net Member Equity	13,328.30

TOTAL EQUITY 13,328.30

LIABILITIES AND EQUITY 22,254.16

Enderby & District Arts Council
Income Statement Jan 01, 2019 to Dec 31, 2019

Storage Rent	4 190 00
Short Term Venue Rent	2 936 68
Total Facility Expenses	7 208 53

Marketing & Communication Expenses

Newsletters	112 31
Marketing Production Fees	347 97
Total Marketing/Comm. Expense	460 28

Administration Expenses

Contract Personal - Bkbp & Other	1 798 15
Office Fees (copies, postage etc)	546 09
AGM & Board Meetings Expense	76 91
Assoc. Dues & Fees	147 76
Concession, Supplies, Merchandise	495 98
Insurance	1 136 00
Other Administrative Expense Total	2 201 73
Total Administration Expenses	3 907 68

TOTAL EXPENSE 23 110 89

NET INCOME 6 582 26

EDAC Schedule of Events 2020

as of January 6, 2020

Jan 17	Enderby Coffee House	Drill Hall 7pm
Feb 04	Open Exhibition	Courtyard Gallery until Feb 28
Feb 21	Enderby Coffee House	Drill Hall 7pm
Mar 18	EDAC AGM	TBA
Mar 20	Enderby Coffee House	Drill Hall 7pm
Apr 17	Enderby Coffee House	Drill 7pm
April	Completion of Mural Project	
May 08 May 9	Art for the Garden Sale	Courtyard Gallery 9am
May 15	Enderby Coffee House	Drill Hall 7pm
June	EDAC members Social	tba
Jun 14	Music by the River	Belvedere Park 7pm
Jul 05	Music by the River	Mara Hall 7pm
Jul 25	Enderby Arts Festival	Downtown 9 - 3
Jul 26	Music by the River	Belvidere Park 7pm
August	Music by the River – Grindrod Garlic Festival Feature band	Grindrod throughout the day
August 22 ?	Art in the Garden	Grindrod Lily Pad Ranch
Aug 23	Music by the River	Belvidere Park time tba
Sep 18	Enderby Coffee House	Drill Hall 7pm
Oct 16	Enderby Coffee House	Drill Hall 7pm
Nov 17	Little Treasures	Courtyard Gallery until Dec24
Nov 20	Enderby Coffee House	Drill Hall 7pm
Dec 04	Concert with Christmas Light up	tba
December	Members Christmas Social	tba
Dec 18	Enderby Coffee House	Drill Hall 7pm

EDAC Schedule of Events 2019

2019 January 18,	Enderby Coffee House	7-10 Drill Hall
January 26	Painting Workshop – Rebecca Shepherd Roxi Sim-Hermsen	10 – 5pm Drill Hall
February 15	Enderby Coffee House	7-10 Drill Hall
February 21	Jim Leonard Concert Jazz Piano	7pm St Anne's Church
March 15	Enderby Coffee House	7-10 Drill Hall
March 20	EDAC AGM	Enderby Museum 7pm
April 19	Enderby Coffee House	7-10 Drill Hall
May 17	Enderby Coffee House (resumes Sept)	7-10 Drill Hall
Jun 07	Artist Talk & Slide Show	7pm Drill Hall
June 16	Music by the River Deep Creek Band	7 pm, Belvidere Park
June 26	Member Social	5pm 61 Hall Road
July 7	Music by the River Blind Bay Blues Band	7pm Mara Hall
July 27	ENDERBY ARTS FESTIVAL	Downtown, 9-3
July 28	Music by the River -- The Salmon Arm Band	7 pm, Belvidere Park
August 17	Music by the River – Grindrod Garlic Festival – Feature Band	Grindrod Park, throughout the day
August 25	Music by the River Band Smack Dab!!	6pm Belvidere Park
September 20	Coffee house	7 – 10 Drill Hall
September	Completion of Mural Project	Russell Street Parking Lot
October 18	Coffee House	7- 10 Drill Hall
November 15	Coffee House	7 -10 Drill Hall
December 5,	R&B Kingpins Blues Songs of Christmas	7pm Splatsin Centre
Dec 15	EDAC and Courtyard Gallery combined Christmas Party	5pm Drill Hall
December 20	Coffee House	7-10 Drill Hall

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner and Deputy Corporate Officer
Date: January 13, 2020
Subject: 0007-19-OR-END (Francks) - Third Reading and Adoption of Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1691, 2019 and Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1692, 2019

RECOMMENDATION

THAT Council receives and files the attached Staff Report dated December 11, 2019;

THAT upon consideration of input at the Public Hearing, Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1691, 2019 be given Third Reading and Adoption;

AND THAT upon consideration of input at the Public Hearing, Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1692, 2019 be given Third Reading and Adoption;

AND THAT, should Council give Third Reading and Adoption to Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1692 2019, such Adoption shall come into force and effect once the Ministry of Transportation and Infrastructure has endorsed the Bylaw.

BACKGROUND

This report relates to a Joint Official Community Plan Amendment, Rezoning, and Zoning Text Amendment Application for the property located at 709 Russell Avenue, Enderby BC. The applicant is proposing to change the Official Community Plan designation of the subject property from Residential Low Density to Residential Medium Density, and to rezone the subject property from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone. The applicant is also proposing to amend the text of the City of Enderby Zoning Bylaw No. 1550, 2014 to increase the maximum permitted gross density for the property from 41 units per hectare (16.59 units per acre) to 60 units per hectare (24.28 units per acre), in order to increase the number of permitted residential dwelling units on the property from two (2) to four (4). The purpose of the application is to facilitate the development of a four-family dwelling on the subject property.

At the Regular Meeting of December 16, 2019, Council gave First and Second Readings to the associated Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1691, 2019 and Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1692, 2019 and forwarded them to a Public Hearing; the Public Hearing provides an opportunity for all persons who believe that their interest in property is affected by the bylaws to make public representation.

The Ministry of Transportation and Infrastructure has given preliminary approval Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1692, 2019 pursuant to Section 52(3)(a) of the *Transportation Act* and, should Council give Third Reading to the Bylaw, the Bylaw would be advanced to the Ministry for final endorsement.

Respectfully Submitted,



Kurt Inglis
Planner and Deputy Corporate Officer

Agenda

CITY OF ENDERBY
OFFICIAL COMMUNITY PLAN AMENDMENT, REZONING, AND ZONING TEXT
AMENDMENT APPLICATION

File No: 0007-19-OR-END

December 11, 2019

APPLICANT: Dean Francks

OWNER(S): The Estate of Leo Pidskalny

LEGAL DESCRIPTION: LOT 14 BLOCK 7 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A

PID #: 012-592-081

LOCATION: 709 Russell Avenue, Enderby BC

PROPERTY SIZE: 0.0669 hectares (0.1653 acres/669 square meters)

PRESENT ZONING: Residential Single Family (R.1-A)

PROPOSED ZONING: Residential Multi-Family Low Intensity (R.3-A)

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

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

PROPOSED TEXT AMENDMENT: Increase the maximum permitted gross density for the property from 41 units per hectare (16.59 units per acre) to 60 units per hectare (24.28 units per acre), in order to increase the number of permitted residential dwelling units on the property from two (2) to four (4)

PROPOSED USE: Four-family Dwelling

RECOMMENDATION:

THAT Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1691, 2019 which proposes to change the future land use designation of the property legally described as LOT 14 BLOCK 7 DISTRICT

LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A, and located at 709 Russell Avenue, 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. 1691, 2019 and in accordance with Section 477 of the Local Government Act, Bylaw No. 1691 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. 1691, 2019 in conjunction with the City's Financial Plan and Regional Solid Waste Management Plan, Bylaw No. 1691 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. 1691, 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. 1692, 2019 which proposes to, i) rezone the property legally described as LOT 14 BLOCK 7 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A, and located at 709 Russell Avenue, Enderby BC from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone, and ii) increase the maximum permitted gross density for the property legally described as LOT 14 BLOCK 7 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A, and located at 709 Russell Avenue, Enderby BC from 41 units per hectare (16.59 units per acre) to 60 units per hectare (24.28 units per acre) in order to increase the number of permitted residential dwelling units on the property from two (2) to four (4), be given First and Second Reading and forwarded to a Public Hearing.

BACKGROUND:

This report relates to a Joint Official Community Plan Amendment, Rezoning, and Zoning Text Amendment Application for the property located at 709 Russell Avenue, Enderby BC. The applicant is proposing to change the Official Community Plan designation of the subject property from Residential Low Density to Residential Medium Density, and to rezone the subject property from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone. The applicant is also proposing to amend the text of the City of Enderby Zoning Bylaw No. 1550, 2014 to increase the maximum permitted gross density for the property from 41 units per hectare (16.59 units per acre) to 60 units per hectare (24.28 units per acre), in order to increase the number of permitted residential dwelling units on the property from two (2) to four (4). The purpose of the application is to facilitate the development of a four-family dwelling on the subject property.

Site Context

The 669 m² (0.1653 acres) subject property is relatively flat and is located on the north side of Russell Avenue. Vehicular access to the property is gained via a driveway off Russell Avenue. A single-family

dwelling, built in 1961, is located in the centre of the property; further to an inspection of this single-family dwelling in 2017, a determination had been made by a qualified professional that the building was unfit for occupancy due to significant health concerns, and the building was boarded up by the City of Enderby to prevent entry, pursuant to the City of Enderby Safe Premises Bylaw No.1644, 2017.

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

- Subject property - Zoned Residential Single Family (R.1-A) and designated in the Official Community Plan (OCP) as Residential Low Density
- East, west and south properties - Zoned Residential Single Family (R.1-A) and designated in the OCP as Residential Low Density
- North and southeast properties - Zoned General Commercial (C.1) and designated in the OCP as General Commercial

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



Figure 1: Zoning Map

Yellow - Residential Single Family (R.1-A)
 Green - General Commercial (C.1)
 Crosshatch - Residential Two-Family (R.2)

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



Figure 2: Orthophoto

The Proposal

The applicant is proposing to develop a four-family dwelling on the subject property, which would be used for rental purposes. The building would be approximately 2,000 square feet in size, with each of the dwelling units being approximately 500 square feet in area.

