

**REGULAR MEETING OF COUNCIL
AGENDA**

DATE: October 7, 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: 839 1198 0328
Passcode: 931757*

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 October 7, 2024 Council Meeting agenda be approved as circulated.

3. ADOPTION OF MINUTES

3.1 Meeting Minutes of September 3, 2024

Page 6

THAT the September 3, 2024 Council Meeting minutes be adopted as circulated.

4. PUBLIC HEARINGS

4.1 City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1803, 2024

5. DEVELOPMENT MATTERS AND RELATED BYLAWS

5.1 City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1803, 2024

Page 15

Legal: LOT 1 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE
6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN
KAP59880 EXCEPT PLAN KAP65977

Address: 123 Red Rock Crescent

Applicants: Eric and Leola Borhaven

Owners: Eric and Leola Borhaven

THAT Council receives and files the Zoning Text Amendment Application Staff Report dated August 29, 2024;

AND THAT upon consideration of input at the Public Hearing, City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1803, 2024 which proposes to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to permit a detached secondary suite to be located on the second storey level of an accessory residential building for the property legally described as LOT 1 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP59880 EXCEPT PLAN KAP65977 and located at 123 Red Rock Crescent, Enderby BC, be given Third Reading and Adoption.

5.2 Rezoning Application #0006-24-RZ-END

Page 25

Legal: i) NORTHERLY PORTION OF LOT 2 DISTRICT LOT 150 KAMLOOPS DIVISION YALE DISTRICT PLAN 1876 HAVING A UNIFORM WIDTH OF 60 FEET FRONTING EVERGREEN AVENUE AND EXTENDING THE FULL DEPTH OF SAID LOT AND ADJOINING LOT 1 PLAN 1876

ii) LOT 1 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563

iii) LOT 2 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563

Address: 1600 George Street, Enderby BC
1602 George Street, Enderby BC
1604 George Street, Enderby BC

Applicant: Beverly Humphrey

Owners: GTI Petroleum (B.C.) Ltd.

THAT City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1802, 2024 which proposes to rezone the properties legally described as: i) NORTHERLY PORTION OF LOT 2 DISTRICT LOT 150 KAMLOOPS DIVISION YALE DISTRICT PLAN 1876 HAVING A UNIFORM WIDTH OF 60 FEET FRONTING EVERGREEN AVENUE AND EXTENDING THE FULL DEPTH OF SAID LOT AND ADJOINING LOT 1 PLAN 1876, and located at 1600 Evergreen Street, Enderby BC, ii) LOT 1 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563, and located at 1602 Evergreen Street, Enderby BC, and iii) LOT 2 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563, and located at 1604 Evergreen Street, Enderby BC, from the Residential Single Family (R.1-A) zone to the Highway and Tourist Commercial (C.2) zone, be given First and Second Reading and forwarded to a Public Hearing.

5.3 Official Community Plan Amendment and Rezoning Application #0016-24-OR-END

Page 36

Legal: LOT 4 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563

Address: 1605 George Street, Enderby BC

Applicant: Beverly Humphrey

Owners: GTI Petroleum (B.C.) Ltd.

THAT City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1800, 2024 which proposes to change the future land use designations of the property legally described as LOT 4 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563, and located at 1605 George Street, Enderby BC, from Residential Medium Density to Highway and Tourist Commercial, be given First Reading;

AND THAT after First Reading of City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1800, 2024 and in accordance with Sections 473 (2.1) and 477 of the Local Government Act, Bylaw No. 1800 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. 1800, 2024 in conjunction with the City's Housing Needs Assessment Report, Financial Plan, and Regional Solid Waste Management Plan, Bylaw No. 1800 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. 1800, 2024, as outlined in this Staff Report, be considered appropriate consultation for the purposes of Sections 475 and 476 of the Local Government Act;

AND FURTHER THAT City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1801, 2024 which proposes to rezone the property legally described as LOT 4 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563, and located at 1605 George Street, Enderby BC, from the Residential Single Family (R.1-A) zone to the Highway and Tourist Commercial (C.2) zone, be given First and Second Reading and forwarded to a Public Hearing.

6. CONTINUING BUSINESS AND BUSINESS ARISING FROM COMMITTEES AND DELEGATIONS

- 6.1 Delegation Request for Amendment to City of Enderby Sidewalk Encroachments Policy Page 49
Memo prepared by Planner dated September 18, 2024
THAT Council maintains proactive enforcement of the current Sidewalk Encroachments Policy.

7. BYLAWS

- 7.1 City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1804, 2024 – Setbacks for Single Family Dwellings in Residential Multi-Family Medium Intensity (R.3) Zone and Corrugated Metal Fencing for Screening Purposes Page 56
Memo prepared by Planner dated September 17, 2024
THAT Council gives First and Second Reading to City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1804, 2024 and forwards it to a Public Hearing.

8. REPORTS

- 8.1 UBCM 2024 Report
- 8.2 Mayor and Council Reports
- 8.3 Area F Director Report
- 8.4 Chief Administrative Officer Report

8.4.1 Council Inquiries

- 8.5 RDNO Building Permit Report – August 2024 Page 60
THAT the RDNO Building Permit Report – August 2024 be received and filed.

9. NEW BUSINESS

- 9.1 Pay Parking Program for Tuey Park Page 61
Memo prepared by Planner dated September 12, 2024
THAT Council receives and files the memorandum titled “Pay Parking Program for Tuey Park”.

- 9.2 Proposed Date and Time for 2024 Business Walk Page 84
Memo prepared by Planner dated September 12, 2024
THAT Council confirms either Thursday October 24 or Friday October 25 as the date for the 2024 Business Walk;

AND THAT Council confirms that 10:00 am – 12:00 pm is an acceptable time for the 2024 Business Walk;

AND FURTHER THAT Council sends an invitation to the Enderby & District Chamber of Commerce to participate in the 2024 Business Walk.

- 9.3 Proposed Pedestrian Walkway Enhancements Along the Unpaved Portion of Waterwheel Street Page 85
Memo prepared by Planner dated September 17, 2024
THAT Council supports in principle a walkway enhancement initiative consisting of the installation of ‘No Parking’ signs along, and the re-grading of, the western boulevard of the unpaved portion of Waterwheel Street;

AND THAT Council refers the project to budget for 2025 and directs Staff to explore potential grant opportunities.

- 9.4 2025-27 Residential Refuse Collection Contract Page 87
Memo prepared by Chief Financial Officer dated September 27, 2024
THAT Council awards the Residential Refuse Collection Contract for 2025 – 2027 to Tip-It Waste Solutions.

- 9.5 Appointment of Liaison to Enderby & District Chamber of Commerce Page 89
Memo prepared by Chief Administrative Officer dated October 1, 2024
THAT Council appoints _____ as liaison to the Enderby & District Chamber of Commerce.

