

**REGULAR MEETING OF COUNCIL
AGENDA**

DATE: March 1, 2021
TIME: 4:30 p.m.
LOCATION: Enderby City Hall

Please contact Enderby City Hall at 250-838-7230 or info@cityofenderby.com by 3:30 pm on the day of the meeting to obtain access codes to attend the meeting electronically.

The City of Enderby uses Zoom for its electronic facilities and encourages members of the public unfamiliar with the application to test it in advance; for technical support, please contact Zoom.

If you do not have a computer or mobile phone capable of using Zoom, please let us know and we can provide you with a number that you can call in from a regular telephone.

When applicable, public hearing materials are available for inspection at www.cityofenderby.com/hearings/

1. APPROVAL OF AGENDA

2. ADOPTION OF MINUTES

2.1. Meeting Minutes of February 16, 2021 Page 1

3. DEVELOPEMNT MATTERS

3.1. 0031-21-DVP-END (Lunn) Page 5
Legal: LOT 8 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS)
DIVISION YALE DISTRICT PLAN 5784
Address: 1900 George Street, Enderby BC
Applicant: Joshua Lunn
Owner(s): 0790768 B.C. LTD.

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

4.1. Mimi and Fernando Fei: 308 George Street Housing Development Page 19

5. BYLAWS

5.1. Parks, Recreation and Culture Fees Bylaw – 1st, 2nd, and 3rd readings Page 32

6. REPORTS

6.1. Mayor and Council Reports Verbal

6.2. Area F Director Report Verbal

7. NEW BUSINESS

- 7.1. Mel Arnold, MP: Suicide Prevention Hotline
Correspondence dated February 16, 2021

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8. PUBLIC QUESTION PERIOD

9. ADJOURNMENT

THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held via video conference on Monday, February 16, 2021 at 4:30 p.m. in Council Chambers.

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

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

Other: Press and Public

APPROVAL OF AGENDA

Moved by Councillor Baird, seconded by Councillor Davyduke
“THAT the February 16, 2021 Council Meeting agenda be approved as circulated.”

CARRIED

ADOPTION OF MINUTES

Meeting Minutes of February 1, 2021

Moved by Councillor Shishido, seconded by Councillor Knust
“THAT adoption of the February 1, 2021 Council Meeting minutes be adopted as circulated.”

CARRIED

Public Hearing Report for February 1, 2021 (222 Salmon Arm Drive)

Moved by Councillor Shishido, seconded by Councillor Schreiner
“THAT Council adopt the public hearing report for February 1, 2021 for 222 Salmon Arm Drive as circulated.”

CARRIED

Public Hearing Report for February 1, 2021 (612 Cliff Avenue)

Moved by Councillor Shishido, seconded by Councillor Schreiner
“THAT Council adopt the public hearing report for February 1, 2021 for 612 Cliff Avenue as circulated.”

CARRIED

PETITIONS AND DELEGATIONS

Mimi and Fernando Fei: 308 George Street Housing Development

Fernando Fei gave a presentation on his proposed re-development of the triplex to a seven (7) unit modular building at 308 George Street, Enderby BC. They are requesting a letter of support from Council. This decision will be postponed to the next regular meeting of Council.

Mayor McCune noted that the applicant may want to research solar panel effectiveness in the area during the winter months, when it is likely that energy demand is at its highest.

BUSINESS ARISING FROM THE MINUTES AND/OR UNFINISHED BUSINESS

None

REPORTS

Area F Director Report

Denis Delisle noted that Mara is preparing to proceed with a petition to see if there is community support for extending fire protection from the adjacent department in the CSRD.

Mayor and Council Reports

Councillor Knust

Interagency Meeting: Discussions surrounding COVID-19 fatigue and needing additional energy “boosts”. Recognizing that everyone is experiencing this fatigue is essential. Would like to see staff place a thank you message to residents on the Digital Bulletin Board.

RDNO Building Permit Report for January 2021

Moved by Councillor Baird, seconded by Councillor Shishido

“THAT the RDNO Building Permit Report for January 2021 is received and filed.”

CARRIED

NEW BUSINESS

Knight Avenue Reconstruction from George to Belvedere – Proposed Extra Work

Moved by Councillor Shishido, seconded by Councillor Baird

“THAT Council directs Staff to approve Contemplated Change Order #1 - Knight Avenue for road reconstruction from George Street to Belvedere Street, valued at \$430,614 plus engineering and contingency;

AND THAT Council directs Staff to proceed with the optional work of rebuilding the sidewalk on the south side of the subject road;

AND FURTHER THAT Council provides direction to Staff on whether it wishes to pave either or both boulevards within the project area.”

CARRIED

Street Light Replacement Project

Moved by Councillor Shishido, seconded by Councillor Baird

“THAT Council directs staff to request to BC Hydro that, as part of its Light-Emitting Diode street light conversion program, all street lights in residential areas should be converted to a warmer white temperature of 3000K, and all street lights in commercial/industrial areas, as well those street lights along Highway 97A that are in the City's inventory, be converted to a cooler white temperature of 4000K.”

CARRIED

Appointment of Mark Tanner as Deputy Approving Officer

Moved by Councillor Baird, seconded by Councillor Schreiner

“THAT Council appoints Mark Tanner as Deputy Approving Officer for the City of Enderby;

AND THAT Council authorizes the Mayor and Corporate Officer to execute the attached Indemnity Agreement for the appointment of Mark Tanner as Deputy Approving Officer.”

CARRIED

Implementation of Contaminated Sites Regulation

Moved by Councillor Shishido, seconded by Councillor Case

“THAT Council receives and files the Implementation of Contaminated Sites Regulation memorandum.”

CARRIED

Limiting Residential Floor Space on Ground Floor of Commercial Zones

Moved by Councillor Shishido, seconded by Councillor Schreiner

“THAT pursuant to Section 463 (2) of the Local Government Act, Council directs Staff to prepare a bylaw to amend the Zoning Bylaw to limit the extent that residential floor space can occur on the ground floor of commercial buildings in the General Commercial (C.1), Highway and Tourist Commercial (C.2) and Service Commercial (C.4) zones.”

CARRIED

Regional Growth Strategy Boundary Review - Comments on Draft Recommendations

Moved by Councillor Schreiner, seconded by Councillor Shishido

“THAT Council directs Staff to send correspondence to the Regional District of North Okanagan confirming that the City of Enderby does not have any comments regarding the Regional Growth Strategy Boundary Review draft recommendations but stating that the City supports the local jurisdictions' autonomy with respect to local land use planning as expressed in Policy UC-2.2 of the North Okanagan Regional Growth Strategy.”

CARRIED

Timing of City of Enderby Housing Strategy Planning Process

Moved by Councillor Baird, seconded by Councillor Davyduke

“THAT Council receives and files the Timing of City of Enderby Housing Strategy Planning Process memorandum.”

CARRIED

Policy: Decisions on Delegation Requests

Moved by Councillor Baird, seconded by Councillor Knust

“THAT Council adopts the Decisions on Delegation Requests Policy.”

CARRIED

EDAC: The Annual Contribution to EDAC from the City of Enderby

Moved by Councillor Baird, seconded by Councillor Davyduke

“THAT the Enderby & District Arts Council’s request for financial support in 2021 be referred to the Finance Committee for budget discussions.”

CARRIED

Moved by Councillor Case, seconded by Councillor Schreiner

AND THAT Council requests that the Enderby & District Arts Council provides a business plan or pro forma for the proposed Community Arts Centre to support their financial request.”

CARRIED

The main motion as amended was adopted, with the final wording being as follows:

“THAT the Enderby & District Arts Council’s request for financial support in 2021 be referred to the Finance Committee for budget discussions;

AND THAT Council requests that the Enderby & District Arts Council provides a business plan or pro forma for the proposed Community Arts Centre to support their financial request.”

City of Vernon: Goose Management

Moved by Councillor Case, seconded by Councillor Baird

“THAT Council receives and files the City of Vernon Goose Management Correspondence.”

CARRIED

Bargain Bin 2021 Board of Directors

Moved by Councillor Shishido, seconded by Councillor Baird

“THAT Council receives and files the Bargain Bin 2021 Board of Directors Correspondence.”

CARRIED

PUBLIC QUESTION PERIOD

None

ADJOURNMENT

Moved by Councillor Shishido, seconded by Councillor Knust

“That the regular meeting of February 16, 2021 adjourn at 5:17 p.m.”

