

REGULAR MEETING OF COUNCIL AGENDA

DATE: March 18, 2024
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: 863 6125 3508
Passcode: 697235

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

THAT the March 18, 2024 Council Meeting agenda be approved as circulated.

3. ADOPTION OF MINUTES

3.1 Meeting Minutes of March 4, 2024

Page 4

THAT the March 4, 2024 Council Meeting minutes be adopted as circulated.

4. DELEGATIONS

4.1 Diane Hutchison, Jody Fobe, Andrew Van Dokkumburg, and Nik Vischschraper
Enderby Chamber of Commerce

Page 11

5. DEVELOPMENT MATTERS AND RELATED BYLAWS

5.1 Development Variance Permit #0068-24-DVP-END

Page 12

Legal: LOT 9 DISTRICT LOT 226 OSOYOOS DIVISION YALE DISTRICT
PLAN 151 EXCEPT:

(1) PARCEL A (E10462)

(2) PLAN 22948

Address: 247 Brickyard Road, Enderby BC

Applicants: 1834567 Holdings Ltd.

Owners: Cory M Holdings

5.1.1 Public Input – Development Variance Permit #0068-24-DVP-END

5.1.2 Permit Issuance – Development Variance Permit #0068-24-DVP-END
THAT Council authorizes the issuance of a Development Variance Permit for the property legally described as LOT 9 DISTRICT LOT 226 OSOYOOS DIVISION YALE DISTRICT PLAN 151 EXCEPT: (1) PARCEL A (E10462) (2) PLAN 22948 and located at 247 Brickyard Road, Enderby, to permit variances to the following Sections of the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000:

- *Section 4.0 of Schedule "A" and Schedule "B" by not requiring a connection to a community sanitary sewage system for the proposed subdivision as shown on the attached Schedule 'A'; and*
- *Section 4.2.9 of Schedule "A" by permitting an on-site sewage disposal system on a lot less than 2 hectares in size, as shown on the attached Schedule 'A',*

subject to the following conditions:

1. *Any on-site sewage disposal system on the proposed lots must be an approved sewerage system under Part 3 of the Sewerage System Regulation; and*
2. *The property owner must register a covenant on the title of the property which requires that as a condition of any future Building Permit issuance, the owner must provide a sworn affirmation acknowledging that they are aware that:*
 - i. *The issuance of variances does not limit the City's ability to require connection to the City's community sanitary sewer systems in the future, at the property owner's expense; and*
 - ii. *It would be prudent to plumb and pre-service for community sewer on any future buildings of the property, in order to minimize the potential connection costs, if required by the City in the future.*

6. CONTINUING BUSINESS AND BUSINESS ARISING FROM COMMITTEES AND DELEGATIONS

7. BYLAWS

7.1 Development Applications Procedures Bylaw No. 1586, 2016 Amendment Bylaw No. 1787, 2024
THAT Council receives and files the memo titled Bill 44 – Update to Development Applications Procedures Bylaw dated March 14, 2024;

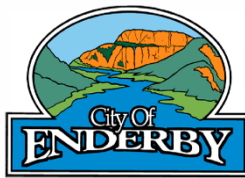
AND THAT Council gives Three Readings to The Corporation of the City of Enderby Development Applications Procedures Bylaw No. 1586, 2016 Amendment Bylaw No. 1787, 2024.

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 RDNO Building Permit Report – February 2024 Page 28
THAT the RDNO Building Permit Report – February 2024 be received and filed
- 9. NEW BUSINESS**
- 9.1 Hockeyville Campaign Discussion Verbal
- 9.2 Dog Park Survey Results Page 29
 Memo prepared by Chief Administrative Officer dated March 14, 2024.
 Chart of Disaggregate Data circulated under separate cover electronically.
THAT Council receives and files the dog park survey results;

AND THAT Council provides direction to Staff on its desire to proceed with developing a dog park;

AND FURTHER THAT, subject to Council resolving in favour of proceeding with a dog park, Staff be directed to prepare an action plan based on the dog park criteria specified by Council.
- 10. CORRESPONDENCE AND INFORMATION ITEMS**
 Mayor or Chair will provide an opportunity for any Council member to request that a Correspondence and Information Item be discussed separately.
THAT Council receives and files all Correspondence and Information Items.
- 10.1 Support for Bill-34 Page 38
 Correspondence from Travous Quibell, Mayor, Hudson's Hope dated March 7, 2024
- 11. PUBLIC QUESTION PERIOD**
- 12. ADJOURNMENT**



THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held on Monday, March 4, 2024 at 4:30 p.m. in Council Chambers.

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

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

Other: Press and Public

LAND ACKNOWLEDGEMENT

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

APPROVAL OF AGENDA

Mayor Galbraith requested that the agenda be amended by adding correspondence from Kathy Fabische regarding the closure of Bank of Montreal as item 8.5.

Moved by Councillor Yerhoff, seconded by Councillor Davyduke
“THAT the March 4, 2024 Council Meeting agenda be approved as amended.”

CARRIED

ADOPTION OF MINUTES

Meeting Minutes of February 20, 2024

Moved by Councillor Shishido, seconded by Councillor Yerhoff
“THAT the February 20, 2024 Council Meeting minutes be adopted as circulated.”

CARRIED

DELEGATIONS

Neil Fidler, President, and Georgia Atwood, Enderby & District Arts Council

Mr. Fidler presented the Enderby & District Arts Council annual report and financial statements and requested funding in 2024 of \$4000. Explained that there was significant growth in use of the Arts Centre last year with 5050 visitors. The exhibition hall can be rented for a variety of uses and there is expected to be an increase in after-hours rentals this year.

Councillor Schreiner asked if the Enderby & District Arts Council has had years with deficits before.

Mr. Fidler responded that they have had deficits before but not as large as in 2023.

Councillor Baird asked if there are plans to put on Music by the River this year.

Ms. Atwood responded that there is currently not space in the budget for Music by the River.

Mr. Fidler explained that Valley First Credit Union has contributed funds for the series of musicians that perform at the Farmers Market on Cliff Avenue. Also explained that although some events have changed, the Enderby & District Arts Council is reaching more people than ever before.

Chief Administrative Officer asked if the Enderby & District Arts Council receives any funding from RDNO.

Mr. Fidler responded that it has been a number of years since there was a core operating grant contribution from RDNO. However, the Arts Council did receive COVID-19 Safe Restart grant funding from RDNO during the pandemic.

Council thanked Mr. Fidler and Ms. Atwood for their presentation.

Moved by Councillor Baird, seconded by Councillor Ramey
“THAT Council considers the request from the Enderby & District Arts Council at the same meeting as the delegation presentation;

AND THAT Council refers the request from the Enderby & District Arts Council to the 2024 budget deliberations.”

CARRIED

BYLAWS

Parks, Recreation and Culture Fees Imposition Bylaw No. 1693, 2020 Amendment Bylaw No. 1785, 2024

Moved by Councillor Baird, seconded by Councillor Shishido
“THAT Council adopts the bylaw cited as “The Corporation of the City of Enderby Parks, Recreation and Culture Fees Imposition Bylaw No. 1693, 2020 Amendment Bylaw No. 1785, 2024.”

CARRIED

REPORTS

Mayor and Council Reports

Councillor Yerhoff

Attended a Coldest Night of the Year walk in Vernon hosted by CMHA Vernon.

Attended a FED meeting and a FACT meeting.

There will be a Job Fair at the WorkBC office on March 7th from 2-4 p.m.

There will be a Services Provider Fair on May 7th from 1-4 p.m. at the Seniors Centre.

Councillor Davyduke

Attended an Interagency meeting. Has been in contact with the counsellor at A.L. Fortune to invite students to the Job Fair and the Services Fair.

Met with Erin Jones from Community Futures and reported that she is working with a few people in Enderby who are in the planning stage of opening new businesses.

Reported that the deadline for street banner submissions is March 15th.

Councillor Shishido

Attended a baseball user group meeting and reported it was a very productive meeting.

Councillor Schreiner

Attended an RDNO budget meeting.

Attended a Regional Growth Management Advisory Committee meeting and reported that there will be an opportunity for member municipalities to work collaboratively with the Regional District of North Okanagan to update the Housing Needs Report to meet the requirements of the new housing legislation.

Councillor Ramey

Attended a Library Board meeting and reported that strategic planning is underway. Noted that the Library in Enderby will soon be opening on Thursdays.

Attended an Enderby & District Arts Council meeting.

Councillor Shishido asked if the Arts Council is attracting new volunteers.

Councillor Ramey responded that there is a potential new board member but that there is still a need for more volunteers and board members.

Reported that after the large snowfall last week, the sidewalk on the west side of George Street was not cleared by the next afternoon.

Chief Administrative Officer responded that bylaw could proactively speak with property owners to remind them of their snow-clearing responsibilities.

Councillor Baird

Reported that the plan for Grindrod Park from Area F's Master Parks Plan was presented at the ball user group meeting and that the plan is to start work on the ball diamond this spring.

Councillor Baird reported that the Easter event will take place Easter Sunday in Barnes Park from 12-3 p.m. and there has been lots of support from the business community.

Mayor Galbraith

Nothing to report.

Chief Administrative Officer

Spring pruning curbside pickup is planned for Sunday, April 21st. A public announcement will be made shortly.

A Pre-Delivery Inspection of the new fire apparatus was conducted by Fire Chief Vetter last week. The unit is expected to be delivered within the next few weeks, and then there will be some steps to transfer over firefighting equipment and get it ready for deployment.

