

**REGULAR MEETING OF COUNCIL
AGENDA**

DATE: February 22, 2022
TIME: 4:30 p.m.
LOCATION: Electronic Facilities, hosted at Council Chambers, 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.

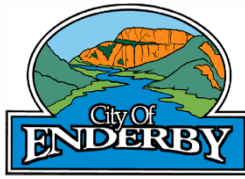
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If you do not have a computer or mobile phone capable of using Zoom, please let us know and we can provide you with a number that you can call in from a regular telephone.

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

- 1. APPROVAL OF AGENDA**
- 2. ADOPTION OF MINUTES**
 - 2.1 Meeting Minutes of February 7, 2022 Page 3
- 3. PUBLIC HEARINGS**
 - 3.1 City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1710, 2022 Verbal
- 4. DEVELOPMENT MATTERS AND RELATED BYLAWS**
 - 4.1 City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1710, 2022 and City of Enderby Animal Control Bylaw No. 1735, 2022 (Adoption) Page 8
Memo prepared by Planner and Deputy Corporate Officer dated February 10, 2022
 - 4.2 0041-22-DVP-END (Barroca) Page 40
Legal: Lot A District Lot 150 Kamloops Division Yale District Plan 35976
Address: 130 Cliffview Lane
Applicant: Scott Barroca
Owner(s): Barroca Enterprises Ltd.
 - 4.3 0042-22-DVP-END (Eliason) Page 61
Legal: Lot 2 Section 27 Township 18 Range 9 West of the 6th Meridian
Kamloops Division Yale District Plan KAP46537 Except Plan KAP92074
Address: 222 Salmon Arm Drive
Applicant: Chad Eliason
Owner(s): Jim's Finishing Ltd., 633176 Alberta Ltd., Case Holdings Ltd.
- 5. CONTINUING BUSINESS AND BUSINESS ARISING FROM COMMITTEES AND DELEGATIONS**

5.1	<u>Committee-of-the-Whole</u>	Verbal
6.	BYLAWS	
6.1	<u>City of Enderby Fees and Charges Bylaw No. 1479, 2010 Amendment Bylaw No. 1737, 2022 and City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 Amendment Bylaw No. 1738, 2022 (Adoption)</u> Update to Development Application Fees	Page 71
6.2	<u>City of Enderby Parks, Recreation and Culture Fees Imposition Bylaw No. 1693, 2020 Amendment Bylaw No. 1739, 2022 (Three Readings)</u> Memo Prepared by Chief Financial Officer dated February 14, 2022	Page 76
7.	NEW BUSINESS	
7.1	<u>2022-23 Road Projects</u> Memo prepared by Chief Administrative Officer dated February 17, 2022 Presentation by Monaghan Engineering and Consulting	Page 81
7.2	<u>COVID-19 Safe Restart Grant – Enderby and District Services Commission</u> Memo prepared by Chief Financial Officer dated February 14, 2022	Page 105
7.3	<u>Enderby Farmers Market – Road Closure Application for 2022 Season</u> Memo prepared by Planner and Deputy Corporate Officer dated February 15, 2022	Page 107
7.4	<u>Riverside RV Park Strategic Plan</u> Memo prepared by Chief Administrative Officer dated February 14, 2022	Page 117
8.	CORRESPONDENCE AND INFORMATION ITEMS	
8.1	<u>North Okanagan Regional Housing Strategy – Endorsed</u> Correspondence from Regional Planning Projects Manager at Regional District of North Okanagan dated February 10, 2022	Page 121
9.	PUBLIC QUESTION PERIOD	
10.	ADJOURNMENT	



THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held via video conference on Monday, February 7, 2022 at 4:30 p.m. in Council Chambers.

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

Staff: Chief Administrative Officer – Tate Bengtson
Chief Financial Officer – Jennifer Bellamy
Planner and Deputy Corporate Officer – Kurt Inglis
Clerk-Secretary – Andraya Holmes

Other: Press and Public

APPROVAL OF AGENDA

The following late item was added to the agenda:

5.6 Appointment of Primary and Alternate Representatives to the Splatsin Working Group

Moved by Councillor Davyduke, seconded by Councillor Case

“THAT the February 7, 2022 Council Meeting agenda be approved as amended.”

CARRIED

ADOPTION OF MINUTES

Meeting Minutes of January 17, 2022

Moved by Councillor Shishido, seconded by Councillor Baird

“THAT the January 17, 2022 Council Meeting minutes be adopted as circulated.”

CARRIED

BYLAWS

City of Enderby Municipal Employees Financial Disclosure Designation Bylaw No. 1736, 2022 (Adoption)

Moved by Councillor Shishido, Seconded by Councillor Baird

“THAT Council adopts the bylaw cited as the Corporation of the City of Enderby Municipal Employees Financial Disclosure Designation Bylaw No. 1736, 2022.”

CARRIED

City of Enderby Fees and Charges Bylaw No. 1479, 2010 Amendment Bylaw No. 1737, 2022 and City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 Amendment Bylaw No. 1738, 2022 (3 readings)

Moved by Councillor Shishido, Seconded by Councillor Knust
“THAT Council gives three readings to the City of Enderby Fees and Charges Bylaw No. 1479, 2010 Amendment Bylaw No. 1737, 2022;

AND THAT Council gives three readings to the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 Amendment Bylaw No. 1738, 2022.”

CARRIED

REPORTS

Councillor Knust

A resident has reported lots of deadfall above his property line and is concerned it may be a hazard during wildfire season.

Chief Administrative Officer responded that the City had BC Wildfire Service look at this area within the last year two years and they did not mark it as an area of concern, but we will have our arborist out in the spring to re-assess and reach out to the property owner.

Mayor McCune

Reported that there is an upcoming Shuswap Trail Alliance Fundraiser. A silent auction will be held online from February 4th to February 20th with a goal of raising \$60 000 dollars.

Asked when the porta-potties will be removed from outside of the arena.

Chief Administrative Officer responded that he had thought that they were already removed. He will follow up with the supplier if they are still on location.

Chief Administrative Officer

Attended the Strategic Planning Meeting for Riverside RV Park. Expressed thanks to those who attended. The strategic plan will be presented at the next Council meeting for adoption.

There is an Enderby and District Services Commission meeting on February 14th.

Public Works has been clearing snow and keeping catch basins clear as snow begins to melt.

A consulting team is being assembled and will meet on site at the Water Plant on February 15th and 16th to develop a grant-ready plan for expansion of the water treatment plant and related improvements to the water distribution system.

Economic Trust of the Southern Interior has hired two rural business advisors. One of these advisors, Robyn Cyr reached out to staff to describe services she will provide. She will spend time on site with local small business owners and help with marketing, business planning, and

transitioning to digital sales. These services will be provided free of charge. The CAO invited Council to contact him with suggestions for businesses that could be referred to the rural business advisor.

RDNO Building Permit Report – January 2022

Moved by Councillor Knust, seconded by Councillor Baird
“*THAT the RDNO Building Permit Report – January 2022 be received and filed.*”

CARRIED

Vernon North Okanagan Detachment: 4th Quarter (Oct to Dec) 2021

Moved by Councillor Shishido, seconded by Councillor Baird
“*THAT the Vernon North Okanagan Detachment: 4th Quarter (Oct to Dec) 2021 be received and filed.*”

CARRIED

Appointment of Primary and Alternate Representatives to the Splatsin Working Group

Moved by Councillor Case, seconded by Councillor Davyduke
“*THAT Council appoints Brian Schreiner as Primary Representative and Raquel Knust as the Alternate Representative to the Splatsin Working Group.*”

CARRIED

NEW BUSINESS

Disclosure of Contracts – Council

Moved by Councillor Knust, seconded by Councillor Shishido
“*THAT Council receives and files this memorandum*”

CARRIED

Council Technology Allowance

Moved by Councillor Knust, seconded by Councillor Case
“*THAT Council approves the attached Council Remuneration Policy;*

AND THAT Council approves a one-time technology allowance payment of \$300.00 to each member of Council for the increased technology costs of electronic meetings, to be funded through the COVID19 Safe Restart Grant.”

CARRIED

PUBLIC QUESTION PERIOD

None

CLOSED MEETING RESOLUTION

Moved by Councillor Shishido, seconded by Councillor Davyduke

“That, pursuant to Section 92 of the Community Charter, the regular meeting convene In-Camera to deal with matters deemed closed to the public in accordance with Section 90 (1) (c) and (k) of the Community Charter.”

CARRIED

MATTERS RELEASED FROM IN-CAMERA

Management Capacity Plan – Target and Funding Mechanism

Moved by Councillor Shishido, Seconded by Councillor Schreiner

“THAT Council endorses the Management Capacity Plan proposal to work towards retaining a Deputy Corporate Officer and Operations Manager;

AND THAT Council directs the Chief Financial Officer to amend the City's financial plan policy on non-market change revenue to direct it towards capacity rather than offsetting tax increases;

AND THAT Council directs Staff to review and rationalize administration fee allocations from the general fund's executive/administrative budget line in order to improve the alignment between the management costs of providing the services and the overhead contributions from the respective services, and implement a realistic transition plan;

AND THAT Council directs Staff to identify other sustainable funding sources to assist in advancing the Management Capacity Plan on an ongoing basis, as part of annual budget deliberations;

AND FURTHER THAT this matter be released from in camera.”

CARRIED

Event Coordinator Proposed Next Steps

Moved by Councillor Shishido, Seconded by Councillor Case

“THAT Council directs staff to update and reissue the attached Request for Information for an Event Coordinator;

AND THAT Council provides an additional 100 hours to the Event Coordinator position in 2022, over and above the proposed annual allocation, to aid in transitional activities;

AND THAT Council identifies any changes to the scope of the position so that the additional cost impact may be estimated and funded;

AND FURTHER THAT Council releases this matter from in camera.”

CARRIED

ADJOURNMENT

Moved by Councillor Knust, seconded by Councillor Davyduke

“THAT the regular meeting of February 7, 2022 adjourn at 4:42p.m.”

CARRIED

MAYOR

CORPORATE OFFICER

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner and Deputy Corporate Officer
Date: February 10, 2022
Subject: Adoption of Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1710, 2022 and Animal Control Bylaw No. 1735, 2022

RECOMMENDATION

THAT Council gives third reading and adoption to City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1710, 2022;

AND THAT should Council give third reading and adoption to City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1710, 2022, such adoption shall come into force and effect once the Ministry of Transportation and Infrastructure has endorsed the Bylaw;

AND THAT Council adopts the City of Enderby Animal Control Bylaw No. 1735, 2022.

BACKGROUND

Since the adoption of the Official Community Plan (OCP) and Zoning Bylaw in 2014, regular updates have been enacted by Council to keep these bylaws reflective of the community context and emerging issues.

City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1710, 2022 was drafted to amend the Zoning Bylaw in order to:

- Make the maximum G.V.W. limits for trucks and commercial vehicles parked in residential zones consistent with the City's other bylaws;
- Clarify that 'Apartments' are not a standalone permitted use within General Commercial (C.1) and Highway and Tourist Commercial (C.2) zones;
- Improve clarity on fencing and screening regulations, and prohibit the use of spiked metal fencing in order to protect wildlife;
- State that Cannabis Production is only permitted in the Agricultural Land Reserve in accordance with the *Agricultural Land Use Regulation*;
- Remove the minimum driveway setback regulation in favour of a more flexible permit system;
- Introduce a framework for temporary project signs;
- Limit residential floor space on the first storey of commercial zones; and
- Introduce regulations for the keeping of backyard hens and backyard bees.

At the Regular Meeting of January 17, 2022, Council gave first and second Readings to Bylaw No. 1710, 2022 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 closing of the Public Hearing, Council can consider the Bylaw for third reading and adoption. Should Council give third reading and adoption of the Bylaw, it will come into force and effect once the Ministry of Transportation and Infrastructure has endorsed the Bylaw (Ministry has already given the Bylaw preliminary approval).

At its Regular Meeting of January 17, 2022, Council also gave three readings to the City of Enderby Animal Control Bylaw No. 1735, 2022 which introduces a regulatory framework for how backyard hens and backyard bees must be cared for, managed and licensed. This Bylaw is being advanced to Council for adoption.

Respectfully Submitted,



Kurt Inglis
Planner and Deputy Corporate Officer

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer

From: Kurt Inglis, Planner and Deputy Corporate Officer

Date: January 11, 2022

Subject: Zoning Bylaw Update and Introduction of Animal Control Bylaw – Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1710, 2022 and Animal Control Bylaw No. 1735, 2022

RECOMMENDATION

THAT Council gives first and second readings to City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1710, 2022 and directs Staff to advance the Bylaw to a Public Hearing;

AND THAT Council gives three readings to City of Enderby Animal Control Bylaw No. 1735, 2022;

AND THAT Council directs Staff to draft consequential amendment bylaws to the Municipal Ticketing Information (MTI) System Bylaw No. 1518, 2013, Bylaw Notice Enforcement Bylaw No. 1581, 2015, and Fees and Charges Bylaw No. 1479, 2010 for three readings to support implementation of the regulatory framework for the keeping of backyard hens and bees;

AND FURTHER THAT Council directs Staff to prepare a driveway crossing policy and permitting system for Council's consideration.

BACKGROUND

Since the adoption of the Official Community Plan (OCP) and Zoning Bylaw in 2014, regular updates have been enacted by Council to keep these bylaws reflective of the community context and emerging issues.

The following items have been either directed by Council or recommended by Staff for inclusion in the next round of updates to the OCP and Zoning Bylaw:

1. Updating maximum G.V.W. limits for trucks and commercial vehicles in residential zones;
2. Rezoning of 130 Cliffview Lane in anticipation of the termination of its land use contract;
3. Updating residential dwelling definitions;
4. Removal of 'Apartments' as a permitted use within the General Commercial (C.1) and Highway and Tourist Commercial (C.2) zones;
5. Providing clarity to fencing regulations;
6. Reviewing Riparian Areas Regulations;
7. Reviewing Cannabis production regulations;
8. Reviewing driveway setbacks from intersections;
9. Reviewing temporary sign regulations;

10. Updating the Official Community Plan’s Regional Context Statement and including policies related to the City of Enderby Housing Needs Assessment Report;
11. Limiting residential floor space on first storey level in commercial zones; and
12. Implementing a regulatory framework for the keeping of backyard hens and backyard bees.

For the sake of ensuring that time-sensitive updates are advanced, coupled with the need to ensure that an update to the OCP is reflective of the outcomes of the forthcoming City of Enderby Housing Strategy, Staff are proposing that the following OCP related items be deferred until later in 2022:

- Reviewing Riparian Areas Regulations;
- Updating the City of Enderby Regional Context Statement; and
- Including policies related to the City of Enderby Housing Needs Assessment Report.

The following is an overview of the proposed updates included in Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1710, 2021, which is being advanced to Council for first and second readings:

Updating Maximum G.V.W. Limits for Trucks and Commercial Vehicles in Residential Zones

The Zoning Bylaw currently restricts the parking of a truck or commercial vehicle on a residential zoned property if it exceeds 1,000 kg G.V.W. (2,205 pounds G.V.W.) rated capacity. This provision was originally intended to avoid large commercial-scale vehicles being parked in a residential area and detracting from the character of the neighbourhood. However, the 1,000 kg G.V.W. limit is excessively restrictive and does not align with the overall intent of this regulation (i.e. 1,000 kg limit would not allow for transport vans, contractor trucks, etc. to be parked on residential properties).

Staff are proposing that the maximum G.V.W. limit for trucks and commercial vehicles in residential zones be increased to 5,600 kg (12,346 pounds G.V.W.), which is consistent with:

1. The City’s Streets and Traffic Bylaw’s G.V.W. limit for the size of vehicle that may park overnight on a street in a residential zone; and
2. The standard G.V.W. limits in residential zones in other nearby communities (i.e. Kelowna = 5,500 kg, Salmon Arm = 5,600 kg, Lake Country = 5,500 kg).

Rezoning of 130 Cliffview Lane

The property at 130 Cliffview Lane is a modular home park that is subject to a Land Use Contract. A Land Use Contract is an agreement between a local government and a land owner that provides the land owner with site-specific development rights despite the current Zoning Bylaw. The Province has legislated that all Land Use Contracts are effectively terminated as of 2024. Once the Land Use Contract is terminated, the property will be subject to the regulations of the property’s base zoning designation. 130 Cliffview Lane has a base zoning designation of Residential Single Family (R.1-A), which does not permit a modular home park. In order to allow the existing use to continue in a ‘legally conforming’ state after the Land Use Contract

terminates, Staff are proposing to rezone the property to the Residential Mobile Home Park (R.5) zone. It should be noted that the existing Land Use Contract required the property to develop in accordance with the R.5 zoning regulations, so the rezoning would have no impact on the manner in which the site develops.

Updating Residential Dwelling Definitions

Staff are proposing to defer updating any residential dwelling definitions, as these may be implicated by the City's forthcoming Housing Strategy.

Removal of 'Apartments' as a Permitted Use Within the General Commercial (C.1) and Highway and Tourist Commercial (C.2) Zones

Staff are proposing to update the Zoning Bylaw to clarify that apartment buildings are only permitted in the Residential Multi-Family Medium Intensity (R.3) zone. Based on the existing wording of the Bylaw, there is a risk of misinterpretation in the General Commercial (C.1) and Highway and Tourist Commercial (C.2) zones that allowing an apartment unit above or behind the principal commercial use could be understood as allowing a standalone apartment building, which is not the intent of these zones.

It should be noted that by clarifying that apartment buildings are only permitted within the R.3 zone, this will not prevent residential dwelling units from occurring alongside commercial development (i.e. mixed use development) and will only remedy a potential misinterpretation that apartment buildings are permitted as a *standalone* use within commercial zones.

Providing Clarity to Fencing Regulations

Staff are proposing amendments to the Zoning Bylaw's fencing regulations in order to:

- i. Differentiate between typical fencing and required 'screening' (solid fence or wall that is required to provide a visual barrier between adjacent land uses); and
- ii. Better arranging the regulations based on category (i.e. maximum height, materials, land use, etc.).

It should be noted that the City's existing regulatory framework for fencing/screening remains largely intact (i.e. maximum height and setbacks remain the same), but it has been updated for ease of reference and clarity. The only new regulation being proposed is the prohibition of 'spiked' metal fencing; this type of fencing creates a significant and unnecessary danger to local wildlife (i.e. wildlife such as deer attempt to clear the spiked metal fence and become impaled, often leading to serious injury or death) and some communities are taking steps to prohibit its use.

Reviewing Cannabis Production Regulations

Under the City's Zoning Bylaw, cannabis production facilities are only permitted within the City when located in the Agricultural Land Reserve (ALR). The *Agricultural Land Use Regulation* was enacted by the Province in 2019 and provides clarity regarding the extent to which local governments may prohibit cannabis production within the ALR. Section 8 of the *Agricultural Land Use Regulation* specifically states that the use of agricultural lands for producing cannabis lawfully may not be prohibited by a local government if the cannabis is produced:

- Outdoors in a field; or
- Inside of a structure with a base consisting entirely of soil, with the following conditions having to be met:
 - a. the structure was, before July 13, 2018,
 - i. constructed for the purpose of growing crops inside it, including but not limited to producing cannabis lawfully, or
 - ii. under construction for the purpose referred to in subparagraph (i), if that construction:
 - A. was being conducted in accordance with all applicable authorizations and enactments, and
 - B. continues without interruption from the date it began until the date the structure is completed, other than work stoppages considered reasonable in the building industry;
 - b. the structure has not been altered since July 13, 2018 to increase the size of its base or to change the material used as its base.

Given this, Staff are proposing that the Zoning Bylaw be amended to state that Cannabis Production is only permitted in the ALR in accordance with Section 8 of the *Agricultural Land Use Regulation* noted above. This approach will support the protection of the soil of local farm land for future farming and help avoid the loss of agricultural lands to industrial scale cannabis production. This would be over and above the existing requirements in the Zoning Bylaw for cannabis production facilities within the ALR related to minimum lot area, setbacks, etc.

Reviewing Driveway Setbacks from Intersections

The Zoning Bylaw currently requires that driveway accesses for corner lots must be setback at least 8 m (26.25 feet) from the point of intersection of the exterior side lot line and the front/rear lot line; this is intended to ensure that there is sufficient space between the driveway and an adjacent intersection/corner so that vehicles can safely enter on to a roadway from the driveway. However, Staff identified this setback regulation as being problematic due to the fact that there is ambiguity as to how it is applied to corner lots which have corner-cut-outs or rounded lot lines (i.e. lots that do not have a clear intersection of the exterior side lot line and the front/rear lot line). This prompted Staff to review the manner in which other communities

are regulating the location of driveways, and it was determined contemporary best practices involve the use of a driveway crossing policy and permitting system, which focuses on the crossing of and access to public property rather than the regulation of private land use. Such a policy and permitting system would allow for driveway location standards to be maintained, but in a manner that allows site-specific flexibility and analysis that could not be realized through zoning regulations (i.e. zoning regulations do not provide for flexibility and can only be varied through the prescribed Development Variance Permit process). Furthermore, a driveway crossing permitting system would have the added benefit of allowing the City to use a permit to expressly communicate the terms and conditions of driveway crossings, which are often misunderstood by property owners. Given the above, Staff are recommending that the driveway setback provision be removed from the Zoning Bylaw and that Staff be directed to prepare a driveway crossing policy and permitting system for Council's consideration.

Reviewing Temporary Sign Regulations

The Zoning Bylaw specifies a range of regulations for signs pertaining to siting, sizing, materials, and permitting. However, Staff have encountered an issue where there is a need for temporary signs in certain situations (i.e. undeveloped commercial lots that are looking to market their business in advance of construction, developers seeking to market their subdivisions while under construction), but the Zoning Bylaw currently prohibits their use.

Staff are proposing the following framework for temporary signs:

- Permitting a 'Project Sign', which is a sign erected on a development, subdivision or construction site that names and describes the project and provides marketing information relating to the project, which may include project name, logo, contact information and/or office hours, and may also list the names of the consultants involved on the development team;
- Limiting to a maximum of one Project Sign per lot, except in cases where the subject lot is one acre in size or greater, or the subject lot fronts more than one street, in which case the maximum number of Project Signs is two;
- Limiting to a maximum sign area of 9.0 m² (96.88 square feet) and a maximum height of 4.5 m (14.76 feet);
- Display of a Project Sign cannot begin until a Building Permit has been issued or the subdivision has received a Preliminary Layout Review letter from the Approving Officer;
- The display shall be limited to a period of three years after the Building Permit or Preliminary Layout Review letter is issued; and
- Should the associated project not continue to actively proceed for a period of one year or more, or a Building Permit or Preliminary Layout Review letter is expired, surrendered, or cancelled, the Project Sign shall be removed immediately.

Limiting Residential Floor Space on First Storey Level in Commercial Zones

As per the City's Zoning Bylaw, residential dwelling units are permitted entirely above or behind a commercial use as long as the maximum permitted gross density limits are not exceeded. The Zoning Bylaw does not include any limit on the extent to which the first storey level can be used for residential purposes, as long as it is located behind a commercial space; Staff have identified this as being problematic as there could be a scenario where the vast majority of the first storey level of a commercial building could be used for residential purposes, as long as there is a nominal commercial space in the front. Over time, this could result in the City's ground floor commercial floor space being eroded in lieu of residential uses, which could have significant impacts on the local economy and the vitality of the commercial core.