- 9.6 Request for Letter of Support from the Enderby & District Chamber of Commerce Page 91
Correspondence from Robyn Cyr, Brabyn Business Solutions, dated October 1, 2024.
THAT Council authorize the issuance of a letter of support for the Enderby & District Chamber of Commerce in their ETSI-BC grant application.

- 9.7 Enderby National Film Board – Screening Event Funding Page 93
Memo prepared by Chief Financial Officer dated September 25, 2024
Resolution A
THAT Council provides the Enderby National Film Board with a Bronze Scholarship for the October 21, 2024 screening date.

or

Resolution B

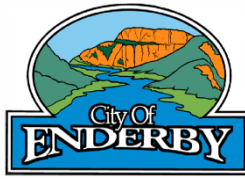
THAT Council does not provide the Enderby National Film Board with financial assistance.

10. PUBLIC QUESTION PERIOD

11. CLOSED MEETING RESOLUTION

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) (b) of the Community Charter.

12. ADJOURNMENT



THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held on Tuesday, September 3, 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

Absent: Councillor Sarah Yerhoff

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

Other: Press and Public

LAND ACKNOWLEDGEMENT

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

APPROVAL OF AGENDA

Moved by Councillor Baird, seconded by Councillor Ramey
“THAT the September 3, 2024 Council Meeting agenda be approved as circulated.”

CARRIED

ADOPTION OF MINUTES

Meeting Minutes of August 19, 2024

Moved by Councillor Ramey, seconded by Councillor Davyduke
“THAT the August 19, 2024 Council Meeting minutes be adopted as circulated.”

CARRIED

DELEGATIONS

Janet Cardiff, Cardiff Miller Art Warehouse

Ms. Cardiff gave an overview of the operations of the Cardiff Miller Art Warehouse and explained that in just over a year since opening, they have had 3600 visitors, and that most of those visitors are from other communities that visit Enderby because the museum is located here.

Ms. Cardiff explained that there is a sandwich board that was previously placed on the sidewalk of Highway 97A. This sign was placed in contravention of a bylaw that only allows sandwich boards to be placed on sidewalks adjacent to businesses. Since this sign was removed, there has been a decrease in visitors and requested that Council amend the bylaw to allow this sign to be placed on the highway sidewalk.

Councillor Schreiner asked staff for an explanation of the reasoning for the current bylaw.

Chief Administrative Officer explained that direction to enforce this provision of the bylaw proactively came as a result of Council's policy to clean up the highway corridor in approximately 2014, when there were many signs placed along the highway through town. Noted that allowing signage for specific non-adjacent entities on the highway and not others would be difficult to apply fairly because, once one is placed, many more quickly pop up.

Councillor Ramey expressed a desire to find a way to allow the sandwich board sign to be placed and stated that an exemption should be made for Cardiff Miller Art Warehouse.

Council requested that staff bring forward a report at the next meeting analysing the request.

DEVELOPMENT MATTERS AND RELATED BYLAWS

Councillor Baird declared a conflict of interest because of a business interest and recused from the meeting at 4:48 p.m.

Zoning Text Amendment #0016-24-ZTA-END

Moved by Councillor Shishido, seconded by Councillor Ramey
“THAT City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1803, 2024 which proposes to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to permit a detached secondary suite to be located on the second storey level of an accessory residential building for the property legally described as LOT 1 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP59880 EXCEPT PLAN KAP65977 and located at 123 Red Rock Crescent, Enderby BC, be given First and Second Reading and forwarded to a Public Hearing.”

CARRIED

Zoning Text Amendment #0015-24-ZTA-END

Mayor Galbraith invited the applicant to speak to the application.

Brad Case explained that the proposed development has the potential to make the downtown core nicer and safer, while the three dwelling units make it a viable investment.

Council discussed concerns regarding parking, loading, garbage, and snow removal.

Moved by Councillor Shishido, seconded by Councillor Schreiner

“THAT City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1799, 2024 which proposes to amend the text of City of Enderby Zoning Bylaw No. 1550, 2014 to increase the maximum permitted gross density for the property legally described as PARCEL B (DD 179916F) BLOCK 13 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A and located at 612 Cliff Avenue, Enderby BC, from 60 units per hectare (24.28 units per acre) to 79.79 units per hectare (32.29 units per acre), in order to increase the number of permitted residential dwelling units for the property from 2 to 3, be given Three Readings and Adoption;

AND FURTHER THAT should Council give Three Readings and Adoption to City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1799, 2024, such Adoption shall come into force and effect once the Ministry of Transportation and Infrastructure has endorsed the Bylaw.”

CARRIED

Development Variance Permit #0070-24-DVP-END

The Planner gave an overview of the Staff report.

There were no representations made by the public.

There were no written representations.

Councillor Ramey asked if there is an ability to enforce rules about how many vehicles tenants are allowed to own.

Chief Administrative Officer responded that the housing agreement is enforceable, and puts the onus to enforce on the property owner.

Moved by Councillor Ramey, seconded by Councillor Davyduke

“THAT Council authorizes the issuance of a Development Variance Permit for the property legally described as PARCEL B (DD 179916F) BLOCK 13 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A, and located at 612 Cliff Avenue, Enderby BC, to permit variances to the following sections of the City of Enderby Zoning Bylaw No. 1550, 2014:

- *Section 901.2.a by increasing the maximum percentage of required parking spaces that can be made up of small-car parking from 40% to 50%, as shown on the attached Schedule ‘A’; and*
- *Section 901.2.g.ii by reducing the minimum setback between a parking space and a dwelling from 1.5 m (4.92 feet) to 0.76 m (2.49 feet), as shown on the attached Schedule ‘A’.*

AND THAT Council authorizes the issuance of a Development Variance Permit for the property legally described as PARCEL B (DD 179916F) BLOCK 13 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A, and located at 612 Cliff Avenue, Enderby BC, to permit a variance to Section 901.2.b of the City of Enderby Zoning Bylaw by waiving the requirement for right-angle off-street parking spaces to be serviced via an 8 m (26.25 foot) maneuvering aisle, as shown on the attached Schedule ‘A’ subject to the owner registering a covenant on the title of the property which releases, indemnifies, and holds harmless, including litigation costs, the City of Enderby for all matters related to or arising from

the issuance of the Development Variance Permit and further affirms that the City's decision in granting the variance does not prejudice or affect its rights, powers, duties, or obligations with respect to the development of adjacent properties;

AND THAT Council authorizes the issuance of a Development Variance Permit for the property legally described as PARCEL B (DD 179916F) BLOCK 13 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A, and located at 612 Cliff Avenue, Enderby BC, to permit a variance to Section 901.3 of the City of Enderby Zoning Bylaw No. 1550, 2014 by reducing the minimum number of off-street parking spaces from 11 to 4, as shown on the attached Schedule 'A', subject to the property owner registering a housing agreement by covenant on the title of the property, satisfactory to the City, which requires that the parking demands associated with the residential portion of the development are contained on-site and which shall be a material term of any tenancy agreement;

AND FURTHER THAT Council authorizes the issuance of a Development Variance Permit for the property legally described as PARCEL B (DD 179916F) BLOCK 13 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 211A, and located at 612 Cliff Avenue, Enderby BC, to permit a variance to Section 1001.4.a.i of the City of Enderby Zoning Bylaw No. 1550, 2014 by reducing the number of off-street loading spaces from 1 to 0, as shown on the attached Schedule 'A', subject to the property owner registering a covenant on the title of the property which requires off-street loading activities occur from the south side of the subject property."

