

**REGULAR MEETING OF COUNCIL
AGENDA**

DATE: September 6, 2022
TIME: 4:30 p.m.
LOCATION: Council Chambers, Enderby City Hall

The public may attend this meeting by means of electronic facilities.

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

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

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

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

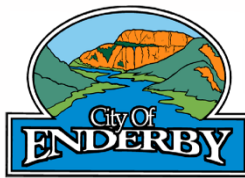
- 1. APPROVAL OF AGENDA**
- 2. ADOPTION OF MINUTES**
 - 2.1 Meeting Minutes of August 15, 2022 Page 3
- 3. CONTINUING BUSINESS AND BUSINESS ARISING FROM COMMITTEES AND DELEGATIONS**
 - 3.1. Committee-of-the-Whole
- 4. REPORTS**
 - 4.1 Mayor and Council Reports
 - 4.2 Area F Director Report
 - 4.3 Chief Administrative Officer Report
 - 4.4 Bylaw Enforcement Statistics for Second Period of 2022 (May-Aug) Page 11
Memo prepared by Planner dated September 1, 2022
 - 4.5 Update on City of Enderby FireSmart Program Page 14
Memo prepared by Planner dated August 31, 2022
- 5. NEW BUSINESS**
 - 5.1 Mill Avenue Bus Stop Relocation Timing and Maud Street Mid-Block Crosswalk Deletion Page 15
Memo prepared by Chief Administrative Officer dated September 1, 2022

6. PUBLIC QUESTION PERIOD

7. CLOSED MEETING RESOLUTION

Closed to the public, pursuant to Section 90 (1) (f), (j), and (k) and to Section 90 (2) (b) of the Community Charter.

8. ADJOURNMENT



THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held on Monday, August 15, 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

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

Other: Press and Public

APPROVAL OF AGENDA

Moved by Councillor Baird, seconded by Councillor Schreiner
“THAT the August 15, 2022 Council Meeting agenda be approved as circulated.”

CARRIED

ADOPTION OF MINUTES

Meeting Minutes of July 18, 2022

Moved by Councillor Case, seconded by Councillor Davyduke
“THAT the July 18, 2022 Council Meeting minutes be adopted as circulated.”

CARRIED

DEVELOPMENT MATTERS AND RELATED BYLAWS

Development Variance Permit Application #0049-22-DVP-END

Councillor Case and Councillor Baird declared a conflict of interest and left the meeting (4:30pm).

The Planner gave an overview of the application and asked if there were any questions from Council.

Mayor McCune asked if there are concerns about sight lines at the corner of Regent Avenue and the unnamed lane if setbacks are lessened.

The Planner explained that although the building will sit closer to Regent Avenue with the varied setbacks, there is still at setback of 5.14m (16.86 feet) from the unnamed lane placing the building far enough from the intersection that it will not interfere with sight lines.

Councillor Schreiner asked about the comments from the Public Works Manager regarding the condition of the unnamed lane and its ability to handle the increase in traffic that will occur from four new driveways.

Chief Administrative Officer responded that the requirement of construction to the centerline of the road or cash in lieu, which would typically occur at the subdivision stage, would not be collected at that time as this application involves a building subdivision; as a result, the same value would be collected at the building permit stage, along with any other values that are directly attributable to the subdivision. He noted that the works required to service the lot would likely impact the unnamed lane such that it would be reconstructed in its entirety as part of that process, which would be credited against the centerline construction requirement.

Councillor Knust asked if it is possible that there will be more than four dwellings if suites are added.

The Planner responded that 4 dwelling units is the maximum permitted gross density allowed by the zoning.

Mayor McCune asked if the applicant would like to make representation.

Mr. Eliason explained that the intention of the developer is to pave and service the unnamed lane. He noted that he accepts the covenant condition of permit as it will protect the views of the neighbouring properties.

Mayor McCune asked if there was any member of the public who would like to make representation.

The Planner read one written submission:

Andrew and Patricia Johanson, 306 Baird Avenue, Enderby BC

- Concerns about proximity of the new building to their fence and impact on their garden and trees.
- Suggested reducing the structure from a 4 plex to a 3 plex.

