



## THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held via video conference on Monday, January 18, 2021 at 4:30 p.m. in Council Chambers.

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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

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### **APPROVAL OF AGENDA**

Moved by Councillor Baird, seconded by Councillor Knust  
*“THAT the January 18, 2021 Council Meeting agenda be approved as circulated.”*

CARRIED

### **ADOPTION OF MINUTES**

#### Council Meeting Minutes of December 21, 2020

Moved by Councillor Baird, seconded by Councillor Shishido  
*“THAT adoption of the December 21, 2020 Council Meeting minutes be postponed to the next regular Council meeting so that a motion may be corrected.”*

CARRIED

#### Public Hearing Report of December 21, 2020

Moved by Councillor Baird, seconded by Councillor Shishido  
*“THAT the December 21, 2020 Council Meeting minutes be adopted as circulated.”*

CARRIED

*Laurel Grimm entered the meeting (4:32 p.m.)*

### **PETITIONS AND DELEGATIONS**

#### Ann Howard: Affordable Housing Project, Turning Points Collaborative, Freeport Industries

Ann Howard, Randeem Wejr and Chris Inkster gave a presentation on the Turning Points Collaborative’s proposal to build a housing development at 508 Regent Ave., Enderby BC and requested a letter of support from Council.

Councillor Schreiner questioned what the process was for vetting potential tenants and whether this process would be administered by a board. Ms. Howard responded that this process would be facilitated by Turning Points and that it would be based out of Vernon, BC.

Randeen Wejr informed Council that a Vulnerability Assessment is conducted on all applicants to determine the best placement for each individual and to make sure the housing is a good fit for each individual. These housing projects are aimed at providing supportive housing for locals that are already in the community. A lot of applicants they see are single-parent families with one income.

Councillor Baird asked for some clarification on land size and expressed her excitement for additional housing in the community. She asked if they would provide adequate parking as this is a concern for developments in the area. Ann Howard stated that they are not that far along in the development planning yet. They do not have any plans available at this time. Councillor Baird expressed her concerns with Enderby having limited social service providers in the community to support people with diverse needs.

Randeen Wejr confirmed that they have social workers on staff, outreach programming, and other supports in place to make sure that these resources are available. The proposed development could also have office space for social service provider meetings. Partnering agreements with Interior Health would be in place and they would be able to share this office space. There will be a Neighbourhood Committee established in order to build a relationship with surrounding residents and businesses, as well as a direct connection to the property manager for any urgent issues.

Councillor Case asked if the construction would involve local contractors. Christ Inkster informed Council that they have their own staff that transports and builds all the structures. They are based in West Kelowna. The proposed project would take approximately 2 months to build in the warehouse and 3-4 months on site.

Councillor Shishido asked if Turning Points Collaborative would be required to adhere to a committed income-based structure for allocating the housing units. Mrs. Howard confirmed that an Operating Agreement would be in place that would be followed, although they may vary this at times depending upon housing market circumstances, if there is limited demand for one of the types of housing. Ms. Howard clarified that this development would be for Enderby residents, as there is sufficient demand in the community for affordable housing. The goal is to work with the community to provide a service where it is needed.

Mayor McCune commented that the proposed services may alleviate some of the need in the community and asked staff if they have any technical comments at this time. The Chief Administrative Officer stated that as staff do not have a site plan, they are unable to comment on the development at a technical level, but this would follow as more details become known.

The Chief Administrative Officer identified three options for Council to consider in response to Turning Points' request for a letter of support. Council could issue the letter of support today, decline to issue the letter of support, or postpone consideration of the request until the next meeting so that Council could take time to think about the proposal and consult. If staff were directed to issue a letter, it could be drafted in such a way as to only provide a high level of support in principle, without endorsing specific details.

Ann Howard noted that they are only looking for a high level of support for the concept right now as it is still early days for the proposal. They are running under time restrictions for grant applications and local government support would be very appreciated and could be substantial in securing funding. Subjects on the accepted offer for the property must be removed by mid-March.