The intent of the Zoning provision which permits residential dwelling units entirely above or behind a commercial use is to allow for an *ancillary* residential use to accompany a *principal* commercial use on a property; this arrangement supports additional residential development within the community (i.e. infill development), while also providing a financial boost to local businesses by allowing business owners to live on premises, or realize additional income through renting the dwelling unit(s). However, if this Zoning provision enables commercial floor space to be eroded in favour of residential uses, that original intent is not being achieved.

To find a balance between the preservation of commercial floor space while enabling ancillary residential uses to occur within commercial zones, Staff are proposing to introduce a regulation whereby, when dwelling units are located on the first storey level of a building and behind a commercial use, the floor area of the total dwelling units shall not exceed 40% of the total floor area of the first storey level.

It should be noted that if there are existing dwelling units within commercial zones that do not comply with this regulation, they would become legally non-conforming (grandfathered) by way of siting/sizing and would be subject to the legally non-conforming provisions of the *Local Government Act*.

Incorporating Backyard Hen and Backyard Bee Regulations

Council previously directed Staff to explore the implementation of regulatory frameworks for the keeping of backyard hens and backyard bees. Staff presented Council with two proposed regulatory frameworks for the keeping of hens and bees, which were based upon:

- The local context;
- Best practices used in other communities; and
- Regulations that are best suited to mitigate neighbourhood-level and local government bylaw compliance capacity impacts.

Council supported the proposed regulatory frameworks, which are outlined in Schedule 'A' and 'B' of this memorandum. To implement the regulatory frameworks, Staff are proposing that

the Zoning Bylaw be amended to include land use regulations related to the keeping of hens and bees, while a new Animal Control Bylaw be introduced to regulate how backyard hens and backyard bees must be cared for, managed and licensed.

Once the Zoning Bylaw and Animal Control Bylaw have received support from Council, there will be a need to advance consequential amendments to the Fees and Charges Bylaw to introduce a fee structure for the licensing for backyard hens and bees. Staff are proposing that the licensing fee for both the keeping of backyard hens and backyard bees be set at a one-time fee of \$50, which will cover the costs associated with processing the licensing application and performing a site inspection to ensure compliance with the relevant City bylaws and policies. Furthermore, given that the provisions of the Zoning Bylaw and Animal Control Bylaw related to the keeping of backyard hens and bees need to be enforceable, there is a need for amendments to the City's Municipal Ticketing Information (MTI) System Bylaw and Bylaw Notice Enforcement Bylaw.

Should Council support the proposed amendments to the Zoning Bylaw, the amendment bylaw will be advanced to a Public Hearing with the proposed zoning amendments to be advertised in the newspaper in advance.

Respectfully Submitted,



Kurt Inglis
Planner and Deputy Corporate Officer

**SCHEDULE 'A' – PREVIOUSLY SUPPORTED REGULATORY FRAMEWORK FOR THE
KEEPING OF BACKYARD HENS**

TABLE 1 – BACKYARD HENS		
Category	Proposed Regulation	Staff Comments
Types of Birds	Hens only	Given the noise level associated with roosters (~90 decibels vs. 60-70 decibels for hens), it is not standard practice to permit the keeping of roosters in an urban setting.
Maximum Number of Hens	5	A maximum of 5 hens appears to be a common standard among communities that permit the keeping of hens in urban areas, and it is anticipated that a typical single-family lot within Enderby can accommodate the intensity of use associated with 5 hens.
Required Zoning / Principal Use	Ancillary use to a single-family dwelling in R.1, R-1-A, and R.2 zones	It is standard for the keeping of hens in an urban area to only be associated with single-family lots, given that they are generally located in lower density neighbourhoods. By clearly stating that the keeping of hens is an ancillary use to a detached single-family dwelling, this will prevent cases where hens are kept on vacant parcels.
Minimum Lot Requirements	Backyard must be fully fenced, in accordance with the Screening requirements outlined in Section 309 of Zoning Bylaw	Requiring properties to be fenced will help prevent hens from escaping a property, while also ensuring that coops and outdoor enclosures are not visible from the street, which may detract from the aesthetics of the streetscape.
General Coop Requirements	Coops must be fully enclosed and constructed in a manner that:	These requirements will help to: <ul style="list-style-type: none"> • reduce the potential for wildlife conflicts and attraction of rodents; • reduce the potential for hens escaping; • reduce the potential for nuisances by way of noise from the hens;

TABLE 1 – BACKYARD HENS

Category	Proposed Regulation	Staff Comments
<p>General Coop Requirements Cont.</p>	<ul style="list-style-type: none"> • Eliminates potential for infiltration from predatory animals and rodents • Facilitates reasonable sound attenuation • Ensures proper ventilation and sufficient space for hens • Is accessible for persons to clean and maintain the coop <p>Coops must provide one perch and one nest per hen</p> <p>Must provide a run that is fenced on all sides and entirely covered from above in a manner that will keep predators and rodents out, and prevent hens from escaping</p>	<ul style="list-style-type: none"> • provide suitable living conditions for the birds (i.e. perches provide opportunities for increased exercise and roosting off the ground at night); and • ensure proper maintenance of the coop.
<p>Coop Siting Requirements</p>	<p>Must be located in rear yard, to the rear of the single-family dwelling</p> <p>Must be setback a minimum of 3 m (9.84 feet) from rear lot line, interior side lot line, or exterior side lot line</p>	<p>Requiring coops and enclosures to be located in the rear yard will ensure that they are not visible from the street, thus ensuring the use does not detract from the aesthetics of the streetscape.</p> <p>Minimum setbacks will help to minimize any potential impacts to neighbouring properties.</p>
<p>Coop Sizing Requirements</p>	<p>Maximum height of 2 m (6.56 feet)</p> <p>Must provide a minimum of 0.5 m² (5.38 square feet) per hen inside the coop, and a minimum 1 m² (10.76 square</p>	<p>Requiring a maximum height of 2 m (6.56 feet) will ensure that the coop does not exceed the maximum height of the backyard fence, which will ensure that the coop remains screened from adjacent neighboring properties.</p> <p>Requiring a minimum area of indoor and outdoor space will ensure that the hens have</p>

TABLE 1 – BACKYARD HENS

Category	Proposed Regulation	Staff Comments
<p>Coop Sizing Requirements Cont.</p>	<p>feet) of roofed outdoor enclosure per hen</p> <p>Maximum size of coop and hen enclosure is 10 m² (107.6 square feet)</p>	<p>sufficient area to be able to live comfortably and exhibit natural behaviours. By requiring the outdoor enclosure area to be roofed, this will prevent the hens from escaping, as hens can fly short distances, while also preventing birds of prey from accessing the enclosure area.</p> <p>Providing a maximum size for the coop and hen enclosure of 10 m² (107.6 square feet) will ensure that the keeping of hens remains ancillary to the broader residential use of the property.</p>
<p>On-site Slaughtering and Disposal</p>	<p>No slaughtering is permitted on-site</p>	<p>Prohibiting slaughtering on-site is standard among communities that permit the keeping of hens in an urban setting, given that the process can present significant potential for conflict and impacts.</p>
<p>Standards of Care</p>	<p>Coop must be kept to a clean and sanitary condition</p> <p>All hens must be provided sufficient food, water, shelter, light, ventilation, veterinary care; and opportunities for essential behaviors such as scratching, dust-bathing, and roosting</p>	<p>Requiring proper living conditions will ensure that the fundamental needs of hens are met and that they are able to live a happy and healthy life.</p>
<p>Removal and Storage of Feces / Manure</p>	<p>Feces must be promptly removed and hygienically stored in a sealed container</p>	<p>Requiring the prompt removal and hygienic storage of feces will help to mitigate potential impacts related to smell.</p> <p>It is anticipated that many property owners will want to use the manure generated from</p>

TABLE 1 – BACKYARD HENS

Category	Proposed Regulation	Staff Comments
<p>Removal and Storage of Feces / Manure Cont.</p>	<p>Manure must be stored within a sealed container, with no more than 0.08 m³ (3 cubic feet) of manure stored at one time</p> <p>All manure not used for composting or fertilizing must be removed from the property</p>	<p>the keeping of hens for composting and fertilizing purposes. Requiring manure to be stored in a sealed container, and manure not used for composting or fertilizing to be removed, will limit the opportunity for this activity to create nuisance by way of smell. Furthermore, this will help to avoid the potential for the manure to act as an attractant to wildlife and rodents.</p>
<p>Feed Storage</p>	<p>Feed must be stored in sealed container and not located in an area accessible by wildlife and animals</p>	<p>Requiring feed to be stored in an air-tight container will help to avoid the potential for the feed to attract wildfire and rodents.</p>
<p>Licensing / Registration of Hens</p>	<p>Must apply for a permit and pay a nominal fee</p> <p>If not the owner of the property, the applicant is required to obtain property owner’s written consent</p>	<p>Requiring property owners to apply for a permit for the keeping of hens on their property will enable the City to:</p> <ul style="list-style-type: none"> • track properties where this use is occurring; • provide the applicant with relevant educational materials (i.e. FAQ, backyard hen guide, etc.); • initiate an inspection process; • ensure that property owners are providing their consent in cases where an applicant is renting a property; and • revoke permits in cases where the bylaw requirements are not being adhered to, which also strengthens the City’s enforcement abilities. <p>Requiring a nominal fee will help to cover the administration costs associated with implementing and maintaining a backyard hen program.</p>

TABLE 1 – BACKYARD HENS

Category	Proposed Regulation	Staff Comments
Commercial Sales	Personal use only	<p>If a property owner were to sell the eggs produced on their property, it creates the potential for additional impacts associated with:</p> <ul style="list-style-type: none">• additional traffic to the property associated with customers; and• the property owner maximizing the number of birds on their property beyond what is needed for their household consumption, in order to increase egg production and profits. <p>There are strict guidelines associated with the sale of ungraded eggs, for which the City does not have the capacity to regulate and enforce.</p> <p>It should be noted that if a property owner wished to distribute any excess eggs produced on their property, this is not something that the City would be proposing to regulate or prohibit.</p>

**SCHEDULE 'B' – PREVIOUSLY SUPPORTED REGULATORY FRAMEWORK FOR THE
KEEPING OF BACKYARD BEES**

TABLE 2 – BACKYARD BEES		
Category	Proposed Regulation	Staff Comments
Required Zoning / Principal Use	Ancillary use to a single-family dwelling in R.1, R-1-A, and R.2 zones	<p>It is standard for the keeping of bees in an urban area to only be associated with single-family lots, given that they are generally located in lower density neighbourhoods.</p> <p>By clearly stating that the keeping of bees is an ancillary use to a detached single-family dwelling, this will prevent cases where bees are kept on vacant parcels.</p>
General Beehive Requirements and Standards of Care	<p>Must be maintained in a condition that will reasonably prevent swarming or aggressive behaviour</p> <p>Must ensure that the bees are requeened if they are subject to undue swarming or aggressive behaviour</p> <p>Must provide adequate water to prevent the bees from seeking water from other sources</p> <p>Beekeepers must comply with the Bee Regulation or other applicable standards adopted by the Province of British Columbia</p>	<p>Requiring proper maintenance and living conditions, and requeening if necessary, will help to prevent instances of swarming or aggressive behaviour, which are likely to create impacts to the broader neighbourhood.</p> <p>Providing adequate water on-site will ensure that the bees are not required to seek water from other sources, such as on neighbouring properties, which could result in conflict.</p>

TABLE 2 – BACKYARD BEES

Category	Proposed Regulation	Staff Comments
<p>Beehive Siting Requirements</p>	<p>Must be located in rear yard</p> <p>Minimum setback of 7.5 m (24.6 feet) from front of beehive to any property line, and 3 m (9.84 feet) from the side and rear of the beehive to any property line, except where the beehive is:</p> <ul style="list-style-type: none"> - Sited behind a 1.8 m (5.9 feet) fence, 7.5 m (24.6 feet) is reduced to 6 m (19.68 feet) and 3 m (9.84 feet) is reduced to 1 m (3.28 feet) 	<p>These requirements for the siting of beehives appears to be a common standard among communities that permit the keeping of bees in an urban setting, and is intended to minimize potential impacts to adjacent neighbouring properties.</p>
<p>Maximum Number of Beehives / Colonies</p>	<p>2 beehives / colonies and 2 nucleus colonies on lots less than 1,000 m² (0.25 acre)</p> <p>4 beehives / colonies and 4 nucleus colonies on lots equal to or greater than 1,000 m² (0.25 acre)</p>	<p>This maximum number of beehives/colonies appear to be a common standard among communities that permit the keeping of bees in an urban setting, and is intended to ensure that the intensity of the use is proportional to the size of the lot.</p> <p>It should be noted that nucleus colonies are smaller colonies created from larger colonies, which are generally used for rearing and storing queen bees; nucleus colonies are important to prevent swarming and aggressive bee behaviour.</p>
<p>Commercial Sales</p>	<p>Personal use only</p>	<p>If a property owner were to sell the honey produced on their property, it creates the potential for additional impacts associated with:</p> <ul style="list-style-type: none"> • additional traffic to the property associated with customers; and • the property owner maximizing the number of bees on their property beyond

TABLE 2 – BACKYARD BEES

Category	Proposed Regulation	Staff Comments
<p>Commercial Sales Cont.</p>		<p>what is needed for their household consumption, in order to increase honey production and profits.</p> <p>It should be noted that if a property owner wished to distribute any excess honey produced on their property, this is not something that the City would be proposing to regulate or prohibit.</p>
<p>Licensing / Registration of Bees</p>	<p>Must apply for a permit and pay a nominal fee</p> <p>If not the owner of the property, the applicant is required to obtain property owner’s consent</p> <p>Confirm that anyone keeping bees must register their apiary location with the Province</p>	<p>Requiring property owners to apply for a permit for the keeping of bees on their property will enable the City to:</p> <ul style="list-style-type: none"> • track properties where this use is occurring; • provide the applicant with relevant educational materials (i.e. FAQ, beekeeping guide, information of Provincial registry for apiaries, etc.); • initiate an inspection process; • ensure that property owners are providing their consent in cases where an applicant is renting a property; • ensure the City has the applicant’s contact information on hand, so that it can follow up with them quickly if there are issues with the beehives (i.e. swarming or aggressive behaviour); and • revoke permits in cases where the bylaw requirements are not being adhered to, which also strengthens the City’s enforcement abilities. <p>Requiring a nominal fee will help to cover the administration costs associated with</p>

TABLE 2 – BACKYARD BEES

Category	Proposed Regulation	Staff Comments
<p>Licensing / Registration of Bees Cont.</p>		<p>implementing and maintaining a backyard beekeeping program.</p> <p>It is provincially legislated that all apiary (collection of hives or colonies) locations are registered with the Province. This requirement should be expressly confirmed in the regulatory framework to ensure prospective beekeepers are aware of this requirement.</p>
<p>Miscellaneous</p>	<p>Beehives shall be securely located to prevent accidental disturbance or trespass by people and pets, and to prevent damage from wildlife</p> <p>The person who keeps bees must be a resident of the property where the bees are kept</p>	<p>Ensuring beehives are securely located will reduce the potential for them to be accidentally disturbed, which could create a situation where they are impacting neighbouring properties.</p> <p>Requiring the beekeeper to be a resident of the property will ensure that they are generally available to be able to respond to any issues with the hive, given that beekeeping is a specialized skillset and there is potential for serious impacts to the broader neighbourhood. If the beekeeper lived off-site, it increases the likelihood that they would be unable to respond in a timely manner should issues arise such as swarming or aggressive bee behaviour.</p>

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1710, 2022

A BYLAW TO AMEND THE TEXT OF THE CITY OF ENDERBY ZONING BYLAW NO. 1550,
2014

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 through 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. 1710, 2022".
2. Division Two – Interpretation of Schedule "A" of Zoning Bylaw No. 1550, 2014 is hereby amended by including the following definitions:

Backyard Bees means a domestic honey producing bee (from the genus *Apis* of the family *Apidae*) that are kept on a property other than an intensive agricultural use, limited agricultural use, or restricted agricultural use as defined in this Bylaw.

Backyard Hens means domesticated female chickens that are at least four months old that are kept on a property other than an intensive agricultural use, limited agricultural use, or restricted agricultural use as defined in this Bylaw.

Beehive means a box or receptacle with movable frames, used for housing a colony of bees.

Colony means queen, brood and accompanying bees.

Fence Picket means a post, stick, stake or peg attached to horizontal rails between upright posts.

Finial means a relatively small, ornamental, vertical, terminal feature projecting from the top, or any other horizontal rail, of a fence, gable, pinnacle, or furniture.

Nucleus Colony means a small honeybee colony created from a larger colony.

3. Division Three – General Regulations of Schedule "A" of Zoning Bylaw No. 1550, 2014 is hereby amended by replacing '1,000 kg G.V.W. (2,205 pounds G.V.W.)' with '5,600 kg G.V.W. (12,346 pounds G.V.W.)' under Section 307.4.a.i.

4. Division Three – General Regulations of Schedule “A” of Zoning Bylaw No. 1550, 2014 is hereby amended by removing Section 307.6 and renumbering the remainder of Section 307 accordingly.
5. Division Three – General Regulations of Schedule “A” of Zoning Bylaw No. 1550, 2014 is hereby amended by replacing Section 309 as follows:

309 Screening, Fencing and Landscaping

1. Screening

- a. Screening consisting of a solid 2.5 m (8.202 feet) fence or wall, which shall be uniformly painted and well maintained and not used for advertising or display purposes or for the posting of notices, shall be provided as follows:
 - i. In Commercial and Industrial zones, any part of a lot used or intended to be used as an outside storage area shall be closed by screening on any side not facing directly upon the principal building on the lot, and no material shall be piled to extend above such screening.

Required front screening shall be so situated as to conform with the front yard setback provisions of the applicable zone.
 - ii. Where any Commercial, Industrial, or Multi-Family Residential parking or display area abuts a lot in a Residential zone, or is separated by a lane therefrom, screening of 2 m (6.562 feet) in height shall be provided and properly maintained along the common property boundary.
 - iii. Notwithstanding the requirements of Subsection a.ii., screening along a lane shall be not less than 0.7 m (2.297 feet) and not more than 1.1 m (3.609 feet) in height for a distance of not less than 6 m (19.68 feet) from all points of ingress and egress to and from such parking or display area.
- b. Screening of over 1 m (3.281 feet) in height or any lesser height which constitutes a traffic hazard shall not be permitted within the area described by three (3) lines interconnecting an exterior lot corner, a point on the front lot line 6 m (19.68 feet) from the exterior lot corner and a point on the exterior lot line 6 m (19.68 feet) from the exterior lot corner, the exterior lot corner being the point of intersection of the exterior side lot line and the front lot line, as shown on Figure 1 below.

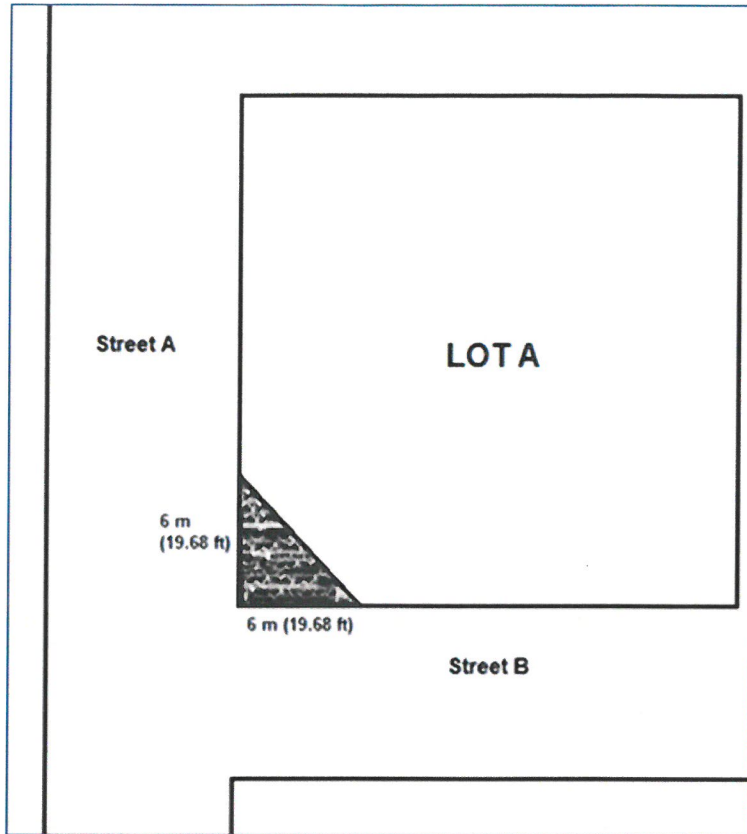


Figure 1.

- c. The height of screening shall be determined by measurement from the ground level at the average grade level.
- d. That portion of a retaining wall which projects above the surface of the ground which it supports shall be considered as a screen and subject to the regulations of this Subsection.
- e. Notwithstanding Subsection 1.d. above, in cases where a retaining wall has been constructed along a property line, the height of screening shall be determined by the measurement from the surface of the ground which the retaining wall supports at the average grade level.
- f. Screening shall not consist of untreated plywood, corrugated metal or chain link fencing, except for chain link fencing that contains slat inserts to create a visual barrier.
- g. No metal screening shall allow the ends of fence pickets or finials to extend above a horizontal surface, such as a rail, as shown on Figure 2 below:

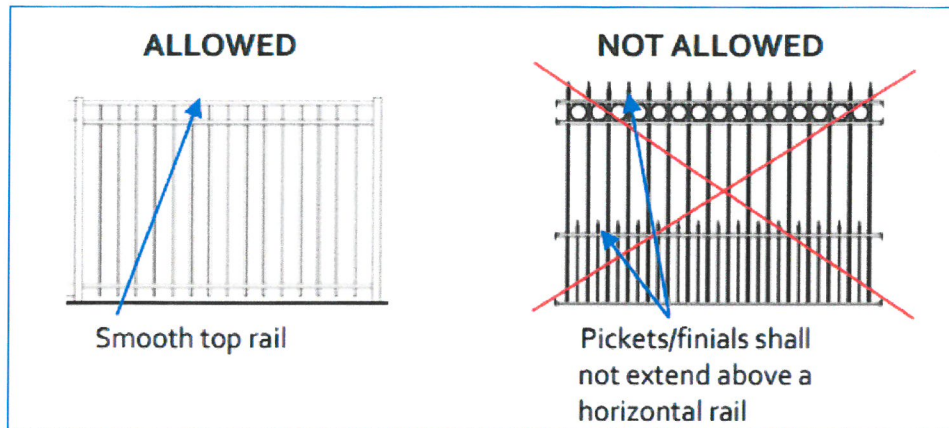


Figure 2.

2. Fences and Retaining Walls

- a. For fencing or walls that are not required screening pursuant to Section 309.1 above, the following height limitations shall apply to fencing and walls:
 - i. In all zones, fences or walls not greater than 1.2 m (3.937 feet) in height may be located anywhere on a lot.
 - ii. In all zones, except Industrial zones, fences or walls not greater than 2 m (6.562 feet) in height may be located on any lot to the rear of a required front yard.
 - iii. In Industrial zones, fences or walls not greater than 2.5 m (8.202 feet) in height may be located on any lot to the rear of a required front yard.
 - iv. In Residential zones, where the rear line of a lot abuts the side line of an adjoining lot, the height of fences or walls on such rear lot line shall be not greater than the height permitted on the side line of an adjoining lot at the point of abutment.
 - v. Fences or walls along a lane shall be not less than 0.7 m (2.297 feet) and not more than 1.1 m (3.609 feet) in height for a distance of not less than 6 m (19.68 feet) from all points of ingress and egress to and from such parking or display area.
- b. Subsection 2.a shall not apply to open mesh or chain link type fences erected on cemetery, public playground, park, playfield, or school areas, and in Commercial and Industrial zones; in these cases, no such fence shall exceed a height of 3.5 m (11.48 feet).
- c. The height of fences and walls shall be determined by measurement from the ground level at the average grade level.