CARRIED

Councillor Baird returned to the meeting at 5:09 p.m.

Amendment to Development Variance Permit 0068-24-DVP-END

Moved by Councillor Schreiner, seconded by Councillor Shishido
"THAT Council amends Development Variance Permit 0068-24-DVP-END to clarify that the variances permitting an on-site sewage disposal system for the proposed subdivision at 247 Brickyard Road includes the provisions under Section 315 of the City of Enderby Zoning Bylaw No. 1550, 2014."

CARRIED

CONTINUING BUSINESS AND BUSINESS ARISING FROM COMMITTEES AND DELEGATIONS

EV Charging Stations Local Availability

Councillor Ramey reported that the Village of Chase has two EV charging stations and that their installation was fully funded by BC Hydro.

Mayor Galbraith reported that he was told the charging stations at the Quilakwa Canco will be re-instated but is unsure of the timeline.

Councillor Ramey noted that, if there is a way to install charging stations without burdening the taxpayer, it should be considered. Councillor Ramey will bring back more information at the next Council meeting.

Councillor Shishido voiced concerns about recycling EV batteries.

Moved by Councillor Ramey, seconded by Councillor Baird
“THAT if Quilakwa Canco confirms that it does not have plans to re-instate its EV charging stations in the reasonably near future, this item will be brought back to Council for further discussion.”

CARRIED

BYLAWS

Metered Water Rates – Maximum Chargeable Consumption

Moved by Councillor Baird, seconded by Councillor Ramey
“THAT Council adopts the bylaw cited as “The City of Enderby Fees and Charges Bylaw No. 1479, 2010 Amendment Bylaw No. 1798, 2024”.”

CARRIED

REPORTS

Mayor and Council Reports

Councillor Shishido

Reported that the most recent Enderby & District Services Commission meeting went well.

Councillor Davyduke

Reported that Friday Night Lights was very well attended despite the weather and that there were 182 cars registered for the car show.

Will be attending UBCM along with Councillors Yerhoff and Schreiner. Reported that they have registered for different sessions throughout the conference to bring back as much information as possible. Noted that a workshop related to the drug crisis has been cancelled, unfortunately.

Reported that Community Futures has some workshops starting up again for the fall, including a business canvas workshop, and a workshop on updates to the Employment Standards Act.

Councillor Schreiner

Attended the National Indigenous Peoples Day event at Splatsin.

Attended meetings at the Enderby United Church regarding the possible closure of the church and invited representatives to present to Council as a delegation.

Noted that the burnout competition was missed at Friday Night Lights and asked if there was a possibility to bring it back with some additional funding. The ensuing discussion indicated that the issue was not financial but rather logistics faced by the organizers and volunteers.

Councillor Ramey suggested something else should be organized to replace the burnout competition next year.

Councillor Ramey

Attending an Enderby & District Arts Council meeting on Wednesday.

Councillor Baird

Reported that Friday Night Lights was a success. Noted that there should be more recycling bins downtown, more maps, and more tables at the food court.

Attended the Legion Gold Tournament Fundraiser.

Enderbeer and Wine Festival tickets are now available online, as well as at City Hall, Transition Marketing, and the Enderby Legion #98.

Mayor Galbraith

Nothing to report.

Chief Administrative Officer

Reported that the City is waiting to hear back about the Construction Permit application for the Reservoir 1 rebuild, after which a request for proposals is expected to be issued.

Design work for the water treatment plant upgrade is expected to reach a significant milestone this week.

The Pool's construction drawing development phase is on target for 50% completion by the end of this week. This is the trigger for the submission to the Interior Health Authority for a Construction Permit.

The replacement header at the arena has been leak-tested and its performance has been validated. The floor has been reinstated. The chiller will be started up tomorrow. Things are on target to open for the third week of September. Thanked Parks staff for their oversight of this initiative and Public Works for their help reinstating the floor.

The last day of operation for the pool was on Friday. Thanked the lifeguarding staff and Recreation Services for a great season.

The Russell Avenue road project is proceeding. Building the structure of the new road is occurring now, then curbing, paving, and landscape tie-ins. The issue that caused the water main to fail its pressure test has now been located and fixed.

The new Fire Department Command/Utility vehicle will be in operation soon.

Friday Night Lights was a success. Thanked the Events Coordinator and Council for their respective roles in making for a great night.

Preparations are ongoing for the Enderbeer and Wine Festival. The website has been soft launched at www.enderbeerandwine.com. Sponsor logos should be going up this week. Tickets are now on sale.

The residential garbage collection request for quotes has been posted, and closes later this month.

The inaugural Coffee with Mayor and Council is scheduled for October 8th, from 9:30-11:00 a.m. at Hungry Jack’s. Staff will be promoting it over the next several weeks.

Councillor Schreiner asked for an update on the request from a member of the public to apply dust control to the dirt portion of Waterwheel Street.

Chief Administrative Officer responded that there has since been an application of dust control. Explained that the reason for the delay was two-fold. The calcium chloride that is applied to the roads was delayed due to rail interruptions associated with the Jasper wildfire, and the calcium chloride is best applied when there is moisture present.

Councillor Ramey asked why the pool isn’t kept open through the Labour Day long weekend.

Chief Administrative Officer explained that most of the lifeguarding staff at the pool are university students who are returning to school that weekend. There is not enough staff remaining to keep the pool open.

Bylaw Enforcement Statistics for Second Period of 2024 (May-Aug)

Moved by Councillor Shishido, seconded by Councillor Baird
“THAT Council receives and files the memorandum titled “Bylaw Enforcement Statistics for Second Period of 2024 (May-Aug)”.”