In order to facilitate this development proposal, the applicant is proposing to change the Official Community Plan designation of the subject property from Residential Low Density to Residential Medium Density, and to rezone the subject property from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone. The applicant is also proposing to amend the text of the City of Enderby Zoning Bylaw No. 1550, 2014 to increase the maximum permitted gross density for the property from 41 units per hectare (16.59 units per acre) to 60 units per hectare (24.28 units per acre), in order to increase the number of permitted residential dwelling units on the property from two (2) to four (4).

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 use or 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.). Should the applicant wish to develop the site in accordance with the attached site plan, but there are discrepancies between the layout of the site and the Zoning Bylaw regulations (i.e. minimum setbacks, minimum number of off-street parking stalls, etc.), the applicant would be required to amend their site plan or seek variances from Council.

ZONING BYLAW:

The subject property is zoned Residential Single Family (R.1-A) 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 Low Intensity (R.3-A) zone include:

- Accessory residential;
- Boarding, lodging, or rooming houses;
- Convalescent, nursing, and personal care homes;
- Restricted agriculture;
- Single-family dwellings;
- Two-family dwellings;
- Three-family dwellings;
- Four-family dwellings;
- Row housing;
- Attached secondary suites;
- Bed and breakfasts;
- Civic and public service use.

Section 604.a.11.g of the Zoning Bylaw states that the maximum permitted gross density for development shall not exceed forty-one (41) units per hectare (16.59 units per acre). Given the property's area of 0.0669 hectares, the maximum number of dwelling units permitted on the site is currently two (2).

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.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 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, the Regional District of North Okanagan (RDNO) Manager of Regional Engineering Services, and the Ministry of Transportation and Infrastructure.

The RDNO Manager of Regional Engineering Services provided the following comments:

"No conditions need be applied with respect to solid waste management planning or SWMP implementation."

The City's Chief Financial Officer provided the following comments:

"I have no concerns with this application and its impact on the City's Financial Plan."

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, i) change the Official Community Plan designation of the property from Residential Low Density to Residential Medium Density, ii) rezone the subject property from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A), and iii) amend the text of Zoning Bylaw No. 1550, 2014 to increase the maximum permitted gross density for the property from 41 units per hectare (16.59 units per acre) to 60 units per hectare (24.28 units per acre) in order to increase the number of permitted residential dwelling units on the property from two (2) to four (4), and upon consideration of input received at a Public Hearing, recommends that Council approve the subject application for the following reasons:

- The proposal 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.
- 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 (i.e. rental housing), both of which are key elements of Smart Growth;
- The property is located along a commercial/residential interface area and in close proximity to Highway 97A, therefore redevelopment of the property to a higher density residential use would not be a significant increase to the intensity of the broader neighbourhood; and
- The maximum height provisions of the proposed Residential Multi-Family Low Intensity (R.3-A) zone are identical to that of the existing Residential Single Family (R.1-A) zone, therefore the proposal would not result in any incremental impacts to the views of neighbouring properties.

SUMMARY

This report relates to a Joint Official Community Plan Amendment, Rezoning, and Zoning Text Amendment application for the property located at 709 Russell Avenue, Enderby BC. In order to facilitate the development of a four-family dwelling, the applicant is proposing to change the Official Community Plan designation of the property from Residential Low Density to Residential Medium Density, rezone the subject property from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A), and to amend the text of Zoning Bylaw No. 1550, 2014 to increase

the maximum permitted gross density for the property from 41 units per hectare (16.59 units per acre) to 60 units per hectare (24.28 units per acre).

The City of Enderby Planner is supportive of the application.

Prepared By:



Kurt Inglis, MCIP, RPP
Planner and Deputy Corporate Officer

Reviewed By:



Tate Bengtson
Chief Administrative Officer

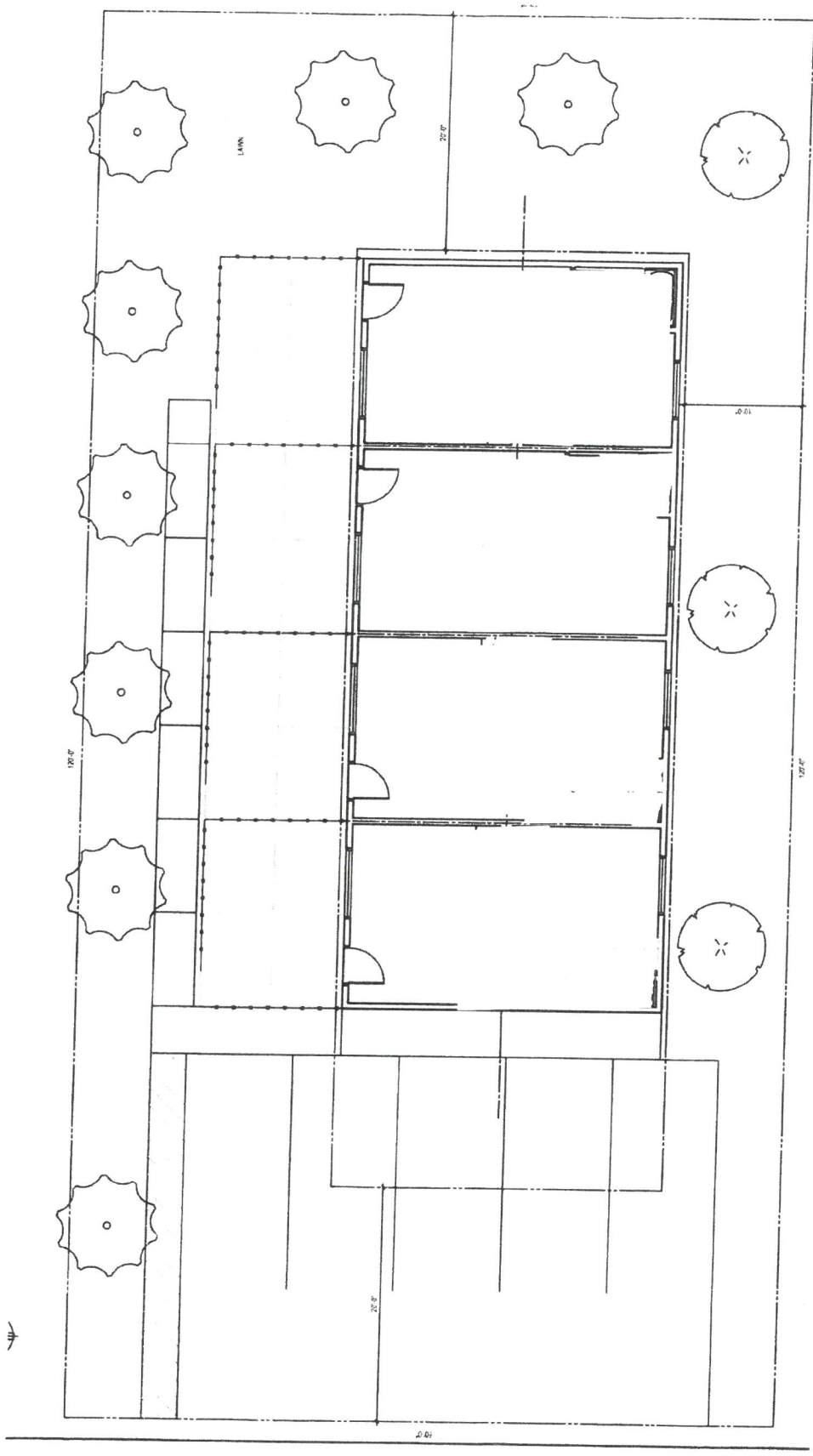
THE CORPORATION OF THE CITY OF ENDERBY
OCP/REZONING APPLICATION
SUBJECT PROPERTY MAP

File: 0007-19-OR-END (Francks)

Applicant: Dean Francks

Location: 709 Russell Avenue, Enderby BC





Schedule "A"

ROAD

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1691

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. 1691, 2019".
2. The future land use designation of the property legally described as LOT 14 BLOCK 7 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A, and located at 709 Russell Avenue, 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 , 2020 and the day of , 2020, and a Public Hearing held pursuant to the provisions of Section 464 of the Local Government Act on the day of , 2020.

READ a THIRD time this day of , 2020.

ADOPTED this day of , 2020.

MAYOR

CORPORATE OFFICER

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1692

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

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. 1692, 2019".
2. The zoning designation of the property legally described as LOT 14 BLOCK 7 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A, and located at 709 Russell Avenue, Enderby BC is hereby changed from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone

READ a FIRST time this day of , 2019.

READ a SECOND time this day of , 2019.

Advertised on the day of , 2020 and the day of , 2020, and a Public Hearing held pursuant to the provisions of Section 464 of the Local Government Act on the day of , 2020.

READ a THIRD time this day of , 2020.

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

District Development Technician
Ministry of Transportation and Infrastructure

ADOPTED this day of , 2020.