- d. Fences and walls of over 1 m (3.281 feet) in height or any lesser height which constitutes a traffic hazard shall not be permitted within the area described by three (3) lines interconnecting an exterior lot corner, a point on the front lot line 6 m (19.68 feet) from the exterior lot corner and a point on the exterior lot line 6 m (19.68 feet) from the exterior lot corner, the exterior lot corner being the point of intersection of the exterior side lot line and the front lot line, as shown on Figure 3 below.

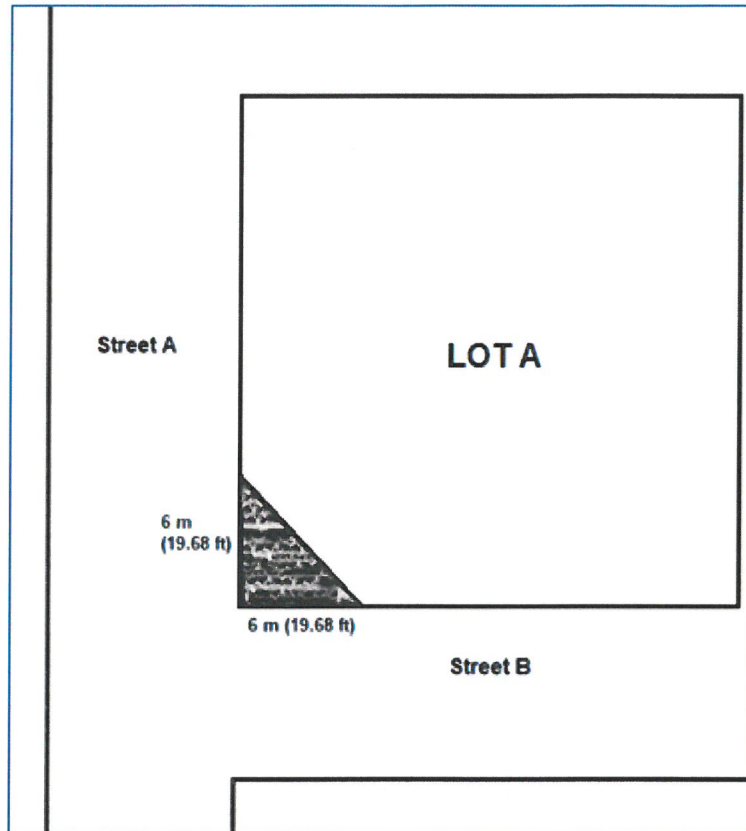


Figure 3.

- e. No metal fencing shall allow the ends of fence pickets or finials to extend above a horizontal surface, such as a rail, as shown on Figure 4 below:

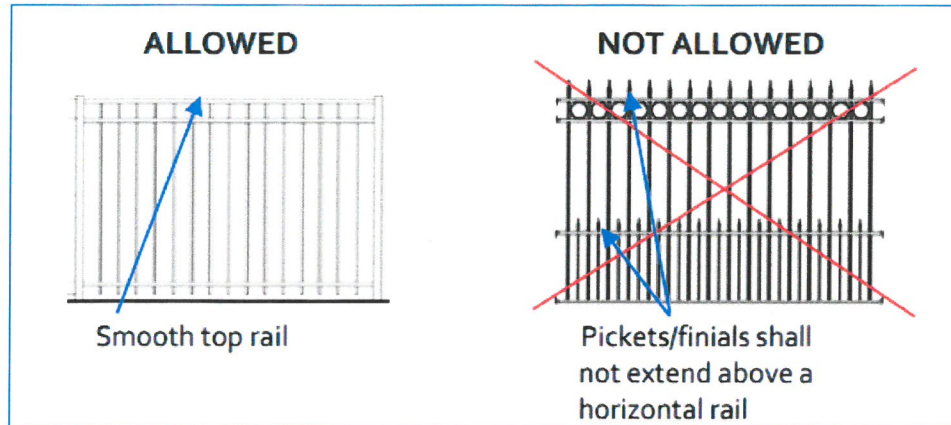


Figure 4.

- f. Retaining walls on all residential lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2 m (3.94 feet) measured from grade on the lower side, and must be constructed so that multiple retaining walls are spaced to provide at least a 1.2 m (3.94 feet) horizontal separation between them.
 - g. The combined height of a fence on top of a retaining wall at the property line or within 1 m of a property line shall not exceed 2.0 m (6.56 feet), measured from natural grade at the property line.
 - h. A retaining wall may be higher than 1.2 m (3.94 feet), measured from grade, where the natural grade of the subject property is lower than the abutting property.
3. Landscaping
- a. Landscaping shall be provided and well maintained at all times, as follows:
 - i. Where any commercial or industrial development abuts a lot in a Residential Zone, a landscaped buffer area shall be provided with a minimum width of 2 m (6.562 feet).
 - ii. Where any commercial or industrial development abuts a Controlled Access Highway, a landscaped buffer area shall be provided with a minimum width of 2 m (6.562 feet).
 - iii. Where any commercial or industrial development abuts any other highway, a landscaped buffer area shall be provided equal to the required front or exterior side yard requirement of the applicable zone.

The remainder of the property that is not used for buildings, display, parking, or access driveways shall be suitably landscaped.

- b. Landscaping shall consist of the following:

- i. A grass to shrubbery ratio from 6:4 to 8:2.
 - ii. A minimum of five percent (5%) of the landscaped area shall be planted in trees using the canopy area of the trees as a measure of the number and size of trees required.
 - iii. A maximum of fifteen percent (15%) of the area shall be planted to annuals.
 - iv. Other acceptable landscape materials may be used, subject to a plan approved by the City from a competent landscape contractor or landscape architect.
6. Division Three – General Regulations of Schedule “A” of Zoning Bylaw No. 1550, 2014 is hereby amended by adding the following definition for ‘Project Sign’ under Section 310.1:

Project Sign means a sign erected on a development, subdivision or construction site that names and describes the project and provides marketing information relating to the project, which may include project name, logo, contact information and/or office hours, and may also list the names of the contractors or consultants involved on the development team;

7. Division Three – General Regulations of Schedule “A” of Zoning Bylaw No. 1550, 2014 is hereby amended by adding Section 310.5 as follows:

5. Specific Regulations – Project Signs

- a. Display of a Project Sign cannot begin until a Building Permit has been issued or the subdivision has received a Preliminary Layout Review letter from the Approving Officer.
 - b. The display of a Project Sign shall be limited to a period of three years after the Building Permit or Preliminary Layout Review letter is issued.
 - c. Should the project not continue to actively proceed for a period of one year or more, or a Building Permit or Preliminary Layout Review letter is expired, surrendered, or cancelled, the Project Sign shall be removed immediately.
 - d. There is a maximum of one Project Sign per lot, except in cases where the subject lot is one acre in size or greater, or the subject lot fronts more than one street, in which case the maximum number of Project Signs is two.
 - e. The maximum sign area for Project Signs is 9.0 m² (96.88 square feet) and the maximum height of freestanding Project Signs is 4.5 m (14.76 feet).
8. Division Three – General Regulations of Schedule “A” of Zoning Bylaw No. 1550, 2014 is hereby amended by replacing Section 312.8 as follows:

8. Cannabis Production is only permitted within the Agricultural Land Reserve when the cannabis is produced in accordance with Section 8 of the *Agricultural Land Reserve Use Regulation*.
9. Division Three – General Regulations of Schedule “A” of Zoning Bylaw No. 1550, 2014 is hereby amended by adding Sections 318 and 319 as follows:

318 Backyard Hens

1. The regulations outlined in this Section do not apply to the keeping of poultry when considered an intensive agricultural use, limited agricultural use, or restricted agricultural use that is permitted under this Bylaw.
2. The keeping of backyard hens shall at all times be consistent with City of Enderby Animal Control Bylaw No. 1735, 2022 and all other municipal and provincial enactments.
3. The keeping of no more than five (5) backyard hens is permitted as an ancillary use to a single-family dwelling within the Residential Single Family (R.1), Residential Single-Family (R.1-A) and Residential Two-Family (R.2) zones, and the keeping of roosters is expressly prohibited.
4. The keeping of backyard hens must be contained entirely to the rear of a single-family dwelling and the area to the rear of the single-family dwelling must be fully enclosed by solid fencing that is at least 1.8 m (5.9 feet) in height.
5. Every owner of backyard hens shall provide a coop for the backyard hens, with an outdoor enclosure attached to the coop, which shall meet the following specifications:
 - i. Coops and outdoor enclosures must be located entirely to the rear of a single-family dwelling and must be setback a minimum of 3 m (9.84 feet) from the rear lot line, interior side lot line, and exterior side lot line.
 - ii. Maximum height of a coop and outdoor enclosure is 2 m (6.56 feet).
 - iii. Maximum combined size of coop and outdoor enclosure is 10 m² (107.6 square feet).

319 Backyard Bees

1. The regulations outlined in this Section do not apply to the keeping of bees when considered an intensive agricultural use, limited agricultural use, or restricted agricultural use that is permitted under this Bylaw.
2. The keeping of backyard bees shall at all times be consistent with City of Enderby Animal Control Bylaw No. 1735, 2022 and all other municipal and provincial enactments.

3. The keeping of backyard bees is permitted as an ancillary use to a single-family dwelling within the Residential Single Family (R.1), Residential Single-Family (R.1-A) and Residential Two-Family (R.2) zones.
4. A maximum of two (2) beehives / colonies and two (2) nucleus colonies are permitted on lots less than 1,000 m² (0.25 acre), and a maximum of four (4) beehives / colonies and four (4) nucleus colonies are permitted on lots equal to or greater than 1,000 m² (0.25 acre).
5. Beehives must meet the following siting requirements:
 - i. Must be located entirely to the rear of a single-family dwelling, with the area to the rear of the single-family dwelling to be fully enclosed by solid fencing that is at least 1.8 m (5.9 feet) in height.
 - ii. Beehive must be oriented to face away from adjacent properties, lanes, and streets and sited so as to allow a clear flight path of at least 6 m (19.68 feet) straight ahead from the front of the beehive to any property line and 1 m (3.28 feet) from the side and rear of the beehive to any property line.
10. Division Four – Commercial Zones of Schedule “A” of Zoning Bylaw No. 1550, 2014 is hereby amended by removing ‘apartments’ from Sections 401.1.b and 402.1.b.
11. Division Four – Commercial Zones of Schedule “A” of Zoning Bylaw No. 1550, 2014 is hereby amended by inserting the following as Sections 401.11.d.vi, 402.11.c.vi, 403.11.d.i:

When dwelling units are located on the first storey level of a building, behind a commercial use, the total floor area of the dwelling units shall not exceed 40% of the total floor area of the first storey level of the building.
12. Division Six – Residential Zones of Schedule “A” of Zoning Bylaw No. 1550, 2014 is hereby amended by inserting the following as Section 601.1.g and 601.1.h:
 - g. The keeping of backyard hens, subject to the provisions of Section 318
 - h. The keeping of backyard bees, subject to the provisions of Section 319
13. Division Six – Residential Zones of Schedule “A” of Zoning Bylaw No. 1550, 2014 is hereby amended by inserting the following as Section 602.1.g and 602.1.h:
 - g. The keeping of backyard hens, subject to the provisions of Section 318
 - h. The keeping of backyard bees, subject to the provisions of Section 319
14. Division Six – Residential Zones of Schedule “A” of Zoning Bylaw No. 1550, 2014 is hereby amended by inserting the following as Section 603.1.j and 601.1.k:
 - g. The keeping of backyard hens, subject to the provisions of Section 318

h. The keeping of backyard bees, subject to the provisions of Section 319

15. The zoning designation of the property legally described as LOT A DISTRICT LOT 150 KAMLOOPS DIVISION YALE DISTRICT PLAN 35976, and located at 130 Cliffview Lane, Enderby BC is hereby changed from the Residential Single Family (R.1-A) zone to the Residential Mobile Home Park (R.5) zone.

READ a FIRST time this day of , 2022.

READ a SECOND time this day of , 2022.

Advertised on the day of , 2022 and the day of , 2022 and a Public Hearing held pursuant to the provisions of Section 464 of the Local Government Act on the , day of , 2022.

READ a THIRD time this day of , 2022.

APPROVED pursuant to Section 52(3)(a) of the Transportation Act this day of , 2022.

Development Officer
Ministry of Transportation and Infrastructure

ADOPTED this day of , 2022.

MAYOR

CORPORATE OFFICER

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1735, 2022

A bylaw to regulate the keeping of animals but excluding dogs

WHEREAS Section 8(3)(k) of the Community Charter authorizes the Council of the City of Enderby to, by bylaw, regulate, prohibit and impose requirements in relation animals.

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

1. CITATION

a. This Bylaw shall be cited as "City of Enderby Animal Control Bylaw No. 1735, 2022".

2. DEFINITIONS AND INTERPRETATION

In this Bylaw:

Backyard Bees means a domestic honey producing bee (from the genus *Apis* of the family *Apidae*) that are kept on a property, other than an intensive agricultural use, limited agricultural use, or restricted agricultural use as defined in the City of Enderby Zoning Bylaw No. 1550, 2014.

Backyard Hens means domesticated female chickens that are at least four months old that are kept on a property, other than an intensive agricultural use, limited agricultural use, or restricted agricultural use as defined in the City of Enderby Zoning Bylaw No. 1550, 2014.

Beehive means a box or receptacle with movable frames, used for housing a colony of bees.

Beekeeper means a person who owns or controls bees, beehives or beekeeping equipment.

City means the Corporation of the City of Enderby.

Owner means person who owns or has custody, care or control of an animal regulated under this Bylaw.

3. GENERAL

1. All Bylaw Enforcement Officers appointed by the City are hereby authorized to enforce and carry out the provisions of this Bylaw.
2. Every Bylaw Enforcement Officer is hereby authorised to enter, at all reasonable times, upon any property within the municipal boundaries of the City of Enderby subject to this Bylaw and Section 16 of the *Community Charter*, in order to ascertain whether the regulations of this Bylaw are being obeyed.

4. BACKYARD HENS REGULATIONS

1. The keeping of backyard hens shall follow the land use regulations outlined in the City of Enderby Zoning Bylaw No. 1550, 2014 and all other municipal and provincial enactments.
2. Every owner of backyard hens shall provide a coop for the backyard hens, with an outdoor enclosure attached to the coop, which shall meet the following specifications:
 - i. Coops must be fully enclosed and constructed in a manner that:
 - a. Eliminates potential for infiltration from predatory animals and rodents;
 - b. Provides reasonable sound attenuation;
 - c. Ensures proper ventilation and sufficient space for hens; and
 - d. Is accessible for persons to clean and maintain the coop.
 - ii. Coops must provide one perch and one nest per hen.
 - iii. Coops must be accompanied by an attached outdoor enclosure that is enclosed on all sides and entirely covered from above in a manner that will keep predators and rodents out and prevent hens from escaping.
 - iv. Coops must provide a minimum of 0.5 m² (5.38 square feet) per hen inside the coop, and a minimum 1 m² (10.76 square feet) of outdoor enclosure per hen.
3. Backyard hens must be housed completely within either a coop or an outdoor enclosure at all times, and they must not be able to escape.
4. Coops and outdoor enclosures must be kept to a clean and sanitary condition.
5. All hens must be provided with sufficient food, water, shelter, light, ventilation, veterinary care, and opportunities for essential behaviors such as scratching, dust-bathing, and roosting.
6. Feces must be promptly removed and hygienically stored in a sealed container.
7. Manure must be stored within a sealed container, with no more than 0.08 m³ (3 cubic feet) of manure stored at one time, and all manure not used for composting or fertilizing must be immediately removed from the property.
8. Feed for backyard hens must be stored in sealed containers and not located in an area accessible by pests, wildlife or domestic animals.
9. Eggs produced by backyard hens are for personal use only, with commercial sales being expressly prohibited.
10. The slaughtering or burial of backyard hens is prohibited on all residential zoned properties.
11. The keeping of backyard hens is subject to any applicable City of Enderby policies, fees, and bylaws.

12. The keeping of backyard hens is subject to the owner licensing the backyard hen flock with the City and paying the applicable licensing fee prescribed in the City of Enderby Fees and Charges Bylaw No. 1479, 2010. Issuance of the license for the keeping of backyard hens is subject to the following:
 - i. The registered property owner(s) must provide their written consent in cases where the applicant is renting the property on which the backyard hens are proposed to be located; and
 - ii. A City representative or Bylaw Enforcement Officer must inspect the property upon which the backyard hens are proposed to be located to confirm that all requirements of this Bylaw and the City of Enderby Zoning Bylaw No. 1550, 2014 have been satisfied.

5. BACKYARD BEES REGULATIONS

1. The keeping of backyard bees shall follow the land use regulations outlined in the City of Enderby Zoning Bylaw No. 1550, 2014 and all other municipal and provincial enactments.
2. Beehives must be securely located to prevent accidental disturbance or trespass by people and pets, and to prevent damage from wildlife.
3. The beekeeper responsible for the backyard bees on a property must ensure that:
 - i. Beehives are maintained in a condition that will reasonably prevent swarming or aggressive behaviour;
 - ii. Backyard bees are requeened if they are subject to undue swarming or aggressive behaviour;
 - iii. Backyard bees are provided with adequate water to prevent them from seeking water from other sources;
 - iv. They comply with the *Bee Regulation* under the *Animal Health Act* and any other applicable standards adopted by the Province of British Columbia; and
 - v. They register their apiary location with the Province of British Columbia.
4. The Beekeeper must be a resident of the property where the backyard bees are kept.
5. Honey produced by backyard bees is for personal use only, with commercial sales being expressly prohibited.
6. The keeping of backyard bees is subject to any applicable City of Enderby policies, fees, and bylaws.
7. The keeping of backyard bees is subject to the owner licensing the backyard bees with the City and paying the applicable licensing fee prescribed in the City of Enderby Fees and Charges Bylaw No. 1479, 2010. Issuance of the license for the keeping of backyard bees is subject to the following:
 - i. The registered property owner(s) must provide their written consent in cases where the applicant is renting the property on which the backyard bees are proposed to be located; and

- ii. A City representative or Bylaw Enforcement Officer must inspect the property upon which the backyard bees are proposed to be located to confirm that all requirements of this Bylaw and the City of Enderby Zoning Bylaw No. 1550, 2014 have been satisfied.

6. OFFENSES

1. Every person who contravenes or violates any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence and, upon conviction, shall be liable to a fine or penalty not to exceed \$10,000, and a jail term of not more than 6 months.
2. Each day the offence continues is considered a separate offence.
3. This Bylaw is enforceable through the City of Enderby Municipal Ticketing Information (MTI) System Bylaw No. 1518, 2013 and the City of Enderby Bylaw Notice Enforcement Bylaw No. 1581, 2015.

7. SEVERABILITY

1. If a section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, it shall be severed and such decision shall not affect the validity of the remaining portions of this bylaw.

8. EFFECTIVE DATE

1. This bylaw shall come into full force and effect as and from the date of adoption.

READ a FIRST time this day of , 2022.

READ a SECOND time this day of , 2022.

READ a THIRD time this day of , 2022.

ADOPTED this day of , 2022.

MAYOR

CORPORATE OFFICER

CITY OF ENDERBY
DEVELOPMENT VARIANCE PERMIT APPLICATION



File No: 0041-22-DVP-END

February 4, 2022

APPLICANT: Scott Barroca

OWNER(S): Barroca Enterprises Ltd.

LEGAL DESCRIPTION: LOT A DISTRICT LOT 150 KAMLOOPS DIVISION YALE DISTRICT PLAN 35976

PID #: 002-309-238

LOCATION: 130 Cliffview Lane, Enderby BC

PROPERTY SIZE: 8.63 acres (3.49 hectares)

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

O.C.P

DESIGNATION: Residential Low Density

PROPOSAL: Development of additional phases of modular home park

PROPOSED VARIANCES: Vary Mobile Home Park Bylaw in order to, i) reduce the minimum area for mobile home spaces, ii) reduce the minimum number of required visitor parking spaces, iii) reduce the minimum common storage area, iv) not require security fencing for common storage area, v) not require screening or fencing for recreation areas, vi) reduce the minimum paved width for access roads, vii) reduce the minimum right-of-way width for minor roads, viii) permit a cul-de-sac to exceed 100 m in length, ix) not require roads to have a 1 m gravel shoulder, x) permitting a dead end road to have a hammerhead style turnaround, and xi) not requiring street lighting for turnaround area.

RECOMMENDATION:

THAT Council authorizes the issuance of a Development Variance Permit for the property legally described as LOT A DISTRICT LOT 150 KAMLOOPS DIVISION YALE DISTRICT PLAN 35976 and located at 130 Cliffview Lane, Enderby B.C. to permit variances to the following Sections of City of Enderby Mobile Home Park Bylaw No. 827, 1980:

1. Section 606.1 by reducing the minimum area for a Mobile Home Space below 450 m² (4,855 square feet) for Mobile Home Space #2, #4 through 21, and #23, as shown on the attached Schedule 'A';

2. Section 614.1 by reducing the minimum number of required visitor parking spaces from 19 to 8, as shown on the attached Schedule 'A';
3. Section 616.2 by reducing the minimum common storage area for the storage of recreation vehicles, boats, etc. from 540 m² (5,812.5 square feet) to 503 m² (5,414.2 square feet), as shown on the attached Schedule 'A';
4. Section 616.3 by not requiring security fencing along the boundaries of common storage areas for security purposes, as shown on the attached Schedule 'A';
5. Section 701.5 by not requiring screening or fencing between the recreation area identified as 'Park 2 (1,113.90 m²)' and other uses within the modular home park, as shown on the attached Schedule 'A';
6. Section 901.2.b.i by reducing the minimum paved width of access roads from 8.5 m (27.9 feet) to 6.25 m (20.5 feet), as shown on the attached Schedule 'A';
7. Section 901.2.b.iii by reducing the minimum right-of-way width of minor roads from 15 m (49.2 feet) to 12 m (39.3 feet), as shown on the attached Schedule 'A';
8. Section 901.2.b.iii.d by permitting a cul-de-sac to exceed 100 m (328.1 feet) in length, as shown on the attached Schedule 'A';
9. Section 901.2.c by not requiring roads in a modular home park to be accompanied by a 1 m (3.28 feet) gravel shoulder, as shown on the attached Schedule 'A';
10. Section 901.2.d by permitting a dead end road/cul-de-sac to have a hammerhead style turnaround in lieu of a turning circle with a minimum radius of 12 m (39.37 feet), as shown on the attached Schedule 'A'; and
11. Section 906 by not requiring street lighting to be installed to illuminate the proposed hammerhead style turnaround at the western terminus of the roadway, as shown on the attached Schedule 'A',

subject to the following conditions:

- i. The applicant providing the City of Enderby with a letter of undertaking committing to pave the area outlined in red on the attached Schedule 'B' no later than June 30, 2023 ("the Letter of Undertaking"); and
- ii. The applicant registering a covenant on the title of the property which requires the property owner to:
 1. Maintain a gate along the western property boundary in order to prevent access through the site from the public road network to the west of the subject property;
 2. Provide the City of Enderby and Fire Department with keys to access the gate on an on-going basis;
 3. Prohibit the parking of vehicles along any internal roads located on the property; and
 4. Contain all parking associated with the modular home park on site.