Schematic design for the new pool was signed off today. Extended a special thanks to the Parks Department, Recreation Services, and the CFO for their input into progressing the project to this point. The next phase is the Design Development stage, which is where materials, systems, and equipment choices are finalized, and things are lined up for permits. Concurrent with the transition into Design Development will be the generation of the Class D cost estimate by the Construction Manager.

Russell Avenue reconstruction detailed design is nearing finalization. Tender is expected to be issued within the next two weeks.

The gazebo concession services contract site meeting was on Friday. The RFP closes on March 15th.

There will be a partial road closure to Eastbound traffic on Mill Avenue between George Street and Belvedere Street for several days during the week of March 11th. During this time, the largest parking lot north of City Hall will be closed as well. The purpose of the closure is for a third party to perform subsurface drilling to install monitoring wells as part of their Provincial responsibilities.

Planning for Easter is under way with the Events Coordinator and is going well so far.

Councillor Schreiner asked when a public announcement will be made with updates about the new pool.

Chief Administrative Officer responded that at the next Commission meeting would be a good time to officially update the public.

Councillor Ramey asked for an update on the Reservoir.

Chief Administrative Officer responded that the new reservoir is in the design stage and staff is working with Interior Health to get the proper approvals in place. The plan is to start construction in September and the project will take approximately 4 to 5 months depending on weather conditions. Explained that the change in urgency from when the project was first brought to the table is because of the bypass system that is now in place. If there were to be a failure of the reservoir, water service could be re-established quickly.

NEW BUSINESS

Enderby & District Museum Society Grant Request Towards Muzebo Fencing or Refurbished Fire Apparatus

Moved by Councillor Baird, seconded by Councillor Shishido
“THAT Council provides a grant to the Enderby & District Museum Society for \$3,000, funded through the Community Enhancement Fund, towards the costs for refurbishing Enderby’s first fire apparatus.”

CARRIED

City of Enderby and Splatins Working Group

Moved by Councillor Schreiner, seconded by Councillor Ramey
“THAT Council appoints Councillor Davyduke as the primary representative and Councillor Yerhoff as the alternate representative to the City of Enderby and Splatins Working Group.”

CARRIED

Date for Annual Our Enderby Clean-Up Challenge

Moved by Councillor Baird, seconded by Councillor Davyduke
“THAT Council endorses Saturday April 27, 2024 as the date for the Annual Our Enderby Clean-Up Challenge”

CARRIED

Enderby Farmers Market – Road Closure Application for 2024 Market Season

Moved by Councillor Shishido, seconded by Councillor Yerhoff
“THAT Council approves the Road Closure Application from the Enderby Farmers Market for the closure of Cliff Avenue from Highway 97A to Vernon Street, and Belvedere Street from Cliff Avenue to Speers Lane, every Friday from April 12, 2024 to November 15, 2024 between 6:00 am – 2:30 pm, with the approval being subject to the following conditions:

- 1. The road closure shall be in general accordance with the Road Closure Application attached to this memorandum as Schedule ‘A’;*
- 2. The road closure cannot begin until snow clearing along Cliff Avenue is complete, and in cases where the road closure is delayed due to snow clearing occurring, the Market organizers shall take the necessary steps to ensure that vendors are not staging downtown in a manner that negatively impacts other snow clearing operations or the regular flow of traffic;*
- 3. The Market shall be responsible for setting up and removing traffic control devices, emptying municipal garbage receptacles, and immediately cleaning up any litter from the road closure area;*
- 4. The Market shall ensure that porta-potties are properly maintained and are removed at the end of each market event;*

5. *The Market shall ensure that the road closure area is re-opened to traffic no later than the end time noted in the application;*
6. *The Market shall provide proof of Comprehensive Public Liability and Property Damage Insurance for \$2,000,000 inclusive, with the City of Enderby as additional insured, which shall include, i) a cross liability clause, ii) a waiver of subrogation clause, and iii) a requirement that the policy cannot be cancelled, lapsed or materially changed without at least thirty (30) days written notice to the City of Enderby, delivered to the Corporate Officer; and*
7. *The Market Board shall pass a resolution to:*
 - a. *confirm that the City of Enderby is indemnified, saved harmless, and released in all respects arising from the proposed road closure and use of the adjacent sidewalks and walkways, including legal fees;*
 - b. *expressly acknowledge the risks associated with the proposed road closure and that they have sought independent advice on this matter, prior to considering this resolution;*
 - c. *acknowledge that they are responsible for any additional snow and ice clearing that exceeds the City's Snow and Ice Control Policy; and*
 - d. *confirm that when a road closure is delayed due to snow clearing occurring, the Market will take the necessary steps to ensure that vendors are not staging downtown in a manner that negatively impacts other snow clearing operations or the regular flow of traffic"*

CARRIED

Correspondence from Kathy Fabische regarding the Bank of Montreal Closure

Moved by Councillor Baird, seconded by Councillor Yerhoff

"THAT Council provides a letter of support detailing the effects that the closure of the Bank of Montreal's Enderby branch will have on the community."

CARRIED

PUBLIC QUESTION PERIOD

There were no questions from the public.

CLOSED MEETING RESOLUTION

Moved by Councillor Shishido, seconded by Councillor Davyduke

"THAT pursuant to Section 92 of the Community Charter, the regular meeting convene In-Camera to deal with matters deemed closed to the public in accordance with Section 90 (1) (e) of the Community Charter."

CARRIED

ADJOURNMENT

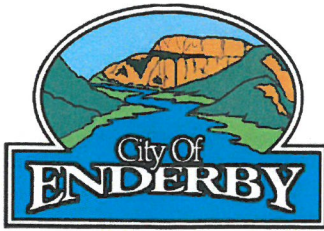
Moved by Councillor Baird, seconded by Councillor Davyduke

"THAT the regular meeting of March 4, 2024 adjourn at 6:29 p.m."

CARRIED

MAYOR

CORPORATE OFFICER



REQUEST TO APPEAR AS A DELEGATION

AGENDA

On 18th of March or 2nd of April, 2024
Day Month Year

Date of Request March 7, 2024

Name of Person Making Request Diane Hutchison

Name and Title of Presenter(s) Diane Hutchison, Jody Fobe, Andrew Van Dokkumburg,
Nik Vischschraper

Contact Information 587 228 4729 diane@miskahaven.com

Details of Presentation Announcement of the re-start of the Enderby Chamber of
Commerce, request for sponsorship funding for a launch event and membership drive
in April, and potential Office Sharing Agreement.

Desired Action from Council (check all that apply)

- ☐ Information Only
- ☒ Proclamation
- ☒ Funding Request
- ☐ Policy or Resolution

Please describe desired action in detail Confirmation of pre-approved funding and
public support

Please attach any supporting documentation or presentation materials related to your delegation request. Please provide to staff at least one day in advance a digital copy of any presentation materials that you wish to have projected onto the conference screen.

CITY OF ENDERBY
DEVELOPMENT VARIANCE PERMIT APPLICATION

AGENDA

File No.: 0068-24-DVP-END

March 1, 2024

APPLICANT: 1834567 Holdings Ltd.

OWNER: Cory M Holdings

LEGAL DESCRIPTION: LOT 9 DISTRICT LOT 226 OSOYOOS DIVISION YALE DISTRICT PLAN 151
EXCEPT:
(1) PARCEL A (E10462)
(2) PLAN 22948

P.I.D #: 012-663-930

CIVIC ADDRESS: 247 Brickyard Road, Enderby BC

PROPERTY SIZE: 1.62 hectares (4.00 acres)

ZONING: General Industrial (I.2)

O.C.P DESIGNATION: General Industrial

PROPOSED VARIANCES: Not require connection to community sanitary sewage system; permit an on-site sewage disposal system on a lot less than 2 hectares in size

RECOMMENDATION:

THAT Council authorizes the issuance of a Development Variance Permit for the property legally described as LOT 9 DISTRICT LOT 226 OSOYOOS DIVISION YALE DISTRICT PLAN 151 EXCEPT: (1) PARCEL A (E10462) (2) PLAN 22948 and located at 247 Brickyard Road, Enderby, to permit variances to the following Sections of the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000:

- Section 4.0 of Schedule "A" and Schedule "B" by not requiring a connection to a community sanitary sewage system for the proposed subdivision as shown on the attached Schedule 'A'; and
- Section 4.2.9 of Schedule "A" by permitting an on-site sewage disposal system on a lot less than 2 hectares in size, as shown on the attached Schedule 'A',

subject to the following conditions:

1. Any on-site sewage disposal system on the proposed lots must be an approved sewerage system under Part 3 of the *Sewerage System Regulation*; and

2. The property owner must register a covenant on the title of the property which requires that as a condition of any future Building Permit issuance, the owner must provide a sworn affirmation acknowledging that they are aware that:
 - i. The issuance of variances does not limit the City's ability to require connection to the City's community sanitary sewer systems in the future, at the property owner's expense; and
 - ii. It would be prudent to plumb and pre-service for community sewer on any future buildings of the property, in order to minimize the potential connection costs, if required by the City in the future.

BACKGROUND:

This report relates to a Development Variance Permit application for the property located at 247 Brickyard Road, Enderby BC. The applicant is proposing to subdivide the property to create four lots, as shown on the attached Schedule 'A'. As part of the proposed development, the applicant is requesting the following variances to the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000:

- Section 4.0 of Schedule "A" and Schedule "B" by not requiring a connection to a community sanitary sewage system; and
- Section 4.2.9 of Schedule "A" by permitting an on-site sewage disposal system on a lot less than 2 hectares in size.

