

**REGULAR MEETING OF COUNCIL
AGENDA**

DATE: June 7, 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 May 17, 2021 Page 1
- 3. PUBLIC HEARINGS**
 - 3.1. 0005-21-TUP-END (Heins) Verbal
 - 3.2. 0011-21-ZTA-END (Mandair) Verbal
Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1726, 2021
- 4. BUSINESS ARISING FROM THE MINUTES AND/OR UNFINISHED BUSINESS**
- 5. DEVELOPMENT MATTERS**
 - 5.1. 0034-21-DVP-END (Still) Page 5
Legal: LOT 1 BLOCK 4 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A
Address: 728 Regent Avenue, Enderby BC
Applicant: David Still
Owner(s): David and Susan Still
 - 5.2. 0005-21-TUP-END (Heins) Page 13
Legal: LOT 7 AND THAT PART OF LOT 6 BLOCK 14 PLAN 211A SHOWN ON PLAN B1133 AND THOSE PARTS OF LOTS 38 AND 39 PLAN 211 SHOWN ON PLAN B1133 THE WHOLE TO FORM A SINGLE PARCEL AND BE KNOWN HEREAFTER AS PARCEL A (DD KC7720 AND PLAN B1133) DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A

Address: 607 Cliff Avenue, Enderby BC
Applicant: Lori Heins
Owner(s): Heins North Services Ltd.

- 5.3. 0011-21-ZTA-END (Mandair) - third reading and adoption Page 26
Legal: LOT 7 DISTRICT LOT 226 KAMLOOPS (FORMERLY
OSOYOOS) DIVISION YALE DISTRICT PLAN KAP50468
Address: 2009 McGowan Street, Enderby BC
Applicant: Ron Mandair
Owner(s): John Pavelich and Marjorie Abbott

6. REPORTS

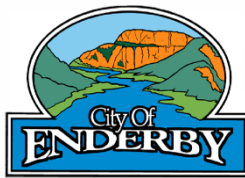
- 6.1. Mayor and Council Reports Verbal
6.2. Area F Director Report Verbal

7. NEW BUSINESS

- 7.1. Notice of Motion (Mayor McCune): Joint Letter to Minister of Transportation and Infrastructure Page 39
Memo prepared by Chief Administrative Officer dated June 1, 2021
7.2. Bylaw Enforcement Statistics for First Period of 2021 (Jan-Apr) Page 41
Memo prepared by Planner and Deputy Corporate Officer dated May 28, 2021
7.3. Climate Action Revenue Incentive Program (CARIP) Reporting 2020 Page 44
Correspondence dated May 11, 2021
7.3.1. UBCM: Climate Action Revenue Incentive Program (CARIP) Page 56
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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, May 17, 2021 at 4:31 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
Planner and Deputy Corporate Officer – Kurt Inglis
Clerk Secretary – Laurel Grimm

Other: Press and Public

APPROVAL OF AGENDA

Moved by Councillor Knust, seconded by Councillor Case
“THAT the May 17, 2021 Council Meeting agenda be approved as circulated.”

CARRIED

ADOPTION OF MINUTES

Council Meeting Minutes of May 3, 2021

Moved by Councillor Baird, seconded by Councillor Case
“THAT adoption of the May 3, 2021 Council Meeting minutes be adopted as circulated.”

CARRIED

BUSINESS ARISING FROM THE MINUTES AND/OR UNFINISHED BUSINESS

None

DEVELOPMENT MATTERS

0011-21-ZTA-END (Mandair)

Legal: LOT 7 DISTRICT LOT 226 KAMLOOPS (FORMERLY OSOYOOS) DIVISION
YALE DISTRICT PLAN KAP50468
Address: 2099 McGowan Street, Enderby BC
Applicant: Ron Mandair
Owner(s): John Pavelich and Marjorie Abbott

Moved by Councillor Case, seconded by Councillor Baird

“THAT City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1726, 2021 which proposes to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to reduce the minimum lot area for single- family dwellings on the property legally described as LOT 7 DISTRICT LOT 226 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN KAP50468 and located at 2009 McGowan Street, Enderby BC from 450 m2 (4,844 square feet) to 350 m2 (3,767 square feet), be given First and Second Reading and forwarded to a Public Hearing.”

CARRIED

Staff briefed Council on how road standards and alignments would be considered at subdivision stage.

REPORTS

Mayor and Council Reports

Councillor Knust

Noted some concerns expressed on social media regarding tree removal at Tuey Park. The Chief Administrative Officer advised that the tree trunks were being cut down to enable the stump grinder to perform its work.

Councillor Case

Dust control scheduled for Brickyard Road.

Area F Director

- Bridge testing being completed at Baxter Bridge in Ashton Creek.
- Working with Recreation Services to complete improved signage for the Shuswap River. This will focus on education and safety.
- Agricultural Land Commission has been talking about changing residential housing regulations. More information should be available shortly.
- The former Kingfisher Ball Diamond property has restricted public access due to liability concerns. This is private land.

RDNO Building Permit Report – April 2021

Moved by Councillor Knust, seconded by Councillor Baird

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

CARRIED

NEW BUSINESS

Public Health Orders, Guidance, Acts, and Regulations

Moved by Councillor Schreiner, seconded by Councillor Baird

“THAT Council receives and files the attached Public Health Orders, Guidance, Acts and Regulations.”

CARRIED

Enderby and District Arts Council Summer of Art

Moved by Councillor Shishido, seconded by Councillor Schreiner

“THAT Council supports in principle the Summer of Art proposal submitted by the Enderby & District Arts Council, subject to Provincial and Regional Health Officers' restrictions and guidance;

AND THAT Council, in accordance with Provincial and Regional Health Officers' orders, does not permit in-person events at this time;

AND THAT Council authorizes staff to issue permits for in-person "micro-performances" and artisan kiosks in public spaces subject to a change in Provincial and Regional Health Officers' orders, with the permit conditions including a requirement to demonstrate consistency with: Provincial and Regional Health Officers' orders, relevant guidance from Provincial and Regional Health Officers or the British Columbia Centre for Disease Control, and any risk management requirements of the City of Enderby or its insurer;

AND FURTHER THAT Council directs staff to issue such permits on condition of demonstrated support from proximate businesses and no conflicts with other scheduled public space and park uses then occurring, which the Enderby & District Arts Council must confirm in advance of permit issuance.”

CARRIED

Self-Guided Our Enderby Clean-Up Challenge

Moved by Councillor Baird, seconded by Councillor Knust

“THAT Council receives the Self-Guided Our Enderby Clean-Up Challenge memorandum for information.”

CARRIED

Mobile Vendor Request – Interior Lunch Box Food Truck (Wayne Allen)

Moved by Councillor Case, seconded by Councillor Schreiner

“THAT Council grants permission for the Interior Lunch Box Food Truck (Wayne Allen) to operate as a mobile vendor in the grassy area east of the Water Treatment Plant, as shown on Schedule 'A', subject to the following conditions:

- 1. The operator must obtain a City of Enderby Business License;*
- 2. The operator must pay the annual rental fee of \$100;*
- 3. The operator shall be solely responsible for ensuring their vehicular access to the site; and*
- 4. The operator's use of the land is on an 'as-is' basis and must not be changed from that state without the express written permission of the City.”*

CARRIED

PUBLIC QUESTION PERIOD

None

ADJOURNMENT

Moved by Councillor Knust, seconded by Councillor Davyduke
“That the regular meeting of May 17, 2021 adjourn at 5:07 p.m.”

CARRIED

MAYOR

CORPORATE OFFICER

**CITY OF ENDERBY
DEVELOPMENT VARIANCE PERMIT APPLICATION**

File No: 0034-21-DVP-END

May 28, 2021

APPLICANT: David Still

OWNER: David and Susan Still

LEGAL DESCRIPTION: LOT 1 BLOCK 4 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A

PID #: 012-590-487

LOCATION: 728 Regent Avenue, Enderby BC

PROPERTY SIZE: 682 m² (0.169 acres)

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

O.C.P DESIGNATION: Residential Low Density

PROPOSAL: Addition to single-family dwelling

PROPOSED VARIANCE: Vary Section 602.10.a of Zoning Bylaw No. 1550, 2014 by reducing the minimum exterior side yard setback area from 5 m (16.40 feet) to 4.14 m (13.5 feet)

RECOMMENDATIONS:

THAT Council authorize the issuance of a Development Variance Permit for the property legally described as LOT 1 BLOCK 4 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A and located at 728 Regent Avenue, Enderby B.C. to permit a variance to Section 602.10.a of the City of Enderby Zoning Bylaw No. 1550, 2014 by reducing the minimum exterior side yard setback area from 5 m (16.40 feet) to 4.14 m (13.5 feet), as shown on the attached Schedule 'A'.

BACKGROUND:

This report relates to a Development Variance Permit application for the property located at 728 Regent Avenue, Enderby BC. The applicant is proposing an addition to an existing single-family dwelling and in order to accommodate the proposed siting of the addition, the applicant is requesting a variance to Section 602.10.a of Zoning Bylaw No. 1550, 2014 by reducing the minimum exterior side yard setback area from 5 m (16.40 feet) to 4.14 m (13.5 feet). In this case, the exterior side yard setback area is adjacent to Sicamous Street.

Site Context

The 682 m² (0.169 acres) subject property is relatively flat and is located on the southwest corner of the intersection of Regent Avenue and Sicamous Street. A single-family dwelling, constructed in 1947, is located along the northern edge of the property. The single-family dwelling is located within the required exterior side yard setback area but is considered legally non-conforming by way of siting given that the dwelling pre-dated this Zoning setback requirement.

The subject property and surrounding properties are all zoned Residential Single Family (R.1-A) and are designated in the OCP as Residential Low Density

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



Figure 1: Zoning Map
 Yellow - Residential Single Family (R.1-A) Zone
 Crosshatch – Residential Two-Family (R.2) Zone
 Orange – Residential Multi-family Medium Intensity (R.3)

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



Figure 2: Orthophoto

The Proposal

The applicant is proposing an addition to the existing single-family dwelling on the property, as shown on the attached Schedule 'A'. The applicant is proposing to extend the southern portion of the building by approximately 3.66 m (12 feet), with the addition to remain flush with the eastern and western sides of the dwelling.

The City of Enderby Zoning Bylaw No. 1550, 2014 requires that single-family dwellings in the R.1-A zone have a minimum exterior side yard setback of 5 m (16.40 feet); given that the existing single-family dwelling is located within the exterior side yard setback requirement (legally non-conforming by way of siting, given the dwelling’s age), and the applicant wishes to have the addition remain flush with the western side of the dwelling, the applicant is seeking a variance to reduce the minimum exterior side yard setback area from 5 m (16.40 feet) to 4.14 m (13.5 feet).

ZONING BYLAW:

The subject property is zoned Residential Single Family (R.1-A) and the permitted uses within this zone include accessory residential buildings, single-family dwellings, attached secondary suites, bed and breakfasts, civic and public service use, and restricted agricultural use. The proposal as compared to the Zoning Bylaw requirements for the R.1-A zone is as follows (highlighted item requires a variance):

CRITERIA	R.1-A ZONE REQUIREMENTS	PROPOSAL
Lot Area (min.)	450 m ² (4,844 square feet).	682 m ² (7,350 square feet)
Lot Coverage (max.)	50%	<50%
Lot Frontage (min.)	15 m (49.21 feet)	~55 m (190.49 feet)
Setbacks (min.)		
Front Yard	6 m (19.68 feet)	
Rear Yard	6 m (19.68 feet)	20.12 m (66 feet)
Exterior Side Yard	5 m (16.40 feet)	4.14 m (13.5 feet)
Side Yard	1.2 m (3.94 feet)	4.14 m (13.5 feet)
Other buildings	3 m (9.842 feet)	N/A

OFFICIAL COMMUNITY PLAN:

Policies contained within the Official Community Plan which apply to this development include:

- Policy 2.2.b - To maintain and enhance the City of Enderby as a sustainable, diverse, vibrant, unique and attractive community.
- Policy 2.2.c - To maintain and enhance the social well-being, development, and the quality of life for all citizens of Enderby.
- Policy 2.2.f - To respect and preserve a process of open, flexible and participatory decision making in the ongoing planning and day-to-day decisions of the City.
- 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.

REFERRAL COMMENTS:

The subject application was referred to the City of Enderby Public Works Manager, Building Inspector, and Fire Chief. No comments were received in response to the referral.

PLANNING ANALYSIS:

The City of Enderby Planner raises no objections to the applicant's request to vary Section 602.10.a of the City of Enderby Zoning Bylaw No. 1550, 2014 by reducing the minimum exterior side yard setback area from 5 m (16.40 feet) to 4.14 m (13.5 feet). Upon consideration of input from adjacent land owners, it is recommended that Council authorize the issuance of the Development Variance Permit for the following reasons:

- The proposed addition would not extend into the exterior side yard setback area beyond that of the existing single-family dwelling;
- The proposed reduction to the exterior side yard setback area would enable the applicant to proceed with an addition that is flush with the existing single-family dwelling;
- The proposed siting of the addition would not interfere with sight lines for west-bound vehicles on Regent Avenue attempting to gain access on to Sicamous Street; and
- It is not anticipated that the proposed variance would negatively affect the use and enjoyment of the subject or neighbouring properties.

SUMMARY

This is an application for a Development Variance Permit for the property located at 728 Regent Avenue, Enderby BC. The applicant is proposing an addition to an existing single-family dwelling and in order to accommodate the proposed siting of the addition, the applicant is requesting a variance to Section 602.10.a of Zoning Bylaw No. 1550, 2014 by reducing the minimum exterior side yard setback area from 5 m (16.40 feet) to 4.14 m (13.5 feet).

The City of Enderby Planner is supportive of the proposed variance and is recommending that Council authorize the issuance of a Development Variance Permit.