Moved by Councillor Schreiner, seconded by Councillor Knust

“THAT Council authorizes the issuance of a Development Variance Permit for the property legally described as THAT PART OF LOT A SHOWN ON PLAN B544 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 111 EXCEPT:(1) PARCEL 6 ON PLAN B694 (2) PART LYING NORTH OF A LINE DRAWN PARALLEL TO AND PERPENDICULARLY DISTANT 150 FEET NORTH OF THE SOUTH BOUNDARY OF PLAN B544, and located at 307 Regent Avenue, Enderby B.C., to permit variances to the following sections of City of Enderby Zoning Bylaw No. 1550, 2014:

- *604.a.6.d by reducing the minimum lot area for a four-family dwelling from 1,300 m² (13,993 square feet) to 1,010 m² (10,872 square feet), as shown on the attached Schedule ‘A’;*

- 604.a.7.b by increasing the maximum lot coverage for a four-family dwelling from 40% to 44.4%, as shown on the attached Schedule 'A';
- 604.10.a by reducing the minimum exterior side yard setback area from 5 m (16.40 feet) to 3.06 m (10.04 feet), as shown on the attached Schedule 'A';
- 604.10.b by reducing the minimum front yard setback area from 6 m (19.68 feet) to 5.14 m (16.86 feet), as shown on the attached Schedule 'A';
- 604.10.e by reducing the minimum side yard setback area from 4 m (13.12 feet) to 1.2 m (3.94 feet), as shown on the attached Schedule 'A'; and
- 901.2.a by reducing the minimum length of an off-street parking space from 6 m (19.68 feet) to 5.14 m (16.86 feet), as shown on the attached Schedule 'A'.

with the issuance of a variance to reduce the minimum exterior side yard setback area being subject to the owner registering a covenant on the title of the property which restricts the maximum height of any portion of a building or structure that is sited between 3.06 m (10.04 feet) and 5 m (16.40 feet) from the exterior lot line, as permitted by Development Variance Permit 0049-22-DVP-END, to 4.5 m (14.76 feet)."

CARRIED

Councillor Baird and Councillor Case returned to the meeting (4:41pm)

Development Variance Permit Application #0048-22-DVP-END

Mayor McCune asked if there is a reason why the owner would not be willing to build the fence behind the City's Statutory Right of Way.

The Planner responded that behind the City's Statutory Right of Way is another Statutory Right of Way belonging to BC Hydro, which takes up a large portion of the yard. The owner is willing to accept the risk that the fence may need to be removed if at some point the City uses the Statutory Right of Way for the intended purpose, but the benefits of building a fence limiting the yard to the area not encumbered by a Statutory Right of Way would not justify the investment in the fence.

Mayor McCune asked if there was any member of the public who would like to make representation.

The Planner read one written submission:

Herman Halvorson, 1234 Johnston Avenue, Enderby BC

- Supports the application.

Moved by Councillor Baird, seconded by Councillor Case

"THAT Council authorize the issuance of a Development Variance Permit for the property legally described as LOT 5 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP90268 and located at 1218 Johnston

Avenue, Enderby B.C. to permit variances to the following sections of the City of Enderby Zoning Bylaw No. 1550, 2014:

- *309.2.a.ii by permitting a 2 m (6.56 foot) fence along the front lot line, as shown on the attached Schedule 'A';*
- *309.2.a.iv by permitting a fence along the rear lot line which is greater in height than the height permitted on the side line of an adjoining lot at the point of abutment, as shown on the attached Schedule 'A'; and*
- *309.2.d by permitting a fence over 1 m (3.281 feet) in height in 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 the attached Schedule 'A',*

subject to the owner, at their expense, amending the statutory right-of-way instrument (LB364165) to permit fencing on the condition that the fencing must be removed at the owner's expense should the City need to use the statutory right-of-way."

CARRIED

Development Variance Application #0050-DVP-END

Councillor Knust asked the applicant for some background information on why he would like to build such a large fence at the front of the property.

Mr. Wesley responded that, when building his home, he had to construct retaining walls around the property as part of bringing the building above the flood plain. The fence on top of the retaining wall will act as a barrier to prevent a person from falling off the retaining wall.

Chief Administrative Officer explained that the restriction on the height of the fence does not restrict guard rails for safety.