Councillor Shishido noted that it sounds like a great development but would like more time to consider all impacts. He would like to be cautious moving forward.

Moved by Councillor Shishido

*“THAT Council postpone the decision to send a letter of support until the next regular meeting of Council.”*

DEFEATED

Moved by Councillor Knust, seconded by Councillor Baird

*“THAT the City of Enderby Council supports, in principle, a housing development at the property located at 508 Regent Avenue, Enderby BC.”*

CARRIED

OPPOSED Councillor Shishido

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

None

**DEVELOPMENT MATTERS**

Councillors Baird and Case declared a conflict of interest due to pecuniary interests in the next two matters on the agenda and recused themselves at 5:12pm.

**0030-20-DVP-END (Borhaven)**

Legal: LOT 2 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN  
KAMLOOPS DIVISION YALE DISTRICT PLAN KAP92074  
Address: 31 Preston Drive West, Enderby BC  
Applicant: Eric Borhaven  
Owner(s): Jim’s Finishing Ltd., 633176 Alberta Ltd., Case Holdings Ltd.

The Planner and Deputy Corporate Officer spoke to the report.

**WRITTEN SUBMISSIONS:**

**Eric Borhaven, 123 Red Rock Crescent, Enderby, BC**

- Thank you for considering the variances before you.
- This is not an average city lot as the room for allowable front and rear yard setbacks are extremely tight due to the fact that the cul-de-sac corner eats away a portion of the lot, as well as the lot being already smaller than average.
- Finding a house plan that complements the neighbourhood as well as adds to Enderby’s housing shortage (including an option for a legal suite) was a challenge for his client.

They have even removed the back deck and added to the north side to allow for more of a rear yard setback.

- Client is excited to bring a beautiful house to the neighbourhood.

**Debbie and Amber Lazar, 27 Preston Drive West, Enderby BC**

- Written submission against the proposed Development Variance Permit.
- They bought their house based on the information that they would have a fair distance between the two homes. (6 M at the front and 6 M at the back) To ensure privacy that they needed for decks and from a window on that side of the house. They will be directly impacted by this change which they do not think is a fair solution.

Staff clarified where the variances would be. Council discussed potential view implications and the possibility of it being detrimental. It was determined that these are not significant enough to impact views to the East.

Moved by Councillor Shishido, seconded by Councillor Knust

*THAT Council authorize the issuance of a Development Variance Permit for the property legally described as LOT 2 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP92074 and located at 31 Preston Drive West, Enderby B.C. to permit variances to the following sections of the City of Enderby Zoning Bylaw No. 1550, 2014:*

- *Section 602.10.b by reducing the minimum front yard setback area from 6 m (19.68 feet) to 5.59 m (18.34 feet), as shown on the attached Schedule 'A'; and*
- *Section 602.10.d by reducing the minimum rear yard setback area from 6 m (19.68 feet) to 3.9 m (12.80 feet), as shown on the attached Schedule 'A'.*

CARRIED

0010-20-OR-END (Shipmaker)

Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1716, 2021 and Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1717, 2021 – *1<sup>st</sup> and 2<sup>nd</sup> readings*

Legal: LOT 2 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP46537 EXCEPT PLAN KAP92074

Address: 222 Salmon Arm Drive, Enderby BC

Applicant: Earl Shipmaker

Owner(s): Jim's Finishing Ltd., 633176 Alberta Ltd., Case Holdings Ltd.