Site Context

The 1.62 hectare (4.00 acre) subject property is relatively flat and is located along the east side of Brickyard Road, along the northern stretch of the corridor which is constructed to a gravel standard. To the northeast of the property is the Shuswap River, with the entirety of the property being located within the 1:200-year floodplain. To the east of the property is an unconstructed road dedication which runs from Danforth Road to the Shuswap River. There are no improvements located on the property.

The subject property and neighbouring properties to the east and south are zoned General Industrial (I.2) and are designated in the *Official Community Plan* (OCP) as General Industrial. The neighbouring property to the north is zoned General Industrial (I.2) and is designated in the OCP as Residential Medium Density. The property to the west is 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:

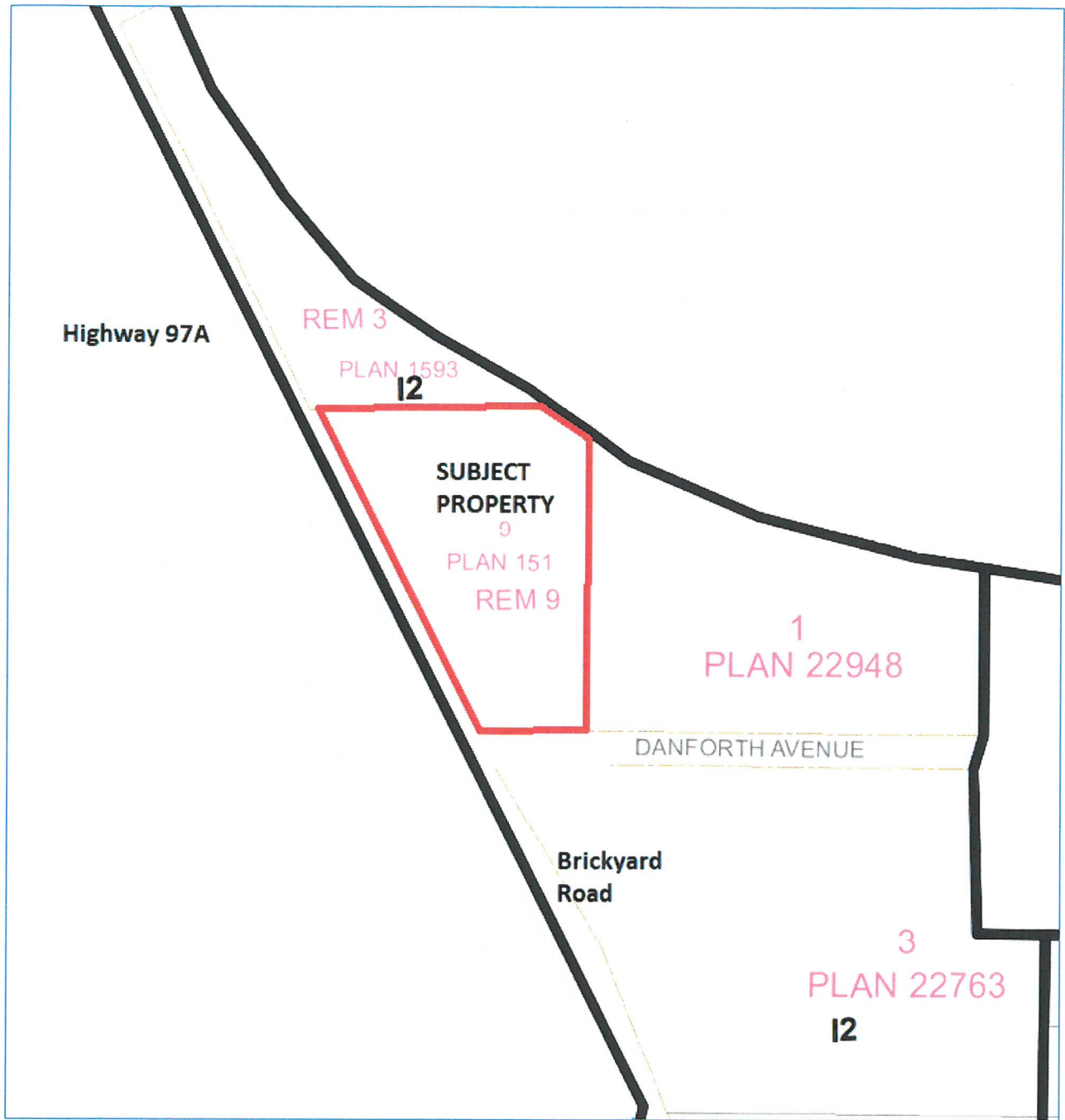


Figure 1: Zoning Map
I.2 – General Industrial

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



Figure 2: Orthophoto

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

Proposal

The applicant is proposing to subdivide the property to create four lots, as shown on the attached Schedule 'A'. The proposed lots range from 0.80 acres (0.325 hectares) to 1.49 acres (0.60 hectares) in

size. The three northern-most proposed lots would front Brickyard Road while the southern-most proposed lots would have dual frontage along Brickyard Road and Danforth Road.

The applicant is proposing for the properties to be serviced via on-site septic systems in lieu of connecting to the community sanitary sewer system; in order to accommodate this on-site servicing proposal, the applicant is seeking variances to the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000.

ZONING BYLAW:

The subject property is zoned General Industrial (I.2) and the permitted uses within this zone include:

- Accessory buildings and structures;
- Accommodation including one (1) dwelling unit for the owner, operator, or employee of the principal and permitted use;
- Civic use;
- Food service including bakeries and coffee shops;
- Limited agricultural use subject to the regulations of Section 501.10.e. of the Zoning Bylaw;
- Public service use;
- Retail sales (including parts and accessories) of automobiles, building supplies, chemicals, farm equipment (including service), gasoline and motor oil, heavy equipment and machinery, irrigation equipment (including service), lumber, mobile homes (including service), tools and small equipment, trucks, and other products manufactured or processed on site;
- Service and repair including automobile body and paint shops, automobile service and repair, battery shops, boat service and repair, bottling plants, car wash, crematoriums, cold storage plants, frozen food lockers, greenhouses, heavy equipment and machinery, laboratories, machine shops, mini storage facilities, nurseries, petroleum distribution installations, printing shops, recreation vehicle servicing and rental, service stations, sign shops, taxidermists, tire shops, tools and small equipment servicing and rental, trade contractors offices including storage, truck service and repair, truck wash, trucking yards and terminals including cartage and freighting, upholstery shops, warehousing (wholesale and distribution), weigh scales, and welding shops;
- Transportation facilities including passenger transportation depots and taxi dispatch offices;
- Retail sales (including parts and accessories) of heavy equipment and machinery;
- Service and repair including automobile wrecking and junk yards, bulk storage plants, contractors for general and heavy construction, machinery and heavy equipment repair;
- Manufacturing, processing, and storage.

The proposal as compared to the Zoning Bylaw requirements for the General Industrial (I.2) zone is as follows (highlighted items require a variance):

Criteria	Bylaw Standard	Proposal
Lot area (min.)	650 m ² (6,997 square feet)	> 650 m ² (6,997 square feet)
Lot coverage (max.)	60 %	< 60 %

Criteria	Bylaw Standard	Proposal
Lot frontage (min.)	20 m (65.62 feet)	37.57 m (123.3 feet) – 109.68 m (359.8 feet)

SUBDIVISION SERVICING AND DEVELOPMENT BYLAW

Section 4.0 of Schedule "A" and Schedule "B" of the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 require properties zoned General Industrial (I.2) to be connected to a community sanitary sewage system, while Section 4.2.9 of Schedule "A" requires lots to be at least 2 hectares in size in order to be serviced via on-site sewage disposal systems.

In order to accommodate servicing the proposed lots via on-site septic systems, in lieu of connecting to the community sanitary sewer system, the applicant is requesting to vary the aforementioned sections of the Subdivision Servicing and Development Bylaw.

OFFICIAL COMMUNITY PLAN:

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

- Policy 2.2.b - To maintain and enhance the City of Enderby as a sustainable, diverse, vibrant, unique and attractive community.
- Policy 3.3.c - Council recognizes that development of land has social impacts and will act through the approval process to minimize negative and maximize positive impacts.
- Policy 8.3.1 - Council will support alternative infrastructure standards and urban design principles which promote environmental, economic, and social sustainability.

REFERRAL COMMENTS:

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

The City's Public Works Manager provided the following comments:

"I have no objection to varying the requirement to connect to the sanitary sewer system, provided the Interior Health Authority approves the application for on-site sewage disposal under Part 3 [Sewerage Systems] rather than Part 2 [Holding Tanks] of the *Sewerage System Regulation*. A holding tank is not appropriate for this area. This variance should be expressly conditional upon an approved sewerage system under Part 3 of the *Sewerage System Regulation*."

No other comments of concern were received in response to the referral.

