



THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held on Monday, May 15, 2023 at 4:30 p.m. in Council Chambers.

Present: Mayor Huck Galbraith
Councillor Tundra Baird
Councillor Roxanne Davyduke
Councillor David Ramey
Councillor Brian Schreiner
Councillor Shawn Shishido
Councillor Sarah Yerhoff

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

Other: Press and Public

LAND ACKNOWLEDGEMENT

We respectfully acknowledge that we are on the traditional and unceded territory of the Secwepemc.

APPROVAL OF AGENDA

Moved by Councillor Schreiner, seconded by Councillor Baird
“THAT the May 15, 2023 Council Meeting agenda be approved as circulated.”

CARRIED

ADOPTION OF MINUTES

Meeting Minutes of May 1, 2023

Moved by Councillor Ramey, seconded by Councillor Shishido
“THAT the May 1, 2023 Council Meeting minutes be adopted as circulated.”

CARRIED

Public Hearing Report May 1, 2023

Moved by Councillor Ramey, seconded by Councillor Shishido
“THAT the May 1, 2023 Public Hearing Report be adopted as circulated”

CARRIED

DELEGATIONS**Randene Wejr, Chief Executive Officer and Laurie Case, Executive Director, Turning Points Collaborative**

Ms. Wejr and Ms. Case gave an overview of the 2021-2022 Impact Report as well as the functions of Turning Points. Some key points are listed below:

- Turning Points is a non-profit started in 1957 that provides housing and addiction services.
- Owns 30 project sites including three affordable housing sites in Enderby.
- Also provides shelters, supportive housing, and outreach services.
- Turning Points purchased properties in Enderby in order to preserve affordable housing.
- Bill's Place Program is the most successful addiction treatment program in the country with a success rate three times the national average.

Councillor Schreiner asked if Turning Points is looking for more properties in the area.

Ms. Wejr responded that they are always looking for properties that are large enough to accommodate high density. This can be a challenge in the Enderby area.

Councillor Baird asked what the plans are for Pioneer Place when the complex reaches the end of its life.

Ms. Wejr responded that Pioneer Place is in exceptional condition for its age and is expected to last another 15 years. Noted that this will be a site that is considered for higher density housing at that time.

Councillor Ramey noted that certain affordable housing projects in other communities have become problematic to surrounding neighbourhoods. Asked what safeguards are in place to protect neighbours.

Ms. Wejr responded that Turning Points forms a Community Advisory Committee including RCMP, community bylaw, neighbours, and often City Hall representatives to work with when developing or managing an affordable housing project, so that neighbourhood concerns are heard and addressed quickly and effectively.

Ms. Case added that residents in Turning Points housing are held to a "Good Neighbour" Agreement and that there are managers on-site for accountability.

Turning Points team members also walk through the surrounding community regularly to check in with neighbours and keep the community clean.

Councillor Shishido asked if Turning Points has seen any change since the decriminalization of possession of drugs that occurred in January.

Ms. Wejr responded that they have not seen any effect.

Mayor Galbraith asked if there has been an increase in the toxic drug supply.

Ms. Wejr responded that there has been an increase since the pandemic.

Mayor Galbraith asked if information on how their programs are run is available to other organizations.

Ms. Wejr responded that that Turning Points mentors other organizations.

Councillor Ramey asked what the requirements are to qualify for affordable housing in Enderby.

Ms. Wejr replied that a person must meet a threshold to be considered low income. Potential residents are thoroughly vetted.

Councillor Schreiner asked if the affordable housing projects in Enderby are full.

Ms. Wejr confirmed that they are full.

Ms. Wejr added that Turning Points is a go-to agency for BC Housing as well as Ministers who have toured their facilities.

DEVELOPMENT MATTERS AND RELATED BYLAWS

Development Variance Permit #0056-23-DVP-END

The planner gave an overview of the application.

There were no written submissions. No members of the public wished to make representation.

Moved by Councillor Baird, seconded by Councillor Shishido

“THAT Council authorizes the issuance of a Development Variance Permit for the property legally described as LOT 1 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 26097 and located at 500 Bass Avenue, Enderby BC, to permit a variance to Section 310.4.b of the City of Enderby Zoning Bylaw No. 1550, 2014 to increase the maximum copy area for a wall sign from 45% of the sign area to 64% of the sign area.”

CARRIED

Mayor Galbraith declared a conflict of interest by reason of the developer being his employer and left the meeting (4:56 p.m.).

Councillor Baird assumed the chair.

Development Variance Permit #0057-23-EVP-END

The Planner gave an overview of the application and read the written submissions.

Lianne and Darwin Dwornik, 409 Bass Avenue, Enderby BC

- Opposed to the application.
- Concerned about the construction of secondary suites and the potential number of families living in the development.
- Drainage concerns.

