

REGULAR MEETING OF COUNCIL AGENDA

DATE: August 21, 2023
TIME: 4:30 p.m.
LOCATION: Council Chambers, Enderby City Hall

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

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

The access codes for this meeting are:

*Meeting ID: 890 9759 982 1
Passcode: 960265*

If you would like to attend this meeting by means of electronic facilities and 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. LAND ACKNOWLEDGEMENT

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

2. APPROVAL OF AGENDA

3. ADOPTION OF MINUTES

3.1 Meeting Minutes of July 17, 2023

Page 4

4. PUBLIC HEARINGS

4.1 Official Community Plan Amendment, Rezoning and Zoning Amendment #0014-23-OR-END

Legal: Lot 1 Block 1 Section 26 Township 18 Range 9 West of the 6th Meridian Kamloops Division Yale District Plan 1094 Except Plan M13332 and Lot 2 Block 1 Section 26 Township 18 Range 9 West of the 6th Meridian Kamloops Division Yale District Plan 1094
Address: 902 Regent Avenue, Enderby, BC V0E 1V1 (Lot 1) and 906 Regent Avenue, Enderby, BC V0E 1V1 (Lot 2)
Applicant: James Kay
Owners: Teri Robson and Andrew Kivari

5. DEVELOPMENT MATTERS AND RELATED BYLAWS

5.1 Official Community Plan Amendment, Rezoning and Zoning Amendment #0014-23-OR-END (Third Reading and Adoption)

Page 13

Legal: Lot 1 Block 1 Section 26 Township 18 Range 9 West of the 6th Meridian Kamloops Division Yale District Plan 1094 Except Plan M13332 and Lot 2 Block 1 Section 26 Township 18 Range 9 West of the 6th Meridian Kamloops Division Yale District Plan 1094

Address: 902 Regent Avenue, Enderby, BC V0E 1V1 (Lot 1) and 906 Regent Avenue, Enderby, BC V0E 1V1 (Lot 2)

Applicant: James Kay

Owners: Teri Robson and Andrew Kivari

5.2 Development Variance Permit #0062-23-DVP-END Page 35

Legal: LOT A SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 27274 EXCEPT PLAN KAP59772

Address: 107 Timberlane Road, Enderby BC

Applicant: Stephen and Shelley Smith

Owners: Stephen and Shelley Smith

5.2.1 Public Input – Development Variance Permit #0062-23-DVP-END

5.2.2 Permit Issuance – Development Variance Permit #0062-23-DVP-END

6. CONTINUING BUSINESS AND BUSINESS ARISING FROM COMMITTEES AND DELEGATIONS

6.1 Mary Jane Rigs 'n Cannabis – Request to Amend Business License Regulations Page 46

Related to Retail of Cannabis
Memo prepared by Planner dated August 11, 2023

6.2 Business Street Banner Program Page 65

Memo prepared by Planner dated August 14, 2023

6.3 Committee of the Whole

7. BYLAWS

7.1 Public Spaces Bylaw No. 1604, 2016 Amendment Bylaw No. 1772, 2023 (Second and Third Reading) Page 77

Memo prepared by Chief Administrative Officer dated August 14, 2023

8. REPORTS

8.1 Mayor and Council Reports

8.2 Area F Director Report

8.3 Chief Administrative Officer Report

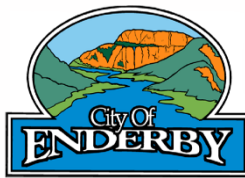
8.3.1 Council Inquiries

8.4 June 2023 Financial Report Page 84

Memo prepared by Chief Financial Officer dated August 1, 2023

8.5 RDNO Building Permit Report – July 2023 Page 91

8.6	<u>Vernon North Okanagan Detachment: 2nd Quarter (April to June) 2023</u>	Page 92
9.	NEW BUSINESS	
9.1	<u>Disclosure of Contracts – Council</u> Memo prepared by Chief Financial Officer dated July 25, 2023	Page 115
9.2	<u>Appointment to the Enderby & District Services Commission</u> Memo prepared by Chief Administrative Officer dated August 10, 2023	Page 116
9.3	<u>Participation in Radon Community Testing</u> Memo prepared by Chief Administrative Officer dated August 11, 2023	Page 117
9.4	<u>2024-2027 Permissive Tax Exemptions</u> Memo prepared by Chief Financial Officer dated August 9, 2023	Page 127
9.5	<u>Pay Parking Program for Tuey Park</u> Memo prepared by Planner dated August 14, 2023	Page 134
10.	PUBLIC QUESTION PERIOD	
11.	CLOSED MEETING RESOLUTION <i>Closed to the public, pursuant to Section 90 (1) (k) of the Community Charter</i>	
12.	ADJOURNMENT	



THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held on Monday, July 17, 2023 at 4:30 p.m. in Council Chambers.

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

Absent: 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

LAND ACKNOWLEDGEMENT

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

APPROVAL OF AGENDA

Moved by Councillor Ramey, seconded by Councillor Baird
“THAT the July 17, 2023 Council Meeting agenda be approved as circulated.”

CARRIED

ADOPTION OF MINUTES

Meeting Minutes of June 19, 2023

Moved by Councillor Ramey, seconded by Councillor Baird
“THAT the June 19, 2023 Council Meeting minutes be adopted as circulated.”

CARRIED

DEVELOPMENT MATTERS AND RELATED BYLAWS

Official Community Plan Amendment, Rezoning and Zoning Amendment #0014-23-OR-END
(First and Second Readings)

The Planner gave an overview of the application.

Council discussed concerns about the size of the units that would be built if a three-plex was allowed on the lot at its current size, as well as concerns about the amount of greenspace and parking requirements. Discussed the developer's plan to purchase and consolidate the lot with the closed portion of Regent Avenue that is adjacent to the property.

Council also discussed the lack of neighbourhood complaints about other developments that have had similar increases in density and agreed to move forward to a Public Hearing to receive input from the neighbourhood.

Moved by Councillor Shishido, seconded by Councillor Baird

"THAT City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1773, 2023 which proposes to change the future land use designation for a 722.4 m² (7,775.8 square foot) portion of the properties legally described as, i) LOT 1 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 EXCEPT PLAN M13332 and located at 902 Regent Avenue, Enderby BC, and ii) LOT 2 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 and located at 906 Regent Avenue, Enderby BC, shown as Lot B on Schedule 'A' attached to and forming part of Bylaw No. 1773, from Residential Low Density to Residential Medium Density, be given First Reading;

AND THAT after First Reading of City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1773, 2023 and in accordance with Sections 473 (2.1) and 477 of the Local Government Act, Bylaw No. 1773 be considered in conjunction with the City's Housing Needs Assessment Report, Financial Plan, and Regional Solid Waste Management Plan;

AND THAT after considering City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1773, 2023 in conjunction with the City's Housing Needs Assessment Report, Financial Plan, and Regional Solid Waste Management Plan, Bylaw No. 1773 be given Second Reading and forwarded to a Public Hearing;

AND THAT the referral process which requests that various authorities and organizations review the amendments proposed by City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1773, 2023, as outlined in this Staff Report, be considered appropriate consultation for the purposes of Sections 475 and 476 of the Local Government Act;

AND THAT City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1774, 2023 which proposes the following for a 722.4 m² (7,775.8 square foot) portion of the properties legally described as, i) LOT 1 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 EXCEPT PLAN M13332 and located at 902 Regent Avenue, Enderby BC, and ii) LOT 2 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 and located at 906 Regent Avenue, Enderby BC, shown as Lot B on Schedule 'A' attached to and forming part of Bylaw No. 1773:

- 1. Rezone the land from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone;*
- 2. Reduce the minimum lot area for three-family dwellings from 1,000 m² (10,764 square feet) to 700 m² (7,535 square feet); and*

3. *Increase the maximum permitted gross density from 41 units per hectare (16.59 units per acre) to 42 units per hectare (17 units per acre),*

be given First and Second Reading and forwarded to a Public Hearing.”

CARRIED
OPPOSED Councillor Shishido
Councillor Ramey

REPORTS

Mayor and Council Reports

Councillor Yerhoff

Attended an Interagency meeting.

Reported that programming from the Health Centre, Seniors Centre, and Resource Centre is winding down for the summer but will ramp back up in the fall.

Attended the Canada Day event and reported that it was nice to see the community out to celebrate.

Harvest Hut has been very successful so far this year.

Reported that it was nice to see the dog show in town.

Attended the vigil for Caitlin Potts.

Councillor Davyduke

Reported that there is a Seniors Tech Connect program ongoing that is being offered at Enderby Memorial Tower and at the Enderby and District Community Resource Centre that has about 6-8 seniors attending weekly.

Things are going great at the Harvest Hut and with FACT. They have been in communication with Rail Trail organizers about possible collaboration on the portion of rail trail land behind the Harvest Hut.

Reported that Erin, our Community Futures representative, has been very busy working with local businesses and entrepreneurs. She is usually working in Enderby on Thursdays.

Attended the Canada Day parade and event at Barnes Park. Reported that there was a great turnout for both.

Councillor Shishido

Attended the Canada Day events. Reported that there were many people in attendance.

Reported that on a trip to Calgary he observed a bicycle pump track that was in use by many families with young children. Noted that this might be a good future project for Barnes Park.

Councillor Baird

Reported that the Harvest Hut has been very busy.

Reported that the Canada Day event went very well and that many vendors have already reached out to book for next year.

Volunteers are needed for Friday Night Lights on August 18th with registration for the car show beginning at 2:30 pm.

Attended the Harry Jones Jr. memorial.

Asked Council to consider what new event they might like to see next year in Enderby. The events coordinator will be engaging with Council after Friday Night Lights on a new event.

Councillor Ramey

Music by the River will be happening this Sunday, July 23rd at Belvedere Park.

Mayor Galbraith

Attended the Canada Day event.

Chief Administrative Officer

Has been in communication with a Medical Health Officer as of last week with respect to the bylaw amendment to regulate the use and display of drugs in certain public spaces, and expects that their full comments will be on the August meeting agenda, along with the bylaw amendment for 2nd and 3rd reading.

The visit with the Drinking Water Officer who covers the City at the Water Treatment Plant has been postponed to this Thursday.

There are 2 new job postings to backfill for planned retirements – one is a Public Works Utility Worker and the other is a Parks Recreation Facility Maintenance Worker.

Structural engineering and preliminary health approval stages for the proposed water reservoir replacement project are proceeding. The reservoir is being sized based on many things, including future growth projections. The project is also exploring better ways to move water between the first and second pressure zones, which will have a benefit for fireflows.

Chief Administrative Officer, Public Works Lead Hand, and Systems Operator met with Mountain View Electric staff to review the preliminary mechanical design works for the proposed Water Treatment Plant upgrade.

Gave praise to the gardens and grounds contractor for keeping the community looking good, especially the hanging baskets, through challenging hot and dry conditions. Reported that there will be replacement some of the decorative grasses on Cliff Avenue and Belvedere Park that have died over the last 2-3 years.

The Planner is working with Emergency Program Coordinators and the Okanagan Regional Library on an extreme heat response cooling station agreement. Praised the Okanagan Regional Library for being great to work with and having a great vision for the breadth of their role in the communities that they serve.

The pool has been very busy. There have been ongoing maintenance challenges, but it is very well-used. Our pool inspection with Interior Health went well – we passed with flying colours!

Chief Administrative Officer and Chief Financial Officer had a Canada Day debrief meeting with the events coordinator last week. Overall, the event continues to grow, and it was great to see so much community support. Parade registration will shift over to an online form for future events, which will reduce an administrative burden and make it easier for parade participants to submit.

Friday Night Lights is scheduled for August 18th. There will be a street sweep in the middle of the week through the downtown area, Highway 97A, and some collector roads including Cliffview and Salmon Arm Drive.

Feedback from the Vernon and District Kennel Club over the facilities for their dog show has been very positive.

The Invasive Species Council of BC has reached out about the possibility of hosting their educational trailer / mobile classroom, which features interactive activities and information to promote best practices to stop the spread of invasive species. Planning to host them at Belvedere Park on Friday, August 11th. They will also have a booth, but not the full trailer, at the farmer's market.

Council Inquiries

Councillor Baird asked for an update on the new pool.

Chief Administrative Officer responded that a meeting of the Enderby and District Services Commission will be called soon to discuss.

Councillor Baird asked about pest control for marmots at the Cemetery.

Chief Administrative Officer responded that we have had pest control at the Cemetery twice this year so far, and that their population is difficult to control at the Cemetery because it is surrounded by their natural habitat, and they occupy the hillside.

Councillor Baird asked if the section of Old Vernon Road in front of Autowear Accessories could be made a no parking zone. Explained that large vehicles parked there create a hazard by blocking sight lines for people turning onto Old Vernon Road from Russell Avenue.

Chief Administrative Officer responded that he will coordinate with public works and the line painter.

RDNO Building Permit Report – June 2023

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

CARRIED

NEW BUSINESS

Temporary Road Closure Application – Enderby Friday Night Lights 2023

Chief Administrative Officer noted that a correction was received to the application requesting that the road closure begin at 1:30 pm instead of 2:30 pm.

Moved by Councillor Shishido, seconded by Councillor Baird
“THAT Council receives the City of Enderby Event Coordinator’s Temporary Road Closure application (Enderby Friday Night Lights 2023) for information.”

CARRIED

Hazardous Materials Response Contract Renewal with City of Vernon, 2023-27

Moved by Councillor Baird, seconded by Councillor Davyduke
“THAT Council authorizes the Mayor and Corporate officer to execute the Hazardous Materials Response Contract with the City of Vernon for 2023-27.”

CARRIED

Local Government Climate Action Program – 2023 Public Reporting

Moved by Councillor Baird, seconded by Councillor Davyduke
“THAT Council supports the draft responses to the Local Government Climate Action Program Year 2 Survey.”

CARRIED

Participation in the Inter-Municipal Accessibility Advisory Committee

Moved by Councillor Baird, seconded by Councillor Davyduke
“THAT the City of Enderby participates in the Inter-municipal Accessibility Advisory Committee.”

CARRIED

Appointment to the Shuswap Trails Roundtable

Moved by Councillor Baird, seconded by Councillor Davyduke
“THAT Council appoints Councillor Baird to the Shuswap Trails Roundtable to represent the City of Enderby;

AND THAT Council appoints Councillor Schreiner as the alternate to the Shuswap Trails Roundtable to represent the City of Enderby.”

CARRIED

Participation in the RDNO Mosquito Control Pest Management Plan

Moved by Councillor Baird, seconded by Councillor Shishido
“THAT the City of Enderby declines to participate in the Regional District of North Okanagan Mosquito Control Pest Management Plan at this time.”

CARRIED

Digital Billboard Sponsorship Application and Policy Exemption - Grindrod Garlic Festival Society

Councillor Baird asked if the Area F Director has sponsored events for the digital billboard in the past.

Chief Administrative Officer responded that a previous Area F Director had allocated a lump sum towards advertising on the digital billboard that Area F community halls could draw upon.

Moved by Councillor Shishido, seconded by Councillor Davyduke

“THAT Council does not provide the Grindrod Garlic Festival Society with an exemption to Section 2 of the City of Enderby Digital Billboard Policy to allow messaging for an event taking place outside of the City of Enderby;

AND THAT Council provides the Grindrod Garlic Festival Society with an exemption to Section 8 of the Digital Billboard Policy in order to enable the Area ‘F’ Director to sponsor an event that is not related to an Area ‘F’ Community Hall activity, at the 50% discounted rate (\$50/day of messaging).”

CARRIED

Mary Jane Rigs 'n Cannabis Request to Amend Business License Regulations Related to Retail of Cannabis

The Planner gave an overview of the memo as well as requests for specific regulations to be removed related to the retail of cannabis. The changes to regulations requested are as follows:

- To allow cannabis related businesses to remain open until 11 p.m.
- To allow for cannabis related graphics on signs.
- To remove the City’s requirement for police information checks.
- To remove the requirement for window coverings.
- To charge the same for a business license for a cannabis related-business as for any other business in the City.

The Planner explained that the requirement for window coverings has already been removed. Police information checks continue to be required from the Province, and removing it from the City’s bylaw would remove only the requirement to submit the same to the City.

Council discussed the difference in cost for a cannabis-related business license compared to other business licenses in the City.

The Planner confirmed that there have not been any bylaw complaints relating to Mary Jane Rigs 'n Cannabis.

Council discussed the rationale for the differences in regulations for cannabis-related businesses between the City and the Province.

Moved by Councillor Shishido, seconded by Councillor Baird

“THAT Council directs Staff to make no changes to the City’s Business License Regulations related to the retail of Cannabis at this time.”

DEFEATED

OPPOSED Councillor Davyduke

Councillor Yerhoff
Councillor Ramey
Councillor Baird
Mayor Galbraith

Moved by Councillor Baird, seconded by Councillor Yerhoff

“THAT Council directs Staff to prepare an analysis of the specific regulations that the owners of Mary Jane Rigs ‘n Cannabis have requested be removed from the City’s Business License Regulations related to the retail of Cannabis, upon which Council can consider which of those particular regulations it wishes to keep, amend, or remove.”

CARRIED
OPPOSED Councillor Shishido

Request to Place a Portable Flag Sign on the Sidewalk Adjacent to 611 Cliff Avenue

Council discussed concerns about liability with flag signs such as this, and the need to make a decision that could be fairly applied to all businesses.

Moved by Councillor Shishido, seconded by Councillor Ramey

“THAT Council does not permit the placement of portable signs on public sidewalks, other than sandwich boards, pursuant to the City’s Sidewalk Encroachment Policy.”

DEFEATED
ALL OPPOSED

Moved by Councillor Baird, seconded by Councillor Davyduke

“THAT consideration of the request to place a portable flag sign on the sidewalk adjacent to 611 Cliff Avenue is postponed to the August 21st, 2023 Council meeting;

AND THAT Council directs Staff to report back on the feasibility of offering a business street banner program.”

CARRIED

PUBLIC QUESTION PERIOD

Tristan Williams asked for clarification on Council’s role with respect to the proposed changes to the Highway 97A corridor through the City of Enderby.

Mayor Galbraith responded that the corridor is under control of the Ministry of Transportation and Infrastructure. Explained that Council meets with Ministers at the Union of BC Municipalities Conference that occurs each year. Noted that Council will continue to meet with the Ministry of Transportation alongside Splatins. Also explained that City Staff are in contact with Staff at the Ministry of Transportation.

CLOSED MEETING RESOLUTION

Moved by Councillor Baird, 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) (f) and Section 90 (2) (d) of the Community Charter”

CARRIED

ADJOURNMENT

Moved by Councillor Baird, seconded by Councillor Davyduke
“THAT the regular meeting of July 17, 2023 adjourn at 7:27 p.m.”

CARRIED

MAYOR

CORPORATE OFFICER

THE CORPORATION OF THE CITY OF ENDERBY



MEMO

To: Tate Bengtson, Chief Administrative Officer

From: Kurt Inglis, Planner

Date: July 28, 2023

Subject: 0014-22-OR-END (Kay) - Third Reading and Adoption of City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1773, 2023 and City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1774, 2023

RECOMMENDATION

THAT Council receives and files the attached Staff Report dated July 13, 2023;

AND THAT upon consideration of input at the Public Hearing, City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1773, 2023 which proposes to change the future land use designation for a 722.4 m² (7,775.8 square foot) portion of the properties legally described as, i) LOT 1 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 EXCEPT PLAN M13332 and located at 902 Regent Avenue, Enderby BC, and ii) LOT 2 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 and located at 906 Regent Avenue, Enderby BC, shown as Lot B on Schedule 'A' attached to and forming part of Bylaw No. 1773, from Residential Low Density to Residential Medium Density, be given Third Reading and Adoption;

AND THAT upon consideration of input at the Public Hearing, City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1774, 2023 which proposes the following for a 722.4 m² (7,775.8 square foot) portion of the properties legally described as, i) LOT 1 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 EXCEPT PLAN M13332 and located at 902 Regent Avenue, Enderby BC, and ii) LOT 2 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 and located at 906 Regent Avenue, Enderby BC, shown as Lot B on Schedule 'A' attached to and forming part of Bylaw No. 1774:

1. Rezone the land from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone;
2. Reduce the minimum lot area for three-family dwellings from 1,000 m² (10,764 square feet) to 700 m² (7,535 square feet); and
3. Increase the maximum permitted gross density from 41 units per hectare (16.59 units per acre) to 42 units per hectare (17 units per acre),

be given Third Reading and Adoption;

AND THAT should Council give Third Reading and Adoption to City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1773, 2023, such adoption shall come into force and effect once the proposed boundary lot adjustment subdivision associated with the subject properties (File No.: 23-0350-END-SUB) is complete;

AND FURTHER THAT should Council give Third Reading and Adoption to City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1774, 2023, such Adoption shall come into force and effect once the Ministry of Transportation and Infrastructure has endorsed the Bylaw and the proposed boundary lot adjustment subdivision (23-0350-END-SUB) is complete.

BACKGROUND

A Joint Official Community Plan Amendment, Rezoning and Zoning Text Amendment Application has been submitted for the properties located at 902 Regent Avenue and 906 Regent Avenue. The properties are currently subject to a boundary lot adjustment which would see the two subject parcels, along with the two parcels directly to the west, consolidated into two larger parcels (proposed Lots A and B). The applicant is proposing to rezone proposed Lot B from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone and to change the Official Community Plan (OCP) designation of the property from Residential Low Density to Residential Medium Density. The applicant is also proposing to amend the text of the City of Enderby Zoning Bylaw No. 1550, 2014 to reduce the minimum lot area for three-family dwellings on proposed Lot B from 1,000 m² (10,764 square feet) to 700 m² (7,535 square feet), and increase the maximum permitted gross density for Lot B from 41 units per hectare (16.59 units per acre) to 42 units per hectare (17 units per acre). The purpose of the Joint Official Community Plan Amendment, Rezoning and Zoning Text Amendment Application is to enable the construction of a three-family dwelling on the proposed Lot B.

At the Regular Meeting of July 17, 2023, Council gave First and Second Readings to the associated City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1773, 2023 and City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1774, 2023 and forwarded them to a Public Hearing; the Public Hearing provides an opportunity for all persons who believe that their interest in property is affected by the Bylaws to make public representation. Following the conclusion of the Public Hearing, Council will consider the Bylaws for Third Reading and Adoption.

Should Council give Third Reading and Adoption to Bylaws 1773 and 1774, it is recommended that such adoption shall come into force and effect once the proposed boundary lot adjustment subdivision associated with the subject properties is complete; this is intended to prevent a situation where the OCP amendment, rezoning and zoning text amendment would apply to the two subject parcels as they are currently configured, which would not be appropriate given the existing constraints of the parcels (i.e. limited size, limited access).

Respectfully Submitted,



Kurt Inglis
Planner

CITY OF ENDERBY
OFFICIAL COMMUNITY PLAN AMENDMENT, REZONING AND ZONING
AMENDMENT APPLICATION

AGENDA

File No: 0014-23-OR-END
July 13, 2023

APPLICANT: James Kay

OWNER(S): Teri Robson and Andrew Kivari

LEGAL DESCRIPTION(S): LOT 1 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH
MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 EXCEPT PLAN
M13332

LOT 2 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH
MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094

PID #: 011-838-612
011-838-621

LOCATION(S): 902 Regent Avenue, Enderby BC (Lot 1)
906 Regent Avenue, Enderby BC (Lot 2)

PROPERTY SIZE(S): 902 Regent Avenue – 353.1 m² (3,801 square feet)
906 Regent Avenue – 613.2 m² (6,600 square feet)

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

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

**PRESENT O.C.P
DESIGNATION:** Residential Low Density

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

**PROPOSED TEXT
AMENDMENT:** Reduce the minimum lot area for three-family dwelling from 1,000 m² (10,764
square feet) to 700 m² (7,535 square feet); Increase the maximum permitted
gross density from 41 units/hectare to 42 units/hectare

PROPOSAL: Construct a three-family dwelling

RECOMMENDATION:

THAT City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1773, 2023 which proposes to change the future land use designation for a 722.4 m² (7,775.8 square foot) portion of the properties legally described as, i) LOT 1 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 EXCEPT PLAN M13332 and located at 902 Regent Avenue, Enderby BC, and ii) LOT 2 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 and located at 906 Regent Avenue, Enderby BC, shown as Lot B on Schedule 'A' attached to and forming part of Bylaw No. 1773, from *Residential Low Density* to *Residential Medium Density*, be given First Reading;

AND THAT after First Reading of City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1773, 2023 and in accordance with Sections 473 (2.1) and 477 of the *Local Government Act*, Bylaw No. 1773 be considered in conjunction with the City's Housing Needs Assessment Report, Financial Plan, and Regional Solid Waste Management Plan;

AND THAT after considering City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1773, 2023 in conjunction with the City's Housing Needs Assessment Report, Financial Plan, and Regional Solid Waste Management Plan, Bylaw No. 1773 be given Second Reading and forwarded to a Public Hearing;

AND THAT the referral process which requests that various authorities and organizations review the amendments proposed by City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1773, 2023, as outlined in this Staff Report, be considered appropriate consultation for the purposes of Sections 475 and 476 of the *Local Government Act*;

AND THAT City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1774, 2023 which proposes the following for a 722.4 m² (7,775.8 square foot) portion of the properties legally described as, i) LOT 1 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 EXCEPT PLAN M13332 and located at 902 Regent Avenue, Enderby BC, and ii) LOT 2 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 and located at 906 Regent Avenue, Enderby BC, shown as Lot B on Schedule 'A' attached to and forming part of Bylaw No. 1773:

1. Rezone the land from the *Residential Single Family (R.1-A)* zone to the *Residential Multi-Family Low Intensity (R.3-A)* zone;
2. Reduce the minimum lot area for three-family dwellings from 1,000 m² (10,764 square feet) to 700 m² (7,535 square feet); and
3. Increase the maximum permitted gross density from 41 units per hectare (16.59 units per acre) to 42 units per hectare (17 units per acre),

be given First and Second Reading and forwarded to a Public Hearing.

BACKGROUND:

This report relates to a Joint Official Community Plan Amendment, Rezoning and Zoning Text Amendment Application for the properties legally described as, i) LOT 1 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 EXCEPT PLAN M13332 and located at 902 Regent Avenue, Enderby BC, and ii) LOT 2 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 and located at 906 Regent Avenue, Enderby BC. The properties are currently subject to a boundary lot adjustment which would see the two subject parcels, along with the two parcels directly to the west, consolidated into two larger parcels (proposed Lots A and B), as shown on the attached Schedule 'A'. The applicant is proposing to rezone proposed Lot B from the *Residential Single Family (R.1-A)* zone to the *Residential Multi-Family Low Intensity (R.3-A)* zone and to change the Official Community Plan (OCP) designation of the property from *Residential Low Density* to *Residential Medium Density*. The applicant is also proposing to amend the text of the City of Enderby Zoning Bylaw No. 1550, 2014 to reduce the minimum lot area for three-family dwellings on proposed Lot B from 1,000 m² (10,764 square feet) to 700 m² (7,535 square feet), and increase the maximum permitted gross density for Lot B from 41 units per hectare (16.59 units per acre) to 42 units per hectare (17 units per acre). The purpose of the Joint Official Community Plan Amendment, Rezoning and Zoning Text Amendment Application is to enable the construction of a three-family dwelling on the proposed Lot B.

Site Context

Lot 1 (902 Regent Avenue) is 353.1 m² in area and fronts both High Street and the unconstructed portion of Regent Avenue, while Lot 2 (906 Regent Avenue) is 613.2 m² in area and only fronts the unconstructed portion of Regent Avenue. Both lots slope steeply from west to east, with no driveway accesses to either of the lots. Lot 1 does not have any improvements on it. Lot 2 has a single-family dwelling that straddles the shared lot line with the adjacent property to the west.

The subject and surrounding properties are zoned Residential Single-Family (R.1/R.1-A) and are designated in the Official Community Plan (OCP) as Residential Low Density, as shown on the following figures:

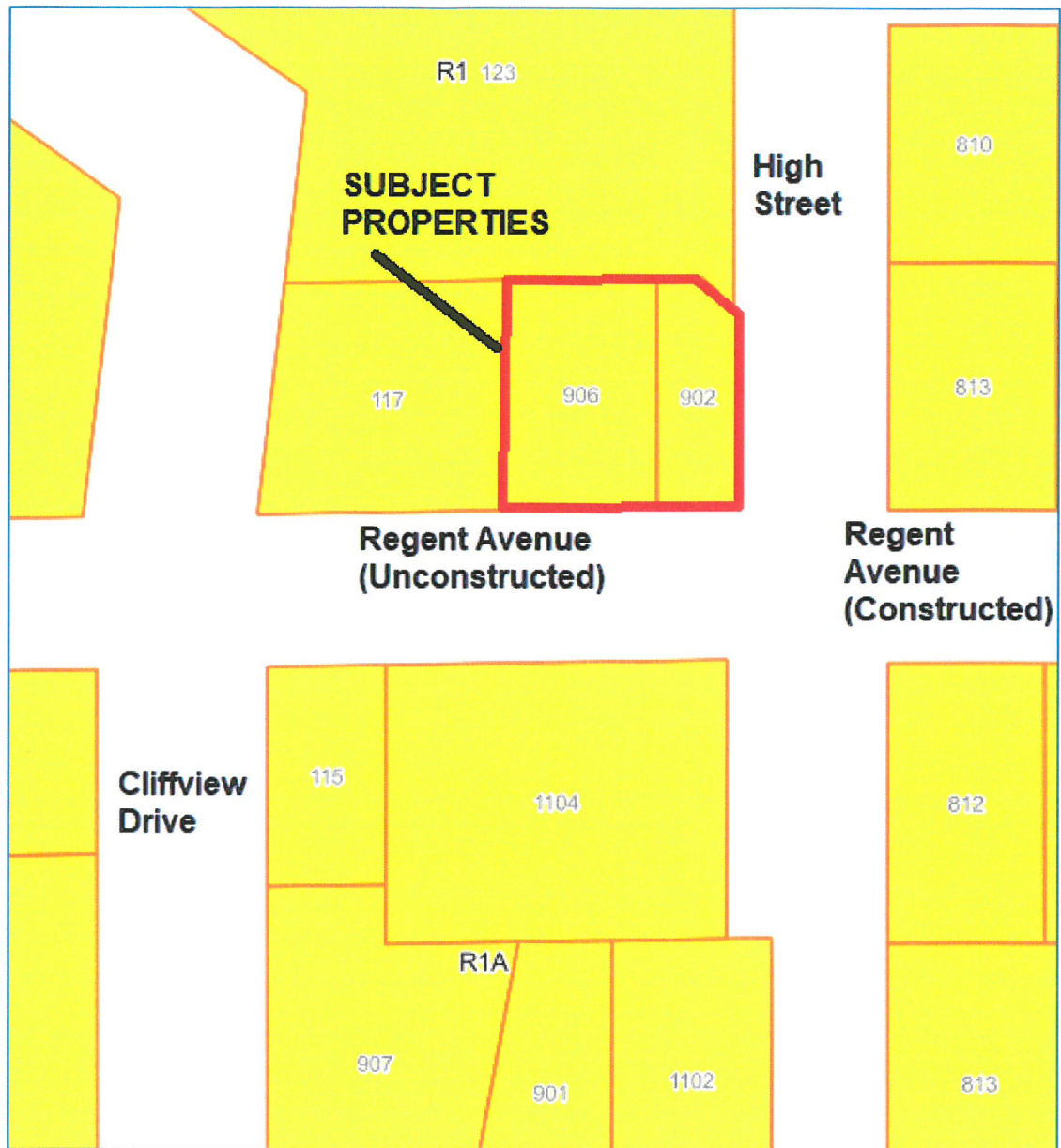


Figure 1: Zoning Map

Yellow - Residential Single-Family (R.1/R.1-A)

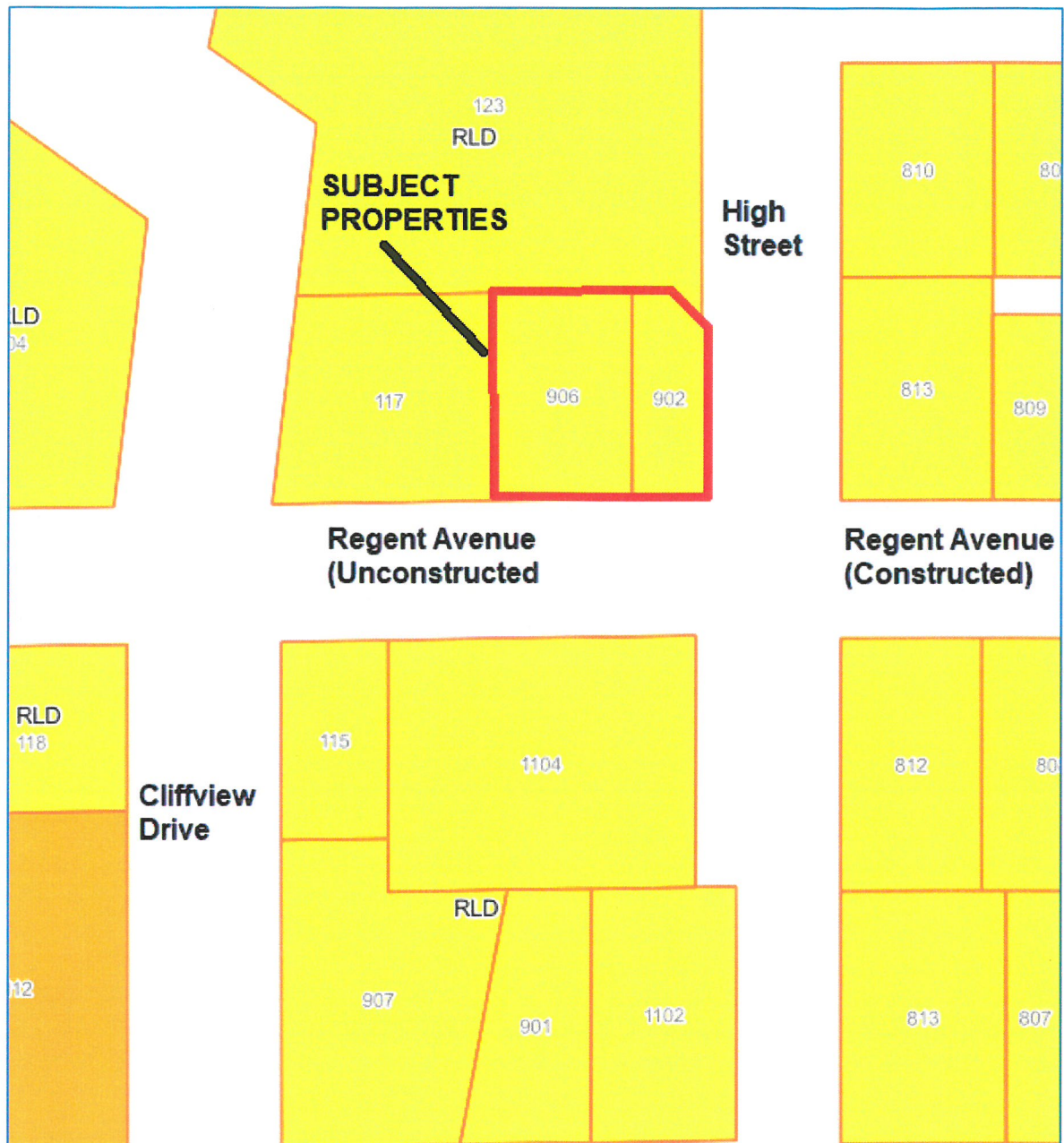


Figure 2: OCP Future Land Use Designations

Yellow – Residential Low Density
Brown – Country Residential

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



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

The applicant is proposing a boundary lot adjustment subdivision which would see the two subject parcels, along with the two parcels directly to the west (which together form 117 Cliffview Drive), consolidated into two larger parcels; proposed Lot A would be 1,130 m² (0.28 acres) in area and proposed Lot B would be 722.4 m² (0.18 acres) in area, as shown on the attached Schedule 'A'. The proposed boundary lot adjustment subdivision is intended to remedy an issue whereby an existing single-family dwelling straddles the shared lot line between Lot 2 and the neighbouring lot directly to

the west; after the proposed boundary lot adjustment subdivision is complete, the dwelling would become entirely located on proposed Lot A.