CARRIED

MAYOR

CORPORATE OFFICER

**CITY OF ENDERBY
DEVELOPMENT VARIANCE PERMIT APPLICATION**

AGENDA

File No.: 0031-21-DVP-END

February 23, 2021

APPLICANT: Joshua Lunn

OWNER: 0790768 B.C. LTD.

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

P.I.D: 010-218-602

CIVIC ADDRESS: 1900 George Street, Enderby BC

PROPERTY SIZE: 0.405 hectares (1.0 acres/4,047 m²)

ZONING: Highway and Tourist Commercial (C.2)

O.C.P DESIGNATION: Highway and Tourist Commercial

PROPOSAL: Construct a commercial building with residential dwelling units above

PROPOSED VARIANCES: Vary Zoning Bylaw to waive the requirements for, i) an off-street parking area and maneuvering aisle to be surfaced with asphaltic concrete or cement pavement, ii) a parking area to be provided with curbing, iii) a loading area to be provided with curbing, and iv) an off-street loading space to be surfaced with asphalt, concrete, or similar pavement.

RECOMMENDATION:

THAT Council does NOT authorize the issuance of a Development Variance Permit for the property legally described as LOT B DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 5784 and located at 1900 George Street, Enderby B.C. to permit variances to the following Sections of the City of Enderby Zoning Bylaw No. 1550, 2014:

- Section 901.2.e.iii by waiving the requirement for an off-street parking area and maneuvering aisle to be surfaced with asphaltic concrete or cement pavement, as shown on the attached Schedule 'A';
- Section 901.2.f by waiving the requirement for a parking area to be provided with curbing, as shown on the attached Schedule 'A'; and

- Section 1001.6.c by waiving the requirement for a loading area to be provided with curbing, as shown on the attached Schedule 'A'; and
- Section 1001.6.d by waiving the requirement for an off-street loading space to be surfaced with asphalt, concrete, or similar pavement, as shown on the attached Schedule 'A'.

ALTERNATE RECOMMENDATION A (Waive paving and curbing requirements except for a paved apron along driveway access, subject to receiving Control Highway Access Permit and indemnifying and saving harmless the City):

THAT Council authorizes the issuance of a Development Variance Permit for the property legally described as LOT B DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 5784 and located at 1900 George Street, Enderby B.C. to permit variances to the following Sections of the City of Enderby Zoning Bylaw No. 1550, 2014:

- Section 901.2.e.iii by waiving the requirement for an off-street parking area and maneuvering aisle to be surfaced with asphaltic concrete or cement pavement, except for a 10 m (32.81 feet) paved apron along driveway access adjacent to the highway corridor, as shown on the attached Schedule 'B';
- Section 901.2.f by waiving the requirement for a parking area to be provided with curbing, as shown on the attached Schedule 'B';
- Section 1001.6.c by waiving the requirement for a loading area to be provided with curbing, as shown on the attached Schedule 'B'; and
- Section 1001.6.d by waiving the requirement for an off-street loading space to be surfaced with asphalt, concrete, or similar pavement, as shown on the attached Schedule 'B',

subject to the following conditions:

1. The property owner receiving a Controlled Highway Access Permit from the Ministry of Transportation and Infrastructure; and
2. The property owners providing a sworn affirmation which indemnifies and saves harmless the City of Enderby against all claims, liabilities, judgments, costs, and expenses of whatever kind, which may in any way accrue against the said City in consequence of, and incidental to, the issuance of the aforementioned Development Variance Permit.

ALTERNATE RECOMMENDATION B (Waive paving and curbing requirements, no paved apron, subject to receiving Control Highway Access Permit and indemnifying and saving harmless the City):

THAT Council authorizes the issuance of a Development Variance Permit for the property legally described as LOT B DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 5784 and located at 1900 George Street, Enderby B.C. to permit variances to the following Sections of the City of Enderby Zoning Bylaw No. 1550, 2014:

- Section 901.2.e.iii by waiving the requirement for an off-street parking area and maneuvering aisle to be surfaced with asphaltic concrete or cement pavement, as shown on the attached Schedule 'A';

- Section 901.2.f by waiving the requirement for a parking area to be provided with curbing, as shown on the attached Schedule 'A';
- Section 1001.6.c by waiving the requirement for a loading area to be provided with curbing, as shown on the attached Schedule 'A'; and
- Section 1001.6.d by waiving the requirement for an off-street loading space to be surfaced with asphalt, concrete, or similar pavement, as shown on the attached Schedule 'A',

subject to the following conditions:

1. The property owner receiving a Controlled Highway Access Permit from the Ministry of Transportation and Infrastructure; and
2. The property owners providing a sworn affirmation which indemnifies and saves harmless the City of Enderby against all claims, liabilities, judgments, costs, and expenses of whatever kind, which may in any way accrue against the said City in consequence of, and incidental to, the issuance of the aforementioned Development Variance Permit.

BACKGROUND:

This report relates to a Development Variance Permit application for the property located at 1900 George Street. The applicant is proposing to construct a commercial building with four dwelling units on the second storey. As part of this proposed development, the applicant is seeking variances to Sections 901.2.e.iii, 901.2.f, 1001.6.c, and 1001.6.d of Zoning Bylaw No. 1550, 2014 in order to waive the requirements for, i) an off-street parking area and maneuvering aisle to be surfaced with asphaltic concrete or cement pavement, ii) a parking area to be provided with curbing, iii) a loading area to be provided with curbing, and iv) an off-street loading space to be surfaced with asphalt, concrete, or similar pavement.

Site Context

The 0.39 hectares 0.405 hectare (1.0 acre/4,047 m²) subject property is located on the western side Highway 97A (George Street). The property is flat with access being gained via a gravel driveway off of Highway 97A.

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

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

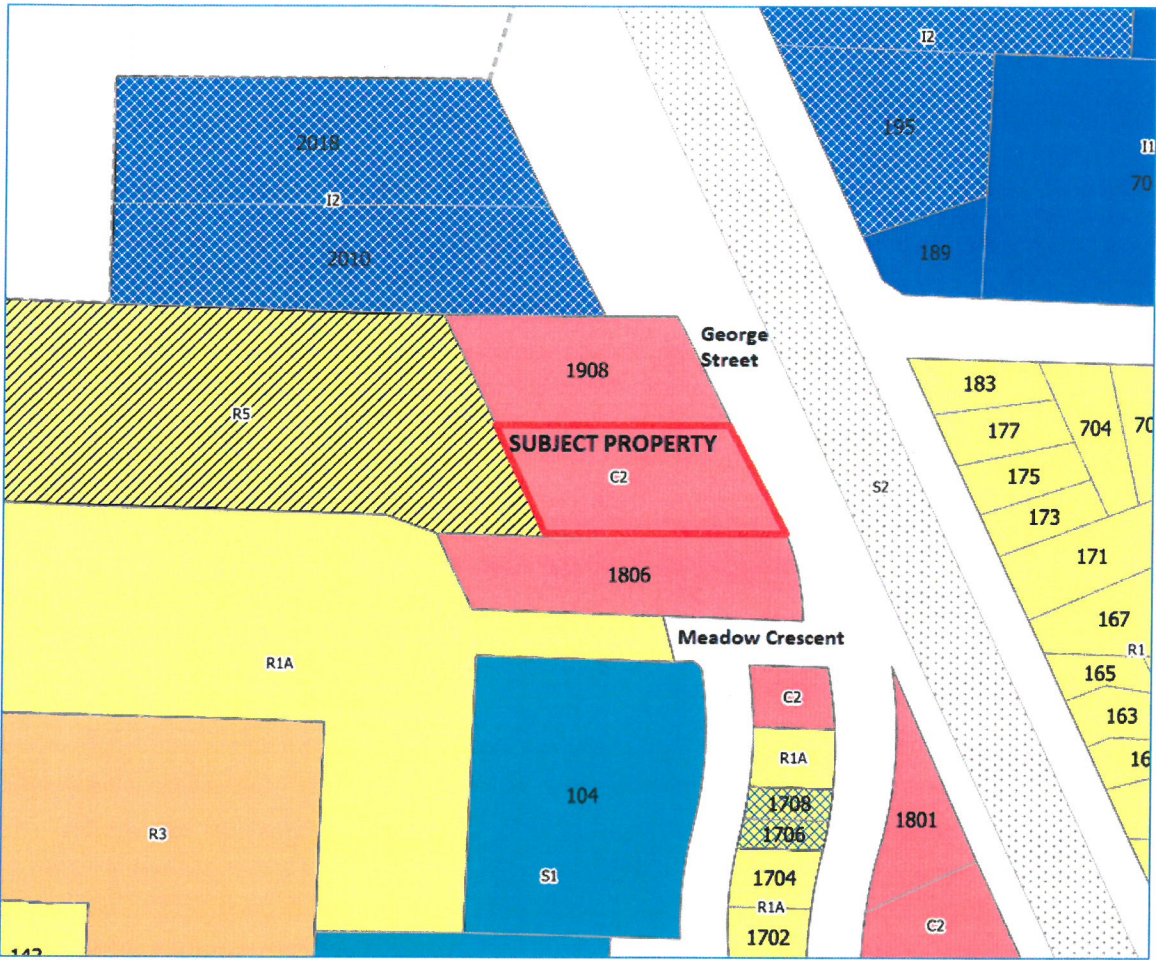


Figure 1: Zoning Map

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

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



Figure 2: Orthophoto

The Proposal

The applicant is proposing to construct a two-storey commercial building on the subject property. The ground floor of the commercial building is proposed as a 'mini-storage facility' while the second storey is proposed for four, one-bedroom dwelling units. The applicant is intending to demolish an existing accessory residential building to accommodate the siting of the proposed commercial building.