PLANNING ANALYSIS:

The City of Enderby Planner raises no objections to the applicant's request to waive the requirement to connect to a community sanitary sewer system, and to permit an on-site sewage disposal system on a lot less than 2 hectares in size, as part of the proposed subdivision shown on Schedule 'A', for the following reasons:

- The City completed a servicing study in 2016 and determined that the costs associated with extending community water and sewer services from the intersection of Brickyard Road and Bass Avenue to the northern end of Brickyard Road, and completing the necessary upgrades to the broader system to provide sufficient fire flows, are extremely high; in light of this, in 2018 Council endorsed a servicing strategy for Brickyard Road in which the City would support on-site water, sewer and storm systems for industrial developments along Brickyard Road on an interim basis;
- The proposed lots are of sufficient size to accommodate an on-site septic system, although the applicant would be required to go through the necessary permitting and approval process through Interior Health;
- Permitting on-site servicing does not limit the potential for service extensions in the future, which could occur through a number of different mechanisms including a Local Area Service, a Connection Area charge, or having the City or a developer complete the works and potentially recover costs through a Latecomer Agreement; and
- Council has previously granted the same variances for nearby properties to the north at 327/321 Brickyard Road (Modulux), 335 Brickyard Road (Revolution RV), and 349 Brickyard Road (Backus).

Although the issuance of variances would enable the property owner to service the proposed lots through on-site sewage disposal systems, this would not limit the City's ability to require future owners of the lots to connect to the community sanitary sewer system in the future (should they be available), at their expense. Given this, it would be prudent for owners of the proposed lots to plumb and pre-service for community water and sewer on any future buildings, in order to minimize potential connection costs, if required by the City in the future. In light of this, it is recommended that the proposed variances be supported subject to the owner registering a covenant on the title of the property which requires that as a condition of any future Building Permit issuance, the owner must provide a sworn affirmation acknowledging that they are aware that:

- The issuance of variances does not limit the City's ability to require connection to the City's community sanitary sewer systems in the future, at the property owner's expense; and
- It would be prudent to plumb and pre-service for community sewer on any future buildings of the subject property, in order to minimize the potential connection costs, if required by the City in the future.

Once the property is subdivided, the covenant would apply to the newly created lots and the obligations would flow to any future purchasers of the proposed lots.

Furthermore, in accordance with the Public Works Manager's comments, it is recommended that the proposed variances be supported subject to any on-site sewage system on the proposed lots being an

approved sewerage system under Part 3 of the *Sewerage System Regulation*, in order to prevent a holding tank solution from being implemented, which would not be appropriate in this area.

SUMMARY

This report relates to a Development Variance Permit application for the property located at 247 Brickyard Road, Enderby BC. The applicant is proposing to subdivide the property to create four lots, as shown on the attached Schedule 'A'. As part of the proposed development, the applicant is requesting a series of variances to the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000.

The City of Enderby Planner is recommending that Council support the variance requests, subject to conditions.

Prepared By:



Kurt Inglis, MCIP, RPP
Planner

Reviewed By:



Tate Bengtson
Chief Administrative Officer

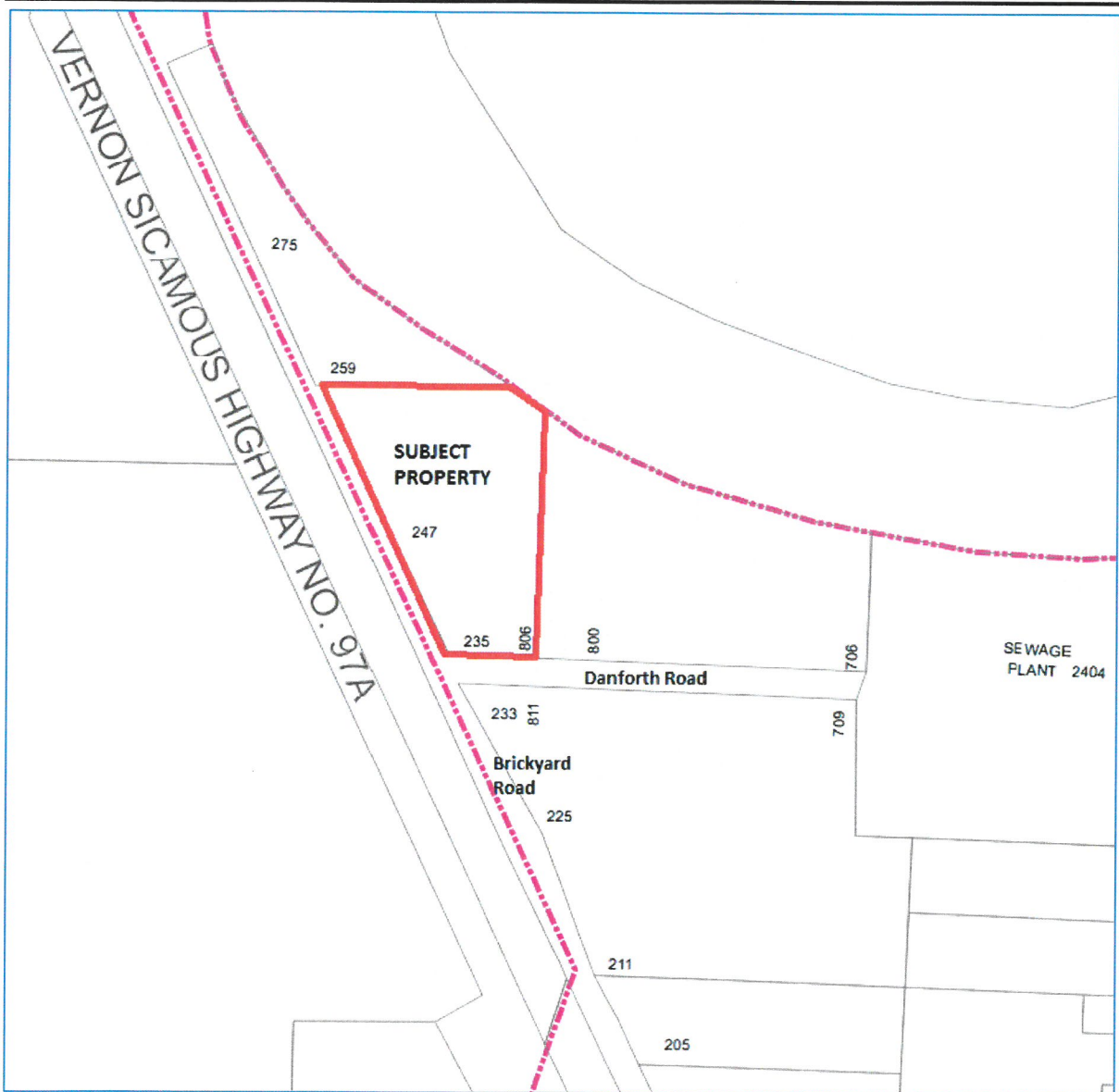
THE CORPORATION OF THE CITY OF ENDERBY
DEVELOPMENT VARIANCE PERMIT APPLICATION
SUBJECT PROPERTY MAP

File: 0068-24-DVP-END (1834567 Holdings Ltd.)

Applicant: 1834567 Holdings Ltd.

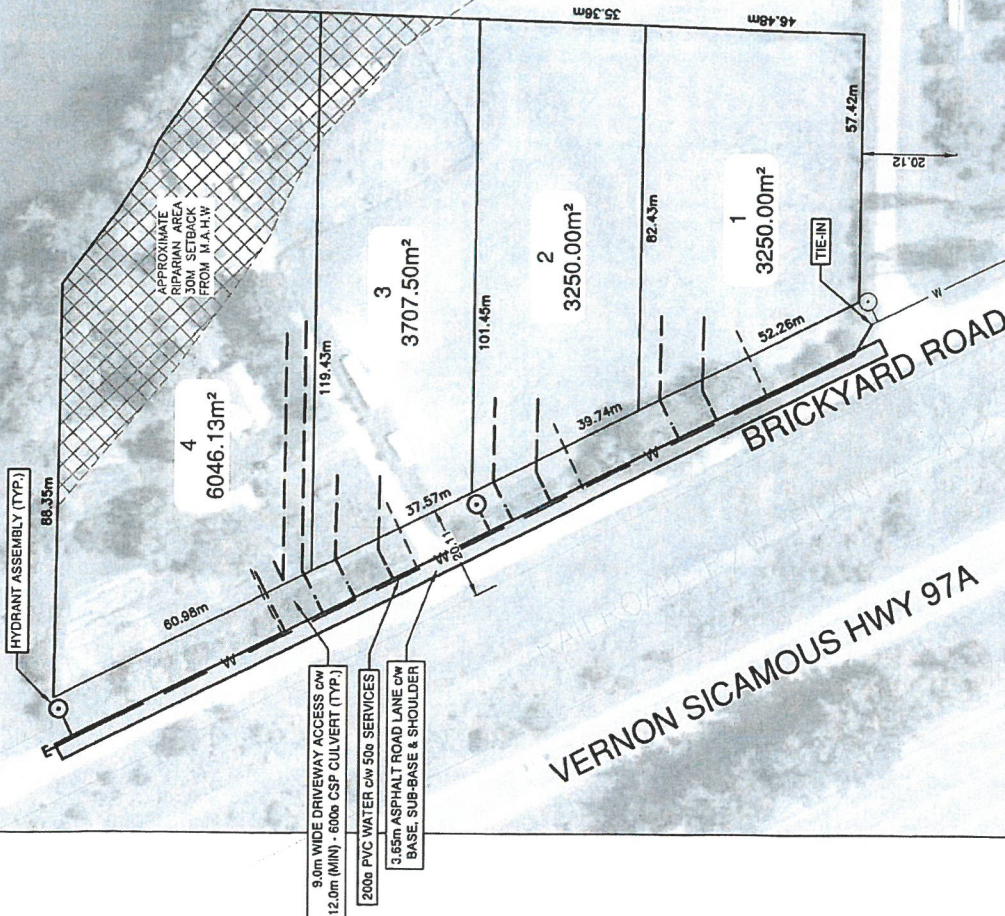
Owner: Cory M Holdings Ltd.