The applicant is proposing to construct a three-family dwelling on proposed Lot B, as shown on the conceptual plan attached to this Report as Schedule 'B'. It should be noted that at this point in the development process, the attached plan is purely conceptual, and if a rezoning and zoning text amendment were to be approved, the applicant would not be tied to this proposed use or layout of the property. Although the applicant may intend to develop the property in accordance with the attached conceptual plan, it is important to note that the property could develop in any manner that is consistent with regulations of the Zoning Bylaw and respects any charges registered against the title of the property (Section 219 covenant, statutory building scheme, etc.). Furthermore, it should be noted that the conceptual plan shows certain elements of the development being located within the High Street road dedication, such as the parking area; this is due to the fact that when the applicant developed the conceptual plan, they were pursuing a road closure and purchase for half of the adjacent High Street dedication and half of the adjacent unconstructed Regent Avenue dedication. During preliminary conversations between Staff and the applicant, Staff advised that closure of the adjacent portion of High Street was unlikely to receive a favourable Staff recommendation for a number of reasons; in response, the applicant revised their request to only include the unconstructed portion of Regent Avenue. Should that road closure and purchase process for the unconstructed portion of Regent Avenue be completed, and the road area is consolidated with the adjacent Lot B, it is anticipated that the conceptual plan would be reconfigured to reflect the additional lot area (i.e. access, parking).

The applicant has now submitted a Joint Official Community Plan Amendment, Rezoning and Zoning Text Amendment Application which proposes the following in order to enable the construction of a three family dwelling on proposed Lot B:

1. Change the future land use designation for proposed Lot B from *Residential Low Density* to *Residential Medium Density*;
2. Rezone proposed Lot B from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone;
3. Reduce the minimum lot area for three-family dwellings on proposed Lot B from 1,000 m² (10,764 square feet) to 700 m² (7,535 square feet); and
4. Increase the maximum permitted gross density for proposed Lot B from 41 units per hectare (16.59 units per acre) to 42 units per hectare (17 units per acre).

Development History

As part of the boundary lot adjustment subdivision process, the applicant previously applied to Council requesting to vary the City of Enderby Zoning Bylaw No. 1550, 2014 by reducing the minimum rear yard setback for an existing single-family dwelling on proposed Lot A from 6 m (19.68 feet) to 1.2 m (3.94 feet), and to vary the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 by, i) not requiring the portions of High Street and Regent Avenue adjacent to the proposed lots to be constructed to the centreline of the road in accordance with the Local Road standards, ii) not requiring

the portion of Cliffview Drive adjacent to the proposed lots to be constructed to the centreline of the road in accordance with the Collector Road standards, iii) not requiring the provision of ornamental street lighting, and iv) not requiring the provision of underground wiring for power, telephone and cablevision. Council approved the variance requests.

The applicant also previously submitted a request to purchase the unconstructed portion of Regent Avenue between High Street and Cliffview Drive for the purposes of consolidating it with proposed Lot B, with the intent being to increase the lot area such that it would provide the proposed lot with additional flexibility for future development; Council resolved to accept the offer, subject to a number of conditions.

It should be noted that Council's previous decisions with respect to the variance requests and road purchase have not resulted in any expressed or implied commitment to the approval of this Joint OCP Amendment, Rezoning and Zoning Text Amendment application. If this application is approved, it would facilitate the development of a three-family dwelling on the proposed Lot B; if not approved, proposed Lot B could only develop in accordance with its current Residential Single-Family (R.1-A) zoning designation (i.e. single-family dwelling, with or without an attached secondary suite).

ZONING BYLAW:

The property is zoned Residential Single Family (R.1-A) and the permitted uses within this zone include:

- Accessory residential buildings
- Single-family dwellings
- Attached secondary suites
- Bed and breakfasts
- Civic and public service use
- Restricted agricultural use.

Uses within the proposed Residential Multi-Family Low Intensity (R.3-A) zone include:

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

The Residential Multi-Family Low Intensity (R.3-A) zone specifies a maximum permitted gross density of 41 units per hectare (16.59 units per acre); given proposed Lot B's lot area of 722.4 m² (0.1785 acres), the maximum number of dwelling units currently permitted on the property is 2. In order to accommodate the development of a three-family dwelling on proposed Lot B, the applicant is requesting an amendment to the Zoning Bylaw to increase the maximum permitted gross density from 41 units per hectare (16.59 units per acre) to 42 units per hectare (17 units per acre), which would increase the maximum number of dwelling units on the property to 3.

The minimum lot area requirements within the R.3-A zone are as follows:

- Single-family dwellings = 350 m² (3,767 square feet)
- Two-family dwellings = 700 m² (7,535 square feet)
- Three-family dwellings = 1,000 m² (10,764 square feet)
- Four-family dwellings = 1,300 m² (13,993 square feet)
- Row housing unit = 220 m² (2,368 square feet) for inside units
330 m² (3,552 square feet) for end units

Given proposed Lot B's lot area of 722.4 m² (7,775.8 square feet), the only types of residential uses that are currently permitted on the property would be a single-family dwelling or a two-family dwelling. Given this, the applicant is proposing to reduce the minimum lot area for a three-family dwelling on proposed Lot B from 1,000 m² (10,764 square feet) to 700 m² (7,535 square feet).

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 3.3.h - Council will utilize the development approval process, including Phased Development Agreements, to secure an adequate supply of quality affordable, attainable and special needs housing which meets the needs of all residents of the community, regardless of age, mobility, background or socio-economic status.
- Policy 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 5.3.f - Council will develop strategies and tools to encourage and facilitate infill and redevelopment within existing developed areas of the community.
- Policy 8.3.h - Council will support infill and redevelopment within the community.
- Policy 8.3.i - Council will employ Smart Growth principles in future development.

- Policy 9.3.f - Council will develop a robust strategy to support infill, redevelopment, and brownfield reclamation that utilizes existing infrastructure, revitalizes the community, and enhances the use of underutilized lands.
- Policy 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.

HOUSING NEEDS REPORT

As per Section 473 (2.1) of the *Local Government Act*, when a local government is amending its OCP in relation to statements or map designations relating to the location, amount, type and density of residential development required to meet anticipated housing needs, the local government must consider its most recently received Housing Needs Report. The City of Enderby received its first Housing Needs Report at the Regular Council Meeting of November 2, 2020, which can be accessed through the following link:

<https://www.cityofenderby.com/enderby-housing-needs-assessment-report/>

An overview of how the proposal relates to the outcomes of the Housing Needs Assessment Report is provided in the Planning Analysis section of this report.

REFERRAL COMMENTS:

The application was referred to the following individuals/agencies:

- City of Enderby Public Works Manager;
- City of Enderby Chief Financial Officer;
- Building Inspector;
- Fire Chief;
- Regional District of North Okanagan Solid Waste Department; and
- Ministry of Transportation and Infrastructure.

The Development Services Officer with Ministry of Transportation advised that City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1774, 2023 had received preliminary approval.

The Chief Financial Officer provided the following comments:

The application will have no material impact to our Financial Plan.

No other comments were received in response to the referral.

PLANNING ANALYSIS:

The City of Enderby Planner raises no objections to the Joint Official Community Plan Amendment, Rezoning and Zoning Text Amendment Application which proposes the following as part of the proposed construction of a three-family dwelling on proposed Lot B:

1. Change the future land use designation for proposed Lot B from *Residential Low Density* to *Residential Medium Density*;
2. Rezone proposed Lot B from the *Residential Single Family (R.1-A)* zone to the *Residential Multi-Family Low Intensity (R.3-A)* zone;
3. Reduce the minimum lot area for three-family dwellings on proposed Lot B from 1,000 m² (10,764 square feet) to 700 m² (7,535 square feet); and
4. Increase the maximum permitted gross density for proposed Lot B from 41 units per hectare (16.59 units per acre) to 42 units per hectare (17 units per acre).

Upon consideration of input received at a Public Hearing, it is recommended that Council approve the application for the following reasons:

- The proposal would only result in the maximum number of dwelling units permitted on the lot being increased from two (single-family dwelling with attached secondary suite) to three (three-family dwelling);
- The proposal would facilitate infill development, which is a key element of Smart Growth development and is supported in the OCP, and provides the following community benefits:
 - More efficient use of land by increasing the ratio of improvement-to-land values;
 - Reducing pressures related to greenfield development and boundary expansion which in turn facilitates urban containment and rural protection;
 - Focusing future growth within developed areas of the community in order to maximize the value of existing infrastructure; and
 - Adding residential capacity without encroaching upon rural areas.
- The proposed development of the property to a more intensive residential land use would result in additional housing within the community, while broadening the spectrum of housing choices (i.e. smaller dwellings, rental housing), both of which are key elements of Smart Growth.
- The proposal would increase the yield of dwelling units that could be accommodated on the subject property (i.e. single-family dwelling with attached secondary suite vs. a three-family dwelling), which would work towards achieving objectives within the City of Enderby Housing Needs Assessment Report related to increasing the availability of housing within the community. Furthermore, the proposal would broaden the spectrum of housing choices (i.e. smaller dwellings, rental housing) in the community, which would work towards achieving the Report's objectives related to increasing housing types and rental inventory.
- Although the subject property has significant grades which may affect access and constructability for a three-family dwelling, the proposed development is still required to be in accordance with all local bylaws; if the applicant is not able to construct a three-family dwelling

in accordance with local bylaws, they would be required to submit a Development Variance Permit application and Council could consider the merits of the proposed development at that time.

- Although the proposed development would be a departure from the existing scale of development in the neighbourhood, which is almost entirely single-family, the proposed development only represents a slight increase in total density for the site (i.e. increase in maximum number of dwellings units from two to three); given this, it is not anticipated that the proposed development would result in traffic that exceeds the capacity of the adjacent road network nor negatively impact the form, character or use of the broader neighbourhood.

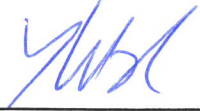
Notwithstanding the above, it should be noted that if the road closure and purchase process for the unconstructed portion of Regent Avenue is completed, and the road closure area is consolidated with proposed Lot B, Lot B's area would be increased to from 722.4 m² (7,775.8 square feet) to approximately 1,162 m² (12,508 square feet). Under that scenario, the proposed increase to the maximum permitted gross density of Lot B would result in the maximum number of dwelling units on the property being increased from three to four. Having said that, proposed Lot B would still not have sufficient area to accommodate a four-family dwelling, nor a row housing (i.e. four unit block) once you factor in the road dedication that would be required in order to service the row housing development with a rear lane pursuant to Section 604.a.11.d of the Zoning Bylaw; given this, even if the road closure and purchase process for the unconstructed portion of Regent Avenue is completed, and the road closure area is consolidated with proposed Lot B, the maximum number of dwelling units that could be developed on the property is three, unless the applicant was successful in a subsequent Zoning Text Amendment application which reduced the minimum lot size for four-family dwellings or row housing.

SUMMARY

This report relates to a Joint Official Community Plan Amendment, Rezoning and Zoning Text Amendment Application for the properties legally described as, i) LOT 1 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 EXCEPT PLAN M13332 and located at 902 Regent Avenue, Enderby BC, and ii) LOT 2 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 and located at 906 Regent Avenue, Enderby BC. The properties are currently subject to a boundary lot adjustment which would see the two subject parcels, along with the two parcels directly to the west, consolidated into two larger parcels (proposed Lots A and B), as shown on the attached Schedule 'A'. The applicant is proposing to rezone proposed Lot B from the *Residential Single Family (R.1-A)* zone to the *Residential Multi-Family Low Intensity (R.3-A)* zone and to change the Official Community Plan (OCP) designation of the property from *Residential Low Density* to *Residential Medium Density*. The applicant is also proposing to amend the text of the City of Enderby Zoning Bylaw No. 1550, 2014 to reduce the minimum lot area for three-family dwellings on proposed Lot B from 1,000 m² (10,764 square feet) to 700 m² (7,535 square feet), and increase the maximum permitted gross density for Lot B from 41 units per hectare (16.59 units per acre) to 42 units per hectare (17 units per acre). The purpose of the Joint Official Community Plan Amendment, Rezoning and Zoning Text Amendment Application is to enable the construction of a three-family dwelling on the proposed Lot B.

The City of Enderby Planner is supportive of the application.

Prepared By:



Kurt Inglis, MCIP, RPP
Planner

Reviewed By:



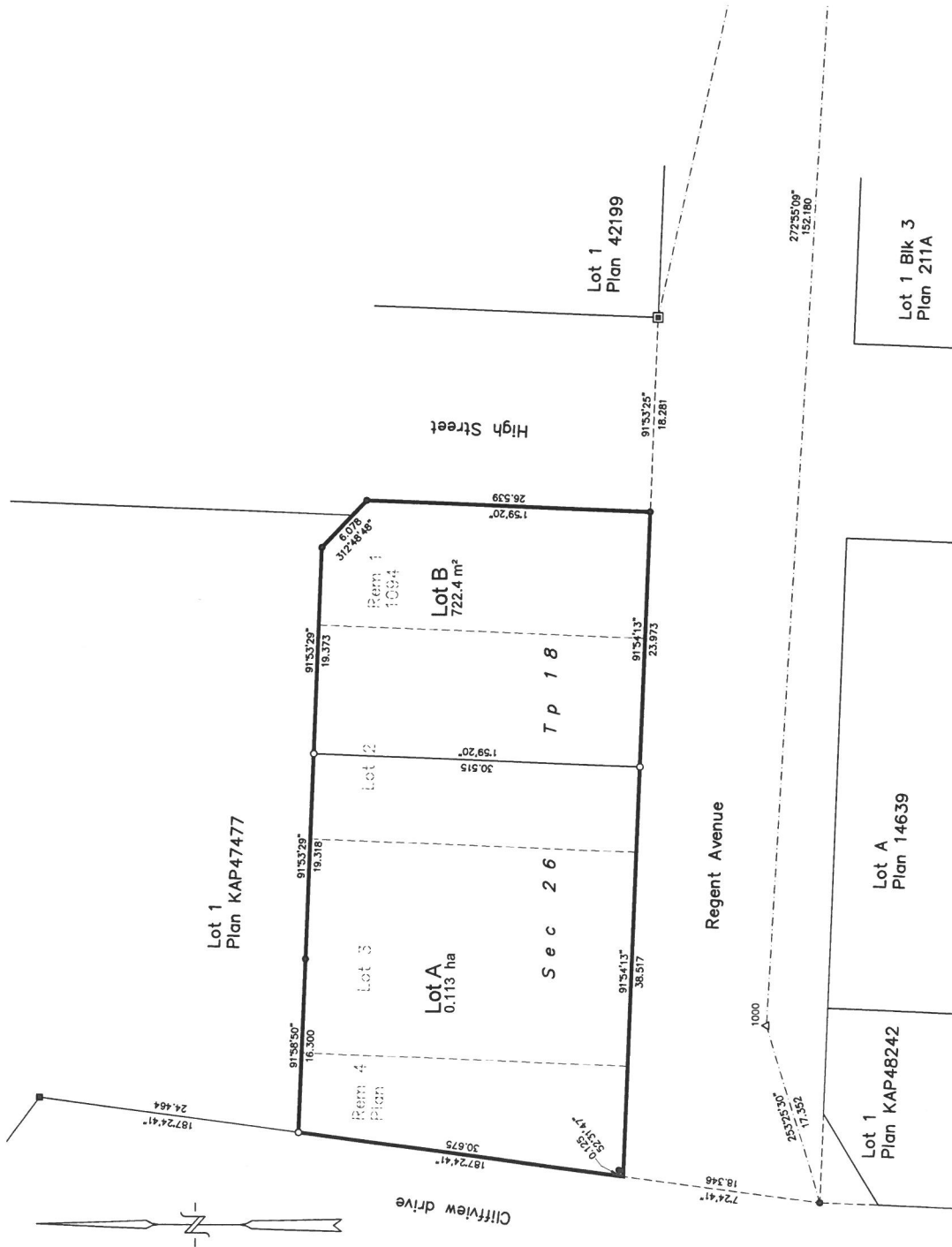
Tate Bengtson
Chief Administrative Officer

Schedule 'A'

SUBDIVISION PLAN OF LOT 1, EXCEPT PLAN M13332, LOT 2, LOT 3, AND LOT 4, EXCEPT PLAN M8147; ALL OF BLOCK 1, SEC 26, TP 18, R9, W6M, KDYD, PLAN 1094.

BCGS 82L.055

6 0 6 12 18
All distances are horizontal ground level, in metres and decimals thereof.
THE INTENDED PLOT SIZE OF THIS PLAN IS 560mm IN WIDTH BY 432mm IN HEIGHT (C size) WHEN PLOTTED AT A SCALE OF 1:300



PLAN EPP

LEGEND

- DENOTES LEAD PLUG FOUND
- DENOTES DOWNHILL IRON POST FOUND
- DENOTES STANDARD IRON POST FOUND
- DENOTES STANDARD IRON POST PLACED
- △ DENOTES TRAVERSE HUB SET

DISTANCES SHOWN ARE IN METRES AND DECIMALS THEREOF.

GRID BEARINGS ARE DERIVED FROM DIFFERENTIAL CARRIER PHASE GNSS OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 11 NORTH.

THE UTM COORDINATES AND ESTIMATED ABSOLUTE ACCURACY ACHIEVED ARE DERIVED USING 15 HOURS OF GNSS DUAL FREQUENCY OBSERVATIONS AND POST-PROCESSING USING THE CANADIAN ONLINE PROCESSING PROVIDED BY NATURAL RESOURCES CANADA.

THIS PLAN SHOWS HORIZONTAL GROUND LEVEL DISTANCES UNLESS OTHERWISE NOTED. DISTANCES TO THE CENTRAL MERIDIAN OF UTM ZONE 11 NORTH ARE DERIVED FROM THE AVERAGE COMBINED FACTOR OF 0.9998276. THE AVERAGE COMBINED FACTOR HAS BEEN DETERMINED BASED ON AN ELLIPSOIDAL ELEVATION OF 353 METRES.

REFERENCE POINT 1000	5602288.676
UTM EASTING	348037.250
DATUM	NAD83 (CSRS)(2002), UTM Zone 11
ESTIMATED ABSOLUTE ACCURACY	0.05m
COMBINED FACTOR	0.9998262
REFERENCE POINT 1005	5602326.357
UTM EASTING	348006.371
DATUM	NAD83 (CSRS)(2002), UTM Zone 11
ESTIMATED ABSOLUTE ACCURACY	0.05m
COMBINED FACTOR	0.9998266

THIS PLAN LIES WITHIN THE JURISDICTION OF THE APPROVING OFFICER FOR THE CITY OF ENDERBY.

THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF NORTH OKANAGAN.

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE DAY OF FEBRUARY, 2023.
JASON RUSSELL SHORTT, BCLS # 770

russell shortt
land SURVEYORS

2801-32nd Street, Vernon, B.C. V1T 5L8
Phone: (250)545-0511 Email: jasons@rshortt.ca
F.B. File: 27619 ECR # mmdy

[illegible]

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1773

A BYLAW TO AMEND THE CITY OF ENDERBY OFFICIAL COMMUNITY PLAN BYLAW NO.
1549, 2014

WHEREAS Council of the City of Enderby has determined to make an amendment to "City of Enderby Official Community Plan Bylaw No. 1549, 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 Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1773, 2023".
2. The future land use designation of a 722.4 m² (7,775.8 square foot) portion of the properties legally described as, i) LOT 1 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 EXCEPT PLAN M13332 and located at 902 Regent Avenue, Enderby BC, and ii) LOT 2 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 and located at 906 Regent Avenue, Enderby BC, shown as 'Lot B' on Schedule 'A' attached to and forming part of this Bylaw, is hereby changed from *Residential Low Density* to *Residential Medium Density*.

READ a FIRST time this day of , 2023.

READ a SECOND time this day of , 2023.

Advertised on the day of , 2023 and the day of , 2023, and a Public Hearing held pursuant to the provisions of Section 464 of the Local Government Act on the day of , 2023.

READ a THIRD time this day of , 2023.

ADOPTED this day of , 2023.

MAYOR

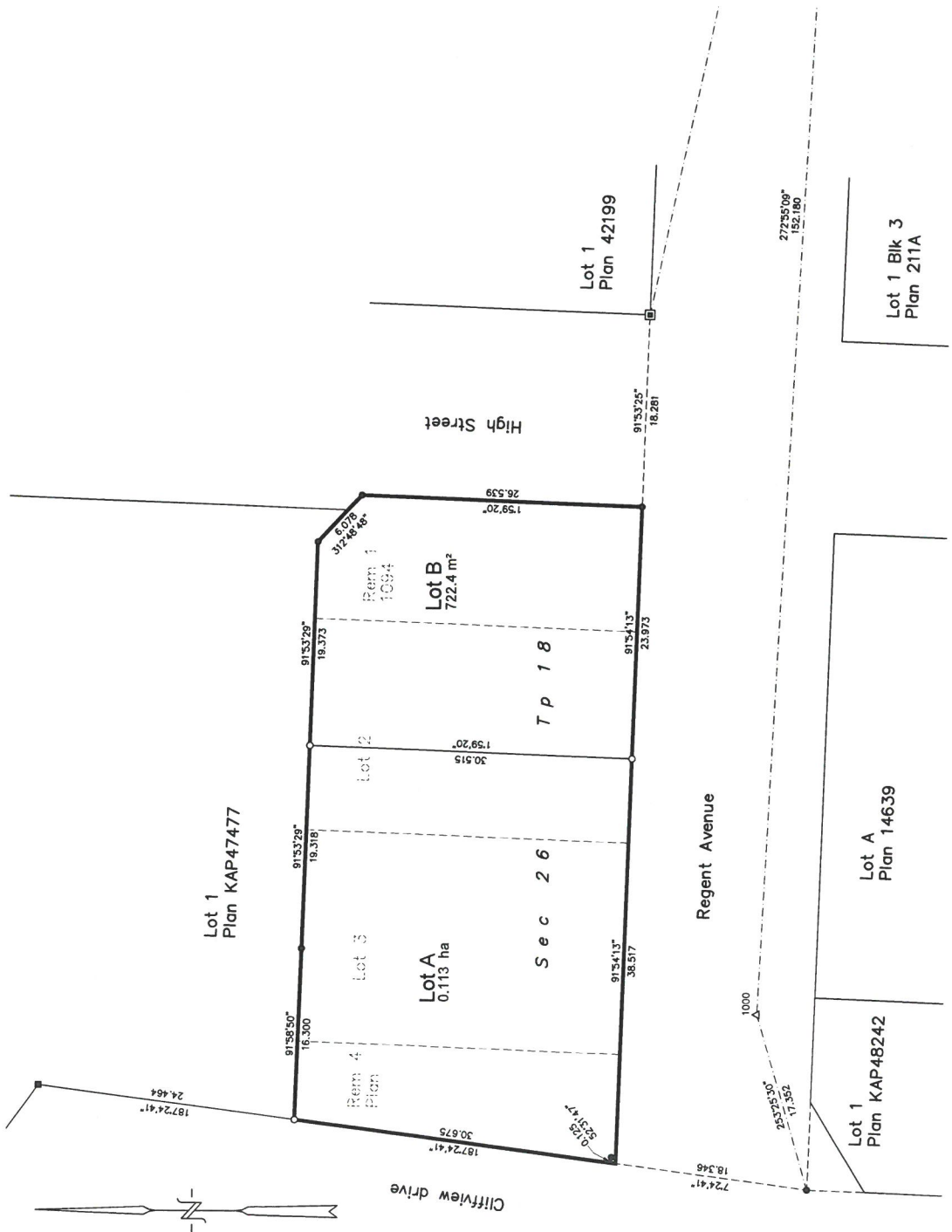
CORPORATE OFFICER

Schedule 'A'

SUBDIVISION PLAN OF LOT 1, EXCEPT PLAN M13332, LOT 2, LOT 3, AND LOT 4, EXCEPT PLAN M8147; ALL OF BLOCK 1, SEC 26, TP 18, R9, W6M, KDYD, PLAN 1094.

BCGS 82L.055

6 0 6 12 18
All distances are horizontal ground level, in metres and decimals thereof
THE INTENDED PLOT SIZE OF THIS PLAN IS 560mm IN WIDTH BY 432mm IN HEIGHT (C size) WHEN PLOTTED AT A SCALE OF 1:300



PLAN EPP

LEGEND

- DENOTES LEAD PLUG FOUND
- DENOTES DOMINION IRON POST FOUND
- DENOTES STANDARD IRON POST FOUND
- DENOTES STANDARD IRON POST PLACED
- △ DENOTES TRAVERSE HUB SET

DISTANCES SHOWN ARE IN METRES AND DECIMALS THEREOF.

GRID BEARINGS ARE DERIVED FROM DIFFERENTIAL CARRIER PHASE GNSS OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 11 NORTH.

THE UTM COORDINATES AND ESTIMATED ABSOLUTE ACCURACY ACHIEVED ARE DERIVED USING 3 HOURS OF GNSS DUAL FREQUENCY OBSERVATIONS ACQUIRED USING THE CORS-APP ONLINE PROCESSING PROVIDED BY NATURAL RESOURCES CANADA.

THIS PLAN SHOWS HORIZONTAL GROUND LEVEL DISTANCES UNLESS OTHERWISE SPECIFIED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND DISTANCES BY THE CORRECTION FACTOR. THE CORRECTION FACTOR IS THE AVERAGE CORRECTION FACTOR HAS BEEN DETERMINED BASED ON AN ELLIPSOIDAL ELEVATION OF 353 METRES.

REFERENCE POINT 1000	5602289.676
UTM NORTHING	5602289.676
UTM EASTING	440083.371
DATUM	NAD83 (GSRSS)(2002), UTM Zone 11
ESTIMATED ABSOLUTE ACCURACY IS 0.05m	
COMBINED FACTOR IS 0.9998262	

REFERENCE POINT 1005	5602289.357
UTM NORTHING	5602289.357
UTM EASTING	440083.371
DATUM	NAD83 (GSRSS)(2002), UTM Zone 11
ESTIMATED ABSOLUTE ACCURACY IS 0.05m	
COMBINED FACTOR IS 0.9998236	

THIS PLAN LIES WITHIN THE JURISDICTION OF THE APPROVING OFFICER FOR THE CITY OF ENDEBRI.

THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF NORTH OKANAGAN.

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE DAY OF FEBRUARY, 2023.

JASON RUSSELL SHORTT, BCLS # 770

russell shortt
land SURVEYORS

2801-32nd Street, Vernon, B.C. V1T 5L8
Phone: (250)545-0511 Email: jasons@rshortt.ca
F.B. File: 27619 ECR # nmaddy

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1774

A BYLAW TO AMEND 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 by Bylaw No. 1550, cited as "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014";

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. 1774, 2023".
2. The zoning designation of a 722.4 m² (7,775.8 square foot) portion of the properties legally described as, i) LOT 1 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 EXCEPT PLAN M13332 and located at 902 Regent Avenue, Enderby BC, and ii) LOT 2 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 and located at 906 Regent Avenue, Enderby BC, shown as 'Lot B' on Schedule 'A' attached to and forming part of this Bylaw, is hereby changed from the *Residential Single Family (R.1-A)* zone to the *Residential Multi-Family Low Intensity (R.3-A)* zone.
3. The minimum lot area for three-family dwellings on the 722.4 m² (7,775.8 square foot) portion of the properties legally described as, i) LOT 1 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 EXCEPT PLAN M13332 and located at 902 Regent Avenue, Enderby BC, and ii) LOT 2 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 and located at 906 Regent Avenue, Enderby BC, shown as 'Lot B' on Schedule 'A' attached to and forming part of this Bylaw, is hereby reduced from 1,000 m² (10,764 square feet) to 700 m² (7,535 square feet).
4. The maximum permitted gross density for three-family dwellings on the 722.4 m² (7,775.8 square foot) portion of the properties legally described as, i) LOT 1 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 EXCEPT PLAN M13332 and located at 902 Regent Avenue, Enderby BC, and ii) LOT 2 BLOCK 1 SECTION 26 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1094 and located at 906 Regent Avenue, Enderby BC, shown as 'Lot B' on

Schedule 'A' attached to and forming part of this Bylaw, is hereby increased from 41 units per hectare (16.59 units per acre) to 42 units per hectare (17 units per acre)

READ a FIRST time this day of , 2023.

READ a SECOND time this day of , 2023.

Advertised on the day of , 2023 and the day of , 2023, and a Public Hearing held pursuant to the provisions of Section 464 of the Local Government Act on the day of , 2023.

READ a THIRD time this day of , 2023.

APPROVED pursuant to Section 52(3)(a) of the Transportation Act this day of , 2023.

Development Officer
Ministry of Transportation and Infrastructure

ADOPTED this day of , 2023.

MAYOR

CORPORATE OFFICER

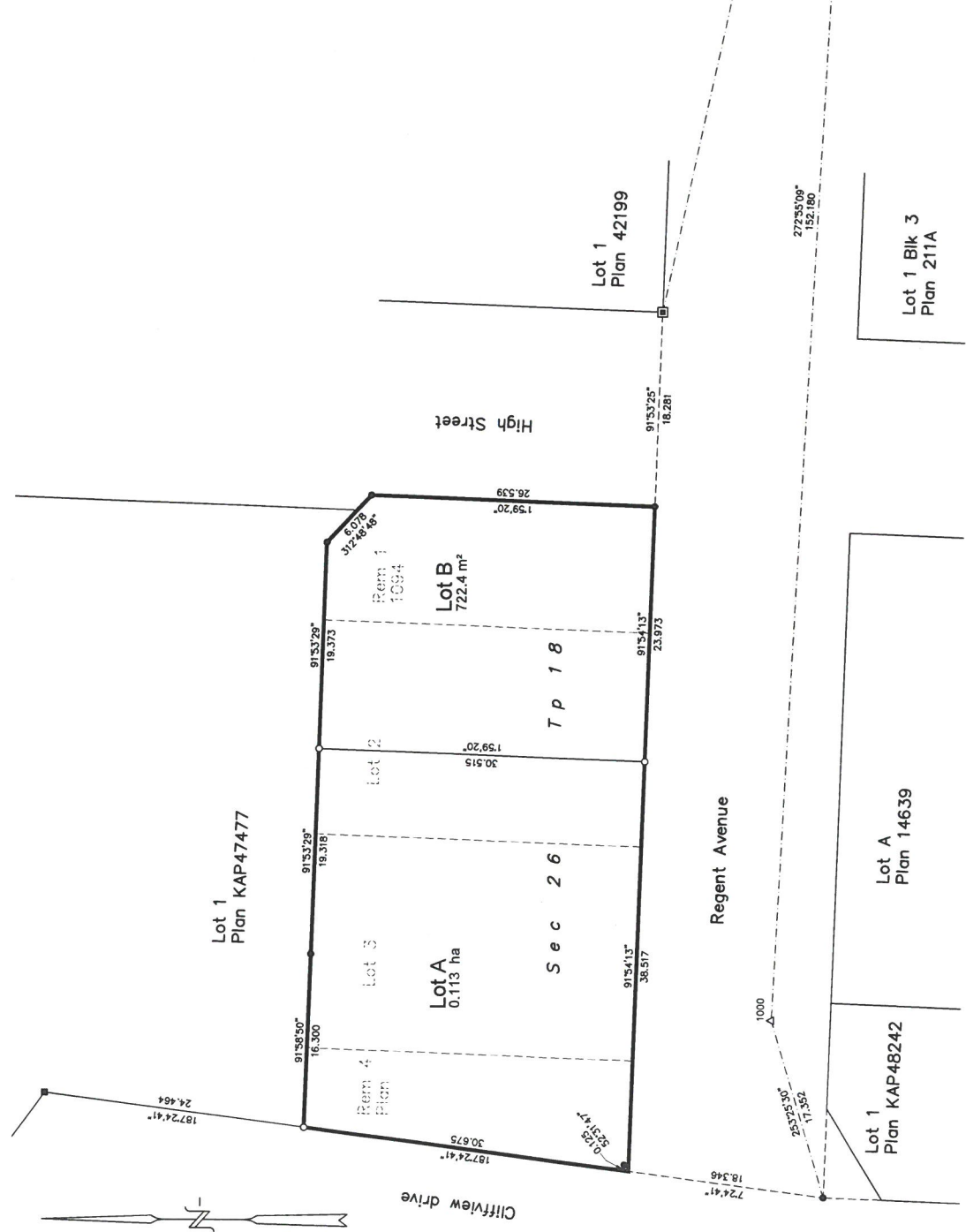
Schedule 'A'

SUBDIVISION PLAN OF LOT 1, EXCEPT PLAN M13332, LOT 2, LOT 3, AND LOT 4, EXCEPT PLAN M8147; ALL OF BLOCK 1, SEC 26, TP 18, R9, W6M, KDYD, PLAN 1094.

BCGS 82L.055



All distances are horizontal ground level, in metres and decimals thereof. THE INTENDED PLOT SIZE OF THIS PLAN IS 560mm IN WIDTH BY 432mm IN HEIGHT (C size) WHEN PLOTTED AT A SCALE OF 1:300



LEGEND

- DENOTES LEAD PLUG FOUND
- DENOTES DOMINION IRON POST FOUND
- DENOTES STANDARD IRON POST FOUND
- DENOTES STANDARD IRON POST PLACED
- △ DENOTES TRAVERSE HUB SET

DISTANCES SHOWN ARE IN METRES AND DECIMALS THEREOF.
GRID BEARINGS ARE DERIVED FROM DIFFERENTIAL CARRIER PHASE GNSS OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 11 NORTH.
THE UTM COORDINATES AND ESTIMATED ABSOLUTE ACCURACY ACHIEVED FOR THE UTM COORDINATES OF THIS PLAN ARE 0.05m FOR THE UTM COORDINATES AND 0.05m FOR THE UTM COORDINATES PROVIDED BY NATURAL RESOURCES CANADA.

THIS PLAN SHOWS HORIZONTAL GROUND LEVEL DISTANCES UNLESS OTHERWISE SPECIFIED. THE AVERAGE COMBINED FACTOR OF 0.9998279 LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.9998279 THE AVERAGE COMBINED FACTOR HAS BEEN DETERMINED BASED ON AN ELLIPSOIDAL ELEVATION OF 353 METRES.