As part of this development, the applicant is requesting variances to construct the proposed parking areas, maneuvering aisles, and loading zone to a gravel standard without curbing.

Development History

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

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

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

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

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

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

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

In 2019 it came to the City's attention that there were unlawful uses occurring on the property. It was determined that the property owners had converted the commercial building (which had previously been used as a 'U brew' but had remained vacant for a number of years) into a two-family dwelling, and had not obtained permits to complete these works. The issues associated with this conversion of the commercial building into a two-family dwelling include:

- i. Dwelling units are only permitted in the Highway and Tourist Commercial (C.2) zone when there is a principal commercial building on the property, and given that the conversion resulted in

there no longer being a commercial building on site, the residential dwelling units on the site were now unlawful; and

- ii. The works associated with converting the commercial building into a two-family dwelling were completed without a Building Permit, therefore the City is unable to verify that the works were completed to the standards of the BC Building Code and municipal bylaws.

The City subsequently sent correspondence to the property owners advising that they need to either discontinue the unlawful residential uses occurring on the property or apply to legalize these uses through a Rezoning or Zoning Text Amendment. The property owners submitted a Zoning Text Amendment application which proposed to amend the Zoning Bylaw to permit residential dwelling units to occur without a principal commercial building on the subject property, which was denied by Council at its Regular Meeting of November 4, 2019.

The applicant has now submitted a Building Permit application to construct a commercial building which would legalize the unlawful residential uses occurring on the property. As part of that application, the applicant is seeking the variances described in this memorandum.

ZONING BYLAW:

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

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

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

The proposal as compared to the Zoning Bylaw requirements for the C.2 zone is as follows (highlighted items require a variance):

CRITERIA	PROPOSAL	ZONE REQUIREMENTS
Building Height (max.)	< 12 m (39.37 feet) 2 storeys	The lesser of 12 m (39.37 feet) or three (3) storeys
Lot Area (min.)	3,900 m ²	560 m ² (6,028 square feet)
Lot Coverage (max.)	16.12%	50%
Lot Frontage (min.)	48.6 m (159.44 feet)	15 m (49.21 feet)
Number of Off-Street Loading Spaces (min.)	1	1
Dimensions Off-Street Loading Spaces (min.)	9 m (29.53 feet) in length, 2.8 m (9.19 feet) in width	9 m (29.53 feet) in length, 2.4 m (7.874 feet) in width
Development and Maintenance Standards for Off-Street Loading Spaces	Gravel standard without curbing	Curbing and surfaced with an asphalt, concrete, or similar pavement,
Number of Off-Street Parking Spaces (min.)	19	19 Residential = 16 spaces (8 dwelling units x 2 spaces/unit) Mini-Storage Facility = 3 spaces
Dimensions Off-Street Parking Spaces (min.)	6 m (19.68 feet) in length, 2.8 m (9.186 feet) in width Small car parking = 5.2 m (17.06 feet) in length, 2.3 m (7.546 feet) in width	6 m (19.68 feet) in length, 2.8 m (9.186 feet) in width Small car parking = 5.2 m (17.06 feet) in length, 2.3 m (7.546 feet) in width
Development and Maintenance Standards for Off-Street Parking Spaces and Maneuvering Aisles	Gravel standard without curbing	Curbing and surfaced with asphaltic concrete or cement pavement
Percentage of Small Car Parking (max.)	36.8%	40%
Setbacks (min.)		
Front Yard	> 4.5 m (14.76 feet)	4.5 m (14.76 feet)

Rear Yard	> 4.5 m (14.76 feet)	4.5 m (14.76 feet)
Side Yard	3 m (9.842 feet)	3 m (9.842 feet))
Maximum Permitted Gross Density (max.)	19.75 units per hectare	60 units per hectare
Landscape Buffer Area (min.)	2 m (6.562 feet) adjacent to George Street/Highway 97A 2 m (6.562 feet) adjacent to 136 Meadow Crescent	2 m (6.562 feet) adjacent to George Street/Highway 97A 2 m (6.562 feet) adjacent to 136 Meadow Crescent

OFFICIAL COMMUNITY PLAN:

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

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

REFERRAL COMMENTS:

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

The Vernon Development Services Team with the Ministry of Transportation and Infrastructure provided the following comments:

“Thank you for the opportunity to provide comments on this proposed development variance permit. There is no current legislation that requires the Ministry of Transportation and Infrastructure to provide approval for this proposed DVP.

Although this property does not have a valid access permit. Please have the applicant apply to this office for a Controlled Access Highway permit.”

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

"The proposal to vary the requirement for asphalt paving of the commercial portion of the property, including the maneuvering aisle, parking area, and loading area, is not consistent with community standards, as expressed in the City's Zoning Bylaw. Where this has evolved – either by virtue of history or temporary use permits - it has contributed to problems of unsightliness and the tracking of excess debris onto the adjacent road.

As this property relies upon an arterial highway owned by the Province for its ingress and egress, I will defer to the Ministry on concerns related to access control.

The site plan for this mixed use development will likely cause conflicts between residential and commercial uses; while I recognize that the City of Enderby cannot regulate for this given a prior Development Variance Permit, the owner should be alive to this potential."

PLANNING ANALYSIS:

The City of Enderby Planner has a number of concerns with the applicant's request to vary Sections 901.2.e.iii, 901.2.f, 1001.6.c, and 1001.6.d of Zoning Bylaw No. 1550, 2014 in order to waive the requirements for, i) an off-street parking area and maneuvering aisle to be surfaced with asphaltic concrete or cement pavement, ii) a parking area to be provided with curbing, iii) a loading area to be provided with curbing, and iv) an off-street loading space to be surfaced with asphalt, concrete, or similar pavement, as shown on the attached Schedule 'A', which are summarized as follows:

1. Maintaining a gravel standard for parking areas, loading areas, and maneuvering aisles is not an appropriate standard for commercial properties, particularly those located along the highway corridor which are highly visible;
2. The area required for paving and curbing is not excessive in relation to the intensity of development proposed for the site;
3. Given the intensity of development proposed for the site, and the associated traffic demands, it is anticipated that maintaining a gravel standard for parking areas, loading areas, and maneuvering aisles would result in excess dirt and debris being tracked onto the adjacent road;
4. Given the challenges associated with gaining access on to the highway from the subject property, particularly for northbound traffic, a gravel standard could result in vehicles spinning out when attempting to gain access which is a safety concern, particularly given that this property is adjacent to the highway speed limit deceleration zone (i.e. a loss of traction could slow a vehicle when attempting to access the highway through a gap in traffic, increasing the potential for a collision).

For the reasons noted above, the City of Enderby planner is recommending that Council not support the applicant's variance requests. Council should note that the requested variances, if denied, do not impede the owner's lawful ability to construct the proposed commercial building; the requested variances only represent compromises to community standards and safety.

Should Council wish to support the variance requests, Staff have outlined the two Alternate Recommendation options:

- Alternate Recommendation A – The proposed variances would be approved but the applicant would be required to pave a 10 m (32.81 feet) apron along the driveway access adjacent to the highway corridor, as shown on the attached Schedule 'B'; in doing so, this would address the most immediate safety concern, but would not address community standards. The issuance of the Development Variance Permit would be subject to the applicant receiving a Controlled Highway Access Permit from the Ministry of Transportation and Infrastructure and providing a sworn affirmation indemnifying and saving harmless the City of Enderby.
- Alternate Recommendation B – The proposed variances would be approved without the requirement to pave an apron along the driveway access. The issuance of the Development Variance Permit would be subject to the applicant receiving a Controlled Highway Access Permit from the Ministry of Transportation and Infrastructure and providing a sworn affirmation indemnifying and saving harmless the City of Enderby.