Location: 247 Brickyard Road, Enderby BC





Schedule A



PROJECT NO.		TS24-2504		DWG. NO.		C-1			
REVISIONS				REVISIONS		—			
NO.		DATE		DESCRIPTION		BY		APPD.	
									</

GENTECH ENGINEERING INC. CIVIL ENGINEERING
247 BRICKYARD ROAD
ENDERBY, BC
PRELIMINARY LAYOUT PLAN

6046.13 - 9849
GENTECHENGINEERING.COM

DATE: _____
CHECK: _____
SCALE: 0 1:1000 40
HORIZ. = 1:1000 40

PROFESSIONAL SEAL

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EQDC #18009148

- NOTES:**
- CONTRACTOR TO VERIFY LOCATION AND ELEVATION OF ALL EXISTING UTILITIES WITH ALL UTILITY COMPANIES PRIOR TO DIGGING.
 - CONTRACTOR TO CO-ORDINATE UTILITY RELOCATION WORKS WITH UTILITY COMPANIES AS REQUIRED.
 - ALL CONSTRUCTION TO BE IN ACCORDANCE WITH CITY OF ENDERBY SERVICING AND DEVELOPMENT SERVICING BYLAW.

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner
Date: March 14, 2024
Subject: Bill 44 - Update to Development Applications Procedures Bylaw

RECOMMENDATION

THAT Council gives Three Readings to City of Enderby Development Applications Procedures Bylaw No. 1586, 2016 Amendment Bylaw No. 1787, 2024.

BACKGROUND

On November 30, 2023, the provincial legislature enacted Bill 44 – 2023 *Housing Statutes (Residential Development) Amendment Act, 2023*. Bill 44 introduced amendments to the *Local Government Act* which are aimed at facilitating more housing throughout the province. One of the outcomes of this new legislation is that local governments are prohibited from holding public hearings under certain circumstances. Under Section 464 of the *Local Government Act*, the following are two circumstances under which local governments are prohibited from holding a public hearing:

1. A proposed Zoning Bylaw where:
 - a) an official community plan is in effect for the area that is the subject of the zoning bylaw,
 - b) the bylaw is consistent with the official community plan,
 - c) the sole purpose of the bylaw is to permit a development that is, in whole or in part, a residential development, and
 - d) the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development.
2. A proposed Zoning Bylaw which is proposed for the sole purpose of complying with Section 481.3 of the *Local Government Act*, which relates to the new legislative requirements for local governments to update their zoning bylaws in support of small-scale multi-family housing.

Staff have prepared an amendment to the City of Enderby Development Applications Procedures Bylaw No. 1586, 2016 in order to make it consistent with the new provincial legislation. Under the proposed amendment, statutory public hearings would still be held for proposed Zoning Bylaws, except in cases where it is prohibited under Section 464 of the *Local Government Act*.

The new legislation does not prohibit the gathering of public feedback, provided it does not occur in the form of a public hearing; given this, the proposed amendment bylaw includes a provision to accept written submissions for proposed Zoning Bylaws where a public hearing is not held. The new legislation also does not impact less formal opportunities for the public to make representations to Council, as is available with Development Variance Permit applications.

The proposed amendment to the City of Enderby Development Applications Procedures Bylaw No. 1586, 2016 also includes housekeeping updates to legislative section references which changed when the *Local Government Act* was revised; while the references are effective in both versions of the *Local Government Act*, the proposed amendments will provide interpretive efficiency going forward.

Respectfully Submitted,



Kurt Inglis
Planner

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1787

A bylaw to amend City of Enderby Development Applications Procedures Bylaw No. 1586, 2016

WHEREAS the Section 460 of the *Local Government Act* requires local governments who have adopted an official community plan or zoning bylaw to, by bylaw, define procedures under which an owner of land may apply for an amendment to the official community plan or zoning bylaw, or apply for the issuance of a permit under *Part 14 — Planning and Land Use Management* of the *Local Government Act*;

AND WHEREAS the Council of the City of Enderby has adopted “The Corporation of City of Enderby Development Applications Procedures Bylaw No. 1586, 2016”;

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

1. CITATION

This Bylaw shall be cited as “The Corporation of the City of Enderby Development Applications Procedures Bylaw No. 1586, 2016 Amendment Bylaw No. 1787, 2024”.

2. AMENDMENTS

The Corporation of the City of Enderby Development Applications Procedures Bylaw No. 1586, 2016 is hereby amended as follows:

1. By replacing all references to ‘Part 26 of the *Local Government Act*’ with ‘Part 14 of the *Local Government Act*’.
2. By replacing all references to ‘Section 895 (1) of the *Local Government Act*’ with ‘Section 460 of the *Local Government Act*’.
3. By replacing all references to ‘Section 930 of the *Local Government Act*’ with ‘Section 546 of the *Local Government Act*’.
4. By replacing all references to ‘Section 905.1 of the *Local Government Act*’ with ‘Section 516 of the *Local Government Act*’.
5. By replacing all references to ‘Section 922 of the *Local Government Act*’ with ‘Section 498 of the *Local Government Act*’.
6. By removing the definition of ‘*Local Government Act*’.

7. By replacing all references to 'Section 890 of the *Local Government Act*' with 'Section 464 of the *Local Government Act*'.
8. By replacing all references to 'Section 921 of the *Local Government Act*' with 'Section 493 of the *Local Government Act*'.
9. By replacing all references to 'Section 920.1 of the *Local Government Act*' with 'Part 14 Division 6 – Development Approval Information Requirements' of the *Local Government Act*'.
10. By replacing all references to 'Section 925 of the *Local Government Act*' with 'Section 502 of the *Local Government Act*'.
11. By replacing all references to 'Section 926 of the *Local Government Act*' with 'Section 504 of the *Local Government Act*'.
12. By replacing all references to 'Section 895 (3) of the *Local Government Act*' with 'Section 460 (3) of the *Local Government Act*'.
13. By replacing all references to 'Sections 901 and 902 of the *Local Government Act*' with 'Part 14 Division 15 — Board of Variance of the *Local Government Act*'.
14. By replacing all references to 'Section 892 (6) of the *Local Government Act*' with 'Section 466 (8) of the *Local Government Act*'.
15. By replacing all references to 'Section 890 (4) of the *Local Government Act*' with 'Section 464 (2) of the *Local Government Act*'.
16. By including Section 6.1.1.a.ii as follows, and renumbering the remainder of the section accordingly:

A scheduled Council meeting for considering a Zoning Bylaw where the City decides not to hold a public hearing, or is prohibited from holding a public hearing in accordance with Section 464 of the *Local Government Act*.

17. By replacing Section 6.2 with the following:

In accordance with the *Local Government Act*, the City will not adopt or amend an Official Community Plan Bylaw, Zoning Bylaw, Phased Development Agreement Bylaw or a Bylaw under Section 548 of the *Local Government Act* [early termination of Land Use Contracts] of the *Local Government Act*, or approve a Temporary Use Permit, without holding a Public Hearing on the bylaw or permit in order to allow the public to make representations to Council respecting matters contained in the proposed bylaw or permit.

If the City decides not to hold a public hearing, or is prohibited from holding a public hearing under Section 464 of the *Local Government Act*, the City will give notice that a public hearing is not held in accordance Section 6.2.4 of this Bylaw.

18. By adding Section 6.2.4 as follows:

6.2.4 Notice if Public Hearing Not Held

Where the City decides not to hold a public hearing, or is prohibited from holding a public hearing under Section 464 of the *Local Government Act*, the City will provide notice that a public hearing is not held in accordance with Section 467 of the *Local Government Act* and the standards prescribed in the City of Enderby Public Notice Bylaw No. 1770, 2023. The notice will include a statement that written representations respecting the proposed bylaw may be submitted to the City up until 3:00 pm on the day in which the bylaw will be considered by Council for first reading, with the written submissions to be read before Council at the meeting, prior to first reading.

19. By replacing Section 6.2.2.b with the following:

Be provided in accordance with Sections 466 or 494 of the *Local Government Act* and the standards prescribed in the City of Enderby Public Notice Bylaw No. 1770, 2023.

20. By adding Section 2.9.1 to Schedule '1' as follows:

Staff will give notice if a Public Hearing is not held as per Section 6.2.4 of this Bylaw and the requirements of the *Local Government Act*.

21. By replacing Section 2.11 to Schedule '1' as follows:

Council will receive the Staff report, and Council may choose one of the following options for the amending bylaw(s):

- i. If a Public Hearing is not being held, give up to three readings and adoption, subject to Section 135 of the *Community Charter* and Section 480 of the *Local Government Act*;
- ii. Give first and second readings and forward to a Public Hearing; or
- iii. Postpone consideration or deny.

22. By replacing Section 2.12 of Schedule '1' as follows:

Should the bylaw(s) receive first and second reading and be forwarded to a Public Hearing, a Public Hearing will be held to allow the public to comment on the application and notice of the Public Hearing will be given pursuant to Section 6.2.2 of this Bylaw and the *Local Government Act*.

READ a FIRST time this day of , 2024.

READ a SECOND time this day of , 2024.

READ a THIRD time this day of , 2024.

ADOPTED this day of , 2024.