Moved by Councillor Schreiner, seconded by Councillor Davyduke

*THAT Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1716, 2021 which proposes to change the future land use designation of the property legally described as LOT 2 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP46537 EXCEPT PLAN KAP92074, and located at 222 Salmon Arm Drive, 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. 1716, 2021 and in accordance with Sections 473 (2.1) and 477 of the Local Government Act, Bylaw No. 1716 be considered in conjunction with the City's Housing Needs Report, Financial Plan, and Regional Solid Waste Management Plan;*

*AND THAT after considering the Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1716, 2021 in conjunction with the City's Housing Needs Report, Financial Plan, and Regional Solid Waste Management Plan, Bylaw No. 1716 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. 1716, 2021, as outlined in this Staff Report, be considered appropriate consultation for the purposes of Sections 475 and 476 of the Local Government Act;*

*AND FURTHER THAT Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1717, 2021 which proposes to rezone the property legally described as LOT 2 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP46537 EXCEPT PLAN KAP92074, and located at 222 Salmon Arm Drive, Enderby BC, from the Residential Single-Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone be given First and Second Reading and forwarded to a Public Hearing.*

CARRIED

Councillors Baird and Case rejoined the meeting at 5:41pm.

0010-20-ZTA-END (Forbes)

Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1718, 2021 – *1st and 2nd readings*  
 Legal: PARCEL B (DD 179916F) BLOCK 13 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A

Address: 612 Cliff Avenue, Enderby BC

Applicant: Michael Forbes

Owner(s): MDC Forbes Inc., INC.No. C0700218

Moved by Councillor Schreiner, seconded by Councillor Baird

*"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:
 
  - 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."*

CARRIED

The Planner and Deputy Corporate Officer spoke to the report. Council discussed the various needs in the community acknowledging the need for both additional housing and commercial space. Renovations at this location would increase street appeal and benefit the downtown core while filling a housing need gap. Councillor Case noted that there is a need for commercial space in town and that while there may not be a high demand now, there could be a demand in the future. High quality commercial space would be an asset. Councillor Shishido noted concerns with losing commercial space and parking. Councillor Case stated that he would support sending the matter to public hearing with 7 residential units as he wanted to hear feedback from the public on the applicant's proposal.

The applicant noted that parking will not be a concern at this location. In his experience, occupants of small residential units rely upon transit rather than have personal vehicles.

**BYLAWS**

Business License and Regulation Bylaw No. 1558, 2014 Amendment Bylaw No. 1705, 2020 and Fees and Charges Bylaw No. 1479, 2010 Amendment Bylaw No. 1715, 2020

Moved by Councillor Case, seconded by Councillor Baird

*“THAT Council adopt Business License and Regulation Bylaw No. 1558, 2014 Amendment Bylaw No. 1705, 2020;*

*AND FURTHER THAT Council adopt Fees and Charges Bylaw No. 1479, 2010 Amendment Bylaw No. 1715, 2020.”*

CARRIED

**REPORTS**

Mayor and Council Reports

Councillor Knust

Interagency meeting held on January 10, 2021.

Councillor Davyduke

Remarked that re-establishing the Committee of the Whole meetings has been a good way to reconnect. Will be providing a Work BC update at the next regular meeting.

Councillor Baird

There will be an Enderby and District Services Commission meeting on Wednesday, January 20, 2021 where they will be reviewing the purchase of a new Zamboni for the Enderby Arena.

Attended the Rail Trail Governance Advisory Committee meeting. Discussions being had on building a “test” section of the Rail Trail in Enderby to assist with fundraising.

Councillor Shishido

Good Food Box and Early Years programming being offered in Enderby and they are looking for six families. Unplug and Play being offered at the end of January.

Councillor Case

The Kingfisher Interpretive Centre is looking for new Board Members.

RDNO Building Permit Report – December 2020

Moved by Councillor Case, seconded by Councillor Baird

*“That the RDNO Building Permit Report – December 2020 be received and filed.”*

CARRIED

**NEW BUSINESS**

Twice But Nice Partnering Agreement

The Chief Administrative Officer advised Council that no public responses were received to the notices published in the local media about the proposed Partnering Agreement with Twice But Nice. Consistent with Council’s prior resolution and legislative requirements, the Partnering Agreement may now be executed and the assistance provided to Twice But Nice.