SUMMARY

This report relates to a Development Variance Permit application for the property located at 1900 George Street. The applicant is proposing to construct a commercial building with four dwelling units on the second storey. As part of this proposed development, the applicant is seeking variances to Sections 901.2.e.iii, 901.2.f, 1001.6.c, and 1001.6.d of Zoning Bylaw No. 1550, 2014 in order to waive the requirements for, i) an off-street parking area and maneuvering aisle to be surfaced with asphaltic concrete or cement pavement, ii) a parking area to be provided with curbing, iii) a loading area to be provided with curbing, and iv) an off-street loading space to be surfaced with asphalt, concrete, or similar pavement.

Staff are recommending that the variance requests not be supported by Council. Council should note that the requested variances, if denied, do not impede the owner’s lawful ability to construct the proposed commercial building; the requested variances only represent compromises to community standards and safety.

Prepared By:



Kurt Inglis, MCIP, RPP
Planner and Deputy Corporate Officer

Reviewed By:



Tate Bengtson
Chief Administrative Officer

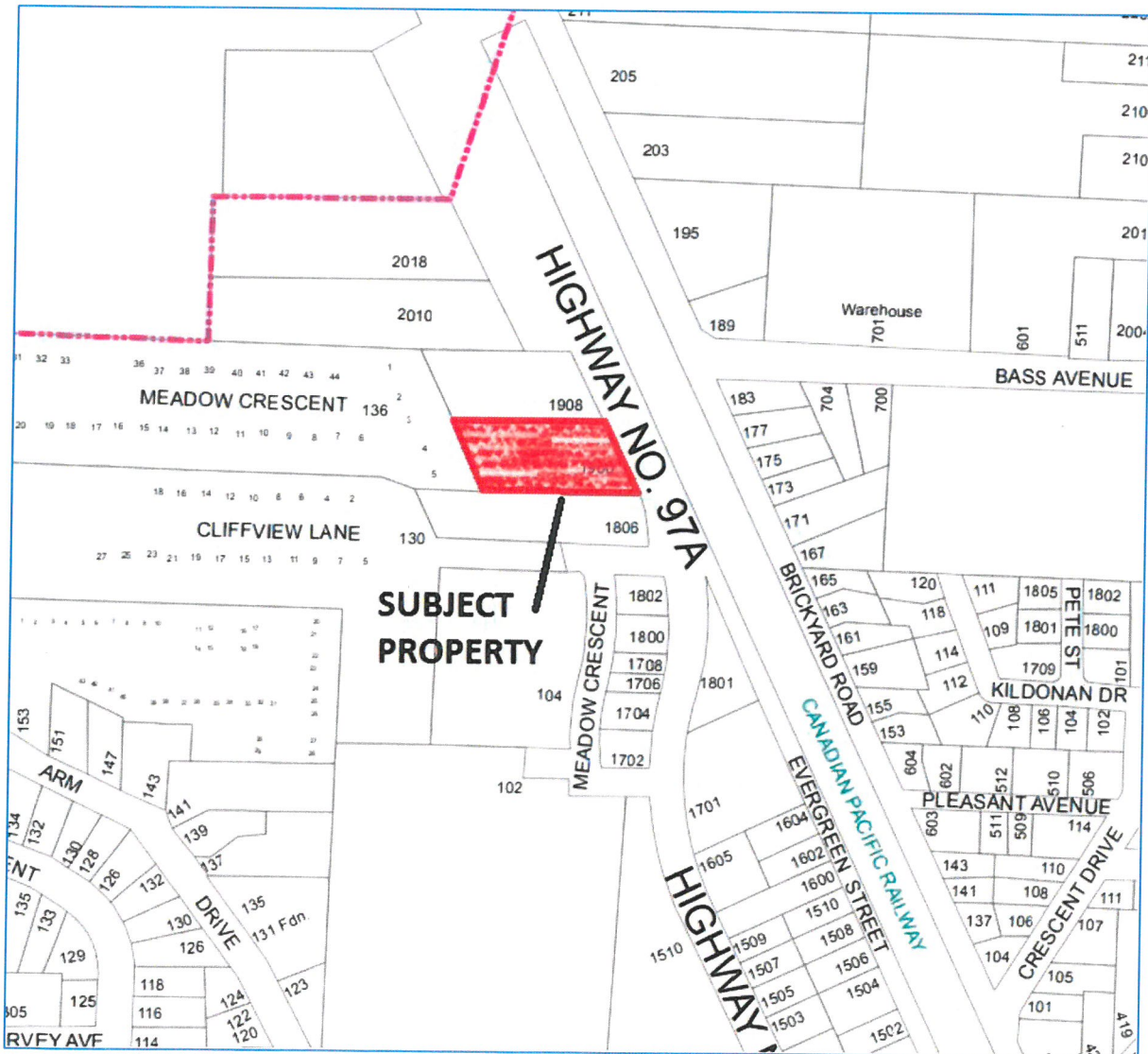
THE CORPORATION OF THE CITY OF ENDERBY
DEVELOPMENT VARIANCE PERMIT APPLICATION
SUBJECT PROPERTY MAP

File: 0031-21-DVP-END

Applicant: Joshua Lunn

Owner: 0790768 B.C. LTD.

Location: 1900 George Street, Enderby BC



Schedule 'A'

LAKEMONSTERSTUDIO
 ARCHITECTURE + DESIGN
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CONSULTANT

ISSUED

2025.05.08	REVISION: BUILDING PERMIT
2025.03.28	REVISION: UPDATE
2025.03.28	FOR APPLICATION
2025.03.28	FOR APPLICATION (revised parking layout)

Do not scale drawings. Consult all dimensions on site.

CLIENT
 079708 BC LUL

PROJECT
 1809 GEORGE STREET ENERGY
 NEW COMMERCIAL BUILDING - E

ADDRESS
 1809 GEORGE STREET ENERGY

PROJECT NO. LMS 2D-04

TITLE

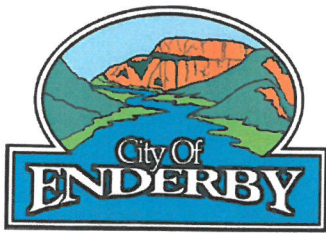
SITEPLAN

A.050



LOT AREA: 43,675.50 SQ FT	C-2 COMMERCIAL ZONE - CITY OF ENDEBY ZONING BYLAW 1650	DWELLINGS REQUIRED: LOCATED BEHIND OR ABOVE COMMERCIAL. NOT STAND ALONE. ACCESS AT GRADE (11.C) MAX. 50% OF RENTAL UNITS TO HAVE FULL KITCHENS, ETC.(11.O)
BUILDING A: 1648 sq ft	BUILDINGS PER LOT: REQUIRED: 42.21 FT	PROPOSED: (4) NEW.
BUILDING B: 2434 sq ft (GARAGE TO BE MOVED)	EXISTING TO REMAIN: 42.21 FT	DWELLING DENSITY: REQUIRED: not to exceed 24.28 PER ACRE (11.C.V) EXISTING: 4 units/acre
BUILDING C: 1510 sq ft	EXISTING TO REMAIN: 42.21 FT	PROPOSED: 6 DWELLING units/acre
BUILDING D: 2086 sq ft	EXISTING TO REMAIN: 42.21 FT	DEFINITIONS: PRINCIPAL BUILDING means an existing or proposed building which is the chief or main one among the buildings on a site.
Total Building Area: 7,042 sq ft	EXISTING TO REMAIN: 42.21 FT	LANDSCAPE BUFFERS: As per O.S.L. Landscaping shall be provided and well maintained at all times as follows: 1. Where any commercial or industrial development abuts a lot in a Residential Zone, a landscaped buffer area shall be provided with a minimum width of 2 m (6.562 feet).
Proposed Lot Coverage: 16.12%	EXISTING TO REMAIN: 42.21 FT	LANDSCAPING AND LANDSCAPING: As per O.S.L. Landscaping shall be provided and well maintained at all times as follows: 1. Where any commercial or industrial development abuts a lot in a Residential Zone, a landscaped buffer area shall be provided with a minimum width of 2 m (6.562 feet).
MINIMUM LOT AREA: REQUIRED: 11640 SQ FT	EXISTING TO REMAIN: 42.21 FT	SCREENING: 2.5M TBD
HOTEL/MOTEL: 21528 SQ FT	EXISTING TO REMAIN: 42.21 FT	
OTHER USES: 8028 SQ FT	EXISTING TO REMAIN: 42.21 FT	
EXISTING: 43,675.5	EXISTING TO REMAIN: 42.21 FT	
MAX. LOT COVERAGE: REQUIRED: 50% ALL BUILDINGS/STRUCTURES EXISTING TO REMAIN	EXISTING TO REMAIN: 42.21 FT	
PROPOSED: 16.12%	EXISTING TO REMAIN: 42.21 FT	

ONLY FOR CONSTRUCTION



REQUEST TO APPEAR AS A DELEGATION

On 08/02/2021
Day Month Year

Date of Request February 16, 2021

Name of Person Making Request Mimi and Fernando

Name and Title of Presenter(s) Owners of 308 George Street, Enderby

Contact Information 236-518-9479

Details of Presentation Re-development of the triplex to a 7-unit modular building. The intent of the project is to create affordable housing to those in need.