Prepared By:



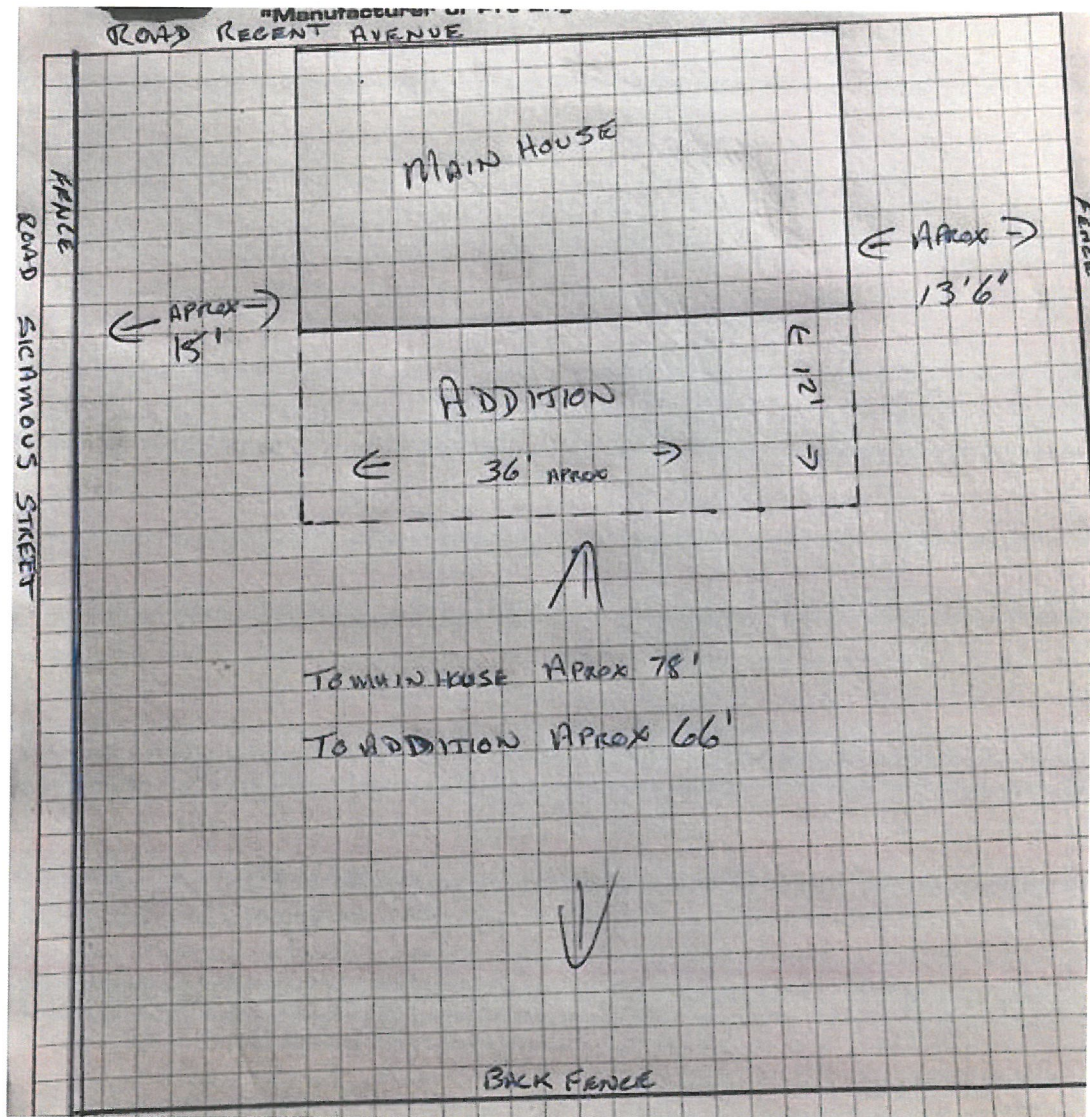
Kurt Inglis, MCIP, RPP
Planner and Deputy Corporate Officer

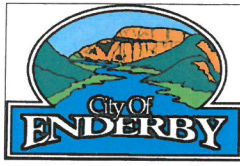
Reviewed By:



Tate Bengtson
Chief Administrative Officer

Schedule 'A'





DEVELOPMENT VARIANCE PERMIT

Application / File No.: 0034-21-DVP-END

To: David and Susan Still

Address: 728 Regent Avenue, Enderby BC

1. This Development Variance Permit is issued in accordance with the provisions of Section 498 of the Local Government Act and subject to compliance with all of the Bylaws of the City of Enderby applicable thereto, except as specifically varied by this permit.
2. This Development Variance Permit applies to and only to those lands within the City of Enderby described below, and any and all buildings, structures, and other development thereon:

LOT 1 BLOCK 4 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS)
DIVISION YALE DISTRICT PLAN 211A

PID: 012-590-487
3. City of Enderby Zoning Bylaw No. 1550, 2014 is hereby supplemented or varied as follows:
 - Section 602.10.a by reducing the minimum exterior side yard setback area from 5 m (16.40 feet) to 4.14 m (13.5 feet), as shown on the attached Schedule 'A'.
4. City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 is hereby supplemented or varied as follows: **N/A**
5. Requirements, conditions or standards applicable to Section 491 of the Local Government Act: **N/A**
6. As a condition of the issuance of this Permit, the Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the City of Enderby may use the security to carry out the work by its servants, agents, or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:
 - a. a Bearer Bond in the amount of \$ **N/A**; or

- b. a Performance Bond in a form acceptable to the City of Enderby in the amount of \$ **N/A**; or
 - c. an Irrevocable Letter of Credit in the amount of \$ **N/A**; or
 - d. a certified cheque in the amount of \$ **N/A**.
7. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.
 8. If the Permittee does not commence the development permitted by this Permit within two (2) years of the date of issuance of this Permit, this Permit shall lapse.
 9. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY COUNCIL THE DAY OF , 2021.

ISSUED THIS DAY OF , 2021.

Corporate Officer

NOTICE OF PERMIT:

Issued	
Amended	
Cancelled	

Filed with the Land Title Office this day of , 2021.

**CITY OF ENDERBY
TEMPORARY USE PERMIT APPLICATION**

AGENDA

File No.: 0005-21-TUP-END (Heins)

May 26, 2021

APPLICANT: Lori Heins

Owner: Heins North Services Ltd.

LEGAL DESCRIPTION: LOT 7 AND THAT PART OF LOT 6 BLOCK 14 PLAN 211A SHOWN ON PLAN B1133 AND THOSE PARTS OF LOTS 38 AND 39 PLAN 211 SHOWN ON PLAN B1133 THE WHOLE TO FORM A SINGLE PARCEL AND TO BE KNOWN HEREAFTER AS PARCEL A (DD KC7720 AND PLAN B1133) DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A

P.I.D #: 012-977-535

CIVIC ADDRESS: 607 Cliff Avenue, Enderby BC

PROPERTY SIZE: 0.0264 hectares (0.0651 acres or 263.56 m²)

PRESENT ZONING: General Commercial

PRESENT O.C.P DESIGNATION: General Commercial

PROPOSED TEMPORARY USE: Mobile vendors

PROPOSED TEMPORARY USE PERMIT TERM: 3 years

RECOMMENDATION (Do not support):

THAT Council does NOT authorize the issuance of a Temporary Use Permit to permit mobile vendors to operate on the property legally described as LOT 7 AND THAT PART OF LOT 6 BLOCK 14 PLAN 211A SHOWN ON PLAN B1133 AND THOSE PARTS OF LOTS 38 AND 39 PLAN 211 SHOWN ON PLAN B1133 THE WHOLE TO FORM A SINGLE PARCEL AND TO BE KNOWN HEREAFTER AS PARCEL A (DD KC7720 AND PLAN B1133) DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A and located at 607 Cliff Avenue, Enderby.

ALTERNATE RESOLUTION A (Two year Permit, limit of only one mobile vendor operating at a time, mobile vendors restricted from selling prepared food):

THAT Council authorizes the issuance of a Temporary Use Permit to permit mobile vendors to operate on the property legally described as LOT 7 AND THAT PART OF LOT 6 BLOCK 14 PLAN 211A SHOWN ON PLAN B1133

AND THOSE PARTS OF LOTS 38 AND 39 PLAN 211 SHOWN ON PLAN B1133 THE WHOLE TO FORM A SINGLE PARCEL AND TO BE KNOWN HEREAFTER AS PARCEL A (DD KC7720 AND PLAN B1133) DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A and located at 607 Cliff Avenue, Enderby, subject to the following terms and conditions:

1. The term of the Temporary Use Permit shall be 2 years;
2. No more than one mobile vendor may operate on the property at any given time and mobile vendors are restricted from selling prepared food (i.e. foods produced for immediate consumption);
3. The property owner shall provide a surfacing/grading plan to the satisfaction of the City of Enderby, and surface the property in accordance with the approved plan prior to any mobile vendors operating on the property;
4. The property owner shall be responsible for providing suitable garbage collection containers and to keep the area around the property free of any waste material originating from the mobile vendors' operations;
5. The operation of mobile vendors shall not result in nuisances by way of excessive noise, unsightliness, or odour;
6. Any mobile vendor operators operating on the property must obtain a City of Enderby Business License;
7. The property owner shall provide a fire prevention plan to the satisfaction of the City of Enderby; and
8. The property owner shall provide a sworn affirmation acknowledging that they are responsible for ensuring that the above conditions are adhered to and that failure to do so may result in the City revoking the Temporary Use Permit.

ALTERNATE RESOLUTION B (Three year Permit, limit of two mobile vendors operating at a time, no restrictions on mobile vendors selling prepared food):

THAT Council authorizes the issuance of a Temporary Use Permit to permit mobile vendors to operate on the property legally described as LOT 7 AND THAT PART OF LOT 6 BLOCK 14 PLAN 211A SHOWN ON PLAN B1133 AND THOSE PARTS OF LOTS 38 AND 39 PLAN 211 SHOWN ON PLAN B1133 THE WHOLE TO FORM A SINGLE PARCEL AND TO BE KNOWN HEREAFTER AS PARCEL A (DD KC7720 AND PLAN B1133) DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A and located at 607 Cliff Avenue, Enderby, subject to the following terms and conditions:

1. The term of the Temporary Use Permit shall be 3 years;
2. No more than two mobile vendors may operate on the property at any given time;
3. The property owner shall provide a surfacing/grading plan to the satisfaction of the City of Enderby, and surface the property in accordance with the approved plan prior to any mobile vendors operating on the property;
4. The property owner shall be responsible for providing suitable garbage collection containers and to keep the area around the property free of any waste material originating from the mobile vendors' operations;
5. The operation of mobile vendors shall not result in nuisances by way of excessive noise, unsightliness, or odour;

6. Any mobile vendor operators operating on the property must obtain a City of Enderby Business License;
7. The property owner shall provide a fire prevention plan to the satisfaction of the City of Enderby; and
8. The property owner shall provide a sworn affirmation acknowledging that they are responsible for ensuring that the above conditions are adhered to and that failure to do so may result in the City revoking the Temporary Use Permit.

BACKGROUND:

This is a Temporary Use Application which proposes to allow mobile vendors to operate on the property located at 607 Cliff Avenue, which is currently vacant, for a three year period. Given that the City of Enderby Zoning Bylaw No. 1550, 2014 does not permit mobile vendors to operate on private property, the applicant is seeking a Temporary Use Permit in accordance with Section 493 of the *Local Government Act*.

A Temporary Use Permit is a tool to allow a short-term use that does not comply with the Zoning Bylaw. A Temporary Use Permit may only be issued for a maximum of 3 years and may be renewed once for an additional 3 years as per Section 497 of the *Local Government Act*. Temporary Use Permits are intended to be temporary in nature, and are not a viable long term land use solution.

Site Context

The 0.0264 hectares (0.0651 acres or 263.56 m²) subject property is vacant with no improvements on the site. The property is located in the commercial core of the community along the northern 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 backs onto MacPherson Lane which runs east-west between George Street (Highway 97A) and Belvedere Street.

The subject property and properties to the north, east, south and west are all zoned General Commercial (C.1) and are designated in the OCP as General Commercial, while the properties to the northwest are zoned Assembly, Civic and Public Service (S.1) and Highway and Tourist Commercial (C.2), and are designated in the OCP as Institutional and General Commercial respectively.

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



Figure 1: Zoning Map

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



Figure 2: Orthophoto

Development History

A commercial building (Little City Fashions) was previously located on the property but it was damaged through a structure fire and was subsequently demolished. In 2017, the City of Enderby became the owner of the property through the tax sale process. The City prepared a Request for Expressions of Interest seeking proposals from parties interested in purchasing 607 Cliff Avenue to redevelop the property to a mix of commercial and residential land uses. One Expression of Interest was received from Alpine Consultants Ltd. (Alpine) which proposed a ground-level commercial space with three residential dwelling units on the second storey.

Ultimately, a sale was negotiated which included a subject where the parties entered into a Housing Agreement/Section 219 Covenant in order to ensure that, i) the use of the proposed residential dwelling units was preserved into the future (i.e. dwelling units cannot be redeveloped or converted to a different use

without amending the Housing Agreement), and ii) tenants of the dwelling units were restricted to parking no more than one vehicle per dwelling unit in a public parking lot at any one time. This was assumed to have a net change of 1 parking stall from the prior use, which had a dwelling above without any parking restrictions.

The proposed development never occurred and the property was subsequently sold to the current owner; the Housing Agreement remains registered on the title of the property.

The Proposal

The applicant is proposing to have mobile vendors operate on the vacant property. Given that the City of Enderby Zoning Bylaw No. 1550, 2014 does not permit mobile vendors to operate on private property, anywhere in the community, the applicant is seeking a Temporary Use Permit in accordance with Section 493 of the *Local Government Act*. The applicant has requested the maximum three year term for the Temporary Use Permit.

The applicant has advised that they intend to gravel and clean the lot, install fencing, and place picnic tables and a port-a-potty on the lot. The applicant has advised that their primary focus for mobile vendors is food trucks, but they may explore other forms of mobile vendors (example: retail).

ZONING BYLAW:

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

- Accessory buildings and structures;
- Accommodation including apartments, dwelling units, hotels and motels;
- Assembly and civic use;
- Educational facilities and professional studios;
- Entertainment and recreation facilities;
- Food service;
- Office and commerce facilities;
- Public service use;
- Retail sales;
- Service and repair; and
- Transportation facilities.

Section 401.11.b of the City of Enderby Zoning Bylaw states that within the C.1 zone, every business or undertaking shall be conducted within a completely enclosed building, except for parking and loading facilities and outdoor garden shops. This provision restricts mobile vendors from operating on properties zoned General Commercial (C.1), except for temporarily delivering or catering to a residence, business, or construction site, in accordance with the City of Enderby Business License and Regulation Bylaw No. 1558, 2014; in those instances, a mobile vendor is temporarily servicing a permitted use on private property.

Section 313 of the Zoning Bylaw states that pursuant to Section 920.2 (now Section 492) of the *Local Government Act*, all zones within the City are designated as areas for the issuance of Temporary Use Permits, subject to the following general conditions:

- a. The use is temporary or seasonal in nature;
- b. The use is not noxious or undesirable because of smoke, noise, vibration, dirt, glare, odour, radiation, electrical interference, or an offensive trade within the meaning of the Health Act;
- c. There are no negative impacts on the lands in the vicinity;
- d. There is no significant increases in the level or demand for services;
- e. There are no permanent alterations to the subject site; and
- f. The use complies with all of the conditions specified by Council as a condition of the issuance of the Permit.

OFFICIAL COMMUNITY PLAN:

Policies contained within the OCP which apply to this development include:

- Policy 2.2.b - To maintain and enhance the City of Enderby as a sustainable, diverse, vibrant, unique and attractive community.
- 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.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.c - Council will work with the business community and stakeholders to promote a diverse local economy that provides the goods and services necessary to competitively meet local demand and attract visitors.
- 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 18.1 - Subject to the designation of areas and conditions in the Zoning Bylaw, Council may issue Temporary Use Permits in all areas of the City.

REFERRAL COMMENTS:

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

The Fire Chief advised that the applicant should provide a fire prevention plan as part of the proposed development, and confirmed that food trucks would be inspected as part of the Business Licensing process.

No other comments were received in response to the referral.

PLANNING ANALYSIS:

As noted above, Section 313 of the City of Enderby Zoning Bylaw states that pursuant to Section 920.2 (now Section 492) of the *Local Government Act*, all zones within the City are designated as areas for the issuance of Temporary Use Permits, subject to the following general conditions:

- a. The use is temporary or seasonal in nature;
- b. The use is not noxious or undesirable because of smoke, noise, vibration, dirt, glare, odour, radiation, electrical interference, or an offensive trade within the meaning of the Health Act;
- c. There are no negative impacts on the lands in the vicinity;
- d. There is no significant increases in the level or demand for services;
- e. There are no permanent alterations to the subject site; and
- f. The use complies with all of the conditions specified by Council as a condition of the issuance of the Permit.

Staff are recommending that Council not authorize the issuance of a Temporary Use Permit given that the proposed use of mobile vendors on the subject property would conflict with condition c. above, as follows:

- The proposal is inconsistent with the intent of the permitted uses of the General Commercial (C.1) zone, which are intended to foster a downtown experience involving brick-and-mortar dining and retail opportunities;
- The COVID-19 pandemic has had a profound impact on the restaurant industry, and permitting food trucks to operate in close proximity to several restaurants who have had to manage on-going restrictions related to Public Health Orders would place a further strain on these businesses;
- There is demand for commercial and mixed use floor space within the downtown and permanent construction should be encouraged; and
- Permitting mobile vendors on the subject property creates a precedent for other vacant parcels in the commercial core, which may encourage those property owners to seek alternatives to permanent construction that runs contrary to the development objectives for the downtown.