Moved by Councillor Baird, seconded by Councillor Case

"THAT Council authorize the issuance of a Development Variance Permit for the property legally described as LOT 3 BLOCK 6 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 1445 and located at 409 Polson Avenue, Enderby B.C. to permit a variance to Section 309.2.g of the City of Enderby Zoning Bylaw No. 1550, 2014 by increasing the maximum combined height of a fence on top of a retaining wall at the property line or within 1.0 m of a property line from 2.0 m (6.56 feet), measured from the natural grade at the property line, to 2.69 m (8.83 feet), as shown on the attached Schedule 'A';

THAT Council NOT authorize the issuance of a Development Variance Permit for the property legally described as LOT 3 BLOCK 6 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 1445 and located at 409 Polson Avenue, Enderby B.C. to permit a variance to Section 309.2.a.ii of the City of Enderby Zoning Bylaw No.

1550, 2014 by permitting a fence and retaining wall with a combined height of 2.08 m (6.83 feet) within the required front yard setback area, as shown on the attached Schedule 'A'.”

CARRIED

BYLAWS

City of Enderby Bylaw Notice Enforcement Bylaw No. 1581, 2015 Amendment Bylaw No. 1756, 2022 and City of Enderby Municipal Ticketing Information (MTI) System Bylaw No. 1518, 2013 Amendment Bylaw No. 1757, 2022

Moved by Councillor Knust, seconded by Councillor Davyduke
“*THAT Council adopts the bylaws cited as City of Enderby Bylaw Notice Enforcement Bylaw No. 1581, 2015 Amendment Bylaw No. 1756, 2022 and City of Enderby Municipal Ticketing Information (MTI) System Bylaw No. 1518, 2013 Amendment Bylaw No. 1757, 2022.*”

CARRIED

REPORTS

Mayor and Council Reports

Councillor Case

Asked for Council’s opinion on having a video made to introduce and promote the community to potential business owners, doctors, etc.

Councillor Schreiner asked if this could be attached to the City website.

Chief Administrative Officer responded that if a video were made it could be featured on the website. Staff will investigate this as a project and bring a proposal to Council with approximate costs.

Councillor Case reported that Enderby Jewellers is planning to submit a road closure request for a 75th anniversary celebration of the store on October 1, 2022.

Chief Administrative Officer

Construction on Mill Avenue is going well. The curbs are in, and the first pour for the sidewalks will occur on Wednesday, with a second to follow. There will be stamped concrete along the bus stop. The project is on track to be completed by the end of the month.

The campground has been very successful so far this season. The online booking system is working well.

There will be a street sweep of the downtown core and other major corridors with curb and gutter prior to Friday Night Lights.

Plans for the McGowan Street subdivision have been approved and work will begin shortly.

Work on the pergolas in the breezeway is nearing completion.

Scheduled work on the ball diamond infields will be beginning in September. Additional drainage will be added to diamond 4.

Restoration work at the Arena is almost complete and will be complete by the time that ice season starts.

Mayor McCune asked how things are going at the pool so far this season.

Chief Administrative Officer responded that the pool is running short staffed but having a successful season. The basin repair completed this spring seems to be holding well so far. For the new pool, conversations are ongoing with the architect about the best procurement method, given the market volatility and inflationary pressures.

Mayor McCune asked about parking at Tuey Park.

Chief Administrative Officer responded that the parking available seems to be working well so far this summer.

Vernon North Okanagan Detachment: 2nd Quarter (April to June) 2022

Moved by Councillor Baird, seconded by Councillor Davyduke
“THAT the Vernon North Okanagan Detachment: 2nd Quarter (April to June) 2022 be received and filed”

CARRIED

RDNO Building Permit Report – July 2022

Moved by Councillor Case, seconded by Councillor Davyduke
“THAT the RDNO Building Permit Report – July 2022 be received and filed.”

CARRIED

June 2022 Financial Report

Councillor Knust asked if hauling of snow is for the purpose of clearing parking or preventing pooling of water on the street.

Chief Administrative Officer explained that those are a few of the reasons that snow is hauled. Hauling snow is important on narrow roads where there is nowhere to push the snow as the road will become narrower through the winter. When weather turns warmer there is also a need to haul snow to open access to storm drains. Added that there will likely be more hauling needed over time, as more of the community develops.

Moved by Councillor Schreiner, seconded by Councillor Baird
“THAT the June 2022 Financial Report from the Chief Financial Officer be received for information.”