Desired Action from Council (check all that apply)

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

Please describe desired action in detail seek council support for the project prior to our formal development permit application and provide a letter of support.

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

308 George Street Triplex Re-Development



About us

- We are a family of 5 and we love the Okanagan!
- Mimi: Residential Builder
- Fernando: Building/engineering technologist. Experience in land Development and asset management.



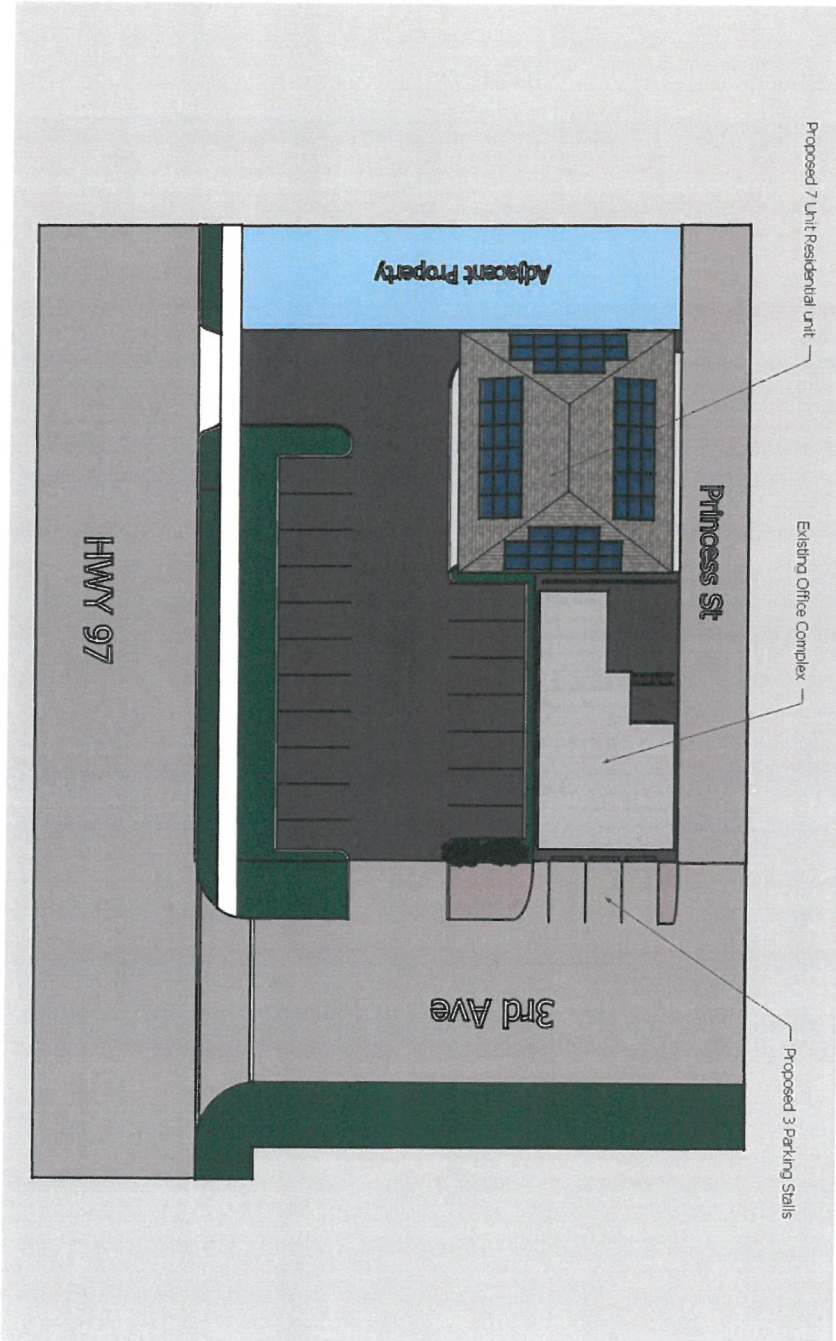
Why are we doing this?

- Affordable housing is needed in Enderby
- Splatsin inquired on vacancy of the current triplex
- Current tenants have limited housing options

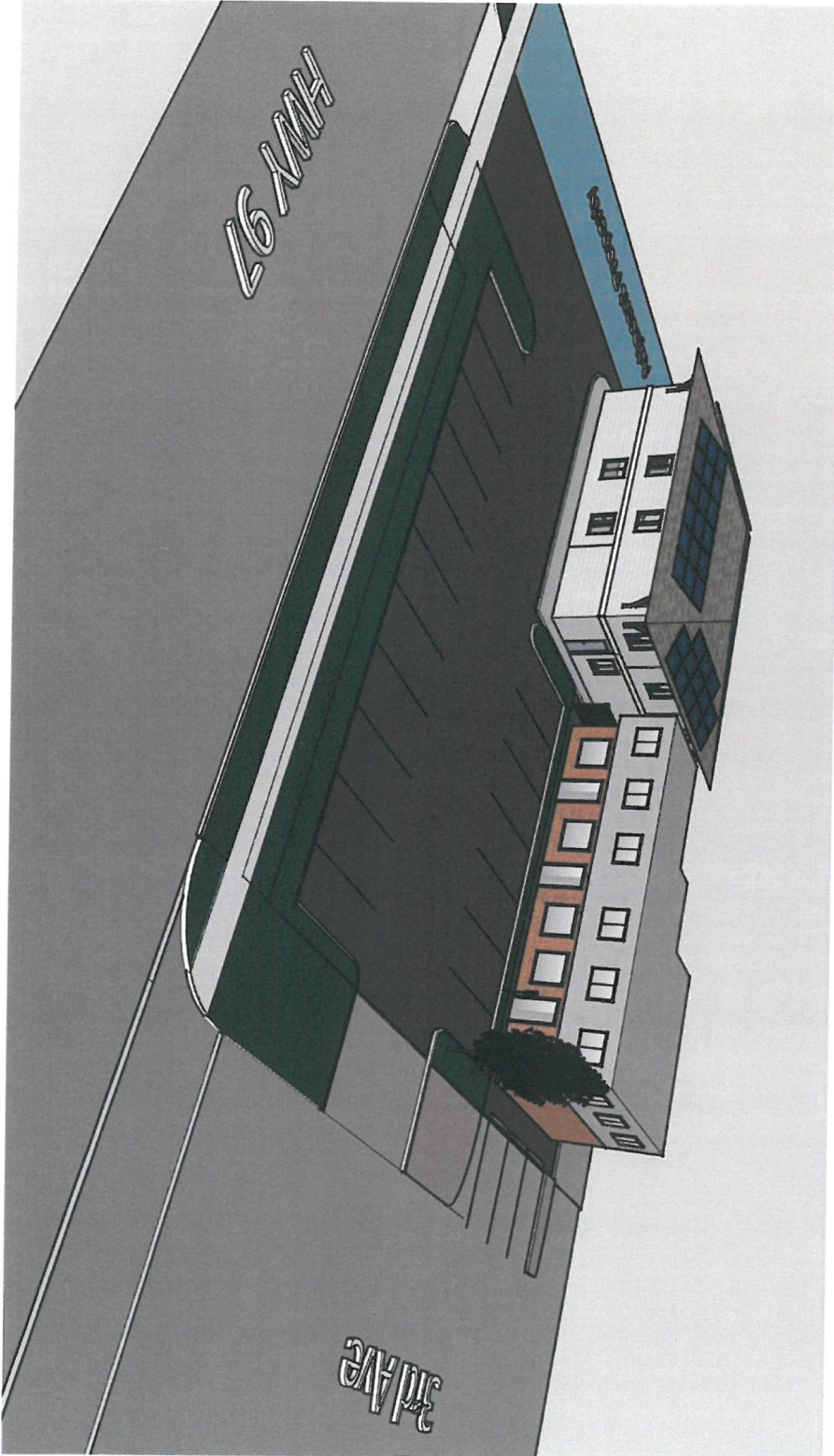
About the project

- Demolish the old triplex (keeping the office complex) and build 7 units
- Modular construction to reduce disruption (certified to CSA A277 standards)
- Self-containing units
- 4 one-bedroom units on the main floor (for seniors, accessibility, etc)
- 3 two-bedrooms on the second floor (for families with children, etc)
- Purpose: encourage independent living
- Renewable clean energy (solar panels for heating, cooking, etc)
- At least 50%, if not all units will be below market rent. (May vary depending on the construction cost, financing cost, interest rates, etc)

