

**CITY OF ENDERBY
ZONING TEXT AMENDMENT APPLICATION**

AGENDA

File No.: 0010-20-ZTA-END

January 12, 2021

APPLICANT: Michael Forbes

LEGAL DESCRIPTION: PARCEL B (DD 179916F) BLOCK 13 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A

P.I.D #: 012-503-550

CIVIC ADDRESS: 612 Cliff Avenue, Enderby BC

PROPERTY SIZE: 0.037607 hectares (0.093 acres/376 m²)

ZONING: General Commercial (C.1)

O.C.P DESIGNATION: General Commercial

PROPOSAL: Partial demolition of an existing single-storey commercial building, to be redeveloped to a two-storey mixed use building involving a ground-level commercial floor space, three ground-level dwelling units, and four second-storey dwelling units

PROPOSED TEXT AMENDMENT: Increase the maximum permitted gross density for the subject property from 60 units per hectare (24.28 units per acre) to 187 units per hectare (74.74 units per acre) in order to increase the number of residential dwelling units permitted on the property from 2 to 7

RECOMMENDATION [4 Dwelling Units, Above Commercial Use Only, Staff Supported]:

THAT City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1718, 2021 which proposes to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to increase the maximum permitted gross density for the property legally described as PARCEL B (DD 179916F) BLOCK 13 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A and located at 612 Cliff Avenue, Enderby BC from 60 units per hectare (24.27 units per acre) to 107 units per hectare (43.30 units per acre) in order to increase the number of residential dwelling units permitted on the property from 2 to 4, in cases where residential dwelling units are contained entirely above a commercial use, be given First and Second Reading and forwarded to a Public Hearing;

AND THAT, should Council wish to adopt City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1718, 2021, it be subject to:

1. The property owner registering a Housing Agreement on the title of the subject property, satisfactory to the City, which requires that Tenancy Agreements for any dwelling units on the property include language that:
 - i. Restricts tenants or their guests from parking commercial vehicles, motorhomes, oversized vehicles or trailers on the property or adjacent public property; and
 - ii. Restricts tenants to having only one personal vehicle per household.and;
2. The property owner providing a sworn affirmation acknowledging that the Downtown Designated Parking Area is intended primarily for commercial use and that Council's permitting of an increase in the residential density of the property in no way affects the City's right to alter how it ensures commercial parking objectives are met in the future, which may include a managed residential parking inventory within the Downtown Designated Parking Area, and further that the owners acknowledge that there are no express or implied covenants, assurances, or representations which may create, or be expected to create, rights in equity with respect to the Downtown Designated Parking Area by virtue of this bylaw or any other action or omission by the City.

ALTERNATE RECOMMENDATION [7 Dwelling Units, Above and Behind Commercial Use, Applicant Request]:

THAT City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1718, 2021 which proposes to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to increase the maximum permitted gross density for the property legally described as PARCEL B (DD 179916F) BLOCK 13 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A and located at 612 Cliff Avenue, Enderby BC from 60 units per hectare (24.27 units per acre to 107 units per hectare (43.30 units per acre) in order to increase the number of residential dwelling units permitted on the property from 2 to 4, in cases where residential dwelling units are contained entirely above a commercial use, be given First Reading;

AND THAT Council amends City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1718, 2021 to:

- i. Increase the maximum permitted gross density for the property legally described as PARCEL B (DD 179916F) BLOCK 13 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A and located at 612 Cliff Avenue, from 60 units per hectare (24.27 units per acre) to 187 units per hectare (75.68 units per acre), in order to increase the number of residential dwelling units permitted on the subject property from 2 to 7; and
- ii. Strike out the provision of the Bylaw which states that the maximum permitted gross density for the aforementioned property is increased only in cases where residential dwelling units are contained entirely above a commercial use.

AND THAT the amended City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1718, 2021 be given Second Reading and forwarded to a Public Hearing;

AND FURTHER THAT, should Council wish to adopt City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1718, 2021, it be subject to:

1. The property owner registering a Housing Agreement on the title of the subject property, satisfactory to the City, which requires that Tenancy Agreements for any dwelling units on the property include language that:
 - iii. Restricts tenants or their guests from parking commercial vehicles, motorhomes, oversized vehicles or trailers on the property or adjacent public property; and
 - iv. Restricts tenants to having only one personal vehicle per household.and;
2. The property owner providing a sworn affirmation acknowledging that the Downtown Designated Parking Area is intended primarily for commercial use and that Council's permitting of an increase in the residential density of the property in no way affects the City's right to alter how it ensures commercial parking objectives are met in the future, which may include a managed residential parking inventory within the Downtown Designated Parking Area, and further that the owners acknowledge that there are no express or implied covenants, assurances, or representations which may create, or be expected to create, rights in equity with respect to the Downtown Designated Parking Area by virtue of this bylaw or any other action or omission by the City.