Renewal of Southern Interior Bylaw Notice Dispute Adjudication Registry Agreement Bylaw

Moved by Councillor Shishido, seconded by Councillor Schreiner

*“That Council authorizes the renewal of the Southern Interior Bylaw Notice Dispute Adjudication Registry Agreement Bylaw.”*

CARRIED

Updated Summary Form for City of Enderby Housing Needs Assessment Report

Moved by Councillor Baird, seconded by Councillor Case

*“That Council receives the updated Summary Form for the City of Enderby Housing Needs Assessment Report and Directs Staff to publish the updated version on the City of Enderby website.”*

CARRIED

City of Rossland: Letter of Support for Free Universal No-Cost Access to Prescription Contraception

Moved by Councillor Baird, seconded by Councillor Knust

*“WHEREAS cost is a significant barrier to people accessing contraception, particularly to people with low incomes, youth, and people from marginalized communities; and*

*WHEREAS providing free prescription contraception has been shown to improve health outcomes for parents and infants by reducing the risks associated with unintended pregnancy, and is likely to reduce direct medical costs on the provincial health system; and*

*WHEREAS contraceptive methods such as condoms or vasectomies are available at low cost, no cost, or are covered by BC's Medical Services Plan, whereas all contraceptive methods for people with uteruses (such as birth control pills, intrauterine devices, or hormone injections) have high up-front costs, making access to contraception unequal and gendered;*

*THEREFORE, BE IT RESOLVED*

*THAT the City of Enderby write to the Provincial Minister of Finance, the Provincial Minister of Health, the Premier of BC, and the local MLA supporting universal no-cost access to all prescription contraception available in BC under the Medical Services Plan.”*

CARRIED

Cariboo Regional District: BC Hydro Streetlighting Rate Increase

Moved by Councillor Shishido, seconded by Councillor Baird

*“That Staff send a letter to the BC Utilities Commission expressing our objection to BC Hydro’s proposal to increase streetlighting rates for its LED Streetlight Program and terminate its Private Light System.”*

CARRIED

Although the move to LED lights is supported for its energy reduction benefits, we do not support local governments being charged, through a new rate, for the disposal of the existing lights and associated depreciation costs; those costs should be borne by BC Hydro. In addition, the elimination of the Private Light System that has been in existence for years will have a detrimental effect on rural residents, as it will open isolated areas to more theft, vandalism, or other crime.



City of Kamloops: Overdose Crisis and Call for Overdose Action Plan

Moved by Councillor Case, seconded by Councillor Davyduke

*“That Council:*

a) *Request that the Government of Canada:*

- i. *Declare the overdose crisis a national public health emergency so that it is taken seriously and funded appropriately.*
  
- iii. *Immediately seek input from the people most affected by this crisis and meet with provinces and territories to develop a comprehensive, Pan-Canadian overdose action plan, which includes comprehensive supports and full consideration of reforms that other countries have used to significantly reduce drug-related fatalities and stigma, such as legal regulation of illicit drugs to ensure safe supply of pharmaceutical alternatives to toxic street drugs, and decriminalization for personal use.”*

CARRIED

City of Nelson: Vaccination Priority for Essential Critical Infrastructure Municipal Employees

Moved by Councillor Shishido, seconded by Councillor Case

*“That Council receives and files the Vaccination Priority for Essential Critical Infrastructure Municipal Employees letter from the City of Nelson.”*

CARRIED

**PUBLIC QUESTION PERIOD**

None

**CLOSED MEETING RESOLUTION**

Moved by Councillor Baird, seconded by Councillor Shishido (7:06 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) (b) of the Community Charter.”*

CARRIED

**ADJOURNMENT**

Moved by Councillor Knust, seconded by Councillor Davyduke

*“That the regular meeting of January 18, 2021 adjourn at 7:28 p.m.”*

CARRIED

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MAYOR

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CORPORATE OFFICER