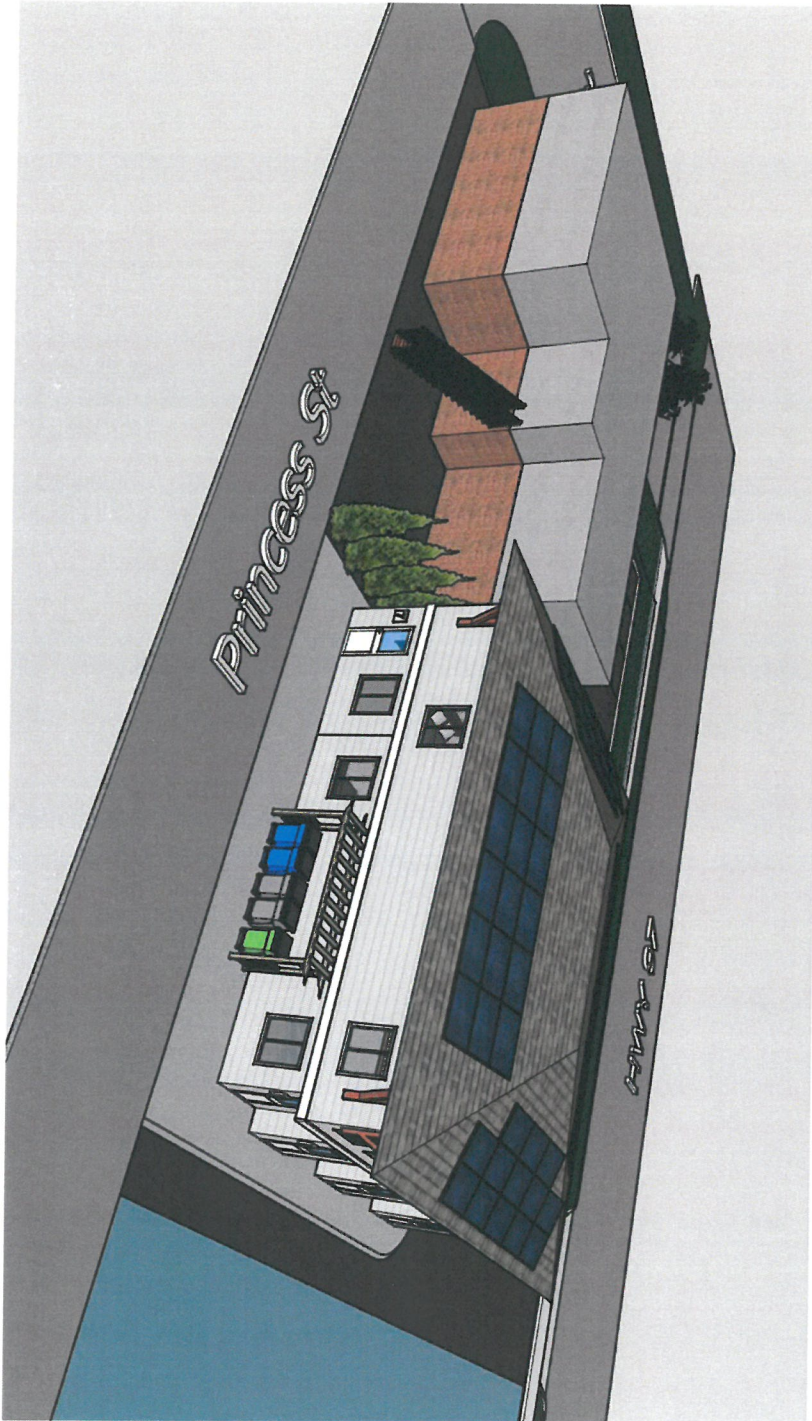
Proposed Site Plan



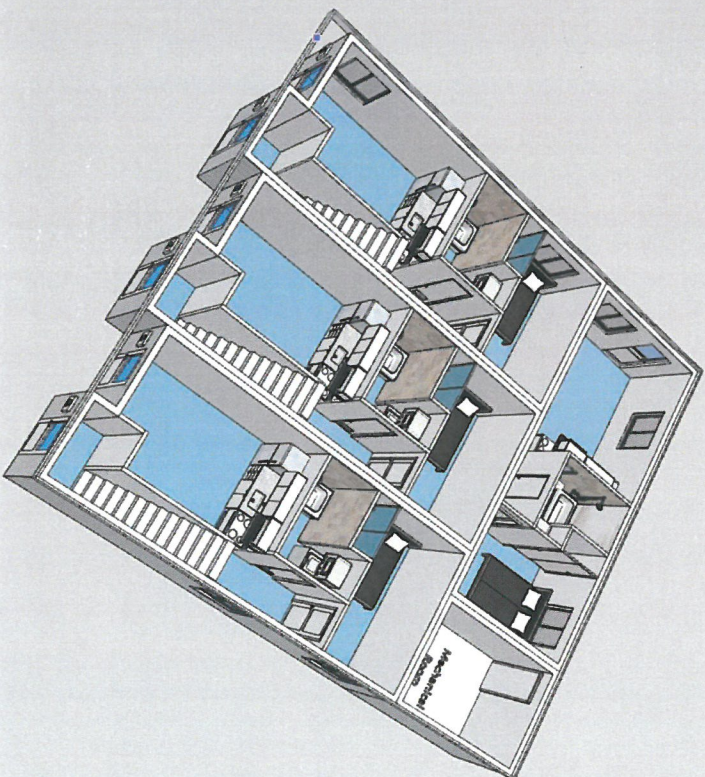
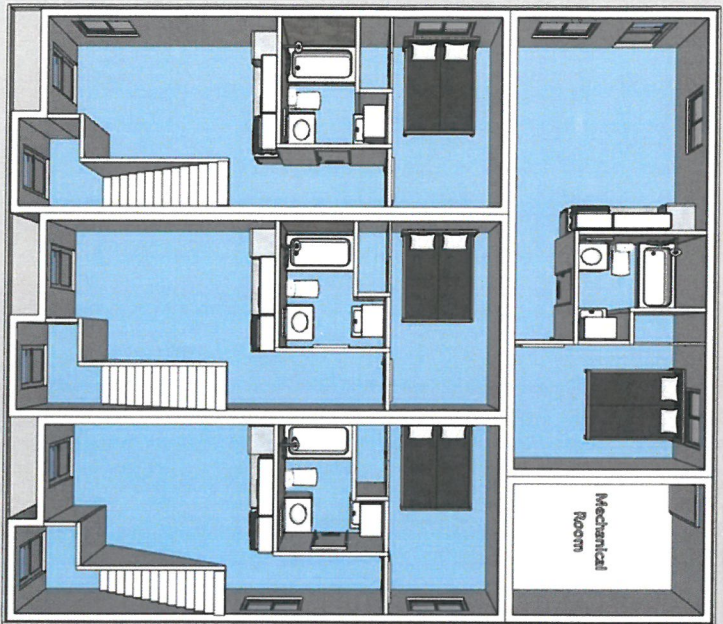
Proposed Site plan (NE view)



Proposed Site plan (SW View)