BACKGROUND:

This report relates to an application to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to increase the maximum permitted gross density for the property legally described as PARCEL B (DD 179916F) BLOCK 13 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A and located at 612 Cliff Avenue, from 60 units per hectare (24.27 units per acre) to 187 units per hectare (75.68 units per acre), in order to increase the number of residential dwelling units permitted on the property from 2 to 7. The applicant is proposing to partially demolish an existing single-storey commercial building on the property and redevelop it to a two-storey, mixed-use building which would include a ground-level commercial floor space, three ground-level dwelling units, and four second-storey dwelling units; in order to accommodate the proposed number of dwelling units, the applicant is seeking to amend the Zoning Bylaw to increase the maximum permitted density for the property.

Site Context:

The 0.037607 hectare (0.093 acres/376 m²) property is located in the commercial core of the community along the southern side of Cliff Avenue, which is identified in Schedule 'C' of the City's Official Community Plan (OCP) as a 'Municipal Commercial' road; the property also backs onto Lambly Lane which runs east-west between George Street (Highway 97A) and Vernon Street.

A one-storey commercial building is located on the property with the building having 0 m setbacks along the northern (front) and eastern (side) property lines. The commercial building is currently vacant but was most recently used as a Chinese food restaurant. The building has access off of both Cliff Avenue and Lambly Lane and there are currently three off-street parking spaces on the southern portion of the property adjacent to Lambly Lane.

The subject property and properties to the north, east, southwest, and west are currently zoned General Commercial (C.1) and are designated in the OCP as General Commercial. The properties to the south (Russell Avenue parking lot) and northwest (City Hall) are zoned Assembly, Civic and Public Service (S.1) and are designated in the OCP as Institutional.

The following map shows the Zoning designation of the subject and surrounding properties:



Figure 1: Zoning Map

Red – General Commercial (C.1)
Blue – Assembly, Civic and Public Service (S.1)

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



Figure 2: Orthophoto

The Proposal

The applicant is proposing to partially demolish an existing single-storey commercial building on the property and redevelop it to a two-storey, mixed-use building which would include a ground-level commercial floor space, three ground-level dwelling units, and four second-storey dwelling units, as shown on the site plan attached as Schedule 'A'. It should be noted that at this point in the development process the attached site plan is purely conceptual, and that if a rezoning application were to be approved, the applicant would not be tied to this proposed layout of the property. Although the applicant may intend to develop the property in accordance with the attached site plan, it is important to note that

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

ZONING BYLAW:

The property is currently zoned General Commercial (C.1); uses permitted within this zone include:

- Accessory buildings and structures;
- Accommodation including apartments, dwelling units, hotels and motels;
- Civic use;
- Auditoriums, youth centres, and social halls
- Educational facilities and professional studios;
- Entertainment and recreation facilities;
- Food service;
- Cannabis-Related Business subject to the provisions of Section 316;
- Office and commerce facilities;
- Public service use;
- Retail sales;
- Service and repair; and
- Transportation facilities.

Section 401.11.d.i of the Zoning Bylaw states the dwelling units within the C.1 zone must be located entirely above and/or behind the commercial use, while Section 401.11.d.v of the Zoning Bylaw states that dwelling units within the C.1 zone shall not exceed a gross density of 60 units per hectare (24.28 units per acre). Given the subject property's lot area of 0.037607 hectares (0.093 acres/376 m²), the proposed 7 residential dwelling units would give the property a gross density of 187 units per hectare which exceeds the maximum for the C.1 zone. Given this, the applicant is proposing to increase to the maximum permitted gross density for the property from 60 units per hectare (24.28 units per acre) to 187 units per hectare (75.68 units per acre), which in turn would increase the number of permitted residential dwelling units for the property from 2 to 7. It should be noted that if the applicant's request to increase the maximum permitted gross density of the property to 187 units per hectare (75.68 units per acre) were approved, no more than 7 dwelling units could be developed on the property unless a subsequent Zoning Text Amendment application were to be approved or the subject property's lot area were to be increased through a lot line adjustment or consolidation with an adjacent parcel.