- Concerned about the aesthetic of large houses on small lots.
- Parking concerns.
- Concerns about difference in grade between the new lots and neighbouring properties.
- Concerns about losing view.

Philip and Angela Gallant, 501 Bass Avenue, Enderby BC

- Opposed to the application.
- Concerned about reduced privacy and views.

Jason Zebedee, 315 Bass Avenue, Enderby BC

- Opposed to the application.
- Concerns about loss of privacy and decreased property value.
- Concerns about new houses blocking sunlight to his garden.

Tonny and Tamara Miedema, #2-401 Bass Avenue, Enderby BC

- Opposed to the application.
- Concerns about privacy.
- Request that the developer erects a fence around the boundaries of the new properties.
- Concerns about difference in grade between the new lots and neighbouring properties.
- Concerned that lots are not being advertised in Enderby.

Lesley and Mark McGuire, #1-405 Bass Avenue, Enderby BC

- Opposed to the application.
- Concerns about difference in grade between the new lots and neighbouring properties.
- Concerns about loss of views and privacy.

Chris Gilburg and Lori Schneider Wood, 2205 McGowan Street, Enderby BC

- Opposed to the application.
- Concerns about the small size of the new lots.
- Concerns about changed setbacks will allow homes to exceed the maximum lot coverage.
- Concerned about inconsistency with surrounding neighbourhood.
- Concerns that the subdivision does not align with the Official Community Plan and North Okanagan Regional Growth Strategy.

Stephen and Valerie Zeron, 2201 McGowan Street, Enderby BC

- Opposed to the application.
- Concerns about loss of privacy.
- Concerns about crowding of homes on the small lots.

Chairperson Baird asked if anyone in the gallery would like to make representation.

Stephen Zeron, 2201 McGowan Street, Enderby BC

Asked Council if they were aware when this subdivision was approved that the developer would be coming back with this request for variance. Noted it should not be acceptable for the developer to be making changes at this stage.

Chairperson Baird responded that they were not aware that this request would be coming forward at the time when the subdivision was approved.

Chairperson Baird invited the applicant to make representation.

Ron Mandair, Applicant

Stated that he does not believe that the new homes will infringe on the privacy of neighbouring properties.

Explained that this variance would only allow the single-family dwellings in the development to be subject to the same setbacks as single-family dwellings on properties neighbouring the development and will create consistency with the surrounding neighbourhood.

The reduced setbacks will allow builders more creativity and variation in floor plans for the houses that will be built.

Valerie Zeron, 2201 McGowan Street, Enderby BC

Asked about parking requirements, maximum building heights, and the types of houses that will be allowed to be built within the development.

The Planner responded that the owners will have to demonstrate adequate parking on the lots at the building permit stage. The maximum height of homes will be 9 metres or two stories, which is the same maximum height as single-family homes in the surrounding neighbourhood. Also explained that manufactured homes would be allowed on these lots, but that mobile homes are prohibited outside of the mobile home park zone.

Mr. Mandair explained that this variance request has been brought forward based on input from builders.

Chief Administrative Officer asked the Planner how long the parcel has been zoned R.2.

The Planner responded that this land has been zoned R.2 since at least 2012, meaning that the land could be used entirely for duplexes, although that is not the intent of this development application, which is proposing a lower form of density.

Councillor Shishido asked the Planner if the new homes will be built at a higher elevation than the existing homes.

The Planner explained that the homes will have to be built at a certain elevation because they are located within the 200-year flood plain. He further explained that surrounding homes would have been required to be built at this elevation as well, if they were located within the 200-year flood plain.

Chief Administrative Officer described road elevations on Bass Avenue relative to the newly constructed roads that are part of the development, and how the changes in elevation inform driveway and landscape tie-ins.

Councillor Shishido stated that developers are not held to the designs that they bring before Council.

The Planner explained that the developer can change plans throughout the development process as long as the development meets bylaw requirements. Council's role is to set the bylaw requirements.

Councillor Ramey stated that he does not believe this will be good for the community, noting concerns about street parking, and expressed that the developer knew the setback requirements when the subdivision application was being processed.

Councillor Davyduke asked if, on the few lots that are large enough to build duplexes, the setbacks will remain 8 metres if duplexes are built.

The Planner confirmed that duplexes will still need to be set back 8 metres. Explained that the proposed 6 metre setbacks for single family dwellings is consistent with the homes already built on Bass Avenue, Heitman Street, and McGowan Street.

Councillor Ramey asked the size of the lots within the development.

The Planner responded that the smallest lot is 425 m², but that most lots in the subdivision are sized around 450 m² which is consistent with the minimum lot area in the R1-A zone.