CARRIED

NEW BUSINESS

Sidewalk Encroachments Policy

Moved by Councillor Baird, seconded by Councillor Davyduke
“THAT Council adopts the revised Sidewalk Encroachments Policy”

CARRIED

Disclosure of Contracts – Council

Moved by Councillor Knust, seconded by Councillor Davyduke
“THAT Council receives and files this memorandum.”

CARRIED

Temporary Road Closure Application – Enderby Friday Night Lights 2022

Councillor Schreiner asked if the road will remain closed between the farmers market and Friday Night Lights.

Chief Administrative Officer responded that the road will remain closed.

Moved by Councillor Case, seconded by Councillor Knust
“THAT Council receives the City of Enderby Event Coordinator’s Temporary Road Closure application (Enderby Friday Night Lights 2022) for information.”

CARRIED

New Local Government Climate Action Program

Councillor Schreiner asked what the funds from this program could be used for.

Chief Administrative Officer responded that the funds must be used for projects that are aligned with the CleanBC Roadmap and that the funds from the first three years of the program must be used by 2025. As more details about the program are released, Staff will bring a proposal to Council with ideas about how these funds could be used.

Moved by Councillor Baird, seconded by Councillor Davyduke
“THAT Council receives this memorandum for information”

CARRIED

PUBLIC QUESTION PERIOD

There were no questions from the public.

ADJOURNMENT

Moved by Councillor Baird, seconded by Councillor Case
“THAT the regular meeting of August 15, 2022 adjourn at 5:22 p.m.”

CARRIED

MAYOR

CORPORATE OFFICER

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner
Date: September 1, 2022
Subject: Bylaw Enforcement Statistics for Second Period of 2022 (May-Aug)

RECOMMENDATION

THAT Council receives this memorandum for information.

BACKGROUND

The bylaw enforcement statistics for the second period of 2022 (May-Aug) are attached to this memorandum as Appendix "A"; the highlights of these statistics are as follows:

- A total of 135 complaints were received between May 1, 2022 and August 31, 2022, which is a 28.6% increase as compared to the second period of 2021 (105 complaints);
- The most common complaints were related to unsightly properties, excessive barking, and unlawful parking (combined 63.7% of complaints);
- Of the 135 complaints, 100 (74.1%) were resolved through voluntary compliance or were already compliant upon investigation;
- Of the 135 complaints, 70 (51.9%) were identified by the Bylaw Enforcement Officer or Staff;
- The following enforcement measures were undertaken:
 - 20 warnings issued;
 - 12 Bylaw Notices issued;
 - 12 Orders to Comply issued;
 - 2 placement/renewal of property on Enhanced Compliance Schedule;
 - 1 placement/renewal of a property on an Excessive Nuisance Abatement Schedule; and
 - 1 vehicle towed.

Respectfully Submitted,



Kurt Inglis
Planner

APPENDIX "A" - BYLAW COMPLAINT STATISTICS FOR SECOND PERIOD OF 2022 (MAY-AUG)

BREAKDOWN OF COMPLAINTS		
Category	No. of Complaints	Percentage of Complaints
Property	65	48.1%
Dogs	29	21.5%
Parking/Traffic	27	20.0%
Zoning	5	3.7%
Public Spaces	5	3.7%
Nuisance	4	3.0%
TOTAL	135	
Identified By	Bylaw Enforcement / Staff	Public
	70 (51.9%)	65 (48.1%)

PROPERTY COMPLAINTS		
Type	No. of Complaints	Percentage of Property Complaints
Unightly Property	51	78.5%
Overgrown Vegetation Along Boulevard	9	13.8%
Sprinkling Outside of Permitted Days/Times	3	4.6%
Unlawful Burning	2	3.1%
TOTAL	65	

DOG COMPLAINTS		
Type	No. of Complaints	Percentage of Dog Complaints
Excessive Barking	23	79.3%
Dog at Large	4	13.8%
Dog on Person Attack	1	3.4%
Aggressive Dog	1	3.4%
TOTAL	29	
Complaints Per Jurisdiction	Enderby	Area 'F'
	21 (72.4%)	8 (27.6%)