REFERENCE POINT 1000	5602288.676
UTM NORTHING	5602288.676
UTM EASTING	348037.250
DATUM	NAD83 (GSRG)(2002), UTM Zone 11
ESTIMATED ABSOLUTE ACCURACY	0.05m
COMBINED FACTOR	0.9998279

REFERENCE POINT 1005	5602326.357
UTM NORTHING	5602326.357
UTM EASTING	348066.371
DATUM	NAD83 (GSRG)(2002), UTM Zone 11
ESTIMATED ABSOLUTE ACCURACY	0.05m
COMBINED FACTOR	0.9998279

THIS PLAN LIES WITHIN THE JURISDICTION OF THE APPROVING OFFICER FOR THE CITY OF ENDEBY.

THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF NORTH OKANAGAN.

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE DAY OF FEBRUARY, 2023.
JASON RUSSELL SHORTT, BCLs # 770

russell shortt
land SURVEYORS
2801-32nd Street, Vernon, B.C. V1T 3L8
Phone: (250)543-0511 Email: jason@rshortt.ca
F.B. File: 27819 ECR # mmdady

CITY OF ENDERBY
DEVELOPMENT VARIANCE PERMIT APPLICATION

AGENDA

File No: 0062-23-DVP-END

July 28, 2023

APPLICANT: Stephen and Shelley Smith

OWNER(S): Stephen and Shelley Smith

LEGAL DESCRIPTION: LOT A SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN
KAMLOOPS DIVISION YALE DISTRICT PLAN 27274 EXCEPT PLAN KAP59772

PID #: 004-849-248

LOCATION: 107 Timberlane Road, Enderby BC

PROPERTY SIZE: 5.52 acres (2.23 hectares/22,300 square meters)

ZONING: Residential Single Family (R.1)

O.C.P

DESIGNATION: Residential Low Density

PROPOSED

VARIANCES: Vary the Local Road Standards of the City of Enderby Subdivision Servicing and Development Bylaw by not requiring the provision of curbing, sidewalks, or a sanitary sewer main along Timberlane Road, as part of the construction to centreline requirements for the proposed subdivision

RECOMMENDATION:

THAT Council authorizes the issuance of a Development Variance Permit for the property legally described as LOT A SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 27274 EXCEPT PLAN KAP59772 and located at 107 Timberlane Road, Enderby B.C. to vary the Local Road Standards set out in Section 2.0 of Schedule "A" of the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 by not requiring the provision of curbing, sidewalks, or a sanitary sewer main along Timberlane Road, as part of the construction to centreline requirements for the proposed subdivision at 107 Timberlane Road, Enderby BC.

BACKGROUND:

This report relates to Development Variance Permit Application for the property located at 107 Timberlane Road, Enderby BC. The applicant is proposing a six-lot subdivision and is requesting to vary

the Local Road Standards set out in Section 2.0 of Schedule “A” of the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 by not requiring the provision of curbing, sidewalks, or a sanitary sewer main along Timberlane Road, as part of the construction to centreline requirements for the proposed subdivision at 107 Timberlane Road, Enderby BC. If approved, the variance would permit the applicant to provide a cash-in-lieu payment for the construction to centreline of Timberlane Road which is reflective of the current rural road standard.

Site Context

The 5.52 acre (2.23 hectare) property is located on the west side of Gunter Ellison Road, which is identified as a Municipal Major Collector Road in the Official Community Plan (OCP), and the eastern side of Timberlane Road which is identified as a Local Road in the OCP but is built to a rural standard (i.e. open ditching, no sidewalk or curbing). The property is located on a hillside with steep grades that run from west to east. A single-family dwelling is located along the southern property boundary, with a driveway access off of Timberlane Road. The southeastern portion of the property is located within the Agricultural Land Reserve (ALR), as shown in Figure 2 below. The property is adjacent to the City’s community water system on Timberlane Road, but the community sanitary sewer system terminates on Gunter Ellison Road approximately 300 meters to the north of the subject property.

The property is zoned Residential Single Family (R.1) and is designated as *Residential Low Density* in the OCP. The properties to the west and north are zoned Country Residential (C.R) and are designated as *Country Residential* in the OCP. The properties to the east and south are located in Electoral Area ‘F’ of the Regional District of North Okanagan.

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

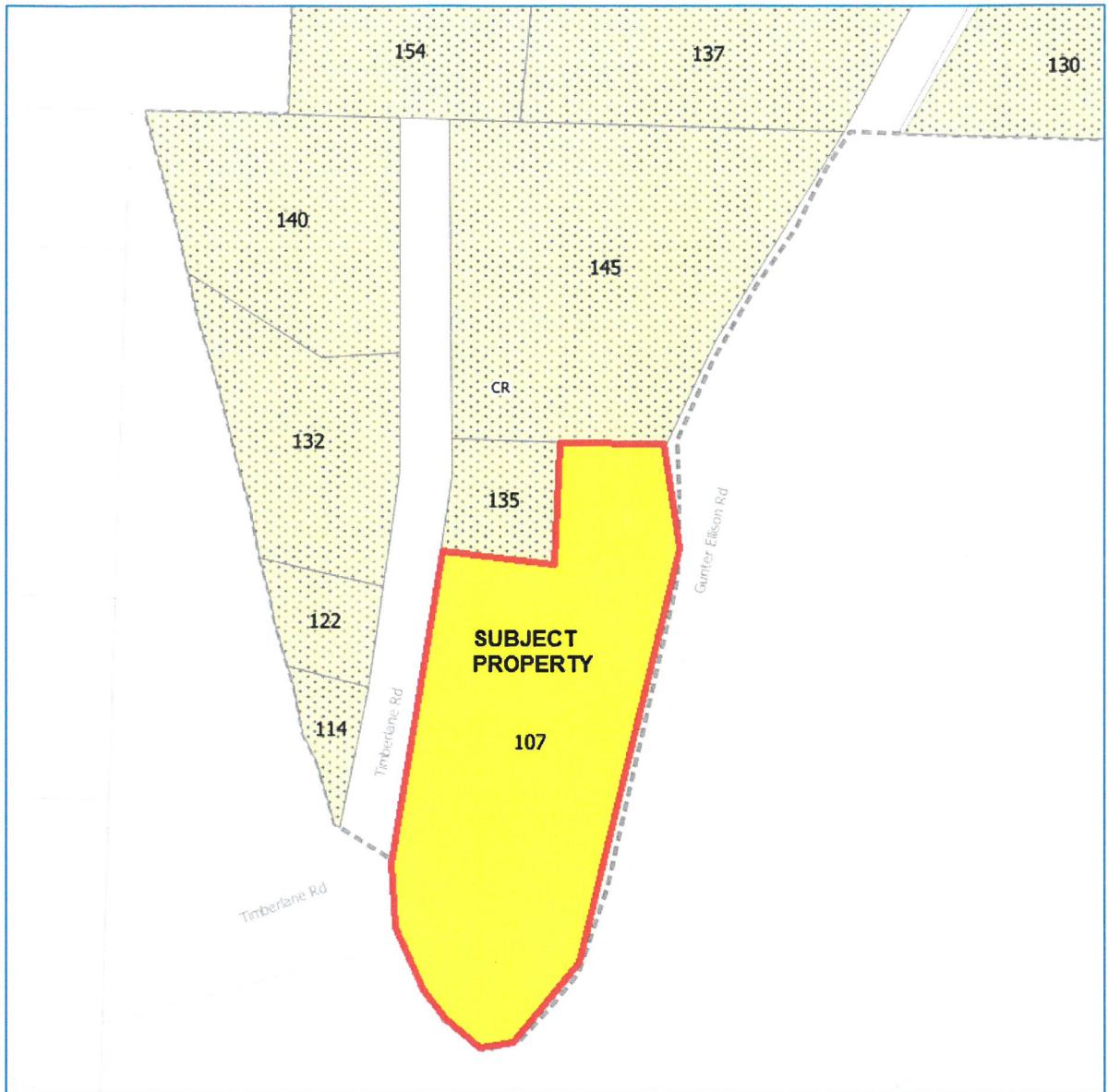


Figure 1: Zoning Map

Dotted: Country Residential (C.R)
Yellow: Residential Single Family (R.1)

The following figure shows the portion of the subject property that is located within the Agricultural Land Reserve:

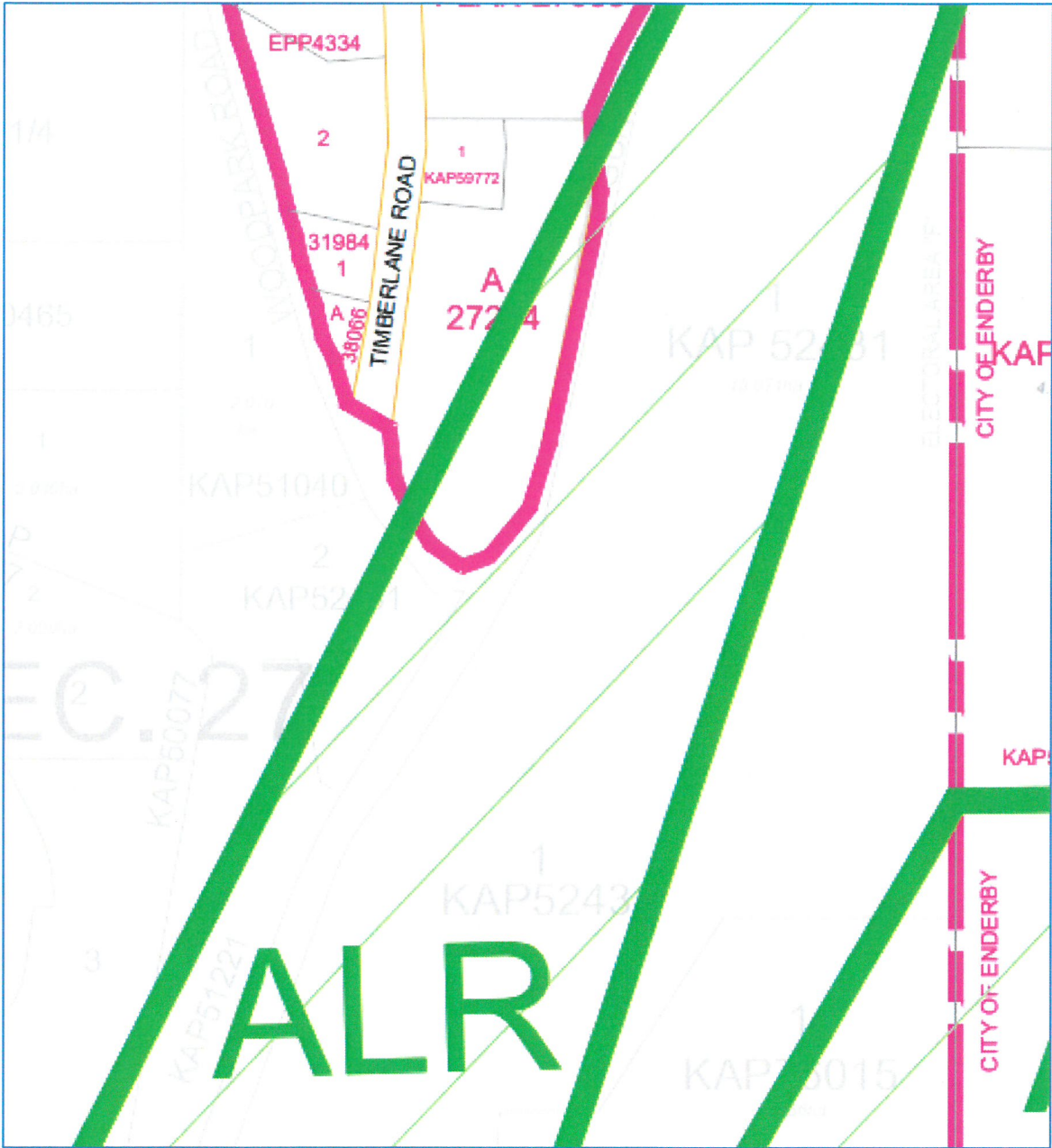


Figure 2: Agricultural Land Reserve Map

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



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

In 2020, the applicant applied to change the subject property's OCP future land use designation from *Country Residential/Agricultural* to *Residential Low Density*, and to rezone the property from the *Country Residential (C.R)* zone to the *Residential Single Family (R.1)* zone; the intent of this application was to facilitate a six-lot subdivision of the subject property. Objective 9.3.f of the OCP states that Council will allow for phased development in Future Growth Areas provided that any new lots created are a minimum of 2,000 m², do not require new highway infrastructure, and are supported by sustainable alternate development standards relative to other infrastructure services. Given this, Council made approval of the rezoning subject to the applicant registering a covenant on title which requires that any new lots created by subdivision of the subject property be a minimum of 2,000 m² (0.494 acres) in area, unless the properties are serviced by both community water and community sanitary sewer systems. This requirement was intended to ensure that the property develops in a phased manner, whereby any new lots created through subdivision would be larger in size until such time as access to both community water and community sanitary sewer systems is available, at which point an urban scale of development would be possible. The applicant satisfied this condition and the rezoning and change in OCP future land use designation have taken effect.

In 2021, the applicant applied to the Agricultural Land Commission (ALC) for an ALR subdivision to create six residential lots. The application was denied by the ALC given that the proposal would limit the Property's agricultural potential and that retaining the ALR portion of the property in its current size and configuration would protect a continuous area for agricultural use. The applicant submitted a revised application to the City proposing a six-lot subdivision of the property, with the proposed new lots outside of the ALR boundaries, as shown on the attached Schedule 'A'. Given that the subdivision does not involve land within the ALR, no approval from the ALC is required. The proposed lots range in area from 0.494 acres to 2.42 acres.

As the applicant is proposing to subdivide the property, the requirement to construct the adjacent road to centreline, or provide cash-in-lieu for these works, has been triggered as a condition of subdivision pursuant to Section 506(8) of the *Local Government Act*. The adjacent Gunter Ellison Road, and the portion of Timberlane Road that intersects with Gunter Ellison Road (which is actually named Woodpark Road), is outside of Enderby city limits and is under the jurisdiction of the Ministry of Transportation and Infrastructure; the construction to centreline requirement only relates to roads inside city limits.

In 2021 the applicant submitted a Development Variance Permit application and obtained the following variances with respect to the proposed subdivision:

Zoning Bylaw

- Section 315 by reducing the minimum lot size for the subdivision for parcels not connected to a community sewer system from 1 ha (2.471 acres) to 0.494 acres (2,000 m²).

Subdivision Servicing and Development Bylaw

- Section 2.0 of Schedule "A" by not requiring Timberlane Road to be dedicated a minimum of 9.0 m from the existing mean centreline of the road;
- Section 4.0 of Schedule "A" and Schedule "B" by not requiring a connection to a community sanitary sewage system;
- Section 4.2.9 of Schedule "A" by permitting an on-site sewage disposal system on a lot less than 2 hectares in size;
- Section 6.0 of Schedule "A" and Schedule "B" by not requiring the provision of 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.

The applicant also requested the following variances to the Subdivision Servicing and Development Bylaw, which were denied by Council:

- Section 2.0 of Schedule "A" by not requiring the construction of Timberlane Road to the centreline of the road in accordance with the Local Road Standards; and
- Section 5.0 of Schedule "A" and Schedule "B" by not requiring the design and construction of a storm drainage system.

The applicant has now submitted a new Development Variance Permit application which proposes to vary the Local Road Standards set out in Section 2.0 of Schedule "A" of the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 by not requiring the provision of curbing, sidewalks, or a sanitary sewer main along Timberlane Road, as part of the construction to centreline requirements for the proposed subdivision. If approved, the variance would permit the applicant to provide a cash-in-lieu payment for the construction to centreline of Timberlane Road which is reflective of the current rural road standard.

ZONING BYLAW:

The subject property is zoned Residential Single Family (R.1) and uses permitted within this zone include:

- Accessory residential
- Restricted agriculture
- Single-family dwellings
- Secondary suites
- Bed and breakfasts
- Civic and public service use

Section 315 of the Zoning Bylaw states that the minimum lot size for subdivision is 1 ha (2.471 acres) for parcels not connected to a community sewer system.

SUBDIVISION SERVICING AND DEVELOPMENT BYLAW:

Section 2.0 of Schedule "A" of the Subdivision Servicing and Development Bylaw requires the construction of Local Roads adjacent to properties zoned Residential Single Family (R.1) in accordance with Design, Materials, and Installation standards outlined in Section 2.0 of Schedule "A" of the Bylaw.

The applicant is requesting to vary the Local Road Standards of the Subdivision Servicing and Development Bylaw by not requiring the provision of curbing, sidewalks, or a sanitary sewer main along Timberlane Road, as part of the construction to centreline requirements for the proposed subdivision.

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 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 City of Enderby Public Works Manager provided the following comments:

With respect to the proposed variances:

- *They are consistent with the current and expected future road standard on this section of Timberlane Road.*
- *The development has received prior support for providing sanitary sewer disposal service on-site and the development does not form part of any plan for extending the community sanitary sewer system further up Gunter-Ellison Road.*

I have no objection.

No other comments were received in response to the referral.

PLANNING ANALYSIS:

The City of Enderby Planner raises no objections to the applicant's request to vary the Local Road Standards set out in Section 2.0 of Schedule "A" of the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 by not requiring the provision of curbing, sidewalks, or a sanitary

sewer main along Timberlane Road, as part of the construction to centreline requirements for the proposed subdivision. Upon consideration of input from adjacent landowners, it is recommended that Council authorize the issuance of the Development Variance Permit for the following reasons:

- As mentioned by the City's Public Works Manager, the current and expected road standard for Timberlane Road is a rural standard which does not include sidewalk, curb or gutter; given this, it would be appropriate for the applicant to construct Timberlane Road to centreline (or provide a cash-in-lieu equivalent) in accordance with the current and expected rural road standard for Timberlane Road; and
- Given that the applicant has received a variance that allows for the use of on-site septic disposal, and the City's Public Works Manager has confirmed that the proposed development does not form part of any plan for extending the community sanitary sewer system further up Gunter Ellison Road, it would be appropriate to not require a sanitary sewer main as part of the construction to centreline (or cash-in-lieu equivalent) requirement for the proposed subdivision.

SUMMARY

This report relates to Development Variance Permit Application for the property located at 107 Timberlane Road, Enderby BC. The applicant is proposing a six-lot subdivision and is requesting to vary the Local Road Standards set out in Section 2.0 of Schedule "A" of the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 by not requiring the provision of curbing, sidewalks, or a sanitary sewer main along Timberlane Road, as part of the construction to centreline requirements for the proposed subdivision at 107 Timberlane Road, Enderby BC. If approved, the variance would permit the applicant to provide a cash-in-lieu payment for the construction to centreline of Timberlane Road which is reflective of the current rural road standard.

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

Prepared By:



Kurt Inglis, MCIP, RPP
Planner

Reviewed By:



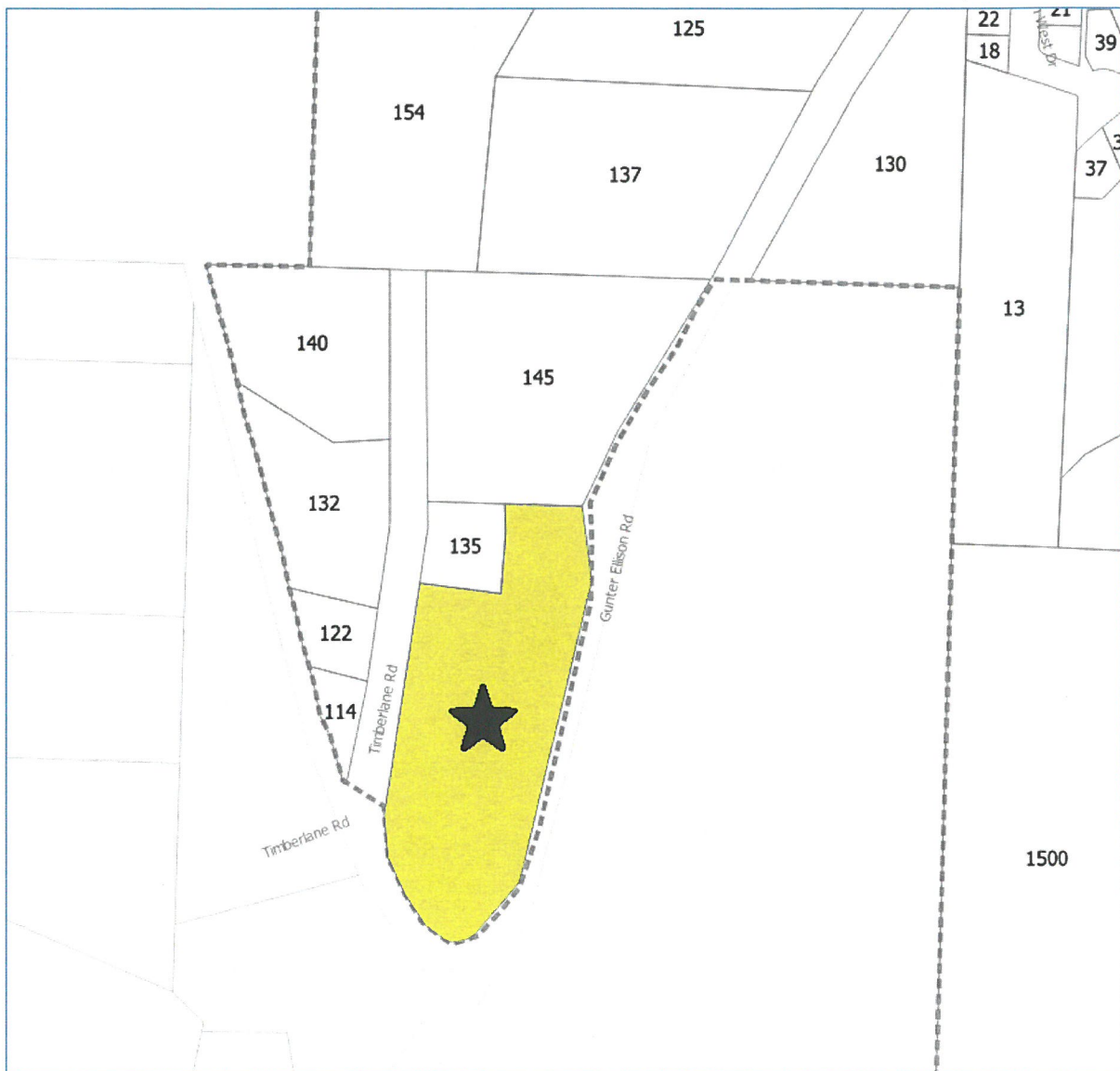
Tate Bengtson
Chief Administrative Officer

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

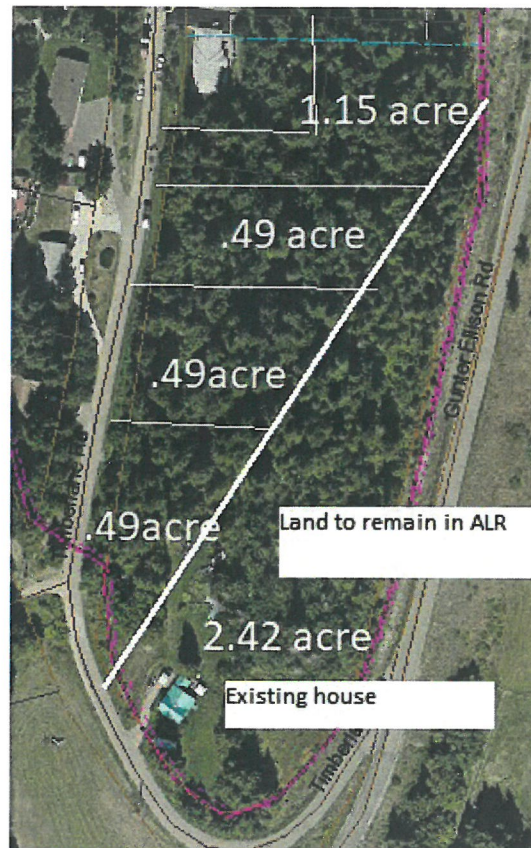
File: 0062-23-DVP-END (Smith)

Applicant: Stephen and Shelley Smith

Location: 107 Timberlane Road, Enderby BC



SCHEDULE 'A'



THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner
Date: August 10, 2023
Subject: Mary Jane Rigs 'n Cannabis – Request to Amend Business License Regulations Related to Retail of Cannabis

RECOMMENDATION

THAT with respect to regulating the hours of operation for Cannabis-Related Businesses, Council chooses one of the following options:

- A. Restrict Cannabis-Related Businesses from operating before 9:00 am or after 7:00 pm;
- B. Restrict Cannabis-Related Businesses from operating before 9:00 am or after 11:00 pm, consistent with the provincial requirement;
- C. Remove local regulations limiting hours of operation for Cannabis-Related Businesses and defer to any applicable provincial requirements; or
- D. Provide Staff with alternate direction.

AND THAT with respect to regulating the display of items for Cannabis-Related Businesses, Council chooses one of the following options:

- A. Continue to restrict Cannabis-Related Businesses from displaying items related to the consumption of cannabis which can be seen by a minor outside of the premises;
- B. Remove the regulation which restricts Cannabis-Related Businesses from displaying items related to the consumption of cannabis which can be seen by a minor outside of the premises and defer to the provincial requirement which prohibits window displays;
- C. Remove the regulation which restricts Cannabis-Related Businesses from displaying items related to the consumption of cannabis which can be seen by a minor outside of the premises and include a regulation which prohibits window displays, consistent with the provincial requirement; or
- D. Provide Staff with alternate direction.

AND THAT with respect to regulating advertising, promotion and signage for Cannabis-Related Businesses, Council chooses one of the following options:

- A. Continue to, i) restrict the advertisement or promotion of cannabis which can be seen or heard by minor who is outside the premises, and ii) restrict signs from displaying anything other than alpha-numeric characters and the business name;
- B. Remove the regulation which, i) restricts the advertisement or promotion of cannabis which can be seen or heard by a minor who is outside the premises, and ii) restricts signs from only displaying

- alpha-numeric characters and the business name, and defer to the provincial requirements related to advertising, promotion and branding;
- C. Remove the regulation which, i) restricts the advertisement or promotion of cannabis which can be seen or heard by a minor who is outside the premises, and ii) restricts signs from only displaying alpha-numeric characters and the business name, and include regulations related to advertising, promotion and branding, consistent with the provincial requirements; or
 - D. Provide Staff with alternate direction.

AND THAT with respect to regulating the provision of police information checks for Cannabis-Related Businesses, Council chooses one of the following options:

- A. Continue to require Cannabis-Related Businesses to provide police information checks at the time of application for business license issuance and renewal;
- B. Remove the business licensing requirement for Cannabis-Related Businesses to provide police information checks at the time of application for business license renewal;
- C. Remove the business licensing requirement for Cannabis-Related Businesses to provide police information checks at any point in the business licensing application process, and defer to the background checks required as part of the provincial licensing process; or
- D. Provide Staff with alternate direction.

AND THAT should Council make changes to the business license regulations for Cannabis-Related Businesses, Council directs Staff to report back with a proposed adjustment to the business license application and renewal fee for Cannabis-Related Businesses that has a reasonable relationship between the fee charged and the service provided.

AND FURTHER THAT Council directs staff to prepare amendment bylaws to the City of Enderby Business License and Regulation Bylaw No. 1558, 2014 and the City of Enderby Fees and Charges Bylaw No. 1479, 2010 to the extent needed to implement the changes.

BACKGROUND

In 2017, Council adopted amendment bylaws to the Business License and Regulation Bylaw No. 1558, 2014 and Fees and Charges Bylaw No. 1479, 2010, which together formed a business licensing regime for the retail of Cannabis; under this framework, 'Cannabis-Related Businesses' are subject to a range of business license regulations related to security, police information checks, hours of operation, signage, surveillance, etc., and are required to obtain a sector-specific business license annually; a copy of the Business License regulations related to the retail of Cannabis is attached to this memorandum as Schedule 'B'.

The City has received a request from the owners of Mary Jane Rigs 'n Cannabis, the sole cannabis retailer within the City, to amend its Business License Regulations in order to not regulate Cannabis-Related Businesses over and above the requirements outlined in the Cannabis Retail Store License Handbook¹ produced by the Liquor and Cannabis Regulation Branch (LCRB). At its Regular Meeting of July 17, 2023, Council considered the request and directed Staff to engage with the owners of Mary Jane Rigs 'n Cannabis

¹ Cannabis Retail Store Licence Handbook - <https://tinyurl.com/yc56vuxa>

to identify the particular elements of the City's Business License Regulations related to the retail of Cannabis that are interfering with their operations, and report back to Council with an analysis on those particular items; this approach was intended to allow for a more targeted analysis, while balancing demands upon Staff capacity.

Staff have engaged with Mary Jane Rigs 'N Cannabis and they have specifically requested the following amendments to the City's Business License and Regulation Bylaw with respect to Cannabis-Related Businesses, consistent with the current LCRB requirements:

1. Permit Cannabis-Related Businesses to be open from 9:00 am to 11:00 pm;
2. Remove requirement for Cannabis-Related Businesses to provide window coverings;
3. Permit cannabis related graphics on signage and window coverings;
4. Remove the requirement for Cannabis-Related Businesses to provide police information checks after initial business licensing approval; and
5. Remove the sector-specific business licensing fees and licensing period for Cannabis-Related Businesses.

For each of the requested amendments to the City's Business License and Regulation Bylaw, Staff have provided the following:

- A comparison of the City of Enderby's requirements against those of the LCRB (where applicable);
- An overview of the available options for Council's consideration; and
- A Staff analysis.

It should be noted that for ease of reference, the tables outlined below have been consolidated and attached to this memorandum as Schedule 'A'.

Requested Amendment # 1 - Permit Cannabis-Related Businesses to be open from 9:00 am to 11:00 pm

City of Enderby Requirement	LCRB Requirement	Options
Must not operate before 8:00 am or after 7:00 pm	Must not operate before 9:00 am or after 11:00 pm	<p>A. Restrict Cannabis-Related Businesses from operating before 9:00 am or after 7:00 pm;</p> <p>B. Restrict Cannabis-Related Businesses from operating before 9:00 am or after 11:00 pm, consistent with the provincial requirement;</p> <p>C. Remove local regulations limiting hours of operation for Cannabis-Related Businesses and defer to any applicable provincial requirements; or</p> <p>D. Provide Staff with alternate direction.</p>

There is an inconsistency between the City's requirements related to hours of operation, and that of the LCRB (i.e. City permits operations to begin no earlier than 8:00 am, LCRB permits operations to begin no earlier than 9:00 am). Local governments may regulate over and above the Province, allowing the City to be more restrictive on hours of operation for a Cannabis-Related Business; however, a local government cannot regulate to a lesser extent than a provincial requirement. At minimum, the Business License and Regulation Bylaw must be amended to state that Cannabis-Related Businesses cannot operate before 9:00 am, consistent with the LCRB requirement; however, the hours may be later than 9:00 am if that is preferred by Council.

With respect to how late Cannabis-Related Businesses may operate, Council may choose to maintain the existing standard of 7:00 pm or amend the Bylaw to extend until 11:00 pm, consistent with the LCRB requirement, or any time that is earlier than 11:00 pm if that is preferred.

With respect to hours of operation more broadly, Council could choose to amend the Bylaw to remove all local regulations related to hours of operation and defer to any applicable provincial requirements; under this approach, there is the risk of the LCRB changing its regulations to extend the permitted hours of operation in the future, in a manner that does not align with Council's preferences; under that scenario, Council could choose to re-introduce regulations related to hours of operation for Cannabis-Related Businesses.

Requested Amendment #2 - Remove requirement for Cannabis-Related Businesses to provide window coverings

City of Enderby Requirement	LCRB Requirement	Options
Must not display items related to the consumption of cannabis in any manner by which the display may reasonably be seen by a minor who is outside the premises	Must not display cannabis, cannabis accessories or packaging and labelling of cannabis and cannabis accessories in a store window	<p>A. Continue to restrict Cannabis-Related Businesses from displaying items related to the consumption of cannabis which can be seen by a minor outside of the premises;</p> <p>B. Remove the regulation which restricts Cannabis-Related Businesses from displaying items related to the consumption of cannabis which can be seen by a minor outside of the premises and defer to the provincial requirement which prohibits window displays;</p> <p>C. Remove the regulation which restricts Cannabis-Related Businesses from displaying items related to the consumption of cannabis which can be seen by a minor outside of the premises and include a regulation which prohibits</p>

		window displays, consistent with the provincial requirement; or D. Provide Staff with alternate direction.
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Neither the City of Enderby nor LCRB require Cannabis-Related Businesses to provide window coverings. However, the City restricts the display of items related to the consumption of cannabis in any manner by which the display may reasonably be seen by a minor who is outside the premises; depending upon the layout of a store, and the manner in which products are being displayed, a Cannabis-Related Business may choose to install window coverings in order to satisfy this requirement, which is over-and-above the LCRB requirement which only prohibits such displays from being located directly in a store window.

Council could choose to maintain the existing regulations which do not directly require window coverings, but in certain circumstances could result in Cannabis-Related Businesses installing them in order to satisfy the City's requirement to not display items related to the consumption of cannabis in any manner by which the display may reasonably be seen by a minor who is outside the premises; alternatively, Council could choose to remove this requirement altogether and either, i) include a regulation which mirrors the provincial requirement which prohibits window displays, or ii) simply defer to the provincial requirement. Staff do not have concerns with any of these options.

Requested Amendment #3 - Permit cannabis related graphics on signage and window coverings

City of Enderby Requirement	LCRB Requirement	Options
<ul style="list-style-type: none"> • Must not advertise or promote the use of cannabis in any manner by which the advertising or promotion may reasonably be seen or heard by a minor who is outside the premises • Must not display any advertising or sign that is visible from outside of the premises, except for signs which display no images and contain 	<ul style="list-style-type: none"> • Must not promote cannabis, a cannabis accessory or any service related to cannabis in a way that could be appealing to young persons² or by presenting it or any of its brand elements in a manner that associates it or the brand element with, or evokes a positive or negative emotion about or image of, a way of life such as one that includes glamour, recreation, excitement, vitality, risk or daring 	<p>A. Continue to, i) restrict the advertisement or promotion of cannabis which can be seen or heard by minor who is outside the premises, and ii) restrict signs from displaying anything other than alpha-numeric characters and the business name;</p> <p>B. Remove the regulation which, i) restricts the advertisement or promotion of cannabis which can be seen or heard by a minor who is outside the</p>

² "young person" means an individual who is under 18 years of age and "brand element" includes a brand name, trademark, tradename, distinguishing guise, logo, graphic arrangement, design or slogan that is reasonably associated with, or that evokes,

a) cannabis, a cannabis accessory or a service related to cannabis, or

b) a brand of any cannabis, cannabis accessory or service related to cannabis.