While Staff advise against it, should Council wish to authorize the issuance of a Temporary Use Permit to permit mobile vendors to operate on the property, it is recommended that the following modified terms and conditions be imposed to limit the impacts (Alternate Resolution A):

1. The term of the Temporary Use Permit shall be 2 years

A shorter term for the Temporary Use Permit is preferred in order to encourage the property to transition to permanent construction sooner rather than later.

2. No more than one mobile vendor may operate on the property at any given time and mobile vendors are restricted from selling prepared foods (i.e. foods produced for immediate consumption)

In order to mitigate potential negative impacts on adjacent businesses who would be in direct competition with the vendors, it is recommended that the number of mobile vendors that may operate on the property at any given time be limited to one. Furthermore, it is recommended that

mobile vendors be restricted from selling prepared foods in order to prevent competition with restaurants in the downtown, who have had been significantly affected by the pandemic.

3. The property owner shall provide a surfacing/grading plan to the satisfaction of the City of Enderby, and surface the property in accordance with the approved plan prior to any mobile vendors operating on the property

The vacant parcel is not surfaced and is predominantly dirt and weeds. In order to prevent dirt and debris from being tracked on to the adjacent street, lane or sidewalk through vehicular or pedestrian traffic, it is recommended that the applicant be required to surface the property to an adequate standard. The applicant would be required to provide a surfacing/grading plan to the satisfaction of the City of Enderby prior to commencing the temporary use.

4. The property owner shall be responsible for providing suitable garbage collection containers and to keep the area around the vending location free of any waste material originating from the vendor's operation

This is a standard condition for mobile vendors who are permitted to operate on public property, and would also be applicable to mobile vendors operating on private property.

5. The operation of mobile vendors shall not result in nuisances by way of excessive noise, unsightliness, or odour

Given that mobile vendors operate outside of an enclosed building, and generally do not have access to the same level of utilities and services as a typical business (i.e. bathroom facilities, electrical services, etc.), these types of operations are more prone to creating nuisances (i.e. odour from porta-potty, running generators, etc.); by explicitly stating that the operation of mobile vendors shall not result in nuisances, the property owner will need to ensure that the types of mobile vendors that they are bringing onto the property are appropriate for the context of the site, and that they are taking the necessary steps to mitigate any potential impacts to the downtown.

6. Any mobile vendor operators operating on the property must obtain a City of Enderby Business License

Under the City's Business License Bylaw, mobile vendors are required to obtain an annual Business License. The licensing process ensures that the mobile vendors obtain the necessary inspections (i.e. fire and health inspections, as applicable) prior to operating.

7. The property owner shall provide a fire prevention plan to the satisfaction of the City of Enderby

As mentioned by the Fire Chief in his referral comments, the provision of a fire prevention plan will ensure that the property owner is giving due consideration to fire prevention measures on the property.

8. The property owner shall provide a sworn affirmation acknowledging that they are responsible for ensuring that the above conditions are adhered to and that failure to do so may result in the City revoking the Temporary Use Permit.

This requirement will help to avoid a situation where the City is managing and enforcing potential impacts or nuisances related to the operation of mobile vendors on the property, and instead ensure that the property owner is aware that it is their responsibility to ensure that the above conditions are adhered to, and that failure to do so may impact their ability to continue the temporary use.

In the alternative, Council can issue a Temporary Use Permit that matches the owner's request, that being for a 3-year term, no restrictions on goods sold, and two mobile vendors permitted (Alternate Resolution B); the other requirements related to on and off-site impact management would continue to apply as conditions on the Permit.

Alternatively, Council may choose to authorize the issuance of a Temporary Use Permit with additional or fewer (if any) terms and conditions, as it feels appropriate.

SUMMARY

This is a Temporary Use Application which proposes to allow mobile vendors to operate on the property located at 607 Cliff Avenue for a three year period. Given that it is anticipated that the proposed temporary use would have negative impacts on the lands in the vicinity, the City of Enderby Planner recommends that Council does NOT authorize the issuance of a Temporary Use Permit.

Prepared By:



Kurt Inglis, MCIP, RPP
Planner and Deputy Corporate Officer

Reviewed By:



Tate Bengtson
Chief Administrative Officer

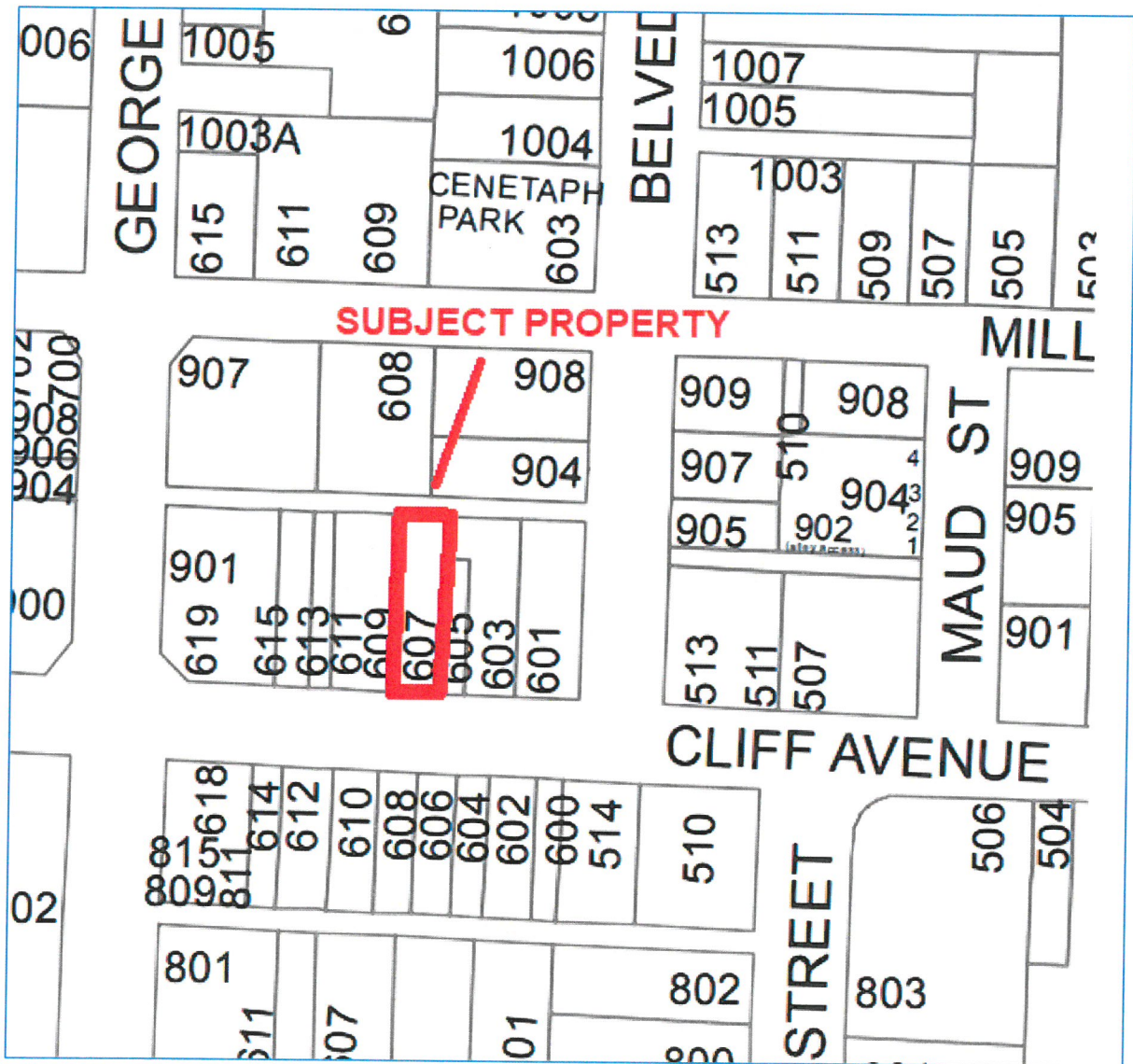
THE CORPORATION OF THE CITY OF ENDERBY
TEMPORARY USE PERMIT APPLICATION
SUBJECT PROPERTY MAP

File: 0005-21-DVP-END (Heins)

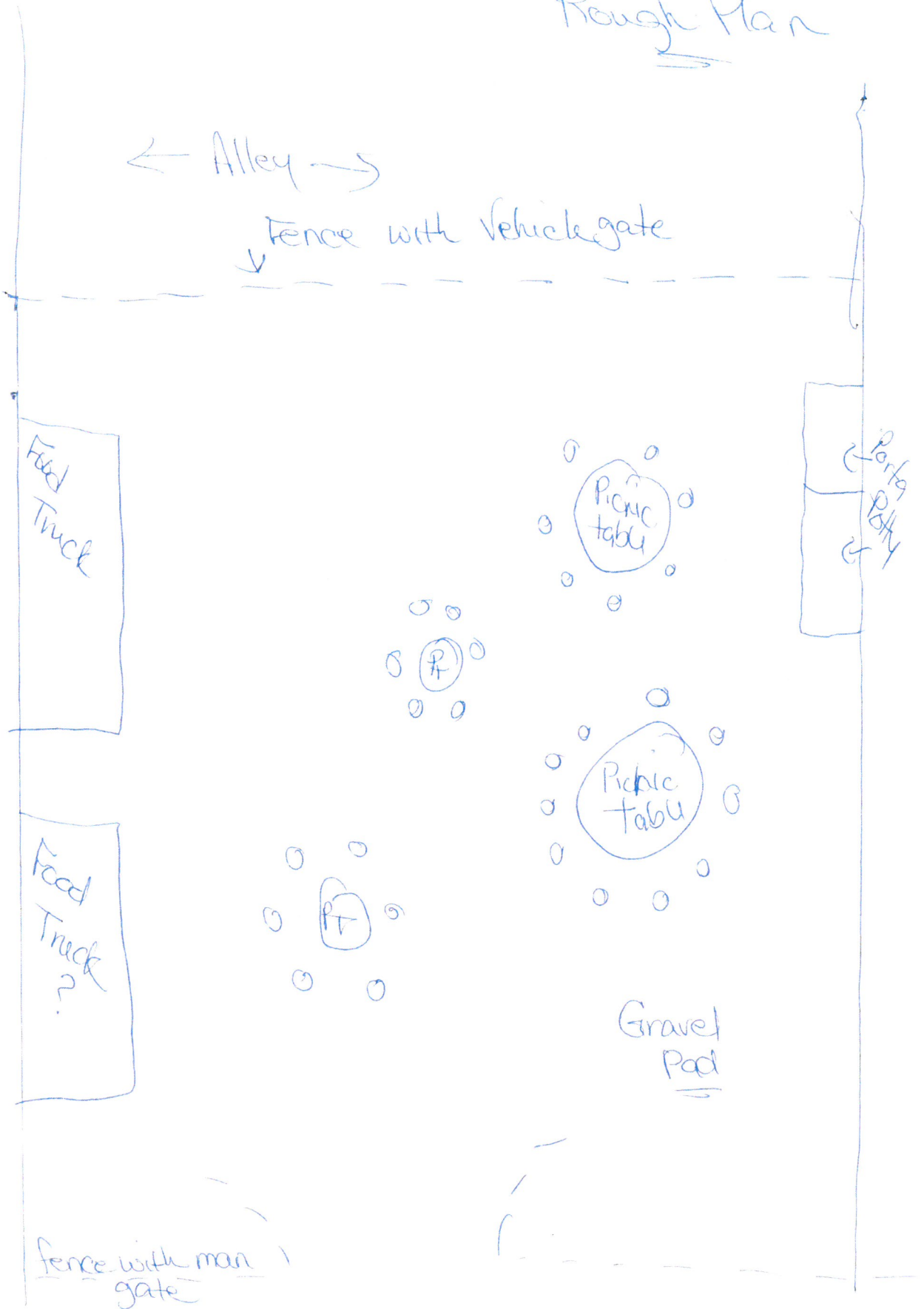
Applicant: Lori Heins

Owner: Heins North Services Ltd.

Location: 607 Cliff Avenue, Enderby BC



Rough Plan



Cliff Ave

We purchased the downtown lot with the intent of building. Covid hit and building costs skyrocketed. At this time we would like to utilize the lot in a small way to enhance the downtown core and sty covid compliant.

Our plan is to clean and gravel the lot. We would like to put fencing up (for security but aesthetically pleasing) picnic tables and porta pottys. We are exploring the possibility of providing water / electrical by way of a temporary lockable utilities connection. We are speaking with different food truck vendors and hoping to provide a variety of different options that will not conflict with existing brick and mortar businesses already in place. While food truck vendors are our primary focus we are not tied to that as the only usage for the lot. We have agreed to allow the Farmer's Market to use our lot for the porta potty and barricade storage. It could be used by other groups in the area for small covid compliant events. Our focus is to render the lot as it is to be more utilizable for the downtown core of Enderby for the benefit of the community and it's visitors.

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner and Deputy Corporate Officer
Date: May 25, 2021
Subject: 0011-21-ZTA-END (Mandair) - Third Reading and Adoption of Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1726, 2021

RECOMMENDATION

THAT Council receives and files the attached Staff Report dated May 10, 2021;

AND THAT upon consideration of input at the Public Hearing, Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1726, 2021 which proposes to reduce the minimum lot area for single-family dwellings on the property legally described as LOT 7 DISTRICT LOT 226 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN KAP50468 and located at 2009 McGowan Street, Enderby BC from 450 m² (4,844 square feet) to 350 m² (3,767 square feet) be given Third Reading and Adoption;

AND FURTHER THAT should Council give Third Reading and Adoption to Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1726, 2021, such Adoption shall come into force and effect once the Ministry of Transportation and Infrastructure has endorsed the Bylaw.

BACKGROUND

A Zoning Text Amendment Application has been submitted for the property located at 2009 McGowan Street, Enderby BC. The applicant is proposing to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to reduce the minimum lot area for single-family dwellings on the property legally described as LOT 7 DISTRICT LOT 226 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN KAP50468 and located at 2009 McGowan Street, Enderby BC from 450 m² (4,844 square feet) to 350 m² (3,767 square feet). The proposed Zoning amendment would facilitate a subdivision of the property to create smaller single-family lots; although the subject property's R.2 zoning designation permits two-family subdivisions, the applicant is not proposing to reduce the minimum lot area for two-family dwellings.

A plan showing lot lines and road dedication would be required at the subdivision application stage. At this time, the proposal before Council only relates to the minimum lot size for single-family dwellings. If the subdivision plan is not able to demonstrate that the development meets all City of Enderby Zoning Bylaw and Subdivision Servicing and Development Bylaw requirements (minimum lot size, lot frontage, maximum lot coverage, etc.) the applicant would be required to seek a lot frontage waiver and/or variances from Council.

It should be noted that by law, there is a presumptive right to develop private property provided it is consistent with land use regulations (unless varied for site specific reasons) and Provincial enactments; to ensure this, the City's Subdivision Approving Officer completes a technical evaluation based on an objective reading of the City's land use regulations and servicing standards as well as Provincial enactments. Part of this process involves the Subdivision Approving Officer evaluating the road network plans over and against the legal requirements under Section 75 of the *Land Title Act*, to ensure that the road network follows a practical course; Section 75 states:

75 (1) A subdivision must comply with the following, and all other, requirements in this Part:

(a) to the extent of the owner's control, there must be a sufficient highway to provide necessary and reasonable access

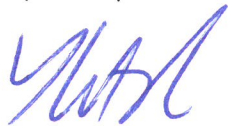
(i) to all new parcels, and

(ii) through the land subdivided to land lying beyond or around the subdivided land;

(b) all highways provided for in a subdivision plan or otherwise legally established on lands adjoining, lying beyond or around the land subdivided must be continued without unnecessary jogs and must be cleared, drained, constructed and surfaced to the approving officer's satisfaction, or unless, in circumstances the approving officer considers proper, security is provided in an amount and in a form acceptable to the approving officer;

At the Regular Meeting of May 17, 2021, Council gave First and Second Readings to Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1726, 2021 and forwarded it to a Public Hearing; the Public Hearing provides an opportunity for all persons who believe that their interest in property is affected by the Bylaw to make public representation. Following the conclusion of the Public Hearing, Council will consider the Bylaw for Third Reading and Adoption.