It should be noted that the subject property is located within the Downtown Designated Parking Area, as shown on Schedule "A" of the Zoning Bylaw. Section 901.5 of the Zoning Bylaw states that the off-street parking regulations do not apply to buildings and structures existing on the effective date of the bylaw that are located in the Downtown Designated Parking Area, or to any change in the use of those buildings or structures, except that:

- a. Off-street parking shall be provided and maintained in accordance with this section where the total floor area is increased in excess of ten percent (10%) over the existing floor area, in which case the amount of additional parking spaces required shall be calculated on the basis of:
 - i. The increase in the size of the existing structure exceeding ten percent; and
 - ii. The use of the addition; or
 - iii. The increase in residential density.

- a. Off-street parking existing on the effective date of this Bylaw shall not be reduced below the applicable off-street parking requirements of this section.

Given that the applicant's proposal involves a change in land use (introduction of residential dwelling units) and an increase in floor space, the applicant would be required to provide additional off-street parking stalls for the residential dwelling units, as specified by Schedule 'B' of the Zoning Bylaw.

Furthermore, Section 401.9 of the Zoning Bylaw states where section 901.5 does not apply, parking is required to be provided on lots lying within the Downtown Designated Parking Area and that the number of spaces required for such use may be reduced by the number of off-street parking spaces for which a fee of \$3,500.00 per parking space is paid to the City.

Based on the applicant's provided site plan, they do not have a sufficient number of off-street parking stalls on site in order to satisfy the minimum requirements specified in Schedule 'B' of the Zoning Bylaw (applicant has proposed 3 parking stalls on site, but Zoning Bylaw requires 11 parking stalls if there are 7 dwelling units on the property, or 8 parking stalls if there are 4 dwelling units). Should this Zoning Text Amendment Application be supported by Council, the applicant would need to address the off-street parking deficiencies by either:

1. Seeking variances from Council;
2. Paying a fee of \$3,500/space to the City for every off-street parking stall they are not able to provide on site; or
3. Amend their site plan to provide the minimum number of off-street parking stalls on site.

OFFICIAL COMMUNITY PLAN:

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

Policy 3.3.c - Council recognizes that development of land has social impacts and will act through the approval process to minimize negative and maximize positive impacts.

Policy 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.b - Council will review land use bylaws and policy in support of mixed uses in commercial, industrial and growth areas aimed at strengthening the existing business sector and attracting new business and industry.

Policy 5.3.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 12.3.c - Council encourages and supports creative and innovative infilling, development, redevelopment and renovation of existing buildings in order to maintain a strong focus on commercial activity in commercial areas.

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

The Ministry of Transportation and Infrastructure advised that they have provided preliminary approval for the application for one year pursuant to Section 52(3)(a) of the *Transportation Act*.

The City's Public Works Manager provided the following comments:

"The proposed development is inside of the Downtown Designated Parking Area without an opportunity to provide on-site parking due to the building lot coverage. As a result, this increase in residential density will have an impact upon off-site parking inventory – most likely the Russell Avenue parking lot due to its proximity to the subject property. This parking lot provides staff parking for nearby businesses and enables Cliff Avenue parking demands to overflow, as well as accommodate larger vehicles and trailers that may not be able to easily parallel park.

If Council is supportive, I would recommend that a housing agreement be implemented to cap the parking demand by guests and occupants. Any permitted increase should consider section 901.5 of the City of Enderby Zoning Bylaw as amended in 2017, which provides that:

Off-street parking shall be provided and maintained in accordance with this section where the total floor area is increased in excess of ten percent (10%) over the existing floor area, or where residential density is increased, in which case the amount of additional parking spaces required shall be calculated on the basis of:

- i. the increase in the size of the existing structure exceeding ten percent; and*
- ii. the use of the addition; or*
- iii. the increase in residential density*

Given section 901.5, if there is an increase in residential density, the applicant should be required to make a contribution to the City's off-street parking reserve fund in accordance with the bylaw, which is held in reserve for the acquisition and/or improvement of public parking."

No other comments were received in response to the referral.

PLANNING ANALYSIS:

The proposed development would result in a significant increase in residential rental units within the community, which provides a range of benefits including:

1. Facilitating infill development, which is a key element of Smart Growth;
2. Promoting the downtown as a mixed use area with a residential population that supports downtown businesses and aids in natural surveillance through 'eyes on the street'; and
3. Fostering additional rental housing within the community, which is identified as a key need in the City's Housing Needs Assessment Report.

However, the City of Enderby Planner has two significant concerns with the proposal:

- i. A significant reduction in commercial floor space in the downtown; and
- ii. A significant increase in demand for public parking within the downtown, which could potentially have spill-over effects.