MAYOR

CORPORATE OFFICER

Area: CITY OF ENDERBY

Category: BUILDING PERMITS

Year: 2024 Month: 02

Folder Type	2024 / 02		2023 / 02		2024 to 02		2023 to 02	
	Permits Issued	Res. Units Created	Building Value	Permits Issued	Res. Units Created	Building Value	Permits Issued	Res. Units Created
ACCESSORY BUILDING	0	0	0	0	0	0	0	0
AGRICULTURAL BUILDING	0	0	0	0	0	0	0	0
COMMERCIAL BUILDING	0	0	0	0	0	0	0	0
DEMOLITION	0	0	0	0	0	0	0	0
END - ACCESSORY BUILDING	1	0	25,000	0	0	25,000	0	0
END - COMMERCIAL BUILDING	0	0	0	0	0	0	0	0
END - DEMOLITION	0	0	0	0	0	0	0	0
END - INDUSTRIAL BUILDING	0	0	0	0	0	0	0	0
END - MANUFACTURED HOME	0	0	0	0	0	0	0	0
END - MODULAR HOME	0	0	0	0	0	0	0	0
END - MULTI FAMILY DWELLING	0	0	0	0	0	0	0	0
END - PLUMBING	0	0	0	0	0	0	0	0
END - RETAINING WALL	0	0	0	0	0	0	0	0
END - SFD W/SUITE	0	0	0	0	0	0	0	0
END - SIGN	0	0	0	0	0	0	0	0
END - SINGLE FAMILY DWELLING	0	0	0	4	0	1,695,000	5	4
INDUSTRIAL BUILDING	0	0	0	0	0	0	0	0
INSTITUTIONAL	0	0	0	0	0	0	0	0
MANUFACTURED HOME	0	0	0	0	0	0	0	0
MODULAR HOME	0	0	0	0	0	0	0	0
MULTI FAMILY DWELLING	0	0	0	0	0	0	0	0
OLD PIMS PERMITS	0	0	0	0	0	0	0	0
PLUMBING	0	0	0	0	0	0	0	0
POOL	0	0	0	0	0	0	0	0
RETAINING WALL	0	0	0	0	0	0	0	0
SIGN	0	0	0	0	0	0	0	0
SINGLE FAMILY DWELLING	0	0	0	0	0	0	0	0
SOLID FUEL BURNING APPLIANC	0	0	0	0	0	0	0	0
Report Totals	1	0	25,000	4	4	1,695,000	1	0
						25,000	5	4
						1,702,000		

MEMO

To: Mayor and Council
From: Tate Bengtson, CAO
Date: March 14, 2024
Subject: Dog Park Survey Results

RECOMMENDATION

THAT Council receives and files the dog park survey results;

AND THAT Council provides direction to Staff on its desire to proceed with developing a dog park;

AND FURTHER THAT, subject to Council resolving in favour of proceeding with a dog park, Staff be directed to prepare an action plan based on the dog park criteria specified by Council.

BACKGROUND

Overview

At its regular meeting of November 6, 2023, Council directed Staff to proceed with a survey to ascertain public interest in developing a dog park ("the Survey"). The Survey was designed in December 2023 and active from January 16 to February 16, 2024. The Survey attracted healthy public participation and media attention.

There are two attachments to this memorandum:

1. A summary of aggregate data to display quantifiable Survey responses; and
2. A chart of disaggregate data for those Survey questions that are qualitative in nature, as well as to provide for a granular review of correlations and patterns that may be inferred from the Survey responses. The disaggregate data will be circulated under separate cover, digitally, due to its display dimensions.

Survey Response Summary

The Survey was not intended nor presented as a vote or referendum on proceeding with a dog park. Instead, it was designed to understand the nature of the public's interest as well as its expectations, in order to match the project scope to the needs of likely users, should the initiative proceed.

The Survey methodology is not scientific with respect to sample size, collection method, or design. The Survey is useful, but the reliability of its data, and thus the strength of the conclusions derived from it, must be qualified by its limitations.

Of note:

- 395 responses in total.
- Responses received from the following areas:
 - 235 from the City of Enderby
 - 102 from Area F of the Regional District of North Okanagan
 - 58 from “other” jurisdiction
- Support for a dog park expressed by the majority of those who responded:
 - 85% of the total responses expressed support for some form of a dog park
 - 81% of City of Enderby residents expressed support for some form of a dog park
 - 86% of Area F residents expressed support for some form of a dog park
- Of those who support a dog park, 113 indicated that it should be located within a short walking distance and 131 indicated that it should be located within a short driving distance.
- Ideal size of a dog park ranged dramatically based on how the respondent intended to use the space.
- The highest priority amenities requested by those who support a dog park are:
 - Garbage cans
 - Dog feces bags
 - Parking spaces
 - Benches
 - Access to drinking water
- The biggest concerns involving a dog park are:
 - Safety of dogs
 - Dog feces and other trash
 - Safety of people
- There was a general recognition that small and large dogs have distinct needs that may need to be protected in the dog park design.
- The majority of respondents indicated that they currently take their dogs to the Riverwalk, Tuey Park, and Riverside Park to walk, socialize, and exercise.

Next Steps

Below are questions that Council may wish to use to guide its deliberations:

1. Is there a desire to proceed with a dog park?
2. If there is a desire to proceed with a dog park:
 - a. What is the minimum size to which the dog park should be constructed so that it reasonably meets the needs of those who would use it?

- i. *As a caveat*, Council should be aware that respondents' representations of how big a dog park *should* be, may not necessarily be the *minimum* space needed to be useful, but could instead be the *ideal* size.
 - ii. *As guidance*, Council is aware that the City's available public lands are limited, so its discussion around minimum size should be cognizant of what is, or could be, available, and whether the size of that available land is sufficiently sized to meet the reasonable needs of most users. Alternately, it may be possible to impose size restrictions on dogs as a condition of use, but this will pose an enforcement challenge.
- b. What are the core amenities that the dog park should offer?
 - i. *As a caveat*, core amenities will generally be reflected in capital costs at start-up and replacement.
 - ii. *As guidance*, amenities that are lower-ranked in the Survey may be integral to providing a safe, useful, and effectively managed dog park, so Council should not feel beholden solely to the highest priorities expressed in the Survey.
- c. What is the service standard that the dog park should provide in terms of maintenance and regulatory enforcement?
 - i. *As a caveat*, the service standard will generally be reflected in ongoing operating costs.
 - ii. *As guidance*, it is anticipated that the operating costs will represent an expansion of certain existing functions, likely Parks for maintenance and Bylaw Compliance for enforcement. This expansion can be achieved in time for opening a dog park for public use, but the operating costs will need to be funded to the extent that other efficiencies cannot be found or current priorities significantly altered to offset new demands.

3. Based on Council's response to the second question, is there a preferred location for which Council wishes to direct Staff's attention?

Council's answers will provide guidance to Staff on defining the project. Council should not feel that its responses to the second question are "cast in stone," but simply provide a starting point for scoping purposes.

Should Council choose to proceed, the next steps would involve developing an action plan that would include reviewing potentially viable locations and estimating capital and operating costs for financial plan purposes. In addition, this matter would be incorporated into Council's forthcoming update to its Strategic Plan so that its prioritization can be committed.