Respectfully Submitted,



Kurt Inglis
Planner and Deputy Corporate Officer

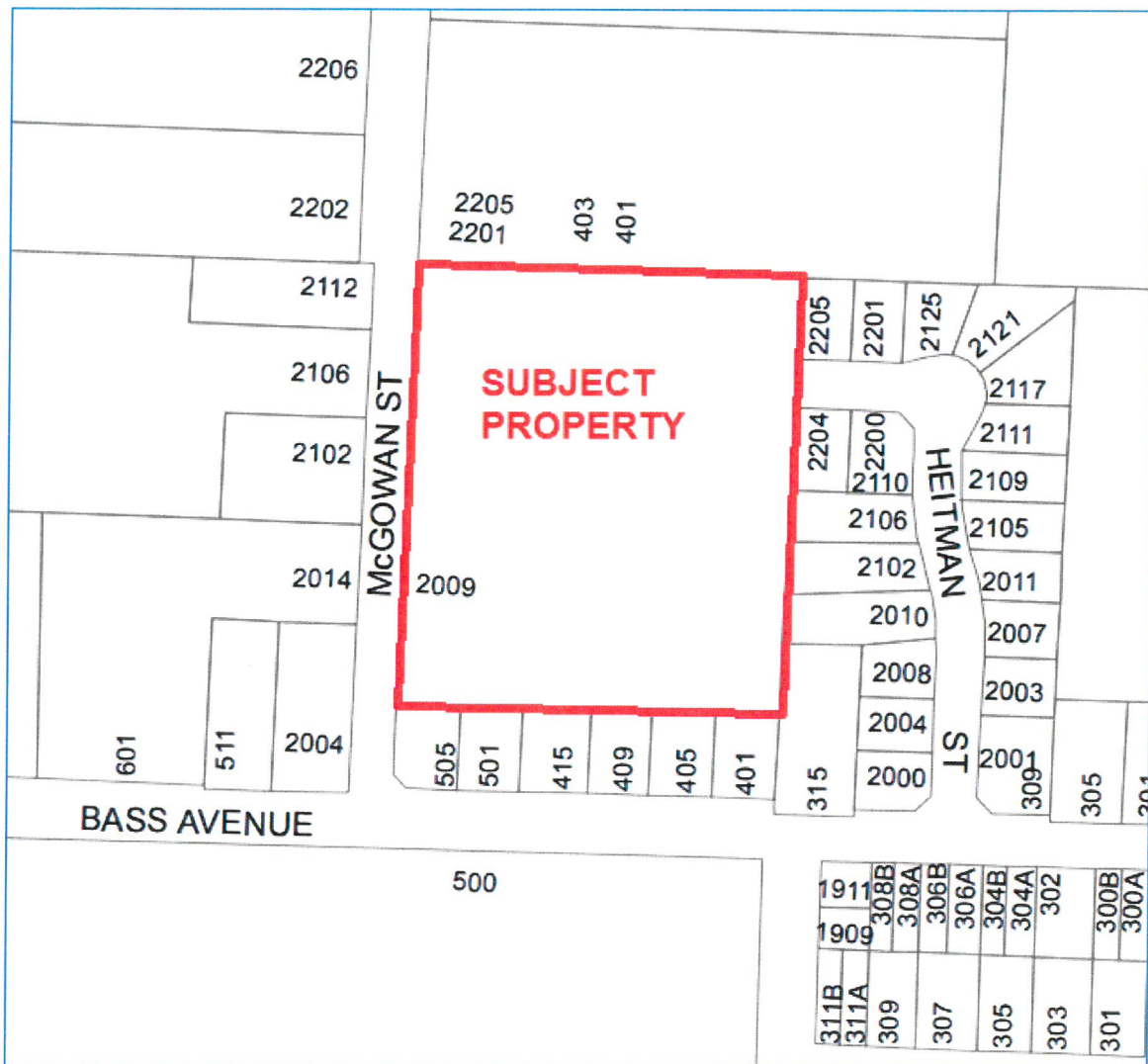
THE CORPORATION OF THE CITY OF ENDERBY
ZONING TEXT AMENDMENT APPLICATION
SUBJECT PROPERTY MAP

File: 0011-21-ZTA-END (Mandair)

Applicant: Jaswinder (Ron) Mandair

Owner: John Pavelich and Marjorie Abbott

Location: 2009 McGowan Street, Enderby BC



**CITY OF ENDERBY
ZONING TEXT AMENDMENT APPLICATION**

File No.: 0011-21-ZTA-END

May 10, 2021

APPLICANT: Ron Mandair

OWNER: John Pavelich and Marjorie Abbott

LEGAL DESCRIPTION: LOT 7 DISTRICT LOT 226 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN KAP50468

P.I.D #: 018-377-297

CIVIC ADDRESS: 2009 McGowan Street, Enderby BC

PROPERTY SIZE: 2.28 hectares (5.63 acres/22,784 m²)

ZONING: Residential Two Family (R.2)

O.C.P DESIGNATION: Residential Low Density

PROPOSAL: Subdivision

PROPOSED TEXT AMENDMENT: Reduce the minimum lot area for single-family dwellings on the subject property from 450 m² (4,844 square feet) to 350 m² (3,767 square feet)

RECOMMENDATION:

THAT City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1726, 2021 which proposes to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to reduce the minimum lot area for single-family dwellings on the property legally described as LOT 7 DISTRICT LOT 226 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN KAP50468 and located at 2009 McGowan Street, Enderby BC from 450 m² (4,844 square feet) to 350 m² (3,767 square feet), be given First and Second Reading and forwarded to a Public Hearing.

BACKGROUND:

This report relates to an application to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to reduce the minimum lot area for single-family dwellings on the property legally described as LOT 7 DISTRICT LOT 226 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN KAP50468 and located at 2009 McGowan Street, Enderby BC from 450 m² (4,844 square feet) to 350 m² (3,767 square feet). The proposed Zoning amendment would facilitate a subdivision of the property to create smaller

single-family lots; although the subject property's R.2 zoning designation permits two-family subdivisions, the applicant is not proposing to reduce the minimum lot area for two-family dwellings.

Site Context:

The 2.28 hectares (5.63 acres/22,784 m²) property is located on the east side of McGowan Street. The northeast corner of the lot abuts the temporary-terminus of Heitman Street (Heitman Street was constructed with the intention of it ultimately continuing through the subject property as a through-road, once the property developed). A single-family dwelling and several accessory residential buildings are located in the southwest corner of the lot, with the remainder of the lot remaining as an undeveloped field.

The entirety of the property, except for a small sliver of the southwest corner, is located within the 200-year floodplain. The property directly abuts a neighbouring lot to the north that is located in the Agricultural Land Reserve.

The subject property and several properties to the south are zoned Residential Two Family (R.2) and are designated in the OCP as Residential Low Density. The properties to the east and southeast are zoned Residential Single Family (R.1) and are designated in the OCP as Residential Low Density. The properties to the north are zoned Country Residential (C.R) and are designated in the OCP as Agricultural. The properties to the west are zoned Light Industrial (I.1) and are designated in the OCP as Light Industrial.

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

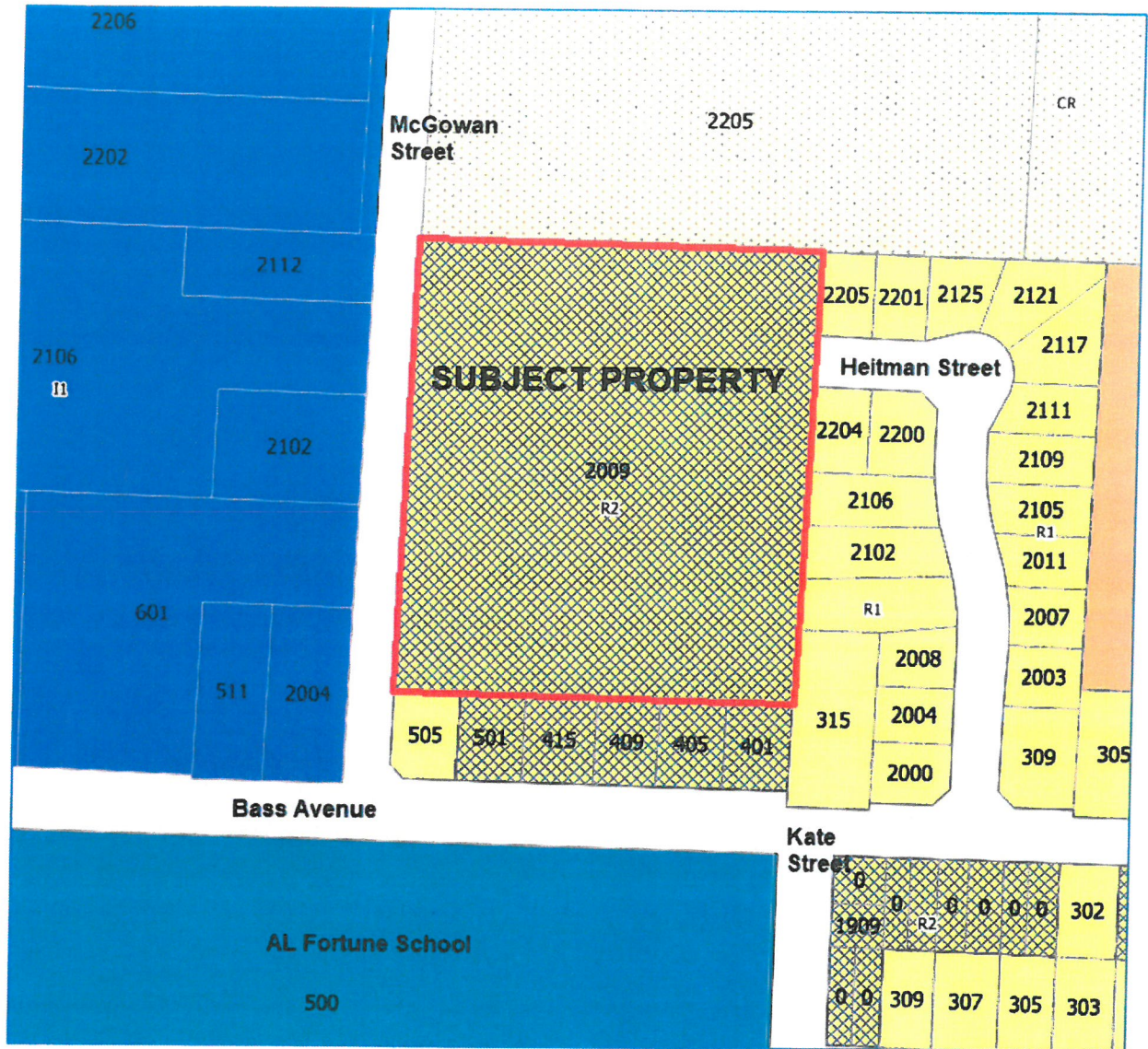


Figure 1: Zoning Map

- Cross Hatch – Residential Two Family (R.2)
- Yellow – Residential Single Family (R.1)
- Dotted – Country Residential (C.R)
- Blue – Light Industrial (I.1)
- Teal - 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 intending to subdivide the property. Under the property's Residential Two Family (R.2) zoning designation, the property can be subdivided to create either single-family or two-family (duplex) lots. The applicant is applying to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to reduce the minimum lot area for single-family dwellings on the property from 450 m² (4,844 square feet) to 350 m² (3,767 square feet), in order to facilitate a subdivision involving smaller single-family lots; this reduction to the minimum lot area for single-family dwellings effectively enables the applicant to build to the same density as if they built duplexes, which have a minimum lot area of 350 m² (3,767 square feet) per half

duplex. Council should note that there are no variances to the lot coverage requirement, which remains at 50% (max.) of the lot area.

A plan showing lot lines and road dedication would be required at the subdivision application stage. At this time, the variance before Council only relates to the minimum lot size for single-family dwellings. If a subsequent subdivision plan is not able to demonstrate that the development meets all City of Enderby Zoning Bylaw standards (minimum lot size, lot frontage, maximum lot coverage, etc.) the applicant would be required to seek a lot frontage waiver or variances from Council.

ZONING BYLAW:

The property is currently zoned Residential Two Family (R.2); uses permitted within this zone include:

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

The minimum lot area provisions for the R.2 zone are as follows:

- a. 450 m² (4,844 square feet) for single family dwellings; or
- b. 700 m² (7,535 square feet) for two family dwellings; or
- c. 560 m² (6,028 square feet) for convalescent, nursing, and personal care home use; or
- d. 350 m² (4,036 square feet) for each half of a two family dwelling subdivided as per Section 603.10.e of the Zoning Bylaw.

The majority of the property is located within the 200-year floodplain, thus any dwellings constructed over those portions of the property that are within the 200-year floodplain would need to be constructed to the specified minimum flood construction levels (i.e. a minimum elevation).

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 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*.

No additional detailed comments were received in response to the referral.

PLANNING ANALYSIS:

The City of Enderby Planner raises no objections to the applicant's request to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to reduce the minimum lot area for single-family dwellings on the subject property from 450 m² (4,844 square feet) to 350 m² (3,767 square feet), in order to facilitate a subdivision involving smaller single-family lots, for the following reasons:

- Under the property's existing R.2 zoning designation, a lot area of 350 m² is permitted for half duplexes (i.e. a two family dwelling that straddles a property line), therefore the proposed reduction in minimum lot area for single-family dwellings would be consistent with the densities that are already permitted on the subject property for two-family dwellings;

- The proposal would facilitate more intensive infill development, which is a key element of Smart Growth development and is supported in the OCP, and provides the following community benefits:
 - More efficient use of land by increasing the ratio of improvement-to-land values;
 - Reducing pressures related to greenfield development and boundary expansion which supports urban containment and rural protection;
 - Focusing future growth within developed areas of the community in order to maximize the value derived from existing infrastructure; and
 - Adding residential capacity without encroaching upon rural protection zones.
- Permitting smaller single-family lots would enable higher densities to be achieved through a single-family subdivision, which would increase the availability of housing within the community; the City of Enderby Housing Needs Report states, *“The limited growth in the housing sector over the past decade may be attributed to a relatively low supply of vacant lots in the community upon which single family dwellings could be developed.”*;
- The community currently has a relatively low supply of vacant single-family lots which are available for new construction; permitting smaller single-family lots on the subject property would increase the yield of single-family lots that could be created through subdivision;
- Permitting smaller single-family lots, which are generally accompanied by smaller dwellings, will help to introduce a lower-cost form of single-family development to the local housing spectrum; the introduction of lower-cost single-family development into the local market will help to support attainable housing¹;
- The subject property has access off of both Heitman Street and McGowan Street and thus it is anticipated that the adjacent road network is sufficient to meet the incremental traffic demands associated with the potential increase to density associated with a single-family subdivision;
- Smaller single-family lots are a relatively low intensity form of residential development and would not mark a significant change from the character of the surrounding neighbourhood; and
- Permitting smaller single-family lots would increase the likelihood of the property developing as a single-family versus a two-family standard, which would be more consistent with broader neighbourhood context.