AND THAT Council confirms that, should further technical review determine that the paving of the area outlined in red on the attached Schedule 'B' is not necessary or preferred from the City's perspective, that the City in its sole discretion, may waive the obligations of the applicant as expressed in the Letter of Undertaking;

AND THAT Council NOT authorize the issuance of a Development Variance Permit for the property legally described as LOT A DISTRICT LOT 150 KAMLOOPS DIVISION YALE DISTRICT PLAN 35976 and located at 130 Cliffview Lane, Enderby B.C. to permit a variance to Section 701.5 by not requiring screening or fencing between the proposed recreation area identified as 'Park (276.10 m²)' and other uses within the modular home park, as shown on the attached Schedule 'A'.

BACKGROUND:

This report relates to Development Variance Permit Application for the property located at 130 Cliffview Lane, Enderby BC. The applicant is the owner of the Cliffview Lane modular home park, which has seen several phases of the park develop prior to their purchase of the property. The applicant is seeking variances to the City of Enderby Mobile Home Park Bylaw No. 827, 1980 in order to develop additional phases of the modular home park, to bring existing non-conformities into bylaw compliance, and to introduce incremental improvements to the park (i.e. turnaround area, recreational areas); the proposed variances are summarized as follows:

1. Section 606.1 by reducing the minimum area for a Mobile Home Space below 450 m² (4,855 square feet) for Mobile Home Space #2, #4 through 21, and #23, as shown on the attached Schedule 'A';
2. Section 614.1 by reducing the minimum number of required visitor parking spaces from 19 to 8, as shown on the attached Schedule 'A';
3. Section 616.2 by reducing the minimum common storage area for the storage of recreation vehicles, boats, etc. from 540 m² (5,812.5 square feet) to 503 m² (5,414.2 square feet), as shown on the attached Schedule 'A';
4. Section 616.3 by not requiring security fencing along the boundaries of common storage areas for security purposes, as shown on the attached Schedule 'A';
5. Section 701.5 by not requiring screening or fencing between recreation areas and other uses within the modular home park, as shown on the attached Schedule 'A';
6. Section 901.2.b.i by reducing the minimum paved width of access roads from 8.5 m (27.9 feet) to 6.25 m (20.5 feet), as shown on the attached Schedule 'A';
7. Section 901.2.b.iii by reducing the minimum right-of-way width of minor roads from 15 m (49.2 feet) to 12 m (39.3 feet), as shown on the attached Schedule 'A';
8. Section 901.2.b.iii.d by permitting a cul-de-sac to exceed 100 m (328.1 feet) in length, as shown on the attached Schedule 'A';
9. Section 901.2.c by not requiring roads in a modular home park to be accompanied by a 1 m (3.28 feet) gravel shoulder, as shown on the attached Schedule 'A';
10. Section 901.2.d by permitting a dead end road/cul-de-sac to have a hammerhead style turnaround in lieu of a turning circle with a minimum radius of 12 m (39.37 feet), as shown on the attached Schedule 'A'; and
11. Section 906 by not requiring street lighting to be installed to illuminate the proposed hammerhead style turnaround at the western terminus of the roadway, as shown on the attached Schedule 'A',

Site Context

The 8.63 acre (3.49 hectare) subject property is a modular home park located to the east of Highway 97A. A total of 29 modular home spaces have been approved and developed on the site, with ultimate build-out of the site proposed at 43 modular home spaces. The subject property is flat and is located within the 200-year flood plain. Access to the site is gained via a private access road off of Meadow Crescent (Cliffview Lane). An easement is registered on the title of the subject property in order to provide access through the site for the adjacent Meadow Crescent Mobile Home Park. A gate is located along the western property boundary in order to prevent traffic from the Northern Avenue/Northern Crescent neighbourhood from using an internal road of the subject property in order to access Highway 97A.

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

- Subject property - Zoned Residential Single Family (R.1-A) and designated in the Official Community Plan (OCP) as Residential Low Density.
- North property – Zoned Residential Mobile Home Park (R.5) and designated in the OCP as Residential Low Density.
- South properties – Zoned a combination of Residential Single Family (R.1-A) and Residential Multi-Family Medium Intensity (R.3) and designated in the OCP as Residential Low Density and Residential Medium Density, respectively.
- East properties – Zoned Highway and Tourist Commercial (C.2) and Assembly, Civic and Public Service Use (S.1) and designated in the OCP as Highway and Tourist Commercial.
- West properties – Zoned Residential Single Family (R.1-A) and designated in the OCP as Residential Low Density.

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

The following orthophoto of the subject and surrounding properties was taken in 2018:



Figure 3: Orthophoto

****NOTE:** The property lines shown above are not an accurate representation of their true locations and are intended for display purposes only.

Development History/Proposal

The property is subject to a Land Use Contract, which was originally registered in 1978. A Land Use Contract is an agreement between a local government and a land owner that provides the land owner with site-specific development rights despite the current Zoning Bylaw. The particular Land Use Contract registered for the property has the effect of making it subject to the regulations outlined in the City of Enderby Mobile Home Park Bylaw No. 827, 1980, which overrides its base zoning designation of Residential Single Family (R.1-A).

The Province has legislated that all Land Use Contracts are effectively terminated as of 2024. Once the Land Use Contract is terminated, the property will be subject to the regulations of its base R.1-A zoning designation, which does not permit a modular home park. The City is in the process of rezoning the property to the Residential Mobile Home Park (R.5) zone in anticipation of the Land Use Contract terminating, such that the current use would continue in a legal conforming state moving forward. It should be noted that the Land Use Contract requires the property to develop in accordance with the R.5 zoning regulations, so the rezoning would have no impact on the manner in which the site develops.

In order to proceed with the development of additional phases of the modular home park, the applicant must obtain a Mobile Home Park Permit from the City in accordance with Mobile Home Park Bylaw No. 827, 1980 (note: when the Bylaw makes reference to mobile homes, this is inclusive of modular homes as per the bylaw definitions); for the Mobile Home Park Permit to be issued for the property, the applicant must demonstrate that the development is consistent with the Mobile Home Park Bylaw. In order to develop additional phases of the modular home park, to bring existing non-conformities into bylaw compliance, and to introduce incremental improvements to the park (i.e. turnaround area, recreational areas), the applicant is proposing the following variances to the Mobile Home Park Bylaw:

1. Section 606.1 by reducing the minimum area for a Mobile Home Space below 450 m² (4,855 square feet) for Mobile Home Space #2, #4 through 21, and #23, as shown on the attached Schedule 'A';
2. Section 614.1 by reducing the minimum number of required visitor parking spaces from 19 to 8, as shown on the attached Schedule 'A';
3. Section 616.2 by reducing the minimum common storage area for the storage of recreation vehicles, boats, etc. from 540 m² (5,812.5 square feet) to 503 m² (5,414.2 square feet), as shown on the attached Schedule 'A';
4. Section 616.3 by not requiring security fencing along the boundaries of common storage areas for security purposes, as shown on the attached Schedule 'A';
5. Section 701.5 by not requiring screening or fencing between recreation areas and other uses within the modular home park, as shown on the attached Schedule 'A';
6. Section 901.2.b.i by reducing the minimum paved width of access roads from 8.5 m (27.9 feet) to 6.25 m (20.5 feet), as shown on the attached Schedule 'A';
7. Section 901.2.b.iii by reducing the minimum right-of-way width of minor roads from 15 m (49.2 feet) to 12 m (39.3 feet), as shown on the attached Schedule 'A';
8. Section 901.2.b.iii.d by permitting a cul-de-sac to exceed 100 m (328.1 feet) in length, as shown on the attached Schedule 'A';
9. Section 901.2.c by not requiring roads in a modular home park to be accompanied by a 1 m (3.28 feet) gravel shoulder, as shown on the attached Schedule 'A';
10. Section 901.2.d by permitting a dead end road/cul-de-sac to have a hammerhead style turnaround in lieu of a turning circle with a minimum radius of 12 m (39.37 feet), as shown on the attached Schedule 'A'; and
11. Section 906 by not requiring street lighting to be installed to illuminate the proposed hammerhead style turnaround at the western terminus of the roadway, as shown on the attached Schedule 'A',

Once the applicant has demonstrated consistency with the Mobile Home Park Bylaw, or obtained the necessary variances, Staff will proceed with issuing the Mobile Home Park Permit and the applicant can proceed with developing additional phases of the park (except Phase 4, for which the applicant has yet to provide an accepted servicing plan).

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, secondary suites, bed and breakfasts, civic and public service use, and restricted agricultural use.

As previously mentioned, the City is in the process of rezoning the subject property to the Residential Mobile Home Park (R.5) zone, such that the property's base zoning designation will align with its current use once the Land Use Contract terminates. Uses permitted within the R.5 zone include mobile homes, modular/manufactured homes, accessory buildings and structures, one dwelling unit for the owner/operator, recreation areas, and utility service buildings.

MOBILE HOME PARK BYLAW:

The Land Use Contract registered for the subject property, and the proposed R.5 zoning designation, require the property to develop in accordance with the regulations of the City of Enderby Mobile Home Park Bylaw No. 827, 1980. The proposal as compared to the requirements of the Mobile Home Park Bylaw is as follows (highlighted items require a variance):

CRITERIA	MOBILE HOME PARK BYLAW REQUIREMENTS	PROPOSAL
Number, height, and area of identification sign (max.)	Number = One identification sign Height = 2 m (6.5 feet) Area = 1 m ² (10.76 square feet)	Number = One identification sign Height = < 2 m (6.5 feet) Area = < 1 m ² (10.76 square feet)
Site area (min.)	2 hectares (4.942 acres)	2.028 hectares (5.011 acres)
Mobile Home Space area (min.)	450 m ² (4,844 square feet)	Mobile Home Space #2, #4 through 21, and #23 = < 450 m ² (4,844 square feet)
Frontage (min.)	15 m (49.21 feet)	Greater than or equal to 15 m (49.21 feet)
Buffer area width between mobile home spaces and park boundaries (min.)	4.5 m (14.76 feet)	4.5 m (14.76 feet)
Number of visitor parking spaces (min.)	19	8
Common storage area for the storage of recreational vehicles, boats, etc. (min.)	540 m ² (5,812.5 square feet)	503 m ² (5,414.2 square feet)
Security fencing	Must be provided along the boundaries of common storage areas for security purposes	Not provided
Recreational space (min.)	1,014 m ² (10,915 square feet)	1,372.5 m ² (14,773 square feet)
Number of recreational spaces (min.)	Where more than 1,000 m ² in recreational space is required, 2 or more recreational areas shall be provided	2 areas provided

CRITERIA	MOBILE HOME PARK BYLAW REQUIREMENTS	PROPOSAL
Landscaping of recreational spaces	Grass or asphaltic surface	Grassed with ornamental plantings
Fencing/screening or recreational areas	Fencing or screening to be provided between recreation areas and other uses within park	No fencing or screening between recreation areas and other uses within park
Setback of ancillary buildings from any mobile home space (min.)	6 m (19.68 feet)	6 m (19.68 feet)
Setback of ancillary buildings from any other building (min.)	3 m (9.84 feet)	> 3 m (9.84 feet)
Right-of-way width for access roads (min.)	15 m (49.21 feet)	15 m (49.21 feet)
Paved width of access roads (min.)	8.5 m (27.89 feet)	6.25 m (20.51 feet)
Right-of-way width for minor roads (min.)	15 m (49.21 feet)	12 m (39.37 feet)
Paved width for minor roads (min.)	6 m (19.68 feet)	6.9 m (22.64 feet)
Cul-de-sac length (max.)	100 m (328.08 feet)	~325 m (1,066 feet)
Gravel shoulder	All roads shall have a 1 m (3.28 feet) gravel shoulder	No gravel shoulder along roads
Turn around area for dead end roads and cul-de-sacs	Dead end roads and cul-de-sacs shall have a turning circle right-of-way with a radius of at least 12 m (39.37 feet)	Hammerhead style turnaround in lieu of turning circle
Street lighting	Street lighting shall be installed and maintained to adequately illuminate the travelled portion of the roadway at, i) intersections of access roads and highways, ii) all internal intersections, iii) the turning circle or cul-de-sacs, iv) any point in which an internal roadway changes direction 30 degrees or more	No street lighting to illuminate the proposed hammerhead style turn around area

OFFICIAL COMMUNITY PLAN:

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

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

- Policy 4.4.c - Council will encourage and support a spectrum of housing choices throughout the community, including secondary suites, in order to meet the diverse housing needs of residents.
- Policy 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 to the following individuals/agencies:

- City of Enderby Public Works Manager;
- Fire Chief; and
- Building Inspector.

The Fire Chief provided the following comments:

“With regards to the proposed hammerhead turnaround, I have no concerns with this design given that it exceeds the Ministry of Transportation & Infrastructure’s design standards and it will be able to accommodate the turnaround needs of Fire Department apparatus.

With respect to the proposed length of the cul-de-sac, although this is not ideal from a response perspective, it could be mitigated by:

- i. enabling the Fire Department to use the road intersection between the Cliffview Lane Modular Home Park and the Meadow Crescent Mobile Home Park as a turnaround area for Fire Department apparatus; this would likely need to involve paving the small, landscaped area adjacent to the intersection to create an adequate turning radius for apparatus; and*
- ii. providing the Fire Department with keys to the gate installed at the west end of the park to provide alternate or secondary access to the site for firefighting purposes.”*

PLANNING ANALYSIS:

Mobile Home Space Size

The City of Enderby Planner raises no objections to the applicant's request to vary Section 606.1 of the City of Enderby Mobile Home Park Bylaw No. 827, 1980 by reducing the minimum area for a Mobile Home Space below 450 m² (4,855 square feet) for Mobile Home Space #2, #4 through 21, and #23, as shown on the attached Schedule ‘A’, given that the proposed reductions are relatively minor (i.e. smallest Mobile Home Space is 442.64 m² which only represents an approximately a 1.6% reduction in the minimum area), would not result in a significant increase in density for the site, and would not detract from the built character of the modular home park.

Visitor Parking

The City of Enderby Planner raises no objections to the applicant's request to vary Section 614.1 of the City of Enderby Mobile Home Park Bylaw No. 827, 1980 by reducing the minimum number of required visitor parking spaces from 19 to 8, as shown on the attached Schedule 'A', for a number of reasons. Firstly, the City of Enderby Mobile Home Park Bylaw No. 827, 1980 is quite dated and appears inconsistent with more contemporary Mobile Home Park Bylaw standards. More contemporary standards involve specifying a minimum number of visitor parking spaces that are to be provided on each Mobile Home Space, instead of within communal visitor parking areas, such that each Mobile Home Space can adequately accommodate parking on site for its residents and visitors. The applicant has confirmed that of the 29 Mobile Home Spaces that are currently developed, 22 of them have adequate driveway space to accommodate 2 visitor parking spaces in addition to 2 parking spaces for the residents; the remaining 7 Mobile Home Spaces can only accommodate 1 visitor parking space. In total, this represents 51 visitor parking spaces that are currently accommodated within the existing Mobile Home Spaces, in addition to the 8 visitor parking spaces that are proposed at the east and west ends of the park. Furthermore, the applicant has advised that their internal park bylaws restrict owners from parking recreational vehicles, boats, or uninsured vehicles on their Mobile Home Space (must be parked in common storage area), which helps to avoid situations where potential off-street visitor parking spaces are utilized for vehicle storage, which could result in parking spillover to other areas of the park.

To ensure that any parking from the proposed development (including visitor parking) does not spill over into the adjacent municipal road network, it is recommended that the issuance of the variance be subject to the applicant registering a covenant on the title of the property which requires the property owner to contain all parking associated with the modular home park on-site.

Common Storage Area Size

The City of Enderby Planner raises no objections to the applicant's request to vary Section 616.2 of the City of Enderby Mobile Home Park Bylaw No. 827, 1980 by reducing the minimum common storage area for the storage of recreation vehicles, boats, etc. from 540 m² (5,812.5 square feet) to 503 m² (5,414.2 square feet), as shown on the attached Schedule 'A', for the following reasons:

- The proposed reduction in the minimum common storage area is relatively minor, representing an approximately 7% reduction in the minimum area; and
- It is not anticipated that the proposed variance would negatively impact the use and enjoyment of the subject or surrounding properties.

Security Fencing for Common Storage Area

The City of Enderby raises no objections to the applicant's request to vary Section 616.3 of the City of Enderby Mobile Home Park Bylaw No. 827, 1980 by not requiring security fencing along the boundaries of

common storage areas for security purposes, as shown on the attached Schedule 'A', for the following reasons:

- Requiring security fencing along the boundaries of a common storage area could have the effect of reducing the security of the site by restricting natural surveillance; and
- It is not anticipated that the proposed variance would negatively impact the use and enjoyment of the subject or surrounding properties.

Fencing/Screening Between Recreation Areas and Other Uses Within the Park

The requirement to provide fencing/screening between recreation areas and other uses within the park is intended to avoid situations where activities occurring in the recreation area disturbs the residents of adjacent Mobile Home Spaces, or encroaches upon those Spaces. The City of Enderby Planner raises no objections to the applicant's request to vary Section 701.5 of the City of Enderby Mobile Home Park Bylaw No. 827, 1980 by not requiring screening or fencing between the recreation area identified as 'Park 2 (1,113.90 m²)' and other uses within the modular home park, as shown on the attached Schedule 'A', given that this is a grassy area with ornamental plantings and a pond, which is an amenity to park residents for which a visual barrier would not be necessary, and the nature of activities that could occur here is limited to passive activities. However, the City of Enderby Planner has concerns with the applicant's request to not require screening or fencing between the recreation area identified as 'Park (276.10 m²)' and other uses within the modular home park, as shown on the attached Schedule 'A', given that this area is likely to involve more *active* activities which could conflict with the adjacent common storage area. The provision of a fence will improve the safety of this recreation area given that it would reduce the potential for conflict between recreational users (including children) and vehicles in the common storage area, and for that reason the City of Enderby Planner is recommending that this variance request not be supported.

Paved Width of Access Roads, Right-of-Way Width of Minor Roads, Provision of Gravel Shoulder

The City of Enderby Planner raises no objections to the applicant's request to vary Section 901.2.b.i of the City of Enderby Mobile Home Park Bylaw No. 827, 1980 by reducing the minimum paved width of access roads from 8.5 m (27.9 feet) to 6.25 m (20.5 feet), as shown on the attached Schedule 'A', for the following reasons:

- The access road has already been constructed and paved to its existing width of 6.25 m (20.5 feet) and has functioned adequately since that time;
- A 6.25 m (20.5 feet) paved width standard is consistent with contemporary road standards and can adequately accommodate the traffic demands of the proposed development; for reference, the City of Kelowna's local road standard for hillside development only requires a paved road width of 7 m (22.97 feet);
- As per the modular home park's internal bylaws, on-street parking is not permitted which reduces the potential for traffic conflicts associated with a narrower road width (the property owner will be required by covenant to prohibit on-street parking in perpetuity, as discussed later in this Report); and

- It is not anticipated that the proposed variance would negatively impact the use and enjoyment of the subject or surrounding properties.

The City of Enderby Planner raises no objections to the applicant's request to vary Section 901.2.b.iii of City of Enderby Mobile Home Park Bylaw No. 827, 1980 by reducing the minimum right-of-way width of minor roads from 15 m (49.2 feet) to 12 m (39.3 feet), as shown on the attached Schedule 'A', for the following reasons:

- The reduced right-of-way width has not impacted the applicant's ability to provide the necessary services within the right-of-way area (i.e. hydrants, street lighting, stormwater infrastructure);
- The applicant is still able to meet the minimum paved width requirements for minor roads within the reduced right-of-way area;
- Requiring the applicant to provide a wider right-of-way area could only be accommodated by reducing the size of the adjacent Mobile Home Spaces, which would create a host of challenges for the applicant and park residents with no tangible benefit to be realized; and
- It is not anticipated that the proposed variance would negatively impact the use and enjoyment of the subject or surrounding properties.

The City of Enderby Planner raises no objections to the applicant's request to vary Section 901.2.c of the City of Enderby Mobile Home Park Bylaw No. 827, 1980 by not requiring roads in a modular home park to be accompanied by a 1 m (3.28 feet) gravel shoulder, as shown on the attached Schedule 'A', given that the existing road standard is sufficient for the proposed development, and the provision of a gravel shoulder would generally only be preferred in cases where on-street parking is permitted (in order to avoid the adjacent landscaped areas from becoming damaged), which is not the case for the proposed development. Moreover, the road cross-section features rollover rather than barrier curb, so there is an additional degree of maneuverability in the event of a traffic conflict.

Length of Cul-De-Sac/Dead End Road

Section 901.2.b.iii.d of the City of Enderby Mobile Home Park Bylaw No. 827, 1980 requires that cul-de-sacs shall not exceed 100 m (327.1 feet) in length. The rationale for limiting the length of a cul-de-sac/dead end road is related to emergency response and traffic volume concerns. As shown on the attached Schedule 'A', the applicant's proposed road network involves a cul-de-sac/dead end road that is ~325 m (1,066 feet) in length, and therefore they are seeking a variance to Section 901.2.b.ii.d; the City of Enderby Planner supports the variance request, subject to conditions, as discussed below.

With regards to traffic volume concerns, it is not anticipated that the density associated with the proposed development would result in traffic demands that could not be accommodated by the proposed 325 m cul-de-sac/dead end road. Having said that, the subject property has frontage along Northern Crescent to the west and if the applicant wished to extend the internal road system into Northern Crescent, this could result in traffic from the Salmon Arm Drive/Northern Avenue/West Enderby Road driving through the subject property in order to reach Highway 97A more quickly; if that were to occur, the resulting traffic volumes could potentially overwhelm a cul-de-sac/dead end road of that length. Given this, it is

recommended that issuance of the variance be subject to the applicant registering a covenant on the title of the subject property which requires the property owner to maintain a gate along the western property boundary in order to prevent access through the site from the adjacent road network to the west of the subject property; this will ensure that the cul-de-sac/dead end road is only being used by the residents and visitors of the modular home park, and that off-site traffic is not resulting in excessive traffic volumes on the site.

With regards to emergency response, limiting the distance of a cul-de-sac/dead end road ensures that emergency responders are able to reach the turn around area (if necessary) in a reasonable amount of time. Given that the access road to the turnaround area is flat and straight, it is anticipated that emergency responders should be able to reach the turnaround area to the west relatively quickly and efficiently. Having said that, the Fire Chief has stated that it would be beneficial to enable emergency responders to use the road intersection between the Cliffview Lane Modular Home Park and the adjacent Meadow Crescent Mobile Home Park in order to provide a turnaround for fire apparatus near the park entrance. Currently, the angle of the road intersection would make such a turn around extremely challenging; however, should the small, landscaped area outlined in red on the attached Schedule 'B' be paved, this would potentially improve the ability for emergency response vehicles to turnaround at this intersection. Given this, Staff are recommending that the variance be issued subject to the applicant providing a letter of undertaking committing to pave the area outlined in red on the attached Schedule 'B' no later than June 30, 2023. Furthermore, the Fire Chief advised that having the ability to access the subject property via Northern Crescent would provide an alternate or secondary access to the site for fire fighting purposes, which would mitigate the challenges associated with a long cul-de-sac/dead end road. Given this, Staff are recommending that the covenant require the property owner to provide the City of Enderby and Fire Department with key access to the gate on an on-going basis. Lastly, it is also recommended that the covenant require the property owner to prohibit the parking of vehicles along any internal roads located on the property, in perpetuity; this will ensure that the current and future property owners take the necessary steps to prevent on-street parking, in order to avoid scenarios where on-street parking conflicts with emergency responder vehicle access.