Respectfully submitted,



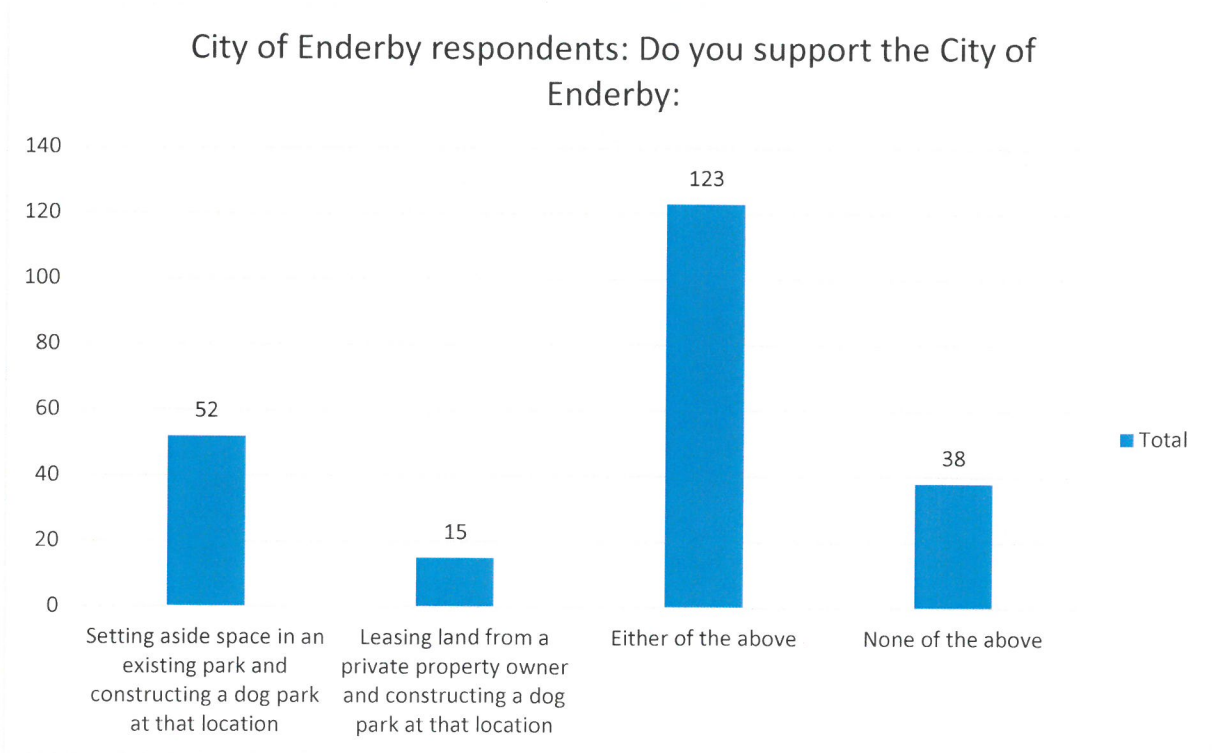
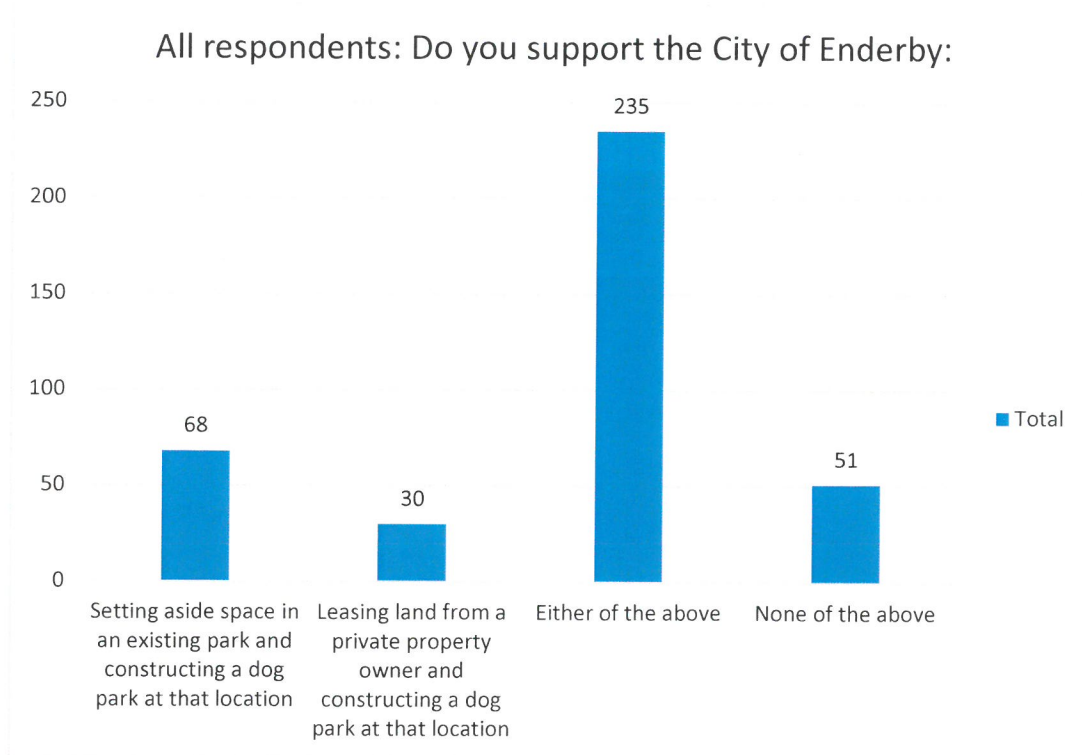
Tate Bengtson
Chief Administrative Officer

Attachment 1: Aggregate Data Summary

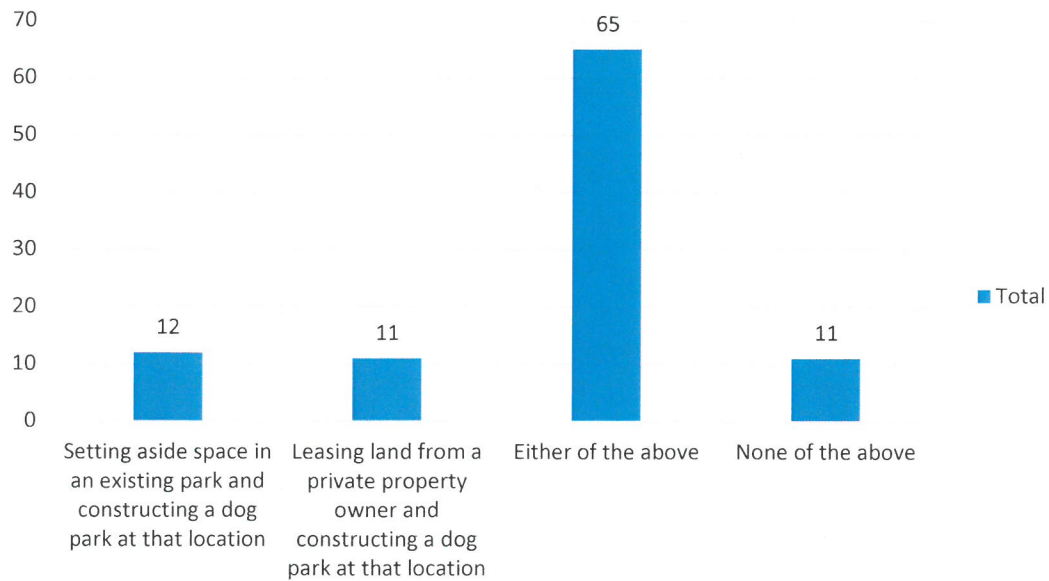


Most Common “Other” Responses:

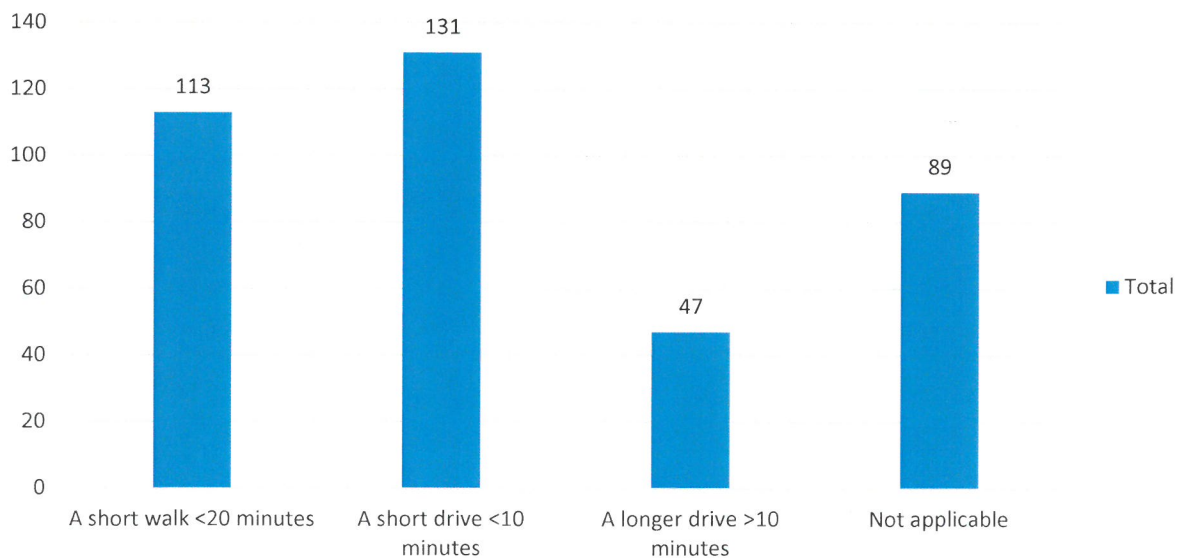
- 1. Armstrong (13)
- 2. Spallumcheen (10)
- 3. Salmon Arm (8)
- 4. Vernon (4)
- 5. Ranchero (3)
- 6. Sicamous (2)
- 7. Canoe (2)
- 8. Kelowna (2)



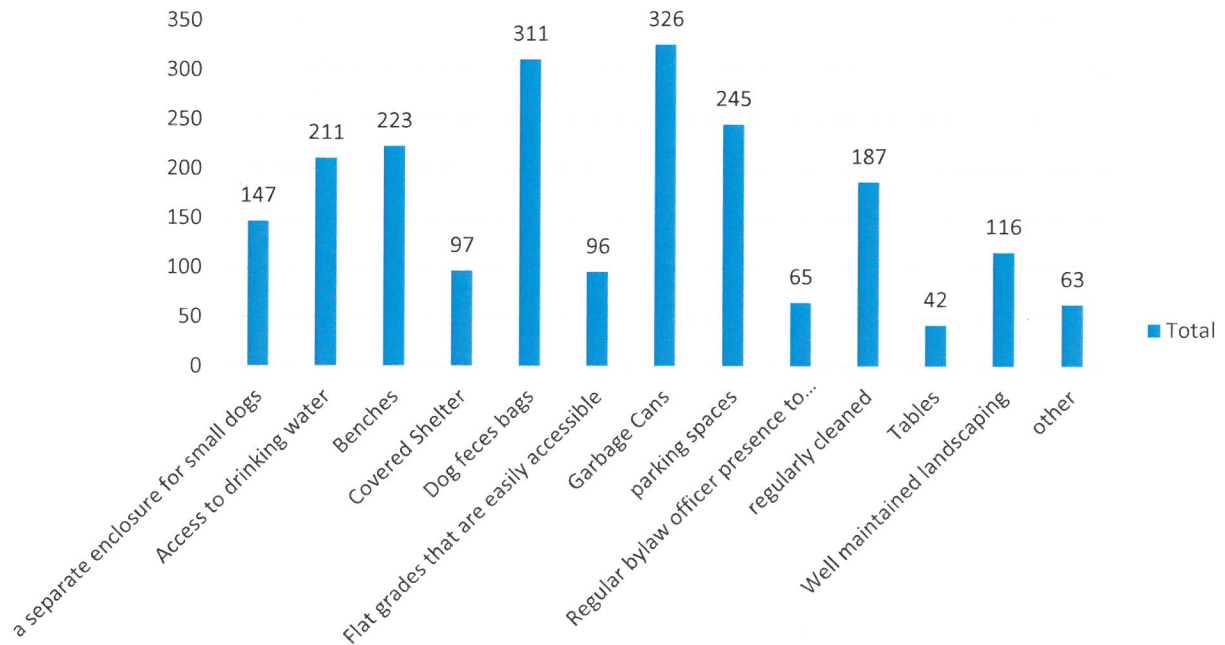
Area F respondents: Do you support the City of Enderby:



How near to where you live should a dog park be, in order to be useful to you?