CARRIED

NEW BUSINESS

Riverside RV Park – 2025 Camp Rates

Moved by Councillor Shishido, seconded by Councillor Baird
“THAT Council approves the following camp rates (inclusive of GST) at the Riverside RV Park for the 2025 camping season:

<i>Full Service Pull Through Site</i>	<i>\$46.00</i>
<i>Full Service Back In Site</i>	<i>\$44.00</i>
<i>Water and Power Site</i>	<i>\$42.00</i>
<i>Power Site</i>	<i>\$40.00</i>
<i>Tent Site</i>	<i>\$33.00”</i>

CARRIED

Designation of Ghanshyam Kaushik as Bylaw Enforcement Officer and Animal Control Officer

Moved by Councillor Ramey, seconded by Councillor Schreiner
“THAT Council designates Ghanshyam Kaushik as a Bylaw Enforcement Officer and Animal Control Officer for the City of Enderby.”

CARRIED

City of Enderby Development Corporation Annual Information Meeting 2024

Chief Administrative Officer gave an overview of the City of Enderby Development Corporation and why it was created. Explained that the corporation currently sits dormant, but that the

significant work to get it started has been completed so that it may be activated quickly, should an opportunity arise.

Moved by Councillor Baird, seconded by Councillor Schreiner

“THAT Council, in its capacity as the sole shareholder of the City of Enderby Development Corporation, resolves:

1. *THAT, in accordance with Article 10.2 of the City of Enderby Development Corporation’s Articles of Incorporation, the shareholder consents to the business to be transacted at the annual general meeting, such that it is deemed to be held by this resolution and on the date of this resolution.*
2. *AND THAT the annual reference date for the City of Enderby Development Corporation is September 3, 2024.*
3. *AND THAT, in accordance with Article 10.3 of the City of Enderby Development Corporation’s Articles of Incorporation, and in lieu of the annual general meeting, an annual information meeting is hereby held on September 3, 2024 with notice given in substantially the same form as that required for notice of special meetings under section 9 of the City of Enderby Procedure Bylaw No. 1732, 2021.*
4. *AND THAT, as there were no financial transactions for the City of Enderby Development Corporation for the fiscal year ended December 31, 2023 and the City of Enderby Development Corporation has no assets, liabilities and equity:*
 - a) *The appointment of auditors for the City of Enderby Development Corporation is waived in accordance with section 200 of the Business Corporations Act; and*
 - b) *The production and publication of financial statements for the City of Enderby Development Corporation is waived in accordance with section 203(2) of the Business Corporations Act.*
5. *AND THAT that the following persons, each of whom has consented in writing to act as a director, are appointed as directors of the City of Enderby Development Corporation, to hold office in the manner specified until the next annual general meeting of the City of Enderby Development Corporation or until their successors are appointed, subject to Article 14.6 of the City of Enderby Development Corporation’s Articles of Incorporation:*

Tate Bengtson (Chief Executive Officer)
Jennifer Bellamy (Chief Financial Officer)
6. *AND FURTHER THAT all lawful acts, contracts, appointments, and payments of money by the directors of the City of Enderby Development Corporation, if any, since the last annual reference period, which coincides with the date of the recognition of the City of Enderby Development Corporation, and which have previously been disclosed to the shareholder, are hereby adopted, ratified, and confirmed.”*

CARRIED

PUBLIC QUESTION PERIOD

Jackie Pearase of Rivertalk confirmed that the date for Coffee with Mayor and Council is October 8, 9:30-11:00 a.m.

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) (a) and 90 (2) (b) of the Community Charter.*”

CARRIED

ADJOURNMENT

Moved by Councillor Shishido, seconded by Councillor Davyduke
“*THAT the regular meeting of September 3, 2024 adjourn at 6:47 p.m.*”

CARRIED

MAYOR

CORPORATE OFFICER

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner
Date: September 6, 2024
Subject: 0016-24-ZTA-END (Borhaven) - Third Reading and Adoption of City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1803, 2024

RECOMMENDATION

THAT Council receives and files the Zoning Text Amendment Application Staff Report dated August 29, 2024; AND THAT upon consideration of input at the Public Hearing, City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1803, 2024 which proposes to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to permit a detached secondary suite to be located on the second storey level of an accessory residential building for the property legally described as LOT 1 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP59880 EXCEPT PLAN KAP65977 and located at 123 Red Rock Crescent, Enderby BC, be given Third Reading and Adoption.

BACKGROUND

A Zoning Text Amendment application was submitted for the property located at 123 Red Rock Crescent, Enderby. The applicant is proposing to construct a new accessory residential building (shop) with a detached secondary suite on the second storey level; in order to accommodate this proposed development, the applicant is proposing to amend the City of Enderby Zoning Bylaw No. 1550, 2014 in order to permit a detached secondary suite to be located on the second storey level of an accessory residential building.

At the Regular Meeting of September 3, 2024, Council gave First and Second Readings to the associated City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1803, 2024 and forwarded the Bylaw 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.

Respectfully Submitted,



Kurt Inglis
Planner

**CITY OF ENDERBY
ZONING TEXT AMENDMENT APPLICATION**

File No.: 0016-24-ZTA-END

August 29, 2024

APPLICANT/OWNER: Eric and Leola Borhaven

LEGAL DESCRIPTION: LOT 1 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP59880 EXCEPT PLAN KAP65977

P.I.D #: 023-859-440

CIVIC ADDRESS: 123 Red Rock Crescent, Enderby BC

PROPERTY SIZE: 2.75 hectares (6.79 acres/27,478 m²)

ZONING: Residential Single Family (R.1)

O.C.P DESIGNATION: Residential Low Density

PROPOSAL: Construct an accessory residential building (shop) with a detached secondary suite on the second storey level

PROPOSED TEXT AMENDMENT: Permit a detached secondary suite to be permitted on the second storey level of an accessory residential building

RECOMMENDATION:

THAT City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1803, 2024 which proposes to amend the City of Enderby Zoning Bylaw No. 1550, 2014 to permit a detached secondary suite to be located on the second storey level of an accessory residential building for the property legally described as LOT 1 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP59880 EXCEPT PLAN KAP65977 and located at 123 Red Rock Crescent, Enderby BC, be given First and Second Reading and forwarded to a Public Hearing.

BACKGROUND:

This report relates to a Zoning Text Amendment application for the property located at 123 Red Rock Crescent, Enderby. The applicant is proposing to construct a new accessory residential building (shop) with a detached secondary suite on the second storey level; in order to accommodate this proposed development, the applicant is proposing to amend the City of Enderby Zoning Bylaw No. 1550, 2014 in order to permit a detached secondary suite to be located on the second storey level of an accessory residential building.