Councillor Ramey asked about the new homes being single-family dwellings if they are built with secondary suites.

Chief Administrative Officer clarified that secondary suites are allowed in all residential zones and a secondary suite does not change the status of the single-family dwelling.

Chairperson Baird asked about the prices of the lots.

Mr. Mandair responded that lots start at \$240,000 and the larger lots are priced at \$299,000.

Councillor Davyduke asked about the parking requirements for single-family dwellings.

The Planner responded that at the building permit stage, the owner will have to demonstrate that there are two off-street parking spaces, or three if the building includes a secondary suite.

Councillor Ramey asked about drainage plans for the new lots.

Chief Administrative Officer responded that an engineered drainage plan was a requirement of subdivision. Explained that the road has been build with oversize detention pipes to hold water during a storm event, and that every lot will be built with a drainage pit in the rear.

Councillor Ramey asked what the consequences are of not approving the variance.

The Planner responded that the dwellings will likely be built smaller, and in some cases will be built up rather than out.

Mr. Mandair responded that the 8 metre setbacks limit how much of the land can be used. Explained that this limits builders in terms of floor plans.

Chairperson Baird asked if Council could approve the change to front setbacks, and not approve rear setbacks.

Chief Administrative Officer responded that this would require a separate application.

Chairperson Baird asked if the owners of individual lots could apply for variances during the building process.

Chief Administrative Officer responded that this is an option, but may create an inconsistent look in the neighbourhood.

Moved by Councillor Shishido, seconded by Councillor Schreiner

“THAT Council authorizes the issuance of a Development Variance Permit for the properties legally described as LOTS 1,2,4-34 District Lot 226 KAMLOOPS DIVISION YALE DISTRICT PLAN EPP125705 and located at 2208-2241 Heitman Street (excluding 2233 Heitman Street) and 2000-2032 Viewmount Court, Enderby BC, to permit a variance to the following Sections of the City of Enderby Zoning Bylaw No. 1550, 2014:

- *603.10.b.i by reducing the minimum front yard setback area for single-family dwellings from 8 m (26.25 feet) to 6 m (19.68 feet); and*
- *603.10.d.i by reducing the minimum rear yard setback area for single-family dwellings from 8 m (16.25 feet) to 6 m (19.68 feet).”*

DEFEATED
OPPOSED Unanimously

Mayor Galbraith returned to the meeting (5:58 p.m.).

BYLAWS

Public Notice Bylaw No. 1770, 2023 – Alternative Means of Publication for Public Notices (Adoption)

Moved by Councillor Schreiner, seconded by Councillor Baird

“THAT Council adopts City of Enderby Public Notice Bylaw No. 1770, 2023”

CARRIED

Update to Public Notice Advertising Fees for Development Applications – Fees and Charges Bylaw No. 1479, 2010 Amendment Bylaw No. 1771, 2023 (Three Readings)

Moved by Councillor Davyduke, seconded by Councillor Baird

“THAT Council give Three Readings to the City of Enderby Fees for Development Applications – Fees and Charges Bylaw No. 1479, 2010 Amendment Bylaw No. 1771, 2023”

CARRIED

REPORTS

Mayor and Council Reports

Councillor Baird

Planning has started for the Canada Day event.

Friday Night Lights date has been set for August 18th.

Attended the Veterans Lunch at the Legion. Noted that there was a great turn out for the Legions 95th Anniversary.

Attended Lynda Megli's exhibit at the Enderby Arts Centre.

Suggested that the feature tree on Cliff Avenue may need some fertilizer.

Councillor Ramey

Working on planning a Music by the River event. An announcement will be coming soon.

Will be attending an Okanagan Regional Library meeting this week.

Councillor Schreiner

Will be attending the A.L. Fortune Wall of Fame ceremony on Wednesday.

Looking forward to the Business After 5 event at the Museum.

Councillor Yerhoff

Attended a FACT meeting. The bags of growing medium from behind the Harvest Hut have been decommissioned for the construction of the Rail Trail and plants are being distributed to local residents.

Attended a FED meeting. Things are going well and the Farmers Market coupon program will continue this year.

Attended the Mother's Day Event at the Lions Gazebo. It was well attended.

Councillor Davyduke

The FACT Committee is looking into a food infrastructure grant.

The Public Health Nurse is running Baby Talk classes at the Enderby Health Centre every Monday. There is also a Kindergarten Health Workshop coming up for children aged 4-6.

The Enterprize Challenge final pitches will be happening on May 18th at the Vernon Performing Arts Centre.

Councillor Shishido

The Museum is working on getting their new server up and running.

Asked if there is a water connection close to the Musebo to which they could connect to clean the contents of the Musebo. The Chief Administrative Officer described where the standpipe nearest to the Musebo is located inside of Barnes Park.