MAYOR

CORPORATE OFFICER

RDNO Building Permits Issued Comparison for Year/Month - Summary

Area: **CITY OF ENDERBY**

Category: **BUILDING PERMITS**

Year: **2019** Month: **12**

Folder Type	2019 / 12		2018 / 12		2019 to 12		2018 to 12		
	Permits Issued	Res. Units Created	Building Value	Permits Issued	Res. Units Created	Building Value	Permits Issued	Res. Units Created	
ACCESSORY BUILDING	0	0	0	0	0	0	0	0	
AGRICULTURAL BUILDING	0	0	0	0	0	0	0	0	
COMMERCIAL BUILDING	0	0	0	0	0	0	0	0	
DEMOLITION	0	0	0	0	0	0	0	0	
END - ACCESSORY BUILDING	0	0	0	0	1	1,350	3	0	
END - COMMERCIAL BUILDING	0	0	0	0	2	115,000	2	0	
END - DEMOLITION	0	0	0	0	2	15,000	1	0	
END - INDUSTRIAL BUILDING	0	0	0	0	0	0	1	0	
END - MODULAR HOME	0	0	0	0	0	0	4	1	
END - MULTI FAMILY DWELLING	0	0	0	0	1	300,000	2	2	
END - PLUMBING	0	0	0	0	1	0	0	0	
END - SIGN	0	0	0	0	1	65,000	0	0	
END - SINGLE FAMILY DWELLING	0	0	0	0	6	1,168,201	10	3	
INDUSTRIAL BUILDING	0	0	0	0	0	0	0	0	
INSTITUTIONAL	0	0	0	0	0	0	0	0	
MANUFACTURED HOME	0	0	0	0	0	0	0	0	
MODULAR HOME	0	0	0	0	0	0	0	0	
MULTI FAMILY DWELLING	0	0	0	0	0	0	0	0	
PLUMBING	0	0	0	0	0	0	0	0	
POOL	0	0	0	0	0	0	0	0	
RETAINING WALL	0	0	0	0	0	0	0	0	
SIGN	0	0	0	0	0	0	0	0	
SINGLE FAMILY DWELLING	0	0	0	0	0	0	0	0	
SOLID FUEL BURNING APPLIANC	0	0	0	0	0	0	2	0	
Report Totals	0	0	0	0	14	1,664,551	25	6	2,862,318

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Mayor and Council
From: Tate Bengtson, CAO
Date: January 7, 2020
Subject: Emergency Management Modernization Comments

RECOMMENDATION

THAT Council directs staff to submit, on behalf of the City of Enderby, the emergency management modernization comments to Emergency Management BC.

BACKGROUND

The Province of BC is modernizing the legislative framework for emergency management in BC. The legislation proposes an “all of society” approach that addresses the four pillars of emergency management (mitigation, preparedness, response, and recovery).

A discussion paper has been released by the Province for comment, which may be downloaded at the below location:

<https://engage.gov.bc.ca/govtogetherbc/consultation/emergency-program-act-modernization>

While the principles of the modernization effort are sound and many of the recommendations valid, there are implications that merit cautionary feedback to the Province. Attached to this memorandum are suggested comments based on an evaluation of the discussion paper by the City’s management team.

Most fundamentally, there is a need for the Province to define with greater certainty its partnership role in funding emergency management before, during, and after an emergency. The commitments that the Province is proposing will have a significant cost impact for local governments to resource properly, particularly those with small staff complements. There is a need for an ongoing and predictable source of funding so that local governments can implement and operate emergency management programs at the scale proposed by the Province.

Respectfully submitted,



Tate Bengtson
Chief Administrative Officer

Emergency Management Modernization Comments

The City of Enderby thanks the Province of BC for its efforts towards modernizing and clarifying the emergency management framework in British Columbia. Importantly, the “all of society” approach to emergency management, the focus on proactive disaster risk reduction, and strengthened reconciliation and recognition of indigenous emergency management partners are important values that should be at the heart of any contemporary emergency management legislation.

While modernization of BC’s emergency management legislation is a necessity, some of the proposed changes will result in significant new costs and procedural inefficiencies for local government and other emergency management partners. These will need to be evaluated carefully and resourced appropriately to guard against unintended consequences such as increased uncertainty and the related inability for Emergency Operations Centres to respond effectively to the urgent needs of persons living through disaster.

At the heart of any successful response to a major emergency is the need for interjurisdictional partnership. While the Province’s “all of society” framework provides the *legal* ability to require cooperation, it is unclear how this framework enables the *practical* ability to cooperate given resource constraints and challenges.

The Province’s proposed move from an outcomes-based accountability model to a highly prescriptive regulatory regime will have significant new cost and capacity challenges for all local governments, particularly those which are small. Modernization will necessitate a significant investment of new resources both for implementation and ongoing operating costs.

Unfortunately, the proposals provide virtually no certainty with respect to the Province’s partnership in terms of the steady and ongoing funding necessary for local governments and other emergency management partners to implement and maintain the new requirements. When it does address that uncertainty, the solution is to add costly and time-consuming procedural requirements (curiously described as “incentives” in the *Emergency Management Legislation Discussion Paper*) rather than emphasize the relationships, expertise, and local knowledge that arises from a robust partnership-driven approach between local governments and Provincial ministries and agencies.

The following specific concerns also exist:

1. For any proposed initiative, there needs to be an appropriate transition period so that the new requirements are achievable.
2. The proposed publication of emergency plan audits risks the disclosure of sensitive security and response information that could do extreme harm to government and emergency responders. The City recognizes the public’s right to transparency and feels that there are more appropriate ways to communicate this information publicly, such as a simple approval or acceptance of the emergency plan by the Province after it is deemed consistent with regulatory requirements. Further, emergency plan evaluation criteria must be clear and reasonable.
3. Making Provincial recovery funds conditional upon a post-disaster needs assessment and a broader recovery plan will cause significant delays in recovery operations, while adding massive uncertainty to local governments and its residents, as well as new costs. In some cases, needs assessments and recovery plans may be needed

due to the nature of the disaster; in other cases, this requirement will be at odds with the fundamental mission of timely, compassionate, and prudent recovery. Flexibility must be provided to enable more efficient and effective mechanisms to be considered by persons in a decision-making role.

4. The proposed central database of critical infrastructure assets introduces significant new cybersecurity concerns, as well as ongoing operating costs for both the Province and local governments.

The City of Enderby feels that efforts to move emergency management towards a highly prescriptive regulatory regime, if it is to achieve its aspirations for an “all of society” approach that encourages proactive disaster risk reduction, must eliminate uncertainty around the Provincial partnership so that the funding relationship is predictable and proportionate to the costs of resourcing the new commitments.

Agenda

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Mayor and Council
From: Tate Bengtson, CAO
Date: January 7, 2020
Subject: Fortune Parks Consent for Bylaw Revisions

RECOMMENDATION

THAT Council provides notice to the Board of the Regional District of North Okanagan that it consents to the RDNO Fortune Parks, Recreation and Culture Conversion and Service Establishment Amendment Bylaw No. 2840, 2019.

BACKGROUND

The Enderby & District Services Commission completed a governance review in 2019 that resulted in continued support for shared services and repatriation of local parks to local jurisdictions.

RDNO Fortune Parks, Recreation and Culture Conversion and Service Establishment Amendment Bylaw No. 2840, 2019 has been given three readings by the Board and consent has been provided by all participants in accordance with legislative requirements.

Prior to adoption, the amendment bylaw must be approved by the Inspector of Municipalities. However, when the amendment bylaw was submitted, a concern was identified by representatives of the Inspector regarding the service being changed to a grant-making service wherein most of the grant was paid to a service participant for operating the shared services. This then led to a new issue because the City owns the assets whereas RDNO provides the service by contract to the City, which added complications with respect Ministry policy around parks services and asset ownership.

Following significant consultation at the staff level as well as with the Ministry, a revised amendment bylaw has received support from the latter. Given the nature of the changes, the Ministry has requested that the service participants provide consent for the revisions.

Attached to this memorandum is a “clean” copy of the revised bylaw plus a “marked-up” copy that shows the changes. Council should note that some items were removed from the bylaw. Due to the revisions, the Memorandum of Understanding will be revised to a Memorandum of Agreement (which expresses more of a “binding” intent) and an operating contract between the RDNO and the City of Enderby will be created. These changes will effectively ensure that the

intent of the service participants for which they originally provided consent are maintained through alternate means.

Both the Memorandum of Agreement and the operating contract will be presented at a later date; however, given the strong working relationship and, in the interests of expediency due to looming budget deliberations, staff for both the City and RDNO feel that time is of the essence and it is appropriate for both parties to provide consent so that the bylaw can receive Inspector approval and then be adopted.

Respectfully submitted,



Tate Bengtson
Chief Administrative Officer

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2840

A bylaw to amend the scope of service, cost apportionment and maximum requisition of the Fortune Parks, Recreation and Culture Service

WHEREAS the Regional District of North Okanagan has established a local area service for the delivery of Parks, Recreation and Culture services cited as the "*Fortune Parks, Recreation and Culture Conversion and Service Establishment Bylaw No. 1650, 2000*";

AND WHEREAS the participants of the Fortune Parks, Recreation and Culture service wish to amend the scope of operations such that an adjustment to the cost apportionment and maximum requisition is necessary;

AND WHEREAS the City of Enderby and Electoral Area "F" of the Regional District of North Okanagan have entered into a Memorandum of Understanding concerning the transfer of local parks responsibility and the continuation of shared support for shared parks, recreation and cultural services through the governance of the Enderby and District Services Commission; and,

NOW THEREFORE the Board of the Regional District of North Okanagan in open meeting assembled enacts as follows:

TEXT AMENDMENTS

1. That *Fortune Parks, Recreation and Culture Conversion and Service Establishment Bylaw No. 1650, 2000* be amended by:

(a) Amending the Scope of Service by:

- i) adding the words, "*which are part of a shared service*" at the end of Section 3(1)
- ii) adding the word "*shared*" between 'facilities for' and 'park and recreation purposes' in Section 3(2).
- iii) Deleting Section 3(3) in its entirety and replacing with:

(3) Community grants to the Enderby and District Museum and Archives, Kingfisher Interpretive Centre, and the Shuswap Trail Alliance, subject to budget approval.