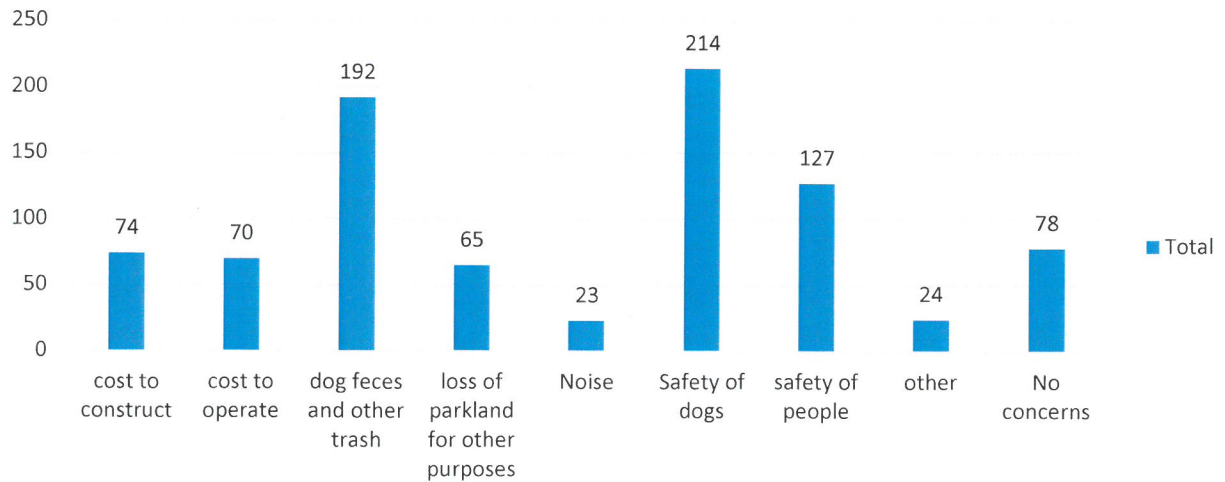
What are some of the amenities that a dog park should have in order to be useful?



Most Common "Other" Responses:

1. Trees/access to shade (21)
2. Washroom for owners (14)
3. Fully enclosed with fencing (11)
4. Double gate system (7)
5. Trail (6)
6. Agility features (6)
7. Access to water for cooling/swimming (6)
8. Snow Plowing (4)
9. Multiple exit/entry points (3)
10. Lighting (2)

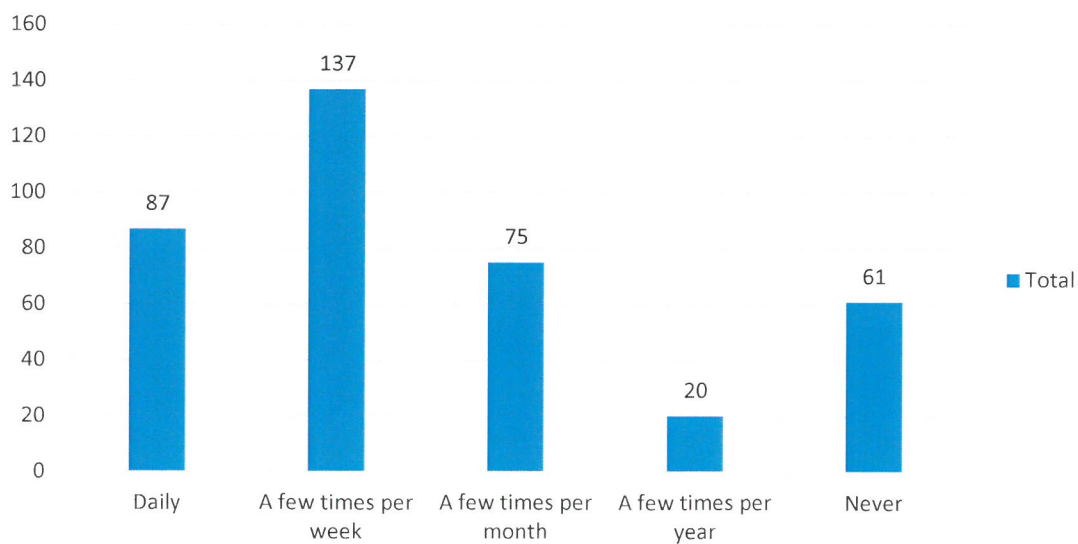
What are your greatest concerns about a dog park?



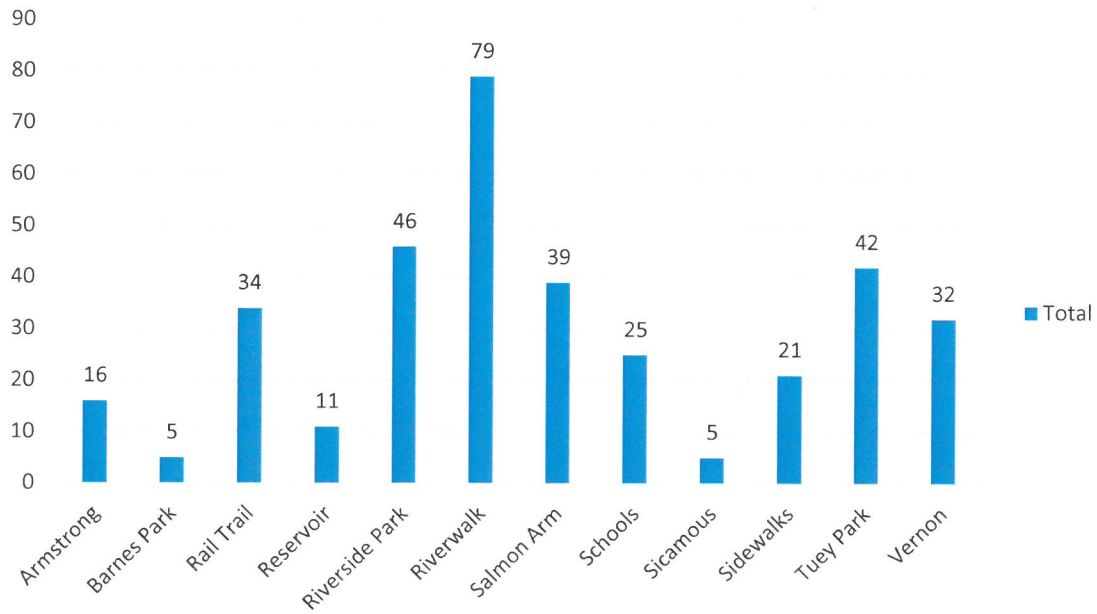
Most Common "Other" responses:

1. Irresponsible dog owners (8)
2. Aggressive dogs in the park (5)
3. We already have dog friendly spaces (2)
4. Concerns about dogs escaping (2)
5. Concerns about communicable diseases (2)
6. Concerns that there is not a large enough space available to build a useful dog park (2)

If a dog park were available, how frequently would you use it?



Where do you currently take your dog(s) to walk, socialize, and exercise?





HUDSON'S
HOPE
PLAYGROUND OF THE PEACE

9904 Dudley Drive
Hudson's Hope BC VOC 1VO
Telephone 250-783-9901
Fax: 250-783-5741

AGENDA

March 7, 2024

Via email: premier@gov.bc.ca

The Honourable David Eby, MLA
Premier of the Province of British Columbia

Delivered Via Email

Re: Support for Bill-34

Dear Premier,

The District of Hudson's Hope Council supports Bill-34 and the *Restricting Public Consumption of Illegal Substances Act*.

We believe that Bill-34 is a necessary step in addressing the ongoing crisis of drug addiction and overdose in our community. By restricting public consumption of illegal substances, we can create a safer and more welcoming environment for all residents, including children and families.

It is crucial that we continue to prioritize the health and safety of our community members and take action to address the harm caused by drug use in public spaces. We urge the Supreme Court to reconsider their decision and allow Bill-34 to be implemented so that we can better protect our community and prevent further harm.

The District of Hudson's Hope Council stands by its decision to support Bill-34 and will continue to advocate for the well-being of our residents. We are committed to creating a safe and thriving community for all and believe that restricting public consumption of illegal substances is an important step in achieving this goal.

Public spaces should be freely enjoyable by all community members and used for their intended purpose. While Council acknowledges that no person should feel compelled to engage in substance abuse alone and privately, but this should not come at the expense of degrading our public spaces.

Sincerely,

DISTRICT OF HUDSON'S HOPE

Travous Quibell

Travous Quibell, Mayor

TQ/am

cc. B.C. Municipalities and Regional Districts
Bob Zimmer, MP Prince George - Peace River – Northern Rockies
Dan Davies, Peace River North