Site Context:

The 2.75 hectare (6.79 acre/27,478 m²) property is located on the western side of the Red Crescent cul-de-sac. The property slopes steeply to the northwest and a significant portion of the property remains treed. Access to the property is gained via a gravel driveway off of Red Rock Crescent. A single family dwelling, built in 2008, is located in the central portion of the property, with a large accessory residential building to its southeast. The City of Enderby has a utility statutory right-of-way that runs northwest through the property to Preston Crescent, which is intended for future sanitary and storm sewer mains.

The subject property and properties to the north, east, and south are zoned Residential Single Family (R.1) and are designated in the OCP as Residential Low Density. The property to the west is zoned Country Residential (C.R) and is designated in the OCP as Residential Low Density.

The following map shows the Zoning designation of the subject and surrounding properties:

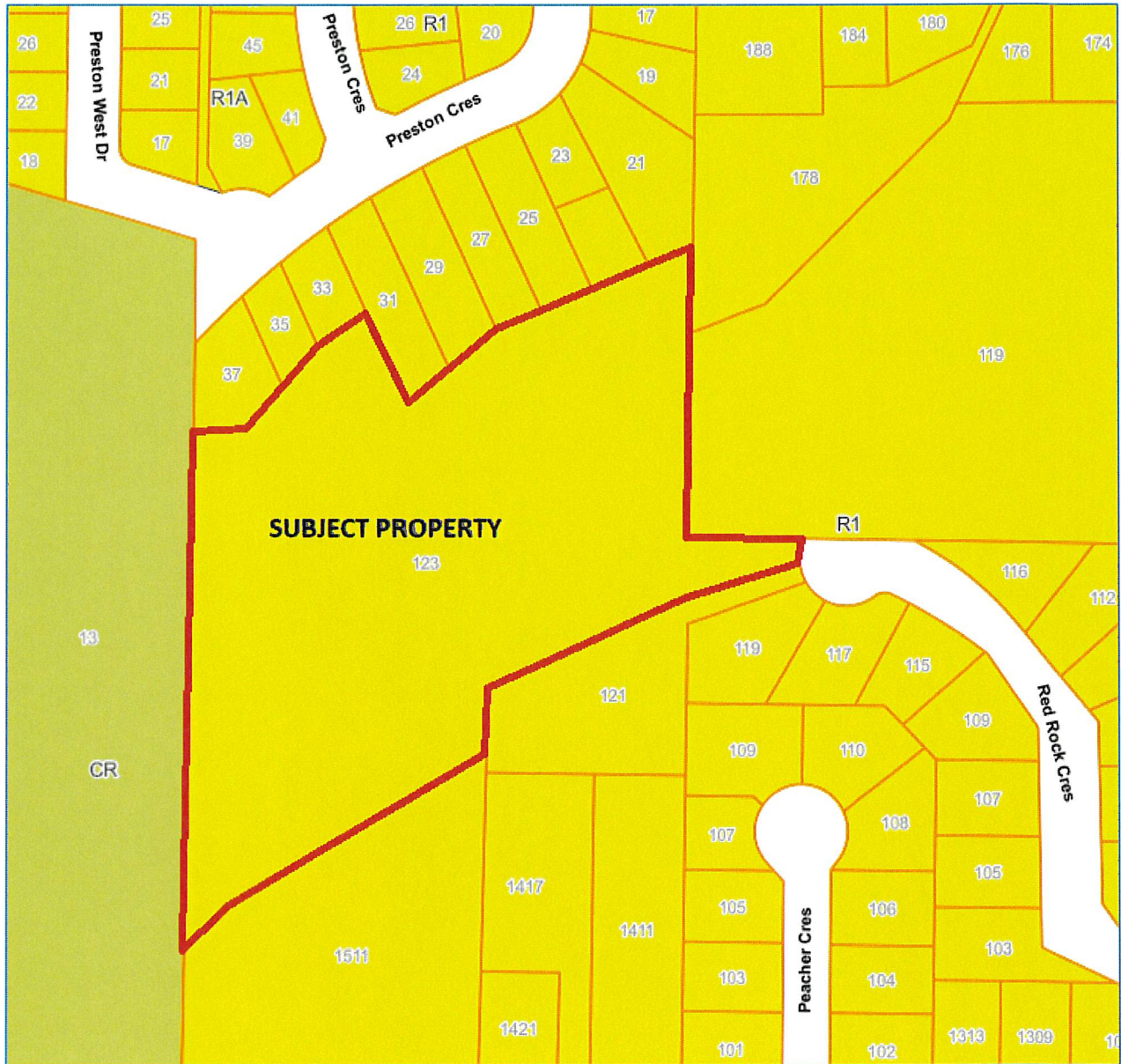


Figure 1: Zoning Map

Yellow – Residential Single Family (R.1)
 Beige – Country Residential (C.R)

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.

The Proposal

The applicant is proposing to construct a two-storey accessory residential building (shop) with a detached secondary suite on the second storey level. As shown on the site plan attached as Schedule 'A', the applicant is proposing to locate the new accessory residential building to the southwest of the existing single family dwelling. The proposed accessory residential building would be serviced via the City's community water and community sanitary sewer systems off of Red Rock Crescent.

ZONING BYLAW:

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

- Accessory residential
- Restricted agricultural use
- Single family dwellings
- Two family dwellings
- Three family dwellings
- Four family dwellings
- Attached secondary suites
- Detached secondary suites
- Bed and breakfasts
- Civic and public service use
- The keeping of backyard hens
- The keeping of backyard bees

Although accessory residential buildings and detached secondary suites are both permitted uses in the Residential Single Family (R.1) zone, a detached secondary suite is not permitted to occur on the second storey level of an accessory residential building. Given this, in order to accommodate the proposed development, the applicant is proposing to amend the City of Enderby Zoning Bylaw No. 1550, 2014 in order to permit a detached secondary suite to be located on the second storey level of an accessory residential building.

***It should be noted that there are certain elements of the applicant's proposed development which are not consistent with the City of Enderby Zoning Bylaw No. 1550, 2014; these matters would be addressed through a separate Development Variance Permit application, should this Zoning Text Amendment application be approved.

OFFICIAL COMMUNITY PLAN:

The following policies from the City of Enderby Official Community Plan relate to this development:

Policy 2.2.b - To maintain and enhance the City of Enderby as a sustainable, diverse, vibrant, unique and attractive community.

Policy 2.2.c - To maintain and enhance the social well-being, development, and the quality of life for all citizens of Enderby.

Policy 2.2.f - To respect and preserve a process of open, flexible and participatory decision making in the ongoing planning and day-to-day decisions of the City.

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.