(b) Amending the Cost Apportionment by deleting Section 8 in its entirety and replacing it with:

8. *The annual cost of this service shall be apportioned amongst the participants on the basis of the converted value of improvements only for hospital purposes in those areas and adjusted as follows:*

$$\begin{array}{l} \text{Enderby Apportionment} = \frac{\text{Enderby Converted Improvements}}{\text{Total Converted Improvements}} \text{ plus } 5.5\% \\ \text{Area "F" Apportionment} = \frac{\text{Area "F" Converted Improvements}}{\text{Total Converted Improvements}} \text{ minus } 5.5\% \end{array}$$

(c) Amending the Maximum Requisition by deleting \$1.10 and replacing with \$0.83.

EFFECTIVE DATE

2. Fortune Parks, Recreation and Culture Conversion and Service Establishment Amendment Bylaw will take effect upon adoption.

CITATION

3. This bylaw may be cited as the ***“Fortune Parks, Recreation and Culture Conversion and Service Establishment Amendment Bylaw No. 2840, 2019”***.

Read a First, Second and THIRD Time	this	18	day of	September, 2019
Consent on behalf of electoral participating area given under section 347(2) of the <i>Local Government Act</i>	this	11	day of	October, 2019
Consent on behalf of municipal participating area given under section 346 of the <i>Local Government Act</i>	this	4	day of	March, 2019
Approved by the Inspector of Municipalities	this		day of	, 2019
ADOPTED	this		day of	, 2019

Chair

Corporate Officer

CERTIFIED true copy of *“Fortune Parks, Recreation and Culture Conversion and Service Establishment Amendment Bylaw No. 2840, 2019”* as read a third time.
Dated at Coldstream, BC this 11 day of October, 2019.

Paddy Juniper, Corporate Officer

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. ~~XXXX~~2840

A bylaw to amend the scope ~~and of service~~, cost apportionment ~~and maximum requisition~~ of the Fortune Parks, Recreation and Culture Service

WHEREAS the Regional District of North Okanagan has established a local area service for the delivery of Parks, Recreation and Culture services cited as the "*Fortune Parks, Recreation and Culture Conversion and Service Establishment Bylaw No. 1650, 2000*";

AND WHEREAS the participants of the Fortune Parks, Recreation and Culture service wish to amend the scope of operations ~~to reflect the transfer of local parks responsibility to the individual participants such that an adjustment to the cost apportionment and maximum requisition is necessary~~;

AND WHEREAS the City of Enderby and Electoral Area "~~F~~"F of the Regional District of North Okanagan have entered into a Memorandum of Understanding concerning the transfer of local parks responsibility and the continuation of shared support for shared parks, recreation and cultural services ~~operated by the City of Enderby~~ through the governance of the Enderby and District Services Commission; and;

~~AND WHEREAS the City of Enderby has delegated certain powers, duties and functions to this Commission in accordance with the Corporation of the City of Enderby Service Extension and Commission Delegation Bylaw, No. 1446, 2009;~~

~~AND WHEREAS the required consent of 2/3 of the participants has been received pursuant to Sections 349 and 350 of the Local Government Act;~~

NOW THEREFORE the Board of the Regional District of North Okanagan in open meeting assembled enacts as follows:

TEXT AMENDMENTS

1. That *Fortune Parks, Recreation and Culture Conversion and Service Establishment Bylaw No. 1650, 2000* be amended by:

(a) Amending the Scope of Service by:

- i) adding the words, "which are part of a shared service" at the end of Section 3(1)
- ii) adding the word "shared" between 'facilities for' and 'park and recreation purposes' in Section 3(2).
- iii) Deleting Section 3-(3) in its entirety and replacing it with:

~~"3. The service established by this bylaw is limited to the provision of a grant to support:~~

~~(1) The operation of parks and recreational programs and facilities at the following locations:~~

- ~~a. Barnes Park (a park located at 602 King Avenue, Enderby, BC) and all amenities and improvements contained therein;~~
- ~~b. Riverside Park (a park located 300 Kildonan Avenue, Enderby, BC) Ball Diamonds and ancillary amenities and improvements, including the Lions Gazebo;~~
- ~~c. The Enderby Arena and Curling Rink (a facility located at 1605 Kate Street, Enderby, BC) and all improvements and amenities ancillary to or contained therein;~~

~~(2) All services ancillary to the above, including marketing, programming, and scheduling services;~~

~~(3) Community grants to the Enderby and District Museum and Archives, Kingfisher Interpretive Centre, and the Shuswap Trail Alliance, subject to budget approval.~~

~~(3) The acquisition, improvement and maintenance of land, buildings and other facilities for park and recreation purposes agreed to by unanimous consent of~~
~~(b) Amending the participants and included in the scope of this bylaw.~~

~~(4) Cultural services and/or grants as agreed to by the unanimous consent of the participants and included in the scope of this bylaw.~~

Cost Apportionment by deleting Section 8: in its entirety and replacing it with:

“8. The annual cost of this service shall be apportioned amongst the participants on the basis of the converted land and value of improvements only for hospital purposes in those areas and adjusted as followed follows:

$$\text{Area 'F' Apportionment} = \frac{\text{Area 'F' Converted Improvements}}{\text{Total Converted Improvements}} \times 5.5\%$$

$$\text{Enderby Apportionment} = \frac{\text{Enderby Converted Improvements}}{\text{Total Converted Improvements}} \times \text{plus } 5.5\%$$

$$\text{Area "F" Apportionment} = \frac{\text{Area "F" Converted Improvements}}{\text{Total Converted Improvements}} \times \text{minus } 5.5\%$$

(c) Amending the Maximum Requisition by deleting \$1.10 and replacing with \$0.83.

EFFECTIVE DATE

2. Fortune Parks, Recreation and Culture Conversion and Service Establishment Amendment Bylaw will take effect upon adoption.

CITATION

3. This bylaw may be cited as the “**Fortune Parks, Recreation and Culture Conversion and Service Establishment Amendment Bylaw No. ~~XXXX~~2840, 2019**”.

Read a First, Second and THIRD Time	this	18	day of	September, 2019
Consent on behalf of electoral participating area given under section 347(2) of the <i>Local Government Act</i>	this	11	day of	October, 2019
Consent on behalf of municipal participating area given under section 346 of the <i>Local Government Act</i>	this	4	day of	March, 2019
Approved by the Inspector of Municipalities	this		day of	, 2019
ADOPTED	this		day of	, 2019

Chair

Corporate Officer

CERTIFIED true copy of “Fortune Parks, Recreation and Culture Conversion and Service Establishment Amendment Bylaw No. 2840, 2019” as read a third time.
Dated at Coldstream, BC this 11 day of October, 2019.

Paddy Juniper, Corporate Officer

Agenda

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Mayor and Council
From: Tate Bengtson, CAO
Date: January 13, 2020
Subject: Support for Infrastructure Planning Grant for Northern Drainage Basin Stormwater Management Plan

RECOMMENDATION

THAT Council supports the Infrastructure Planning Grant application to the Union of British Columbia Municipalities for a Northern Drainage Basin Stormwater Management Plan

BACKGROUND

The Union of British Columbia Municipalities administers an infrastructure planning grant to assist local governments in “developing sustainable infrastructure that will improve public health and safety, protect the natural environment and strengthen local and regional economies.” Through this program, a maximum grant of up to \$10,000 can be provided, with the first \$5,000 of costs covered at 100%, and the next \$10,000 covered at 50%. In other words, the City can leverage a \$5,000 local contribution into a \$15,000 infrastructure planning grant.

As part of an ongoing effort to mitigate drainage issues, staff are proposing that the City make application for this grant in order to develop a Northern Drainage Basin Stormwater Management Plan. This plan would address downstream impacts of infrastructure improvements on the hillside, including the planned separation of storm and sanitary sewers at Peacher and Red Rock Crescent. It will also identify recommendations for drainage in the areas of West Enderby, Meadow Crescent, and the “old mill” outfall on the north end of town.

In addition to the \$5,000 local contribution to the grant, this project will require hydraulic modeling of the northern drainage basin, which is an ineligible grant project cost. These costs, estimated at \$5,000, would be funded through the City’s general pre-engineering budget line item in 2020 to avoid a new tax impact.

Respectfully submitted,



Tate Bengtson
Chief Administrative Officer

THE CORPORATION OF THE CITY OF ENDERBY

Agenda

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner and Deputy Corporate Officer
Date: January 10, 2020
Subject: Digital Billboard Sponsorship Renewal for 2020

RECOMMENDATION

THAT Council renews the annual digital billboard sponsorships for the year 2020.

BACKGROUND

In response to a high priority strategy identified through the Integrated Community Sustainability Planning process, the City of Enderby purchased and installed a community digital billboard to market community events and programming while also enhancing communication between the City of Enderby, its residents, and tourists.