Type of Turnaround Area and the Provision of Lighting for Turnaround Area

The City of Enderby Planner raises no objections to the applicant's request to vary Section 901.2.d by permitting a dead end road/cul-de-sac to have a hammerhead style turnaround in lieu of a turning circle with a minimum radius of 12 m (39.37 feet), as shown on the attached Schedule 'A', for the following reasons:

- The proposed hammerhead style turnaround was designed based on the Ministry of Transportation & Infrastructure's design standards, with the applicant's proposed hammerhead design exceeding the Ministry's specifications;
- The Fire Chief has confirmed that the proposed hammerhead style turnaround is sufficient to accommodate the turnaround needs of Fire Department apparatus;
- It is not anticipated that the proposed variance would negatively impact the use and enjoyment of the subject or surrounding properties.

The City of Enderby Planner raises no objections to the applicant's request to vary Section 906 by not requiring street lighting to be installed to illuminate the proposed hammerhead style turnaround at the western terminus of the roadway, as shown on the attached Schedule 'A', for the following reasons:

- Streetlighting is located along Northern Crescent, directly adjacent to the turnaround area;
- There are no Mobile Home Spaces located in the vicinity of the turnaround area; and
- It is not anticipated that the proposed variance would negatively impact the use and enjoyment of the subject or surrounding properties.

SUMMARY

This report relates to Development Variance Permit Application for the property located at 130 Cliffview Lane, Enderby BC. The applicant is seeking variances to the City of Enderby Mobile Home Park Bylaw No. 827, 1980 in order to develop additional phases of the modular home park, to bring existing non-conformities into bylaw compliance, and to introduce incremental improvements to the park (i.e. turnaround area, recreational areas).

The City of Enderby Planner is supportive of the variance requests, subject to the conditions described in this report.

Prepared By:



Kurt Inglis, MCIP, RPP
Planner and Deputy Corporate Officer

Reviewed By:



Tate Bengtson
Chief Administrative Officer

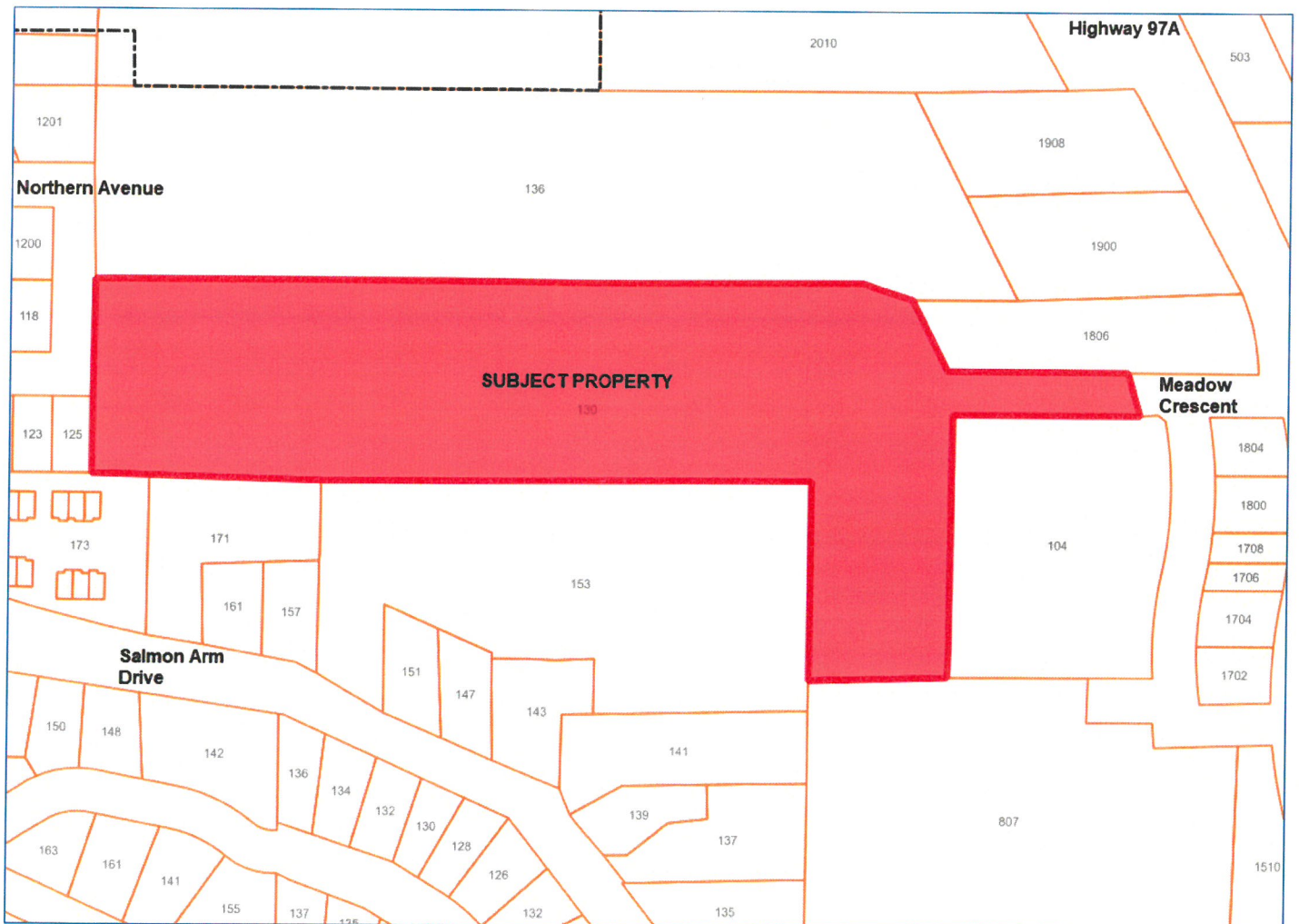
THE CORPORATION OF THE CITY OF ENDERBY
DEVELOPMENT VARIANCE PERMIT APPLICATION
SUBJECT PROPERTY MAP

File: 0041-22-DVP-END (Barroca)

Applicant: Scott Barroca

Owner: Barroca Enterprises Ltd.

Location: 130 Cliffview Lane, Enderby BC



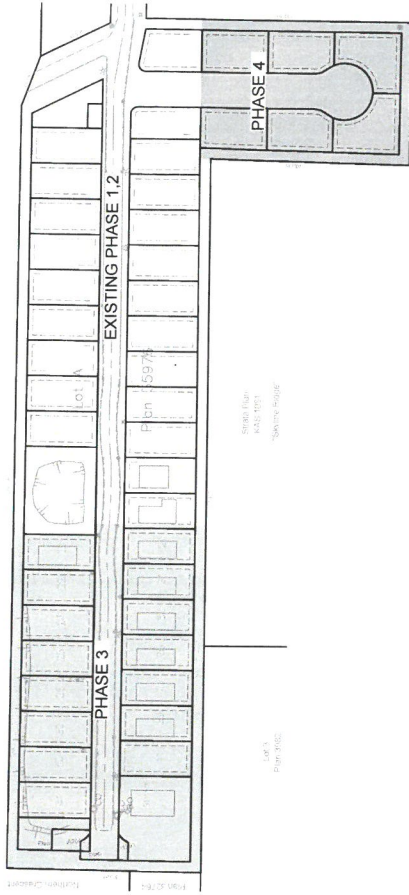
SCHEDULE 'A'

CLIFFVIEW LANE SUBDIVISION ENDERBY, BC

ISSUED FOR APPROVAL

DRAWING INDEX:

- C000 - SHEET 1 OF 4 - TITLE
- C101 - SHEET 2 OF 4 - SITE PLAN - PHASE 3
- C102 - SHEET 3 OF 4 - SITE PLAN - EXISTING PHASE 1,2
- C103 - SHEET 4 OF 4 - SITE PLAN - MEADOW CRESCENT



OVERALL PROJECT
SCALE 1:1000

PROJECT No: 109-2 DWG No: C000 SHEET: 1 OF 4

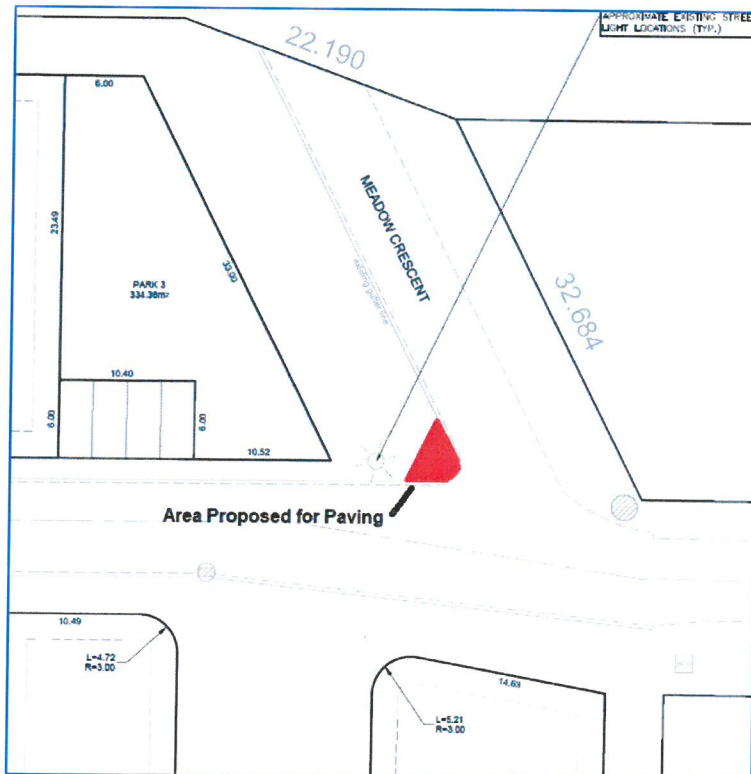
PREPARED FOR:

SCOTT BORROCA

LAWSON
ENGINEERING LTD.
5236 LAKESHORE DRIVE W
PO BOX 108 SALMON ARM, BC V1E 4N2
PH: (250) 832-3220

DESIGN BY: SAP
DESIGN DATE: 2019/04/24
REVIEWED BY: SAP
DRAWN BY: SPH
REVISION NUMBER: 0
REVISION DATE: 2021/07/22
ALL MEASUREMENTS IN m UNLESS OTHERWISE NOTED.

SCHEDULE 'B'



CITY OF ENDERBY
DEVELOPMENT VARIANCE PERMIT APPLICATION



File No: 0042-22-DVP-END

February 4, 2022

APPLICANT: Chad Eliason

OWNER(S): Jim’s Finishing Ltd., 633176 Alberta Ltd., Case Holdings Ltd.

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

PID #: 017-638-691

LOCATION: 222 Salmon Arm Drive, Enderby BC

PROPERTY SIZE: 0.6 acres (2,428 square meters)

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

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

PROPOSAL: Three-lot subdivision

**PROPOSED
VARIANCES:** Vary Subdivision Servicing and Development Bylaw by i) not requiring the dedication and construction to centreline for Salmon Arm Drive, Preston Drive West, and unnamed road adjacent to proposed lots, ii) not requiring provision of ornamental street lighting, and iii) not requiring the provision of underground wiring for power, telephone and cablevision.

RECOMMENDATION:

THAT Council authorizes the issuance of a Development Variance Permit for the property legally described as LOT 2 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP46537 EXCEPT PLAN KAP92074 and located at 222 Salmon Arm Drive, Enderby B.C. to permit variances to the following Sections of City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000:

- Section 2.0 of Schedule “A” by not requiring the dedication and construction of Salmon Arm Drive to the centreline of the road in accordance with the Local Road Standards;

- Section 2.0 of Schedule "A" by not requiring the dedication and construction of Preston Drive West to the centreline of the road in accordance with the Local Road Standards;
- Section 2.0 of Schedule "A" by not requiring the dedication and construction of the unnamed road adjacent to the proposed lots to the centreline of the road in accordance with the Collector Road Standards;
- Section 6.0 of Schedule "A" and Schedule "B" by not requiring the provision of ornamental street lighting; and
- Section 7.0 of Schedule "A" and Schedule "B" by not requiring the provision of underground wiring for power, telephone and cablevision.

BACKGROUND:

This report relates to Development Variance Permit Application for the property located at 222 Salmon Arm Drive, Enderby BC. The applicant is proposing a three-lot subdivision which would create a new lot along Salmon Arm Drive and two new lots along Preston Drive West, as shown on the attached Schedule 'A'. The applicant is seeking variances to the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 in order to, i) not require the dedication and construction to centreline for Salmon Arm Drive, Preston Drive West, and the unnamed road adjacent to the proposed lots, ii) not require the provision of ornamental street lighting, and iii) not require the provision of underground wiring for power, telephone and cablevision.

Site Context

The 0.6 acre (2,428 square meter) subject property is located on the eastern side of Preston Drive West, at the terminus of the cul-de-sac, and on the southern side of Salmon Arm Drive. The portion of the property immediately adjacent to Preston Drive West slopes steeply to the northeast, with the remainder of the lot being a relatively flat bench. The property is located adjacent to a multi-use walkway to the south, which provides access to an unconstructed road off of Preston Crescent that the neighbourhood self-maintains as an enhanced open space amenity.

The property is bisected by an unconstructed road dedication that runs in a southwest to northeast direction. A covenant is registered on the title of the property which restricts vehicular access across the aforementioned road dedication; this covenant prevents the property from having dual access off of both Salmon Arm Drive and Preston Drive West.

A two-family dwelling is currently under construction on the portion of the lot fronting Preston Drive West.

The subject property is zoned *Residential Multi-Family Low Intensity (R.3-A)* and is designated in the OCP as *Residential Medium Density* while the properties to the north, east, south, and southwest are zoned *Residential Single Family (R.1-A)* and are designated in the OCP as *Residential Low Density*; the

properties to the west and northwest are zoned *Country Residential (C.R)* and are designated in the OCP as *Residential Low Density*.

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

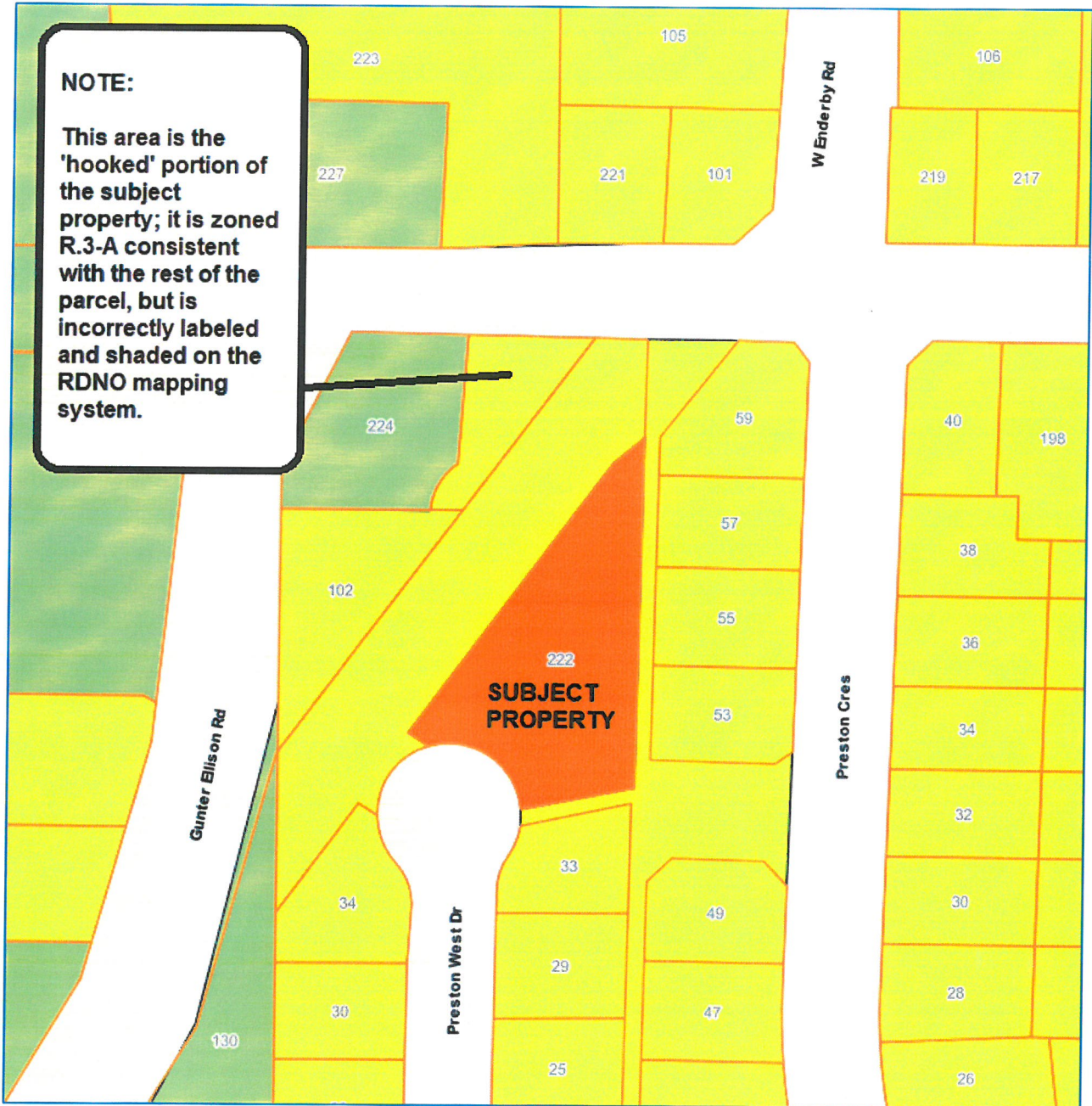


Figure 1: Zoning Map

- Green: Country Residential (C.R)
- Yellow: Residential Single Family (R.1-A)
- Orange: Residential Multi-Family Low Intensity (R.3-A)

The following orthophoto of the subject and surrounding properties was taken in 2019:



Figure 3: Orthophoto

****NOTE:** The property lines shown above are not an accurate representation of their true locations and are intended for display purposes only.

The Proposal

In 2021, the property owner successfully changed the OCP future land use designation of the property from *Residential Low Density* to *Residential Medium Density* and rezoned the property from the *Residential Single Family (R.1-A)* zone to the *Residential Multi-Family Low Intensity (R.3-A)* zone; at that time, the applicant had stated that they intended to develop a four-family dwelling on the subject property, which would be used for rental purposes. The property owner has since modified their development plans and is now pursuing a three-lot subdivision, whereby the 'hooked' portion of the lot would become a new lot along Salmon Arm Drive, while two new lots would be created along Preston Drive West, as shown on the attached Schedule 'A'. The residential use of the proposed lot adjacent to Salmon Arm Drive would be limited to a single-family dwelling, given its limited lot area, while the proposed lots along Preston Drive West are intended to each house a half-duplex dwelling, which is currently under construction.

ZONING BYLAW:

The subject property is zoned Residential Multi-Family Low Intensity (R.3-A) and uses permitted within this zone include:

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

SUBDIVISION SERVICING AND DEVELOPMENT BYLAW:

Section 2.0 of Schedule "A" of the Subdivision Servicing and Development Bylaw requires the dedication and construction of local roads and collector roads adjacent to properties zoned Residential Multi-Family in accordance with Design, Materials, and Installation standards outlined in Section 2.0 of Schedule "A" of the Bylaw; Sections 6.0 and 7.3 of Schedules "A" and "B" of the Bylaw require the provision of ornamental street lighting and underground wiring for power, telephone and cablevision.

As the applicant is seeking to maintain the existing road standards for Salmon Arm Drive, Preston Drive West, and the unnamed road adjacent to the proposed lots, while not providing additional street lighting or underground wiring, the applicant is seeking variances to the following Sections of the Subdivision Servicing and Development Bylaw No. 1278, 2000:

- Section 2.0 of Schedule “A” by not requiring the dedication and construction Salmon Arm Drive to the centreline of the road in accordance with the Local Road Standards;
- Section 2.0 of Schedule "A" by not requiring the dedication and construction of Preston Drive West to the centreline of the road in accordance with the Local Road Standards;
- Section 2.0 of Schedule "A" by not requiring the dedication and construction of the unnamed road adjacent to the proposed lots to the centreline of the road in accordance with the Collector Road Standards;
- Section 6.0 of Schedule “A” and Schedule “B” by not requiring the provision of ornamental street lighting; and
- Section 7.0 of Schedule “A” and Schedule “B” by not requiring the provision of underground wiring for power, telephone and cablevision.

OFFICIAL COMMUNITY PLAN:

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

- Policy 3.3.c - Council recognizes that development of land has social impacts and will act through the approval process to minimize negative and maximize positive impacts.
- Policy 8.3.h - Council will support infill and redevelopment within the community.
- 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 to the following individuals/agencies:

- City of Enderby Public Works Manager;
- Fire Chief; and
- Building Inspector.

No comments were received in response to the referral.

PLANNING ANALYSIS:

Road Dedication

The City of Enderby Planner raises no objections to the applicant's request to vary Section 2.0 of Schedule “A” of the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 by not

requiring Salmon Arm Drive and Preston Drive West to be dedicated a minimum of 9.0 m from the existing mean centreline of the road, and not requiring the unnamed road adjacent to the proposed lots to be dedicated a minimum of 20 m (65.6 feet), given that these roads have already been dedicated to meet the 'local road' standard of 18.0 m (59.1 feet) and the 'collector road' standard of 20.0 m (65.6 feet), respectively.

Construction to Centreline

The City of Enderby Planner raises no objections to the applicant's request to vary Section 2.0 of Schedule "A" of the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 by not requiring construction to centreline for Salmon Arm Drive, Preston Drive West, and the unnamed road adjacent to the proposed lots, for the following reasons:

- The proposed subdivision is only adding a relatively minor amount of residential density to the neighbourhood, and the additional wear and tear on Salmon Arm Drive and Preston Drive West associated with the proposed subdivision is not sufficient to warrant the collection of significant funds for off-site improvements;
- The unnamed road adjacent to the proposed lots was originally secured for the purposes of an eventual realignment of Gunter Ellison Road; it was anticipated that this realignment would be triggered when future development of the western uplands resulted in additional traffic demands that could not be accommodated by the existing Gunter Ellison Road/Salmon Arm Drive alignment, due to its steep grades, sharp 90-degree corner, and minimal distance between intersection and the corner; given the limited growth within the western uplands to date, it is not anticipated that this realignment of Gunter Ellison Road will be necessary in the foreseeable future, and therefore the collection of significant funds for off-site improvements for a relatively small subdivision is not necessary; and
- Supporting infill development is a critical strategy in facilitating additional development within the community and meeting the City's housing needs; requiring the provision of significant off-site improvement funds for a subdivision of this scale would likely make it economically unviable, and thus would act as a barrier to infill development.

Provision of Street Lighting and Underground Wiring

The City of Enderby Planner raises no objections to the applicant's request to vary Section 6.0 of Schedule "A" and Schedule "B" of the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 by not requiring the provision of ornamental street lighting, for the following reasons:

- Ornamental street lighting is already installed along Preston Drive West, in accordance with the standards of the Subdivision Servicing and Development Bylaw;
- The ornamental street lighting standard along Salmon Arm Drive does not extend beyond the intersection of Salmon Arm Drive and West Enderby Road, with street lighting beyond that point

being in the form of street lights affixed to hydro poles, which is fitting with the more rural standard of that area; and

- The street lights affixed to hydro poles along Salmon Arm Drive and Gunter Ellison provide sufficient light to accommodate the needs of traffic in that area, such that additional lighting is unnecessary.