REFERRAL COMMENTS:

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

No 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 amend the City of Enderby Zoning Bylaw No. 1550, 2014 in order to permit a detached secondary suite to be located on the second storey level of an accessory residential building, and upon consideration of input received at a Public Hearing, it is recommended that Council support the application. The rationale for why detached secondary suites are not permitted on the second storey level of accessory residential buildings is because it could have visual or privacy impacts to adjacent properties, which is compounded by the fact that accessory residential buildings have more lenient setbacks as compared to principal buildings and detached secondary suites; these visual and privacy impacts are most pronounced on typically-sized residential lots in the community, which are generally 450 m²-700 m² in area. However, the subject property is a very large lot (2.75 hectares or ~48x larger than a typical residential lot) and the proposed accessory residential building is setback considerably from the property lines (i.e. > 60 m (197 feet)); given this, it is not anticipated that the proposal would result in any privacy or visual impacts to adjacent properties.

SUMMARY

This report relates to a Zoning Text Amendment application for the property located at 123 Red Rock Crescent, Enderby. The applicant is proposing to construct a new accessory residential building (shop) with a detached secondary suite on the second storey level; in order to accommodate this proposed development, the applicant is proposing to amend the City of Enderby Zoning Bylaw No. 1550, 2014 in order to permit a detached secondary suite to be located on the second storey level of an accessory residential building.

The City of Enderby Planner recommends that Council support the application.

Prepared By:



Kurt Inglis, MCIP, RPP
Planner

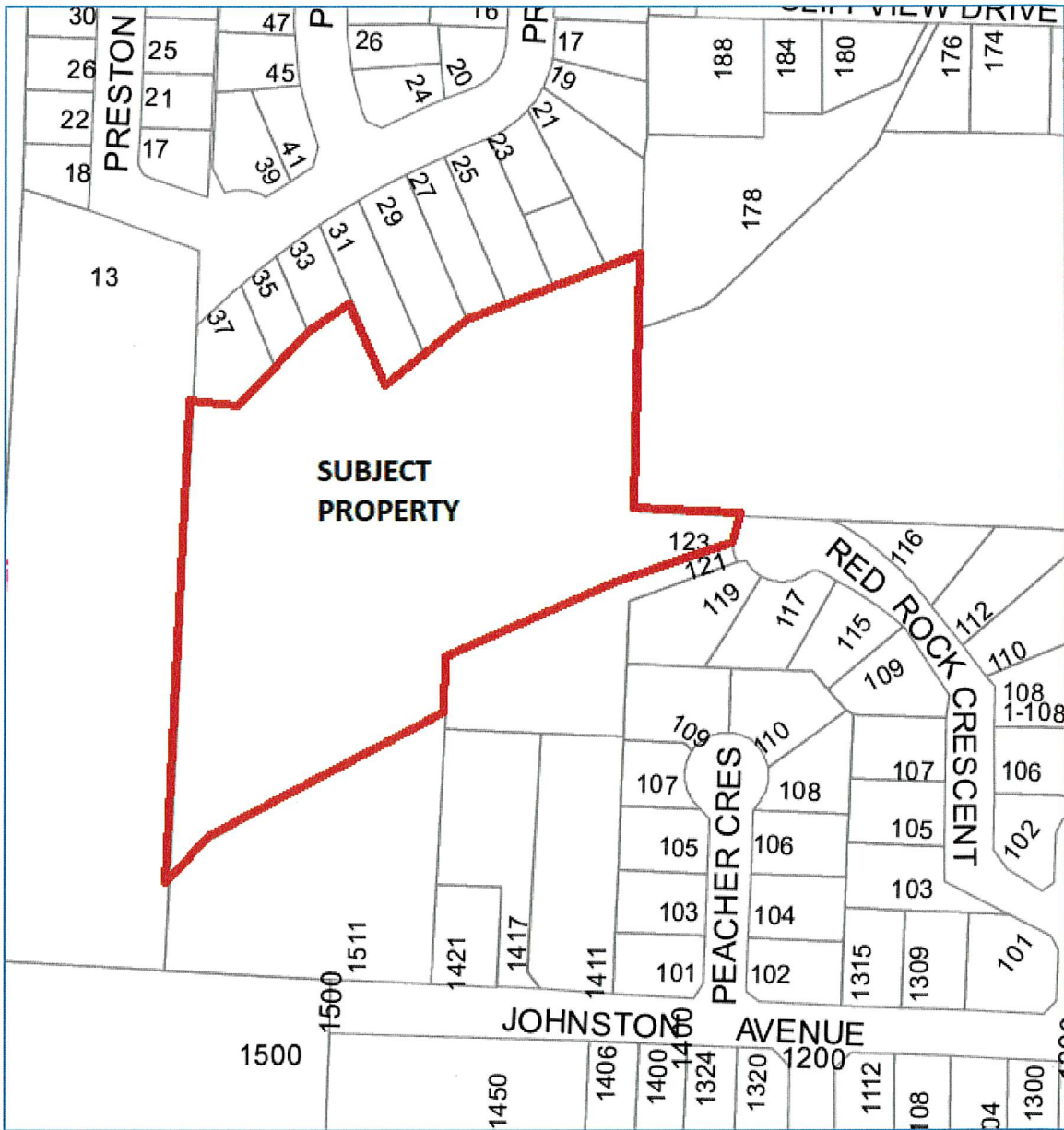
Reviewed By:



Tate Bengtson
Chief Administrative Officer

THE CORPORATION OF THE CITY OF ENDERBY
ZONING TEXT AMENDMENT APPLICATION
SUBJECT PROPERTY MAP

File: 0016-24-ZTA-END
Applicant/Owner: Eric and Leola Borhaven
Location: 123 Red Rock Crescent, Enderby BC