As per the Digital Billboard Policy, local community groups and sports associations which are registered not-for-profit organizations or charities can apply to Council for an in-kind annual sponsorship which will go towards advertising on the digital billboard. Since the initial installation of the billboard, 41 groups/organizations have received a sponsorship from Council. It is recommended that Council renew the following groups/organizations' annual sponsorships for the year 2020:

Enderby & District Community Resource Centre	\$11,200
Enderby & District Services Commission	\$10,000
Alzheimer Society of BC	\$8,400
Enderby & District Lions Club	\$8,400
Royal Canadian Legion Branch #98	\$8,400
Wheels to Meals	\$8,000
Enderby & District Curling Club	\$7,000
MV Beattie PAC	\$7,000
Enderby & District Arts Council	\$6,000
Enderby Preschool Society	\$5,600
Enderby & Area Early Years Committee	\$5,200
St. Andrews United Church	\$5,100
Enderby Fire Rescue Society	\$5,000
Enderby Fish and Game Association	\$4,900
IODE Lambly's Landing Chapter	\$4,900
Okanagan Regional Library (Enderby Branch)	\$4,900
Enderby & District Museum Society	\$4,900

Enderby Artists' Initiative	\$4,200
Open Air Market	\$3,750
Shuswap Trail Alliance	\$3,500
Enderby & District Garden Club	\$3,500
Enderby Winter Market	\$3,000
Enderby Evangelical Chapel	\$2,800
Enderby Army Cadets	\$2,800
Enderby & District Youth Soccer Association	\$2,800
Enderby Minor Baseball Association	\$2,800
St. Ann's Catholic Church	\$2,800
Church of Jesus Christ of Latter-day Saints	\$2,800
Anglican Church Women	\$2,100
NexusBC	\$2,100
Enderby & Area Junior Air Rifle Program	\$2,100
Myeloma Canada	\$2,100
Santa's Workshop	\$2,100
Hunter's Range Snowmobile Association	\$1,400
Enderby & District Seniors Complex	\$1,400
Shuswap Seed Savers	\$1,400
Enderby in Motion	\$700
Polar Bear Dip	\$700
Okanagan Historical Society (Enderby Branch)	\$700
Canadian Cancer Society	\$700
Cliff Notes Community Choir	\$700
**Note: messaging is valued at \$100/day	

TOTAL	\$167,850
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The renewal of the annual digital billboard sponsorships will result in the City of Enderby providing local groups/associations with \$167,850 worth of advertising for the marketing of community events and programming throughout 2020, free of charge.

Respectfully Submitted,



Kurt Inglis
Planner and Deputy Corporate Officer

THE CORPORATION OF THE CITY OF ENDERBY

Agenda

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner and Deputy Corporate Officer
Date: January 13, 2020
Subject: Bylaw Enforcement Statistics for Third Period of 2019 (Sept - Dec)

RECOMMENDATION

THAT Council receives this memorandum for information.

BACKGROUND

The bylaw enforcement statistics for the third period of 2019 (Sept - Dec) are attached to this memorandum as Appendix "A"; the highlights of these statistics are as follows:

- A total of 58 complaints were received between September 1, 2019 and December 31, 2019;
- Of these 58 complaints, 72.4% were received from the public and 27.6% came through observation by the Bylaw Enforcement Officer or City Staff;
- The most common complaints were related to unlawful parking, snow/ice removal, and unsightly properties (combined 44.8% of complaints);
- Of the 58 complaints, 35 (60.3%) were resolved through voluntary compliance or were already compliant upon investigation; and
- A total of four Orders to Comply were issued, two dogs were designated as a 'dangerous dog', and one premises was required to be secured to prevent unauthorized entry.

Respectfully Submitted,



Kurt Inglis
Planner and Deputy Corporate Officer

Appendix "A" - BYLAW COMPLAINT STATISTICS FOR THIRD PERIOD OF 2019 (SEPT-DEC)

BREAKDOWN OF COMPLAINTS		
Category	No. of Complaints	Percentage of Complaints
Parking/Traffic	18	31.0%
Property	17	29.3%
Dogs	15	25.9%
Zoning	6	10.3%
Public Spaces	1	1.7%
Nuisance	1	1.7%
TOTAL	58	
Identified By	Bylaw Enforcement / Staff	Public
	16 (27.6%)	42 (72.4%)

PARKING/TRAFFIC COMPLAINTS		
Type	No. of Complaints	Percentage of Parking/Traffic Complaints
Unlawful parking	9	50%
Obstructing flow of vehicular traffic	4	22.2%
Derelect vehicle	3	16.7%
Obstructing flow of pedestrian traffic	1	5.6%
Vegetation overhanging roadway	1	5.6%
TOTAL	18	

PROPERTY COMPLAINTS		
Type	No. of Complaints	Percentage of Property Complaints
Snow/ice removal	10	58.8%
Unightly property	7	41.2%
TOTAL	17	

DOG COMPLAINTS		
Type	No. of Complaints	Percentage of Dog Complaints
Excessive barking	5	33.3%
Aggressive dog	3	20%
Dog attack	3	20%
Failure to remove feces	2	13.3%
Dog at large	2	13.3%
TOTAL	15	
Complaints Per Jurisdiction	Enderby	Area 'F'
	7 (46.6%)	8 (53.3%)

ZONING COMPLAINTS		
Type	No. of Complaints	Percentage of Zoning Complaints
Unlawful use	4	66.6%
Unlawful signage	1	16.7%
Unlawful storage of trailer on residential property	1	16.7%
TOTAL	6	

PUBLIC SPACES COMPLAINTS		
Type	No. of Complaints	Percentage of Public Spaces Complaints
Littering	1	100%
TOTAL	1	

NUISANCE COMPLAINTS		
Type	No. of Complaints	Percentage of Nuisance Complaints
Excessive noise	1	100%
TOTAL	1	

OUTCOMES				
Voluntary Compliance / Already Compliant	Warning / Monitor Property	Orders to Comply	Dangerous Dog Designations	Require Premises to be Secured to Prevent Unauthorized Entry
35	16	4	2	1

Agenda

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner and Deputy Corporate Officer
Date: January 15, 2020
Subject: Bylaw Compliance Policy

RECOMMENDATION

THAT Council approves the attached Bylaw Compliance Policy.

BACKGROUND

In 2019, Staff provided Council with an overview of the City's current approach to Bylaw Compliance, along with rationale for different elements of the process. Council considered a number of policy examples from other communities, and directed Staff to prepare an update to the City's existing Bylaw Enforcement Policy (the proposed policy renames it to 'Bylaw Compliance Policy') which articulates Council's standards within the context of contemporary best practices .

Staff are now advancing an updated Bylaw Compliance Policy for Council's consideration; this updated policy includes detailed information on the following elements of the bylaw compliance process:

1. Complaints and Investigations
 - a. How investigations are triggered;
 - b. Required information from a complainant;
 - c. Priority criteria for considering a complaint;
 - d. Communications with complainants;
 - e. Preliminary reviews of complaints.
2. Confidentiality
 - a. Protection of a complainant's identity;
 - b. Circumstances where the City must disclose personal information (i.e. legal proceedings, order for disclosure under *Freedom of Information and Protection of Privacy Act*, as required by law).
3. Enforcement
 - a. Criteria for determining whether enforcement is necessary;
 - b. The range of enforcement options;
 - c. Keeping records of inspections, investigations and enforcement.
4. Reporting
 - a. Reporting to Council tri-annually on bylaw compliance statistics, trends and categories of files.

This updated policy largely reflects the City's existing approach to bylaw compliance, but has been amended to include contemporary best practices while adding more certainty and transparency to the process.

This updated Bylaw Compliance Policy will help to achieve a number of objectives, including:

- i. Ensuring that there is a clear and transparent bylaw compliance process that reflects Council's standards and contemporary best practices;
- ii. Providing certainty and fairness to the bylaw compliance process, while maintaining a balance of accountability and confidentiality; and
- iii. Ensuring the delivery of professional bylaw compliance services in a timely, reasonable and efficient manner.

Staff are recommending that Council approves the attached Bylaw Compliance Policy.

Respectfully Submitted,



Kurt Inglis
Planner and Deputy Corporate Officer

Policy Title	Bylaw Compliance
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Adopted:	<u>Authorized By:</u>	Replaces: Bylaw Enforcement Policy - November 1, 2010
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PURPOSE:

The objective of this Policy is to obtain bylaw compliance through education and, when necessary, enforcement. In addition, this Policy provides a formal process for managing bylaw complaints received by the City.

POLICY:

GENERAL

1. For the purpose of this policy, a "Bylaw Enforcement Officer" includes a municipal employee, agent, or any other person appointed by Council to ensure compliance with City of Enderby bylaws.
2. A Bylaw Enforcement Officer, acting in the regular course of his or her duties, may initiate investigations and conduct inspections to determine compliance with all regulations, prohibitions and requirements of City bylaws and may enter onto private property in accordance with Section 16 of the *Community Charter* for the following purposes:
 - a. To inspect and determine whether all regulations, prohibitions and requirements are being met in relation to any matter for which the City may lawfully exercise its authority to regulate, prohibit or impose requirements;
 - b. To take municipal action at defaulter's expense; and
 - c. To disconnect or remove works of a service.

INVESTIGATIONS

3. Bylaw compliance investigations will generally be triggered through the following mechanisms:
 - Complaints from the public;
 - Issues identified through regular patrols; and

- Proactive reviews of unsightly properties, derelict vehicles, and cases where there are ongoing compliance issues.
4. A complaint of an alleged contravention of a bylaw must be submitted in writing (email, letter or complaint form), and must contain:
 - a. The name, address and contact information of the complainant; and
 - b. A description of the nature and location of the alleged contravention.
 5. Anonymous complaints will not be acted upon unless the alleged violation involves risk to public health and safety, adverse environmental impacts, and/or harm to City infrastructure or operations.
 6. All written complaints are directed to a Bylaw Enforcement Officer and will be logged for tracking purposes.
 7. Complaints will be investigated on a priority basis using the following criteria:
 - Health, safety, and security of the public;
 - Damage to the environment;
 - The impact of the violation on the community;
 - The impact of the violation on the complainant;
 - The nature of the complaint and the allegation (i.e. repeat offence).
 8. On receipt of a written complaint, the City will acknowledge receipt of the complaint in writing or by phone to the complainant. Not all types of complaints necessitate that the Bylaw Enforcement Officer contact the complainant to advise of the file outcome.
 9. The Bylaw Enforcement Officer may contact the complainant to:
 - a. Request additional information or details;
 - b. Provide expected timelines for the complaint to be addressed;
 - c. Provide reasons why the complaint will not be investigated; and/or
 - d. Advise the complainant that additional steps should be taken before enforcement action is taken.
 10. A preliminary review of a complaint will be undertaken by the Bylaw Enforcement Officer to ensure that the complaint is well founded. The preliminary review may be limited to a phone call to the complainant, a site investigation, or a courtesy visit or note for the respondent clarifying the bylaws.
 11. The Bylaw Enforcement Officer may not investigate an issue if, through the preliminary review, it is determined that:
 - a. No violation exists or compliance has already been achieved;

- b. The matter is a civil matter;
- c. The matter falls outside the jurisdiction and authority of the Bylaw Enforcement Officer;
- d. The City cannot take enforcement action; or
- e. It is a repeated complaint, frivolous complaint (not having any serious purpose of value), or vexatious complaint (made for retaliatory or bad faith purposes, or otherwise forms part of a pattern of conduct by the complainant that amounts to an abuse of the bylaw compliance process).