The City of Enderby Planner also raises no objections to the applicant's request to vary Section 7.0 of Schedule "A" and Schedule "B" of the City of Enderby Subdivision Servicing and Development Bylaw by not requiring the provision of underground wiring for power, telephone and cablevision for the following reasons:

- Underground wiring is already installed along Preston Drive West, in accordance with the standards of the Subdivision Servicing and Development Bylaw; and
- Overhead wiring is the existing standard along the entirety of the Salmon Arm Drive corridor and requiring the installation of underground wiring for the subject property's minimal frontage along Salmon Arm Drive is unnecessary and would have no impact on improving the broader service standard of the neighbourhood.

SUMMARY

This report relates to a Development Variance Permit application for the property located at 222 Salmon Arm Drive, Enderby BC. The applicant is proposing a three-lot subdivision and is seeking variances to the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 in order to, i) not require the dedication and construction to centreline for Salmon Arm Drive, Preston Drive West and the unnamed road adjacent to the proposed lots, ii) not require the provision of street lighting, and iii) not require the provision of underground wiring for power, telephone and cablevision.

The City of Enderby Planner is supportive of the variance requests.

Prepared By:



Kurt Inglis, MCIP, RPP
Planner and Deputy Corporate Officer

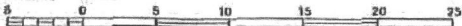
Reviewed By:



Tate Bengtson
Chief Administrative Officer

Compiled Plan of
Lot 2, Sec 27, Tp 18, Rge 9,
W6M, KDYD, Plan KAP46537 Except KAP92074

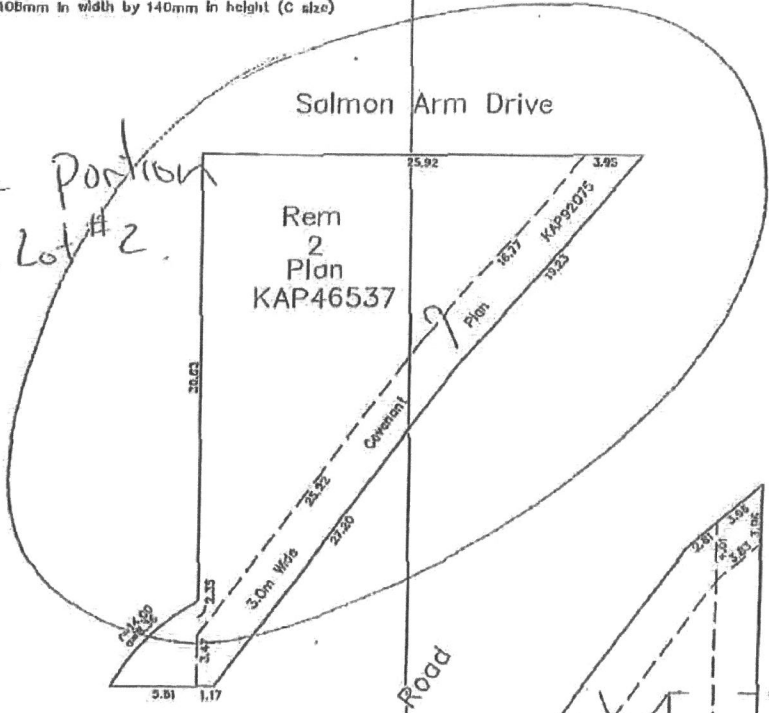
Scale 1:250



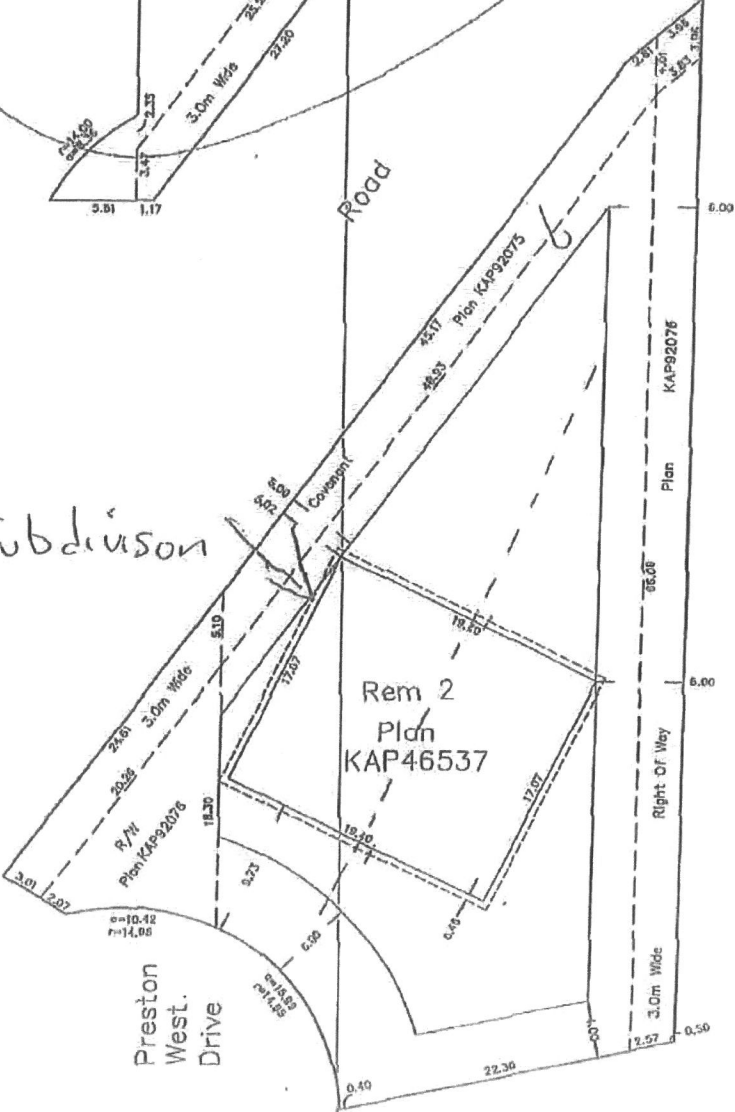
All distances are in metres.

The intended plot size of this plan is 108mm in width by 140mm in height (C size) when plotted at a scale of 1:250

*Hooked position
of rem. Lot #2.*



*Proposed
Duplex Subdivision*



Zoning R.3-A
Civic Address:
222 - Salmon Arm Drive Endebly, BC
PID: 017-638-891

This plan was prepared for construction planning purposes and is for the exclusive use of our client, BROUKE JOHNSON LAND SURVEYORS accepts no responsibility or liability for any damages that may be suffered by a third party as a result of reproduction, transmission or alteration to this document without consent of BROUKE JOHNSON LAND SURVEYORS.

Added proposed duplex August 25, 2021
Added proposed building August 18, 2021
Date Prepared: April 18 2021

BROUKE JOHNSON LAND SURVEYORS
B.C. AND CANADA LANDS
SALMON ARM, B.C. 250-832-9701
File: 193-21

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1737

A BYLAW TO AMEND FEES AND CHARGES BYLAW NO. 1479, 2010

WHEREAS Council of the City of Enderby has adopted “The City of Enderby Fees and Charges Bylaw No. 1479, 2010”;

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

1. This bylaw may be cited as the “The City of Enderby Fees and Charges Bylaw No. 1479, 2010 Amendment Bylaw No. 1737, 2022”.
2. Schedule “8” of the City of Enderby Fees and Charges Bylaw No. 1479, 2010 is deleted and Schedule “8” attached to and forming part of this bylaw is substituted therefore.
3. The reference to ‘Land Use Fees’ in the Table of Contents of City of Enderby Fees and Charges Bylaw No. 1479, 2010 is hereby replaced with ‘Development Applications Fees’.

READ a FIRST time this 7th day of February, 2022.

READ a SECOND time this 7th day of February, 2022.

READ a THIRD time this 7th day of February, 2022.

ADOPTED this day of , 2022.

MAYOR

CORPORATE OFFICER

SCHEDULE 8

DEVELOPMENT APPLICATIONS FEES

Administered through the Development Applications Procedures Bylaw and Subdivision Servicing and Development Bylaw

DEVELOPMENT APPLICATIONS FEES	
Application Type	Fee
Rezoning/Zoning Bylaw Amendment	\$900
- Public Notice Advertising	\$900
Official Community Plan Amendment	\$900
- Public Notice Advertising	\$900
Joint Official Community Plan Amendment / Zoning Bylaw Amendment	\$1,100
- Public Notice Advertising	\$1,100
Temporary Use Permit	\$700
- Public Notice Advertising	\$500
Development Variance Permit	\$800
Board of Variance	\$800
Land Use Contract – Vary or Discharge	\$750
Provincial Non-Medical Cannabis Retail License Referral Application (Not collected if accompanied by a Zoning Bylaw Amendment)	\$1,000
Subdivision	
- Base Fee	\$1,000
- Each Additional Lot Created	\$155
Boundary Adjustment	\$800
Preliminary Layout Review Extension	\$200
Subdivision Application Revision	\$200
Inspection Fees	3% of the first \$500,000 (minimum \$1,000)
	2% on the second \$500,000
	1% on the balance over \$1,000,000
	(of the estimated costs of constructing services as approved by the City Engineer)
Engineering Plan Resubmission Fees	\$250 per sheet reviewed after the second submission
Strata Conversion of Previously Occupied Building	\$1,000
Lot Frontage Waiver Request	\$300
Floodplain Exemption Request	\$600
Campground Permit	
- First 50 Camping Spaces	\$100
- Each Additional Camping Space	\$2
Legal Document Amendment or Discharge	
- No Council Resolution Required	\$400

<ul style="list-style-type: none"> - Council Resolution Required - Public Notice Advertising 	<p>\$1,100 \$900</p>
<p>Secondary Suite Decommission Application</p> <p>*Note: In the event a decommissioned suite is rented without notification provided to the City, the applicable fees and charges will be charged retroactively and a 10% penalty will be applied to the property.</p>	<p>\$25 *See Note</p>

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1738, 2022

A BYLAW TO AMEND THE TEXT OF THE CITY OF ENDERBY SUBDIVISION SERVICING
AND DEVELOPMENT BYLAW NO. 1278, 2000

WHEREAS the Council of the City of Enderby has adopted the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 to regulate the provision of Works and Services in connection with the Subdivision and Development of land within the City of Enderby, pursuant to the powers granted by the *Local Government Act*;

AND WHEREAS Council of the City of Enderby has determined to make an amendment to of the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000;

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 Subdivision Servicing and Development Bylaw No. 1278, 2000 Amendment Bylaw No. 1738, 2022”.
2. Section 8 – FEES of City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 is hereby replaced in its entirety as follows:

8.0 – FEES

- 8.1. An applicant for subdivision approval shall submit with the application a fee in accordance with the City of Enderby Fees and Charges Bylaw. This application fee shall cover all processing and review of preliminary subdivision layout plans up to the issuance of a preliminary layout review or the equivalent thereof.
- 8.2. Following the granting of a preliminary layout review, an applicant for subdivision shall submit an engineering development review and inspection fee in accordance with the City of Enderby Fees and Charges Bylaw. The estimated cost of the works shall be approved by the City.
- 8.3. An applicant for subdivision approval shall submit a fee in accordance with the City of Enderby Fees and Charges Bylaw if they wish to make a request for the extension of a preliminary layout review, prior to its expiry, or if they wish to make a substantive revision to a subdivision application. Approval of such requests is at the discretion of the Approving Officer.
- 8.4. An applicant for development approval shall submit with the application a fee in accordance with the following:
 - i. any fee payable under the Building Bylaw of the City at the time of application; and
 - ii. prior to the issuance of a permit where a permit is required or prior to construction where no permit is required, an engineering development review and inspection fee in accordance with the City of Enderby Fees and

Charges Bylaw. The estimated costs of the works shall be approved by the City Engineer.

READ a FIRST time this 7th day of February, 2022.

READ a SECOND time this 7th day of February, 2022.

READ a THIRD time this 7th day of February, 2022.

ADOPTED this day of , 2022.

MAYOR

CORPORATE OFFICER

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, CAO
From: Jennifer Bellamy, CFO
Date: February 14, 2022
Subject: Parks, Recreation and Culture Fees Bylaw

Recommendation

THAT Council gives first, second, and third readings of the bylaw cited as "The Corporation of the City of Enderby Parks, Recreation and Culture Fees Imposition Bylaw No. 1693, 2020 Amendment Bylaw No. 1739, 2022".

Background

At the February 14, 2022 meeting, the Enderby & District Services Commission approved the attached Parks, Recreation and Culture Fees Bylaw, which incorporates the following changes:

- Pool Fees:
- Pool Rental fees were increased by 3% to keep up with increased wages.
- No changes were made to the other pool fees in order to remain competitive with neighbouring communities.

Table with 2 columns: Pool Rentals (per hour) and fees. Rows include: Up to 50 persons (73.25 to 75.50), 51-85 persons (100.00 to 108.00), Swim club (27.50 to 28.50), Not-for-profit licensed preschool or youth organization (19.00 to 19.50/instructor/hr).

- Park Fees:
- Park Rates and Ball Diamond fees were increased by 2% to keep up with increased operating costs. As costs regularly increase by this amount each year, a provision for a 2% annual increase was added. The same provision was added to the arena fees in 2021, which began in the 2021/22 season.
- Gazebo fees remained the same as the fees are still reflective of the operating costs. The hourly rental for the gazebo was removed as this was implemented in response to the increased restrictions on events. Events can now be safely held.

Park Rates	
Riverside Park – Youth (per day; includes ball diamond area)	250.00 255.00
Riverside Park – Adult / Commercial (per day; includes ball diamond area)	500.00 510.00
Ball Diamonds	
Adult League Play (per hour/per field)	17.70 18.00
Youth League Play (per hour/per field)	8.85 9.00
Adult League Tournament (per diamond/per day)	96.75 98.50
Youth League Tournament (per diamond/per day)	48.40 49.25
Non-League (per diamond per day)	96.75 98.50
Funtastic	424.00 432.50

Respectfully submitted,


 Jennifer Bellamy
 Chief Financial Officer

**THE CORPORATON OF THE CITY OF ENDERBY
BYLAW No. 1739**

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

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

AND WHEREAS Council wishes to amend the fees;

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

1. This Bylaw may be cited as "The Corporation of the City of Enderby Parks, Recreation and Culture Fees Imposition Bylaw No. 1693, 2020 Amendment Bylaw No. 1739, 2022".
2. Schedule "C" and Schedule "D" of "The Corporation of the City of Enderby Parks, Recreation and Culture Fees Imposition Bylaw No. 1693, 2020" is deleted and Schedule "C" and Schedule "D" attached to and forming part of this bylaw is substituted therefore.

READ a FIRST time this ___ day of _____, 2022.

READ a SECOND time this ___ day of _____, 2022.

READ a THIRD time this ___ day of _____, 2022.

ADOPTED this ___ day of _____, 2022.

Mayor

Corporate Officer

SCHEDULE "C" – POOL FEES

Drop In (per visit)				
	Per Swim	10-Visit Pass	1-Month Pass	Season Pass
Public Swim – Adult	4.50	40.50	49.50	n/a
Public Swim – Youth or Senior	3.75	33.75	41.25	n/a
Public Swim – Preschool 3-5 yrs	2.50	22.50	27.50	n/a
Public Swim – 2yrs and under	Free	n/a	n/a	n/a
Public Swim – Family	12.00	108.00	132.00	n/a
Toonie Swim	2.00	n/a	n/a	n/a
Aqua Fit – Youth or Senior	6.00	54.00	69.25	225.00
Aqua Fit – Adult	7.00	63.00	80.75	250.00
Not-for-profit licensed preschool or youth organization:				
	# of Youth/Preschool		Rate per swim	
	8-12		20.00	
	13-20		32.50	
	21-30		52.50	
	30+		52.50 plus \$2.00 for each additional Youth/Preschool	
Rentals (per hour)				
Up to 50 persons			75.50	
51-85 persons			108.00	
Swim club			28.50	
SD #83			JOINT USE AGREEMENT	
Not-for-profit licensed preschool or youth organization			19.50/instructor/hr	

SCHEDULE "D" – PARK FEES

	2022
Park Rates*	
Riverside Park – Youth (per day; includes ball diamond area)	255.00
Riverside Park – Adult / Commercial (per day; includes ball diamond area)	510.00
Gazebo	
Daily Rental	120.00
Kitchen Damage Deposit (per rental)	500.00
Kitchen Clean-up (per rental)	52.00
Ball Diamonds*	
Adult League Play (per hour/per field)**	18.00
Youth League Play (per hour/per field)**	9.00
Adult League Tournament (per diamond/per day)	98.50
Youth League Tournament (per diamond/per day)	49.25
Non-League (per diamond per day)	98.50
Additional maintenance staff for tournament play (per hour)***	42.00
Funtastic	432.50

*Fees are to be increased by 2% annually beginning in 2023.

**To be booked at half hour intervals

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

MEMO

To: Mayor and Council
From: Tate Bengtson, CAO
Date: February 17, 2022
Subject: 2022-23 Road Projects

RECOMMENDATION

THAT Council authorizes staff to tender the renewal of Mill Avenue (between George Street and Sicamous Street) and Peacher Crescent in 2022-23.

BACKGROUND

As part of the City's ongoing asset management initiative, which has a focused financial strategy that concentrates resources on elevating the City out of its significant infrastructure deficit, Staff are advancing designs for Mill Avenue (between George Street and Sicamous Street) and Peacher Crescent, which are proposed for renewal in 2022-23.

Road Renewal Identification

The City, like most other municipalities, carries a significant infrastructure deficit. It has many roads that have been prolonged beyond the end of useful life while still providing adequate service, up to a point. It also has a number of roads that have failed prematurely, for reasons discussed below.

The City's road renewal identification process considers a variety of factors, including:

1. Condition assessment;
2. Failure or deterioration rate;
3. Asset criticality;
4. Asset relationship to broader infrastructure projects or objectives; and
5. Financial capacity.

As there are many roads within the City that are in poor condition (although this number is being reduced each year through the City's asset management plan), relative poorness is used as a starting point for **condition assessment**. Condition assessment is generally assessed based on an analysis of surface features that are indicative of base failure, and then confirmed through a geotechnical investigation.

Given that certain roads tend to move towards failure more quickly than others due to original construction quality and use conditions, the historical **rate of failure** is assessed at an anecdotal level by Public Works, who have the most experience dealing with maintenance demands over a multi-year span. This helps to identify roads which may be in poor condition but not failing as rapidly as others, which become candidates for deferral if the increasing operations and maintenance costs are anticipated to remain reasonable, and asset criticality and broader infrastructure plans are not at stake.

Roads are assessed for **criticality**, which is their importance to the overall transportation network – in essence, the City’s ability to operate the roads past the point of failure. The logic behind this approach is that there are some roads and underground utilities that can be operated to failure (less critical) while other roads need to be addressed pre-failure (more critical). This needs to be weighed over and against the failure rate plus the City’s ability to prolong the service life cost effectively.

Roads are then assessed for their relationship to broader infrastructure projects or objectives. In addition to the objective of addressing the infrastructure deficit through asset renewal, the City is also pushing for *progress* on achieving its long-range infrastructure goals, which are important to improving the overall functionality of community services. This can include objectives related to vehicle and pedestrian transportation corridors, environmental impacts related to inflow and infiltration into the sanitary sewer system, fireflows, and stormwater management.

The above four factors are then considered in light of the City’s financial position. The goal is to find a rational approach to financing infrastructure renewal that considers debt and taxation levels, contributions to reserves, competing priorities, and the overall financial position of the City. This is balanced by the need to invest in infrastructure continuously to avoid over-funding short-term and emergency repairs, or losing ground on a strategic priority.

Road Analysis

Two roads were identified through this process:

1. Mill Avenue (from George Street to Sicamous Street); and
2. Peacher Crescent.

The rationale and proposed service level for each road will be dealt with in turn. Attached to this memorandum are design plans for both road projects.

Mill Avenue between George Street and Sicamous Street is a collector road that is failing, with significant long-range infrastructure objectives underpinning it. Mill Avenue features a robust array of deficiencies, including a poor road base and surface and aged (and undersized, relative to the City’s long-range infrastructure plans) water, storm, and sanitary mains and services.

As mentioned above, Mill Avenue addresses two longer-range infrastructure projects:

- 1) Upsizing the storm main from 200mm diameter to 525mm diameter, as one of the “missing links” between the Sicamous Street and Regent Avenue mains that forms part of the City’s master drainage plan; and
- 2) Upsizing the water main from 100mm to 200mm diameter pipe to assist with fireflows and distribution (the increase in water main size will improve flow capacity three to four times over its current flow, during a fire event).

The road cross-section will feature 1.5m sidewalk on both sides, curb and gutter on both sides, and paved parking areas, which is consistent with the “feature street” design most recently used on Hubert Avenue and Knight Avenue. One item to note, which is different from Hubert and Knight, is that vertical (barrier) curb will be used instead of rollover curb, which is due to the narrower right-of-way widths on Mill; in order to achieve on-street parking and provide for proper-width sidewalks, the gutter pan that is associated with vertical (barrier) curb needs to be used to provide sufficient width for the parking lanes.

Finally, the design will include the relocation of the Mill Avenue and Maud Street bus stops from east of George Street to the subject block, with a dedicated bus pull-out lane and a relocated shelter, which will reduce traffic conflicts. The design for the relocated bus stop was referred to BC Transit, which indicated that there are no concerns with the design.

The relocation is consistent with BC Transit’s North Okanagan Transit Future Action Plan. BC Transit polled the public as part of its action plan, and the relocation met with significant support, as indicated in the action plan’s poll results:

Proposal 3: Modify route 60 Enderby by relocating the primary stop in downtown Enderby	
Yes	142
Yes, but with some changes	7
No	21
This doesn't affect me	282

Peacher Crescent is a local road feeding off of Johnston Avenue. Much like Mill Avenue, Peacher Crescent features a robust array of deficiencies, including an inadequate road base, an insufficient road surface, poor grading and stormwater management, failed sanitary services, and a contribution towards the hillside combined sewer system that increases inflow to the City's sewer treatment plant.

If the road is not renewed, the City will need to excavate the cul-de-sac to replace the failed sanitary services, expend funds on patching the road failures, and try to mitigate known stormwater management issues; however, these are temporary or partial fixes which do not address the underlying road condition nor the need to commence work on the hillside combined sewer separation project.

The existing cul-de-sac bulb does not meet current standards for radius and, while a cul-de-sac cannot be designed that meets current standards, due to topography, the proposed works will provide an improved radius that is closer to the current standards.

The design of Peacher Crescent will allow for the elimination of the lift station once gravity sewer and storm mains have been constructed to Salmon Arm Drive (the City has already secured the needed easements for this alignment). At this time, stormwater is collected into a drain in the Peacher Crescent cul-de-sac and then piped to an outfall at the Red Rock Crescent cul-de-sac, where it collects in the Red Rock sanitary sewer lift station and is then pumped up Red Rock Crescent to Johnston Avenue, where it ultimately finds its way to the sewer treatment plant. The renewal plans provide for stormwater detention on Peacher, which will help to minimize peak flows that contribute to ponding in the Red Rock Crescent cul-de-sac as well as lift station performance.

The renewal will replace several sanitary services on Peacher which have settled and created "bellies" that interrupt the gravity flow from individual dwellings, which has led to a need to flush the services on a regular basis to avoid sewer back-ups.

Finally, the water services are known to be backfilled with unacceptable material that has led to premature failure at other locations with similar characteristics.