[Cannabis Act (Canada), s. 2 (1) definitions of "brand element" and "young person"]

only, i) alpha-numeric characters, and ii) the business name	<ul style="list-style-type: none"> • A licensee must ensure that advertising and branding, including signs, used in relation to their establishment do not: <ul style="list-style-type: none"> ○ Use language that encourages intoxication ○ Misrepresent the type of business they operate • A licensee must not use words, phrases, designs, domain names, branding elements or indicia in their retail store advertising and branding that could indicate that the licensee sells medical cannabis or cannabis for medical purposes, or could indicate that the licensee is associated with another business 	premise, and ii) restricts signs from only displaying alpha-numeric characters and the business name, and defer to the provincial requirements related to advertising, promotion and branding; C. Remove the regulation which, i) restricts the advertisement or promotion of cannabis which can be seen or heard by a minor who is outside the premises, and ii) restricts signs from only displaying alpha-numeric characters and the business name, and include regulations related to advertising, promotion and branding, consistent with the provincial requirements; or D. Provide Staff with alternate direction.
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The City currently restricts Cannabis-Related Businesses from advertising or promoting cannabis from outside of the store and restricts signs to only containing alpha-numeric characters (no images) and the business name. The LCRB does not restrict the advertising or promotion of cannabis from outside the store, nor the types of signs that can be used, but instead restricts the manner in which advertising, promotion or branding can occur (example: no glamorization or glorification).

Should Council wish to see a limited form of advertising, promotion and signage for Cannabis-Related Businesses, it can choose to maintain the existing level of regulations. Should Council wish to take a less restrictive approach and provide more flexibility for Cannabis-Related Businesses to be able to promote and advertise for their businesses, Council can choose to remove these regulations and either, i) include regulations which mirror the provincial requirements related to advertising, promotion and branding, or ii) simply defer to the provincial requirements. Staff do not have concerns with any of these options.

Requested Amendment #4 - Remove the requirement for Cannabis-Related Businesses to provide police information checks after initial licensing approval

City of Enderby Requirement	LCRB Requirement	Options
<ul style="list-style-type: none"> • At the time of application for business license issuance or renewal for a Cannabis-Related Business, a current police information check must be 	For the purposes of determining whether an applicant or a licensee is fit and proper or of forming an opinion about whether an	A. Continue to require Cannabis-Related Businesses to provide police information checks at the time of application for

<p>provided for the applicant, each shareholder/officer/director if the applicant is a corporation, and each on-site manager</p> <ul style="list-style-type: none"> The License Inspector may suspend or refuse to issue or renew a license for a Cannabis-Related Business if the applicant or licensee, or a shareholder, officer, director or on-site manager of the applicant or licensee: <ol style="list-style-type: none"> 1. was convicted of an offence involving dishonesty; 2. was convicted, found guilty of, or liable for any contravention or offence related to a similar business; 3. was convicted, found guilty of, or liable for any contravention or offence, in Enderby, against the business license bylaw; or 4. was guilty of misrepresentation, nondisclosure or concealment of any material fact in a business license application 	<p>applicant or a licensee is fit and proper, a relevant manager may make inquiries and conduct background investigations and prescribed checks that the relevant manager considers necessary in respect of</p> <ol style="list-style-type: none"> a) the applicant or licensee, b) any associate of the applicant or licensee, or c) any person having a connection to an associate of the applicant or licensee. 	<p>business license issuance and renewal;</p> <ol style="list-style-type: none"> B. Remove the business licensing requirement for Cannabis-Related Businesses to provide police information checks at the time of application for business license renewal; C. Remove the business licensing requirement for Cannabis-Related Businesses to provide police information checks at any point in the business licensing application process, and defer to the background checks required as part of the provincial licensing process; or D. Provide Staff with alternate direction.
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The City requires Cannabis-Related Businesses to provide the City with a police information check for the applicant, shareholders/directors/officers (if the applicant is a corporation), and each on-site manager, both at the time of application for business license issuance and renewal. Based on the outcomes of these police information checks, the City has the authority to suspend or refuse to issue a business license if certain criteria are met; to date, there have been no cases where the City has had to suspend or refuse issuance of a business license to a Cannabis-Related Business based on the outcomes of a police information check. The LCRB conducts in-depth background checks (criminal record checks and police information checks) for the applicant and their associates and can deny an application for issuance or renewal of a Cannabis Retail Store License based on the outcomes of those checks; the LCRB requires that Cannabis Retail Store Licenses be renewed annually and as part of this annual renewal process, licensees are not required to submit additional criminal record checks or police information checks.

Should Council wish to see annual police information checks provided for those associated with Cannabis-Related Businesses, it cannot rely on the Province's annual licensing renewal process and thus would need to maintain the existing business license regulations to ensure that occurs. Alternatively, if Council does not wish to see the provision of annual police information checks for those associated with Cannabis-Related Businesses, it can choose to amend the Bylaw to only require police information checks at the time of application for business license issuance; the downside to this approach is that it removes a mechanism for the City to ensure that those associated with a Cannabis-Related Business are not conducting

themselves in a manner that may warrant a business license suspension or revocation, or a referral to the LCRB.

If Council does not wish to see the provision of police information checks at any point in the business licensing process, and simply wishes to rely on the background checks completed by the LCRB as part of the provincial licensing process, it can choose to amend the Bylaw to remove all requirements related to police information checks entirely.

Requested Amendment #5 - Remove the sector-specific business licensing fees and licensing period for Cannabis-Related Businesses

As part of the business licensing framework for Cannabis-Related Businesses that was adopted in 2017, Cannabis-Related Businesses were required to obtain an annual business license at a fee of \$5,000/year; this would cover the administrative costs associated with ensuring adherence to a range of business licensing regulations related to security, police information checks, signage, surveillance, etc.

In 2021, Council updated the City's business licensing framework for Cannabis-Related Businesses in order to:

1. Reduce the initial business license application fee for Cannabis-Related Businesses from \$5,000 to \$3,000; and
2. Introduce an annual business license renewal fee of \$1,500 per year for Cannabis-Related Businesses.

The rationale for a reduced business license application fee for Cannabis-Related Businesses was as follows:

- At that time, it had been several years since the Province rolled out its regulatory framework for Cannabis retail. Based on Staff's review of the regulations and their interactions with provincial inspectors and enforcement officers, it felt:
 - The Province's regulatory framework for Cannabis retail appeared sufficient to mitigate potential nuisances and impacts associated with this type of business; and
 - The Province appeared to have adequately resourced inspections and enforcement of Cannabis retail at the provincial level, which would reduce the potential for significant amounts of Staff time to be invested at the local level to mitigate nuisances and impacts through its business licensing regulations.
- Given that an applicant is required to meet a range of provincial requirements related to security, police information checks, surveillance, and signage in order to receive their Cannabis Retail Store License from the Province, a large portion of the City's business licensing requirements will have already been satisfied by the applicant by the time the premises is ready for a business license inspection, thus reducing the amount of Staff time associated with the local inspection process.

The rationale for introducing an annual business license renewal fee of \$1,500 for Cannabis-Related Businesses (versus charging a full business license application fee annually) related to the fact that the majority of Staff time associated with inspecting Cannabis-Related Businesses occurs at initial business start

up. However, once the initial inspection process is completed and a business license has been issued, the annual compliance verification process shifts to ensuring that the business is maintaining the infrastructure that they have put in place (i.e. signage, surveillance, security, etc.); as these 'maintenance' inspections are generally more streamlined, a reduced renewal fee was felt to be more appropriate.

When the City was reviewing the business license fees for Cannabis-Related Businesses, Staff performed an analysis of business license fees for Cannabis retail imposed by other communities in the area, which included:

Community	Business License Fee for Cannabis Retail
Kelowna	\$9,465 initial application, \$8,000 annual renewal
Kamloops	\$5,000/year
Vernon	\$5,000 initial application, \$2,000 annual renewal
Nelson	\$2,500/year
Lumby	\$1,500/year
Salmon Arm	\$1,000/year
Lake Country	\$500/year
Chase	\$500/year
Revelstoke	\$200/year

It should be noted that several other communities in the area do not have sector-specific business license fees for Cannabis retail. However, the standard business license fees in these communities are higher than in Enderby and are collected on an annual basis, whereas Enderby offers perpetual business licensing for businesses.

Should Council choose to scale back the sector-specific business license regulations for Cannabis-Related Businesses (example: removing requirement for police information checks as part of the annual business license renewal process), this would reduce the amount of Staff time associated with the annual inspection process, which would justify a reduction in the fee amount. In the event that Council makes changes, Staff would report back with a proposed fee change that is based on a reasonable nexus between the fee charged and the service provided. If Council is maintaining any sector-specific business license regulations for Cannabis-Related Businesses, it will be recommended that Cannabis-Related Businesses remain on an annual licensing regime; an annual regime ensures that there is a regular trigger point for City Staff to ensure that the sector-specific business license requirements for Cannabis-Related Businesses are being met, along with a fee for cost recovery.

Respectfully Submitted,



Kurt Inglis
Planner

SCHEDULE 'A'

Requested Amendment from Mary Jane Rigs 'N Cannabis	City of Enderby Requirement	LCRB Requirement	Options
Permit Cannabis-Related Businesses to be open from 9:00 am to 11:00 pm	Must not operate before 8:00 am or after 7:00 pm	Must not operate before 9:00 am or after 11:00 pm	<p>A. Restrict Cannabis-Related Businesses from operating before 9:00 am or after 7:00 pm;</p> <p>B. Restrict Cannabis-Related Businesses from operating before 9:00 am or after 11:00 pm, consistent with the provincial requirement;</p> <p>C. Remove local regulations limiting hours of operation for Cannabis-Related Businesses and defer to any applicable provincial requirements; or</p> <p>D. Provide Staff with alternate direction</p>
Remove requirement for Cannabis-Related Businesses to provide window coverings	Must not display items related to the consumption of cannabis in any manner by which the display may reasonably be seen by a minor who is outside the premises	Must not display cannabis, cannabis accessories or packaging and labelling of cannabis and cannabis accessories in a store window	<p>A. Continue to restrict Cannabis-Related Businesses from displaying items related to the consumption of cannabis which can be seen by a minor outside of the premises;</p> <p>B. Remove the regulation which restricts Cannabis-Related Businesses from displaying items related to the consumption of cannabis which can be seen by a minor outside of the premises and defer to the provincial requirement which prohibits window displays;</p> <p>C. Remove the regulation which restricts Cannabis-Related Businesses from displaying items related to the consumption of cannabis which can be seen by a minor outside of the premises and include a regulation which prohibits window displays, consistent with the provincial requirement; or</p> <p>D. Provide Staff with alternate direction.</p>

SCHEDULE 'A'

Requested Amendment from Mary Jane Rigs 'N Cannabis	City of Enderby Requirement	LCRB Requirement	Options
Permit cannabis related graphics on signage and window coverings	<ul style="list-style-type: none"> Must not advertise or promote the use of cannabis in any manner by which the advertising or promotion may reasonably be seen or heard by a minor who is outside the premises Must not display any advertising or sign that is visible from outside of the premises, except for signs which display no images and contain only, i) alpha-numeric characters, and ii) the business name 	<ul style="list-style-type: none"> Must not promote cannabis, a cannabis accessory or any service related to cannabis in a way that could be appealing to young persons¹ or by presenting it or any of its brand elements in a manner that associates it or the brand element with, or evokes a positive or negative emotion about or image of, a way of life such as one that includes glamour, recreation, excitement, vitality, risk or daring A licensee must ensure that advertising and branding, including signs, used in relation to their establishment do not: <ul style="list-style-type: none"> Use language that encourages intoxication Misrepresent the type of business they operate A licensee must not use words, phrases, designs, domain names, branding elements or indicia in their retail store advertising and branding that could indicate that the licensee sells medical cannabis or cannabis for medical purposes, or could indicate that the licensee is associated with another business 	<p>A. Continue to, i) restrict the advertisement or promotion of cannabis which can be seen or heard by a minor who is outside the premises, and ii) restrict signs from displaying anything other than alpha-numeric characters and the business name;</p> <p>B. Remove the regulation which, i) restricts the advertisement or promotion of cannabis which can be seen or heard by a minor who is outside the premises, and ii) restricts signs from only displaying alpha-numeric characters and the business name, and defer to the provincial requirements related to advertising, promotion and branding;</p> <p>C. Remove the regulation which, i) restricts the advertisement or promotion of cannabis which can be seen or heard by minor who is outside the premises, and ii) restricts signs from only displaying alpha-numeric characters and the business name, and include regulations related to advertising, promotion and branding, consistent with the provincial requirements; or</p> <p>D. Provide Staff with alternate direction.</p>

¹ "young person" means an individual who is under 18 years of age and "brand element" includes a brand name, trademark, tradename, distinguishing guise, logo, graphic arrangement, design or slogan that is reasonably associated with, or that evokes,

a) cannabis, a cannabis accessory or a service related to cannabis, or

b) a brand of any cannabis, cannabis accessory or service related to cannabis.

[Cannabis Act (Canada), s. 2 (1) definitions of "brand element" and "young person"]

SCHEDULE 'A'

Requested Amendment from Mary Jane Rigs 'N Cannabis	City of Enderby Requirement	LCRB Requirement	Options
<p>Remove the requirement for Cannabis-Related Businesses to provide police information checks after initial licensing approval</p>	<ul style="list-style-type: none"> At the time of application for business license issuance or renewal for a Cannabis-Related Business, a current police information check must be provided for the applicant, each shareholder/officer/director if the applicant is a corporation, and each on-site manager The License Inspector may suspend or refuse to issue or renew a license for a Cannabis-Related Business if the applicant or licensee, or a shareholder, officer, director or on-site manager of the applicant or licensee: <ol style="list-style-type: none"> was convicted of an offence involving dishonesty; was convicted, found guilty of, or liable for any contravention or offence related to a similar business; was convicted, found guilty of, or liable for any contravention or offence, in Enderby, against the business license bylaw; or was guilty of misrepresentation, nondisclosure or concealment of any material fact in a business license application 	<p>For the purposes of determining whether an applicant or a licensee is fit and proper or of forming an opinion about whether an applicant or a licensee is fit and proper, a relevant manager may make inquiries and conduct background investigations and prescribed checks that the relevant manager considers necessary in respect of</p> <ol style="list-style-type: none"> the applicant or licensee, any associate of the applicant or licensee, or any person having a connection to an associate of the applicant or licensee. 	<ol style="list-style-type: none"> Continue to require Cannabis-Related Businesses to provide police information checks at the time of application for business license <u>issuance and renewal</u>; Remove the business licensing requirement for Cannabis-Related Businesses to provide police information checks at the time of application for business license <u>renewal</u>; Remove the business licensing requirement for Cannabis-Related Businesses to provide police information checks <u>at any point</u> in the business licensing application process, and defer to the background checks required as part of the provincial licensing process; or Provide Staff with alternate direction.

SCHEDULE 'A'

Requested Amendment from Mary Jane Rigs 'N Cannabis	City of Enderby Requirement	LCRB Requirement	Options
Remove the sector-specific business licensing fees and licensing period for Cannabis-Related Businesses	Business License Application Fee = \$3,000 Annual Business License Renewal Fee = \$1,500	N/A	Should Council makes changes to the business license regulations for Cannabis-Related Businesses, Staff to report back with a proposed adjustment to the business license application and renewal fee for Cannabis-Related Businesses that has a reasonable relationship between the fee charged and the service provided.

Schedule 'B'

vi. The license period for a Mobile Vendor shall commence on the date that the application for a license, or license renewal, is approved and terminate on December 31, on each and every year this bylaw is in effect. An application for a license, or license renewal, is not required until such time as the Mobile Vendor has received approval to operate on a property, public space, boulevard, or highway owned or otherwise controlled by the City of Enderby or Enderby & District Services Commission for that calendar year. (1622)

vii. The license period for a ~~Marihuana-Related Business~~ Cannabis-Related Business (1669) shall be one (1) year, to commence on January 1 and terminate on December 31, on each and every year this bylaw is in effect. An application for a license renewal for a ~~Marihuana-Related Business~~ Cannabis-Related Business must be received by the City by December 15th in each calendar year. (1626)

b. License Period

- i. Licenses shall be issued in perpetuity for a business carried on in accordance with the original license issued from the date of issue or from the date of renewal in the case of an existing license with an expiry date prior to April 30, 2009.
- ii. The License Inspector may request confirmation of the ongoing nature of the business and, in the event that no confirmation is provided within a period of 60 days, may cancel the license.
- iii. The license period may be amended or cancelled by bylaw at any time by Council.
- iv. The license period for a trade show, performance, concert, exhibition, entertainment function or other event that is not ongoing in nature shall be for the duration of the event, not to exceed seven (7) days. Events exceeding seven (7) days must receive a written exemption from the License Inspector.

c. License Application and Fee

- i. Every person who wishes to acquire a license shall make application to the City on the prescribed form and pay a license fee.

at one location longer than is necessary to serve customers, and at no time shall remain stopped for longer than twenty (20) minutes at any one location.

i. ~~Marihuana-Related Business~~ Cannabis-Related Business: (1669)

i. No ~~Marihuana-Related Business~~ Cannabis-Related Business (1669) shall operate in the City of Enderby without first having obtained a license.(1626)

ii. Every person who makes an application for a license to operate a ~~Marihuana-Related Business~~ Cannabis-Related Business (1669) must demonstrate that the proposed use is lawful under all applicable Provincial and Federal statutes and regulations. (1626)

iii. A person applying for the issuance of renewal of a license to carry on a ~~Marihuana-Related Business~~ Cannabis-Related Business (1669) must:

a) make application to the License Inspector on the form provided for that purpose;

b) pay to the City the applicable license fee under the City of Enderby Fee and Charges Bylaw No. 1479, 2010, as amended from time to time;

c) provide a security plan for the premises that, in the opinion of the License Inspector, describes adequate security measures to mitigate risk of theft or robbery at the premises;

d) provide proof of a security and fire alarm contract that includes monitoring at all times during the period for which the license is being sought.

e) Provide proof of ownership or legal possession of the premises;

f) Provide a current police information check for:

1. the applicant;

2. if the applicant is a corporation, each shareholder, officer and director; and

3. each on-site manager; and

- g) provide any other documents required by the License Inspector. (1626)**

iv. The License Inspector may suspend or refuse to issue or renew a license for a ~~Marihuana-Related Business~~ Cannabis-Related Business (1669) if:

- a) the applicant or licensee, or a shareholder, officer, director or on-site manager of the applicant or licensee:**

- 1. was convicted anywhere in Canada of an offence involving dishonesty;**

- 2. was convicted, found guilty of, or liable for any contravention or offence related to the conduct of a business similar to that which the license relates;**

- 3. was convicted, found guilty of, or liable for any contravention or offence, in Enderby, against this bylaw or against any bylaw authorizing the issuance of a business license or regulating the conduct of a business; or**

- 4. was guilty of misrepresentation, nondisclosure or concealment of any material fact, relating to the subject matter of the license or required to be stated in, the application (1626)**

v. A license holder for a ~~Marihuana-Related Business~~ Cannabis-Related Business (1669) must:

- a) install video surveillance cameras that monitor all entrances and exits and the interior of the premises at all times;**

- b) retain video camera data for at least 21 days after it is gathered;**

- c) install a security and fire alarm system that is, at all times, monitored by a licensed third party;**

- d) ~~not allow marihuana cannabis, products containing marihuana cannabis or other valuables to remain on~~**

~~the on the premises when not open to the public, unless the marihuana cannabis, products and other valuables are securely locked in a safe on the premises; (1669)~~

d) have locked retail display cases for all cannabis and cannabis-related accessories which are not accessible to patrons, except for the contents of smell jars, which must be physically attached to a display case or counter and not accessible to touch by patrons and must have a locked cannabis storage room. (1669)

e) prominently display a sign on the premises indicated that no persons under 19 years of age are permitted on the premises unless accompanied by a parent or guardian

~~f) ensure that two employees are present on the premises at all times when open to the public, including one manager; [Reserved] (1729)~~

g) promptly bring to the attention of the License Inspector:

1. the name of any new on-site manager, officer, director or shareholder of the licensee; and

2. any criminal charge brought against the licensee or an on-site manager, officer, director or shareholder of the licensee;

h) promptly provide to the License Inspector a current police information check for any new on-site manager, officer, director or shareholder of the licensee; and

i) instal and maintain an air filtration system that effectively minimizes odour impacts on neighbouring properties. (1626)

vi. ~~No Marihuana-Related Business Cannabis-Related Business~~ (1669) shall be located within 100 meters of any residential zone, daycare facility, preschool, playground, community centre, school, public park, civic or religious institution or any use catering to individuals under the age of 18. (1626)

vii. A license holder for a ~~Marihuana-Related Business Cannabis-Related Business (1669)~~ must not do any of the following:

- a)** Permit a person under 19 years of age to enter or remain on the premises of the ~~Marihuana-Related Business Cannabis-Related Business (1669)~~ unless accompanied by a parent or guardian over 19 years of age;
- b)** Operate the ~~Marihuana-Related Business Cannabis-Related Business (1669)~~ between the hours of 7 p.m. and 8 a.m. the following day;
- c)** Permit the consumption of any ~~marihuana cannabis (1669)~~ containing product on the premises;
- d)** ~~Block the windows of the premises with opaque material, artwork, posters, shelving or any other material; (1705)~~
- d)** Display items related to the consumption of ~~marihuana cannabis (1669)~~ in any manner by which the display may reasonably be seen by a minor who is outside the premises;
- e)** Advertise or promote the use of ~~marihuana cannabis (1669)~~ in any manner by which the advertising or promotion may reasonably be seen or heard by a minor who is outside the premises;
- f)** Display any advertising or sign that is visible from outside of the premises, except for signs which display no images and contain only:
 - i.** alpha-numeric characters,
 - ii.** the business name, and

are consistent with the requirements of Section 310 of the City of Enderby Zoning Bylaw No. 1550, 2014, as amended from time to time; and

- g)** Use the premises to carry on business other than that defined as a ~~Marihuana-Related Business Cannabis-Related Business (1669)~~. (1626)

viii. For the purposes of this bylaw, any business, not-for-profit, charity, cooperative, shared economy venture, or other entity which uses a premises for the consumption, display, storage, sale, trade or other exchange of ~~marihuana~~ cannabis (1669) or ~~marihuana~~ cannabis-containing products (1669) shall be considered a ~~Marihuana-Related Business~~ Cannabis-Related Business (1669) and will be subject to all the applicable terms, conditions, and fees of a ~~Marihuana-Related Business~~ Cannabis-Related Business(1669). (1626)

j. Pawnshops:

- i.** Each Pawnshop must establish and maintain a Pawnshop Register of all property taken in Pawn or purchase by the Pawnbroker. (1669)
- ii.** Each Pawnshop, immediately after the purchase or taking in Pawn of any property, must set out in the Pawnshop Register, in the English language, a record of the Pawn, in chronological order by date of Pawn. The record must include:
 - a.** The name, residence or street address of the Pawner or seller from whom the Pawnshop, or any employee of the Pawnshop, took the property in Pawn of purchase;
 - b.** Confirmation of the identity of the Pawner or seller by way of picture identification including a complete description of the picture identification and name of the authority who issues it;
 - c.** A complete description of the property including the make, model, serial number, and any distinguishing or identifying marks.
 - d.** Whether the acquisition is a Pawn or a purchase;
 - e.** The price paid for the property in Pawn or Purchase; and
 - f.** The precise date and hour of taking the property in Pawn or purchase. (1669)
- iii.** A Pawnshop must not amend, obliterate or erase any entry in the Pawnshop Register, either wholly or partially or electronically or manually, until such time as the Pawnshop Register may be disposed in accordance with Section 5.j.(vii)(a). (1669)

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

AGENDA

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner
Date: August 14, 2023
Subject: Business Street Banner Program

RECOMMENDATION

THAT Council does not pursue a business street banner program at this time and continues to fund the placement and renewal of street banners which are focused on community promotion and public art;

AND THAT Council does not permit the placement of portable signs on public sidewalks, other than sandwich boards, pursuant to the City's *Sidewalk Encroachments Policy*.

ALTERNATE RESOLUTION A

THAT Council directs Staff to report back on the implementation of a business street banner program which would involve making the entirety of street banners available to adjacent businesses for advertising purposes;

AND THAT Council does not permit the placement of portable signs on public sidewalks, other than sandwich boards, pursuant to the City's *Sidewalk Encroachments Policy*.

ALTERNATE RESOLUTION B

THAT Council directs Staff to report back on the implementation of a business street banner program which would involve including business sponsorship pouches at the bottom of street banners;

AND THAT Council does not permit the placement of portable signs on public sidewalks, other than sandwich boards, pursuant to the City's *Sidewalk Encroachments Policy*.

ALTERNATE RESOLUTION C

THAT Council does not pursue a business street banner program at this time and continues to fund the placement and renewal of street banners which are focused on community promotion and public art;

AND THAT Council directs Staff to report back to Council with a proposed amendment to the City's *Sidewalk Encroachments Policy* to broaden the placement of portable signs on public sidewalks, including flag signs.

BACKGROUND

At its Regular Meeting of July 17, 2023, Council considered a request from the owner of 611 Cliff Avenue to permit the placement of a 2.13 m (7 foot) tall portable flag sign on the sidewalk adjacent to their property. Staff have not issued Sidewalk Encroachment Permits for this kind of portable sign in the past

and the owner has requested an exception for their business. The Staff memorandum associated with that request is attached as Schedule 'A'.

Council resolved to postpone consideration of the request until the August 21, 2023 Council meeting, and directed Staff to report back on the feasibility of offering a business street banner program. It should be noted that in the *City of Enderby Strategic Plan 2023-2026*, replacing and adding new banners to City streets and Highway 97A was identified as a 'desirable' priority for 2023.

Staff have reviewed potential frameworks for business street banner programs and have identified the following as potential options for Council consideration:

OPTION 1: Making the Entirety of Street Banners Available to Adjacent Businesses for Advertising Purposes

This option would involve businesses paying a specified fee in order to use the entirety of the street banner adjacent to their business for marketing purposes. The City could either, i) allow businesses to design the street banner as they see fit, subject to meeting certain criteria and the City having final approval of the design, or ii) develop a common theme or design for the banners with the adjacent business names to be inserted.

The pros and cons associated with this type of program are as follows:

Pros

- Reduces the City's costs related to the purchase and renewal of street banners;
- Potentially acts as a stream of non-tax revenue, depending upon the fee amount set for the use of the street banners and the degree of business uptake; and
- Provides a marketing opportunity for local businesses.

Cons

- Requires a significant amount of Staff resources to administer, with activities to include:
 - Engaging and coordinating with businesses to participate in the program;
 - Setting design specifications and criteria and then reviewing banner designs from businesses (if applicable); and
 - Renewing banners due to business turnover.
- Removes the opportunity for street banners to act as a form of community promotion and public art;
- Some businesses do not have street banners directly adjacent to their business, whereas some street banners have multiple adjacent businesses; there may be some scenarios where it is difficult to fairly provide businesses within an opportunity to participate in the program;
- Should the City allow for businesses to develop their own design for the banners, it will likely result in a lack of a cohesive theme and potentially a visual inconsistency;

- Should the City choose to develop a common theme or design for the banners, with the adjacent business names to simply be inserted, this would likely limit the marketing potential; and
- Should there not be 100% uptake from businesses for the use of street banners, the City would need to supplement with the installation of community street banners (i.e. focused on community promotion and public art) which could result in a visual inconsistency.

OPTION 2: Including Business Sponsorship Pouches at the Bottom of Street Banners

This option would involve the City installing traditional street banners, which would have a focus on community promotion and public art, but would also include small pouches or flaps at the bottom of the banners for business sponsors; the pouches would simply state the name of the business that has sponsored that individual banner, with preference to be given to adjacent businesses.

The pros and cons associated with this type of program are as follows:

Pros

- Incremental cost of installing business sponsorship pouches/flaps on street banners is relatively low (i.e. \$40-60 per banner);
- Reduces the City's costs related to the purchase and renewal of street banners;
- Allows street banners to continue to act primarily as a form of community promotion and public art; and
- Allows for a standardized design that will help to maintain visual consistency.

Cons

- Requires a significant amount of Staff resources to administer, with activities to include:
 - Engaging and coordinating with businesses to participate in the program;
 - Renewing pouches/flaps due to business turnover.
- Provides limited advertising and marketing opportunities for local businesses as compared to Option 1 or allowing the placement of portable temporary signs; and
- Some businesses do not have light standards/street banners directly adjacent to their business, whereas some street banners have multiple adjacent businesses; there may be some scenarios where it is difficult to fairly provide businesses within an opportunity to participate in the program.

Given that Option 1 will require significant Staff resources which are beyond existing capacity, and Option 2 will also require significant Staff resources while only providing limited marketing opportunities for local businesses, it is recommended that Council does not pursue a business street banner program at this time and continues to fund the placement and renewal of street banners which are focused on community promotion and public art.

With respect to the initial request for the placement of a portable flag sign on a public sidewalk, Staff's original concerns remain (as noted in memorandum attached as Schedule 'A'); given this, it is also recommended that Council does not permit the placement of portable signs on public sidewalks, other than sandwich boards, pursuant to the City's *Sidewalk Encroachments Policy*.

Should Council wish to pursue a business street banner program, or permit the placement of portable signs on public sidewalks (other than sandwich boards), Staff have laid out several alternate resolutions for Council's consideration.

Respectfully Submitted,



Kurt Inglis
Planner

Schedule 'A'

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner
Date: July 12, 2023
Subject: Request to Place a Portable Flag Sign on the Sidewalk Adjacent to 611 Cliff Avenue

RECOMMENDATION

THAT Council does not permit the placement of portable signs on public sidewalks, other than sandwich boards, pursuant to the City's *Sidewalk Encroachments Policy*.

ALTERNATE RESOLUTION

THAT Council directs Staff to report back to Council with a proposed amendment to the City's *Sidewalk Encroachments Policy* to broaden the placement of portable signs on public sidewalks, including flag signs.

BACKGROUND

The City has adopted a *Sidewalk Encroachments Policy* (attached) which establishes conditions to permit encroachments on City sidewalks for an adjacent business to advertise and display goods and services. For the purposes of the Policy, a "sidewalk encroachment" typically includes tables and chairs, sandwich boards, display racks, awnings, and overhead fixed projecting signs that are placed on or suspended above a City sidewalk. In order for a business to place a sidewalk encroachment upon an adjacent sidewalk, they must first obtain a Sidewalk Encroachment Permit from the City (application form is attached).

The City has received a request from the owner of 611 Cliff Avenue to permit the placement of a 2.13 m (7 foot) tall portable flag sign on the sidewalk adjacent to their property (photos are attached as Schedule 'A'). Staff have not issued Sidewalk Encroachment Permits for this kind of portable sign in the past and have several concerns. The owner is requesting an exception for their business.

Staff are recommending that Council not permit the placement of portable signs on sidewalks, other than sandwich boards, for the following reasons:

- The City's insurer has confirmed that the City may be partially liable if an incident arose out of the placement of portable signs on public sidewalks if it was reasonably aware of the existence of a hazard, even if covered by the permittee's insurance;
- City Staff have researched the use of portable signs in other communities (Salmon Arm, Vernon, Kelowna and Revelstoke) and found that they are not permitted to be located on public property, except for sandwich board signs (there is an exception in certain communities for

leased sidewalk patios that are semi-enclosed, whereby portable signs are permitted subject to certain restrictions);

- Should Council permit the placement of portable signs on sidewalks, every business would be provided the same opportunity to place this type of unit on the sidewalk adjacent to their property, which could result in a large number of flag signs being placed within the commercial core;
- Should Council permit the placement of portable signs on sidewalks, beyond sandwich boards, and invites local businesses to invest in these types of units, it would be very difficult to scale back their use in the future in the event that there are negative consequences;
- Permitting both sandwich boards and flag signs on sidewalks will likely result in interference with street parking and the flow of pedestrian traffic, given the large number of encroachments that would be permitted and the limited sidewalk space available; and
- The City's *Sidewalk Encroachments Policy* already allows businesses to place sandwich boards on the sidewalk adjacent to their property for marketing purposes, which are a more appropriate standard (flag signs are large in size and are prone to falling if they are not well secured to a heavy base). Furthermore, projecting signs affixed to buildings and awnings are currently permitted and offer similar forms of advertising without interfering with accessibility, presenting hazards associated with the sign height and an unsecured base, and interfering with the streetscape.

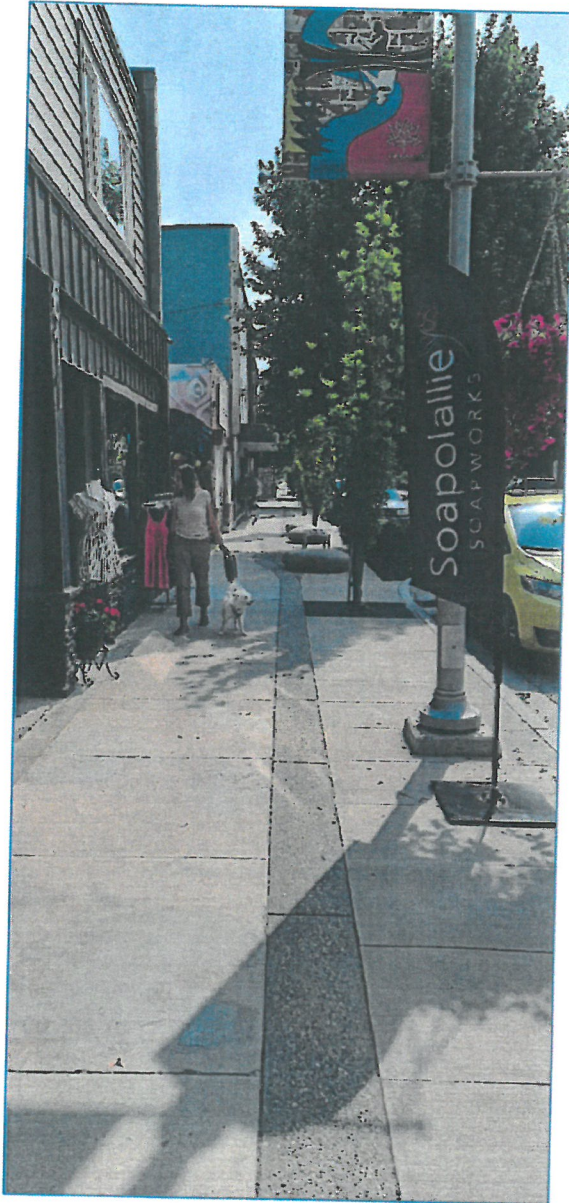
Alternatively, Council can direct Staff to report back to Council with a proposed amendment to the City's *Sidewalk Encroachments Policy* to specifically allow for the placement of portable signs on sidewalks, including flag signs, in addition to sandwich board signs. Staff advise that there will be a fairly significant amount of work involved in evaluating the safety of the proposed portable signs in terms of construction quality, suitability of base, and placement relative to parking, pedestrian traveled areas, and operational needs.