CONFIDENTIALITY

12. The identity of a complainant is confidential and will not be disclosed to anyone for any purpose, except as required by law, and in accordance with the following provisions:
- a. The complainant's identity shall not be disclosed to the person under investigation or to any member of the public;
 - b. Where a person submits a request pursuant to the *Freedom of Information and Protection of Privacy Act* for the disclosure of personal information contained in a bylaw compliance file, it shall be the City's policy to not release the records unless in accordance with Section 12.c below;
 - c. Despite the foregoing, the City may disclose personal information in bylaw compliance files in the following circumstances:
 - i. If the complaint has been publicly disclosed by the complainant;
 - ii. If the investigation results in legal proceedings;
 - iii. If disclosure is required pursuant to the *Freedom of Information and Protection of Privacy Act*;
 - iv. If an order for disclosure is used by the Information and Privacy Commissioner under the *Freedom of Information and Protection of Privacy Act*;
 - v. As required by law; or
 - vi. To a Peace Officer, upon request, for law enforcement purposes.

ENFORCEMENT

13. The City cannot take enforcement action with respect to every contravention of a bylaw that may occur within its jurisdiction. Bylaw compliance initiatives/actions will be determined by available capacity, resources, and the nature of the complaint. The City will take reasonable steps to investigate contraventions in accordance with this policy and operational guidelines

of the City. In determining whether to commence enforcement proceedings, the City may consider one or more of the following criteria:

- The priorities identified in Section 7 of this Policy;
 - The scale, nature, and duration of the contravention;
 - The amount of time that has lapsed since the contravention occurred;
 - The resources available to resolve the matter;
 - The costs associated with enforcement action;
 - The probability of a successful outcome;
 - The policy implications of the enforcement action and the potential for precedents;
 - Whether enforcement may be a deterrent in future cases.
14. The City's primary objective shall be to obtain voluntary compliance; however, if voluntary compliance is not achieved, or in the Bylaw Enforcement Officer's opinion voluntary compliance is not achievable, the City may exercise enforcement powers in accordance with the following remedies:
- a. The issuance of an Order to Comply;
 - b. The issuance of a Bylaw Offence Notice or Municipal Ticketing Information;
 - c. Prosecutions under the Offence Act, and any other remedy as set out in Section 260 of the *Community Charter*;
 - d. Proceedings as set out in Section 274 of the *Community Charter*;
 - e. Remedial action and any other remedy as set out in Part 3, Divisions 5-12 of the *Community Charter*, and the City may further seek to fulfill those requirements at the expense of the person in contravention, in accordance with the provisions of Section 17 of the *Community Charter*.
15. The City retains the right not to commence enforcement proceedings at its sole and unfettered discretion.
16. The Bylaw Enforcement Officer shall maintain a written record of inspections and investigations undertaken and record the disposition of all complaints received.

REPORTING

17. Bylaw Compliance statistics, trends and categories of files shall be reported to Council tri-annually.

Agenda

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner and Deputy Corporate Officer
Date: January 16, 2019
Subject: Community Emergency Preparedness Fund – Flood Risk Assessment and Flood Mapping and Flood Mitigation Planning Program

RECOMMENDATION

THAT Council directs Staff to submit an application under the *Flood Risk Assessment, Flood Mapping and Flood Mitigation Planning* funding stream of the Community Emergency Preparedness Fund in order to undertake the following activities:

1. Completing a flood risk assessment; and
2. Updating and enhancing flood mapping.

AND THAT Council confirms that the City of Enderby is willing to provide overall grant management for the aforementioned activities.

BACKGROUND

The Community Emergency Preparedness Fund is a suite of funding programs intended to enhance the resiliency of local governments and their residents in responding to emergencies. Funding is provided by the Province of BC and is administered by Union of BC Municipalities. One of the primary funding streams is *Flood Risk Assessment, Flood Mapping and Flood Mitigation Planning*. This funding stream is aimed at better positioning communities to understand the flood hazards they face and how to adapt to these risks. This funding stream contributes 100% of the cost of eligible activities to a maximum of \$150,000.00.

Given the City's location adjacent to the Shuswap River and at the foot of the western face of a hillside, the community has inherent flood vulnerabilities which have been observed most recently in 2012, 2017, and 2018. Given the flood risks associated with the City's geographical context, it is recommended that Council directs Staff to submit an application under the *Flood Risk Assessment, Flood Mapping and Flood Mitigation Planning* funding stream of the Community Emergency Preparedness Fund in order to undertake the following activities:

1. Completing a flood risk assessment; and
2. Updating and enhancing flood mapping.

The aforementioned activities will include a high level review of conceptual risk mitigation options, as well as a summary of risk mitigation that is already in place; together, this will position the City to be able to pursue a future grant application to fund the completion of a Flood Mitigation Plan which includes, i) development of suitable flood mitigation options (structural and non-structural), ii) evaluation, rank and recommendation of options, and iii) development of preliminary cost estimates for options.

It is also recommended that Council confirms that the City of Enderby is willing to provide overall grant management for the aforementioned activities, which is a requirement of the grant program.

Respectfully Submitted,



Kurt Inglis
Planner and Deputy Corporate Officer

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner and Deputy Corporate Officer
Date: January 16, 2020
Subject: Request for Temporary Sign at 1806 George Street

RECOMMENDATION

THAT Council defers enforcing the provisions of the Zoning Bylaw related to prohibiting temporary signs, for 1806 George Street, subject to the following conditions:

1. The deferral of enforcement would only apply for a 6-month period, with the owners being required to submit a new request at the end of the 6 months if they wish for the placement of the temporary sign to continue;
2. The deferral of enforcement only applies to the temporary sign as shown in the attached conceptual drawing;
3. The temporary sign must be sited in accordance with the applicable setback provisions of the sign regulations outlined in the City of Enderby Zoning Bylaw No. 1550, 2014;
4. The temporary sign shall be constructed with appropriate materials (i.e. no plywood, untreated lumber, etc.) and be maintained in good repair; and
5. Should any of the aforementioned conditions not be adhered to, the City may require that the temporary sign be removed at its sole and unfettered discretion;

AND THAT Council directs Staff to bring forward an amendment to the Zoning Bylaw as part of the next review, which would provide conditions under which temporary signs may be installed when a property is being developed or redeveloped.

BACKGROUND

The City has received a request from the new owners of 1806 George Street (Ride 'N Shine Laundromat/Car Wash) to install a temporary sign in the southeast corner of their lot; conceptual drawings of the sign and a site map are attached to this memorandum.

The new owners of the property are wanting to install the temporary sign to market that there have been changes to the car wash, and a change in ownership, but they want to avoid investing in permanent signs along the front of the property until they have a better understanding of what their long-term development plans are for the property (i.e. want to avoid installing permanent signs which may need to be removed in the future if the lot is subdivided or further developed). Given that the placement of temporary signs is not permitted under the sign provisions of the Zoning Bylaw, the owners are requesting that Council defer enforcing this provision of the Bylaw for their proposed sign.

It is recommended that Council defers enforcing the provisions of the Zoning Bylaw related to prohibiting temporary signs, for 1806 George Street, subject to the following conditions:

1. The deferral of enforcement would only apply for a 6-month period, with the owners being required to submit a new request at the end of the 6 months if they wish for the placement of the temporary sign to continue;
2. The deferral of enforcement only applies to the temporary sign as shown in the attached conceptual drawing;
3. The temporary sign must be sited in accordance with the applicable setback provisions of the sign regulations outlined in the City of Enderby Zoning Bylaw No. 1550, 2014;
4. The temporary sign shall be constructed with appropriate materials (i.e. no plywood, untreated lumber, etc.) and be maintained in good repair; and
5. Should any of the aforementioned conditions not be adhered to, the City may require that the temporary sign be removed at its sole and unfettered discretion.

Furthermore, it is recommended that Council directs Staff to bring forward an amendment to the Zoning Bylaw as part of the next review, which would provide conditions under which temporary signs may be installed when a property is being developed or redeveloped. This approach is common in other communities, and would help to transition the City's sign regulation framework to a more contemporary standard.