PARKING/TRAFFIC COMPLAINTS		
Type	No. of Complaints	Percentage of Parking/Traffic Complaints
Unlawful Parking	12	44.4%
Detached Trailer on Roadway	6	22.2%
Deposit Material on Roadway	2	7.4%
Derelict Vehicle	2	7.4%
Vegetation Blocking Sight Lines	2	7.4%
Vegetation Overhanging on to Roadway	2	7.4%
Vegetation Overhanging on to Sidewalk	1	3.7%
TOTAL	27	

ZONING COMPLAINTS		
Type	No. of Complaints	Percentage of Zoning Complaints
Unlawful Storage of Machinery on Residential Property	2	40.0%
Unlawful Use	2	40.0%
Exceed Maximum Number of Trailers on Residential Property	1	20.0%
TOTAL	5	

PUBLIC SPACES COMPLAINTS		
Type	No. of Complaints	Percentage of Public Spaces Complaints
Taking Abode in Public Space	3	60.0%
Illegal Dumping	1	20.0%
Defacing Public Property	1	20.0%
TOTAL	5	

NUISANCE COMPLAINTS		
Type	No. of Complaints	Percentage of Nuisance Complaints
Excessive Noise	4	100.0%
TOTAL	4	

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner
Date: September 1, 2022
Subject: Update on City of Enderby FireSmart Program

RECOMMENDATION

THAT Council receives this memorandum for information.

BACKGROUND

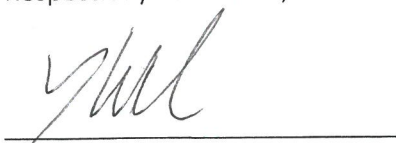
The City of Enderby has taken several steps in recent years to increase its resiliency to the threat of wildfire, including updating its *Community Wildfire Protection Plan* in 2017 and developing a *FireSmart Community Action Plan* in 2018. The FireSmart Community Action Plan provided a road map for how the City could implement a local FireSmart program.

In 2021, the City received a grant through the *FireSmart Economic Recovery Fund* to retain a FireSmart Coordinator to complete free FireSmart Home Assessments on residential properties in the City, and fund the labour costs for mitigation activities on residential properties owned by seniors, people with limited mobility, or vulnerable populations who cannot undertake mitigation activities themselves. To date, a total of 25 properties have received free FireSmart Home Assessments and 10-12 eligible properties in the City's key interface area (Timberlane Road, Gunter Ellison Road, West Enderby Road, Francis Drive) are scheduled to receive FireSmart mitigation works, totalling \$98,665.00 in value. It is anticipated that these FireSmart mitigation works will significantly improve the City's resilience to the threat of wildfire along its primary interface area to the west.

A FireSmart information session will be held in the autumn of 2022, which could be either be a standalone event or integrated with an existing community event. This event will be aimed at educating the public on the principles of FireSmart, marketing the City's FireSmart program, and providing an opportunity for residents to book a free FireSmart Home Assessments with the City's FireSmart Coordinator.

As the City's local FireSmart program is now well established, the City is positioned to be able to seek formal FireSmart recognition status through FireSmart BC.

Respectfully Submitted,



Kurt Inglis
Planner

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Mayor and Council
From: Tate Bengtson, CAO
Date: September 1, 2022
Subject: Mill Avenue Bus Stop Relocation Timing and Maud Street Mid-Block Crosswalk Deletion

RECOMMENDATION

THAT Council receives and files the memo from the Chief Administrative Officer titled “Mill Avenue Bus Stop Relocation Timing and Maud Street Mid-Block Crosswalk Deletion”;

AND THAT Council directs staff to delete the mid-block crosswalk at Maud Street as part of the 2023 line painting program.

BACKGROUND

Bus Stop Relocation Timing

One of the City’s major road renewal projects for 2022, Mill Avenue from George Street to Sicamous Street, is nearing completion. One feature of this project will be the relocation of the bus stops from Mill Avenue (east of George Street) and Maud Street to a new location west of George Street. The existing Mill Avenue bus stop location east of George Street has been problematic due to the absence of a dedicated bus pull-out lane, which has led to congestion and sightline challenges. The new Mill Avenue location west of George Street has a proper bus pull-out lane that is built into the new road design. The existing Mill Avenue bus shelter will be relocated across the highway at the time that the buses are re-routed.