Respectfully Submitted,



Kurt Inglis
Planner

SCHEDULE 'A'





Soapolallie Soapworks Ltd
11 - 611 Cliff Ave (#42)
Enderby, BC V0E1V0

July 11, 2023

Attention: **City of Enderby** **Enderby City Council**

RE: City Encroachment Policy - Sign located on public property

I have recently purchased a 7' tear drop flag sign with my company logo from Transition Marketing Services in order to bring more awareness of my business and its location to the public. It has been brought to my attention that I am unable to display my new teardrop sign in front of my store on public property since it is currently not specifically permitted. I have a valid sign permit that allows other types of signage but not the flag sign.

This flag sign is important to my business because my store front is set back and connected to a residential entryway. Even with the sandwich board it is very difficult for people to see the store if they have not been here before. I have had many people say that they have "never seen" this store before, even after almost 3 years in this location. Since much of my business relies on tourism and new customers from out of town it is imperative the store has as much visibility as possible. As evidence of that I am attaching an email from a customer.

I am currently using a sandwich board to let potential customers discover my store but am finding it to be lacking in effectiveness, which is why I needed an alternate solution. The placement of the sign was very important and I was able to find a spot on the sidewalk, next to the light standard, that would not inhibit foot traffic flow or impede the parked vehicle doors opening. I was also able to bring my sandwich board off the sidewalk to allow a larger area for pedestrians and mobility- assist units to pass.

In the two weeks of having the sign out on the sidewalk, three customers said to me that they saw my sign from the highway which caused them to stop in Enderby. This is evidence that the sign was working and it was reflected in my sales.

The sign itself is well designed and simple and has a heavy base (14kg) that will hold the sign in place and not allow the sign to blow over in the wind. Since I do not own the building I am located in I am unable to put a sign on the structure. This is the only option I have to make my business more visible.

I am requesting an exception to allow the flag sign to be displayed.

Thank you for considering this request.

Shelley Verlaan

attachment

RE: Sign Request

1 message

Darlene Breakwood

To: Shelley Verlaan

8 July 2023 at 17:48

No probs, Shelley! Good luck!

Sent from my Galaxy

----- Original message -----

From: Shelley Verlaan

Date: 2023-07-08 4:32 p.m. (GMT-08:00)

To: Darlene Breakwood <

Subject: Re: Sign Request

Awe you are just the best. Thank you so much for this. I'll let you know if they let me keep my sign or not.

Warm regards

Shelley

On Sat, Jul 8, 2023, 2:48 p.m. Darlene Breakwood

/rote:

To whom it may concern:

Even though I have been to Enderby several times in the last three years to visit my daughter I was unaware that Soapolallie existed.

I was at the Enderby Farmer's market on Friday, July 7th and had wandered to the nearby stores as well, but did not see Soapolallie. The only reason I discovered Soapolallie was because I liked the handmade soaps my daughter had. When I inquired as to where my daughter got them, she indicated Soapolallie. I promptly walked over to Soapolallie and purchased four of them. If not for my daughter I would not have known of this business.

Shelly Verlaan could really benefit from being allowed a highway sign as she has indicated that I am not the only person who has told her that her business is not very visible.

Regards,

Darlene Breakwood

Sent from my Galaxy

Policy Title	Sidewalk Encroachments
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Adopted: August 15, 2022	<u>Authorized By:</u> Mayor and Council	Replaces: Policy – Sidewalk Encroachments (July 15, 2013)
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PURPOSE:

This policy establishes conditions to permit encroachments upon or above City sidewalks for an adjacent business to advertise and display goods and services.

DEFINITION:

A "sidewalk encroachment" includes, but is not limited to, tables and chairs, sandwich boards, display racks, awnings, and overhead fixed projecting signs that are placed on or suspended above a City sidewalk.

POLICY:

1. All sidewalk encroachments shall require a permit obtained from the City of Enderby Corporate Officer or that person's deputy or designate.
2. Unless exempted by Council, the permittee shall provide a minimum of \$2,000,000 commercial general liability insurance with the City of Enderby as an additional insured.
3. The permittee shall defend, indemnify, and hold harmless the City and its officers, agents, and employees for any and all claims, demands, actions, damages, losses, and expenses, including attorney fees and costs of litigation, arising out of, or relating to, the sidewalk encroachments.
4. Sidewalk encroachments shall be located only on or above the sidewalk adjacent to the property and the advertising and product displayed must be related to the primary business operation.
5. Subject to Sections 6 and 7, sidewalk encroachments shall not exceed the following quantities and sizes, per adjacent property:
 - Tables – 30" x 30" or 42" in diameter, to a maximum of 4
 - Sandwich Board – 30" wide by 40" high, to a maximum of 1
 - Display Racks – 30" x 6', to a maximum of 2
6. Sidewalk encroachments placed on the sidewalk shall not be within the normal travel portion of a sidewalk and must always allow a minimum 3' travel width.

7. Sidewalk encroachments must be secured or weighted sufficiently to prevent any encroachment from being moved by the wind.
8. Sidewalk encroachments shall not interfere with street parking.
9. Sidewalk encroachments, except for awnings and fixed projecting signs, must be removed at the end of the business day.
10. The issuance of a sidewalk encroachment permit does not grant the permittee an exclusive right to occupy public property such that the general public is restricted from using the space in an ordinary or customary way.
11. The permitting of a sidewalk encroachment does not replace or supersede a requirement to comply with another enactment of the City of Enderby, including its Building Bylaw and Zoning Bylaw, to the extent that either may apply.
12. In the event that a permit is cancelled, the permittee must remove mobile or temporary sidewalk encroachments immediately and must remove fixed or permanent sidewalk encroachments as soon as reasonably practicable, unless a hazard requires its immediate removal.

City of Enderby

SIDEWALK ENCROACHMENTS PERMIT

The City of Enderby grants permission to place the following sidewalk encroachments on or over that portion of the sidewalk adjacent to the premises listed below.

Business Name: _____

Business Location: _____

Telephone: _____

Email: _____

Permission is granted to locate the following on the adjacent sidewalk (specify quantity):

Tables & Chairs (maximum 4 tables) _____

Display Racks (maximum 2) _____

Sandwich Board Sign (maximum 2) _____

Awning or Fixed Projecting Sign _____

Other (please specify) _____

The Permittee hereby acknowledges that, by making this application, they have read, understand, and agree to abide by the terms and conditions expressed in the attached Sidewalk Encroachments Policy, including any amendments thereto.

Permittee Name _____ Date _____

For Office Use Only

Approval Date: _____

Corporate Officer: _____

Additional Conditions: _____

MEMO

To: Mayor and Council

From: Tate Bengtson, CAO

Date: August 14, 2023

Subject: Public Spaces Bylaw No. 1604, 2016 Amendment Bylaw No. 1772, 2023 (2nd and 3rd Reading)

RECOMMENDATION

THAT Council considers the correspondence from the Medical Health Officer, dated August 14, 2023, in response to Public Spaces Bylaw No. 1604, 2016 Amendment Bylaw No. 1772, 2023;

AND THAT Council gives second and third reading to Public Spaces Bylaw No. 1604, 2016 Amendment Bylaw No. 1772, 2023.

BACKGROUND

At its regular meeting of June 19, 2023, Council gave first reading to the City of Enderby Public Spaces Bylaw No. 1604, 2016 Amendment Bylaw No. 1772, 2023 and referred it to a Medical Health Officer for feedback.

In response to that referral, Dr. Jonathan Malo has provided the attached correspondence dated August 14, 2023. In the correspondence, Dr. Malo identifies three potential concerns:

1. Potential for individuals in contravention of the bylaw to receive monetary fines or imprisonment;
2. Potential for the bylaw to prohibit or penalize lawful harm reduction initiatives; and
3. Potential for the bylaw to temporarily ban persons from areas in proximity to lawful health services.

Staff have reviewed each of the potential concerns with Dr. Malo, who includes his understanding of that conversation in his correspondence. As that discussion was responsive to the concerns that Dr. Malo raised on behalf of the Interior Health Authority, staff are recommending that Council consider his correspondence and then give second and third reading to the amendment bylaw.

The amendment bylaw has the purpose of regulating, in certain public spaces, the display and use of controlled substances, including illegal drugs and drug paraphernalia. It is focused on areas frequented by children so as not to frustrate a federal or provincial purpose or enactment.

The amendment bylaw only seeks to regulate for certain public places. The amendment bylaw does not seek to advance any public health purpose nor exercise any public health power, as this is a sphere of concurrent authority for which a bylaw may only be adopted with the formal support of the provincial government.

The amendment bylaw's regulation on the display and use of controlled substances, including illegal drugs and drug paraphernalia, in certain public spaces is of no force or effect on unoccupied Crown land, lands owned or occupied by the provincial or federal governments, or agents thereof.

The bylaw amendment only regulates for "display and use" of illegal drugs and drug paraphernalia in certain public spaces, and does not regulate for possession; as personal possession is at the core of the provincial purpose, and further in consideration of *Charter* rights with respect to search and seizure, regulating for personal possession of illegal drugs in certain public spaces, which are *not* being displayed or used, is likely subject to substantial challenge; however, Council should note that possession for the purposes of trafficking is not subject to the illegal drugs exemption and is something that the RCMP can still enforce through the *Criminal Code*.

The City of Enderby Public Spaces Bylaw No. 1604, 2016 already regulated for controlled substances in public spaces through Section 3.20:

No Person shall be permitted in any Public Space to possess paraphernalia used for the purposes of storing, transporting, selling, or using illegal drugs.

In essence, the amendment bylaw replaces Section 3.20 with a regulation that comes closer to meeting the changed landscape of controlled substances in British Columbia. In all likelihood, the broad approach of Section 3.20 as it currently exists, if not amended, would be inconsistent with the decriminalization of certain illegal drugs in British Columbia. The amended Section 3.20 is proposed to state:

No person shall display or use Drug Paraphernalia or a Controlled Substance, including Illegal Drugs, while in or on Municipal Lands and Improvements or the Shuswap North Okanagan Rail Trail.

This amendment must be read in conjunction with the added or replaced definitions, which are designed to clarify the relationship between exempt illegal drugs and controlled substances, and further clarify the definition of "public space" so as to not frustrate a political or federal purpose. Staff note that the City's Public Spaces Bylaw does not regulate for occupied spaces owned or controlled by the provincial or federal government, or agents thereof, to which the public has an implied or express invitation (for instance, a supervised consumption site).

In the event that the provincial government does choose to provide additional powers to local governments to regulate illegal drugs in public spaces, as Dr. Malo's letter alludes, this bylaw amendment will need to be reviewed against any future enactment; if necessary, additional bylaw amendments may need to be brought forward to keep the City's Public Spaces Bylaw aligned with provincial and federal purposes and enactments.

Should Council adopt the amendment bylaw, enforcement will generally occur incidental to other bylaw compliance activities, unless Council wishes to add dedicated enforcement resources to prioritize this matter. The enforcement approach will typically rely upon the bylaw's authority under Section 4.5 to remove a person from a public space due to the display or use of illegal drugs and drug paraphernalia for 48 hours, rather than seizure, penalties, prosecutions, or other compliance tools.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Tate Bengtson', with a stylized, looping flourish extending to the right.

Tate Bengtson
Chief Administrative Officer

14 August 2023

Mr. Tate Bengston
Chief Administrative Officer
City of Enderby

Dear Tate,

Thank you for the opportunity to review and comment on the City of Enderby Public Spaces Bylaw No. 1604, 2016 Amendment Bylaw No. 1772, 2023, which prohibits the display and use of drug paraphernalia and controlled substances, including illegal drugs, in certain public spaces within the City of Enderby.

I recognize that the Mayor and Council aim to keep certain areas of the city free from public substance use, similar to what is done with smoking, cannabis, and alcohol. I also acknowledge that the proposed bylaw amendment only applies to certain spaces within the City of Enderby, and that there are still public spaces available for people who use substances if they choose to do so, including for those with unstable housing and substance use disorder.

As per our discussion on 31 of July 2023, there are a few items related to the proposed bylaw amendment that have the potential for negative impacts on people who use substances and which you provided further clarification on the intent of the bylaw.

1. Potential for individuals in contravention of the bylaw to receive monetary fines or imprisonment as per Section 6.1 of the proposed bylaw amendment

You clarified that the City of Enderby's intent with the proposed bylaw amendment is not to take a punitive approach with enforcement of the bylaw i.e. bylaw officers will not be looking to fine individuals who are in contravention of the bylaw, but rather educate and advise individuals to move to an alternative location. I appreciate and support this method of bylaw enforcement related to the issue of public substance use given the potential negative consequences of fines for people who use substances, including financial strain, stress, and the risk of incarceration if fines are not paid, as many may not have the means to pay these types of fines. These consequences may present barriers for individuals seeking help or support for their substance use issues, ultimately causing more harm.

2. Intent of prohibiting use and display of drug paraphernalia

You clarified that it is not the intent of the proposed bylaw amendment to penalize or prohibit individuals from providing harm reduction supplies (e.g. naloxone kits, sterile injecting equipment) to individuals who use illegal drugs or controlled substances. This is important as the provision of harm reduction supplies to individuals who

Interior Health would like to recognize and acknowledge the traditional, ancestral, and unceded territories of the Dākelh Dené, Ktunaxa, Nlaka'pamux, Secwépemc, St'át'imc, Syilx, and Tšilhqot'In Nations where we live, learn, collaborate and work together.

use substances is a key component of the strategy to reduce the risk of accidental death and the spread of bloodborne infections.

3. Exclusion of spaces in and around healthcare services where individuals may be banned from for a period of 48 hours as per Section 4.5 of the proposed bylaw amendment

You clarified that the defined public spaces do not include areas in the proximity of health services, so that individual's who contravene the bylaw would not be banned from an area that subsequently prohibits them from accessing health care.

As we also discussed, the Province is currently undertaking policy work to support potential Fall 2023 legislation to regulate public substance use. This legislation is intended to balance the complementary goals of public health, public safety and other community interests. The Province has engaged directly with local governments to ensure that this legislation is responsive to local government concerns and is asking local governments to consider pausing public use bylaws until this legislation is introduced.

Based on our conversations, I have no further recommendations regarding the proposed bylaw amendment. Once again, I would like to thank you for the opportunity be consulted on this matter to mitigate any potential negative impacts on public health. I look forward to working with yourself, Mayor and Council on future matters pertaining to the health and wellbeing of the citizens of Enderby.

Sincerely,



Dr. Jonathan Malo, MBBS, FRCPC
Medical Health Officer

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1772

A BYLAW TO AMEND PUBLIC SPACES BYLAW NO. 1604, 2016

WHEREAS Section 8(3)(b) of the Community Charter authorizes a council to adopt bylaws to regulate, prohibit and impose requirements in relation to public places;

AND WHEREAS Council of the City of Enderby has adopted “City of Enderby Public Space Bylaw No. 1604, 2016”;

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

1. CITATION

This bylaw may be cited as the “City of Enderby Public Spaces Bylaw No. 1604, 2016 Amendment Bylaw No. 1772, 2023”.

2. AMENDMENTS

The City of Enderby Public Spaces Bylaw No. 1604, 2016 is hereby amended as follows:

1. By replacing the definition of “Controlled Substance” with the following:

“**Controlled Substance**” means a substance as defined or described in Schedules I, II or III of the *Controlled Drugs and Substances Act* and includes Illegal Drugs;

2. By adding a definition for “Drug Paraphernalia” as follows:

“**Drug Paraphernalia**” means equipment, products, or accessories intended or modified for using a Controlled Substance;

3. By adding a definition for “Illegal Drugs” as follows:

“**Illegal Drugs**” means any Controlled Substance that has received an exemption pursuant to Section 56 of the *Controlled Drugs and Substances Act*;

4. By adding a definition for “Municipal Lands and Improvements” as follows:

“**Municipal Lands and Improvements**” means an area of land, with or without improvements, including a Highway, Park, or other civic use, for which the City possesses, controls, or administers the land or improvement, and includes civic buildings, areas around civic buildings, and areas which are used, or may be used, as Highway or Park;

5. By replacing the definition of “Public Space” with the following:

"Public Space" means any place within the City of Enderby to which the public has either express or implied access, and includes:

- i. Municipal Lands and Improvements;
 - ii. unoccupied areas of Crown Land; and
 - iii. that portion of the Shuswap North Okanagan Rail Trail corridor shown as 'Transportation Corridor' on Schedule 'H' of City of Enderby Zoning Bylaw No. 1550, 2014.
6. By renumbering Section 2 – Definitions and Interpretations in accordance with the above amendments.
7. By replacing Section 3.20 with the following:

No person shall display or use Drug Paraphernalia or a Controlled Substance, including Illegal Drugs, while in or on Municipal Lands and Improvements or the Shuswap North Okanagan Rail Trail.

READ a FIRST time this 19th day of June, 2023.

READ a SECOND time this ____ day of _____, 2023.

READ a THIRD time this ____ day of _____, 2023.

ADOPTED this ____ day of _____, 2023.

MAYOR

CORPORATE OFFICER

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, CAO
From: Jennifer Bellamy, CFO
Date: August 1, 2023
Subject: June 2023 Financial Report

Recommendation:

THAT the June 2023 Financial Report from the Chief Financial Officer be received for information.

Purpose:

To provide Council with a summary of the City's fiscal performance up to June 30, 2023.

Background/Discussion:

Attached are summaries on the activities for each fund up to June 30, 2023. Overall revenues and expenditures are where they are expected to be at this time of year. Below are explanations as to why actual amounts differ from prior year and budget.

General Fund

Revenues

Utility Taxes / Grants in Lieu - The difference in actual amounts from 2022 to 2023 are due to timing. Values are recorded once the payment is received from the owing party by the property tax due date. In 2023, all amounts were received by June 30th.

Fire Protection - The actual amount for 2023 represents 50% of the previous year's shared operating costs paid by the Shuswap River Fire Protection District (SRFPD) as a prepayment for the current year. The remaining operating amount from SRFPD will be paid after year end once actual costs incurred for the year are known. Included in the budget is \$195,000 which represents SRFPD's remaining portion of the new pumper/rescue truck, which should be completed by the end of the year.

Animal Control, Cemetery and Fortune Parks – Budgeted revenues primarily consist of the annual RDNO requisition, which was received in July. The remaining budget amounts, and the actual amounts shown, reflect user fees. User fees collected for Fortune Parks have increased by \$20,482 from 2022. COVID-19 restrictions were still in place in early 2022 which impacted revenues. 2023 revenues are on track to meet budget by the end of the year. Expenditures have also increased due to the increase in usage.

Other – This item includes business licenses, building permits, interest earned, development cost charges collected, administration fees, equipment usage from other

funds and other miscellaneous fees. The increase from 2022 is primarily due to the following:

- Development Cost Charges – \$123,272 was collected from the 2009 McGowan subdivision. In addition, \$67,150 was collected for cash in lieu of parkland. These fees have been transferred to reserves.
- Interest Earned – has increased by \$184,739 over this time in 2022 due to increased interest rates. Note that this amount represents the total amount of interest earned to date and will be allocated amongst the different funds at the end of the year.

Tourism / Community Engagement – This revenue is primarily comprised of sales from Riverside RV Park, which have increased by \$33,258 from prior year. \$20,809 of this increase relates to winter camping, as this was the second-year winter camping was offered and had an increase in occupancy.

Unconditional Grants – This represents the City's Small Community Grant, which is typically received in June of each year. In 2022, this payment was received in July, but the Province also provided a one-time additional payment through this fund in the amount of \$133,000. Note that the 2023 amount received is under the budgeted estimate received by \$9,000. The increase in interest revenue will be used to offset this decrease.

Conditional Grants – The budgeted amount is comprised primarily of the grant funding through the Investing in Canada Infrastructure Program for the new outdoor pool, which is in the design stage, and the funds received through the Growing Communities Fund, which will likely be needed for the Reservoir 1 upgrades and the new outdoor pool.

Transfer from Reserves/Borrowing – This amount represents the use of surplus/reserve funds, which are recorded once projects are complete and actual costs are known, typically at the end of the year.

Expenditures

Executive – Actual expenditures have increased by \$17,507 from previous year. In addition to the increase in remuneration for CPI, 2023 actuals include \$12,522 in expenses for the Elected Officials seminar. The total budgeted amount for 2023 includes \$83,310 in the Community Enhancement Fund. An additional \$15,000 is included in budget for this Fund and will be confirmed at the end of the year based on net profits for the RV Park. To date, \$8,284 of the Community Enhancement Fund has been committed. Any unused amounts will be carried forward for future use.

Administrative – Administrative expenditures have increased by \$21,865 from 2022. Of this amount, \$10,326 relates to the increase in interest paid to property tax prepayments and security deposits due to the increase in interest rates. Other expenditures included in Administrative have increased to maintain service levels and are based on contracts, such as remuneration. The budgeted amount includes \$186,659 in Safe Restart Funds for any eligible projects that may arise.

Transportation Services – The decrease from 2022 is primarily due to the decreased equipment rentals for snow removal and the timing of small paving projects. Less equipment rentals were needed this year for snow removal, resulting in a decrease of

\$18,401. Paving projects for 2023 started in July. In 2022, \$28,363 in paving projects had already occurred.

Protective Services – The protective services budget not only includes Fire Department costs, but it also includes Emergency Management costs. The decrease from 2022 is due to the timing of replacement fire protection gear and emergency management grant projects. The 2023 emergency management project for extreme heat risk mapping, assessment and planning, which is in progress.

Animal Control – Expenditures have increased by \$7,539 from 2022. A portion of this is due to the timing of doggy bag purchases. In addition, increased labour costs were incurred for the increased use of the shelter. Shelter fee revenue has also increased for this usage. Note that although shelter fee revenue has increased, there has been a decrease in ticket fees resulting in animal control revenue appearing consistent with prior year.

Cemetery – Expenditures have increased by \$11,622 from 2022. This is primarily due to tree removal costs of \$4,250 and the timing of grave liner purchases for \$2,924. The remaining increase amount is due to increased activity and general operating increases.

Fortune Parks – Expenditures have increased by \$59,818. Regular operating expenditures have increased due to increased activity (see increase in user fees). In addition, timing of one-off items have contributed to the increase, such as the timing of projects (an increase of \$19,176) and the timing of how administration fees are recorded (an increase of \$20,585). Note that there is no change to the value of administration fees, other than regular operating increases. A portion of administration fees have been historically recorded at different times during the year. For 2023, all of the administration fees have been recorded at once for efficiency.

Tourism / Community Engagement – Expenditures have increased by \$32,320 from 2022. For the RV Park, utility charges have increased by \$6,785 due to the uptake in winter camping, which is fully recovered through increased camp fees, and the timing of projects taking place have resulted in a \$8,364 increase. In addition to the increased costs for the RV Park, community events have increased by \$6,281. Timing for Canada Day expenses have contributed to the increase, along with 2023 being the first year of funding Easter celebrations.

Capital Expenditures – The primary projects budgeted for 2023 are the renewal of Peacher Crescent, a new pumper/rescue truck, and the new outdoor pool. Peacher Crescent is complete, while the other projects are in progress.

Transfer to Reserves – The 2023 actual amount represents the transfer of the Growing Communities fund to reserves (a requirement of the grant until funds are used) as well as interest earned on reserve funds. Regular transfers to reserves occur at the end of the year.

Sewer Fund

Revenues

Sewer Revenues - Actual amount includes the 2023 frontage tax and first period user fees. Sewer revenues are higher than 2022 due to the increase in fees to keep up with increased operating costs and reserve contributions.

Transfer from Reserves - These transfers happen at the end of the year.

Expenditures

Maintenance – Operating costs have increased from 2023. A portion of this is due to the increase in administration fees to start to bring them in line with the actual costs to administer the service. Regular operating increases also contribute to the increase. These increases were known at budget time and reflective in the increased user fees.

Capital Expenditures – The primary project budgeted for is the Peacher Crescent renewal. Engineering fees still need to be allocated for the sewer portion of the project, which is done at the end of the year.

Transfer to Reserves – These transfers happen at the end of the year.

Water Fund

Revenues

Water Revenues - Actual amount includes the 2023 frontage tax and first period user fees. Water revenues are higher than 2023 due to the increase in fees to keep up with increased operating costs and reserve contributions.

Conditional Grants – This represents the portion of the Growing Communities Fund allocated to the Reservoir 1 upgrades.

Transfer from Reserves – Transfers from reserves occur at the end of the year.

Expenditures

Maintenance – Regular operating costs appear to have decreased slightly from 2022, although this is due to the timing of projects. Project timing has contributed a decrease of \$8,923, while regular operating costs have increased by \$7,064.

Capital Expenditures – The primary projects budgeted for are the upgrades to Reservoir 1, which are in progress, and the renewal of Peacher Crescent. Engineering fees still need to be allocated for the water portion of Peacher Crescent, which is done at the end of the year.

Transfer to Reserves – These transfers happen at the end of the year.

Respectfully submitted,


Jennifer Bellamy
Chief Financial Officer

The Corporation of the City of Enderby

General Fund

June 30, 2023

	2022 Actual	2023 Actual	2023 Budget	Remaining Budget	%
Funding Sources					
Property Taxation	1,790,594	1,931,823	1,931,813	(10)	0.00%
Utility Taxes / Grants in Lieu	50,436	117,524	117,598	74	0.06%
Fire Protection	69,669	67,367	327,430	260,063	79.43%
Sales of Service / Other Revenue					
Animal Control	10,690	10,080	18,800	8,720	46.39%
Cemetery	8,687	11,538	61,653	50,115	81.29%
Fortune Parks	136,169	156,651	1,023,910	867,259	84.70%
Refuse	36,956	38,407	115,700	77,293	66.80%
Other	365,955	838,462	627,470	(210,992)	-33.63%
Tourism / Community Engagement	110,694	153,333	265,000	111,667	42.14%
Unconditional Grants	133,000	484,000	493,000	9,000	1.83%
Conditional Grants	13,314	1,570,393	3,090,831	1,520,438	49.19%
Transfers from Reserves / Surplus	23,705	-	1,514,808	1,514,808	100.00%
Total Revenue	2,749,869	5,379,579	9,588,013	4,208,434	43.89%
Expenditures					
Executive Services	58,749	76,256	261,510	185,254	70.84%
Administrative Services	398,839	420,704	1,202,559	781,855	65.02%
Transportation Services	343,051	272,685	715,383	442,698	61.88%
Protective Services	88,227	63,711	445,500	381,789	85.70%
Refuse Services	60,250	62,319	117,300	54,981	46.87%
Animal Control	14,608	22,147	31,260	9,113	29.15%
Cemetery Services	23,701	35,323	62,640	27,317	43.61%
Fortune Parks	358,183	418,001	899,310	481,309	53.52%
City Parks	52,238	42,260	175,520	133,260	75.92%
Tourism / Community Engagement	75,939	108,259	264,070	155,811	59.00%
Debt Servicing	113,593	113,593	177,445	63,852	35.98%
Capital Expenditures	353,175	442,090	2,357,500	1,915,410	81.25%
Transfers to Reserves	35,355	2,011,632	2,878,016	866,384	30.10%
Total Expenditures	1,975,907	4,088,978	9,588,013	5,499,035	57.35%
Surplus(Deficit)	773,962	1,290,600	-		

The Corporation of the City of Enderby**Sewer Fund****June 30, 2023**

	2022 Actual	2023 Actual	2023 Budget	Remaining Budget	%
Funding Sources					
Sewer Fees	432,687	456,187	852,060	395,873	46.46%
Conditional Grants	-	-	-	-	0.00%
Transfers from Reserves / Surplus	-	-	208,500	208,500	100.00%
Total Revenue	432,687	456,187	1,060,560	604,373	56.99%
Expenditures					
Operating	282,623	306,466	680,560	374,094	54.97%
Debt Servicing	-	-	-	-	0.00%
Capital Expenditures	129,417	38,846	147,000	108,154	73.57%
Transfers to Reserves	-	-	233,000	233,000	100.00%
Total Expenditures	412,040	345,312	1,060,560	715,248	67.44%
Surplus(Deficit)	20,647	110,875	-		

The Corporation of the City of Enderby**Water Fund****June 30, 2023**

	2022 Actual	2023 Actual	2023 Budget	Remaining Budget	%
Funding Sources					
Water Fees	459,481	483,685	872,540	388,855	44.57%
Conditional Grants	-	160,000	160,000	-	0.00%
Borrowing	-	-	400,000	400,000	0.00%
Transfers from Reserves / Surplus	-	-	1,420,800	1,420,800	100.00%
Total Revenue	459,481	643,685	2,853,340	2,209,655	77.44%
Expenditures					
Operating	307,014	305,155	733,940	428,785	58.42%
Debt Servicing	-	-	-	-	0.00%
Capital Expenditures	114,053	115,276	1,857,000	1,741,724	93.79%
Transfers to Reserves	-	-	262,400	262,400	100.00%
Total Expenditures	421,068	420,431	2,853,340	2,432,909	85.27%
Surplus(Deficit)	38,413	223,254	-		

Area: CITY OF ENDERBY

Category: BUILDING PERMITS

Year: 2023 Month: 07

Folder Type	2023 / 07			2022 / 07			2023 to 07			2022 to 07		
	Permits Issued	Res. Units Created	Building Value	Permits Issued	Res. Units Created	Building Value	Permits Issued	Res. Units Created	Building Value	Permits Issued	Res. Units Created	Building Value
ACCESSORY BUILDING	0	0	0	0	0	0	0	0	0	0	0	0
AGRICULTURAL BUILDING	0	0	0	0	0	0	0	0	0	0	0	0
COMMERCIAL BUILDING	0	0	0	0	0	0	0	0	0	0	0	0
DEMOLITION	0	0	0	0	0	0	0	0	0	1	0	34,500
END - ACCESSORY BUILDING	0	0	0	2	0	38,000	1	0	8,259	4	0	128,000
END - COMMERCIAL BUILDING	0	0	0	0	0	0	1	0	100,000	1	0	150,000
END - DEMOLITION	1	0	28,500	0	0	0	2	0	28,500	1	0	0
END - INDUSTRIAL BUILDING	0	0	0	0	0	0	0	0	0	0	0	0
END - MANUFACTURED HOME	0	0	0	0	0	0	0	0	0	0	0	0
END - MODULAR HOME	0	0	0	0	0	0	0	0	0	0	0	0
END - MULTI FAMILY DWELLING	0	0	0	0	0	0	0	0	0	1	2	754,432
END - PLUMBING	0	0	0	0	0	0	1	0	40,000	1	0	500
END - RETAINING WALL	0	0	0	0	0	0	3	0	90,000	1	0	20,000
END - SFD W/SUITE	0	0	0	0	0	0	1	2	300,000	0	0	0
END - SIGN	2	0	29,360	0	0	0	4	0	30,360	0	0	0
END - SINGLE FAMILY DWELLING	1	0	4,800	2	0	85,060	10	6	2,638,200	11	4	1,823,888
INDUSTRIAL BUILDING	0	0	0	0	0	0	0	0	0	0	0	0
INSTITUTIONAL	0	0	0	0	0	0	0	0	0	0	0	0
MANUFACTURED HOME	0	0	0	0	0	0	0	0	0	0	0	0
MODULAR HOME	0	0	0	0	0	0	0	0	0	0	0	0
MULTI FAMILY DWELLING	0	0	0	0	0	0	0	0	0	0	0	0
OLD PIMS PERMITS	0	0	0	0	0	0	0	0	0	0	0	0
PLUMBING	0	0	0	0	0	0	0	0	0	0	0	0
POOL	0	0	0	0	0	0	0	0	0	0	0	0
RETAINING WALL	0	0	0	0	0	0	0	0	0	0	0	0
SIGN	0	0	0	0	0	0	0	0	0	0	0	0
SINGLE FAMILY DWELLING	0	0	0	0	0	0	0	0	0	0	0	0
SOLID FUEL BURNING APPLIANC	0	0	0	0	0	0	0	0	0	0	0	0
Report Totals	4	0	62,660	4	0	123,060	23	8	3,235,319	21	6	2,911,320



VERNON NORTH OKANAGAN DETACHMENT

2nd Quarter (April to June) 2023

QUARTERLY POLICING REPORT

Committed to preserve the peace, uphold the law and provide quality service in partnership with our communities.

Superintendent Shawna BAHER

Officer in Charge

POLICING ACTIVITY REPORT ~ 2nd Quarter 2023

Through consultation with stakeholders, the Vernon North Okanagan Detachment developed a 2023-2028 Strategic Plan in order to allocate policing resources to ensure the Vernon North Okanagan remains a safe place to live. Our four priorities are *Public Safety*, *Vulnerable Victims*, *Community Outreach* and *Employee Excellence*. The Senior Management Team is committed to providing an outstanding police service by developing strong mental health and resiliency in our members. We will build and maintain trust through timely and accurate communication. We will work collaboratively with our partners to assist vulnerable persons in the community. And, most importantly, we will foster safer communities through evidence based, targeted and collaborative enforcement. One method used to track our performance is to compare crime statistics with the same quarter from the previous year. Featured at the end of the report is a statistical sampling of the 15 most commonly reported Crime Codes that have the greatest impact on communities for each specific area. The statistics reflect monthly totals for April to June 2023 with comparisons from the same quarter of the previous year. This report is a synopsis of some of the recent investigations conducted by the Vernon North Okanagan Detachment and does not reflect all the tasks our police officers are working on, nor does it include information that could impact the integrity of ongoing police investigations.

COMMUNITY EVENTS

On April 9th, police officers dressed in the RCMP Red Serge for the Vimmy Ridge Memorial ceremony in Armstrong and then hosted a tent at the Easter Celebrations in Enderby's Barnes Park. Police handed out colouring paper, stickers, and pins to the estimated 1000 persons in attendance. On April 24th, police officers participated in the Canadian Blood Donation clinic held in Vernon where Reserve Constable Tibor Baldauf gave his 150th blood donation; which happened to coincide with the celebration of the 150th anniversary of the RCMP.



On May 13th the Vernon North Okanagan RCMP hosted a Regimental Ball to commemorate the 150th anniversary. It was well attended by members of the force, first responder partners and community members. Retire RCMP Commissioner and current member of the Senate of Canada, the Honourable Beverly Busson attended as our guest and key note speaker.

In May frontline officers patrolled the 103rd annual Falkland Rodeo & Stampede. Police lead the parade through town and handed out stickers to children.

During this quarter, VNOD hosted two Coffee with a Cop events; one in April at the OKIB Community Hall to hear from the community on issues of importance, and one in June used as a recruiting event in Vernon. In June, the BC Special Olympics Vernon Tigers softball team hit it out of the park during a game with officers from the Vernon North Okanagan Detachment.



VERNON/COLDSTREAM

OPERATIONS

The table below highlights the total number of calls for service with Criminal Code offences and property crime extracted for the 2nd quarter as well as the cumulative number for year to date. The percentage change is compared to the same quarter from the previous year.

Category	Vernon		Coldstream		Vernon Rural	
	Q2	YTD	Q2	YTD	Q2	YTD
Calls for Service	5095	9414	356	633	484	836
% change	+0.45%	-1.37%	-8.95%	-6.22%	+19.2%	+7.04%
Criminal Code	1730	3067	95	149	71	142
% change	+15.87%	+5.97%	+15.83%	-2.6%	+1.4%	+10.93%
Property Offences	1019	1759	46	88	39	92
% change	+16.72%	+3.53%	-9.8%	-3.29%	-17.02%	+10.84%

The below table indicates the total calls for service, the total reports forwarded to Vernon Crown Counsel, the total prisoners held in the Vernon cell block and the total Mental Health calls.