Respectfully Submitted,



Kurt Inglis
Planner and Deputy Corporate Officer

16" X 8FT TOPPER



UNDER NEW OWNERSHIP
CLEAN WASH BAYS
GRAND OPENING MAY 26

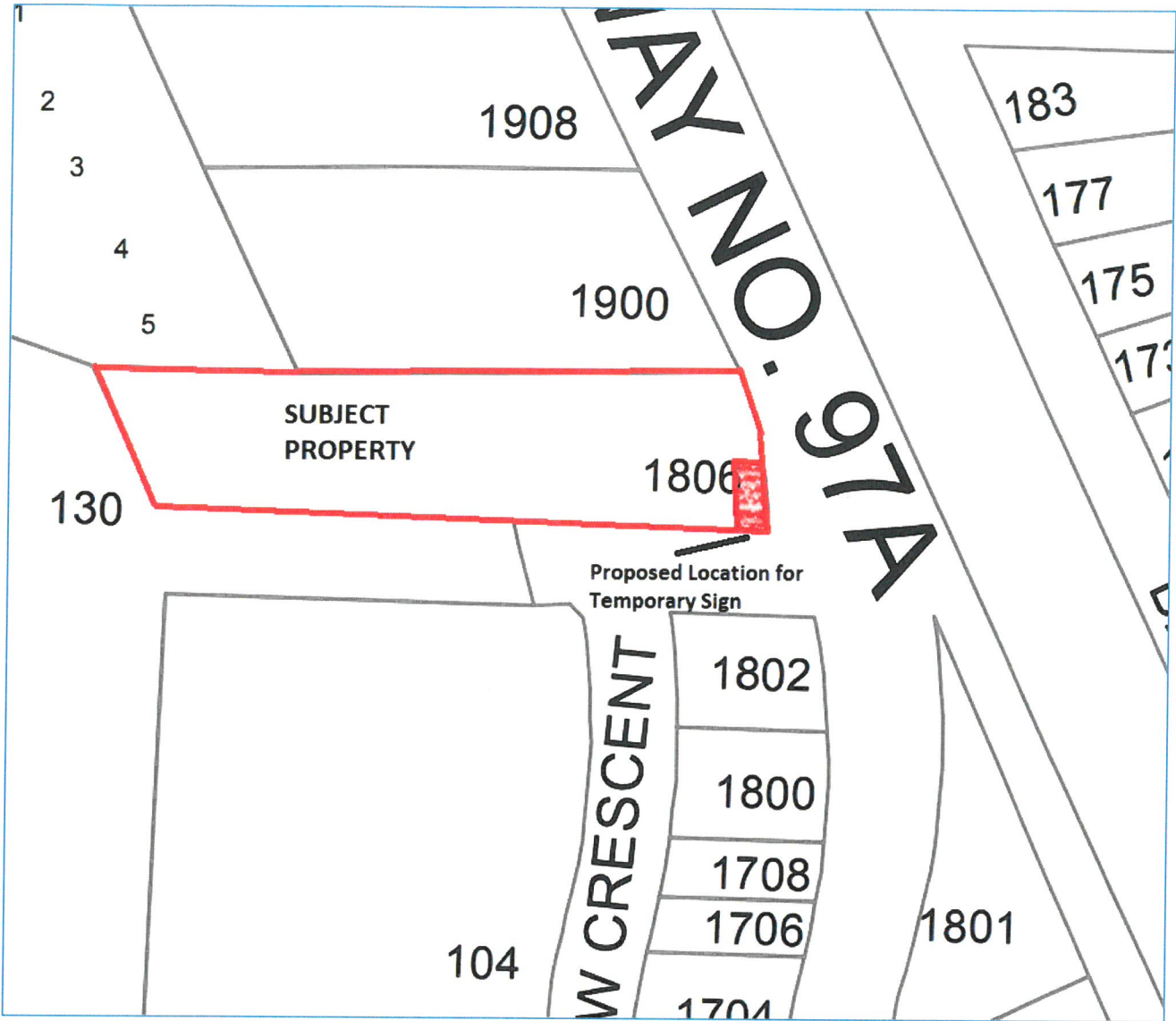
BUSES & TRUCKS WELCOME

4FT X 8FT READO

TOPPER

READO

END VIEW

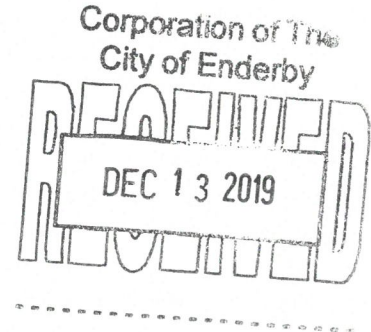




Agenda

December 6, 2019

His Worship Greg McCune
Mayor of the City of Enderby
PO Box 400
Enderby BC V0E 1V0



Dear Mayor McCune:

I would like to thank the delegation from the City of Enderby for such an informative meeting at this year's Union of British Columbia Municipalities Convention in Vancouver. I am writing to follow up on our discussion regarding opioid problems, increasing criminal activity, community safety and cannabis stores on local First Nations territory adjacent to your municipality.

At the outset of this letter, please be advised that under the *Police Act* (BC), as Minister of Public Safety and Solicitor General, I must ensure that an adequate and effective level of policing and law enforcement is maintained throughout BC. As Minister, I am responsible for setting the goals, objectives and priorities for policing and law enforcement in BC. Day-to-day deployment of police resources falls to the RCMP, the municipal police department or the relevant designated policing and/or law enforcement unit. Individual investigations and enforcement decisions, including those described herein, occur at arm's length from government and I cannot interfere with or direct police on such matters.

During our meeting you raised two issues affecting your community that you are seeking direction from the ministry on. First, you raised concerns that Enderby has seen increases in opioid-related crime and suggested more police resources are needed to address these challenges. On this same issue you noted Enderby has enacted bylaws that allow identified drug houses to be 'shut down' but expressed frustration that such efforts merely move the problem to another nearby location. Second, you raised concerns that several cannabis stores on local First Nations land are operating on a basis that does not conform with federal and provincial requirements, and referenced that the sole store attempting to set-up within Enderby's municipal boundaries is still yet to open despite spending considerable time and funds to meet regulatory requirements.

.../2



With respect to the issue of opioid-related crime, and as I stated during our meeting, the Province recognizes opioids are taking a terrible toll on communities and is aware of the impacts they are having on communities in terms of policing. We are currently exploring measures to alleviate these policing pressures in relation to the opioid crisis and mental health issues. I note we are awaiting results from an ongoing pilot project in Vernon that diverts eligible persons with mental health issues out of the criminal justice system and into mental health-specific programming. I also note that the Province has recently obtained 30 new RCMP cadets who will be allocated across British Columbia to help reduce current policing pressures, and this is in addition to preparations that are underway to request additional core policing funding from Treasury Board. In the meantime, however, I urge your municipal council to collaborate with local RCMP on annual planning to reflect your community's policing priorities.

Also, with respect to opioid-related crime in your community, the Province is fully aware that this issue did not receive appropriate attention in the past, and that it is a complex matter with no single solution. In response, we created the Ministry of Mental Health and Addictions to address gaps in services, supports and treatment, and to work with other ministries, health authorities, schools, care givers and community agencies to ensure resource availability. Other notable measures include:

- In 2017, \$31.3 million (over three years) was allocated to the ministry for opioid-related measures, including funding for: Provincial Tactical Enforcement Priority (PTEP) projects led by the Combined Forces Special Enforcement Unit (CFSEU-BC); police equipment; community outreach; naloxone distribution.
- The ministry with the Ministry of Mental Health and Addictions are currently piloting police referral programs that divert individuals away from the justice system and towards treatment resources.

The ministry also provides Situation Table funding to help community service providers identify at-risk persons for rapid direction to community supports. In this regard you may wish to contact Shannon Tucker who is a Director with the Office of Crime Reduction and Gang Outreach, to see if program options are available. She can be reached by telephone at 778-945-1364. As well, I encourage you to explore options under the Civil Forfeiture Crime Prevention/Remediation Grant Program, which provides annual funding to help organizations throughout BC to further their crime prevention efforts. For more information please see the following:

<https://www2.gov.bc.ca/gov/content/safety/crime-prevention/civil-forfeiture-office/grants-compensation>

Email: CFOGrants@gov.bc.ca

.../3

His Worship Greg McCune
Page 3

With regard to unlicensed cannabis stores operating on First Nations territory adjacent to your municipality, BC continues to have a sizeable illegal cannabis market, with unlicensed storefronts still operating across the province. The Province has established a Community Safety Unit (CSU), which has enforcement authority with respect to illegal cannabis sales, including on reserve and treaty lands. The CSU works with Indigenous communities in consideration of their local needs and interests when carrying out compliance and enforcement activities. More information about the CSU, including a reporting form, is available at:

<https://www2.gov.bc.ca/gov/content/safety/public-safety/cannabis/csu>.

Finally, I understand your frustration about the pace of the retail licensing process. We have recently made adjustments to speed up that process, and I understand that a cannabis retail licence has now been issued for a store in Enderby.

I appreciate these important opportunities to exchange ideas and share information. Through a continued partnership, I am confident that we can work together to increase the safety and security of the City of Enderby.

Sincerely,



Mike Farnworth
Minister of Public Safety
and Solicitor General

pc: Brenda Butterworth-Carr
Mary Shaw
Lisa Anderson
Shannon Tucker



REGIONAL DISTRICT NORTH OKANAGAN

Agenda

MEMBER MUNICIPALITIES:

CITY OF ARMSTRONG
CITY OF ENDERBY
DISTRICT OF COLDSTREAM

VILLAGE OF LUMBY
CITY OF VERNON
TOWNSHIP OF SPALLUMCHEEN

ELECTORAL AREAS:

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

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

OFFICE OF: CORPORATE AND ADMINISTRATIVE SERVICES

OUR FILE No.: G:/1850.03

December 17, 2019

Kevin Bertles, Chief Administrative Officer
City of Armstrong
3570 Bridge Street, Box 40
Armstrong, BC V0E 1B0
kbertles@cityofarmstrong.bc.ca

Doug Allin, Chief Administrative Officer
Township of Spallumcheen
4144 Spallumcheen Way
Spallumcheen, BC V0E 1B6
cao@spallumcheentwp.bc.ca

Tate Bengtson, Chief Administrative Officer
City of Enderby
619 Cliff Avenue
Enderby, BC V0E 1V0
tbengtson@cityofenderby.com

Tom Kadla, Chief Administrative Officer
Village of Lumby
1775 Glencaird Street, PO Box 430
Lumby, BC V0E 2G0
tomk@lumby.ca

Will Pearce, Chief Administrative Officer
City of Vernon
3400 – 30 Street
Vernon, BC V1T 5E6
wpearce@vernon.ca

Leah Mellott, General Manager
Electoral Area Services
Regional District of North Okanagan
9848 Aberdeen Road
Coldstream, BC V1B 2K9
leah.mellott@rdno.ca

Trevor Seibel, Chief Administrative Officer
District of Coldstream
9901 Kalamalka Road
Coldstream, BC V1B 1L6
tseibel@coldstream.ca

Re: Funding Request – 2020 Canadian Cross Country Skiing Championships

At the regular meeting of the Board of Directors held on December 11, 2019, the Board considered a presentation from the Sovereign Lake Nordic Club requesting financial support for the 2020 Canadian Cross Country Skiing Championships. A copy of the presentation to the Board is attached.