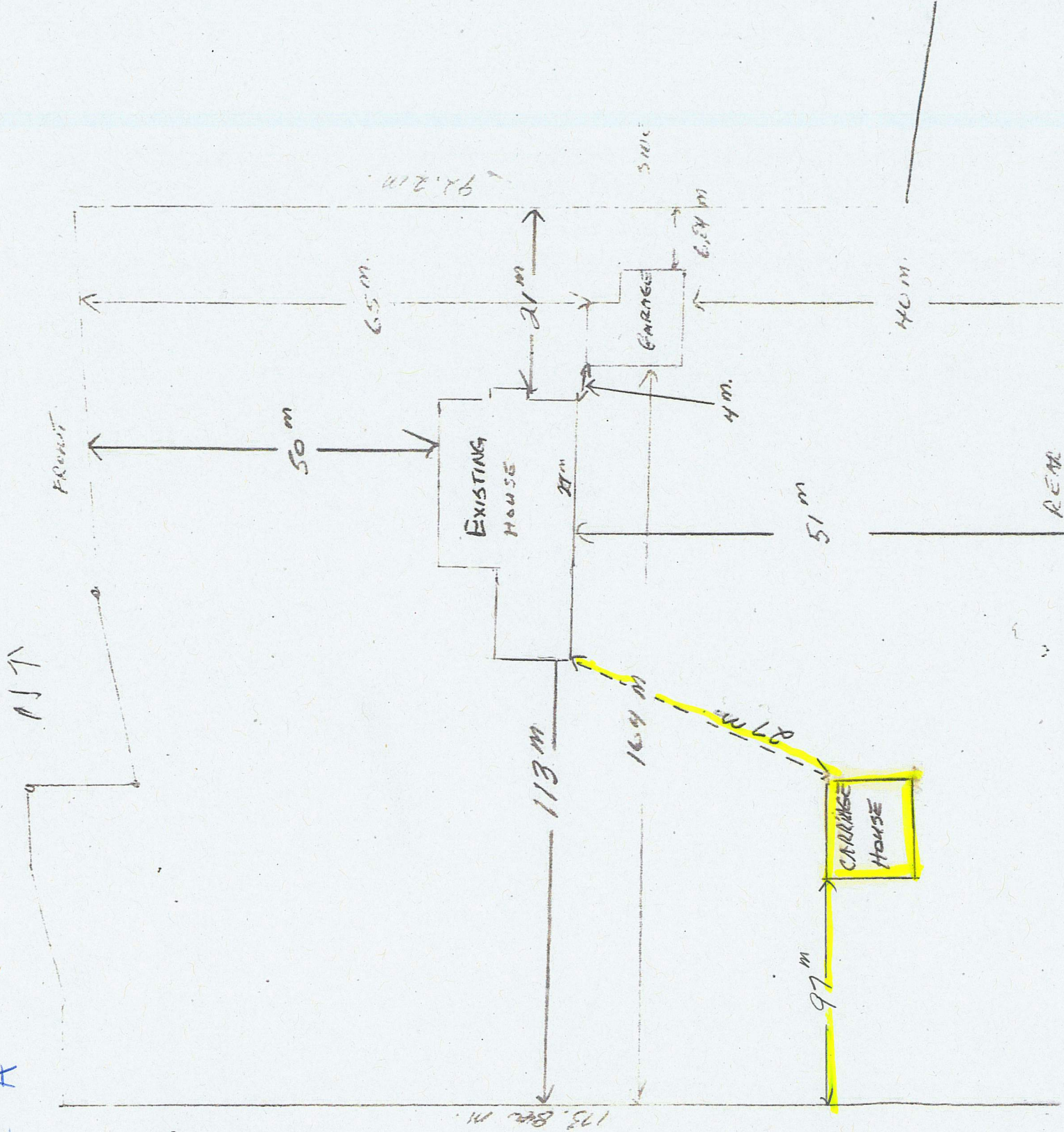
Schedule 'A'

ERIC / KENNETH
BORNHAEVER

PID 023-859-440

123 REDBURN CRES
REDDENBY B.C.

MEASUREMENTS
ARE APPROXIMATE



THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1803

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”;

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. 1803, 2024”.
2. DIVISION SIX – RESIDENTIAL ZONES is amended by including Section 601.11.c as follows:
 - c. A detached secondary suite is permitted to be located on the second storey level of an accessory residential building for the property legally described as LOT 1 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP59880 EXCEPT PLAN KAP65977, and located at 123 Red Rock Crescent, Enderby BC.

Public notice provided in an edition of the local/regional print newspaper on the 27th day of September, 2024 and posted on the City of Enderby website on the 4th day of September, 2024, and a Public Hearing held pursuant to the provisions of Section 464 of the *Local Government Act* on the day of , 2024.

READ a FIRST time this 3rd day of September, 2024.

READ a SECOND time this 3rd day of September, 2024.

READ a THIRD time this day of , 2024.

ADOPTED this day of , 2024.

MAYOR

CORPORATE OFFICER

**CITY OF ENDERBY
REZONING APPLICATION**

AGENDA

File No: 0006-24-RZ-END

September 12, 2024

APPLICANT: Beverley Humphrey

OWNER: GTI Petroleum (B.C.) Ltd.

LEGAL DESCRIPTIONS: i) NORTHERLY PORTION OF LOT 2 DISTRICT LOT 150 KAMLOOPS DIVISION YALE DISTRICT PLAN 1876 HAVING A UNIFORM WIDTH OF 60 FEET FRONTING EVERGREEN AVENUE AND EXTENDING THE FULL DEPTH OF SAID LOT AND ADJOINING LOT 1 PLAN 1876

ii) LOT 1 DISTRICT LOT 150 KAMLOOPS(FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563

iii) LOT 2 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563

PID #(s): 011-083-638
009-483-837
009-483-861

LOCATION: 1600 George Street, Enderby BC
1602 George Street, Enderby BC
1604 George Street, Enderby BC

PROPERTY SIZES: 1600 George Street – 1,427.2 m² (15,362 square feet)
1602 George Street – 713.8 m² (7,683 square feet)
1604 George Street – 780.7 m² (8,403 square feet)

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

PROPOSED ZONING: Highway and Tourist Commercial (C.2)

OCP DESIGNATION: Highway and Tourist Commercial

PROPOSAL: Rezone the properties to enable the future commercial development of the sites and legalize an existing non-conforming use (commercial parking lot)

RECOMMENDATION:

THAT City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1802, 2024 which proposes to rezone the properties legally described as: i) NORTHERLY PORTION OF LOT 2 DISTRICT LOT 150 KAMLOOPS DIVISION YALE DISTRICT PLAN 1876 HAVING A UNIFORM WIDTH OF 60 FEET FRONTING EVERGREEN AVENUE AND EXTENDING THE FULL DEPTH OF SAID LOT AND ADJOINING LOT 1 PLAN 1876, and located at 1600 Evergreen Street, Enderby BC, ii) LOT 1 DISTRICT LOT 150 KAMLOOPS(FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563, and located at 1602 Evergreen Street, Enderby BC, and iii) LOT 2 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563, and located at 1604 Evergreen Street, Enderby BC, from the Residential Single Family (R.1-A) zone to the Highway and Tourist Commercial (C.2) zone, be given First and Second Reading and forwarded to a Public Hearing.

BACKGROUND:

This report relates to a Rezoning Application for the properties located at 1600, 1602 and 1604 Evergreen Street, Enderby BC. The applicant is proposing to rezone the properties from the Residential Single-Family (R.1-A) zone to the Highway and Tourist Commercial (C.2) zone, in order to enable the future commercial development of the sites and legalize an existing non-conforming use (commercial parking lot).