SUMMARY

This is an application to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to reduce the minimum lot area for single-family dwellings on the property legally described as LOT 7 DISTRICT LOT 226 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN KAP50468 and located at 2009 McGowan Street, Enderby BC from 450 m² (4,844 square feet) to 350 m² (3,767 square feet), in order to facilitate a subdivision involving smaller single-family lots; although the subject property’s R.2 zoning

¹ The City of Vernon Attainable Housing Strategy defines “attainable housing” as the ability of households to enter into, and graduate to successively higher levels of, the local housing market.

designation permits two-family subdivisions, the applicant is not proposing to reduce the minimum lot area for two-family dwellings.

The City of Enderby Planner raises no objections to the applicant's request and recommends that Council authorize the issuance of a Development Variance Permit.

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

BYLAW NO. 1726, 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. 1726, 2021".
2. Division Six – Residential Zones (R.2) of Schedule "A" of Zoning Bylaw No. 1550, 2014 is hereby amended by adding Section 603.11.d as follows:
 - i. Notwithstanding the minimum lot area requirements outlined in Section 603.6.a of this Bylaw, the minimum lot area for single-family dwellings on the property legally described as LOT 7 DISTRICT LOT 226 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN KAP50468 and located at 2009 McGowan Street, Enderby BC, and any subsequent lots created through subdivision of this property, is 350 m² (3,767 square feet).

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

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Mayor and Council
From: Tate Bengtson, CAO
Date: June 1, 2021
Subject: Notice of Motion (Mayor McCune): Joint Letter to Minister of Transportation and Infrastructure

NOTICE OF MOTION

THAT Council directs staff to send a letter to the Honourable Rob Fleming, Minister of Transportation and Infrastructure, requesting a joint meeting with the Township of Spallumcheen, the City of Armstrong, and the City of Enderby, regarding joint concerns over speed, access, and congestion along Highway 97A.

BACKGROUND

Mayor McCune recently met with the Mayors of the City of Armstrong and the Township of Spallumcheen. The purpose of the meeting was to discuss broadly shared joint concerns respecting speed, access, and congestion along Highway 97A (also known as George Street, through the City of Enderby).

The above resolution is intended to be passed by all three Councils, with the intention of engaging the Minister of Transportation and Infrastructure in a direct meeting to discuss those shared concerns.

Strategic Plan Implications

This notice of motion compliments the following objective from Council's strategic plan:

Support coordination of the Highway 97A and rail-trail planning processes at the technical and policy levels to ensure positive outcomes for Enderby.

While the Ministry-led process is intended to identify the long-term alignment for the expansion of Highway 97A through the City of Enderby, it is anticipated that this process will identify a set of shorter-term "corridor management" strategies, for which the values of speed, access, and congestion should be addressed to the extent that is feasible, given the existing challenges. In that regard, engaging at the ministerial level may prove beneficial.

Financial and Opportunity Cost Implications

The notice of motion is to request a joint meeting with the Minister responsible. Assuming that the meeting is conducted using virtual technology, it is unlikely that there will be significant financial costs. Should there be a subsequent request for local governments to fund an independent planning study, this would need to be brought back to Council for evaluation, prior to any commitment being made.

The opportunity cost associated with the notice of motion as presented is relatively minor and compliments current priorities. There will be staff time dedicated to collaborating with colleagues in Armstrong and Spallumcheen on the generation of the letter to the Minister and then developing a joint policy brief on the shared concerns. Should there be a proposal to expand the initiative beyond the current scope, Council will be asked to evaluate the degree to which it wishes to prioritize staff resources to this, over and against other competing priorities.

Respectfully submitted,



Tate Bengtson
Chief Administrative Officer

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner and Deputy Corporate Officer
Date: May 28, 2021
Subject: Bylaw Enforcement Statistics for First Period of 2021 (Jan-Apr)

RECOMMENDATION

THAT Council receives this memorandum for information.

BACKGROUND

The bylaw enforcement statistics for the first period of 2021 (Jan - Apr) are attached to this memorandum as Appendix "A"; the highlights of these statistics are as follows:

- A total of 57 complaints were received between January 1, 2021 and April 30, 2021, which is more than the first period of 2020 (41 complaints) but comparable to 2019 (64 complaints);
- The most common complaints were related to excessive barking, dogs at large, and unlawful parking (combined 49.1% of complaints);
- Of the 57 complaints, 33 (57.9%) were resolved through voluntary compliance or were already compliant upon investigation;
- The City issued the following:
 - 21 warnings;
 - 5 Bylaw Notices;
 - 1 Dangerous Dog Designation; and
 - 1 Set of Conditions Imposed on Business License.
- The City received 1 COVID-19 related complaint in the first period of 2021, which was a report of a local business not adhering to WorkSafe BC requirements with respect to masks; City Staff followed up with the business and determined that they were compliant with WorkSafe BC requirements and were adhering to their COVID-19 Safety Plan; the original complainant had made incorrect assumptions as to what the mask requirements were for this type of business.

Respectfully Submitted,



Kurt Inglis
Planner and Deputy Corporate Officer

Appendix "A" - BYLAW COMPLAINT STATISTICS FOR FIRST PERIOD OF 2021 (JAN-APR)

BREAKDOWN OF COMPLAINTS		
Category	No. of Complaints	Percentage of Complaints
Dogs	24	42.1%
Property	11	19.3%
Parking/Traffic	10	17.5%
Nuisance	5	8.8%
Zoning	3	5.3%
Public Spaces	2	3.5%
Building	1	1.8%
COVID-19	1	1.8%
TOTAL	57	
Identified By	Bylaw Enforcement / Staff	Public
	17 (29.8%)	40 (70.2%)

DOG COMPLAINTS		
Type	No. of Complaints	Percentage of Dog Complaints
Excessive Barking	13	54.2%
Dog at Large	7	29.2%
Aggressive Dog	1	4.2%
Dog on Person Attack	1	4.2%
Failure to Remove Feces	1	4.2%
Dog Chasing Vehicle	1	4.2%
TOTAL	24	
Complaints Per Jurisdiction	Enderby	Area 'F'
	14 (58.3%)	10 (41.7%)

PROPERTY COMPLAINTS		
Type	No. of Complaints	Percentage of Property Complaints
Unightly Property	5	45.4%
Snow/Ice Removal	4	36.4%
Unlawful Burning	2	18.2%
TOTAL	11	

PARKING/TRAFFIC COMPLAINTS		
Type	No. of Complaints	Percentage of Parking/Traffic Complaints
Unlawful Parking	8	80%
Deposit Snow on to Roadway	1	10%
Vegetation Hanging on to Roadway	1	10%
TOTAL	10	

NUISANCE COMPLAINTS		
Type	No. of Complaints	Percentage of Nuisance Complaints
Excessive Noise	4	80%
Burning Garbage	1	20%
TOTAL	5	

ZONING COMPLAINTS		
Type	No. of Complaints	Percentage of Zoning Complaints
Unlawful Use	2	66.6%
Living in Trailer	1	33.3%
TOTAL	3	

PUBLIC SPACES COMPLAINTS		
Type	No. of Complaints	Percentage of Public Spaces Complaints
Unlawful Placement of Signs	2	100%
TOTAL	2	

BUILDING COMPLAINTS		
Type	No. of Complaints	Percentage of Building Complaints
Construction without a permit	1	100%
TOTAL	1	

COVID-19 COMPLAINTS		
Type	No. of Complaints	Percentage of COVID-19 Complaints
Business not adhering to WorkSafe BC Requirements	1	100%
TOTAL	1	

Tate Bengtson

From: INFRA MUNI:EX <INFRA@gov.bc.ca>
Sent: Tuesday, May 11, 2021 12:40 PM
To: INFRA MUNI:EX
Subject: Re: Climate Action Revenue Incentive Program (CARIP) Reporting 2020

AGENDA

To: All Municipal and Regional District Chief Administrative Officers and Chief Financial Officers

Re: Climate Action Revenue Incentive Program (CARIP) Reporting 2020

Many thanks to all who joined Deputy Minister Okenge Yuma Morisho and me on today's call about the Climate Action Revenue Incentive Program (CARIP), please accept our apologies for the technical difficulties on the call that some experienced. This email includes the information that was shared during the call. We want to emphasize that local governments throughout British Columbia have shown great leadership on climate action. The province is committed to working with local governments to reach our climate goals and make life better for people across British Columbia.

For those who were unable to attend or hear due to some technical difficulties on the call, I wish to inform you and your staff that the CARIP will be wrapping up in the 2021/22 fiscal year. During this final program year, local governments will be required to complete and submit the 2020 Carbon Tax Calculation Form. **This will be the only reporting requirement.**

All program information is available on the [Ministry of Municipal Affairs' CARIP webpage](#). In particular, we encourage you to review the CARIP [Program Guide](#) for 2020 prior to completing the 2020 [Carbon Tax Calculation Form](#).

CARIP Reporting Requirement

1. **2020 Carbon Tax Calculation Form (submission deadline: August 6, 2021)**

Complete and submit a signed electronic version of the form to INFRA@gov.bc.ca. This form requires Financial Officer certification.

The end of the CARIP program should not be interpreted as the Province pulling back from the productive relationship we have and we look forward to working with UBCM, through the Green Communities Committee, to support the goals of the Climate Action Charter.

Under CleanBC, the Province of British Columbia has put a priority on reducing pollution, boosting energy-efficient solutions and building a low-carbon economy. Local governments will continue to be a key partner in our collective efforts to address the challenges of a changing climate, playing a specific and important role in British Columbia's climate goals.

Just as local governments' actions on climate solutions have evolved in the past decade, our government is responding to support you with tools and funding programs such as:

- Updating the BC Action Climate Toolkit and the Green Communities Committee Carbon Neutral Framework.

- Investing \$110 million in combined provincial and federal funding to help local governments and Indigenous communities develop energy efficiency and clean energy projects through the Investing in Canada Infrastructure Program CleanBC Communities Fund.
- Working with the federal government to assess the climate impacts of all major infrastructure being funded under the Investing in Canada Infrastructure Program to reduce GHG emissions and increase resilience to climate change, which benefits communities and creates jobs.
- Boosting active transportation infrastructure with \$18 million through the Ministry of Transportation and Infrastructure.
- Making sure commuters can get out of their cars with historic investments in public transit, such as the Broadway Subway Line, and free transit for kids 12 and under starting this September.

Budget 2021 commits \$11 million in new funding to help local governments plan for compact, energy-efficient communities, directly supporting the Climate Action Charter's commitment to create complete, compact, energy-efficient rural and urban communities. We look forward to working with all local governments through UBCM and the Green Communities Committee on how to support greener and more livable communities.

Building on record investments in CleanBC, the Province will continue to strengthen our work with local governments and support the Climate Action Charter.

If you have any questions, please contact the Ministry of Municipal Affairs at (778) 698-3243 or INFRA@gov.bc.ca.

Kind regards,

Tara Faganello
Assistant Deputy Minister, Local Government Division
Ministry of Municipal Affairs



The Corporation of the District of Saanich | Mayor's Office

770 Vernon Avenue Victoria BC V8X 2W7 | T 250-475-5510 | F 250-475-5440 | www.saanich.ca

Sent via email

June 1, 2021

British Columbia Elected Officials
BC Chief Administrative Officers

Re: British Columbia Climate Action Revenue Incentive Program (CARIP) Ending

This letter will confirm that Council, at their meeting held May 17, 2021, considered a staff report on the end of the Climate Action Revenue Incentive Program (CARIP) and resolved as follows:

"That Council:

- 1. Receive for information the report of the Director of Planning dated May 13, 2021.*
- 2. Direct the Mayor to send a letter to the Premier, the Minister of Municipal Affairs; the Minister of Environment and Climate Change Strategy; the Minister of Finance, and the Union of British Columbia Municipalities (UBCM) based upon the draft provided, detailing the impact of cancelling the Climate Action Revenue Incentive Program (CARIP) and the need for a swift replacement that provides consistent, non-application funding to allow the District of Saanich and other municipalities to continue their work at a scale that can deliver on the Provincial CleanBC Plan and Municipal Climate Plans.*
- 3. Direct staff to draft a resolution to UBCM on a replacement CARIP program and present this to Council for consideration prior to the June 30, 2021 submission deadline.*
- 4. Share this report and attachments with the Capital Regional District Board of Directors, other BC municipal elected officials and Chief Administrative Officers in advance of the UBCM Conference in September, 2021."*

A copy of the report and draft meeting minutes are attached for information.

Sincerely,

A handwritten signature in blue ink, appearing to read "F. Haynes", with a horizontal line underneath.

Fred Haynes
Mayor
Enclosures

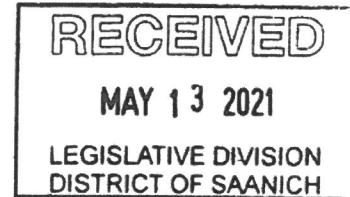
cc: Saanich Council
Sharon Hvozdzanski, Director of Planning, District of Saanich
Valla Tinney, Director of Finance, District of Saanich



The Corporation of the District of Saanich

Report

To: Mayor and Council
From: Sharon Hvozdanski, Director of Planning
Date: May 13, 2021
Subject: Ending the B.C. Climate Action Revenue Incentive Program (CARIP)
 File: 1300-50 • Provincial Governments



RECOMMENDATION

1. That Council receive this report for information.
2. That Council send a letter to: Premier John Horgan; the Minister of Municipal Affairs; the Minister of Environment and Climate Change Strategy; and the Union of B.C. Municipalities (UBCM) based upon the draft provided in Attachment 2, detailing the impact of cancelling the Climate Action Revenue Incentive Program (CARIP) and the need for a swift replacement that provides consistent, non-application funding to allow the District of Saanich and other municipalities to continue their work at a scale that can deliver on the Provincial CleanBC Plan and Municipal Climate Plans.
3. That Council direct staff to draft a resolution to the Union of B.C. Municipalities on a Replacement CARIP Program and present this to Council for consideration prior to the June 30, 2021 submission deadline.
4. That Council share this report and attachments with the Capital Regional District Board of Directors, other B.C. municipal elected officials and Chief Administrative Officers in advance of the Union of B.C. Municipalities Conference in September, 2021.

PURPOSE

The purpose of this report is to provide Council with information regarding:

- The announced end to the Provincial Climate Action Revenue Incentive Program (CARIP);
- The implications this has for District of Saanich climate action; and
- Proposed next steps.

DISCUSSION

Provincial Announcement - Climate Action Revenue Incentive Program (CARIP)

In terms of background, the Climate Action Revenue Incentive Program (CARIP) is a conditional grant program that provides funding to local governments that have signed the B.C. Climate

Action Charter. This funding equals 100% of the carbon taxes a local government pays to support their operations.

The program requires local governments to report annually on their greenhouse gas (GHG) emissions and encourages investment in climate action to help the Province deliver on its commitment to carbon neutrality. Since the Climate Charter was launched in 2007, 187 of 190 municipalities, regional districts and the Islands Trust have signed up, providing the Province with a comprehensive database of municipal corporate emissions inventories and corporate and community climate actions implemented at the local level.

On May 11, 2021 the Deputy Minister, and Assistant Deputy Minister for the Local Government Division of the Ministry of Municipal Affairs called a meeting with all Municipal and Regional District Chief Administrative Officers (CAO) to announce the end of the Climate Action Revenue Incentive Program. It was indicated that this decision was a direct result of the recently introduced Provincial Budget. A follow up e-mail was then issued that includes information shared at the meeting (see Attachment 1).

The Province has outlined that 2020 will be the final year for reporting, with the final grant paid to local governments in 2021. They indicated that at this stage no replacement program with unconditional funding is planned and future programs would be application based. They aim to work with local governments through UBCM and the Green Communities Committee on further supporting the CleanBC goals.