Category	Vernon/Coldstream	
	Q2	YTD
Report to Crown Counsel	194	383
Prisoners	282	520
Mental Health Calls	137	216

FRONT LINE POLICING

Vernon

On April 3rd, frontline officers assisted Vernon Fire Rescue with a fire in the 5400 block of Anderson Way. A passer-by saw a man flee the area and, despite numerous patrols and the attendance of the Police Dog, the suspect was not located. The fire is believed to have been deliberately set.

On April 10th, police assisted the loss prevention officer at a business on 53rd Avenue after a suspect stole numerous items, threatened the employee with a weapon and fled in a vehicle. Police arrested

a 35-year old man who is charged with a number of offences including robbery, assault with a weapon, assault a police officer, uttering threats and possession of stolen property.

On April 17th, multiple members responded to a theft in progress at a business in the 4900 block of 27th Street where the suspect fled in a vehicle. Police located the vehicle, later determined to be stolen, unoccupied a short distance away in the parking lot of another business. As the suspect returned to the vehicle and police attempted to arrest the man, he failed to comply with police commands and fled the scene in the stolen vehicle. Police officers in another jurisdiction located the vehicle occupied by the 33-year old man and he was safely taken into custody. He is charged with numerous offences including possession of stolen property, dangerous operation of a vehicle, flight from police and obstruction.

On April 27th, police responded to an individual with a large knife moving around violently in the 2500 block of 37th Street. Police arrested a 35-year old man for fail to comply with court condition, possession of a dangerous weapon and cause a disturbance.

On April 28th, police responded to an incident at a business in the 3300 block of 31st Avenue involving a weapon. During an interaction with a female suspect, bear spray was deployed at staff. The suspect fled prior to police arrival and, despite numerous patrols, was not located.

On May 12th, a break and enter occurred to a business in the 3300 block of 32nd Street. The suspect gained entry after hours and stole an item which happened to contain a GPS tracker. As a result, police located the suspect, who was still in possession of the stolen property. A 40-year old man is charged with break and enter, obstruction and breach of a probation order.

On May 24th, police responded to a weapons complaint in 2500 block of 34th Street where a man was observed using a 12" machete to damage a tree. Police located the 48-year old suspect and arrested him for mischief.

On June 12th, police on foot patrol located a suspicious device at a park in the 3000 block of 27th Street. The RCMP Explosive Disposal Unit (EDU) attended to safely remove the device.

On June 14th, a passer-by advised police of a suspicious device in the 4500 block of 31st Street. The RCMP EDU attended to safely dismantle the device and is under investigation.

On June 21st, a complaint from the public resulted in a search of a ravine area on Hwy 6 at Pottery Road and police located a deceased person. No criminality is suspected.

On June 23rd, frontline officers responded to a report of a man who sustained severe injuries as a result of a fire in the 3000 block of 27th Street. The man was transported to hospital and later died of injuries. The investigation continues.

Coldstream

On April 1st, police conducted a traffic stop of a vehicle being driver erratically and conducted an impaired operation of a motor vehicle investigation. The 78-year old driver failed a road side screening device and was issued a 90-day driving suspension and the vehicle was impounded for 30 days.

On April 6th, police requested the assistance of Vernon Search & Rescue to locate two individuals stuck in the snow in the area of King Edward Forest Service Road. The persons were located and successfully brought to safety.

On April 9th, an unexploded device was located in the area of Cosens Bay. Police conducted scene security to ensure the safety of hikers and mountain bikers until CFB Esquimalt attended to disposed of the device which was believed to be a World War 2 ordnance.

On April 17th, frontline officers were advised of the sudden death of sudden death near Kalamalka Beach. No criminality is suspected and the BC Coroner Service is investigating.

On May 12th, frontline officers assisted the Coldstream Fire Department with a grass fire in Kalamalka Lake Provincial Park. The Fire Department quickly got the fire, which is believed to be human caused, under control. No suspects were identified.

On June 3rd, frontline officers were advised of a suspicious man taking photographs of women and girls on the beach in the 12500 block of Kalamalka Road. Police conducted foot patrols but were unable to locate the individual.

On June 17th, police responded to a disturbance in the 12500 block of Kalamalka Road involving a group of youths.

On June 25th, while police were conducting foot patrols of the beach in the 12500 block of Kalamalka Road, police located two intoxicated men consuming liquor in public and causing a disturbance. A 25-year old man was arrested on outstanding warrants and charged under the Liquor Control and Licensing Act.

GENERAL INVESTIGATION SECTION

The following is a synopsis of some of the recent investigations conducted by the General Investigation Section and does not reflect all the tasks the officers are working on, nor does it include information which could impact on-going police investigations.

Serious Crime Unit (SCU)

The Serious Crime Unit investigates serious person victim crimes including homicide. This unit consists of a Corporal and four Constables. The Serious Crime Unit continues to conduct follow up investigation on previous files and assisted with other complex investigations which occurred outside of this reporting period.

This quarter, the Serious Crime Unit conduct of the following investigation:

On June 23rd, SCU took conduct of the investigation of an individual who died of severe injuries sustained as a result of a fire in the 3000 block of 27th Street. The investigation continues.

Special Victim Unit (SVU)

The Special Victim Unit investigates crimes relating to vulnerable victims. The SVU is comprised of a Corporal and two Constables who are responsible for high-risk investigations relating to domestic violence, sex crimes and missing persons.

Domestic Violence Unit (DVU)

For high-risk intimate partner violence investigations, the Domestic Violence Unit assist frontline investigators, conduct file reviews as well as facilitates Integrated Case Assessment Team (ICAT) meetings to support a high-risk victim through the process. Currently, DVU has six ICAT files requiring file management, monitoring, and victim support.

Sex Crimes

During this quarter, the BC Integrated Child Exploitation Unit (BC ICE) advised of three reports of possession of child pornography. Each investigation requires a significant amount of time to complete production orders, execute search warrants and, where the evidence supports, prepare charge packages for Crown Counsel.

As a highly trained interviewer, the Sex Crimes investigator conducts all interviews with vulnerable child victims of crime. From April to June, Sex Crimes conducted seven victim interviews with regards to sexual assault or sexual interference crimes against children; eight victim interviews for child abuse allegations; one interview with a child victim of on-line luring; and obtained two statements from vulnerable adult victims of crime which included a forcible confinement and an intimate partner violence investigation.

Missing Persons

The Missing Person coordinator provides support and guidance to front line officers on high-risk missing person investigations. The Corporal supervisor is responsible to monitor all missing person investigations daily for quality assurance and provide follow up action, as necessary.

In April, SVU completed a Record Access Order to assist a missing person investigation. The missing person was later located alive and well.

TARGETED POLICING

Targeted Policing work closely with partner agencies and stakeholders including Interagency, Community Outreach and Mentally Disordered Offenders. Targeted Policing continues to participate in a policing priority of identifying, profiling, selecting and targeting individuals or groups that are involved in criminal activity and, because their association to gangs or organized crime, pose a safety risk to the community. There are currently five individuals/groups identified in the Vernon area.

During this reporting period, investigators from the Drug Unit and the Crime Reduction Unit combined resources to provide an enhanced policing presence in the downtown core of Vernon. With the assistance of the Crime Analyst, police identified hot spots of criminal activity to focus police response. Throughout the six-day operation, Targeted Policing entered into 95 investigations relating to a variety of offences including drug trafficking, failure to comply with release conditions, driving offences, weapons offences and executed multiple warrants of arrest.

Investigations of note include:

On May 25th, a street level drug trafficker was arrested in the area of 25th Avenue and 35th Street and a quantity of drugs over the legal limit was seized. A 45-year old man is facing charges of possession for purpose of drug trafficking.

On May 31st, a street level drug trafficker was arrested in possession of a quantity of drugs over the legal limit. A 31-year old woman is facing charges of possession for purpose of drug trafficking.

On May 31st, police arrested a 48-year old man for drug trafficking in the 3400 block of 30th Avenue. The following day on June 1st, police arrested the same man for drug trafficking in the 2300 block of Hwy 6 and seized fentanyl, cocaine and methamphetamine.

On May 31st, police arrested a 30-year old woman for street level drug trafficking in the 2500 block of 34th Street and seized a quantity of drugs. The woman is charged with possession for the purposes of trafficking.

Drug Section

In April, Drug Section members investigated a suspected drug trafficking residence on 24th Avenue. With the assistance of the Emergency Response Team, police executed a search warrant and seized a large quantity of fentanyl, methamphetamine and cocaine. One subject is facing possession for the purpose of trafficking charges.

Crime Reduction Unit (CRU)

The Crime Reduction Unit encompasses the plainclothes investigators in Prolific Offender Unit and the uniformed officers in Downtown Enforcement Unit. CRU performs a significant role in the bi-weekly comparative statistics meeting where emerging crime trends, hot spots of criminal activity, problem premises, priority prolific offenders and social chronic offenders are identified and tasks are assigned to various units to help reduce crime.

Prolific Offender

A Prolific Offender is identified as an adult or youth offender with an established pattern of persistent Criminal Code and/or Controlled Drugs and Substances Act offenders, identified by current intelligence to be criminally active and assessed by police and partner agencies as medium to high risk to re-offend. These offenders reside within our detachment area and are capable of causing a disproportionate amount of crime in the community. At the conclusion of this reporting period, there are 15 Prolific Offenders identified for monitoring in the Vernon North Okanagan. Of those, eight are currently in custody and seven are not in custody. Of the seven not in custody, four reside or known to frequent the City of Vernon and three relocated outside of our jurisdiction.

In May, the Prolific Offender Unit investigated a series of business break and enters which included a local financial institution. As a result, a suspect was identified and Crown Counsel approved charges against a 40-year old man.

In May, the Prolific Offender Unit observed an individual selling packages of cigarettes from a vehicle in the downtown area. The subsequent investigation resulted in the seizure of numerous counterfeit packs of cigarettes. Police forwarded a Report to Crown Counsel for charge approval.

Downtown Enforcement

During this reporting period the Downtown Enforcement Unit (DEU) liaised with the street entrenched population, provided referral information and conducted enforcement action. During the course of their duties, DEU executed 46 warrant of arrests and recommended 19 investigations for charge approval including several incidences of failure to comply with release conditions.

Toxic Drug Crisis Response

Frontline officers in the Vernon North Okanagan work to improve service for people suffering from addiction issues, which often leads to their involvement in criminal behaviour. Partnered with Interior Health, Mental Health and Substance Use, and the BC Centre for Disease Control, the Vernon North Okanagan RCMP offer Naloxone kits to those at risk of overdose. In addition, frontline officers provide referrals to and information regarding local harm reduction services. The goal of the project is to save lives and reduce crime associated to addiction.

Month	Card given	Referral made	Video shown	Nurse to Cells	Kit provided
April	37	0	0	0	37
May	18	0	0	0	26
June	10	0	0	0	71
Total (Quarter)	65	0	0	0	134
Year to Date	290	8	7	1	477

NORTH OKANAGAN RURAL

OPERATIONS

The below tables are the total number of calls for service with Criminal Code offences and property crime extracted for the 2nd quarter of 2023. The totals are for the community and surrounding area.

Category	Armstrong		Spallumcheen		Enderby & area	
	Q2	YTD	Q2	YTD	Q2	YTD
Calls for Service	259	456	368	643	541	894
% change	-5.8%	-9.34%	-0.27%	-4.45%	-0.55%	-16.05%
Criminal Code	63	121	44	104	104	200
% change	0%	-15.38%	-12%	-7.96%	-19.37%	-18.36%
Property Offences	29	49	23	41	59	92
% change	-23.68%	-43.67%	+9.52%	-24.07%	+9.25%	-17.85%

Category	Falkland & area	Lumby & area	Westside
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	Q2	YTD	Q2	YTD	Q2	YTD
Calls for Service	229	381	293	544	130	241
% change	+116.03%	+59.41%	+8.11%	+12.86%	-56.37%	-52.72%
Criminal Code	37	57	58	131	30	66
% change	+311.11%	+96.55%	+28.88%	+55.95%	-42.3%	-31.95%
Property Offences	22	26	29	48	21	35
% change	+450%	+100%	+31.81%	+11.62%	-25%	-35.1%

Below is a table of the total charges forwarded to Crown Counsel, the total prisoners held in the North Okanagan cellblock and the Police Dog Service intervention.

Category	North Okanagan	
	Q2	YTD
Report to Crown Counsel	52	102
Prisoners	36	64
Mental Health Calls	47	99

FRONT LINE POLICING

Armstrong

On April 25th, police investigate a break and enter to a business in the 2500 block of Pleasant Valley Boulevard where the suspects gained entry to the business after hours and stole numerous items. No suspects were identified.

On April 28th, police assisted BC Ambulance Service with a report of a dog severely bit a child. The owner was cooperative with the investigation and the dog was re-homed.

On May 3rd, frontline officers responded to a motor vehicle incident in the 3800 block of Highland Park Drive when a motorcycle collided with a parked car. The motorcycle operator was taken to the hospital with non-life-threatening injuries and police entered into an impaired driving investigation.

On May 25th, police observed a pocket bike (mini motorcycle) operating on Pleasant Valley Road. When the officer attempted to conduct a traffic stop, the pocket bike evaded police through an open grassy area. The driver was later identified and charged under the Motor Vehicle Act.

On June 29th, police investigated a report of theft of fuel from a business located on York Avenue. No suspects were identified.

Enderby

On April 2nd, police attended to Old Salmon Arm Road for a disturbance involving a youth. While on scene, the youth used a hockey stick to cause substantial damage to a marked police vehicle. Police arrested the youth who was also in breach of court ordered conditions stemming from a robbery charge.

On April 4th, police investigated a mischief at a business in the 6900 block of Hwy 97A and learned the building sustained damage as the result of gunshots during the proceeding hours. The RCMP Forensic Identification Section conducted an examination of the scene and the incident is still under investigation.

On April 30th, police entered into an assault with a weapon causing bodily harm and mischief investigation which occurred at a recreation site in Ashton Creek. Police identified and arrested an 18-year old suspect. The matter is before the courts.

On May 3rd, police activated Search and Rescue to rescue of a seriously injured hiker on Enderby Cliffs. After dark, the hiker was located by SAR, who were accompanied by paramedics, and determined the patient required a helicopter to transport the patient from the mountain. As a result, the team stabilized the patient until daylight when the patient was long lined to safety.

Falkland

On May 20th, police investigated a road rage on Hwy 97 which resulted in an assault. A 42-year old man was arrested and charged with assault with a weapon, uttering threats and dangerous operation of a motor vehicle.

On June 19th, frontline officers responded to a fatal motor vehicle collision in the 3000-block of Hwy 97 in Monte Lake. A passenger car was travelling westbound crossed the centre line and collided with a pick-up truck towing a travel trailer. The driver of the car was pronounced deceased at scene.

Lumby

On April 20th, frontline officers attended to a disturbance in front of a business on Vernon Street involving four persons yelling. The suspects left prior to the arrival of police.

On May 23rd, frontline officers attended to a disturbance on Highway Crescent and arrested a 32-year old man for mischief.

On June 28th, police responded to a disturbance on Vernon Street and arrested a youth who was intoxicated in public. The youth was held until sober and then turned over to their parent.

Lumby Rural

On April 2nd, police responded to a single vehicle collision on Hwy 6 and determined the driver's ability to operate a motor vehicle was impaired by alcohol. The 43-year old driver failed a road-side screening device test and issued a 90-day driving prohibition and a 30-day vehicle impounded.

On April 15th, police attended a single vehicle collision on Hwy 6 near Cherryville where the vehicle was located on its roof and the driver could not be located at the scene. Police later learned the driver had contacted a family member to attend to pick them up.

On April 29th, frontline officers attended to Hwy 6 east of Cherryville for a single vehicle collision where the vehicle had gone off road and rolled. The BC Ambulance Service requested the assistance of a helicopter to transport the patient to hospital.

On May 19th, police on patrol conducted a traffic stop of a vehicle driving erratically on Mabel Lake Road. The subsequent investigation determined the driver's ability to operate the vehicle was

impaired by alcohol and the driver was issued a 90-day driving prohibition and the vehicle was impounded for 30-days.

Spallumcheen

On April 2nd, police conducted a traffic stop of a vehicle travelling 181 km/hr in a 90 km/hr zone on Hwy 97. The 34-year old driver was charged with excessive speeding under the Motor Vehicle Act and the vehicle was impounded.

On April 9th, police were called to Grizzly Hill Road and arrested a 20-year old man in breach of court ordered conditions. The matter is before the courts.

On April 24th, police conducted a traffic stop of a vehicle travelling 145 km/hr in a 90 km/hr zone. The 22-year old driver was charged with excessive speeding under the Motor Vehicle Act and the vehicle was impounded.

On April 24th, police conducted a traffic stop of a vehicle travelling 177 km/hr in a 90 km/hr zone on Hwy 97. The 39-year old driver was charged with excessive speeding under the Motor Vehicle Act and the vehicle was impounded.

On May 20th, proactive traffic enforcement resulted in the stop of a vehicle travelling 119 km/hr in a 70 km/hr zone on Knob Hill Road. The 42-year old driver was charged under the Motor Vehicle Act for excessive speeding and the vehicle was impounded.

On May 23rd, police began an investigation of an assault causing bodily harm stemming from an altercation on Spallumcheen Drive. The matter is with Crown Counsel for charge approval.

On June 1st, frontline officers responded to a head-on collision at the intersection of Parkinson Road and Salmon River Road where an eastbound vehicle crossed the centre line and collided with a westbound vehicle. The drivers of both vehicles were extracted with the assistance of the Armstrong Spallumcheen Fire Department and transported to hospital with non-life-threatening injuries. The 17-year old driver of the east bound vehicle was charged under the Motor Vehicle Act.

On June 15th, police conducted a traffic stop of a vehicle on Hwy 97A at Mountain View Road and entered into an impaired driving investigation. The 26-year old driver failed a road side screening device and was issued a 90-day driving prohibition as well as a 30-day vehicle impound.

Westside

On April 29th, police investigated a single vehicle collision near Williams Road which resulted in a 90-day driving prohibition and 30-day vehicle impound when the 58-year old driver failed a road side screening device.

On May 2nd, frontline officers assisted with issuing evacuation orders to residences in Parker Cove as a result of flooding when the creek spilled over the sandbags.

On May 17th, police assisted the OKIB Fire Department with a trailer fire in the 12000 block of Westside Road. The fire investigator unable to determine cause or origin.

On May 18th, police responded to a four-vehicle collision on Westside Road resulting in three persons being transported to hospital with non-life-threatening injuries. The driver of the vehicle which triggered the collision was charged under the Motor Vehicle Act.

On June 23rd, police investigated a single vehicle collision with a hydro pole near Lawrence Lane and determined the driver was prohibited from driving.

NORTH RURAL GENERAL INVESTIGATION SECTION

The North Rural General Investigation Section is comprised of a Corporal and a Constable and are responsible for serious, complex incidents that occur in Armstrong, Enderby, Falkland, Lumby, Spallumcheen, and Westside.

In May, Rural GIS assumed conduct of a serious criminal harassment investigation involving an individual with a history of similar behaviour directed at law enforcement.

In June, Rural GIS was seconded to the investigation of an individual who died of severe injuries sustained as a result of a fire in the 3000 block of 27th Street. The investigation continues.

TRAFFIC ENFORCEMENT

Vernon/Coldstream

- Impaired Drivers taken off the road by way of suspension or charge: 33

Area	Violation Ticket	YTD	Warning	YTD
Vernon	264	656	462	1079
Coldstream	69	144	92	224
Vernon Rural	16	46	28	111

North Okanagan Rural

- Impaired Drivers taken off the road by way of suspension or charge: 46

Area	Violation Ticket	YTD	Warning	YTD
Armstrong	41	79	35	60
Enderby	28	33	17	34
Falkland	16	27	9	16
Lumby	8	27	22	66
Spallumcheen	172	241	25	37
Westside	10	27	15	23

Reserve Constable Traffic Enforcement

- The Reserve Constable Program consist of retired police officers in good standing who supplement the detachment's resources with enhanced traffic enforcement, scene security and other police related duties.

Area	Patrols	Violation Ticket	YTD	Warning	YTD
Vernon	23	124	280	51	127
Coldstream	24	80	127	51	123

FORENSIC IDENTIFICATION SECTION

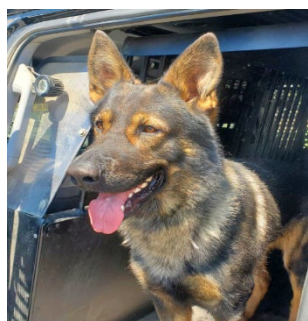
The Vernon North Okanagan Integrated Forensic Identification Section (IFIS) is operating with three members in a full-time rotation. During the fourth quarter, IFIS provided investigative assistance for 36 files, identified 26 fingerprints and supplied 21 preliminary associations. As well, IFIS collected 56 friction ridge impressions, 25 DNA swabs, and 1 Footwear impression.

Call for Service	Vernon/Coldstream	North Rural
Break and Enter	9	0
Possession of Stolen Property	1	0
Recovered Stolen Vehicle	9	1
Mischief	4	0
Fraud	1	1
Homicide	1	0
Firearms Offences	2	3
Arson	1	0
Drug Offences	1	1
Total	29	6

Vernon FIS Calls for Service encompass Vernon, Vernon Rural and Coldstream.

The North Rural calls for service include Armstrong, Enderby, Falkland, Lumby & Westside.

POLICE DOG SERVICE (PDS)



The Vernon Police Dog Service consists of two handlers and their police dogs. During this quarter, PDS attended to 23 calls for service within the Vernon North Okanagan including the successful apprehension of a suspect in a stolen vehicle. In addition, PDS participated in two school presentations and demonstrated a track with the police dog to highlight the skill and ability of the canine for the Youth Academy students. PDS Phantom and his handler are in the process of certification in human remains detection and participated in a scavenger study.

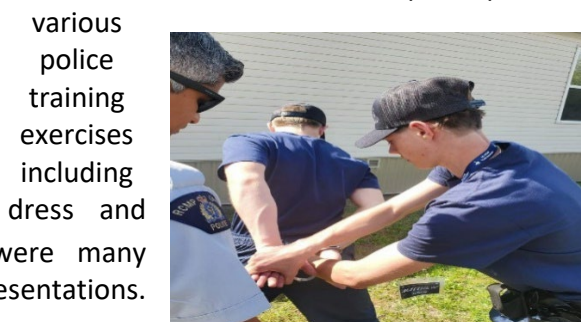
SCHOOL RESOURCE OFFICER (SRO)

The Constable Jean Minguy Memorial Youth Academy held at the Vernon Army Camp was the highlight of this quarter for the SRO. The 40 students lived at the base and participated in



various police training exercises including dress and

department, drill, and legal studies. There were many specialized police sections available to conduct presentations.



With the assistance of police officer instructors, the camp offered students a glimpse into a career with the RCMP. At the beginning of June, the SRO was re-assigned to assist frontline policing over the summer months.

COMMUNITY POLICING

Community Safety Office

The ten active volunteers of the Community Safety Office assisted 503 members of the public, fielded 108 phone calls and returned over 321 Police Information Checks. The volunteers participated in three bike rodeos and conducted presentations on child safety, fraud prevention, internet safety and situational awareness with de-escalation strategies. In addition, the volunteers were involved in community events including the Greater Vernon Chamber of Commerce Community Expo at Kal Tire Place and the Sunshine Festival in downtown Vernon. The coordinator conducted four Crime Preventions through Environment Design (CPTED) audits of businesses and residences. As well, volunteers ensured 930 entries were made to the Operation Cat's Paw pawn program data base. The CSO Coordinator is actively involved on many committees including Partners in Action, COOL & HART Action Teams, and secured funding for a Building Safer Communities Project Steering Committee to research opportunities to reduce the impact of social disorder downtown. The CSO oversees the return of Folks on Spokes, Green Team and Anti-tag Team for the summer months.

Vernon RCMP Volunteers

During this past quarter, the 29 volunteers participated in 1147 hours with the Vernon RCMP Volunteer Program. The volunteers drove 4607 kilometers, worked 42 Community Safety Patrol shifts, and ran 3077 licence plates on the Stolen Auto Recovery program. Over the past three months, volunteers spent 172 hours conducting 43 Speed watch operations to slow down 13,807 vehicles and another 88 hours on 11 Cell watch operations where they observed 5,855 vehicles and issued 7 warning letters to violators. With the launch of boating season, volunteers spent 88 hours on 8 days to conduct pre-safety checks of 45 vessels and, fortunately, did not locate any invasive mussels. In addition, volunteers participated in the City of Vernon Community Expo and assisted with the Constable Jean Minguy RCMP Youth Academy.

HUMAN RESOURCES

Established Levels

Vernon North Okanagan Detachment is currently at 103 Regular Members: 56 City of Vernon; 30 Provincial; 4 City of Armstrong; 7 District of Coldstream; 4 Township of Spallumcheen, 1 Splat's in First Nation and 1 Okanagan Indian Band (OKIB).

Funded Levels

As of June 30th, 2023, the Vernon North Okanagan Detachment billed 52.41 City of Vernon; 26.12 Provincial; 4 City of Armstrong; 7 District of Coldstream; 3.17 Township of Spallumcheen, 0.05 Splat's in First Nation and 1 Okanagan Indian Band (OKIB).

QUARTERLY STATISTICS

The following pages contain the police statistics for the 2nd quarter of 2023, April to June, with a comparison for the same month of the previous year. The activity types selected are a sampling of the 15 most commonly reported Crime Codes which have the greatest impact on communities and provide police with valuable insight into crime activities and trends. Currently, there are over 700 Crime/Survey Codes utilized by Canadian policing agencies in the reporting of crime to the Canadian Centre for Justice in Ottawa.

2 nd Quarter Statistics – City of Vernon						
ACTIVITY TYPE	Apr 2022	Apr 2023	May 2022	May 2023	June 2022	June 2023
Total Files	1450	1567	1698	1726	1740	1867
Robbery	2	3	3	1	-	7
Assault (Includes DV)	36	47	56	48	65	58
Domestic Violence	9	9	17	11	12	7
Sex Offence	5	10	6	5	11	8
B&E Residence	3	7	8	12	10	5
B&E Commercial	12	13	9	10	9	12
Theft of Vehicle	6	11	10	12	11	18
Theft From Vehicle	43	24	45	20	39	50
Theft Over \$5000	-	3	4	4	-	6
Theft Under \$5000	94	109	94	118	112	131
Drug Offence	29	9	44	14	20	16
Liquor Offences	9	15	13	14	7	11
Impaired Driving	12	13	8	14	13	10
24 Hour Driving Suspension	1	4	4	8	1	2
Motor Vehicle Accidents	39	51	41	43	33	40

2 nd Quarter Statistics – Vernon Rural						
ACTIVITY TYPE	Apr 2022	Apr 2023	May 2022	May 2023	June 2022	June 2023
Total Files	101	122	125	174	149	147
Robbery	-	-	-	-	-	1
Assault (Includes DV)	3	-	1	5	1	3
Domestic Violence	1	-	1	1	-	2
Sex Offence	1	-	2	-	2	-
B&E Residence	-	2	2	-	-	-
B&E Commercial	-	-	-	1	-	-
Theft of Vehicle	-	-	1	3	1	-
Theft From Vehicle	5	1	2	4	1	2
Theft Over \$5000	-	-	-	1	2	-
Theft Under \$5000	3	-	2	3	3	3
Drug Offence	-	-	-	1	-	1
Liquor Offences	-	-	1	-	-	1
Impaired Driving	2	1	-	-	-	2
24 Hour Driving Suspension	1	-	-	-	-	-
Motor Vehicle Accidents	4	4	1	6	10	8

2 nd Quarter Statistics – Silver Star						
ACTIVITY TYPE	Apr 2022	Apr 2023	May 2022	May 2023	June 2022	June 2023
Total Files	7	12	4	6	8	7
Robbery	-	-	-	-	-	-
Assault (Includes DV)	-	2	-	-	-	-
Domestic Violence	-	-	-	-	-	-
Sex Offence	-	-	-	-	-	-
B&E Residence	-	-	-	-	-	-
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	-	-	1	-	-	-
Theft From Vehicle	-	-	-	-	-	-
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	-	-	-	-	-	-
Drug Offence	-	-	-	-	-	-
Liquor Offences	-	-	-	-	-	-
Impaired Driving	-	-	-	-	-	-
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	2	-	1	-	-	1

2 nd Quarter Statistics – District of Coldstream						
ACTIVITY TYPE	Apr 2022	Apr 2023	May 2022	May 2023	June 2022	June 2023
Total Files	94	96	149	150	137	121
Robbery	-	-	-	-	-	-
Assault (Includes DV)	2	5	3	4	2	5
Domestic Violence	1	1	1	2	-	1
Sex Offence	-	-	1	-	-	-
B&E Residence	-	1	6	-	-	3
B&E Commercial	1	-	-	-	-	-
Theft of Vehicle	-	-	-	2	1	-
Theft From Vehicle	1	2	4	2	3	4
Theft Over \$5000	-	-	-	-	3	-
Theft Under \$5000	-	2	3	4	-	5
Drug Offence	-	-	-	-	1	-
Liquor Offences	-	-	-	4	-	2
Impaired Driving	2	1	3	3	-	1
24 Hour Driving Suspension	-	-	-	1	-	-
Motor Vehicle Accidents	1	2	4	2	5	8

2nd Quarter Statistics – City of Armstrong NR4100 and NR4101						
ACTIVITY TYPE	Apr 2022	Apr 2023	May 2022	May 2023	Jun 2022	Jun 2023
Total Files	86	69	84	103	100	96
Robbery	-	-	-	-	-	-
Assault (includes DV)	5	2	-	1	2	2
Domestic Violence	2	1	-	1	-	-
Sex Offence	1	-	1	1	-	1
B&E Residence	1	-	-	-	1	-
B&E Commercial	2	2	-	-	-	-
Theft of Vehicle	2	-	-	-	3	-
Theft From Vehicle	1	-	-	-	-	-
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	2	1	-	3	8	4
Drug Offence	-	-	-	-	-	-
Liquor Offences	2	1	1	1	1	-
Impaired Driving	2	1	-	2	1	1
24 Hour Driving Suspension	1	2	1	2	-	1
Motor Vehicle Accidents	2	1	-	4	3	2

2nd Quarter Statistics – Spallumcheen NR4200						
ACTIVITY TYPE	Apr 2022	Apr 2023	May 2022	May 2023	Jun 2022	Jun 2023
Total Files	108	98	114	133	134	119
Robbery	-	-	-	-	-	-
Assault (Includes DV)	1	1	3	4	5	-
Domestic Violence	-	-	-	1	1	-
Sex Offence	-	-	-	-	1	-
B&E Residence	2	-	-	-	1	1
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	2	-	2	2	1	1
Theft From Vehicle	-	-	1	-	1	-
Theft Over \$5000	3	-	1	-	-	1
Theft Under \$5000	4	-	3	2	2	1
Drug Offence	-	-	-	-	-	-
Liquor Offences	-	-	-	-	-	-
Impaired Driving	3	-	1	-	3	1
24 Hour Driving Suspension	1	1	4	1	2	1
Motor Vehicle Accidents	4	3	7	3	12	6

2nd Quarter Statistics – City of Enderby NR1200 and NR1201						
ACTIVITY TYPE	Apr 2022	Apr 2023	May 2022	May 2023	Jun 2022	Jun 2023
Total Files	74	79	116	90	125	100
Robbery	-	-	1	-	-	-
Assault (Includes DV)	1	2	3	5	3	5
Domestic Violence	1	-	1	-	-	-
Sex Offence	-	-	2	1	2	-
B&E Residence	-	1	-	-	1	-
B&E Commercial	-	-	1	1	1	-
Theft of Vehicle	-	-	-	2	2	1
Theft From Vehicle	-	2	-	2	-	6
Theft Over \$5000	-	-	-	-	1	-
Theft Under \$5000	5	-	3	1	3	2
Drug Offence	1	1	-	-	-	-
Liquor Offences	2	1	1	-	1	1
Impaired Driving	-	1	1	-	3	-
24 Hour Driving Suspension	1	-	3	-	4	-
Motor Vehicle Accidents	2	1	3	2	4	6

2nd Quarter Statistics – Enderby Rural NR1202 to NR1204						
ACTIVITY TYPE	Apr 2022	Apr 2023	May 2022	May 2023	Jun 2022	Jun 2023
Total Files	70	74	68	108	80	94
Robbery	-	-	-	-	-	-
Assault (Includes DV)	2	4	4	3	2	1
Domestic Violence	1	-	3	1	-	-
Sex Offence	-	-	-	1	-	1
B&E Residence	-	-	1	-	-	1
B&E Commercial	-	-	-	-	1	-
Theft of Vehicle	1	1	2	1	-	1
Theft From Vehicle	1	-	-	-	-	-
Theft Over \$5000	3	-	-	-	1	-
Theft Under \$5000	2	1	3	4	-	1
Drug Offence	-	-	-	-	-	-
Liquor Offences	-	-	-	1	1	-
Impaired Driving	-	-	-	2	2	-
24 Hour Driving Suspension	1	-	1	4	2	-
Motor Vehicle Accidents	-	1	1	2	1	2

2nd Quarter Statistics – Village of Falkland NR1300 and NR1301						
ACTIVITY TYPE	Apr 2022	Apr 2023	May 2022	May 2023	Jun 2022	Jun 2023
Total Files	11	11	10	17	14	12
Robbery	-	-	-	-	-	-
Assault (Includes DV)	-	-	-	-	-	-
Domestic Violence	-	-	-	-	-	-
Sex Offence	-	-	-	-	-	-
B&E Residence	-	-	-	-	-	-
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	-	-	-	-	-	-
Theft From Vehicle	-	1	-	-	1	1
Theft Over \$5000	1	-	-	-	-	-
Theft Under \$5000	-	-	-	-	-	-
Drug Offence	-	-	-	-	-	-
Liquor Offences	-	-	-	-	-	-
Impaired Driving	-	-	-	-	-	1
24 Hour Driving Suspension	-	-	1	-	-	-
Motor Vehicle Accidents	1	-	-	1	-	-

2nd Quarter Statistics – Falkland Rural NR1302 and NR1303						
ACTIVITY TYPE	Apr 2022	Apr 2023	May 2022	May 2023	Jun 2022	Jun 2023
Total Files	57	45	56	66	64	56
Robbery	-	-	-	-	-	-
Assault (Includes DV)	-	-	2	3	2	3
Domestic Violence	-	-	-	2	-	2
Sex Offence	1	1	-	-	-	1
B&E Residence	1	-	-	-	-	-
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	1	1	2	1	-	2
Theft From Vehicle	-	-	-	-	1	1
Theft Over \$5000	1	-	-	-	1	-
Theft Under \$5000	1	-	1	1	1	4
Drug Offence	-	-	1	-	-	-
Liquor Offences	-	1	-	-	-	-
Impaired Driving	-	-	-	-	1	2
24 Hour Driving Suspension	-	-	-	-	-	1
Motor Vehicle Accidents	3	1	-	6	2	1

2nd Quarter Statistics – Village of Lumby NR1400 and NR1401						
ACTIVITY TYPE	Apr 2022	Apr 2023	May 2022	May 2023	Jun 2022	Jun 2023
Total Files	48	44	44	44	58	49
Robbery	-	-	-	-	-	-
Assault (Includes DV)	2	1	1	2	5	-
Domestic Violence	1	-	-	-	-	-
Sex Offence	-	1	-	1	1	2
B&E Residence	1	-	-	-	-	1
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	-	-	-	1	-	-
Theft From Vehicle	-	-	-	-	-	-
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	-	-	-	2	1	-
Drug Offence	-	1	-	-	-	1
Liquor Offences	-	-	-	-	2	-
Impaired Driving	-	-	-	-	-	2
24 Hour Driving Suspension	2	-	1	-	-	-
Motor Vehicle Accidents	1	-	-	-	-	-

2nd Quarter Statistics – Lumby Rural NR1402 and NR1403						
ACTIVITY TYPE	Apr 2022	Apr 2023	May 2022	May 2023	Jun 2022	Jun 2023
Total Files	44	42	59	40	59	44
Robbery	-	-	-	-	-	-
Assault (Includes DV)	2	1	1	1	-	-
Domestic Violence	-	1	-	-	-	-
Sex Offence	1	1	1	-	1	-
B&E Residence	-	-	-	-	-	1
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	-	1	-	-	3	-
Theft From Vehicle	1	-	-	-	-	-
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	-	-	1	1	1	-
Drug Offence	-	-	1	-	-	-
Liquor Offences	-	-	-	-	-	-
Impaired Driving	1	-	-	1	3	-
24 Hour Driving Suspension	-	-	-	1	-	-
Motor Vehicle Accidents	-	1	4	2	2	3

2nd Quarter Statistics – OKIB NR8000, NR8001, NR8101, NR8102						
ACTIVITY TYPE	Apr 2022	Apr 2023	May 2022	May 2023	Jun 2022	Jun 2023
Total Files	62	42	40	67	64	71
Robbery	-	-	-	-	-	-
Assault (Includes DV)	4	1	4	1	2	2
Domestic Violence	1	-	3	-	-	-
Sex Offence	-	-	-	-	-	1
B&E Residence	1	-	-	1	-	-
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	1	-	2	1	1	-
Theft From Vehicle	-	-	-	-	1	1
Theft Over \$5000	-	-	-	-	-	2
Theft Under \$5000	-	-	1	5	-	-
Drug Offence	1	-	-	-	-	-
Liquor Offences	-	-	-	1	-	-
Impaired Driving	1	1	-	1	2	-
24 Hour Driving Suspension	1	1	-	-	1	2
Motor Vehicle Accidents	1	1	-	3	2	1

2nd Quarter Statistics – Splatsin NR8100 and NR8200						
ACTIVITY TYPE	Apr 2022	Apr 2023	May 2022	May 2023	Jun 2022	Jun 2023
Total Files	42	37	37	45	41	43
Robbery	-	-	-	-	-	-
Assault (Includes DV)	1	2	1	2	3	-
Domestic Violence	-	1	-	1	-	-
Sex Offence	-	-	1	-	-	-
B&E Residence	-	-	-	-	-	1
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	-	-	-	-	-	-
Theft From Vehicle	-	-	-	1	-	1
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	1	1	-	2	1	2
Drug Offence	6	-	1	-	2	1
Liquor Offences	-	-	1	-	-	1
Impaired Driving	1	-	-	-	-	1
24 Hour Driving Suspension	2	-	1	-	1	2
Motor Vehicle Accidents	2	1	2	2	2	1

2nd Quarter Statistics – Westside Road NR1000						
ACTIVITY TYPE	Apr 2022	Apr 2023	May 2022	May 2023	Jun 2022	Jun 2023
Total Files	25	36	52	58	63	41
Robbery	-	-	-	-	-	-
Assault (Includes DV)	2	-	-	1	1	2
Domestic Violence	1	-	-	-	1	1
Sex Offence	1	1	-	-	-	-
B&E Residence	-	-	-	-	-	1
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	-	-	3	-	-	1
Theft From Vehicle	-	-	-	5	1	-
Theft Over \$5000	-	-	-	-	-	1
Theft Under \$5000	2	-	1	4	3	2
Drug Offence	-	-	-	-	-	-
Liquor Offences	-	-	1	-	-	-
Impaired Driving	-	-	-	-	-	-
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	-	2	2	2	1	1

2nd Quarter Statistics – Spallumcheen Hwy 97/97A						
ACTIVITY TYPE	Apr 2022	Apr 2023	May 2022	May 2023	Jun 2022	Jun 2023
Total Files	15	21	22	31	26	23
Impaired Driving	1	-	1	-	1	-
24 Hour Suspension	-	-	2	1	-	1
Drug Offences	-	-	-	-	-	-
Motor Vehicle Accidents	-	1	2	2	5	2
Collision over \$10000	-	-	-	-	1	1
Collision non-fatal injury	-	-	-	-	2	-
Collision Fatal	-	-	-	-	-	-
Traffic moving offences	10	15	15	20	11	13
Liquor Offences	-	-	-	-	-	-

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

AGENDA

To: Tate Bengtson, CAO
From: Jennifer Bellamy, CFO
Date: July 25, 2023
Subject: Disclosure of Contracts - Council

RECOMMENDATION

THAT Council receives and files this memorandum.