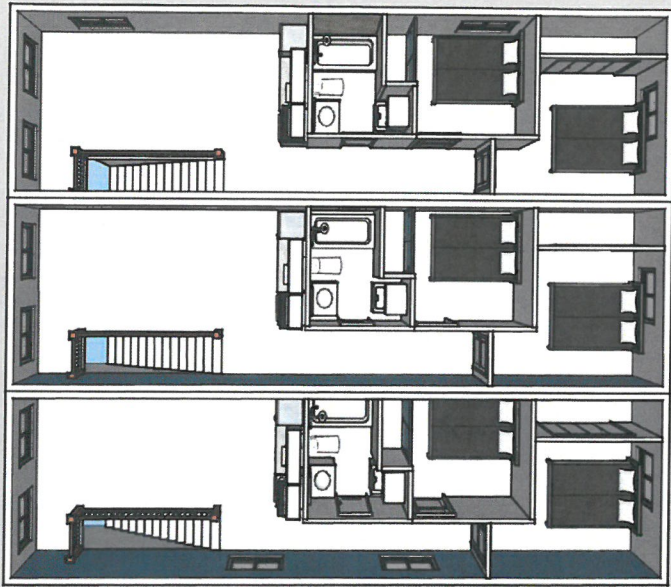


Proposed 1st Floor plans

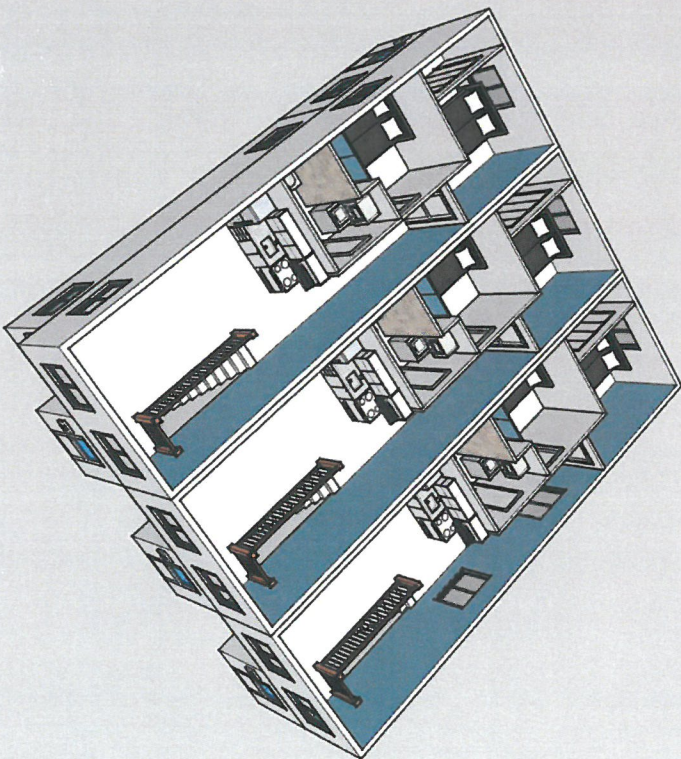


Each unit is approx. 415 sqft

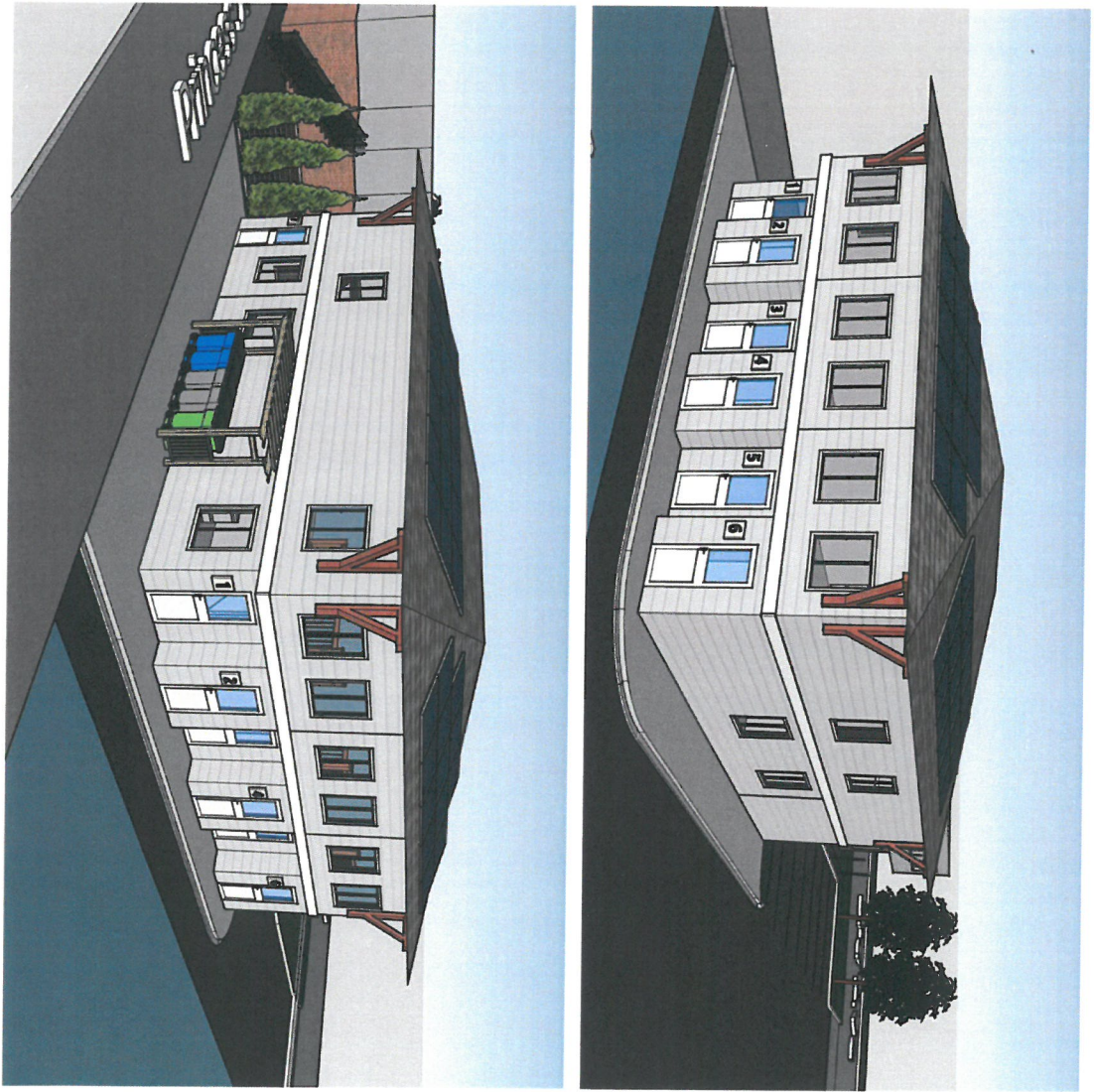
Proposed 2nd Floor plans



Each unit is approx. 550 Sqft



Proposed Elevations



Why we seek your support

- We are discussing with CMHC to finance the project
- Affordable Housing is needed in Enderby
- Letter of support from the City of Enderby would aid our financing request to CMHC
- This project will have positive social and economic impact to the community.
- Brings value to the community
- A project that truly benefits all parties and stakeholders

Tate Bengtson

To: Kurt Inglis
Subject: RE: 308 George Street - Letter of Recommendation

From: Fernando Fei
Sent: February 17, 2021 10:53 AM
To: Kurt Inglis <kinglis@cityofenderby.com>
Cc: Mimi Fei <mimifei@cityofenderby.com>
Subject: Re: 308 George Street - Letter of Recommendation

Hi Kurt,

I was pretty upset at myself yesterday for not able to figure out how to upload the PPT presentation!

My answers are in red below:

1. What is the percentage below market rental rates that would be required for your development in order to be eligible for CMHC funding? You had mentioned 80% but I was unclear if this was 80% below market rates (i.e. \$1,000 market rate would result in \$200 rent) or 80% of market rates (i.e. \$1,000 market rate would require \$800 rent). **FF: to be eligible for CMHC funding, we are required to have 30% of the units at 80% below CMHC average rents. However, we are targeting for more than 50% of the units (if not 100%) to be 80% below CMHC average rents. Of course this will depend on final construction cost, interest rates, and financing cost). Our goal is to have the rents as low as possible.**

and,

2. What percentage of the units would you be looking to provide for affordable housing in line with the CMHC rates above? **Hopefully none of the units will be above CMHC rates. We will have to see what CMHC interest rates will be and what their financing costs are. We are currently discussing and working with them. That's why a letter of support from the City would help tremendously.**

Also, I think it was Mayor Greg McCune who shared some of his thoughts on solar panels and whether they are feasible for a climatic region as the Okanagan. We did the calculation for our own home and we believe we can translate the savings for this 7 unit project as well. Without getting into too much data and technical jargon, I can provide my own home as an example:

Monthly hydro bill: \$250/month = 3000/year

Average 8kwh system cost: \$20,000 (material labour and install) This system on average can power 80-100% of my electrical needs with summer credits offsetting winter costs.