In light of the Federal government's renewed climate commitments prior to the United Nations Climate Change Conference (COP26), the withdrawal of this consistent provincial funding source for climate action was extremely unexpected and it is clear that local governments have not been engaged in this decision.

Implications

Loss of Consistent Funding

The District of Saanich has participated in the CARIP program since signing the Climate Charter in 2007 and has benefited from more than \$1.3 million over the last 10 years, with approximately \$150,000 annually in recent years.

This funding has been used within the Sustainability Division of the Planning Department to support staff wages, implement community climate mitigation and adaptation projects and to leverage larger climate related grant applications, which often require a substantial contribution from the local government partner.

Examples of projects supported by CARIP funding include, but are not limited to:

- Feasibility analysis, design and installation of multiple rounds of public Electric Vehicle (EV) charging stations;
- Communications campaigns for home energy efficiency upgrades, the Oil to Heat Pump program and Better Home BC rebates;
- Municipal top-ups to provincial rebates for home energy retrofits;

- Analysis and engagement to support the introduction of the Saanich Greener Garbage program and the BC Energy Step Code;
- Funding for the B.C. Sustainable Energy Association (BCSEA) CoolIt! School climate leadership education program;
- Installation and maintenance of Bike kitchens at Saanich facilities;
- Support for engagement and analysis related to electric mobility and development of the Electric Mobility Strategy; and
- Workshops on local food production and processing.

Until approval of the 2021 Budget in May of this year, CARIP has been the main source of sustained and consistent funding for community focused climate action at the District of Saanich, with the Carbon Fund used for corporate climate action projects. While Council has committed to multiple one-time resource requests to support climate action where opportunities arose or costs exceeded CARIP funding, this approach does not provide the reliability afforded by the CARIP program. As such, CARIP has been instrumental in the development of a District of Saanich Sustainability Division and the hiring and retention of sustainability staff. Many other B.C. municipalities will have sustainability staff that are still resourced through CARIP funding.

Therefore, the clear lack of a replacement program that provides a consistent and reliable funding source for municipal climate action and the shift towards solely competitive funding streams and programs is of major concern.

Competitive funding programs and grants require significant effort, staff time and, often, financial resources to fund the analysis needed for an application with no guarantee of success. They also take substantial time and resources for evaluation by the decision making body. We regularly hear that grant programs and competitive funding streams are highly competitive and over-subscribed. In addition, they rely on match funding or financial contributions from the local government partner.

In the absence of either the CARIP program or a similar source of consistent funding, many municipalities will be limited in their ability to apply for such competitive programs or grants and it will be extremely difficult to develop work plans and implement climate programs that span multiple years based upon this competitive funding approach. This change is being implemented in a time of particular uncertainty when there is an overwhelming demand for municipal tax dollars to support core municipal services and local governments have limited ability to pivot on budget decisions. Removing dedicated climate action funding will create a shortfall that is unlikely to be met by many local governments through the municipal tax base.

Loss of Coordinated Reporting & Data

Saanich has recently committed to developing a comprehensive annual climate report card that aligns with the goals and actions outlined in the Climate Plan and Electric Mobility Strategy. Further, we report on community-wide GHG emissions through the Carbon Disclosure Project (CDP) using the globally recognized Global Protocol for Community Scale GHG Emissions Inventories (GPC Basic+). However, there are only a limited number of B.C. municipalities that are providing this level of climate reporting.

The CARIP program established a consistent climate reporting template for all B.C. local governments that had signed onto the Climate Charter and represents over a decade of publicly accessible data on municipal climate action. This is a true example of global best practice in coordinated climate reporting. Local government have spent significant effort building internal capacity and restructuring reporting systems to align with CARIP and the process has, in many municipalities, supported the development of strategic plans for climate action, monitoring and reporting on progress and the regular cross-departmental collaboration necessary to identify opportunities for climate related projects and programs.

Proposed Next Steps

Some amendments to the CARIP process and report template would be valuable and local governments can provide important insight moving forward. For instance, as Saanich and other municipalities move towards our corporate GHG reduction targets and increase our requirements for contractor climate responsibilities, we will pay less carbon tax as a result. While this should be addressed by an increase in the carbon tax in the short term, as we get close to our zero carbon targets, the CARIP funding will be reduced. In addition, funding based on fossil fuel consumption may be perceived as rewarding a lack of progress. As such, changes to the program could include the move from a carbon tax refund based upon fossil fuel consumption to one based on municipal population. However, there remains considerable benefit to continuing with a climate program that provides consistent funding tied to the delivery of a simple annual climate report.

A draft letter to: Premier John Horgan; the Ministry of Municipal Affairs; the Minister of Environment and Climate Change Strategy; and the Union of B.C. Municipalities (UBCM) is included as Attachment 2 for Council's consideration.

This letter outlines the value of the CARIP program and associated funding to the District of Saanich and the considerable implications for the program's end. It advocates for the Province to engage local governments in the design and implementation of a replacement program that offers consistent funding that is comparable to or greater than that is currently provided by CARIP. Program funding should be used for climate action (mitigation and adaptation), tied to a requirement for annual reporting on progress towards climate goals and should be in place for the first payments to be received by municipalities in 2022. It is recommended that Council sends this letter to the Provincial officials listed above.

In addition, there is the opportunity for Council to submit an endorsed resolution directly to UBCM prior to June 30, 2021 that would address the impact of ending the CARIP program and propose the swift development of a suitable replacement. It is recommended that Council direct staff to draft such a UBCM resolution for their consideration.

Finally, it is recommended that this Council report and attachments be shared with the CRD Board, other B.C. municipal elected officials and Chief Administrative Officers in support of an additional coordinated response and discussion at the UBCM Conference in September 2021.

ALTERNATIVES

1. That Council approve the recommendations as outlined in this report.
2. That Council reject the recommendations as outlined in this report.
3. That Council provide alternate direction to staff.

FINANCIAL IMPLICATIONS

The District of Saanich has participated in the CARIP program since signing the Climate Charter in 2007 and has benefited from more than \$1.3 million from the program over the last 10 years. In 2020, CARIP funding amounted to \$154,072. This forms a substantial portion of the Sustainability Division's budget. Should a similar Provincial program that provides consistent funding for municipal climate action not be developed to replace CARIP by 2022, then staff will need to bring forward a resource request to Council as part of the 2022 budget to ensure the required sustained funding necessary, to effectively deliver on the Climate Plan actions and goals. As always, staff will continue to apply for senior government and other sources of external funding. That said, the time spent seeking out and applying for external funding draws valuable staff resources away from work on corporate and community GHG initiatives.

STRATEGIC PLAN IMPLICATIONS

The 2021 Council Budget requests and Sustainability Division and Planning Department work plans have been developed on the understanding that the CARIP program will continue. As such, removal of this funding without a suitable and consistent replacement impacts the ability to deliver on the 2019-2023 Council Strategic Plan Goal: 'Climate Action and Environmental Leadership', most notably the initiative to implement Saanich's Climate Plan.

CONCLUSION

CARIP has been a valuable source of consistent and dedicated funding over the last decade, allowing municipalities to take action on climate change by resourcing staff, undertaking key emissions reduction projects and leveraging larger climate related grants. It is a true example of global best practice in coordinated and consistent climate reporting by local governments at the provincial level.

On May 11, 2021 the Ministry of Municipal Affairs announced the end of the CARIP program, with the final grant paid to local governments in 2021. This amounts to a loss of approximately \$150,000 in consistent annual funding to the District of Saanich, which is used to address climate change.

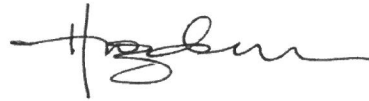
In light of the Provincial commitment to climate action outlined in CleanBC and the Federal government's renewed climate commitments prior to COP26, the end of the CARIP program and withdrawal of this consistent provincial funding source was extremely unexpected and it is clear that local governments have not been engaged in the decision. The absence of a replacement program and shift towards competitive funding applications has considerable implications for dedicated municipal staffing and actions on climate change and jeopardises a decade's worth of work monitoring and reporting on local government GHG emissions and progress.

As such, staff are recommending that Council advocate to the Province via letter to the Premier, appropriate Ministries and UBCM, for a swift replacement of the CARIP program with consistent, non-application based funding, tied to annual climate reporting and that this be followed by a Council endorsed resolution submitted to UBCM addressing the same. This will allow municipalities to continue their work at a scale necessary to address the Climate Emergency and deliver on CleanBC and Municipal Climate Plan goals.



Prepared by:

Rebecca Newlove, Manager of Sustainability



Approved by:

Sharon Hvozdzanski, Director of Planning

RN/jsp

- Attachments:**
1. E-mail from Province of BC, Ministry of Municipal Affairs Re: CARIP Reporting 2020, May 11, 2021
 2. Draft Letter to Premier John Horgan, the Minister of Municipal Affairs, the Minister of Environment and Climate Change Strategy and the Union of B.C. Municipalities (UBCM)

cc: Valla Tinney, Director of Finance

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planning



Paul Thorkelsson, Chief Administrative Officer

District of Saanich
Legislative Services Division t. 250-475-5501
770 Vernon Ave. f. 250-475-5440
Victoria BC V8X 2W7 saanich.ca



May , 2021

The Honourable John Horgan, MLA
Premier of British Columbia
Office of the Premier
PO Box 9041 Stn. Prov. Govt.
Victoria BC V8W 9E1

The Honourable Josie Osborne, MLA
Minister of Municipal Affairs
PO Box 9056 Stn. Prov. Govt.
Victoria BC V8W 9E2

The Honourable George Heyman, MLA
Minister of Environment and Climate Change Strategy
PO Box 9047 Stn. Prov. Govt.
Victoria BC V8W 9E2

Councillor Brian Frenkel
President, Union of B.C. Municipalities
Local Government House
525 Government Street
Victoria BC V8V 0A8

Dear Premier John Horgan:

Re: B.C. Climate Action Revenue Incentive Program (CARIP) Ending

This letter will confirm that Council, at their meeting held May 17, 2021, considered a staff report on the end of the Climate Action Revenue Incentive Program (CARIP) (see attached) and resolved as follows:

"That Council send a letter to: Premier John Horgan; the Minister of Municipal Affairs; the Minister of Environment and Climate Change Strategy; and the Union of B.C. Municipalities (UBCM) based upon the draft provided in Attachment 2, detailing the impact of cancelling the Climate Action Revenue Incentive Program (CARIP) and the need for a swift replacement that provides consistent, non-application funding to allow the District of Saanich and other municipalities to continue their work at a scale that can deliver on the Provincial CleanBC Plan and Municipal Climate Plans;

That Council direct staff to draft a resolution to the Union of B.C. Municipalities on a Replacement CARIP Program and present this to Council for consideration prior to the June 30, 2021 submission deadline; and

That Council share this report and attachments with the Capital Regional District Board of Directors, other B.C. municipal elected officials and Chief Administrative Officers in advance of the Union of B.C. Municipalities Conference in September, 2021."

On May 11 2021, the District of Saanich was made aware of the end to the Climate Action Revenue Incentive Program (CARIP) through an announcement made by the Ministry of Municipal Affairs.

In light of the Provincial commitment to climate action outlined in CleanBC and the Federal government's renewed climate commitments prior to the United Nations Climate Change Conference (COP26), the end of the CARIP program and withdrawal of this provincial funding source for climate action was extremely unexpected and it is clear that local governments have not been engaged in the decision.

CARIP has been a critical source of consistent and dedicated funding over the years, allowing municipalities to take action on climate change by resourcing staff, funding key emissions reduction projects and leveraging larger climate related grants. It is a true example of global best practice in coordinated and consistent climate reporting, representing over a decade of data on climate action at the municipal level.

The District of Saanich has delivered a considerable number of high impact actions using CARIP funding, ranging from multiple rounds of public electric vehicle charging stations, to the analysis and engagement required to support adoption of the BC Energy Step Code. Additional examples are provided in the attached Council Report. Further, CARIP funding has been instrumental in the development of a Sustainability Division and the hiring and retention of sustainability staff, which, until 2021, were still partly resourced via CARIP funding. Many other municipalities will have staff delivering on climate action that are still resourced through the CARIP carbon tax refund.

Given this, the clear lack of a replacement program that provides a consistent and reliable funding source for municipal climate action and the shift towards solely competitive funding streams and programs is of major concern. Such programs require significant effort, staff time and, often, financial resources to fund the analysis needed for an application with no guarantee of success. They also take substantial time and resources for evaluation by the decision making body and we regularly hear that grant programs and competitive funding streams are over-subscribed. In addition, they rely on match funding or financial contributions from the local government partner. In the absence of either the CARIP program or a similar source of consistent funding, many municipalities will be limited in their ability to apply for such competitive programs. Further, this level of uncertainty makes it extremely difficult to plan for and implement climate actions that span multiple years.

While some amendments to the CARIP process and report template would be valuable, for example, the move from a carbon tax refund based upon fossil fuel consumption to one based on municipal population, there remains considerable benefit to continuing with a program that provides consistent funding tied to the delivery of a simple annual climate report.

This change is being implemented in a time of particular uncertainty when there is an overwhelming demand for municipal tax dollars to support core municipal services and local governments have limited ability to pivot on budget decisions. Removing dedicated climate action funding will create a shortfall that is unlikely to be met by many local governments through the municipal tax base.

As such, Council requests that the Province engage local governments on the swift replacement of CARIP with a program that provides consistent, non-application based funding, tied to annual climate reporting and with first payments received by local governments in 2022. This will allow municipalities to continue their work at a scale necessary to address the Climate Emergency and deliver on CleanBC and Municipal Climate Plan goals.

Sincerely,

Angila Bains, B.A., CMC,
Manager, Legislative Services

RN/

Enclosures: Council Report:

cc. Mayor and Council
Paul Thorkelsson, Chief Administrative Officer, District of Saanich
Sharon Hvozdzanski, Director of Planning, District of Saanich
Valla Tinney, Director of Finance, District of Saanich
Tara Faganello, Assistant Deputy Minister, Local Government Division, Ministry of Municipal Affairs

May 28, 2021

Honourable Josie Osborne
Minister of Municipal Affairs
PO Box 9056, Stn Prov Govt
Victoria BC V8W 9E2

Dear Minister Osborne,

I am writing on behalf of the UBCM Executive to express concern with the elimination of the Climate Action Revenue Incentive Program (CARIP) funding for local governments.

We have previously taken the opportunity to voice our concerns about this decision with you, Premier Horgan and senior staff in your Ministry. We also feel it is important to follow-up in writing.

The UBCM Executive has received an outpouring of responses from our membership since Ministry staff informed local governments this would be the final year for CARIP. The elimination of CARIP took UBCM and our membership completely by surprise. We had not previously heard any concerns raised by the Province about the effectiveness of the Program and are still unclear as to the rationale behind this decision.

While CARIP was a modest sum of money in the scope of the Province of BC's budget, the positive impacts of the Program were significant. The funding was used by many local governments to showcase innovative new green technologies, and provide a visible example to their communities of the value of implementing climate change actions. In other local governments, the funding was used to build staff resources and budgets to assist with local government sustainability actions. In many places, the CARIP funding was identified as seed funding and was used to leverage significant additional funding from other sources for valuable climate change projects.

We do acknowledge that a new fund of \$11 million has been identified for the 2022 budget. However, the new program has not been designed beyond a reference to land use planning. UBCM was involved in the design of CARIP over ten years ago. We believe steps should be taken now to provide clarity and certainty for BC's local governments, and the design of this new program should begin immediately. Our membership was supportive of the CARIP funding model, and we would like to see a program that builds upon these successes. UBCM is willing to participate in the design of the new program and can draw upon the expertise in our own membership as required.