Financial Analysis, Timeline and Market Competitiveness

The estimated project cost for Mill Avenue is \$1,477,000. The estimated project cost for Peacher Crescent is \$577,000.

Both prices include an allowance of \$20,000 for the relocation of shallow utilities (such as gas lines) if need be. Both prices also include 30% for engineering and contingency; while this value would typically be lowered to 25% at this point in the design process, ongoing market uncertainty suggests that the City should be prepared, financially, for the risks. The shallow utility allowance and contingency fees will only be used if necessary, and otherwise will roll forward to offset the costs of subsequent road projects.

Based on Staff's analysis of 2022 taxation/user fees, surplus, and capital reserves, it is recommended that the projects be tendered such that one is completed in 2022 and the other in 2023. While the City could afford to do both in 2022, it will result in the City's capital reserves in

its general fund being depleted to a level which is not recommended. As this fund will be replenished in the 2023 fiscal year, spreading the projects across two years will provide for a more balanced approach that keeps an allowance both for responding to unforeseen circumstances and acting upon emergent opportunities. No borrowing, external or internal, will be required in order to proceed with the projects.

The City is acutely aware of market challenges due to labour constraints and variations in supplier pricing. For this reason, Staff are recommending that the tender set completion dates requiring one project to be completed in each year, but provide flexibility for bidders to determine their preferred sequence.

By issuing a flexible tender, it will help create a bid opportunity that is in the financial best interests of the City for two reasons:

- 1) It gives bidders the opportunity to manage risk exposure to supplier price escalations over a two-year span, if this is a concern for them, by proceeding with the higher-risk project first; and
- 2) It enables bidders to schedule the City's work relative to their other committed projects, which is likely to increase the number of bidders who respond to the tender, thus increasing the competitiveness of the prices.

Strategic Plan Implications

This matter is related to Council's fifth strategic priority:

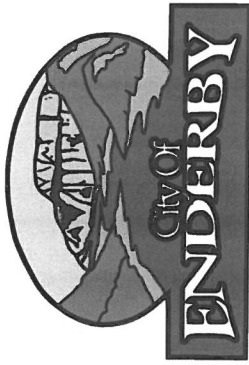
We are committed to providing well-managed infrastructure that supports the needs of our community in a fiscally responsible way.

Within that strategic priority, the proposed projects are directly related to the objective of continuing to invest in asset management annually. The projects are also consistent with Council's intention to use a higher-standard road cross-section for higher-profile roads. The projects are complimentary to objectives, as well as the City's long-range infrastructure objectives, related to increasing fireflows and improving drainage management in the northern catchment basin.

Respectfully submitted,



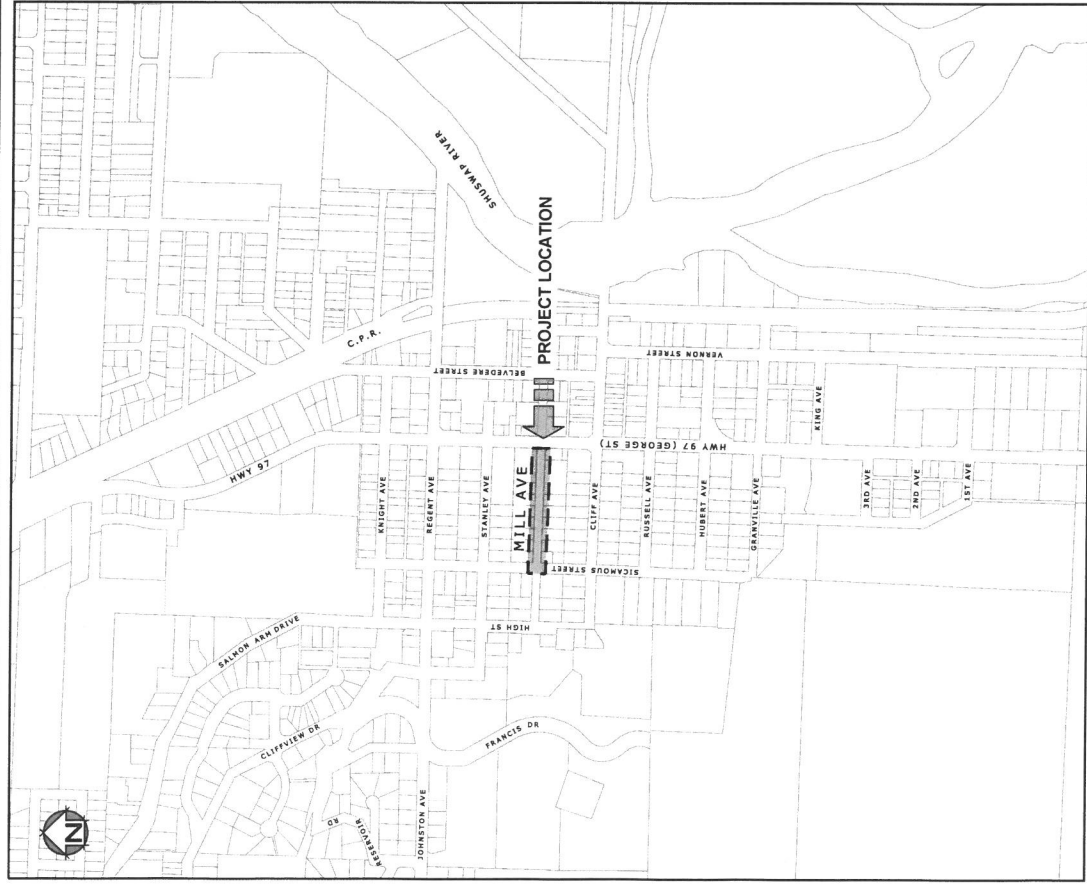
Tate Bengtson
Chief Administrative Officer



MILL AVE RECONSTRUCTION SICAMOUS ST TO GEORGE ST 90% DESIGN SUBMISSION



3710B 28th Street,
Vernon, BC, V1T 9X2
Ph: (250) 503-1023
Fax: (250) 503-1024



VICINITY MAP
SCALE: N.T.S.

GENERAL NOTES:

- ALL CONSTRUCTION AND MATERIALS TO BE IN ACCORDANCE WITH THE CITY OF ENDERBY STANDARD SPECIFICATIONS AND DRAWINGS UNLESS OTHERWISE NOTED.
- WHEN THE MOST STRINGENT SHALL APPLY.
- OBTAIN A PERMIT TO CONSTRUCT WORKS ON A MUNICIPAL RIGHT OF WAY FROM THE CITY OF ENDERBY 48 HOURS PRIOR TO THE START OF ANY CONSTRUCTION.
- CONTRACTOR TO LOCATE ANY AND ALL EXISTING UTILITIES PER LATEST WORKSAFE BC, CITY OF ENDERBY AND OFFSETS OF EXISTING UTILITIES SHOWN ON THESE PLANS ARE COMPILED FROM THE MOST RECENT INFORMATION AVAILABLE, BUT ARE NOT GUARANTEED TO BE COMPLETE OR ACCURATE. CONTRACTOR TO VERIFY THE LOCATION AND DEPTHS OF ALL EXISTING UTILITIES PRIOR TO AN EXISTING UTILITY AS A RESULT OF CONSTRUCTION WILL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- EXPOSE ALL EXISTING SERVICES AT CONNECTION AND CROSSING POINTS 48 HOURS PRIOR TO STARTING CONSTRUCTION ON ANY SUCH SERVICES. ADVISE ENGINEER OF ANY CONFLICTS.
- AFTER CONSTRUCTION RESTORE WORK AREAS AND ALL EXISTING FEATURES TO THEIR ORIGINAL CONDITION OR BETTER.
- MAINTAIN LOCAL VEHICULAR AND PEDESTRIAN ACCESS THROUGH CONSTRUCTION AREA DURING CONSTRUCTION.
- ADJUST ALL PROPOSED AND EXISTING APPURTENANCES TO MEET THE FINISHED GRADES.
- ENSURE THAT ALL EXISTING SERVICES REMAIN USABLE DURING CONSTRUCTION.
- REMOVE EXISTING ASPHALT CONSISTENT WITH THE LIMITS OF CONSTRUCTION SHOWN ON THE DRAWINGS AND AS NECESSARY TO COMPLETE THE WORK.
- ALL EXISTING UTILITIES ARE FOR REFERENCE ONLY. DIGITAL LAYOUT WILL BE PROVIDED AT TIME OF CONSTRUCTION.
- REMOVE AND REINSTALL EXISTING SIGNAGE AS PER THE LATEST MOTI STANDARD SPECIFICATIONS.

WATER

- ALL CONSTRUCTION AND MATERIALS TO BE IN ACCORDANCE WITH CITY OF ENDERBY STANDARD SPECIFICATIONS AND DRAWINGS UNLESS OTHERWISE NOTED.
- ALL WATER MAIN PIPE TO BE PVC DR14.5, ANWV STANDARD C900. PROVIDE 1.5m MINIMUM COVER.
- ALL WATER MAIN FITTINGS TO BE JOINT RESTRAINED AND HAVE CONCRETE REACTION BLOCKS.
- ALL METALLIC WATER MAIN FITTINGS TO BE PROTECTED FROM CORROSION BY AN APPROVED METHOD THROUGHOUT THE USE OF DENSO TAPE, ANASTIC AND TAPE OR APPROVED EQUIVALENT FROM CORROSION THROUGHOUT THE USE OF DENSO TAPE, ANASTIC AND TAPE OR APPROVED EQUIVALENT FROM CORROSION.
- WHERE 1.0m HORIZONTAL AND/OR 0.45m CLEAR SEPARATION (OUTSIDE OF PIPE TO OUTSIDE OF PIPE) IS NOT MAINTAINED, CONTRACTOR TO NOTIFY ENGINEER AND ENSURE THAT ALL WATER MAIN JOINTS ARE WAPPED WITH CANUS JOINTWRAP OR DENSO TAPE.
- FOR WATER MAIN CROSSING DETAIL, SEE DWG C400.
- CONTRACTOR TO VERIFY THE LOCATION AND DEPTHS OF ALL EXISTING WATER MAINS PRIOR TO EXISTING GATE VALVES AND CURB STOPS TO BE ABANDONED SHALL HAVE BOX AND RISER REMOVED, VALVE CLOSED AND BURIED.
- RESTRAINED LENGTHS AND THRUST BLOCK SIZES AT WATER FITTINGS. REFER TO TABLE ON DWG C400.
- CONTRACTOR TO TEST, FLUSH AND CONNECT THE WATER MAINS UNDER THE SUPERVISION OF THE ENGINEER AND AS PER THE WATER TESTING AND RETURN TO SERVICE PLAN.
- ALL EXISTING VALVES TO BE OPERATED BY CITY OF ENDERBY OWNERS ONLY. CONTRACTOR NOT TO OPERATE ANY EXISTING VALVES.
- THE CONTRACTOR SHALL PROVIDE A MINIMUM 48 HOURS (2 WORKING DAYS, DEFINED AS MONDAY TO FRIDAY) NOTICE TO THE CITY OF ENDERBY WATER SERVICES DEPARTMENT PRIOR TO ANY MAIN AND/OR SERVICE LINE SHUTDOWNS. THE CITY OF ENDERBY WATER SERVICES DEPARTMENT WILL BE ADVISED OF ANY MAIN AND/OR SERVICE LINE SHUTDOWNS OF GREATER THAN 8 HOURS WILL BE ALLOWED. THE CONTRACTOR SHALL ADVISE ALL SERVICE DISRUPTIONS WITH THE ENGINEER, CITY OF ENDERBY AND THE FIRE DEPARTMENT.

STORM SEWER

- STORM SEWER MAIN TO BE 5100 RIBBED PVC UNLESS OTHERWISE NOTED.
- STORM SEWER SERVICES TO BE 1500 PVC SDR 28 @ MINIMUM 1.0% UNLESS OTHERWISE NOTED.
- CATCH BASIN LEADS TO BE 2000 PVC SDR 35 @ MINIMUM 1.0%.
- CATCH BASINS ARE SIDE INLET UNLESS OTHERWISE NOTED.
- ALL EXISTING GUTTERS TO BE CORRECT TO 150mm AND 150mm FOR BARBERE CURB WITH GUTTER, UNLESS OTHERWISE NOTED.
- TOP INLET CATCH BASIN BARRELS TO BE MINIMUM 7500 DIAMETER.
- SIDE INLET CATCH BASIN BARRELS TO BE 10000 DIAMETER.

SANITARY SEWER

- SANITARY SEWER MAIN TO BE 1500 PVC SDR 28 UNLESS OTHERWISE NOTED.
- SANITARY SEWER SERVICES TO BE 1000 PVC SDR 28 @ MINIMUM 2.0% UNLESS OTHERWISE NOTED.

HYDRO, TELEPHONES, CABLE, STREETLIGHTING AND GAS

- COMPLETE "B" ONE CALL AT 1-800-474-6886 AND CONTACT ANY OTHER APPLICABLE UTILITY A MINIMUM OF 48 HOURS PRIOR TO START OF CONSTRUCTION.

DRAWING INDEX:

No.	DESCRIPTION
C000	COVER SHEET
C001	VICINITY PLAN, GENERAL NOTES & DRAWING INDEX
C100	COMPOSITE UTILITY PLAN
C101	RENOVALS PLAN
C200	ROADWORKS & GRADING - PLAN & PROFILE - FROM STA. 1+640 TO 1+735
C201	ROADWORKS & GRADING - PLAN & PROFILE - FROM STA. 1+735 TO 1+855
C202	PAVEMENT MARKINGS & SIGNAGE
C300	SAN AND STM - PLAN & PROFILE - FROM STA. 1+640 TO 1+735
C301	SAN AND STM - PLAN & PROFILE - FROM STA. 1+735 TO 1+855
C400	WATER - PLAN & PROFILE - FROM STA. 1+640 TO 1+735
C401	WATER - PLAN & PROFILE - FROM STA. 1+735 TO 1+855
C500	TYPICAL SECTIONS & DETAILS

		CITY OF ENDERBY MILL AVE RECONSTRUCTION VICINITY PLAN, GENERAL NOTES & DRAWING INDEX	
EGIS PERMIT TO PRACTICE No. 1941446 37100 26th Street, Vernon, BC, V1T 9X2 Ph: (250) 561-1023 Fax: (250) 561-1024		DATE AS NOTED DATE AUG 2021 DRAWING NO. 1 OF 11 REVISION NO. 001	
90% DESIGN SUBMISSION DATE 2022-02-01 DRAWN BY [Name] CHECKED BY [Name]		PROJECT No. 1584_36 CLIENT No. [Name] SHEET No. 1 OF 11 DRAWING No. [Name] REV. A	



PEACHER CRESCENT RECONSTRUCTION 90% DESIGN SUBMISSION



3710B 28th Street,
Vernon, BC, V1T 9X2
Ph: (250) 503-1023
Fax: (250) 503-1024



GENERAL NOTES:

- ALL CONSTRUCTION AND MATERIALS TO BE IN ACCORDANCE WITH THE CITY OF ENDERBY STANDARD SPECIFICATIONS UNLESS OTHERWISE NOTED.
- WHEN A PERMIT TO CONSTRUCT WORKS ON A MUNICIPAL RIGHT OF WAY FROM THE CITY OF ENDERBY IS OBTAINED, THE CONTRACTOR SHALL OBTAIN A PERMIT TO CONSTRUCT WORKS ON A MUNICIPAL RIGHT OF WAY FROM THE CITY OF ENDERBY AND LOCATE ANY AND ALL EXISTING UTILITIES PER LATEST WORKSAFE BC, CITY OF ENDERBY AND LOCAL UTILITY COMPANIES.
- LOCATION AND OFFSETS OF EXISTING UTILITIES SHOWN ON THESE PLANS ARE COMPILED FROM THE MOST RECENT INFORMATION AVAILABLE, BUT ARE NOT GUARANTEED TO BE COMPLETE OR ACCURATE. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION. UTILITY AS A RESULT OF CONSTRUCTION WILL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- EXPOSE ALL EXISTING SERVICES AT CONNECTION AND CROSSING POINTS 48 HOURS PRIOR TO CONSTRUCTION.
- DO NOT START CONSTRUCTION ON ANY SUCH SERVICES. ADVISE ENGINEER OF ANY CONFLICTS.
- AFTER CONSTRUCTION, RESTORE WORK AREAS AND ALL EXISTING FEATURES TO THEIR ORIGINAL CONDITION OR BETTER.
- MAINTAIN LOCAL VEHICULAR AND PEDESTRIAN ACCESS THROUGH CONSTRUCTION AREA DURING CONSTRUCTION.
- ADJUST ALL PROPOSED AND EXISTING APPURTENANCES TO MEET THE FINISHED GRADES.
- ENSURE THAT ALL EXISTING SERVICES REMAIN USABLE DURING CONSTRUCTION.
- REMOVE EXISTING ASPHALT CONSISTENT WITH THE LIMITS OF CONSTRUCTION SHOWN ON THE PLANS AND AS NECESSARY TO COMPLETE THE WORK.
- CONSIDER SAFETY FOR REFERENCE ONLY. DIGITAL LAYOUT WILL BE PROVIDED AT TIME OF CONSTRUCTION.
- REMOVE AND REINSTALL EXISTING SIGNAGE AS PER THE LATEST MOTI STANDARD SPECIFICATIONS.

DRAWING INDEX:

No.	DESCRIPTION
C000	COVER SHEET
C001	VICINITY PLAN, GENERAL NOTES & DRAWING INDEX
C100	OVERALL PLAN & COMPOSITE UTILITY PLAN
C200	ROADWORKS & GRADING - PLAN & PROFILE - FROM STA. 0+000 TO 0+120
C300	SANITARY PLAN & PROFILE - FROM STA. 0+000 TO 0+120
C501	STORM PLAN & PROFILE - FROM STA. 0+000 TO 0+120
C500	TYPICAL SECTIONS & DETAILS

STORM SEWER

- STORM SEWER MAIN TO BE 2500 FIBRED PVC UNLESS OTHERWISE NOTED.
- STORM SEWER SERVICES TO BE 1500 PVC SDR 26 @ MINIMUM 1.0% UNLESS OTHERWISE NOTED.
- CATCH BASIN LEADS TO BE 2000 PVC SDR 35 @ MINIMUM 1.0%.
- TOP INLET CATCH BASIN BARRELS TO BE MINIMUM 7500 DIAMETER.
- SIDE INLET CATCH BASIN BARRELS TO BE 9000 DIAMETER.

SANITARY SEWER

- SANITARY SEWER MAIN TO BE 1500 PVC SDR 28 UNLESS OTHERWISE NOTED.
- SANITARY SEWER SERVICES TO BE 1000 PVC SDR 28 @ MINIMUM 2.0% UNLESS OTHERWISE NOTED.

HYDRO, TELEPHONES, CABLE, STREETLIGHTING AND GAS

- COMPLETE "B/C ONE CALL" AT 1-800-474-4886 AND CONTACT ANY OTHER APPLICABLE UTILITY A MINIMUM OF 48 HOURS PRIOR TO START OF CONSTRUCTION.

	<p>EGBC PERMIT TO PRACTICE No. 1081446</p> <p>MONTECHAN INCORPORATED</p> <p>37108 28th Street, Vernon, BC, V1T 9X2 Ph: (250) 561-1023 Fax: (250) 561-1004</p>	<p>DATE AS NOTED</p> <p>DATE AUG 2021</p> <p>DESIGNED CH/CS</p> <p>DRAWN C/B</p> <p>CHECKED C/H</p>	<p>PROJECT No. 1584.37</p> <p>CAD FILE No.</p> <p>SHEET No. 1 OF 6</p> <p>DRAWING No. C001</p> <p>REV. A</p>
	<p>CITY OF ENDERBY</p> <p>PEACHER CR RECONSTRUCTION</p> <p>VICINITY PLAN, GENERAL NOTES & DRAWING INDEX</p>		

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, CAO
From: Jennifer Bellamy, CFO
Date: February 14, 2022
Subject: COVID-19 Safe Restart Grant – Enderby and District Services Commission

RECOMMENDATION

THAT Council approves the use of funds from its COVID-19 Safe Restart Grant for the City of Enderby's portion of the eligible items related to the Enderby and District Services Commission's pandemic related revenue losses and additional costs for 2021, in the amount of \$18,047;

AND THAT Council approves the use of funds from its COVID-19 Safe Restart Grant for the City of Enderby's portion of ventilation upgrades to the Enderby Arena main washrooms, based on the 2022 cost apportionment for Fortune Parks.

BACKGROUND

At the February 14, 2022 meeting of the Enderby & District Services Commission, the Commission passed the following motions:

"AND THAT the Enderby and District Services Commission requests that the City of Enderby and the Regional District of North Okanagan provide funds from each jurisdiction's respective COVID-19 Safe Restart Grants for the 2021 eligible items related to Animal Control, Cemetery and Fortune Parks services in the amounts of \$18,047 and \$23,705 respectively;

AND FURTHER THAT the Enderby and District Services Commission requests that the City of Enderby and the Regional District of North Okanagan provide funds either from each jurisdiction's respective COVID-19 Safe Restart Grants or from each jurisdiction's respective Community Works Funds for ventilation upgrades to the Enderby Arena, at an estimated cost of \$5,500, based on the 2022 cost apportionment for Fortune Parks;"

The Animal Control, Cemetery and Fortune Parks services realized \$40,157 in amounts eligible for funding under the COVID-19 Safe Restart Grant in 2021. This includes budgeted revenues that were not realized and reopening and operating costs directly related to COVID-19.

In addition to this, a necessary ventilation upgrade to the washrooms at the arena is occurring in 2022, which would also be eligible under the Safe Restart Grant. This project is being

completed at a fraction of the cost due to the partially restored state of the facility and has an estimated cost of \$5,500. As the project is occurring in 2022, the cost allocation between the City and the RDNO should be based on the 2022 cost apportionment for the service, which will not be known until late March. Although this project is also eligible for funding under the Community Works Fund, it is recommended that the Safe Restart Grant be used to fund this project as the City uses the Community Works Fund for needed road projects; however, for Area F, the ability to use the Community Works Fund may be a more preferable source.

Respectfully submitted,



Jennifer Bellamy
Chief Financial 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: February 15, 2022
Subject: Enderby Farmers Market – Road Closure Application for 2022 Season

RECOMMENDATION

THAT Council approves the attached Road Closure Application from the Enderby Farmers Market for the closure of, i) Cliff Avenue from Highway 97A to Vernon Street, and Belvedere Street from Cliff Avenue to Speers Lane, every Friday from 6:00 am – 2:00 pm between April 15, 2022 and October 21, 2022, and ii) Cliff Avenue, between Highway 97A and Belvedere Street, from 6:00 am – 2:00 pm on November 4/18 and December 2/16, 2022, with the approval being subject to the following conditions:

1. The road closures during November and December cannot begin until snow clearing along Cliff Avenue is complete, and in cases where the road closure is delayed due to snow clearing occurring, the Market organizers shall take the necessary steps to ensure that vendors are not staging downtown in a manner that negatively impacts other snow clearing operations or the regular flow of traffic;
2. The Market shall maintain and adhere to a general health and safety plan which is reflective of any applicable public health orders/guidelines that apply to outdoor episodic markets;
3. The Market shall be responsible for setting up and removing traffic control devices, emptying municipal garbage receptacles, and immediately cleaning up any litter from the road closure area;
4. The Market shall ensure that porta-potties are properly maintained and are removed at the end of each market event;
5. The Market shall ensure that the road closure area is re-opened to traffic no later than the end time noted in the application;
6. The Market shall provide proof of Comprehensive Public Liability and Property Damage Insurance for \$2,000,000 inclusive, with the City of Enderby as additional insured, which shall include, i) a cross liability clause, ii) a waiver of subrogation clause, and iii) a requirement that the policy cannot be cancelled, lapsed or materially changed without at least thirty (30) days written notice to the City of Enderby, delivered to the Corporate Officer; and
7. The Market Board shall pass a resolution to:
 - a. confirm that the City of Enderby is indemnified, saved harmless, and released in all respects arising from the proposed road closure and use of the adjacent sidewalks and walkways, including legal fees;

- b. expressly acknowledge the risks associated with the proposed road closure and that they have sought independent advice on this matter, prior to considering this resolution;
- c. acknowledge that they are responsible for any additional snow and ice clearing that exceeds the City's bylaw requirements and its *Snow and Ice Clearing Policy*; and
- d. confirm that when a road closure is delayed due to snow clearing occurring, the Market will take the necessary steps to ensure that vendors are not staging downtown in a manner that negatively impacts other snow clearing operations or the regular flow of traffic.