Reduction in Commercial Floor Space

The property is currently zoned General Commercial (C.1) which allows for a range of commercial uses, with residential dwelling units permitted to accompany a commercial use as long as they are located either above or behind the commercial use. The property is currently being used entirely for commercial purposes, with BC Assessment confirming that the property has 2,613 square feet (242.8 m²) of net leasable area. The applicant is proposing to convert the southern portion of the ground-level from a commercial floor space to three separate dwelling units, reducing the commercial floor space on the property from 2,613 square feet (242.8 m²) to 1,038 square feet (96.4 square meters), which represents an approximately 60% reduction in commercial floor space.

Although Staff recognizes that under the City's Zoning Bylaw, the applicant could convert a portion of the ground-level commercial floor space to residential dwelling units, without requiring any policy approval as long as they do not exceed the maximum permitted gross density for the C.1 zone of 60 units per hectare

(24.27 units per acre), Staff do not feel that the applicant's proposal to maximize residential density on the property is appropriate if it comes at the expense of the commercial viability of the property. The City of Enderby is a small, compact community that has a limited amount of commercial floor space; furthermore, the community faces a number of challenges which impact the potential for commercial growth, particularly in the downtown core. Given this, existing commercial floor space within the downtown is a valuable commodity that needs to be preserved in order to protect the commercial viability of the community and support the local economy.

Staff are recommending that the Council supports amending the Zoning Bylaw to permit an increase to the maximum permitted gross density of the property from 60 units per hectare (24.27 units per acre) to 107 units per hectare (43.30 units per acre), in order to increase the number of residential dwelling units permitted on the property from 2 to 4 (as opposed to the applicant's proposal of 7 dwelling units), but only in cases where residential dwelling units are contained entirely above a commercial use; this approach would in effect double the maximum permitted gross density on the site and allow for the applicant to proceed with the proposed four dwelling units on the second storey, while ensuring the commercial floor space on the ground-level is preserved. In addition, Staff feel that a more conservative maximum permitted gross density of 107 units per hectare (4 dwelling units total) is more suitable for the site, given the relatively modest size of the parcel coupled and the fact that the applicant is not able to accommodate the minimum off-street parking requirements on-site.

Increase in Demand for Public Parking

Normally with a Zoning Text Amendment application seeking to increase the maximum permitted gross density for a property, the topic of parking would not be discussed as the applicant would be required to submit a Development Variance Permit application if they were unable to accommodate the minimum off-street parking requirements on-site, with Council to consider the merits of the parking proposal during that Development Variance Permit application process. However, in this case the subject property is located within the Downtown Designated Parking Area and the number of required off-street parking spaces may be reduced by the number of off-street parking spaces for which a fee of \$3,500.00/space is paid to the City, pursuant to Section 401.9 of the Zoning Bylaw. Given this, the applicant could potentially avoid the Development Variance Permit process altogether by paying the aforementioned fees, in which case Council would not have an opportunity to consider a particular parking proposal or impose conditions to mitigate any potential impacts. Given this, it is appropriate for Council to consider the impacts of parking through this Zoning Text Amendment Application process.

Schedule 'B' of the Zoning Bylaw requires that multi-family residential development must provide 1.5 parking stalls per dwelling unit if the development has a density over 45 units/acre, or 2 parking stalls per dwelling unit if the density is under 45 units/acre. Under the applicant's proposal of 7 dwelling units on the property, the density is greater than 45 units/acre and would be required to provide 11 parking stalls on site; under Staff's recommendation to permit only 4 dwelling units on the property, the density would be less than 45 units/acre and thus the applicant would be required to provide 8 parking stalls on site. In either scenario, the applicant is unable to accommodate the minimum number of parking stalls on site and will rely on the use of the adjacent Russell Avenue parking lot to accommodate the development's parking demands.

As mentioned by the City's Public Works Manager, it is anticipated that the proposed development would have an impact upon off-site parking inventory, particularly the Russell Avenue parking lot which provides staff parking for nearby businesses and enables Cliff Avenue parking demands to overflow, as well as accommodate larger vehicles and trailers that may not be able to parallel park easily. To help mitigate the incremental parking demands placed on the downtown, Staff are recommending that a potential adoption of City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1718, 2021 be subject to:

1. The property owner registering a Housing Agreement on the title of the subject property, satisfactory to the City, which requires that Tenancy Agreements for any dwelling units on the property include language that:
 - v. Restricts tenants or their guests from parking commercial vehicles, motorhomes, oversized vehicles or trailers on the property or adjacent public property; and
 - vi. Restricts tenants to having only one personal vehicle per household.and;
2. The property owner providing a sworn affirmation acknowledging that the Downtown Designated Parking Area is intended primarily for commercial use and that Council's permitting of an increase in the residential density of the property in no way affects the City's right to alter how it ensures commercial parking objectives are met in the future, which may include a managed residential parking inventory within the Downtown Designated Parking Area, and further that the owners acknowledge that there are no express or implied covenants, assurances, or representations which may create, or be expected to create, rights in equity with respect to the Downtown Designated Parking Area by virtue of this bylaw or any other action or omission by the City.