Yours truly,



Brian Frenkel
UBCM President

cc: **Honourable George Heyman**, Minister of Environment and Climate Change Strategy

Modernizing **Forest Policy** in British Columbia

*Tackling today's challenges while
preparing for tomorrow's opportunities*



Why we need to modernize old policy



The Challenge

- Our forests are foundational to our economy and a way of life for British Columbians.
- Forestry faces serious challenges that threaten our forests and the future of many communities.
- **B.C.'s forestry policy framework, put in place nearly two decades ago, is inadequate to address today's challenges.**
- Future generations deserve to enjoy our forests and benefit from them. Now is the time to collectively make choices to improve forestry.

Our Goals

1. Increase our emphasis on **sustainability** and **stewardship** of our fibre supply
2. Take meaningful action on **reconciliation** with Indigenous peoples
3. Increase inclusivity for **communities** interested in the forest sector and forest management, from tenure to local manufacturing
4. Continue to be **competitive** on the global stage, keeping in mind those who invest in B.C. and provide good-paying jobs
5. Ensuring British Columbians receive **fair return** on their assets

Forestry today is **complex**



- Timber supply is decreasing because of wildfires, beetle salvage, and withdrawals from the timber-harvesting land base
- Sawmill overcapacity remains, while value-added and secondary manufacturing have not grown significantly
- Modernizing mills to stay competitive has led to a pattern of job losses in rural communities
- Concentrated forest tenure holdings limit the province's ability to achieve its objectives
- The value of tenure is very high (4-7x more expensive than 2003)
- The Declaration Act requires us to advance policy change with Indigenous peoples. This means *consultation* and *cooperation*.



Government campaigned for a necessary transition in the forest sector

Our plan is based on what we've heard



- BC's government has been asking what forest management and the future of the sector should look like since 2017. We have talked to:
 - Indigenous governing bodies
 - Local government
 - Industry
 - Labour
 - Interest groups including ENGOs
 - General public
- On:
 - [Coast Forest Sector Revitalization](#)
 - [Interior Forest Sector Renewal](#)
 - [Forest and Range Practices Act](#) Improvement Initiative
 - [Old Growth Strategic Review](#)

Laying the Foundation for Change



Our guiding principles



1. Increasing participation in the forest sector

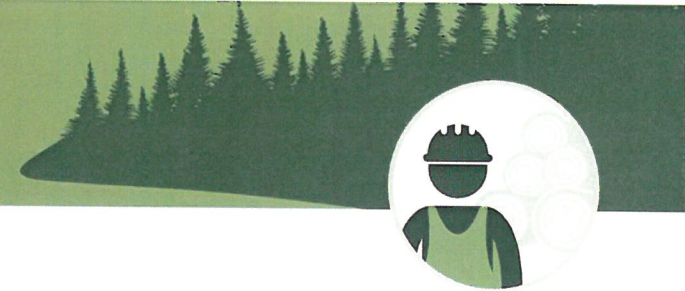


2. Enhancing stewardship and sustainability



3. Strengthening the social contract

Increase and diversify participation



Goals: Increasing Forest Sector Participation

- Increased Indigenous participation
- BC Timber Sales timber allocation needs to support market pricing, and value-added manufacturing
- Increased community participation

Increase and diversify **participation**



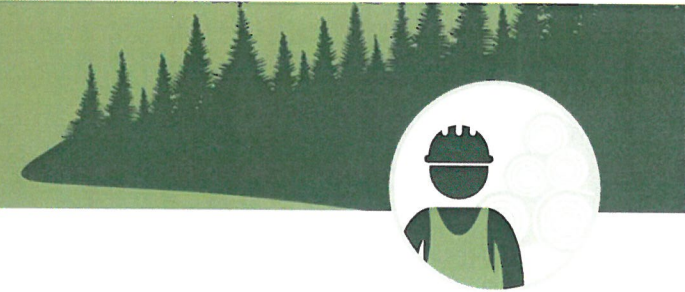
Policy intention #1 – **Create more opportunity re-distribute forest tenure**

- Enhance legal mechanisms to allow tenure to be redistributed for harvesting
- Diversify ownership and involvement

Policy intention #2 – **Provide clarity on compensation**

- Establish a clear framework for applying compensation for lost harvesting rights
- Systematic and equitable approach in compensation calculations

Increase and diversify participation



Policy intention #3 – Create flexibility when forest licences need to be reduced

- Introduce a more flexible (not proportionate) approach to how licences are reduced if the timber supply is being reduced (e.g. from a tenure taking)

Policy intention #4 – Further define timber tenure transfer requirements (Bill 22)

- Address tenure concentration and public-interest considerations when transfers or control changes happen

Increase and diversify participation



Policy intention #5 – Enhance revenue oversight for log exports

- Add the ability to audit and assess fee-in-lieu of manufacture payments when logs are exported out of province

Policy intention #6 – Evolve BC Timber Sales (BCTS) policy on maximum timber sales restrictions

- Consider an alternate approach to allow for more sale opportunities at smaller volumes to smaller or value-added manufacturers

Managing public land **together**



Goals: Enhancing stewardship and sustainability

- Public land must be managed sustainably, and this includes our old growth forests
- Improve the use of fibre sustainably, responsibly, and transparent

Managing public land together



Policy intention #7 – Commit to implementing further deferrals of old growth forests

- Continue to engage with Indigenous leaders, labour, industry and environmental groups to further identify potential additional deferral areas

MAY 2020 - ONGOING

IMMEDIATE MEASURES

- » Commitment to partnership with Indigenous Nations
- » Deferral of old growth at risk of irreversible loss
- » Better public data
- » Compliance with current standards

2021 – ONGOING

ELEMENTS REQUIRED TO SUPPORT CHANGE

- » Prioritize ecosystem health
- » More inclusive governance
- » Framework for setting and managing targets
- » Transition plans: local and provincial
- » Transition support for communities

2023 – ONGOING

THE NEW OLD GROWTH STRATEGY

- » Three zone management
- » Funds for monitoring and evaluation
- » Updated biodiversity targets and guidance
- » Better inventory and classification
- » More innovative practices

Managing public land together



Policy intention #8 – Continue to improve FRPA

- Move forward with changes to the *Forest and Range Practices Act (FRPA)* to better incorporate forest values and ensure Indigenous peoples are involved at the start of the process
- Better link forest management with fire management

Managing public land together



Policy intention #9 – **Bring back the use of prescribed and cultural fire**

- Work collaboratively with Indigenous partners and stakeholders to re-integrate prescribed and cultural fire in forest management.

Policy intention #10 – **More flexibility in how the Minister allocates timber**

- Look to improve the ‘apportionment’ process so decisions can be made in a timely way while considering harvest sustainability, as well as the interests of local Indigenous peoples and other stakeholders

Managing public land together



Policy intention #11 – **Modernize rules for tracking and administering timber harvest**

- Review how ‘cut control’ is designed and implemented

Policy intention #12 – **Improve accountability in tenure management**

- Consider the tools available to decision makers to ensure these strategies are employed in the public interest

Managing public land together



Policy intention #13 – **Strengthen government discretion for decisions involving harvesting and road construction**

- Explore options to provide more discretion in authorization decisions based on important forest values

Policy intention #14 – **Strengthen government’s ability to ensure silviculture and innovation investments are realized**

- Consider limits on timber harvest until provincial silviculture investments have optimized harvest opportunity

Supporting our communities, long term



Goals: Strengthening the social contract

- Ensure the growth of good jobs and long-term opportunities remain a priority
- Transition from high-volume to high-value
- Ensure all communities have an opportunity to benefit from their local forests
- Encourage diversification in higher value manufacturing

Supporting our communities, **long term**



Policy intention #15 – **Modernize forest tenure replacement requirements**

- Revisit the criteria and expectations for tenure replacement
- Look for holders of replaceable tenures to find creative ways to partner and grow the industry

Policy intention #16 – **Increase fibre access for higher value domestic manufacturers**

- Work with value-added sector reps to understand how the Province can support competitive value-added businesses
- Advance a process to minimize the burning of slash piles
- Develop a timber sales program with a focus on the value-added sector

Supporting our communities, long term



Policy intention #17 – **Promote the use of wood and mass timber**

- Improve our legislative framework to ensure wood, mass timber and emerging biomass-based materials are more clearly a priority in public buildings

Policy intention #18 – **Revise area-based forest tenure-specific pricing policy**

- Harmonize the rate structures, consistent with our market-based pricing system, while being mindful that smaller tenure ownership is impacted by economies of scale

Supporting our communities, long term



Policy intention #19 – **Strengthen compliance and enforcement**

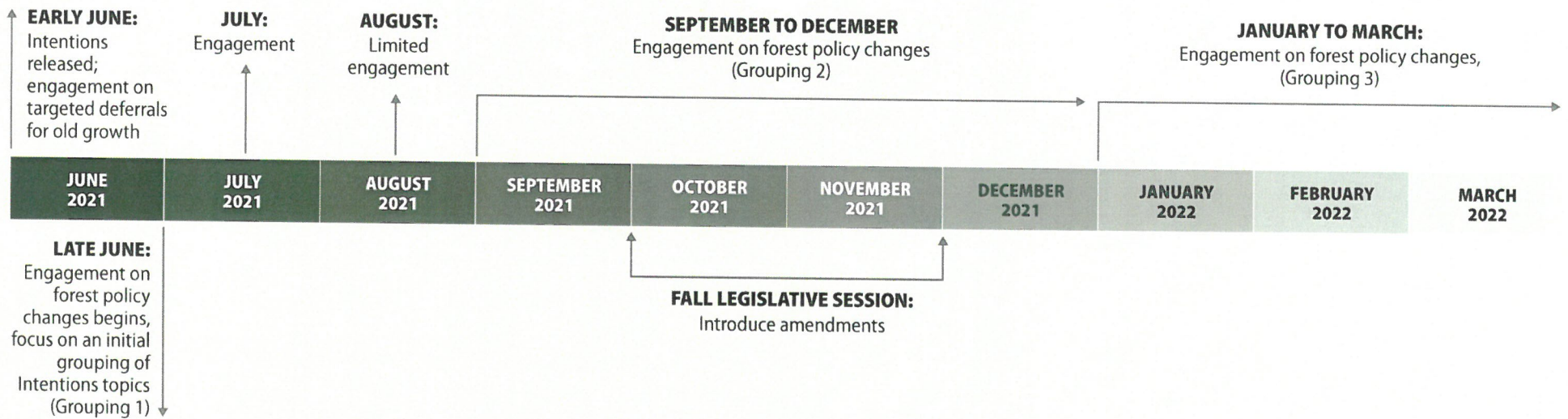
- Reinforce our ability to address issues around poor practices and behaviour, including public reporting of infractions and reviewing existing fine and penalty amounts

Policy intention #20 – **Protect good jobs**

- Complete the Contractor Sustainability Review with amendments to the Timber Harvesting Contract and Subcontract Regulation
- Support the Ministry of Labour in advancing their Industrial Inquiry Commission

Modernizing Forest Policy: First year at a glance

In consultation and cooperation with Indigenous peoples and governing bodies



- Skip to main content
- Skip to footer

AGENDA

British Columbia News

New vision for sustainable forest policy puts people, communities first

<https://news.gov.bc.ca/24592>

Tuesday, June 1, 2021 2:22 PM

Victoria - The B.C. government has set out its vision for a forestry sector that is more diverse, competitive, focused on sustainability and puts people and communities first.

“Forests are at the heart of our identity here in B.C. They are essential to a healthy environment and provide good jobs to tens of thousands of British Columbians,” said Premier John Horgan. “We inherited our beautiful ancient forests, and we owe it to future generations to protect them. We have already taken action by deferring hundreds of thousands of hectares and protecting 1,500 groves with big, iconic trees. But we know there is more to do. Current forestry policies – put in place two decades ago – don’t adequately address today’s challenges. They have limited our options to adapt to the impacts of climate change, protect old growth, share the benefits fairly with local communities or move forward on reconciliation.”

Government’s vision to modernize forest policy and protect old growth will take time to fully implement. It is focused on three guiding principles: increased sector participation, enhanced stewardship and sustainability, and a strengthened social contract to give government more control over management of the sector.

The released intentions paper reinforces government’s other actions on forests, including the commitment to implement all recommendations coming out of the independent old growth review. Additionally, the proposed changes to forestry policy will address the rapid decline of available timber and promote higher-value wood products like mass timber. It also recognizes that responsibly managed forests are a legacy for future generations. They are a high-value resource in a global market demanding more sustainably sourced goods.

“The future of the forest industry impacts us all, so what we do now is vitally important,” said Katrine Conroy, Minister of Forests, Lands, Natural Resource Operations and Rural Development. “We are taking action to not only address the challenges facing forestry in British Columbia today, but also so our children and grandchildren may benefit from the opportunities our forests provide.”

The proposed changes to forest policy as outlined in a new intentions paper include a compensatory framework to redistribute forest tenures to Indigenous Nations, forest communities and small operators. In addition, the paper includes the continued commitment to act on the recommendations of the Old Growth Strategic Review in collaboration with Indigenous leaders, local governments, labour, industry and environmental groups. This work must balance the need to support and protect workers with the need for additional old-growth protection.

Quotes:

Dallas Smith, President, Nanwakolas Council, and Great Bear Relic –

“We are happy to see this government is ready to continue talking about solutions to forest health and management. There are a lot of challenging issues that need to be discussed with many parties, but respectful collaboration and dialogue will have greater impact and a more efficient path forward than the recent increase in activism. This paper confirms the need for the Crown and First Nations to continue to work together with all the necessary stakeholders on where that path goes.”

Brian Frenkel, president, Union of BC Municipalities –

“The forest sector is integral to the well-being of B.C. communities, whether they are large or small, rural or urban. Finding a way forward that recognizes and mitigates climate change, the broader values of forests to communities and contributes to sustainable local jobs and economies is crucial, and I’m pleased to see the Province moving in this direction.”

Bob Brash, executive director, Truck Loggers Association –

“While early days in this initiative, the principles of enhancing participation and strengthening the forest sector, improving its social contract and enhancing stewardship are admirable objectives. If the end result of working with organizations like ours and Indigenous peoples for improved forestry policies results in increased certainty for B.C.’s forestry workers and forest-dependent communities, while improving investment opportunities towards moving the sector forward, we can collectively be proud of this accomplishment.”

Bob Simpson, mayor of Quesnel –

“We all want to do forestry in a way that supports local communities, respects the need for reconciliation with Indigenous peoples and considers biodiversity and ecosystem health. I want to recognize the Province for taking this step and look forward to continuing to work together developing the policy and guidance that will make this change happen.”

Dan Battistella, president, Interior Lumber Manufacturers’ Association (ILMA) –

“As an association that represents many of the last remaining small and medium-sized independent specialty manufacturing facilities, the ILMA has always advocated for a diverse industry that extracts the most value from our sustainably managed forests, and that provides for family supporting jobs. This modernizing forest policy initiative announced today looks to redefine the future of our industry by moving to a more value focus with more community involvement. We are excited to work with government to ensure many positive outcomes are realized from this approach.”

Quick Facts:

- Forestry is a key part of B.C.’s economy. In 2020, forest products represented 29% of B.C.’s total exports, valued at \$11.5 billion. Forestry also provides good-paying jobs to more than 50,000 workers. Government’s commitment will balance the needs of the provincial economy with the concerns from industry that include job losses, mill closures and inadequate Indigenous collaboration.
- The intentions paper is government’s response to the long-term vision for forestry that the industry has been asking for.
- It also reflects the feedback government has received from all forestry stakeholders and Indigenous Nations to address some of the issues facing the industry.
- In 2018-19, most major Interior forestry companies in B.C. announced curtailments at their sawmills due to lower lumber prices, reduced demand, high log costs, softwood lumber border tariffs and issues in accessing timber.
- Though there has been a rebound in the industry and lumber prices are currently high, 20 lumber mills are in active, current or planned curtailment or closure status.
- In addition, there have been 1,620 permanent, 420 temporary and 820 indefinite job losses in the forestry sector.