BACKGROUND

Section 107 of the *Community Charter* requires that any contract entered into by the City, that would provide a member of Council with a direct or indirect financial interest, be reported at a Council meeting that is open to the public. This is also required for anyone who was a previous member of Council for a six month period after their position has ended.

It is the responsibility of each elected official to inform the Corporate Officer of any contracts that must be reported. Section 107(3) of the *Community Charter* states that a person who does not report their contracts will be disqualified from holding office, unless the contravention was done inadvertently, or an error of judgement was made in good faith. Staff will prepare this disclosure report based on the information provided by the elected official; however, if there any contracts missing from this report that should be included, the elected official is to let the Corporate Officer know as soon as possible so this can be reported correctly.

During the said period, the City of Enderby entered into the following contracts:

April 01, 2023 to June 30, 2023

Council Member	Supplier	Amount
Councillor Baird	Baird Bros Ltd	\$ 1,919.39
Mayor Galbraith	Central Hardware	\$ 1,829.92
Former Mayor McCune	GTI Petroleum	\$ 5,127.28

Respectfully submitted,


Jennifer Bellamy
Chief Financial Officer

MEMO

To: Mayor and Council
From: Tate Bengtson, CAO
Date: August 10, 2023
Subject: Appointment to the Enderby & District Services Commission

RECOMMENDATION

THAT Council rescinds the appointment of Denis Delisle to the Enderby & District Services Commission;

AND THAT Council appoints Todd Couch to the Enderby & District Services Commission.

BACKGROUND

The Enderby & District Services Commission ("the Commission") is a partnership of the City of Enderby and Electoral Area F of the Regional District of North Okanagan. The Commission has delegated authority for three services:

- Specified shared recreation amenities including the pool, spray park, ball diamonds, and arena;
- Dog control in the City of Enderby and a portion of Area F; and
- Cliffside Cemetery.

The City of Enderby Service Extension and Commission Delegation Bylaw No. 1446, 2009, which established and authorized the Commission, specifies that the Commission is comprised of four members, including two members of Council, the Area F Director, and the Area F Alternate Director.

Area F Director Hopkins has appointed Todd Couch as her Alternate Director. In accordance with Bylaw No. 1446, the recommended resolution aligns the Commission's membership with the change in office.

Respectfully submitted,



Tate Bengtson
Chief Administrative Officer

MEMO

To: Mayor and Council
From: Tate Bengtson, CAO
Date: August 11, 2023
Subject: Participation in Radon Community Testing

RECOMMENDATION

THAT Council supports the City of Enderby serving as a partner in the BC Lung Foundation's RadonAware Community Testing Program;

AND THAT Council agrees to the City of Enderby serving as a radon test kit distribution centre for Electoral Area F of the Regional District of North Okanagan.

ALTERNATE RESOLUTION

THAT Council does not support the City of Enderby participating in the BC Lung Foundation's RadonAware Community Testing Program.

BACKGROUND

The City of Enderby has been invited by the BC Lung Foundation to participate in the RadonAware Community Testing Program. Participation is free except for in-kind costs associated with supporting the program locally. An invitation letter is attached.

Radon is a colourless, odourless gas that can accumulate in homes and workplaces, and is the leading cause of lung cancer after smoking. Radon gas levels in soils can vary dramatically over relatively small geographical distances, but it is known that the interior of British Columbia typically has high concentrations of radon gas in its soils. In buildings without radon protection and high levels of radon gas in the soil, radon gas concentrations inside of homes and other buildings will accumulate and lead to adverse health impacts with prolonged exposure. However, radon levels can be mitigated.

The RadonAware Community Testing Program creates a partnership between the BC Lung Foundation and local governments to support increased radon testing. This improves public knowledge of radon levels in soils in a given area. In turn, this encourages owners to take proactive steps to protect their respective buildings from high radon gas concentrations. Protection typically takes the form of a ventilation pipe and a mechanical fan to exhaust radon gas to the atmosphere.

While participation in the program is free, local government partners provide in-kind assistance by promoting the program locally and serving as a hub for the test kits to be distributed and collected. Given the broad public health benefits of improved awareness of the prevalence of radon gas in local soils, and the relatively small impact upon capacity, staff are recommending participation in the program.

Given the likelihood of Electoral Area F residents requesting kits from City Hall, particularly in light of rural residents' familiarity with City Hall as providing shared office space for building inspection services, staff recommend serving as a test kit distribution centre for that jurisdiction as well; this would reduce confusion and enhance partnerships with a neighbouring jurisdiction. Staff have made a preliminary inquiry to the Area F Director, who is supportive of concept, and further note that it is consistent with Area F Official Community Plan hazard lands objective 17.7 ("Radon Gas Hazard Mitigation").

Respectfully submitted,



Tate Bengtson
Chief Administrative Officer



2675 Oak Street
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604.731.5864
1.800.665.5864
www.bclung.ca

Tate Bengtson
Chief Administrative Officer
City of Enderby
619 Cliff Avenue, Enderby, BC
P.O. Box 400, Enderby BC V0E 1V0
tbengtson@cityofenderby.com

Dear Sir:

Re: Radon Community Testing for Enderby

Thank you for your interest in our radon community testing program. As requested, we are describing the program in a letter for you to share with your staff and/or Mayor and Council.

The BC Lung Foundation is concerned about radon gas exposure, the leading cause of lung cancer after smoking. Radon is a colourless, odourless gas that can accumulate in homes and workplaces. Radon can be easily solved through testing and mitigation. We encourage everyone to test their homes and workspaces for radon. It has long been known that BC's Interior is a hotspot for radon. This has been confirmed by the British Columbia Centre for Disease Control's [BC Radon Map](#), which reports radon test results from across the province.

BC Lung Foundation has a history of supporting radon testing. In the 2010s, through the RadonAware program, we helped test thousands of homes in Prince George and Castlegar. Since 2020 we have run a [Community Testing Program](#) to help communities learn average radon levels in their community. Working with funds from the Vancouver Foundation, we collaborate with [Take Action on Radon's 100 Radon Test Kit Challenge](#) and local governments to distribute free radon test kits. Communities we have worked with to date include Kelowna, Lake Country, Peachland, Westbank First Nation and West Kelowna, Saltspring Island, Kimberley, Mission, Chilliwack, Cultus Lake, Kent, Harrison and Hope. BC Lung Foundation also has [a dedicated website through which we sell home radon test kits](#). Test results from our community testing program and test kit sales are provided to the BC Centre for Disease Control's Radon Data Repository and Radon Map, which makes data publicly available but ensures privacy protection.

This summer, we finalized a report "[Radon in BC: Does Your Community Need to Test?](#)" which identified communities at high risk of elevated radon but with an insufficient sample size to have a good estimate of local radon levels. We found there to be a significant likelihood that over 30% of homes in Enderby are over Canada's Radon Guideline, but the current sample size (26) remains very low.

The details of distribution of test kits and support are run as a turn-key operation by Take Action on Radon, which has rolled out radon test kit distribution in hundreds of villages, towns and cities across Canada.

The program is designed to require no financial commitment from local governments.

Take Action on Radon provides

- A web-based information session for local government staff and stakeholders (September or October),
- an information and outreach package for local governments to help with communications (September or October),
- an online registration form (and flexibility for in person sign up) for test kits—generally a 100 per community, but this can increase with demand or if multiple communities are participating (September or October),
- an informational webinar for participants (detailing health and science of radon and details around testing and mitigation) (late October or early November)
- a box of long-term alpha track radon test kits (generally fitting into a medium sized 46cm x 38cm x 32cm box) (arriving in early November)
- a help line (phone and email) to answer any technical questions from participants
- reminders to participants to return test kits to a central location (January or February depending on deployment dates)
- shipping costs for sending collected test kits to the lab for processing
- reporting of results directly from the lab to individual home dwellers (late Spring)
- reporting on community level results through a web-based information session to local government staff and stakeholders (late Spring)
- an aggregated and anonymized community report (see existing examples on the [100 Radon Test Kit Challenge website](#)) (late Spring to Summer)

Local governments

- have a point person with interest in the program and who can serve as champion
- attend information sessions at the beginning and end of the testing process
- promote the testing program (such as press releases and posting on the city website), and
- provide a central location where test kits can be distributed and later collected for sending for lab analysis

BC Lung Foundation can offer supplemental support for community outreach (such as social media ads and press releases) or technical support on an as-needed basis.

For a community test of 100 test kits, we estimate the value at about 4,000 dollars.

You also asked about the coverage area for your community. Our policy is to be flexible and negotiate this with local governments. From our perspective it is not particularly problematic if people in the general region but outside a specific municipal jurisdiction participate. Depending on expected numbers, we can combine Enderby and Electoral District F for one allotment of 100 test kits, or allocate a further 100 for a distinct program for Electoral Area F. If the latter it would be ideal to have a further local government point person and distribution site.



When reserve lands fall within an electoral area or regional district we are already testing, we welcome participation from home occupants from those locations. Our community reports do not specifically identify radon levels on reserve lands. We are also open to working directly with First Nations governments to conduct community testing and produce specific community reports. Our experience to date has been that the First Nations Health Authority is open to conducting its own radon testing in parallel with our efforts. We advise early contact with the First Nations Health Authority to help facilitate coordination.

. The best way for a community to sign up is to fill out the forms for 100 Radon Test Kit Challenge, at <https://form.jotform.com/82886582317267>. By also notifying me at the address below, we can make sure BC Lung Foundation is also involved as a partner.

Please feel free to contact me if you or others in your organization have further questions.

Yours,

A handwritten signature in black ink, appearing to read "Noah Quastel", with a long horizontal flourish extending to the right.

Noah Quastel

Director, Law and Policy, Healthy Indoor Environments

Email: nquastel@bclung.ca

Phone: 778 709 4496

No. B14-07
September 19, 2014

New Radon Rough-in Requirements

On December 19, 2014, new requirements for protection from soil gases become effective. BC Building Code provisions for the rough-in for a subfloor depressurization system now require installation of a radon vent pipe which extends through, and terminates outside, the building.

The new requirements provide a more adaptable substructure for future radon mitigation and require the designer to account for routing of the radon vent pipe during the design stage. This change applies to Part 9 dwelling units and buildings containing residential occupancies where floor assemblies separate conditioned space from the ground. There are no changes to building exemptions based on location and building occupancy.¹

The potential for high levels of radon infiltration can be challenging to evaluate prior to construction and a radon problem may only become apparent once the building is completed and occupied. Radon mitigation systems are proven to reduce the likelihood of adverse health effects from radon, such as lung cancer. There are links provided in Appendix A of the BC Building Code for information on testing for radon in your home and guidelines for when mitigation is recommended. Those links, as well as sources for more information on radon, are included in the Appendix to this bulletin. It is the owner's responsibility to test their home, and it is recommended that the home be tested again after installation of a radon mitigation system.

The most common and efficient radon mitigation method is soil depressurization. A soil depressurization system requires:

- a. space for the movement of soil gases between the ground and the air barrier system (see the gas permeable layer in Figure 1) into which a radon vent pipe is inserted;
- b. the radon vent pipe then extends to the exterior of the building and terminates in a safe location (as shown in Figure 1); and
- c. the radon vent pipe to be mechanically assisted, typically by means of a fan installed along the pipe, to create a negative pressure in the space between the air barrier system and the ground and exhaust soil gases outside the building.

The BC Building Code does not require installation of a fan during initial construction, although designers should consider the future installation of a fan (which will require access and electrical supply) somewhere along the radon vent pipe.

The BC Building Code refers to material that creates the space allowing the movement of soil gases between the air barrier system and the ground as a gas permeable layer² (see Figure 1). The gas permeable layer allows for effective depressurization of that space, and functions as the drainage layer required in Article 9.16.2.1. A typical solution is to install coarse clean granular material below the floor on the ground. This allows compliance with 9.16.2.1.(1)

¹ Exceptions are listed in Article 9.13.4.2. and Table C-3 in Appendix C of the BC Building Code.

² The gas permeable layer described in Clause 9.13.4.3.(3)(a) consists of not less than 100 mm of clean granular material containing not more than 10 % of material that will pass a 4 mm sieve.

through either the performance language in 9.13.4.3.(2) or the prescriptive language in 9.13.4.3.(3).

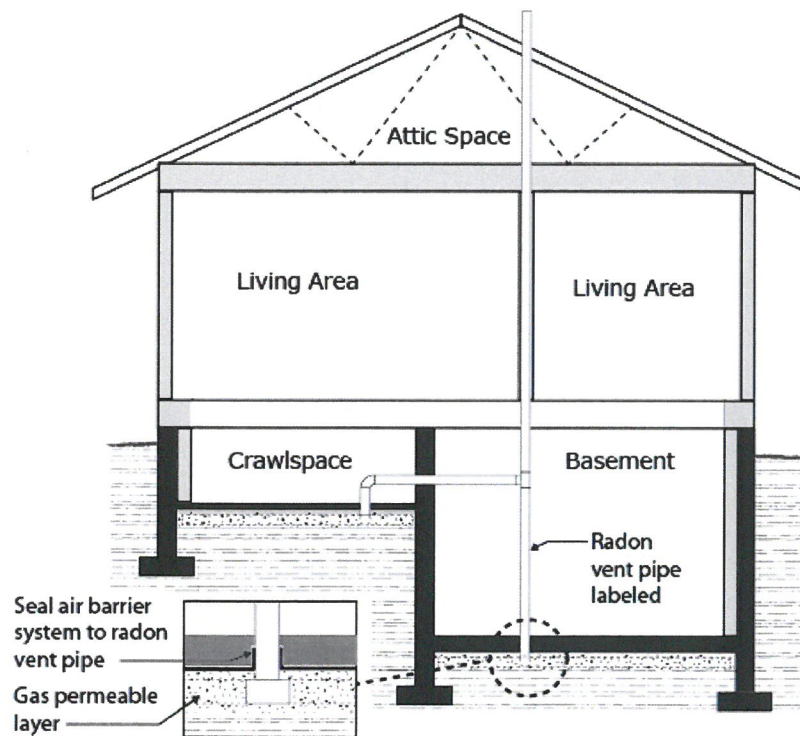


Figure 1

The designer has the performance option in 9.13.4.3.(2) to terminate the radon vent pipe outside the building in a manner that does not constitute a hazard, or use the prescriptive option in 9.13.4.3.(3) and follow the requirements for the location of the termination. The prescriptive termination requirements are similar to the requirements for the termination of plumbing vents³ and will be familiar to designers and builders.

Installing a gas permeable layer and radon vent pipe after initial construction can be costly and invasive. Extending a pipe through the building to the exterior after initial construction can be problematic if the building design did not account for radon mitigation. The provisions for a radon rough-in during initial construction require a small cost and effort at the time of construction to reduce the much larger cost of retrofitting a radon mitigation system after construction. The requirements provide added benefits of improved sub-slab drainage and integrity of the air barrier system.

2

³ The termination of plumbing vents is described in Article 2.5.6.5. and illustrated in Appendix note A-2.5.6.5.(4) of the BC Plumbing Code.

The contents of this Bulletin are not intended to be provided as legal advice and should not be relied upon as legal advice. For further information contact the Building & Safety Standards Branch.

Frequently Asked Questions

Question 1: What was wrong with the old provisions?

Answer: The old provisions required the pipe to be capped in the interior of the building. The capped pipe did not permit soil gases to leave the building and stakeholders expressed concerns that the location and condition of the rough-in were not always suitable for future connection of a radon mitigation system. The Building and Safety Standards Branch consulted with the Canadian Codes Center, the Ministry of Health, BC Lung Association, as well as industry advocates for radon mitigation to inform improvements to the existing code requirements.

Question 2: Is every home at risk of radon infiltration?

Answer: Radon gas, a result of the decay of uranium, is found in varying degrees as a component of soil gas in all regions of Canada. Health Canada guidelines recommend mitigation when exposure levels exceed 200 becquerels per cubic meter. Table C-3, "Locations in British Columbia Requiring Radon Rough-Ins," in the BC Building Code classifies locations demonstrated to have an elevated risk of the presence of indoor radon levels which exceed 200 Bq/m³ as Radon Area 1. Radon rough-ins are required in Radon Area 1 locations. The remaining locations listed in Table C-3 are simply not known to have an elevated risk, and are classified as Radon Area 2. The geographical separation of Radon Areas 1 and 2 generally follows the Coast Mountains as shown in Figure 2.



Figure 2

Question 3: Can I use perforated pipe below the air barrier system?

Answer: Yes, you may have multiple inlets on the same radon vent pipe and the perforations act as inlets. The material that serves as the gas permeable layer should project beyond the perforations to facilitate effective depressurization. The pipe must be sealed where it penetrates the air barrier system to maintain its integrity and must be air tight from that joint until termination.

Question 4: If I install a fan during initial construction, what are the code requirements for that fan?

Answer: Because the BC Building Code does not require a fan, there are no requirements specific to radon mitigation that the fan must comply with other than to be air tight. A fan installed along the radon vent pipe must maintain the air-tightness of the radon vent pipe and maintain the integrity of the air barrier system in order to limit leakage from the radon vent pipe into the building.

Question 5: How are buildings other than dwelling units protected against radon?

Answer: Buildings that do not conform to the provisions discussed in this bulletin must conform to environmental separation and ventilation requirements which are found in Parts 5 and 6 of the BC Building Code.

Appendix

The following sources can provide more information on radon in homes:

British Columbia Ministry of Health (health.gov.bc.ca)

RadonAware, British Columbia Lung Association (radonaware.ca)

The Canadian Cancer Society (cancer.ca)

Canadian Mortgage and Housing Corporation and Health Canada publication

- **Radon: A Guide for Canadian Homeowners 2007** (publications.gc.ca)

Health Canada publication

- **Guide for Radon Measurements in Residential Dwellings (Homes) 2008** (publications.gc.ca)
- **Radon – Reduction Guide for Canadians** (hc-sc.gc.ca)

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

AGENDA

To: Tate Bengtson, CAO
From: Jennifer Bellamy, CFO
Date: August 9, 2023
Subject: 2024-2027 Permissive Tax Exemptions

Recommendation:

THAT Council approves providing the properties as listed on Appendix "A" with a permissive tax exemption for the 2024-2027 taxation years.

Alternate Recommendation:

THAT Council establishes a select committee to review the applications for permissive tax exemptions and to provide Council with a recommendation for the 2024-2027 taxation years.

Background:

Under section 224 of the Community Charter, Council has the authority to provide property tax exemptions (PTEs), by bylaw, to certain eligible properties. Eligible properties may include:

- Property owned or held by a charitable, philanthropic or other not for profit corporation and the property is used for a purpose directly related to the purpose of the corporation.
- Property owned or held by a local government that is not eligible for a statutory (automatic) exemption.
- Property located around a place of public worship that is not eligible for a statutory exemption (a building used for a place of public worship and the land directly underneath the building can qualify for a statutory exemption, but the remaining land does not).

PTEs are used by Council to support objectives for the community. The objectives and policies related to PTEs must be set in the City's Financial Plan. Attached is the City's Permissive Tax Exemption policy, which is in line with the Financial Plan.

Appendix "A" is a listing of the properties that have applied for a PTE for 2024-2027. There has been no change to the properties listed from the previous term. The term is for a period of four years to allow Council to approve PTEs provided at the beginning of its own governing term. The maximum term that may be provided is ten years. Note that if Council wishes to add or remove applicants, this can be done through a bylaw amendment. Any increase in PTEs provided will have an impact to next year's property taxes as the value of the exemption will need to be paid for by the remaining taxpayers.

The PTEs on Appendix "A" are for 100% of the property tax value for each of the properties listed, with the exception of the following:

1. Royal Canadian Legion – only the portion of the property related to the hall is eligible for a PTE. The remainder of the property, which is used for a lounge, is not eligible as this purpose is not directly related to the charitable or philanthropic purpose of the Legion (per BC Assessment).
2. Seventh-Day Adventist Church – the Church is not eligible to receive a statutory exemption for the building or the land directly beneath the building as the property is not owned by the Church. Due to the significant amount of net income realized by the Seventh-Day Adventist Church, the full property value has not been provided with a PTE. Instead, Council has provided a PTE on the same basis that other Church's receive. This amounts to 50% of the land value and was provided to recognize the contributions made by the Church in the community.

Alternatively, if Council wishes to review the applications in more detail and then make a determination, it is recommended that a select committee is established. The committee would review the applications and bring forward a recommendation to Council of which properties to provide a PTE to.

Once Council approves the list of properties to be provided an exemption, the properties, along with the estimated tax exemptions, will be advertised before the bylaw is brought forward to Council. The permissive tax exemption bylaw must be adopted by October 31, 2023 in order to take effect in 2024.

Respectfully Submitted


Jennifer Bellamy
Chief Financial Officer

Policy Title	PERMISSIVE TAX EXEMPTIONS
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<u>Effective Date:</u> Sept 17/18	<u>Authorized By:</u> Mayor and Council Regular meeting of September 17, 2018	<u>Replaces:</u> Policy adopted by Council October 6, 2008
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PURPOSE

To provide guidance for applying, reviewing and approving permissive tax exemptions.

POLICY

The *Community Charter* provides Council with the ability to exempt property taxes on properties held by charitable, philanthropic, or other not for profit organizations where the property is used for purposes directly related to the organization. This allows Council to support organizations within the community which further Council's objectives of enhancing quality of life (economic, social, cultural) and delivering services economically. There is NO obligation on the part of Council to grant permissive tax exemptions.

All exemptions considered must be reviewed against the City's Financial Plan and its implication to the annual municipal levy. The total value of permissive tax exemptions granted are not to exceed 5% of the annual municipal levy.

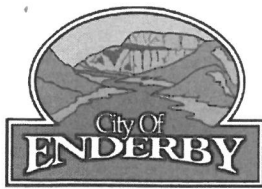
ELIGIBILITY

1. Only organizations meeting the requirements of the *Community Charter* are eligible for a permissive tax exemption.
2. The Organization's use of the land and/or improvements must be used for public benefit to provide programs and/or activities consistent with Council's objective of enhancing quality of life and delivering services economically.
3. The exemption must be used to benefit the Organization directly and the cost savings attributed to the exemption cannot be turned over to another organization.
4. Applicants must submit the required documentation, completed in full, by July 31st of each year.

DURATION AND EXTENT OF EXEMPTION

1. Eligible applicants may be considered for tax exemptions exceeding one year and up to four years. All applicants must submit a full, completed application at the beginning of the term. For subsequent years in the term, only the documents as listed in Section 6 of the application and a statement describing how the Organization used the exemption savings needs to be submitted, along with any information as required by the City to perform its review.
2. If there is a change of use of the property that departs from the original application, the exemption will cease and the organization must submit a new application.

3. Council has the ability to exempt the land, improvement, or a portion thereof in order to comply with this policy and meet any financial objectives.
4. All applicants must review its property assessment notice annually. If the information on the property assessment is unreasonable, the applicant must make an appeal to B.C. Assessment.
5. Council has the ability to apply conditions to the applicant and/or property that must be met in order to receive an exemption.



PERMISSIVE TAX EXEMPTION APPLICATION

Name of Organization: _____

Mailing Address: _____

Civic Address: _____

Tax Folio Number: _____

Tax Year: _____

Contact Person: _____

Phone Number: _____

Email: _____

Fiscal Year End: _____

1. Group's Aims and Objectives:

2. Description of Services Provided to the Community:

3. Outline details of efforts made by your organization to work towards self-sufficiency:

6. Describe how the organization intends to direct the savings realized from the exemption:

7. Has your Group received grants from other Senior Governments (Provincial/Federal), Local Governments, Crown Agencies, etc in the past three (3) years?

Name of Contributors	Year	Amount Received
_____	_____	_____
_____	_____	_____
_____	_____	_____

8. Applications must be accompanied by the following information:

- ☐ Financial Statements of the previous fiscal year
- ☐ Budget for the current fiscal year with comparatives from the previous year
- ☐ List of current Directors
- ☐ Any additional information which you feel should be considered with the application

Please forward this application to: CITY OF ENDERBY
BOX 400, 619 CLIFF AVENUE
ENDERBY, B.C.
V0E 1V0

**ON BEHALF OF _____, I HEREBY DECLARE THAT ALL
THE INFORMATION PRESENTED AND/OR PROVIDED WITH THIS APPLICATION
IS TRUE AND CORRECT.**

Dated this _____ day of _____, _____.

Authorized Signatory

Name & Position

APPENDIX "A"

City of Enderby 2024 - 2027 Permissive Tax Exemptions

Name	Civic Address	Estimated 2024 Taxes	Estimated 2025 Taxes	Estimated 2026 Taxes	Estimated 2027 Taxes
Turning Points Collaborative Society - Pioneer Place	1104 Belvedere Street	11,299	11,638	11,988	12,347
Enderby & Dist. Senior Citizens Complex	606 Stanley Avenue	2,382	2,453	2,527	2,603
Enderby & Dist. Senior Citizens Complex	1011 George Street	3,572	3,679	3,789	3,903
Provincial Rental Housing - Enderby Memorial Tower	708 Granville Avenue	14,010	14,431	14,864	15,309
Enderby Fraternal Hall Society	507 Mill Avenue	1,353	1,393	1,435	1,478
Royal Canadian Legion	909 Belvedere Street	1,590	1,638	1,687	1,737
St. Andrew's United Church	606 Regent Avenue	1,219	1,256	1,293	1,332
St. Andrew's United Church	1110 Belvedere Street	782	805	829	854
Enderby Evangelical Chapel	706 Mill Avenue	1,011	1,042	1,073	1,105
Synod of the Diocese of Kootenay	602 Knight Avenue	1,262	1,300	1,339	1,379
Synod of the Diocese of Kootenay	608 Knight Avenue	739	761	784	807
Enderby Congregation of Jehovah's Witnesses	115 George Street	3,550	3,657	3,766	3,879
Roman Catholic Bishop of Kamloops	1406 George Street	1,614	1,662	1,712	1,763
Seventh-Day Adventist Church	703 Old Vernon Street	2,746	2,828	2,913	3,001
172965 Canada Ltd - City Hall Parking Lot	907 George Street	2,603	2,681	2,762	2,844
City of Enderby - Drill Hall	208 George Street	2,876	2,963	3,052	3,143
City of Enderby - Drill Hall Parking Lot	206 George Street	1,041	1,072	1,105	1,138
City of Enderby - Drill Hall Parking Lot	204 George Street	1,692	1,743	1,795	1,849
City of Enderby - Museum	903 George Street	6,698	6,899	7,106	7,319
Total estimated taxes		62,039	63,900	65,817	67,792

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner
Date: August 15, 2023
Subject: Pay Parking Program for Tuey Park

RESOLUTION A

THAT Council does not pursue a pay parking program for Tuey Park at this time.

RESOLUTION B

THAT Council directs Staff to report back with a proposal for an app-based pay parking program at Tuey Park which would be based on a reduced level of enforcement and a limited collections process for unpaid tickets.

RESOLUTION C

THAT Council directs Staff to prepare a Request for Proposals for a consultant to prepare a business case for implementing a pay parking program at Tuey Park, based on a full level of enforcement, appropriate dispute resolution, and a comprehensive collections process for all unpaid parking tickets, along with an analysis of the Staff capacity that would be required for the implementation and on-going maintenance of the program.

RESOLUTION D

THAT Council provides alternate direction to Staff.

BACKGROUND

Tuey Park is a popular public beach and off-leash dog park which sees a large volume of park users, particularly throughout the summer months. In the past, the large volume of park users resulted in parking demands that exceeded the supply of parking spaces during peak season, which resulted in vehicles parking along Waterwheel Street and creating issues related to congestion and access.

In late 2019, Staff brought forward an analysis of parking management options for Tuey Park (original memorandum is attached as Schedule 'A'); these options included:

1. Implementing an automated pay parking program with added bylaw enforcement at Tuey Park;
2. Implementing a 'volunteer pay' parking program at Tuey Park;

3. Engaging a consultant to collect data and analyze the issues, opportunities, and constraints at Tuey Park in order to develop a comprehensive parking management plan for the site and the surrounding neighbourhood;
4. Expanding overflow parking to the grassy area along the western side of Tuey Park while restricting parking to one-side only along that portion of Waterwheel Street adjacent to agricultural land, and monitoring conditions.

Council resolved to proceed with Option 4, while also resolving to install signage at Tuey Park to educate river floaters that Belvidere Hand Launch is only a 15-20 minute walk from Tuey Park (low-cost solution intended to educate users and help to reduce the parking demands associated with river floaters parking their vehicles at this location).

In 2020, the following works were completed:

- Expanded the parking area to the west, which resulted in a ~30-40% increase in parking capacity;
- Installed two large signs at the park entrance which consolidated a number of other signs installed throughout the park, which were subsequently removed, and encouraged floaters to walk to Belvidere Park; and
- Installed 'No Parking Signs' and rock barriers along the west side of Waterwheel Street.

The aforementioned works were successful in achieving the intended objectives of increasing parking capacity at Tuey Park and avoiding parking conflicts along Waterwheel Street.

An elected official has now requested that the implementation of a pay parking program for Tuey Park be brought forward for Council consideration; given that the aforementioned works were successful with regards to parking management at Tuey Park, the presumed objective of introducing a pay parking program at Tuey Park would be the generation of non-tax (user) revenues to fund operating costs or invest in enhanced amenities.

As previously mentioned, the option of a pay parking program was presented to Council in 2019 when it considered a range of parking management options for Tuey Park; Staff performed a financial and capacity analysis of a pay parking program, based on the following:

- The use of automated pay stations (app-based parking programs were not as common when the matter was initially considered in 2019, so these were not explored at that time);
- On-going bylaw enforcement for non-compliance; and
- Undertaking a comprehensive collections process for unpaid tickets.

The key outcomes of this analysis were as follows (full analysis is contained in the schedules of the attached memorandum):

- After factoring in fee revenue, ticketing revenue, and annual operating costs (additional bylaw enforcement, pay station maintenance, lifecycle replacement cost for pay stations, annual

software subscriptions), the estimated annual net revenues associated with a full pay parking program would be:

- \$5,812.50 if local residents received free parking;
- \$11,483 if local residents received discounted parking; or
- \$14,153.50 if local residents received no discount.