The revised History of Enderby will be published as one large book. Councillor Shishido asked if the City would purchase a few copies of the book to have on hand.

On August 20th, the Museum will be hosting a volunteer appreciation event.

Firetruck restoration is ongoing and the Museum has reached one-third of its fundraising goal for the project.

Met with Mayor Cramer of the City of Armstrong.

Reported that he has received feedback from other municipalities that Enderby staff is great to work with.

Mayor Galbraith

Delivered a card to Grahame Go, Executive Director for the Splatsin Development Corporation, with respect to the exterior improvements that came with the switch to Canco as the fuel retailer.

Chief Administrative Officer

Peacher Crescent has received substantial completion and looks good overall.

Geotechnical drilling for the reservoir #1 rebuild will be occurring later this week. The access road improvements have all been completed and approved by Fortis.

Street sweepers returned on Thursday and Friday of last week to finish areas that were missed during their April visit due to weather. Working on coordinating to get line painting done.

There were two water breaks on George Street on consecutive days last week. Water breaks on Highway 97A are unique challenges as the City has a lot of dated water infrastructure under the road.

The pool is being filled today and tomorrow, so that we can start balancing the chemicals in preparation for the pool opening date on May 23rd. The pool is celebrating its 70th birthday this year.

The spray park was opened early due to the unseasonal heat.

The Tuey Park gate will likely be closed this week due to the rising river levels. It will be re-opened after the water levels recede.

Council Inquiries

Councillor Davyduke asked about status of the design of the new pool.

Chief Administrative Officer responded that the rebudgeting is complete and the value engineering is being evaluated. Once the evaluation has been completed, a memo will be prepared for the Services Commission outlining a range of options that will include reducing service levels and increasing financing.

Councillor Ramey asked about the status of the Rail Trail section through Enderby.

Chief Administrative Officer responded that the owners are putting the project out for tender.

RDNO Building Permit Report – April 2023

Moved by Councillor Baird, seconded by Councillor Davyduke
“THAT the RDNO Building Permit Report – April 2023 be received and filed.”

CARRIED

Bylaw Enforcement Statistics for First Period of 2023 (January-April)

Moved by Councillor Baird, seconded by Councillor Davyduke
“THAT Council receives the Bylaw Enforcement Statistics for First Period of 2023 (January-April) memorandum for information.”

CARRIED

NEW BUSINESS

Restorative Justice Funding

Councillor Ramey asked how this program is administered, and asked if it is used by Enderby.

Chief Administrative Officer responded that the RCMP consult with the person harmed and the person who caused harm, and, if appropriate, refers the matter to the Restorative Justice program. He confirmed that this program has been used by Enderby residents.

Councillor Shishido asked if this should be a provincially funded program.

Chief Financial Officer responded that many local governments support the program, but feel it should be funded by the provincial government, as it takes pressure off of the justice system.

Councillor Shishido asked if the Restorative Justice program was useful.

The Chief Administrative Officer said that, in the right circumstances, it absolutely is useful.

Moved by Councillor Schreiner, seconded by Councillor Baird
“THAT Council does not provide an annual grant to the Canadian Mental Health Association to fund restorative justice as the service is a responsibility of the provincial government.”

CARRIED

OPPOSED Mayor Galbraith
Councillor Shishido

Business After 5 Supporting Contribution

Moved by Councillor Baird, seconded by Councillor Davyduke

“THAT the City of Enderby co-sponsors the Enderby “Business After 5” event on May 17, 2023;

AND THAT a co-sponsorship contribution valued at \$300 be provided to the event organizer, Community Futures of North Okanagan.”

CARRIED

Splatsin Development Corporation Golf Tournament Fundraiser

Moved by Councillor Schreiner, seconded by Councillor Davyduke

“THAT the invitation to the Splatsin Development Corporation Golf Tournament Fundraiser be received and filed.”

CARRIED

Councillor Yerhoff and Councillor Schreiner agreed to represent Enderby City Council at the Splatsin Tsm7aksaltn (Splatsin Teaching Centre) Society Annual Golf Tournament Fundraiser.

CORRESPONDENCE AND INFORMATION ITEMS

Ministry of Post-Secondary Education and Future Skills

Moved by Councillor Baird, seconded by Councillor Davyduke

“THAT Council receives and files correspondence from Honorable Selina Robinson, Minister of Post Secondary Education and Future Skills dated May 2, 2023.”

CARRIED

ADJOURNMENT

Moved by Councillor Baird, seconded by Councillor Davyduke

“THAT the regular meeting of May 15, 2023 adjourn at 6:46 p.m.”

CARRIED

MAYOR

CORPORATE OFFICER