Learn More:

A summary presentation of government’s intentions paper is available here:

https://news.gov.bc.ca/files/Modernize_Forest_Policy_Presentation.pdf

(https://news.gov.bc.ca/files/Modernize_Forest_Policy_Presentation.pdf)

To view the modern forest policy, visit: <https://www.gov.bc.ca/modernforestpolicy>
(<https://www.gov.bc.ca/modernforestpolicy>)

Three backgrounders follow.
Lindsay Byers

Press Secretary
Deputy Communications Director
Office of the Premier
Lindsay.Byers@gov.bc.ca

Ministry of Forests, Lands,

Natural Resource Operations
and Rural Development
Media Relations
250 896-4320

Backgrounders

Key changes of a modernized forest policy

The intentions paper sets out government's vision for a forestry sector that is diverse, competitive, focused on sustainability, puts people first and is aware of its crucial role in improving certainty by working with B.C.'s Indigenous peoples. The paper outlines the actions government will take in the coming months to address the main challenges currently facing British Columbia's forestry sector. They are:

Sustainability:

B.C. has practiced sustainable forestry for decades. But the province's timber supply is decreasing due to naturally induced factors like climate change, the mountain pine beetle epidemic and large wildfires. Additionally, land-use protections for conservation have impacted supply. Greater land-use protections are needed for conservation. To enhance stewardship while addressing ecosystem health and resilience, policy changes are needed. B.C. will continue to be a world leader in providing sustainable forest products and forest policy that considers the ever-changing environment.

Reconciliation:

There is a need to increase forestry's economic and management opportunities for Indigenous peoples. Doing so aligns with the Declaration on the Rights of Indigenous Peoples Act and advances the well-being of Indigenous communities. It also reduces uncertainty and strengthens confidence in the industry.

People and communities:

For decades, the forestry industry has provided good-paying jobs, supporting families in many B.C. communities. As these communities strive to become more resilient, there is an opportunity for the Province to work with them to better consider their interests. Local access to timber can support diversified manufacturing, focused on value rather than volume. Local communities should be engaged in discussions about wildfires, local employment and sustainable management of the forests that surround and nurture British Columbians.

Competitiveness:

Forest products are globally traded. They are desired for their lower carbon footprint, are produced sustainably in the province and are verified by third-party forest certification organizations. B.C.'s forestry sector must continue to be competitive on the global stage, keeping in mind those who invest in B.C. and provide good-paying jobs.

Fairness for British Columbians:

The forests are owned by British Columbians. It is important to ensure they receive fair returns on their asset.

Principles of a modernized forest policy

Government's intention paper sets out its vision for a forestry sector that is diverse, competitive and focused on sustainability. It puts people first. Over the past few years, government has asked what should be done and what should be considered. This vision has been drafted with an understanding of the crucial necessity of working with Indigenous peoples. The steps taken in the months ahead, outlined here, are intended to achieve this vision and modernize forest policy in B.C.

Guiding principles and policy intentions:

Government will fulfil its vision for the future of the forest sector and B.C.'s forests based on three principles it has heard repeatedly from partners, stakeholders and communities. The Province will also fulfil its commitment to collaborate and co-operate with Indigenous peoples. The three principles and related policy intentions are:

1. Increasing forestry sector participation:

- Creating future tenure opportunities for new players – enhance the legal mechanisms to allow tenure to be redistributed for harvesting purposes, encouraging diversification in the forestry sector;
- Providing clarity on compensation for lost harvesting rights – establish a clear framework that lays out where and under what circumstances compensation for lost harvesting rights will apply;
- Creating flexibility when forest licences need to be reduced – allow government to consider pressures faced by small operators or Indigenous or local community interests when reductions to allowable annual cuts (AACs) are divided among licence holders;
- Revising tenure disposition considerations – build on the success of 2019's Bill 22 in addressing tenure concentration and public-interest considerations when a tenure transfer or change of control occurs;
- Enhancing revenue oversight for log exports – ensure government receives the fees it charges when logs are exported, rather than processed here in B.C. (fee-in-lieu);
- Evolving BC Timber Sales policy for maximum sales restrictions – consider an alternative approach to allow for more sale opportunities at smaller volumes to smaller or value-added manufacturers.

2. Enhancing stewardship and sustainability:

- Continuing to improve the Forest and Range Practices Act – better incorporate, manage and conserve forest values and ensure Indigenous peoples can be involved at the start of planning;
- Reintegrating prescribed and cultural fire into forest management – work with Indigenous partners and stakeholders to bring these practices back into B.C.'s forest management toolkit;
- Advancing apportionment – rebalance tenure opportunities and improve the apportionment process to consider harvest sustainability and the interests of local Indigenous peoples and stakeholders;
- Reviewing the cut control process – review and improve how cut control is designed to encourage tenure holders to use their AAC in a way that honours the intended harvest profile;
- Improving accountability in tenure management – strengthen the accountability of tenure holders who are in a position of public trust;
- Increasing discretion in authorizing activities – provide statutory decision-makers the discretion to consider forest values like water, timber, wildlife health and Indigenous heritage when issuing cutting or road permits;
- Supporting silviculture management and innovation investments – help stands grow back faster and healthier and preserve more old-growth trees through innovative practices.

3. Strengthening the social contract:

- Modernizing tenure replaceability conditions – ask tenure holders to demonstrate a clear commitment to sustainability and find creative ways to grow the industry, considering Indigenous partnerships, forest sustainability and climate change;
- Increasing fibre access for local value-added manufacturers – work with the value-added sector to support competitiveness, reduce the amount of slash piles burnt after harvest and develop a more value-added sector-focused program for timber sales;
- Promoting the use of wood and mass timber – improve the legislative framework to ensure wood, mass timber and emerging biomass-based materials are more clearly a priority in public buildings, in coordination with B.C.'s mass-timber action plan and CleanBC;
- Revising area-based tenure-specific pricing policy – harmonize rate structures to increase fairness between different licence types;
- Strengthening compliance and enforcement – reinforce government's ability to address poor practices and behaviours through public reporting and penalties;
- Protecting good jobs – support workers by considering labour in tenure transfers, continue to ensure the sustainability of contractors and advance the Ministry of Labour's industrial inquiry commission.

In addition to the three principles outlined above, government will also consider enabling shared decision-making as guided by the Declaration on the Rights of Indigenous Peoples Act, as this is a priority for both Indigenous Nations and the First Nations Leadership Council.

Actions to address old growth recommendations

British Columbians value their old-growth forests and government is working to protect them for future generations.

Government's vision to modernize forest policy complements its ongoing work to implement the independent panel's recommendations on old growth forests.

On Sept. 20, 2020, the Province announced it was taking a new, holistic approach to managing old growth, informed by the independent panel report, *A New Future for Old Forests*.

As a first step, B.C., in collaboration with Indigenous Nations, immediately deferred the harvesting of 196,000 hectares of old growth in nine areas – this is equivalent to roughly 480 Stanley Parks. Government also enacted the Special Tree Regulation to protect up to 1,500 exceptionally large, individual trees. More information on this regulation is available here: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/timber-tenures/qa_stpr.pdf (https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/timber-tenures/qa_stpr.pdf)

The Province also committed to engaging with Indigenous peoples, workers and communities to build a plan to protect B.C.'s ancient forests for future generations, and this work is underway. Since September 2020, government has taken the following actions:

- As a first step, government engaged with the First Nations Leadership Council to discuss the report and begin work on the approach for recommendation No. 1: "engaging the full involvement of Indigenous leaders and organizations to review the report and work with the Province on any subsequent policy or strategy development and implementation." Since the report's release, government has met with several Indigenous Nations and organizations to work together on recommendations and will continue to reach out to more Nations.
- Building on the government's announcement in 2020 to defer 196,000 hectares of old-growth forests from harvesting, work is underway with Indigenous leaders and in consultation with stakeholders to identify potential additional deferral areas and assess their potential economic impacts.
- More detailed information on the status of old growth conditions and trends and compliance with existing targets (recommendation 5 and 7) are in development through the Forest and Range Evaluation Program.

More information will be released this summer and fall. Regular updates and all available old growth information are online here: www.gov.bc.ca/oldgrowth (<http://www.gov.bc.ca/oldgrowth>)

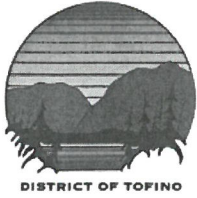
- Government has developed a timeline and path to implementing all 14 recommendations in collaboration with Indigenous Nations, communities and stakeholders: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/stewardship/old-growth-forests/old_growth_path_forward.pdf (https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/stewardship/old-growth-forests/old_growth_path_forward.pdf)

Facts about old growth in B.C.:

- While the vast majority of old growth in B.C. – 10 million hectares – is protected or not economical to harvest, government is taking action to change current forest management practices in response to the Old Growth Strategic Review. These changes will better support the effective implementation or achievement of the stated and legislated public objectives for old forests.
- There are 13.7 million hectares of old growth in British Columbia. This is equivalent to an area more than four times the size of Vancouver Island.
- Old growth makes up about 23% of B.C.'s forests.
- Currently, only 27% of the old growth in B.C. is legal and economical to harvest.
- Characteristics of old growth can include tree species, tree age, tree size, surrounding forest structure, ecological function and historical disturbance. While characteristics vary, old-growth forests tend to have more diverse plant and animal life than younger forests.
- Old-growth ecosystems support a wide range of plants and animals, from mosses and liverworts to large mammals and some species at risk. These forests also provide habitat for many birds, mammals and amphibians.
- Old-growth stands are protected in many areas throughout the province using various measures including Old Growth Management Areas, Wildlife Habitat Areas and in conjunction with protections for species like caribou, marbled murrelet and northern goshawk.

Learn More:

To see the old growth strategy, visit: www.gov.bc.ca/oldgrowth (<http://www.gov.bc.ca/oldgrowth>)



DISTRICT OF TOFINO – OFFICE OF THE MAYOR

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Honourable Katrine Conroy
Minister of Forests, Lands, Natural Resource Operations and Rural Development
PO BOX 9049, Stn. Provincial Government
Victoria BC, V8W9E2

May 11, 2021
File No. COM-02 FLNRORD
FLNR.Minister@gov.bc.ca

Dear Minister Conroy,

Re: Support for Expedient and Resourced Implementation of the Old-Growth Strategic Review

On behalf of the District of Tofino Council, I write to you expressing support for the expedient and resourced implementation of the 14 recommendations in the report titled “A Strategic Review of How British Columbia Manages for Old Forests Within its Ancient Ecosystems” (the Strategic Review) written by Registered Professional Foresters Garry Merkel and Al Gorley.

We commend the Minister and Premier Horgan for having publicly committed to implement the Strategic Review in its totality. However, to adequately manage and protect BC’s old forest biodiversity, attributes, values and benefits for future generations, we specifically request an expedient Provincial response to recommendations 6 and 7:

6. Until a new strategy is implemented, defer development in old forests where ecosystems are at very high and near-term risk of irreversible biodiversity loss.
7. Bring management of old forests into compliance with existing provincial targets and guidelines for maintaining biological diversity.

The District of Tofino also adds our voice to concerns that BC Budget 2021 shows no allocated funding toward the implementation of the recommendations, or to transitional supports for communities and Indigenous governments as they adapt to changes resulting from new forest management systems.

While BC Budget 2021 does include increased funding for land-use planning modernization, support for negotiations with Indigenous communities, and funds to enact the *Declaration on the Rights of Indigenous Peoples Act*, the budget is missing critical funding pieces needed to fully implement the Old Growth Strategic Review recommendations.

Situated within the Territory of the Tla-o-qui-aht First Nation in the Clayoquot Sound UNESCO Biosphere Reserve, thirty years ago our region was also at a crossroads with respect to the ongoing harvest of timber resources. Since that time, the District of Tofino has continued to engage with the Province and other governments on issues of sustainability and equity, as noted in our most recent Strategic Plan, protocol agreements and other corporate strategies.

Office of the Mayor

Our intention in writing to you, Minister, is to not only show the District of Tofino's support for the expedient implementation of the Strategic Review's recommendations, but also to add our voice to the calls for dedicated funding to enact the recommendations in an economically just manner to build healthier ecosystems, better long-term land management and greater public support for this much needed paradigm shift.

Sincerely,

Dan Law, Mayor
District of Tofino

cc. MLA Josie Osborne
Local Governments of British Columbia

Office of the Mayor

Tate Bengtson

From: Laurel Grimm <lgrimm@cityofenderby.com>
Sent: Thursday, May 27, 2021 11:38 AM
To: Tate Bengtson
Subject: FW: Next Council Meeting agenda item

AGENDA

From: Adele Lacoursiere <...@...>
Sent: May 27, 2021 11:29 AM
To: info@cityofenderby.com
Subject: Next Council Meeting agenda item

Hello,

I am requesting that the possibility of developing an Off-Leash Safe and secure Dog Park on city owned green space be placed as an agenda item for the next regular Council Meeting.

Here is my submission:

Need for and benefits of an Off-Leash Dog Park: In the recent past, city council has decided that the majority of the Tuey Park dog area is to be paved over to make way for extended parking. The consequence of this will be a drastic reduction in designated dog space.

Council also decided that a large chunk of greenspace in the Riverside Park behind the curling/arena building is going to be turned into a 5th groomed Ball Diamond again reducing the green space available for dog enthusiasts. There is no consideration given to our dog-loving group. As it stands now, all dog owners have to share the green spaces with others. They are scolded if they allow their dog to play on the groomed ball diamonds; they have to be constantly vigilant and worried about other users of the shared green space; Tuey Park beachgoers who have no dogs crowd-out into the dog beach area then complain when a dog approaches them or pees in the sand near them, and many other conflicts arise because the dog owners do not have their own green space with a safety fence so they and their beloved dog can play, fetch, run and socialize freely with other dogs and like-minded people. I would like to suggest that Enderby put in a fenced, safe dog park where local and visiting dog owners can play and exercise their dog in a safe and secure manner. This type of amenity is needed and would greatly reduce safety concerns, complaints and conflicts while at the same time accommodating the growing number of dog owners who need to exercise their dogs, not simply walk them on a leash.

My concern is that any city-owned greenspaces that currently exist and could possibly be suitable for an adequately-sized, secure and year-round Off-Leash Dog Park are being or have been dedicated to seasonal user groups. Essentially overlooking the growing group of dog owners and their needs for a dedicated and safe dog space. As Enderby continues to grow, so will its need for this user group amenity. I believe that an Off Leash Dog Park would be very inviting and entice more people to take up residency here. Perhaps council should re-think catering to only seasonal ball-players and instead securely fence an area for the benefit of the large group of dog owners/enthusiasts for their use, enjoyment and the physical & mental health benefits. Or maybe there is another city-owned location that would be more suitable?? I am sure there are several grants that could be obtained for this health-benefiting amenity. The attraction of an appropriately-sized & secure exercise area for dogs would likely benefit our business sector, not just seasonally, but all year round. When people come to Enderby to use the secure off-leash park, they may likely do some shopping as well. As it stands now, dog owners have to travel to Armstrong, Vernon, Canoe and other cities specifically to exercise and socialize their dogs in a safe surrounding and while in these other towns, they probably they shop and

spend their money there instead of here in Enderby. An Off-Leash Dog Park would have a positive and healthy impact on our community. It's a win/win for everyone. I ask that Council seriously discuss this subject matter and include it on our Strategic Plan and the Official Community Plan as a top priority.

Submitted by,
Adele Lacoursiere
Resident of Enderby