As the Mill Avenue construction works are nearing completion, BC Transit is implementing the changes on its side, which involves changes to Vernon Regional route 60 and Shuswap Regional route 41. BC Transit is targeting Monday, October 17, 2022 for the realigned routing to take effect. BC Transit has provided the following summary of what to expect:

Both Vernon Regional route 60 and Shuswap Regional route 41 will be realigned so they turn west onto Mill Street, south on Sicamous and east on Hubert. The 41 will then head north on Hwy 97A, and the 60 will go south back to Vernon. The stop at Maud/Mill will be closed, and the stop at Mill/Hwy 97A will shift from the east side of the highway to the west.

In advance of the change, we will provide you with temporary bus stop signage that will need to be posted on the stops being closed/relocated. Please ensure this signage is posted two weeks in advance so folks have enough time to adjust their travel patterns. As I mentioned before, we will also send you a new sign for the relocated stop.

Given the timing, the shelter will remain at the existing location until closer to the route realignment date, so that it can continue to provide protection from the elements for transit riders. The General Contractor for the road project will return in October to complete the shelter relocation and bus stop sign installation. Public Works will remove the bus stop signs from the existing locations.

Maud Street Mid-Block Crosswalk Removal

Related to the bus stop consolidation, staff are proposing that the midblock crosswalk at Maud Street, shown on Appendix A, be deleted as part of the closure of the Maud Street bus stop, for the following reasons:

General Principles

1. Mid-block crosswalks are less safe than intersection crosswalks as vehicle drivers are not expecting to stop and may not be attentive to the painted line markings, particularly in the winter when the crosswalk paint may be obscured by snow and ice;
2. Placing a mid-block crosswalk in close proximity to another crosswalk, as is the case with the Maud-Cliff crosswalk, is less safe as vehicle drivers are not expecting two pedestrian crossings within such a short distance;

Specific Observations

3. This crosswalk is situated too close to the parking stall to the north, which impedes the ability of southbound traffic on Mill Avenue to see pedestrians who may be entering the crosswalk from its west side;
4. This crosswalk is problematic due to its proximity to Speers Lane running east-west at midblock, which has challenging sightlines due to the lack of building setbacks and the location of the abovementioned parking stall to the north;
5. The awkward width of Maud Street, which tends to encourage parking along its eastern side despite the painted “No Parking” signs beside the landscape planters, in conjunction with the lack of sidewalk bulbs on both sides, makes it difficult to clearly sign the location as a crosswalk and improve pedestrian visibility for oncoming traffic.

It is likely that this crosswalk was an attempt to consolidate pedestrian desire lines associated with the bus stop. Despite the good intentions, the installation of a crosswalk should be evaluated against actual pedestrian volumes, intersection proximity, sightlines, vehicle volumes and speeds, turning conflicts, and other safety considerations. When those factors are evaluated, there is no warrant for its continuance, particularly after the bus stop is relocated to Mill Avenue west of George Street.

Contrary to the common belief that “jaywalking” is illegal, Section 180 of the *Motor Vehicle Act* provides that a pedestrian may cross at any point on a highway that is not a crosswalk provided

they yield the right-of-way to vehicles, unless a local bylaw regulates otherwise (section 505 of the City of Enderby Streets and Traffic Bylaw is consistent with section 180 of the *Motor Vehicle Act*). From a safety standpoint, it is better for a pedestrian to yield to vehicles until safe to cross, or walk to the nearby crosswalk, rather than enter a less-safe crosswalk under the presumption that a pedestrian right-of-way is all that is required to ensure their safe crossing. Unfortunately, as useful and necessary as crosswalks are, they provide a false sense of protection that invites a pedestrian hazard rather than reducing it, which is why it is important that they are located in such a way that the risks of a vehicle-pedestrian conflict are minimized. Given these considerations, it is more safe not to have a crosswalk at the mid-block of Maud Street so that pedestrians will either cross at a safer alternate location or otherwise cross with due care and attention to oncoming traffic.

Respectfully submitted,

9/1/2022

X Tate Bengtson

Tate Bengtson
Chief Administrative Officer
Signed by: tate

Appendix A

Orthophoto from 2011 – note that the mid-block crosswalk was changed from the parallel lines shown in the below image to a zebra crossing several years ago in order to follow visibility guidelines for mid-block crosswalks and make an incremental improvement to pedestrian safety.