****NOTE:** The previous revenue calculations were based on the layout of the Tuey Park parking lot prior to its expansion in 2020; given that there has since been an increase in parking capacity, the net revenues noted above may be underrepresented as there is now the potential for additional vehicles to park during peak demand.

- There is a significant staffing component associated with implementing an on-going pay parking program, which include the following activities:
 - Handling customer complaints and inquiries;
 - Facilitating payment of tickets;
 - Coordinating disputed tickets;
 - Conducting screening officer meetings for disputed tickets;
 - Preparing evidence packages for disputed tickets which are advanced to adjudication;
 - Coordinating and attending adjudication for disputed tickets;
 - Coordinating with ICBC for vehicle information for unpaid parking tickets;
 - Sending invoices for unpaid parking tickets;
 - Coordinating with a collections agency for unpaid parking tickets; and
 - Troubleshooting and coordination for technical issues with hardware/software.

The aforementioned activities were estimated to require **242 Staff hours per year**.

- There is an opportunity cost associated with directing limited staff resources towards administering a pay parking program, which will impact other priorities and required job functions, unless more staff is added.

Given that there would be a very significant capacity burden associated with implementing a pay parking program for Tuey Park if it were to involve a full level of enforcement, appropriate dispute resolution, and a comprehensive collections process for unpaid tickets, should Council wish to go this route it is recommended that Council directs Staff to prepare a Request for Proposals for a consultant to prepare a full business case for the expected revenues and expenses associated with implementing a pay parking program of this scale, along with an analysis of the Staff capacity that would be required for the implementation and on-going maintenance of the program. Staff do not have the capacity nor expertise to undertake an in-depth, detailed analysis of this scale.

Alternatively, a pay parking program which utilizes a reduced level of enforcement (i.e limited number of tickets issued, fewer disputed tickets) and a limited collections process for unpaid tickets would reduce the administrative burden associated with maintaining this type of program; furthermore, an 'app-based' parking program could help to significantly lower the capital cost burden given that it would avoid the need to purchase, maintain and renew automated pay stations. However, with a reduced level of enforcement there is likely to be a significant reduction in revenues associated with the

program, given that there would be less ticketing revenue and many park users may choose to not pay the parking fees if they perceive a lower risk of ticketing. If Council wishes to go this route, Staff can report back with a proposal for an app-based pay parking program at Tuey Park which would be based on a reduced level of enforcement and a limited collections process for unpaid tickets. It should be noted that Staff have engaged with one app-based parking provider and they have confirmed that the annual licensing costs to use their system would be \$14,000 per year and they would charge a convenience fee of \$0.50 per parking transaction, while merchant processing fees would be 2.9% + \$0.30 per parking transaction.

With respect to the introduction of a pay parking program at Tuey Park, Council may want to consider the following additional items:

- At the request of Council, the previous Staff analysis related to the introduction a pay parking program included an option for a 'local resident discount'; it should be noted that such a discount program would be extremely difficult to administer and would likely require significant Staff resources;
- A pay parking program could potentially result in park users choosing to park along the unpaved portion of Waterwheel Street in order to avoid having to pay parking fees; should the capacity of parking spaces along the unpaved portion of Waterwheel Street be exceeded, it could result in vehicles parking along the residential portion of Waterwheel Street, which would introduce a range of parking conflicts; and
- Tuey Park is home to the City's only designated dog park and the introduction of a parking fee for local dog park users could met with resistance. Given the layout of the Tuey Park parking lot, it is not viable to separate out a dog park parking area from a beach parking area; even if this were viable, it would likely result in beach users parking in the dog park parking area in order to avoid parking fees.

Respectfully Submitted,



Kurt Inglis
Planner

Schedule 'A'

Agenda

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner and Deputy Corporate Officer
Date: December 12, 2019
Subject: Parking Management for Tuey Park

RECOMMENDATION

THAT Council directs Staff to install signage at Tuey Park to educate river floaters that Belvidere Hand Launch is only a 15-20 minute walk from Tuey Park;

AND THAT Council considers whether it wishes to implement any of the following options for managing parking at Tuey Park:

1. Implementing an automated pay parking program with added bylaw enforcement at Tuey Park for the 2020 season;
2. Implementing a 'volunteer pay' parking program at Tuey Park for the 2020 season;
3. Engaging a consultant to collect data and analyze the issues, opportunities, and constraints at Tuey Park in order to develop a comprehensive parking management plan for the site and the surrounding neighbourhood;
4. Expanding overflow parking to the grassy area along the western side of Tuey Park while restricting parking to one-side only along that portion of Waterwheel Street adjacent to agricultural land, and monitoring conditions.

BACKGROUND

Tuey Park is a mid-sized park located on the northern boundary of Enderby which includes a beach and off-leash dog park. The park sees large volumes of users (both locals and tourists) throughout August and parts of July and September depending on weather and water levels. Tuey Park is not only a popular location for beach users, but also tubers who end their river floats at this location. Many floaters choose to park their vehicles at Tuey Park in order to drive back to their original launching point after they have completed their float. The parking area at Tuey Park is gravelled and the parking layout is delineated by concrete parking stops. The parking demands exceed the supply of parking spaces during peak days, resulting in vehicles parking along Waterwheel Street which leads to congestion and access concerns.

Council discussions have taken place regarding the implementation of a parking management program (or conversely a 'volunteer pay' parking program) at Tuey Park in order to fund improvements and manage parking and access at the site. It was anticipated that such a program would achieve two outcomes, i) the reduction of congestion at Tuey Park, and ii) the generation of non-tax (user) revenues, which could be re-invested into community amenities.

Notwithstanding the potential management options for Council consideration described below, it is recommended that Council directs Staff to install signage at Tuey Park to educate river floaters that Belvidere Hand Launch is only a 15-20 minute walk from Tuey Park. This is a low-cost solution that would educate users and help to reduce the parking demands associated with river floaters parking their vehicles at this location.

Below is an analysis of four potential management options which Staff are advancing for Council consideration, including:

1. Implementing an automated pay parking program with added bylaw enforcement at Tuey Park for the 2020 season;
2. Implementing a 'volunteer pay' parking program at Tuey Park for the 2020 season;
3. Engaging a consultant to collect data and analyze the issues, opportunities, and constraints at Tuey Park in order to develop a comprehensive parking management plan for the site and the surrounding neighbourhood;
4. Expanding overflow parking to the grassy area along the western side of Tuey Park while restricting parking to one-side only along that portion of Waterwheel Street adjacent to agricultural land, and monitoring conditions.

1. Pay Parking Program

Pay parking programs may help reduce parking demand while generating revenue. However, there are costs and impacts associated with this type of user-pay program that need to be carefully considered to ensure that the solution achieves the intended outcomes without producing unintended consequences.

Staff have sourced a pay station unit that is keeping with industry standards, with an overview of the unit and its features being outlined in the attached Schedule "A". Staff have conducted a business case analysis for a pay parking program at Tuey Park, based on the aforementioned pay station unit, which is attached to this memorandum as Schedule "B". This analysis looked at the costs associated with purchasing, installing and operating a pay-station parking model and the anticipated revenues associated with parking fees and ticketing of non-compliant users. The key outcomes of this analysis are as follows:

- The total per season **gross revenues** are estimated at between **\$15,989 - \$24,330**, depending upon whether locals would receive free or discounted parking.
- The total per season **net revenues** are estimated at between **\$5,812 - \$14,153**, depending upon whether locals would receive free or discounted parking.
- The start up costs are estimated at **\$24,883**.
- The number of staff hours required to administer the program are estimated at **242** hours per season, which is not included in the net revenue calculation as it is assumed that this is an opportunity cost. This analysis is outlined in the attached Schedule "B".
- Some of the potential issues associated with a pay parking program include:
 - i. If discounted or free parking **is not** provided for locals, they may be upset that they are paying property taxes which go towards maintaining a local park, yet must pay parking fees to use the facility;

- ii. If free or discounted parking is provided for locals, this will have additional administrative and operational costs associated with distribution of passes and abuse of the system (i.e. counterfeit passes) and impact net revenues;
- iii. Pay parking may result in vehicles being displaced further up Waterwheel Street on an on-going basis, as opposed to just during peak-demand times. In order to mitigate the potential for parking spill-over, 'no parking' signage should be installed along the entirety of Waterwheel Street, which would require additional enforcement. The installation of signage may be visually unappealing for the residential properties along the street;
- iv. There would be a significant increase in staff time associated with the following tasks:
 - Handling inquiries and complaints;
 - Coordinating with bylaw enforcement;
 - Processing disputed tickets (screening officer meetings, adjudication, etc.);
 - Facilitating ticket payments;
 - For unpaid tickets, obtaining contact information through ICBC;
 - Invoicing for unpaid tickets;
 - Coordinating with collections agencies for unpaid tickets; and
 - Dealing with technical issues and vandalism.
- v. Should a pay parking program not help to limit parking demands, such that the demand still out-paces the supply, the congestion concerns would continue to persist; and
- vi. Tuey Park is located in a secluded location where natural surveillance is limited, which would make the pay station unit vulnerable to vandalism/theft; however, Staff do note that the quoted unit has vandalism/theft measures built in, and the potential for vandalism/theft could be further mitigated by, i) installing signage which lets potential vandals/thieves know that the unit is remotely monitored, ii) installing bollards to prevent vehicles from hitting the unit, and iii) choosing a unit that only accepts credit cards for payment, and not cash/coins.

Staff research led to a discussion with BC Parks regarding their implementation and subsequent removal of pay parking stations; they noted the following:

- Experienced issues with cost recovery for most of the units;
- Experienced maintenance challenges with the parking machines which accepted both credit card and cash/coin as payment options;
- There was a large administrative cost associated with administering pay parking;
- The pay parking program resulted in parking spill-over onto the adjacent streets, and the installation of 'no parking' signs on adjacent streets was recommended if a pay parking program is pursued;
- On-going issues with changes to credit card encryptions which results in significant costs to keep up with changes in anti-fraud technology;
- The pay stations cost \$10,000 at the time; and
- Ongoing issues with vandalism.

2. Volunteer Pay Parking Program

The option of implementing a 'volunteer pay' parking program at Tuey Park has been discussed, which would involve installing a secure box where park users could donate money for parking.

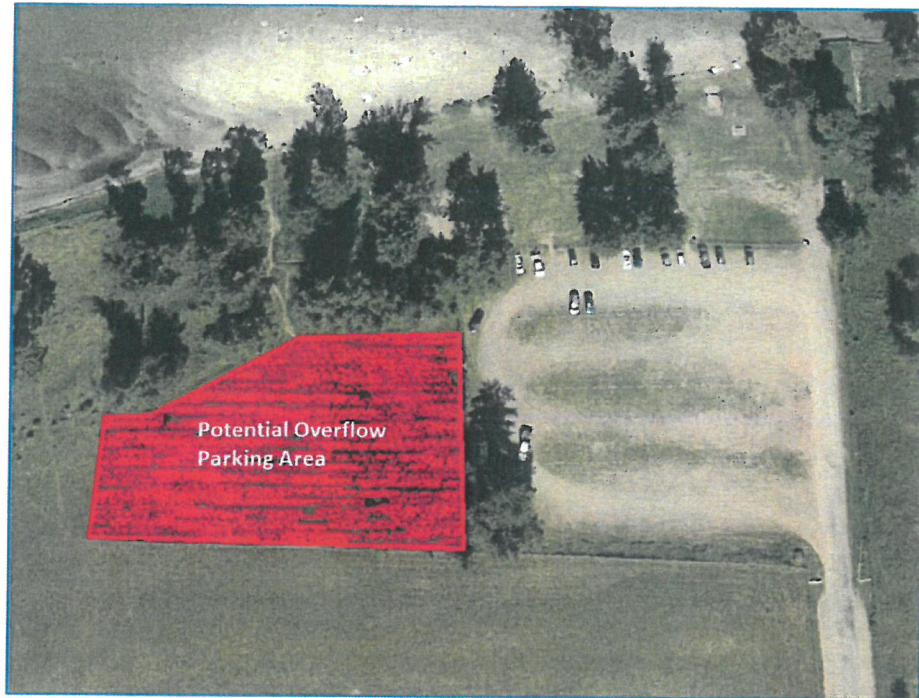
It is anticipated that the number of park users who would voluntarily donate would be minimal, and the practice would not reduce parking demands. Furthermore, the donation box would be a target for theft and would need to be emptied daily. Although there could be efficiencies realized with the Tuey Park gate opening/closing contractor, there would be incremental costs associated with administering a cash-handling system.

3. Engaging Consultant

Another option is to engage a consultant with expertise in parking management to collect data and analyze the issues, opportunities, and constraints at Tuey Park in order to make comprehensive recommendations on steps that can be taken to better manage access and parking. This consultant would analyze the site, gather relevant data such as vehicle counts and a breakdown on the types of users (i.e. beach goers versus float parkers), researching best management practices and programs implemented by communities with a similar context, and use this information to develop a management plan that the City can implement. This option would allow for an expert to obtain site-specific data in order to identify solutions that best fit within the context of the situation, and offer the best chance at achieving the intended outcomes of reducing congestion at the park and generating non-tax revenues, without producing unintended outcomes such as aggravating on-street parking congestion in surrounding neighbourhoods. This management plan may ultimately recommend that a pay parking program is appropriate, and provide a comprehensive analysis of how best to ensure a return-on-investment and demand reduction that meets Council's objectives. The management plan may identify other options that should be explored prior to implementing a pay parking program, which may be more effective. The key benefit of this approach is that it would provide Council with the range of options that are available, which would inform future decision making.

4. Expand Overflow Parking and Restrict Parking to One Side of Waterwheel Street

The last demand management option involves increasing supply strategically while restricting it elsewhere, by expanding overflow parking to the grassy area along the western side of Tuey Park and restricting parking to one-side only along that portion of Waterwheel Street adjacent to agricultural land, and monitoring conditions. It is estimated that expansion of overflow parking to the grassy area along the western side of the park could increase parking capacity by 30-40% (see figure below).



This concept would require minimum re-grading and the area could be left as grass. There would be some costs to relocate and add large rock no-posts, which Staff are estimating at a one-time cost of \$3,000. Although this option would not result in the generation of any revenues, it is a cost-effective solution that will significantly reduce the congestion and parking spill-over impacts without an on-going administrative cost.

Furthermore, restricting parking to one-side along the unpaved portion of Waterwheel Street will help to provide additional spaces for overflow parking, while ensuring that the street does not get congested such that access to the park is prevented. There will be minor costs associated with installing signage, estimated at \$750, and enforcing the 'no parking' signs on the one side of Waterwheel Street.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Kurt Inglis', is written over a horizontal line.

Kurt Inglis
Planner and Deputy Corporate Officer

SCHEDULE "A"

DESCRIPTION OF PAY PARKING STATION

- Luke II Multi-Space Pay Station
 - Given the demands, a single pay station is appropriate
 - The pay station can facilitate pay parking by one of two methods: i) user inputs their license plate number into the pay station and specifies the number of hours they wish to park, or ii) user specifies the number of hours they wish to park and a stub is printed and placed on the dash of the vehicle
 - Payment can occur via credit card or cash/coins, depending upon which unit is purchased
 - Cost of \$17,440 (including tax and shipping) for the pay station unit that accepts both cash/coins and credit card for payment
 - Cost of \$14,929 (including tax and shipping) for the pay station unit that only accepts credit card for payment
 - There is additional maintenance associated with the unit equipped to accept coins/cash, with this type of unit also having a higher threat for theft/vandalism
 - No rental/lease options available for a single unit
 - Pay station unit is solar powered and does not require access to the power grid
 - Mounts to an in-ground concrete pad, and can be removed on an annual basis; there are no electronic or mechanical components within the 20.22" pedestal base, and therefore this portion of the unit can be submerged under water (i.e. can be used in flood prone areas)
 - Unit comes with a one-year warranty and extended support can be purchased at \$1,450/year which covers software, upgrades, hardware support, telephone support
 - Lifecycle from a support standpoint is 7 years from the time that the model is discontinued
- The pay station is loaded with Iris Digital Software which manages the pay station network, processes payments, and facilitates reporting/monitoring of data
 - \$100/month subscription which can be discontinued when the unit is not in use
 - Requires a separate cellular subscription from a data provider (Telus, Rogers, etc.)
 - Coupons can be made available for complimentary or discounted parking
- Enforcement occurs through: i) transaction data being sent to an enforcement officer's handheld device (i.e. lists the license plates of the vehicles that are paid up), or ii) enforcement officer visually confirming that a valid stub is displayed on vehicle's dash
- The pay station is equipped with an anti-drill plate to prevent theft and if the unit is struck, a built-in alarm will sound and notifications will be texted to any pre-programmed cell phones
- Ongoing maintenance involves wiping the solar panel down once a week to keep it free from dust, refilling receipt paper and running cleaning cards through the printer (if it's a model that prints receipts), removing cash/coins (if it's a model that accepts cash/coin for payment), and opening the unit to clear any dust that has accumulated inside to prevent damage.

SCHEDULE "B"

BUSINESS CASE ANALYSIS FOR PAY PARKING PROGRAM AT TUEY PARK

Start Up Costs

The estimated start-up costs for implementing a pay parking program are as follows:

ITEM	COST
Purchase of automated pay station which accepts coins/cash and credit card (including shipping and tax)	\$17,440
Digital software setup	\$988
Remote staff training on digital software	\$705
Pour and prep concrete mounting pad	\$500
Installation of anti-theft/vandalism bollards	\$1,500
Signage (anticipating 22 no parking signs along Waterwheel Street, and 3 educational signs in park)	\$3,750
TOTAL START-UP COSTS	\$24,883

Staff Time

It is anticipated that administering a pay parking program at Tuey Park would require a significant amount of staff time. The following is an overview of the estimated number of hours that would be expended for each of the Staff roles:

ROLE	NUMBER OF HOURS PER SEASON
Frontline Staff (facilitating payment of tickets, customer complaints (first level), inquiries)	25 hours
Accounting Clerk (coordination with ICBC for contact information, invoicing for unpaid tickets, developing and sending statements)	108 hours
Chief Financial Officer (collections, customer complaints (third level), financial administration)	18 hours

Chief Administrative Officer (Screening Officer meetings, customer complaints (third level), program oversight)	16 hours
Planner and Deputy Corporate Officer (inquiries, customer complaints (second level), coordinating screening meetings, coordinating adjudication, coordination with bylaw enforcement, technical/software support)	75 hours
TOTAL	242 hours

Staffing Notes:

- There is an opportunity cost associated with directing limited staff resources towards administering a pay parking program, which will impact other priorities and required job functions, unless more staff is added;
- The above does not factor in the administration time/costs associated with implementing a potential discounted or free parking program for locals;
- For efficiency, it is likely that the role of the Screening Officer may need to be contracted out, and these costs have not been factored into the business case analysis;
- It may be more cost effective to obtain a seasonal contract for a bylaw enforcement clerk during the summer season, and these costs have not been factored into the business case analysis; moreover, at present when one of the two frontline staff are on vacation, the position is not backfilled and the time-sensitive functions are re-allocated while the remainder are deferred; given the additional demands, a bylaw enforcement clerk could ensure that the new demands are managed; and
- Given the significant amount of staff resources that would be involved in administering a pay parking program, it is likely that the City would need to implement a policy where there is less focus on collections in order to better align a potential pay parking program with the realities of staff capacity constraints, which in turn would reduce the potential revenues associated with ticketing.

Revenues for Parking Fees

- Assumptions:
 - Peak season is 10 weeks long
 - 99 vehicles parked on weekends during peak season
 - 60 vehicles parked on weekdays during peak season
 - The assumed number of vehicles parked on weekends and weekdays is based on an average throughout the season, not peak demand; this factors in variables such as poor weather
 - 1/3 of parked vehicles are local, 2/3 of parked vehicles are tourists
 - 2/3 of users will pay for parking, 1/3 will risk ticketing
 - Each vehicle who pays for parking will spend an average of \$5
 - Credit card company receives 2% of revenues in fees

OPTION A - Free Parking for Locals		
Weekend Revenues		
<u>Type of User</u>	<u>Number of Vehicles</u>	<u>Revenue</u>
Locals	33	\$0
Paying Tourists	44	\$220
Non-Paying Tourists	22	\$0
Total Weekend Revenues		\$220/day, \$440/weekend
Weekday Revenues		
<u>Type of User</u>	<u>Number of Vehicles</u>	<u>Revenue</u>
Locals	20	\$0
Paying Tourists	27	\$135
Non-Paying Tourists	13	\$0
Total Weekday Revenues		\$135/day, \$675/week
GROSS WEEKLY REVENUES		\$1,115/week
GROSS SEASON REVENUES		\$11,150/season
SEASON REVENUES less 2% credit card fee		\$10,927/season

OPTION B - Discounted Parking for Locals (50%)		
Weekend Revenues		
<u>Type of User</u>	<u>Number of Vehicles</u>	<u>Revenue</u>
Paying Locals	22	\$55
Non-Paying Locals	11	\$0
Paying Tourists	44	\$220
Non-Paying Tourists	22	\$0
Total Weekend Revenues		\$275/day, \$550/weekend
Weekday Revenues		
<u>Type of User</u>	<u>Number of Vehicles</u>	<u>Revenue</u>
Paying Locals	13	\$32.50
Non-Paying Locals	7	\$0
Paying Tourists	27	\$135
Non-Paying Tourists	13	\$0
Total Weekday Revenues		\$167.50/day, \$837.50/week
GROSS WEEKLY REVENUES		\$1,387.50/week
GROSS SEASON REVENUES		\$13,875/season
SEASON REVENUES less 2% credit card fee		\$13,597.50/season

OPTION C – No Discounts for Locals		
Weekend Revenues		
<u>Type of User</u>	<u>Number of Vehicles</u>	<u>Revenue</u>
Paying Locals	22	\$110
Non-Paying Locals	11	\$0
Paying Tourists	44	\$220
Non-Paying Tourists	22	\$0
Total Weekend Revenues		\$330/day, \$660/weekend
Weekday Revenues		
<u>Type of User</u>	<u>Number of Vehicles</u>	<u>Revenue</u>
Paying Locals	13	\$65
Non-Paying Locals	7	\$0
Paying Tourists	27	\$135
Non-Paying Tourists	13	\$0
Total Weekday Revenues		\$200/day, \$1,000/week
GROSS WEEKLY REVENUES		\$1,660/week
GROSS SEASON REVENUES		\$16,600/season
SEASON REVENUES less 2% credit card fee		\$16,268/season

Revenues from Ticketing

- Assumptions:
 - Ticket amount = \$50.00
 - 1/4 of non-paying users will be observed by Bylaw Enforcement and ticketed (43 tickets per week, 430 tickets per year)
 - 1/2 of issued tickets will be paid (215 tickets paid per year)
 - 1/2 of tickets paid will be paid during the 14 day 'early payment' period in which the ticket recipient would receive a 50% discount

TICKETING REVENUES			
Weekend Revenues			
<u>Type of User</u>	<u>Number of Vehicles</u>	<u>Number of Vehicles Ticketed (1/4 of non-paying users)</u>	<u>Revenue</u>
Non-Paying Locals	11	3	\$150
Non-Paying Tourists	22	6	\$300
Gross Weekend Revenues			\$450/day \$900/weekend
Net Weekend Revenues (1/2 of those ticketed will pay, 1/2 of tickets paid will receive a 50% discount)			\$168.75/day \$337.50/weekend
Weekday Revenues			
<u>Type of User</u>	<u>Number of Vehicles</u>	<u>Number of Vehicles Ticketed (1/4 of non-paying users)</u>	<u>Revenue</u>
Non-Paying Locals	7	2	\$100
Non-Paying Tourists	13	3	\$150
Gross Weekday Revenues			\$250/day \$1,250/week
Net Weekday Revenues (1/2 of those ticketed will pay, 1/2 of tickets paid will receive a 50% discount)			\$93.75/day \$468.75/week
TOTAL WEEKLY REVENUES			\$806.25/week
TOTAL SEASON REVENUES			\$8,062.50/season

Total Gross Revenues

The total gross seasonal revenues between metering and ticketing are as follows:

OPTION	GROSS SEASONAL REVENUES
Option A – Free Parking for Locals	Parking Fees - \$10,927 Ticketing - \$5,062.50 TOTAL - \$15,989.50
Option B – Discounted Parking for Locals	Parking Fees - \$13,597.50 Ticketing - \$8,062.50 TOTAL - \$21,660
Option C – No Discounts for Locals	Parking Fees - \$16,268 Ticketing - \$8,062.50 TOTAL - \$24,330.50

Annual Expenses

- Assumptions:
 - Expected lifecycle for the unit is 7 years.
 - Should the pay station unit be damaged or vandalized, it would not be economical to claim this under the City's insurance policy given the deductible amount and the resulting increase to the City's premiums; given this, the annual lifecycle of the unit has been reduced from 7 years to 5 years to reflect the fact that the City would need to directly pay to repair or replace a damaged/vandalized unit.
 - The lifecycle replacement cost of \$3,837/year is based on the purchase of the \$17,440 unit, which accepts both coins and credit cards as payment; the lifecycle cost would be reduced to \$3,284/year if the credit card-only unit is purchased.

EXPENSES	
Additional Bylaw Enforcement (6 hrs per week x 10 weeks)	\$2,220
Parks Staff Time for Maintenance (1 hr per week x 10 weeks)	\$400
Lifecycle Replacement for Pay Station (Total cost of purchasing the unit over 5 year expected lifecycle + 2% per year for inflation)	\$3,837

EXPENSES	
Extended Support (per year)	\$1,450
Cellular and Software Subscriptions (4-month software subscription, 12-month cellular subscription)	\$1,120
Lifecycle Replacement for Signage (5 year expected lifecycle for sign faces, 10 year expected lifecycle for telespars)	\$550
Printing Tickets (450 tickets per year)	\$500
ICBC Data Account	\$100
TOTAL EXPENSES	\$10,177

Total Net Revenues

Given the anticipated annual expenses, the total seasonal net revenues between parking fees and ticketing are as follows:

OPTION	NET SEASONAL REVENUES
Option A – Free Parking for Locals	Gross Revenues - \$15,989.50 Annual Expenses - \$10,177 Net Revenues - \$5,812.50
Option B – Discounted Parking for Locals	Gross Revenues - \$21,660 Annual Expenses - \$10,177 Net Revenues - \$11,483
Option C – No Discounts for Locals	Gross Revenues - \$24,330.50 Annual Expenses - \$10,177 Net Revenues - \$14,153.50

NOTE: The seasonal net revenues outlined above do not take into account the opportunity cost to staff for administering the program, nor financial costs to expand staff.

Luke® II Multi-Space Pay Station

For On- and Off-Street Parking Environments

Public and private operators are realizing the benefits of multi-space pay stations: increased revenue, reduced operational costs, and superior customer service, to name just a few. Consumers also enjoy the added convenience, diverse payment options, and ease of use provided by pay stations. The Luke® II pay station is highly secure, flexible, and suitable for both on- and off-street deployments. Luke II fulfills customer service expectations and delivers superior performance and significant contributions to operators' top and bottom line.

Luke II Features for Parkers

- Range of convenient payment options, such as coins, bills, credit cards, smart cards, passcards (value cards, campus cards), coupons, and Pay-by-Phone services
- Contactless payments for rapid parking transactions
- Extend-by-Phone service provides expiration reminders and the ability to add time via mobile phone
- Large color screen that is easy to read
- Prompts in multiple languages
- Ability to pay for parking or add time using any pay station in the system
- Coin escrow refunds consumers' money upon a canceled transaction
- 38-key full alphanumeric keypad with illumination for easy license plate entry
- Easily recognizable design identifies machine as a parking pay station



Luke II Features for Parking Operators

- Separate maintenance and collections compartments for enhanced security
- Theft-resistant design to protect coins and internal components
- Patented enhanced locking mechanism and electronic lock support for added security
- PCI compliant and PA-DSS validated system ensures credit card data security
- Certified EMV card reader with Point-to-Point Encryption (P2PE) for mitigating the liability shift for counterfeit card fraud and exceptional card transaction security (T2 SecurePay)
- Pay-and-Display, Pay-by-Space, and Pay-by-License Plate on the same pay station
- Remote configuration of rates and policies saves time and money
- Integration with leading parking technology partners for a complete solution
- Flexible rate structures and diverse payment options can increase revenue
- Reduced maintenance and collections costs
- Real-time credit card processing to reduce processing fees and eliminate bad debt
- Real-time reporting and alarming
- Complete audit trail and rich analytics



Standard

Charcoal
Gray

Premium

Jet
Black

Pebble
Gray

Racing
Green

Marine
Blue

Citrus
Yellow

Luke II Specifications

Cabinet:	12-gauge cold rolled steel protected with an anti-corrosion coating
Payment Options:	Coins, bills, credit cards, contactless payments, smart cards, value cards, campus cards, coupons, Pay-by-Phone services. Coin escrow optional
Card Reader:	Cards are not ingested – no moving parts. Reads Tracks 1, 2, and 3 of all magnetic stripe cards conforming to ISO 7810 and 7811. Reads and writes to chip-based smart cards conforming to ISO 7810 and 7816. Optional EMV certified P2PE card reader available (T2 SecurePay)
Bill Stacker:	1,000 bill capacity
Printer:	2" receipt width
Display:	Color backlit LCD with 640 x 480 resolution
Keypad:	38-key alphanumeric with tactile buttons
Locks:	Can be re-keyed twice without removal of lock cylinder. Electronic locks optional
Access:	Separate compartments for maintenance and collections
Communication Options:	GSM, Ethernet, LTE
Environmental Requirements:	-40°F to 140°F (-40°C to 60°C) * Relative humidity: up to 95%
Power:	120 V AC. Slimline solar panel optional
Operational Modes:	Pay-and-Display, Pay-by-Space, Pay-by-License Plate
Multilingual Support:	Up to four languages using Roman or non-Roman characters
Audible Alarm:	Senses shock and vibration
Color:	Charcoal gray. Additional colors optional
Standards:	ADA compliant, PCI compliant, PA-DSS validated

*using separately purchased heater/insulator option
Low end of range is -4°F (-20°C) ambient without heater/insulator option



T2 Systems is the largest parking technology provider in North America, with more than 24 years in the parking management industry and currently serving thousands of parking professionals. T2 integrates the best people, processes, and technology for powerful, high performance, and secure parking solutions. Its open technology and processes are used to manage more than 200 million parking transactions for over 2 billion dollars annually across all 50 states and ten provinces in Canada. Customers rely on T2 for multi-space pay stations, permit management, enforcement, LPR, PARCS, vehicle counting, citation services, and event parking.

To learn more about T2's reliable and innovative parking and transportation solutions, visit T2systems.com.

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Data Intelligence Platform

The value of a parking system is measured by the ability to manage your pay station network, identify opportunities, take action, and measure results. An effective parking system is one that empowers parking operators, and their field staff, to make informed decisions that increase efficiencies, productivity, and the bottom line.

Digital Iris™ is an easy to use cloud-based data intelligence platform that provides secure and actionable information to the right people at the right time. This platform delivers insight through interactive metrics, data visualization, and automated reporting. With a wealth of real-time data, Digital Iris meets the needs of all users in your organization, from simple reporting to advanced analytics.

Core Functionality

- Secure cloud-based system accessible anytime, anywhere
- Personalized Web-based dashboards
- Self-administration of your pay station network
- Access to real-time operational and financial data
- Automated reporting offering basic reports and advanced analytics
- Real-time credit card and passcard processing

Operations Management

- Full operational insight into data and trends using data visualization
- Over 90 available metrics with 3,000 widget combinations including occupancy, utilization, and turnover
- Unified corporate dashboard supporting multiple branch operations
- Intuitive mapping to easily locate your pay stations and see real-time status alerts
- Configurable widgets to track the most important metrics in your operation

Collections and Maintenance

- Dedicated modules for collections and maintenance
- Real-time monitoring of your pay station network
- User created and managed pay station alerts
- Pay station alerts sent directly to field personnel
- Intuitive mapping for "hot spots" and efficient maintenance and collections routes
- Collections and maintenance data accessible to field personnel reducing response times

Enforcement

- Transaction data sent to enforcement handheld devices
- Integration with license plate recognition (LPR) systems for a 10- to 20-fold improvement in enforcement productivity
- Communication with space sensors
- Integration with mobile payment services

Mobile Workforce

- Real-time data to field personnel via Digital Payment Technologies mobile apps or third-party integrated devices
- Remote access to:
 - Transaction data and permit information
 - Pay station collections status and alerts
 - Pay station details and maintenance alerts

Parking Management

- Passcards and coupons to streamline financial management
- Coupons for complimentary or discounted parking
- Passcards for a reusable discount or a reloadable method of payment
- Support for event parking, permit parking, and parking validation
- Track and manage coupon and passcard use by individual consumer
- Billing reports to monitor coupon and passcard usage

Consumer Convenience

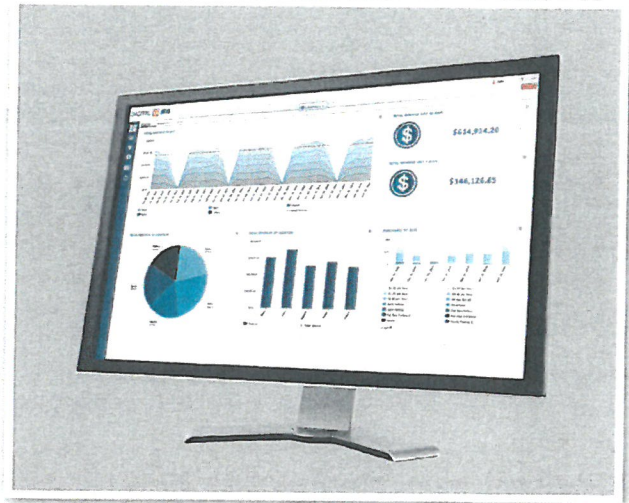
- Pay for parking or add time using any pay station or your mobile phone
- Receive expiry reminders via your mobile phone
- Advanced payment types such as passcards, smart cards, and contactless payments
- Load funds onto your smart card using any pay station

Open and Robust Architecture

- Easily integrate with third-party systems and custom built applications
- Extensive integrated partner network
- Clustered database architecture
- High availability with seamless failover
- Extensive application level monitoring

Data Security

- Secure role-based permission structure to enable only approved personnel to make system adjustments
- Secure hardware-based encryption for card processing
- PCI compliant (Level 1 service provider) and externally audited
- System does not require Flash or Java



Think Technology. Think Solutions. Think T2.



Since 1994, T2 Systems has been providing the parking industry with solutions that meet the ever-changing needs of parking managers and parkers alike. T2's unified parking management platform combines quality products and services with a commitment to thought leadership and strong customer relationships. T2's intelligent platform of Solutions-as-a-Service (SaaS)—including enforcement, permits, payments, PARCS, event parking and real-time parking availability—is trusted by over 1,000 organizations in the United States and Canada, including universities, cities, towns, private operators, and airports.

For additional information about T2 Systems, Inc. products and services, visit www.T2systems.com.

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