The Board considered the request and resolved:

"That the grant request made by the Sovereign Lake Nordic Club for financial support in the amount of \$30,000 to assist with hosting the 2020 Nationals Cross Country Skiing Championships event be forwarded to member jurisdictions for consideration."

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

Toll Free: 1.855.650.3700
Phone: 250.550.3700
Fax: 250.550.3701
Web: www.rdno.ca
E-Mail: info@rdno.ca

Letter to: Member Jurisdictions
From: David Sewell, Chief Administrative Officer
Subject: Funding Request – 2020 Canadian Cross Country Skiing Championships

File No.: G:/1850.03
December 17, 2019
Page 2 of 2

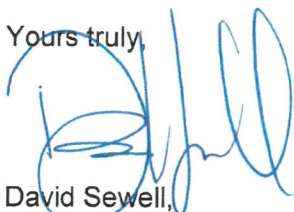
Information regarding RDNO participant contribution levels are included below for reference purposes only.

Jurisdiction	\$ Contribution (based on 2019 Land & Improvements)
Armstrong	1,377
Enderby	698
Vernon	15,861
Coldstream	3,942
Spallumcheen	1,719
Lumby	510
"B"	1,697
"C"	1,759
"D"	756
"E"	253
"F"	1,428
	\$30,000

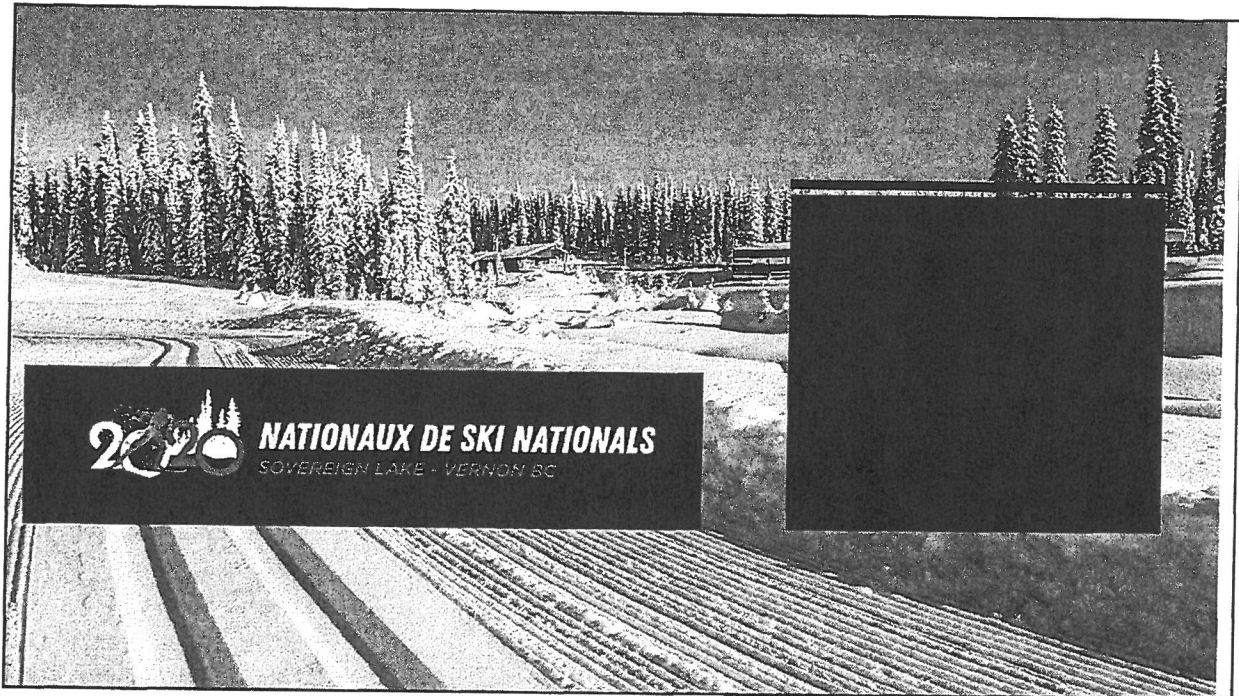
We respectfully request that your jurisdiction consider the request for funding and respond directly to the Sovereign Lake Nordic Club:

Mr. Hugh Hamilton
3909 – 16 Street
Vernon, BC V1T 7N5
250.938.3408
hh@smallweed.com

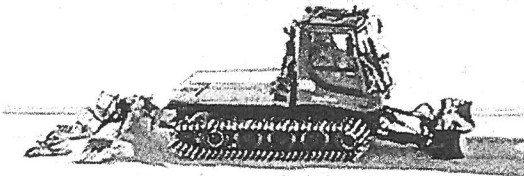
Yours truly,



David Sewell,
Chief Administrative Officer
DS/kc
Encl.



FIRST THANK YOU FOR YOUR SUPPORT



- Financial assistance from RDNO in 2019 helped us to buy a new Pisten Bully grooming machine
- Many thanks!

OUR REQUEST:

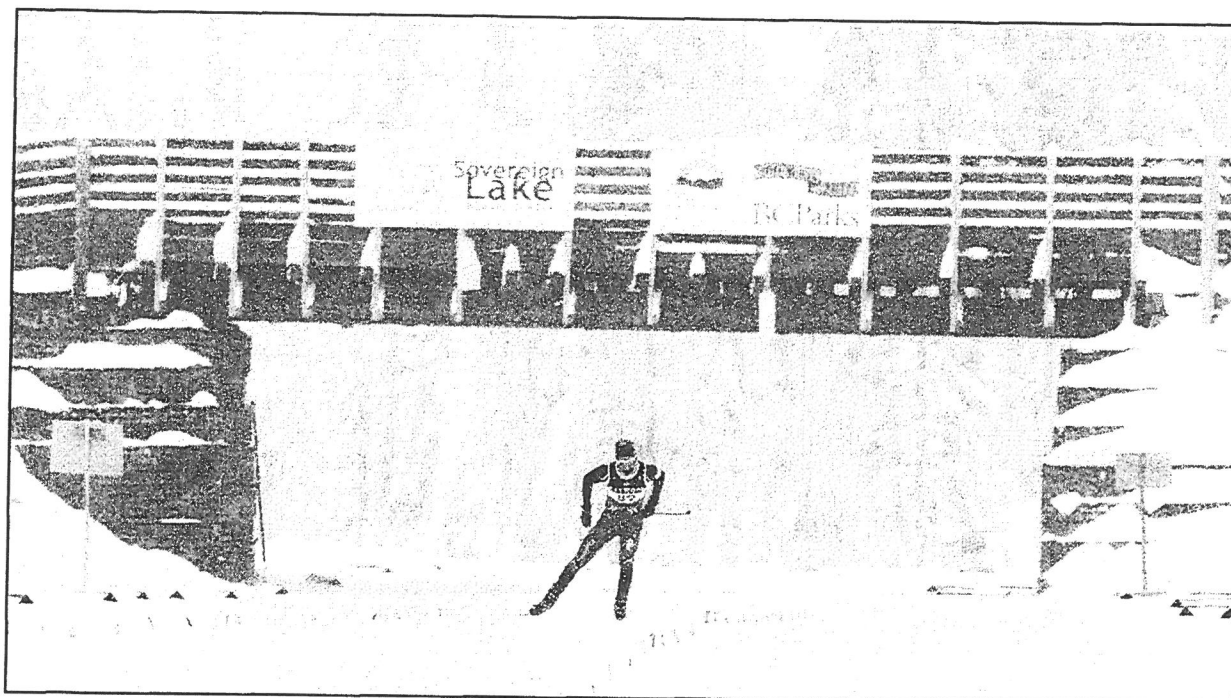
- Sovereign Lake Nordic Club is seeking financial support for the **2020 Canadian National Cross Country Skiing Championships**
- We are hosting the event on behalf of Nordiq Canada - National Sport Governing Body



KEY FACTS

- Total budget for the event exceeds \$250,000
- Estimated **\$1,300,000 direct economic benefit** to Greater Vernon
- More than **100 volunteers** will be hard at work for 8 days before, during and after the races
- **800+ athletes** from across Canada - 50% women/50% men
- **Plus 300-500** coaches, technical support personnel, parents, friends and out-of-town spectators
- 60 Nordic clubs will be competing for top honours; 8 days of intense racing, plus two training days
- Races range from short sprints to 50 km long distance races with top athletes in North America participating





REVENUE & EXPENSES



REVENUE

- Athlete Registration Fees
- Sponsorships
- Grants (ViaSport BC \$7500)
- Nordiq Canada (only ~2%)

EXPENSES

- Timing and Officials
- Waxing facilities ("the big ticket")
- Volunteer food & drink
- Grooming
- Prize Money
- FIS accreditation
- Security, Doping Control, etc.



OUR REQUEST

- We are required to rent tents to provide ski waxing space to teams
- Estimated cost \$30,000
- Local supplier
- Any help would be greatly appreciated!

A black and white photograph of two skiers racing down a snowy slope. They are wearing racing bibs and are in a dynamic, forward-leaning posture. The background is a dense forest of snow-covered trees.