Requiring the registration of a Housing Agreement will ensure that the proposed residential dwelling units are rented to individuals who have limited parking demands and will not create parking spill-over effects in the downtown, while requiring the provision of a sworn affirmation from the property owner will ensure that they are aware of and acknowledge the fact that the Downtown Designated Parking Area is intended primarily for commercial use and that Council's potential permitting of an increase in residential density of the subject property in no way affects the City's right to alter how it ensures commercial parking objectives are met in the future.

Alternate Recommendation

Should Council wish to support the applicant's proposal to increase the maximum permitted gross density for the property from 60 units per hectare (24.27 units per acre) to 187 units per hectare (75.68 units per acre), in order to increase the number of residential dwelling units permitted on the property from 2 to 7, Council can choose to proceed with Staff's alternate recommendation; under this alternate recommendation, Staff are still recommending that Bylaw adoption be subject to the registration of a Housing Agreement and the provision of a sworn affirmation.

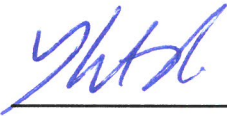
SUMMARY

This is an application to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to increase the maximum permitted gross density for the property legally described as PARCEL B (DD 179916F) BLOCK 13 DISTRICT

LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A and located at 612 Cliff Avenue, from 60 units per hectare (24.27 units per acre) to 187 units per hectare (75.68 units per acre), in order to increase the number of residential dwelling units permitted on the property from 2 to 7. The applicant is proposing to partially demolish an existing single-storey commercial building on the property and redevelop it to a two-storey, mixed-use building which would include a ground-level commercial floor space, three ground-level dwelling units, and four second-storey dwelling units.

Staff are recommending that Council supports a reduced increase to the maximum permitted gross density of the property, which would increase the permitted number of residential dwelling units from 2 to 4, in cases where residential dwelling units are contained entirely above a commercial use. Furthermore, Staff are recommending that a potential adoption of City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1718, 2021 be subject to the property owner registering a Housing Agreement and providing a sworn affirmation.

Prepared By:



Kurt Inglis, MCIP, RPP
Planner and Deputy Corporate Officer

Reviewed By:



Tate Bengtson
Chief Administrative Officer

THE CORPORATION OF THE CITY OF ENDERBY

ZONING TEXT AMENDMENT APPLICATION

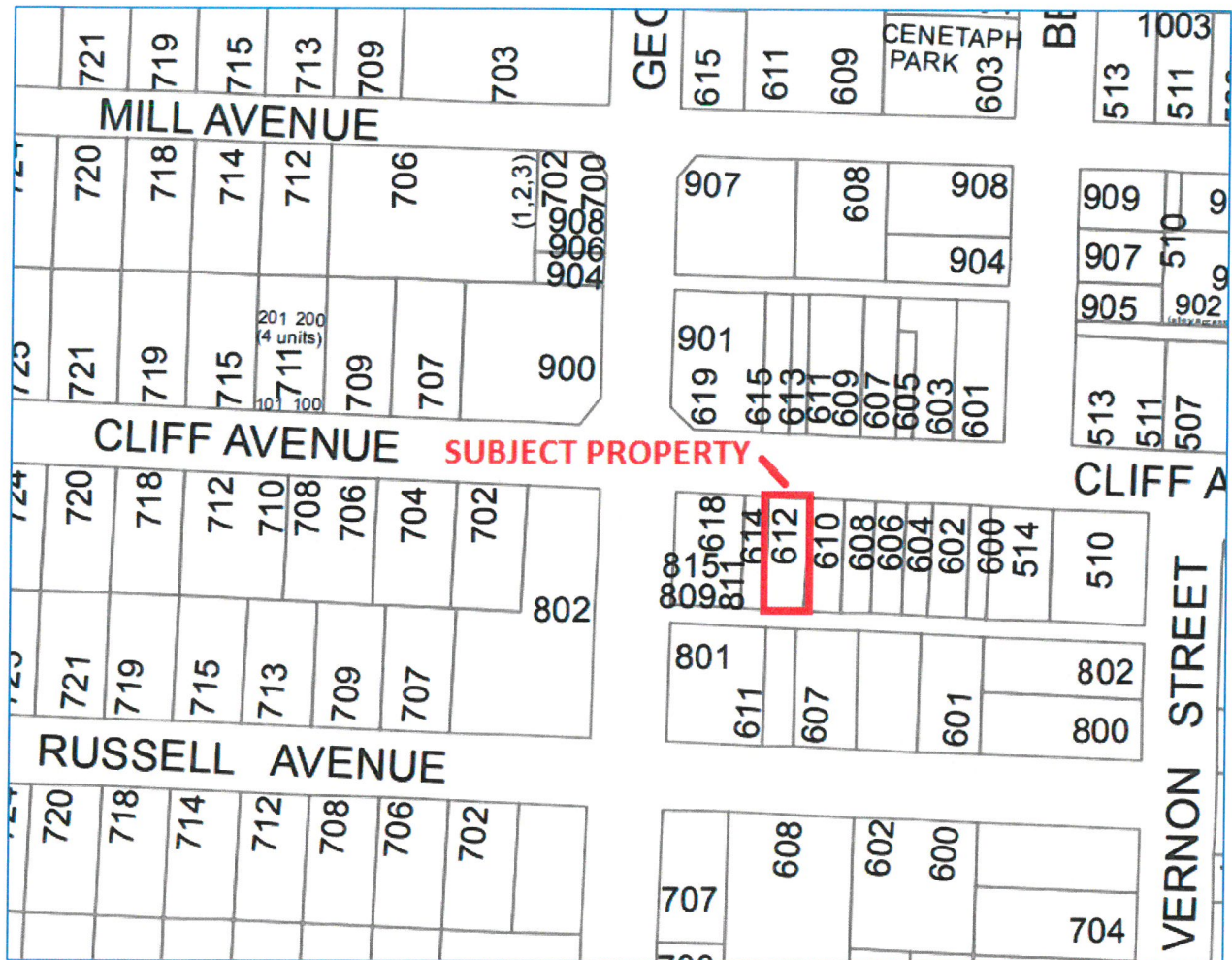
SUBJECT PROPERTY MAP

File: 0010-20-ZTA-END

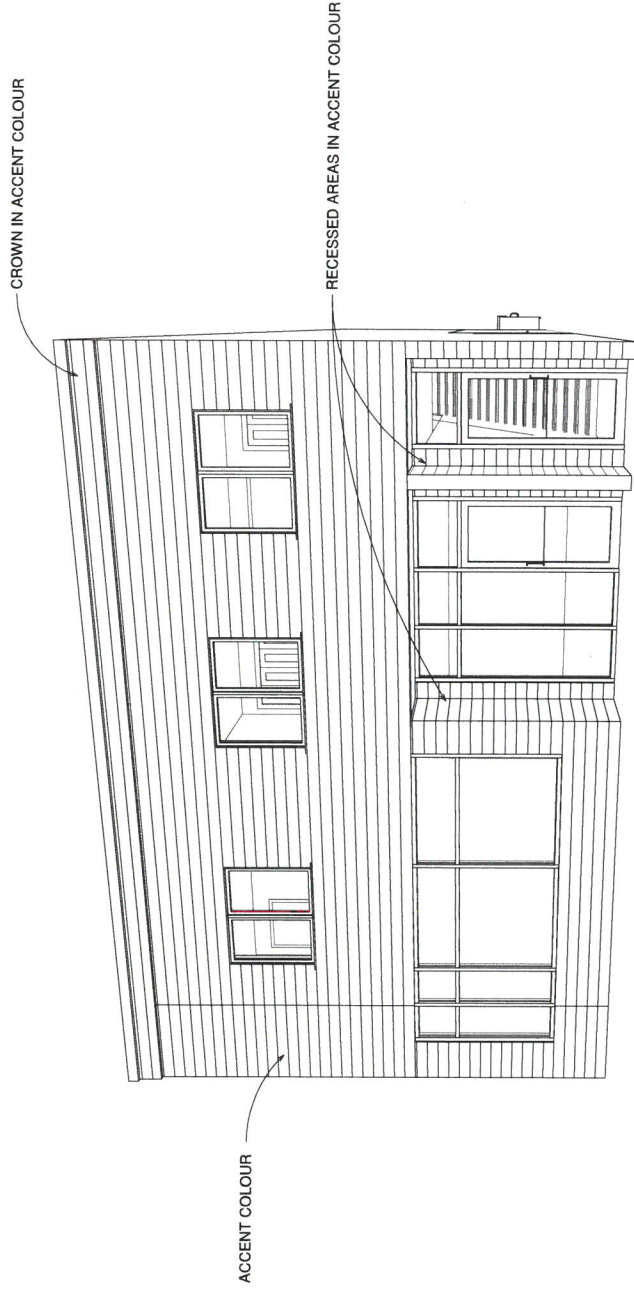
Applicant: Michael Forbes

Owner: MDC Forbes Inc.