Return on investment 20000/3000=6.66 years

The panels come with a 25 year warranty so will be a bit more cost up front but clean energy and long term savings. For 7 units we would require a larger system but cost and savings would be proportionally increased yielding similar results.

Thank you so much for helping us navigate through this process.

Fernando

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, CAO
 From: Jennifer Bellamy, CFO
 Date: February 19, 2021
 Subject: Parks, Recreation and Culture Fees Bylaw

Recommendation

THAT Council gives first, second, and third readings of the bylaw cited as "The Corporation of the City of Enderby Parks, Recreation and Culture Fees Imposition Bylaw No. 1693, 2020 Amendment Bylaw No. 1719, 2021".

Background

At the February 18, 2021 meeting, the Enderby & District Services Commission approved the attached Parks, Recreation and Culture Fees Bylaw, which incorporates the following changes:

- Pool Fees:
 - Most of the fees include a 5% increase to keep up with increased wages, which is primarily due to the increase in minimum wage and a new Season Pass rate for aqua fit has been added. Below is a summary of the changes.

Pool Drop In				
	Per Swim	10-Visit Pass	1-Month Pass	Season Pass
Public Swim – Adult	4.00 4.50	36.00 40.50	44.00 49.50	n/a
Public Swim – Youth or Senior	3.50 3.75	31.50 33.75	38.50 41.25	n/a
Public Swim – Family	11.00 12.00	99.00 108.00	125.00 132.00	n/a
Aqua Fit – Youth or Senior	6.00	54.00	66.00 69.25	225.00
Aqua Fit – Adult	7.00	63.00	77.00 80.75	250.00
Pool Rentals (per hour)				
Up to 50 persons				69.75 73.25
51-85 persons				95.25 100.00
Swim club				26.00 27.50
Not-for-profit licensed preschool or youth organization				18.00 19.00/instructor/hr

- Park Fees:
 - Ball Diamond fees have been increased by 2% to keep up with increased operating costs. In addition, the hourly gazebo rate, which was introduced in 2020 to allow groups to have an outside recreation or meeting area during the pandemic, has been extended until the earlier of December 31, 2021 or when the Provincial State of Emergency for COVID-19 has been rescinded and/or events can again be hosted at this venue.

Respectfully submitted,



Jennifer Bellamy
Chief Financial Officer

**THE CORPORATON OF THE CITY OF ENDERBY
BYLAW No. 1719**

A bylaw to amend Parks, Recreation and Culture Fees Imposition Bylaw No. 1693, 2020

WHEREAS The Council of the Corporation of the City of Enderby has adopted "The Corporation of the City of Enderby Parks, Recreation and Culture Fees Imposition Bylaw No. 1693, 2020";

AND WHEREAS Council wishes to amend the fees;

NOW THEREFORE the Council of the Corporation of the City of Enderby, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. This Bylaw may be cited as "The Corporation of the City of Enderby Parks, Recreation and Culture Fees Imposition Bylaw No. 1693, 2020 Amendment Bylaw No. 1719, 2021".
2. Schedule "C" and Schedule "D" of "The Corporation of the City of Enderby Parks, Recreation and Culture Fees Imposition Bylaw No. 1693, 2020" is deleted and Schedule "C" and Schedule "D" attached to and forming part of this bylaw is substituted therefore.

READ a FIRST time this ___ day of _____, 2021.

READ a SECOND time this ___ day of _____, 2021.

READ a THIRD time this ___ day of _____, 2021.

ADOPTED this ___ day of _____, 2021.

Mayor

Corporate Officer

SCHEDULE "C" – POOL FEES

Drop In (per visit)				
	Per Swim	10-Visit Pass	1-Month Pass	Season Pass
Public Swim – Adult	4.50	40.50	49.50	n/a
Public Swim – Youth or Senior	3.75	33.75	41.25	n/a
Public Swim – Preschool 3-5 yrs	2.50	22.50	27.50	n/a
Public Swim – 2yrs and under	Free	n/a	n/a	n/a
Public Swim – Family	12.00	108.00	132.00	n/a
Toonie Swim	2.00	n/a	n/a	n/a
Aqua Fit – Youth or Senior	6.00	54.00	69.25	225.00
Aqua Fit – Adult	7.00	63.00	80.75	250.00
Not-for-profit licensed preschool or youth organization:				
	# of Youth/Preschool		Rate per swim	
	8-12		20.00	
	13-20		32.50	
	21-30		52.50	
	30+		52.50 plus \$2.00 for each additional Youth/Preschool	
Rentals (per hour)				
Up to 50 persons			73.25	
51-85 persons			100.00	
Swim club			27.50	
SD #83			JOINT USE AGREEMENT	
Not-for-profit licensed preschool or youth organization			19.00/instructor/hr	

SCHEDULE "D" – PARK FEES

Park Rates	
Riverside Park – Youth (per day; includes ball diamond area)	250.00
Riverside Park – Adult / Commercial (per day; includes ball diamond area)	500.00
Gazebo	
Daily Rental	120.00
Hourly Rental*	22.50
Kitchen Damage Deposit (per rental)	500.00
Kitchen Clean-up (per rental)	52.00
Ball Diamonds	
Adult League Play (per hour/per field)**	17.70
Youth League Play (per hour/per field)**	8.85
Adult League Tournament (per diamond/per day)	96.75
Youth League Tournament (per diamond/per day)	48.40
Non-League (per diamond per day)	96.75
Additional maintenance staff for tournament play (per hour)***	42.00
Funtastic	424.00

*Hourly rental is only applicable to the gazebo and excludes the kitchen facilities. This rate is available to the earlier of December 31, 2021, or when the Provincial State of Emergency for COVID-19 is rescinded, and/or events may be safely hosted.

**To be booked at half hour intervals

***Subject to staffing availability. Any overtime costs incurred will be in addition to this rate.



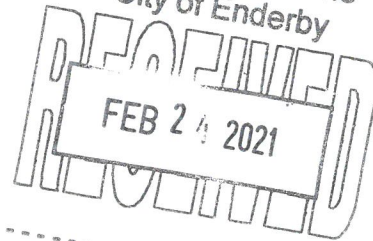
Mel Arnold, MP
North Okanagan - Shuswap



AGENDA

February 16, 2021

Corporation of The
City of Enderby



City of Enderby
619 Cliff Avenue
Box 400
Enderby, BC
VOE 1V0

Email: gregmccune@telus.net

Dear Mayor McCune and Council,

On December 11th, 2020, the House of Commons passed a motion introduced by Conservative MP Todd Doherty, through unanimous consent, to bring a national 3-digit (988) suicide prevention hotline line to Canada. The motion was;

That, given that the alarming rate of suicide in Canada constitutes a national health crisis, the House call on the government to take immediate action, in collaboration with our provinces, to establish a national suicide prevention hotline that consolidates all suicide crisis numbers into one easy to remember three-digit (988) hot- line that is accessible to all Canadians.

My colleagues and I asking all municipalities across Canada to consider passing a motion similar, to the one below. In order to make the 988 number a reality, we must continue to put pressure on the government and the Canadian Radio-television and Telecommunications Commission (CRTC).

Personally, you can support the cause by signing our electronic petition at:
<https://petitions.ourcommons.ca/en/Petition/Details?Petition=e-2772>

The past year has been a challenging year. Lives and livelihoods have been lost. We have begun to see the devastating impacts that COVID has had, through isolation, on the mental health of Canadians. The rates of suicide continue to rise. As elected officials and as leaders, and especially during this period of difficulty as a nation, Canadians are counting on all of us to make a difference.

In support of those at risk, please consider passing this motion as soon as possible.

Sincerely,

MP Mel Arnold
North Okanagan - Shuswap

Draft motion:

Support for 988 Crisis Line

WHEREAS the Federal government has passed a motion to adopt 988, a National three-digit suicide and crisis hotline;

AND WHEREAS the ongoing COVID-19 pandemic has increased the demand for suicide prevention services by 200 per cent;

AND WHEREAS existing suicide prevention hotlines require the user to remember a 10-digit number and go through directories or be placed on hold;

AND WHEREAS in 2022 the United States will have in place a national 988 crisis hotline;

AND WHEREAS _____ Town Council/Municipality/City recognizes that it is a significant and important initiative to ensure critical barriers are removed to those in a crisis and seeking help;

NOW THEREFORE BE IT RESOLVED THAT _____ Town Council/Municipality/City endorses this 988 crisis line initiative;

and that Staff be directed to send a letter indicating such support to the local MP, MPP, Federal Minister of Health, the CRTC and local area municipalities to indicate our support.