BACKGROUND

In 2021, Council received Road Closure Applications from the Enderby Farmers Market which requested to close portions of Cliff Avenue and Belvedere Street for the purposes of a weekly market from May to October, and a bi-weekly market during the winter months. As both of these markets were considered 'first-time events' under the City's *Temporary Road Closures for Community Events Policy* (attached), the market organizers were required to circulate Petitions of Affected Business Owners to all affected businesses within a one-block radius of the proposed road closures; both the petition for the weekly market and the petition for the bi-weekly winter market were met with broad support from the downtown businesses and Council approved both of the Road Closure applications, subject to a number of conditions. Staff note that both of the 2021 market events were well received by the community and downtown businesses.

The Enderby Farmers Market has now submitted a Road Closure Application for a weekly spring/summer/fall market and a bi-weekly winter market for the 2022 season. The details of these market events are as follows:

- The proposed road closure area for the spring/summer/fall market includes Cliff Avenue from Highway 97A to Vernon Street, and Belvedere Street from Cliff Avenue to Speers Lane, as shown on the site plan attached as Schedule 'A';
- The proposed road closure area for the winter market includes Cliff Avenue from Highway 97A to Belvedere Street, as shown on the site plan attached as Schedule 'B';
- The proposed road closure dates for the spring/summer/fall market are every Friday from April 15, 2022 to October 21, 2022;
- The proposed road closure dates for the winter market are November 4, November 18, December 2, and December 16, 2022;
- The proposed road closure times for both markets are 6:00 am – 2:00 pm, with the spring/summer/fall market operating hours being 8:00 am – 12:00 pm and the winter market being 10:00 am – 12:00 pm;
- The spring/summer/fall market could accommodate up to 50 vendors, while the winter market could accommodate up to 32 vendors;
- One-way pedestrian aisles are provided on each side of the street for both markets; spaces are provided between vendors where the Cliff Avenue sidewalk bulb-outs are located, which

will preserve vehicle access to the road closure area, facilitate emergency responder access, and enable a more expedient break down of the market;

- Ambulance parking refuges are provided at all road closure points to minimize any required emergency access on foot/stretchers; and
- For the spring/summer/fall market, porta-potties are proposed to be located in the vacant lot on the north side of Cliff Avenue; no porta-potties are proposed for the winter market.

The only material change to the Road Closure Application for the 2022 season, as compared to the 2021 season, is that the organizers are requesting that the road closure for the winter market begin at 6:00 am instead of 8:00 am, due to the Market having challenges with vehicles being parked in the road closure area prior to 8:00 am. Given that there are no significant changes to the market proposals, the markets are no longer considered 'first time events' under the City's *Temporary Road Closures for Community Events Policy* and thus the Market organizers are not required to circulate a Petition of Affected Business Owners as part of this Road Closure Application process. Normally, Road Closure Applications for non-first time events can be approved by Staff, as per the delegation provisions of the City's *Temporary Road Closures for Community Events Policy*. However, given that this is a large-scale road closure which has only been tested through a single season, Staff are advancing the Road Closure Application to Council for consideration. Should Council approve the Road Closure Application for the 2022 season, and there are no major issues or concerns identified throughout the course of the season, it is anticipated that future Road Closure Applications from the Enderby Farmer's Market would be approved by Staff and the approved applications would be placed on a Council agenda for information purposes only; however, should there be any significant changes to the market proposal in future years (i.e. expansion of road closure area, change to road closure times), this would trigger the need for the application to be considered by Council for approval, subject to the Market organizers circulating a Petition of Affected Business Owners (unless waived by Council).

Staff have reviewed the Road Closure Application and the only concern noted is the proposed road closure start time of 6:00 am for the winter market. Staff note that, generally, snow clearing operations along Cliff Avenue are completed in the early morning hours prior to 8:00 am, therefore the closure of Cliff Avenue prior to 8:00 am would potentially conflict with these operations; the Market has indicated that in cases where snow clearing is occurring along Cliff Avenue during the requested road closure time, the vendors would wait until the snow clearing operations are complete before closing the road for the event. Although this would help to ensure that the road closure does not impact snow clearing along Cliff Avenue, Staff have concerns that under these circumstances the vendors would be staging in the downtown in a manner that would interfere with other snow clearing operations or the regular flow of traffic (i.e. vendor vehicles stacked up along Belvedere Street or Vernon Street waiting for snow clearing along Cliff Avenue to finish). In order to mitigate for this, it is recommended that a potential approval of the Road Closure Application be subject to the following condition:

The road closures during November and December cannot begin until snow clearing along Cliff Avenue is complete, and in cases where the road closure is delayed due to snow clearing occurring, the Market organizers shall take the necessary steps to ensure that vendors are not

staging downtown in a manner that negatively impacts other snow clearing operations or the regular flow of traffic.

Staff are recommending that Council approve the Enderby Farmers Market's Temporary Road Closure Application, subject to the following additional conditions:

1. The Market shall maintain and adhere to a general health and safety plan which is reflective of any applicable public health orders/guidelines that apply to outdoor episodic markets

In the past, outdoor episodic markets were subject to the Province's Gatherings and Events Order which required physical distancing between vendor booths, hand washing stations, health checks, and adherence to a COVID-19 Safety Plan. It appears that the most recent Gatherings and Events Order does not encompass outdoor episodic markets, and thus there is no requirement for the Market to maintain a COVID-19 Safety Plan. Notwithstanding this, the Market should still maintain and adhere to a general health and safety plan for their event, which is reflective of any applicable public health orders/guidelines that relate to outdoor episodic markets. As the owner of the land upon which the event is taking place, the City would only approve the plan when specifically required by public health order.

2. The Market shall be responsible for setting up and removing traffic control devices, emptying municipal garbage receptacles, and immediately cleaning up any litter from the road closure area

This condition is directly from the City's *Temporary Road Closure for Community Events Policy* and is intended to ensure that the impacts associated with these types of events are not drawing down the City's labour capacity.

3. The Market shall ensure that porta-potties are properly maintained and are removed at the end of each market event

This condition will ensure that porta-potties do not become a nuisance by way of sight or smell, and the immediate removal will mitigate the potential for vandalism or unintended uses of the facility occurring.

4. The Market shall ensure that the road closure area is re-opened to traffic no later than the end time noted in the application

Requiring the road closure area to be re-opened to traffic no later than the end time noted in the application will ensure that businesses have certainty, can plan their business operations accordingly, and thus help to minimize any potential conflicts.

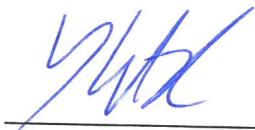
5. The Market shall provide proof of Comprehensive Public Liability and Property Damage Insurance for \$2,000,000 inclusive, with the City of Enderby as additional insured, which shall include, i) a cross liability clause, ii) a waiver of subrogation clause, and iii) a requirement that the policy cannot be cancelled, lapsed or materially changed without at least thirty (30) days written notice to the City of Enderby, delivered to the Corporate Officer

The requirement for Comprehensive Public Liability and Property Damage Insurance in the amount of \$2,000,000 with the City as a named insured is directly from the City's *Temporary Road Closure for Community Events Policy* and is intended to ensure that the City is not accepting liability exposure associated with the event.

6. The Market Board shall pass a resolution to, i) confirm that the City of Enderby is indemnified, saved harmless, and released in all respects arising from the proposed road closure and use of the adjacent sidewalks and walkways, including legal fees, ii) expressly acknowledge the risks associated with the proposed road closure and that they have sought independent advice on this matter, prior to considering this resolution, iii) acknowledge that they are responsible for any additional snow and ice clearing that exceeds the City's bylaw requirements and its *Snow and Ice Clearing Policy*, and iv) confirm that when a road closure is delayed due to snow clearing occurring, the Market will take the necessary steps to ensure that vendors are not staging downtown in a manner that negatively impacts other snow clearing operations or the regular flow of traffic.

This requirement is intended to further protect the City given the additional level of risk associated with a market event on public property, particularly during the winter months, while ensuring that the Market's Board is expressly aware of these additional risks and their responsibilities.

Respectfully Submitted,



Kurt Inglis
Planner and Deputy Corporate Officer

Policy Title	Temporary Road Closures for Community Events
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Adopted: August 13, 2012	<u>Authorized By:</u> Mayor and Council Regular Meeting of August 13, 2012	Replaces: Not applicable
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PURPOSE:

The City will consider approving the temporary closure of municipal roads for a community event.

POLICY:

Temporary road closures will only be considered for community events which are sponsored by a recognized organization.

The Chief Administrative Officer or designate is granted the authority to approve a Temporary Road Closure Permit on behalf of Council, subject to the applicant meeting all the requirements of this policy. First time events must be approved by City Council.

A completed Schedule A, "Application for Temporary Road Closure," shall be submitted to City Hall at least 21 days prior to the closure. The application must include a map of the proposed road closure and emergency access through the closure. Applications for first-time or relocated events requiring Council approval must be submitted two months prior to the closure.

The organizer shall notify and consult with business owners within a one-block radius of the proposed road closure and residents adjacent to the proposed road closure. The organizer agrees to take reasonable steps to mitigate disruption for affected business owners and residents. Failure to adequately notify and consult affected businesses and residents may result in revocation of permit or refusal of future applications. Unless exempted by Council, all first-time or relocated event applications must include a petition signed by a majority of affected business owners agreeing to the proposed event.

The applicant for a Temporary Road Closure must submit proof of public liability and property damage insurance in a form acceptable to the City. The applicant may request that insurance requirements be waived based on the risk profile of the event. Such waiver does not affect any other responsibility of the applicant to obtain insurance.

The applicant shall be responsible for all traffic management, including the provision, set up, and removal of signs and barricades on the same day as the road closure.

The applicant shall be responsible for ensuring that all food service establishments, including but not limited to mobile vending units, food services at temporary events, and sellers of home-prepared foods, shall have the appropriate authorization or permit from Interior Health.

The applicant shall be responsible for emptying municipal garbage receptacles and cleaning up litter from the road closure area on the same day as the closure.

As a condition of permit, the City of Enderby will not be liable or otherwise responsible for any scheduling conflict, revocation, refusal, maintenance closure or other damage or harm related to the issuance of this permit.

Schedule A
Application for a Temporary Road Closure for a Community Event

Is this a first-time or relocated event? Yes **No**

Name of Sponsoring Organization Enderby Farmers Market

Name of Contact Person Mika Puchinger or Gabriele Wesle

Telephone or Email enderbyfarmersmarket@gmail.com

Name of Event Enderby Farmers Market

Date(s) of Closure Summer Market - Friday weekly: April 15, 22, 29, May 6, 13, 20, 27, June 3, 10, 17, 24, July 1, 8, 15, 22, 29, August 5, 12, 19, 26, Sept 2, 9, 16, 23, 30, Oct 7, 14, 21. Winter Market - Friday bi-weekly: Nov 4, 18, Dec 2, 16

Start time for Closure 6:00 am End time for Closure 2:00pm

Location of Closure Cliff Avenue from 97A highway to BMO crosswalk + Belvedere Street

from the alley behind the pharmacy to the library.

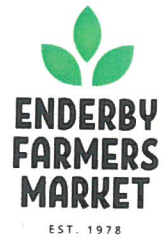
Required Attachments

- Map showing closure and emergency access route
- Petition of affected business owners (if applicable)
- Certificate of insurance (if applicable)

Indemnity: The applicant agrees to indemnify and save harmless the City of Enderby from and against any and all claims, including but not limited to harm, damage, injury, or loss to body or property caused by, arising from, or connected with any act or omission of the applicant or any agent, employee, customer licensee or invitee of the applicant, and against and from all liabilities, expense costs and legal or other fees incurred in respect of any such claims or any actions or proceedings brought thereon arising directly or indirectly from or in connection with the property, facilities, or services of the City. The applicant will be required to obtain and keep in force throughout the period of use insurance in a form specified by the City of Enderby unless waived in writing.

Authorized Signatory Mika Puchinger Date February 11, 2022

Do Not Complete – For Administrative Purposes			
Approved by _____	Date _____		
Certificate of Insurance	Yes	No	N/A
Map	Yes	No	N/A
Petition of Affected Business Owners	Yes	No	N/A



The Enderby Farmers Market would like to host an “outdoor winter market” again this year. The dates we plan to host the market are:

November 4th,
November 18th,
December 2nd,
December 16th.

We are asking to have the permission to close the required roads from 6:00am – 2:00pm, with our winter market hours being 10:00am – 12:00pm. We appreciate being able to close the roads with ample time before our market starts to ensure that no vehicles are parked in our market area prior to our arrival.

In all fairness, we are most likely to close the roads around 7:00am – 7:30am, but enjoy having the permission to close earlier if needed.

In the event of snow falling and the City of Enderby crews needing to clear the roads, we understand that snow clearing will be done by 8:00am, and the Enderby Farmers Market should not interfere with the work being done or the flow of traffic. To mitigate any issues, we would:

- Communicate with vendors via our weekly or bi-weekly emails that setting up cannot happen before the roads are cleared from snow – tell them to arrive after 8am
- Keep open lines of communication with the City of Enderby and the snow clearing crews
- Have the market manager(s) on site prior to 8:00am
- Have the market manager(s) and team ensure that no vendors are setting up their booth before the snow is fully cleared
- If vendors arrive before the snow has all been cleared, the manager will tell vendors to park and wait elsewhere until the roads are cleared

enderbyfarmersmarket@gmail.com

<https://enderbyfarmersmarket.com>



@enderbyfarmersmarket

MEMO

To: Mayor and Council
From: Tate Bengtson, CAO
Date: February 15, 2022
Subject: Riverside RV Park Strategic Plan

RECOMMENDATION

THAT Council adopts the 2022 Strategic Plan for the Riverside RV Park.

BACKGROUND

Attached to this memorandum the 2022 Strategic Plan for the Riverside RV Park, which includes a progress update on 2021 objectives.

The Riverside RV Park 2021 Strategic Plan is itself a strategic objective identified in Council's 2021 update to its corporate-wide Strategic Plan.

There were a number of accomplishments with respect to the 2021 objectives, including an exploration of the feasibility and costs for service extensions and site expansions, extending the operating season, investing profits in community enhancements, reviewing discount rates for encouraging non-peak/off-season occupancy rates, completing an asset inventory and basic condition assessment, implementing a tree replanting program, and establishing a community events notice board.

Some objectives have been deferred to 2022 or 2023. Most of these objectives hinge upon the completion of a customer survey to determine the next steps. In addition, three new objectives were added by the Recreation and Tourism Portfolio, with respect to implementing an online booking system, exploring opportunities to functionally integrate the Riverside RV Park with the Events Coordinator position, and marketing the Riverside RV Park through the City's digital sign.

Respectfully submitted,



Tate Bengtson
Chief Administrative Officer

RIVERSIDE RV PARK

STRATEGIC PLAN 2021 PROGRESS UPDATE

MISSION

The mission of the Riverside RV Park is to provide a positive, safe, and sustainable camping experience to our customers while demonstrating excellent corporate citizenship through strong local relationships and social, economic, and environmental investments in the City of Enderby.

VISION

The Riverside RV Park will be a source of community pride and sustainable prosperity by providing an unforgettable camping experience with enhanced amenities, programs, and activities for its customers while earning the respect of the community for its positive social, economic, and environmental contributions.

VALUES

The values of the Riverside RV Park are:

1. Positivity
2. Safety
3. Integrity
4. Sustainability

STRATEGIC PRIORITIES

The strategic priorities of the Riverside RV Park are:

1. Revenue Growth
2. Revenue Stability
3. Asset Management
4. Customer Experience
5. Community Relations

PROGRESS UPDATE ON 2021 OBJECTIVES

STRATEGIC PRIORITY #1: REVENUE GROWTH

- a. Explore the feasibility of expanding the campground and, if viable, prepare a site layout (2021) ✓
- b. Complete an infrastructure plan to increase the quantity of serviced campsites (2021) ✓
- c. Evaluate whether there is a basis for charging for use of the communal kitchen to recover costs associated with its usage and to fund future upgrades (2022) 📅
- d. Develop a plan to diversify revenue streams through collaboration with local businesses (2022) 📅

STRATEGIC PRIORITY #2: REVENUE STABILITY

- a. Manage expenses in accordance with budget (ongoing) ✓
- b. Continue to provide to Council a portion of the prior-year's profits for the Community Enhancement Fund (ongoing) ✓
- c. Implement an operating season extension through the Thanksgiving Long Weekend (2021) ✓
- d. Develop a program to promote non-peak weekday camping through the use of discounts (2021) ✓
- e. Build up savings to ensure that the Riverside RV Park can remain viable through two consecutive years of underperforming revenues without taxpayer subsidy (2023) 📅

STRATEGIC PRIORITY #3: ASSET MANAGEMENT

- a. Complete an asset inventory and basic condition assessment (2021) ✓
- b. Implement a tree replanting program (2021) ✓
- c. Consider upgrades to the communal kitchen based on customer feedback (2022) 📅
- d. Consider adding clothes washers and dryers based on customer feedback (2022) 📅

STRATEGIC PRIORITY #4: CUSTOMER EXPERIENCE

- a. Provide more information to customers on the community experience and complimentary tourism opportunities (2021) ▶▶
- b. Enhance directional signs throughout the community and on Highway 97A (2021) – **note: request for Highway 97A signs was denied by the Ministry of Transportation and Infrastructure** ■
- c. Assess what our customers desire or need and use this as the basis for future investments (2021) ▶▶
- d. Develop and implement programs and activities in partnership with local businesses and community champions (2022) 📅

STRATEGIC PRIORITY #5: COMMUNITY RELATIONS

- a. Improve public communications describing how the campground offers a positive visitor experience (2021) ▶▶
- b. Improve public communications celebrating how the campground gives back to the community as a good corporate citizen (2021) ▶▶
- c. Establish and maintain a community events notice board (2021) ✓
- d. Explore ways to integrate the community into the campground's activity packages (2023) 📅

✓ Completed ▶▶ In Progress ■ Not Achievable 📅 Scheduled 2022 (or later)

2022-23 OBJECTIVES

STRATEGIC PRIORITY #1: REVENUE GROWTH

- a. Evaluate and, if feasible, implement an online booking system (2022)
- b. Market the Riverside RV Park on the digital sign on the highway (2022)
- c. Evaluate whether there is a basis for charging for use of the communal kitchen to recover costs associated with its usage and to fund future upgrades (2023)
- d. Develop a plan to diversify revenue streams through collaboration with local businesses (2023)

STRATEGIC PRIORITY #2: REVENUE STABILITY

- a. Manage expenses in accordance with budget (ongoing)
- b. Continue to provide to Council a portion of the prior-year's profits for the Community Enhancement Fund (ongoing)
- c. Build up savings to ensure that the Riverside RV Park can remain viable through two consecutive years of underperforming revenues without taxpayer subsidy (2023)

STRATEGIC PRIORITY #3: ASSET MANAGEMENT

- a. Consider upgrades to the communal kitchen based on customer feedback (2023)
- b. Consider adding clothes washers and dryers based on customer feedback (2023)

STRATEGIC PRIORITY #4: CUSTOMER EXPERIENCE

- a. Provide more information to customers on the community experience and complimentary tourism opportunities (2022)
- b. Assess what our customers desire or need and use this as the basis for future investments (2022)
- c. Develop and implement programs and activities in partnership with local businesses and community champions (2023)

STRATEGIC PRIORITY #5: COMMUNITY RELATIONS

- a. Improve public communications describing how the campground offers a positive visitor experience (2022)
- b. Improve public communications celebrating how the campground gives back to the community as a good corporate citizen (2022)
- c. Explore opportunities for the functional integration of the Event Coordinator position with the Riverside RV Park (2022)
- d. Explore ways to integrate the community into the campground's activity packages (2023)



REGIONAL DISTRICT NORTH OKANAGAN

AGENDA

MEMBER MUNICIPALITIES:

CITY OF ARMSTRONG

CITY OF ENDERBY

DISTRICT OF COLDSTREAM

VILLAGE OF LUMBY

CITY OF VERNON

TOWNSHIP OF SPALLUMCHEEN

ELECTORAL AREAS:

"B" – SWAN LAKE

"C" – BX DISTRICT

"D" – LUMBY (RURAL)

"E" – CHERRYVILLE

"F" – ENDERBY (RURAL)

OFFICE OF: PLANNING DEPARTMENT

OUR FILE No.: 3045.01.02

February 10, 2022

Dawn Low, Chief Administrative Officer
City of Armstrong
3570 Bridge Street, Box 40
Armstrong, BC V0E1B0
dlow@cityofarmstrong.bc.ca

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

Tate Bengtson, Chief Administrative Officer
City of Enderby
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tbengtson@cityofenderby.com

Tom Kadla, Chief Administrative Officer
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tomk@lumby.ca

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

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

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

cc: Regional Growth Strategy Support Team

Re: North Okanagan Regional Housing Strategy – Endorsed

At the January 19, 2022, regular meeting of the Board of Directors, the Regional Housing Strategy was endorsed and staff was directed to send a letter to member municipalities, First Nations and electoral areas with a link to the endorsed strategy for their consideration on implementation.

Regional Housing Strategy:

https://www.rdno.ca/sites/default/files/2022-02/December_2021_Regional_Housing_Strategy.pdf

The Regional Housing Strategy contains two parts: It provides a summary and key findings of the North Okanagan Regional Housing Needs Assessment and identifies the objectives to address these challenges.

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

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

The main objectives of the Regional Housing Strategy include:

1. Establish regional partnerships and a shared commitment to raise awareness and address the regional affordable housing challenges.
2. Increase the diversity, affordability, and supply of housing.
3. Promote, support, and protect rental housing.
4. Reduce barriers to developing and securing affordable housing.

The second part of the Strategy consists of the Actions / Opportunities to address the above-noted objectives. The RDNO acknowledges that various partners may need to be involved and that some actions will best be pursued individually.

Addressing affordability is complex and will require action from various levels of government, non-profits and the development community. There needs to be a shared regional response to existing and emerging housing demands. Working towards a diverse and affordable housing stock is an important foundation for supporting growth and responding to changes in population and housing trends. It was felt that with a Regional Housing Strategy, communities within the North Okanagan would be in a better position to respond to and support existing and new non-market, market and rental housing stock demands. The Board of Directors is currently exploring implementation actions of the strategy and will continue to engage and coordinate as the initiatives progress.

If you have any questions about the Regional Housing Strategy feel free to contact myself, Laura Frank, Regional Planning Projects Manager, at (250) 550-3768 or laura.frank@rdno.ca.

Sincerely,



Laura Frank, MCIP, RPP
Regional Planning Projects Manager