Location: 612 Cliff Avenue, Enderby BC




2 Storey Multi-Use Building 612 Cliff Avenue, Enderby, BC

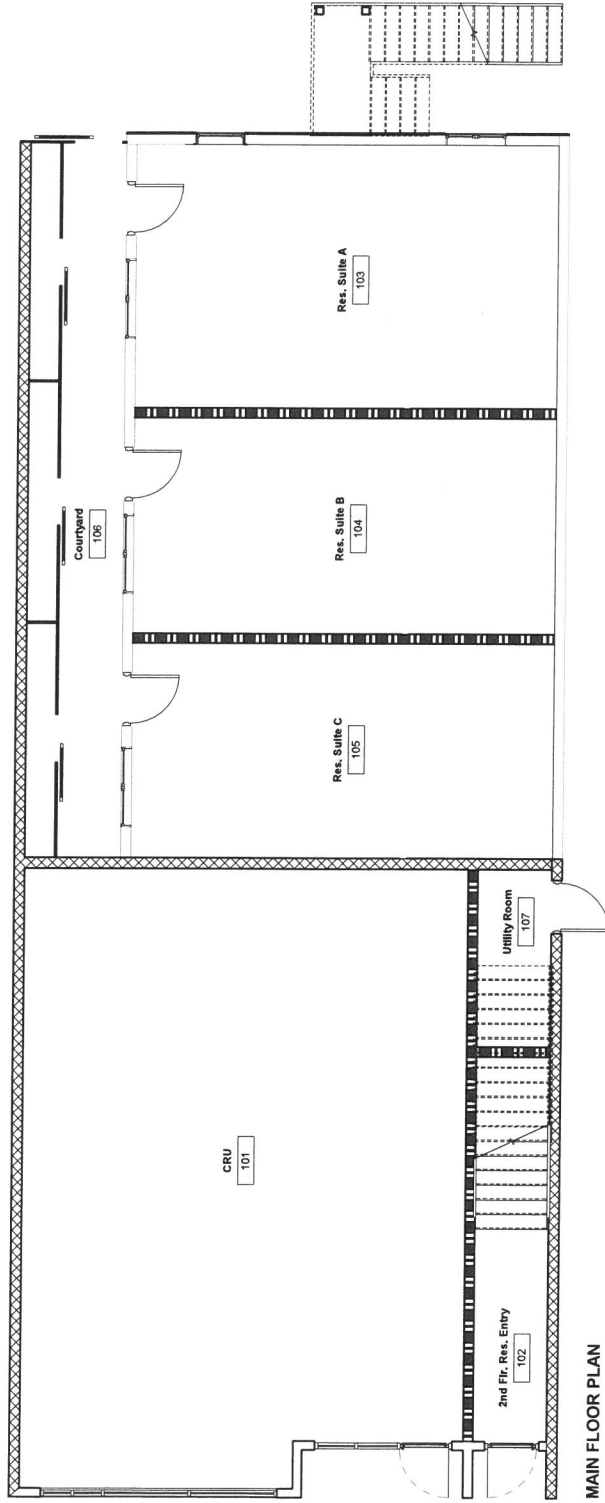


Drawing Index

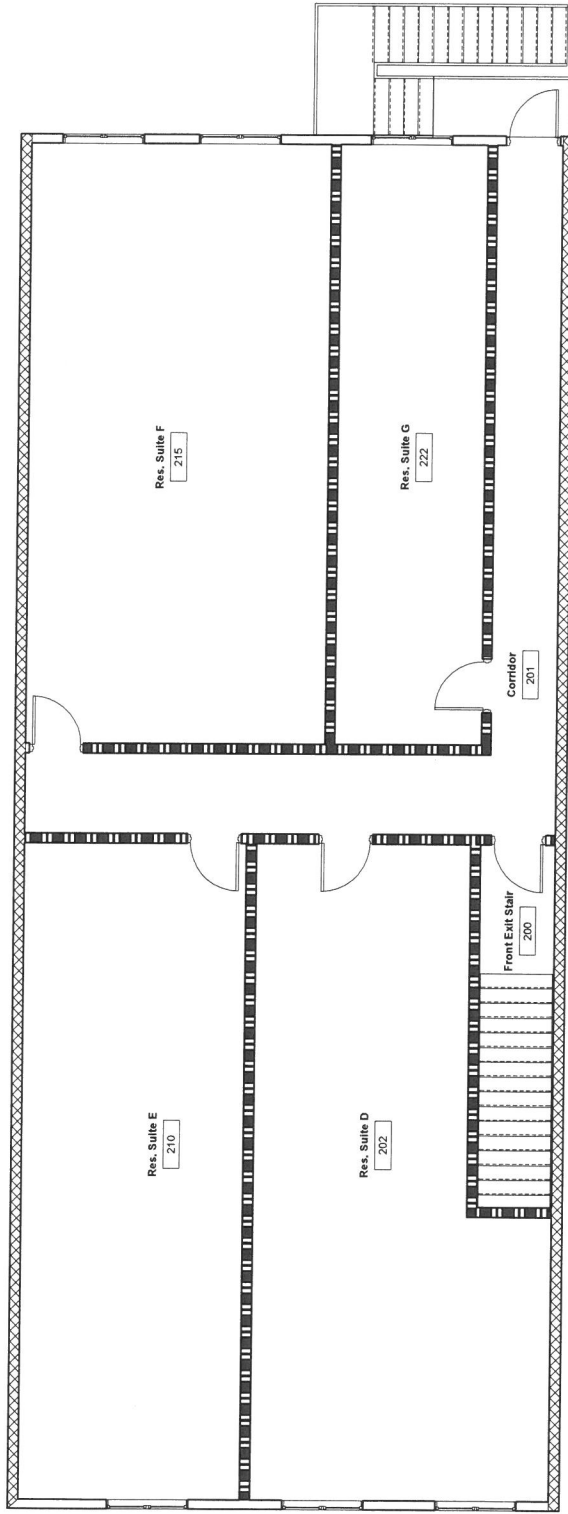
- A000 Title Sheet
- A002 Site Plan (Existing & Proposed)
- A101 Main Floor Demolition & Renovation Plans
- A102 Second Floor Plan

Issued for Zone Text Amendment
November 27, 2020

 <p>UCG ENGINEERS</p>	<p>Revision Schedule</p> <table border="1"> <tr> <th>Revision Number</th> <th>Description</th> </tr> <tr> <td> </td> <td> </td> </tr> </table>	Revision Number	Description			<p>PROJECT</p> <p>Enderby, BC (612 Cliff Avenue)</p>	<p>CLIENT</p> <p>MDC Forbes Inc.</p>
	Revision Number	Description					
<p>DATE: 11-18-2020</p> <p>FILE: C011-1-2020</p> <p>DRAWN: EER</p> <p>CHECKED: PR</p> <p>DWG No.</p>	<p>SCALE</p> <p>DATE: 11-18-2020</p> <p>FILE: C011-1-2020</p> <p>DRAWN: EER</p> <p>CHECKED: PR</p> <p>DWG No.</p>	<p>TITLE SHEET</p> <p>CLIPPING</p> <p>Title Sheet</p>	<p>A000</p>				



MAIN FLOOR PLAN



SECOND FLOOR PLAN

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1718, 2021

A BYLAW TO AMEND THE TEXT OF 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";

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

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

1. This bylaw may be cited as the "City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1718, 2021".
2. Division Four - Commercial Zones (C.1) of Schedule "A" of Zoning Bylaw No. 1550, 2014 is hereby amended by adding Section 402.11.i as follows:
 - i. Notwithstanding the density requirements outlined in Section 401.11.d.v of this Bylaw, the maximum permitted gross density for the property legally described as PARCEL B (DD 179916F) BLOCK 13 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A and located at 612 Cliff Avenue, Enderby BC shall not exceed 107 units per hectare (43.30 units per acre) in cases where dwelling units are contained entirely above a commercial use.

READ a FIRST time this day of , 2021.

READ a SECOND time this day of , 2021.

Advertised on the day of , 2021 and the day of , 2021 and a Public Hearing held pursuant to the provisions of Section 464 of the *Local Government Act* on the day of , 2021.

READ a THIRD time this day of , 2021.

APPROVED pursuant to Section 52(3)(a) of the Transportation Act this day of , 2021.

Development Officer
Ministry of Transportation and Infrastructure

ADOPTED this day of , 2021.

MAYOR

CORPORATE OFFICER