Site Context

1602 and 1604 Evergreen Street are located on the west side of Evergreen Street and have areas of 713.8 m² (7,683 square feet) and 780.7 m² (8,403 square feet), respectively. 1600 Evergreen Street has frontage on both Evergreen Street and George Street (Highway 97A) and has an area of 1,427.2 m² (15,362 square feet). The properties are relatively flat and do not have any buildings on them. 1602 and 1604 Evergreen Street are currently being used as a gravel parking lot for the adjacent commercial business to the north, which is not a permitted use within the Residential Single Family (R.1-A) zone.

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

- Subject and south properties - Zoned Residential Single Family (R.1-A) and designated in the OCP as Highway and Tourist Commercial
- North and northwest properties - Zoned Highway and Tourist Commercial (C.2) and designated in the OCP as Highway and Tourist Commercial
- West property – Zoned Residential Single Family (R.1-A) and designated in the OCP as Residential Medium Density
- East property – Zoned Transportation Corridor (S.2) and designated in the OCP as Transportation Corridor

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



Figure 1. Zoning Map

- Yellow – Residential Single Family (R.1-A)
- Green – Highway and Tourist Commercial (C.2)
- Purple – Transportation Corridor (S.2)

The following orthophoto of the subject and surrounding properties was taken in 2024:



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 to rezone the properties from the Residential Single-Family (R.1-A) zone to the Highway and Tourist Commercial (C.2) zone, in order to enable the future commercial development of the sites; at this time, the applicant has not yet determined what that the specific future commercial use(s) will be. The applicant is proposing to continue to use 1602 and 1604 Evergreen Street as a parking lot for the

adjacent commercial business to the north (Sutherlands Bakery/GTI Petroleum), until such time as the applicant is ready to develop the properties to a more intensive commercial use.

ZONING BYLAW:

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

- Accessory residential
- Restricted agricultural use
- Single family dwellings
- Two family dwellings
- Three family dwellings
- Four family dwellings
- Attached secondary suites
- Detached secondary suites
- Bed and breakfasts
- Civic and public service use
- The keeping of backyard hens
- The keeping of backyard bees

Uses permitted within the proposed Highway and Tourist Commercial (C.2) zone include:

- Accessory buildings and structures
- Accommodation including apartments, dwelling units, hotels and motels
- Civic and public service use
- Auditoriums, youth centres, and social halls
- Food service including coffee shops, dairy bars, restaurants, bakeries, butcher shops, caterers, and fish shops
- Retail sales and service for: automobiles, farm equipment, boats, mobile homes, trucks, recreation vehicles, motorcycles, and sporting goods
- Retail sales including servicing where applicable: confectionery stores, flowers, fruit, plants, produce, nurseries, green houses, tire shops, wine and beer shops, appliances, beverages, bicycles, electronic equipment, furniture, garden supplies, glass, hardware, paint, pets, pet food, plants, animal beauty parlours, bakery shops, hairdressers, locksmith shops, optical shops, shoe repair, tailor shops, and watch repair
- Service - repair and rental: service stations, garages for automobile service and repairs, mini storage facilities, car washes, petroleum distribution, costume rentals, and video rentals
- Transportation facilities including commercial parking lots, passenger transportation depots, taxi dispatch offices, and weigh scales
- Retail sales of beer, wine and liquor
- Educational facilities and professional studios including art studios, business colleges, dance studios, music studios, photography studios, radio studios, television studios, and trade schools
- Entertainment and recreation facilities including arcades, billiard halls, bowling alleys, drive-in clubs, sports clubs, and sports facilities

- Office and commerce facilities and accommodations for engineers, funeral homes, land surveyors, management companies, mortuaries, newspapers, publishing, real estate, surveyors, veterinarians, massage therapy clinics, dentists, doctors, and any other professional office
- Cannabis-Related Business

As previously mentioned, the current use of 1602 and 1604 Evergreen Street as a parking lot for the commercial property to the north is not permitted under the R.1-A zoning designation. Although a successful rezoning of the properties to the C.2 zone would make the existing parking lot use lawful, the property owner would still need to complete certain works (i.e. paving/curbing the parking lot, connecting or consolidating the subject lots with the neighbouring commercial lot to the north), or alternatively seek variances through a separate Development Variance Permit application, in order to bring the parking lot use into compliance with the Zoning Bylaw.

OFFICIAL COMMUNITY PLAN:

Policies contained within the Official Community Plan 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 12.3.c - Council encourages and supports creative and innovative infilling, development, redevelopment and renovation of existing buildings in order to maintain a strong focus on commercial activity in commercial areas.

SUBDIVISION SERVICING AND DEVELOPMENT BYLAW

In addition to having the ability to require off-site improvements as a condition of building permit issuance or subdivision approval, municipalities have the authority to require off-site improvements as a condition of rezoning. Historically, the City of Enderby has not required off-site improvements as a condition of rezoning, given that it is quite common for rezoning applications to be made without having a firm development proposal or site plan in place (as is the case for the subject application), therefore the impacts of the proposed development are not fully known. Furthermore, it is common for development plans to change over time, which could result in the City under-collecting or over-collecting for off-site improvements as a condition of rezoning. Given this, the City will consider the requirement for off-site improvements as a condition of a future building permit issuance or subdivision approval, at which point the City will have a better understanding of the extent of the proposed development of the subject properties and the potential impacts to the City's infrastructure.

REFERRAL COMMENTS:

The application was referred to the following individuals/agencies:

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

The following comments were received in response to the application

Ministry of Transportation and Infrastructure

The Ministry has reviewed the above noted rezoning referral. The proposed future development is unknown, and it is difficult to determine if the Ministry requires offsite works to mitigate the impact of future development traffic. Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the Transportation Act, subject to the following conditions:

- 1. Provision of a suitably worded covenant, registered in favor of His Majesty the King in right of the Province of British Columbia as represented by the Minister of Transportation and Infrastructure, stating that no development is to occur, beyond what is reasonable for the current use, without approval of the Ministry of Transportation and Infrastructure.*
- 2. In the absence of a Controlled Highway Access Permit for 1605 George Street, it is noted that an application and permit will be necessary for any existing and proposed driveway/entrance fronting Highway 97A. The landowner is encouraged to apply online.*

The Ministry also appreciates the opportunity to provide comments on the proposed changes to the OCP. No approval is required from the Ministry, however, depending upon future development any concerns will be addressed at the time of proposal(s).

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 rezone the properties from the Residential Single-Family (R.1-A) zone to the Highway and Tourist Commercial (C.2) zone, in order to enable the future commercial development of the sites. Upon consideration of input received at a Public Hearing, it is recommended that Council support the application for the following reasons:

- The City of Enderby has a finite amount of commercial land, and a commercial land use is the highest and best use of the properties; the proposal would enable an increase in commercial activity, which would result in significant economic development benefits to the broader community;
- The City's Official Community Plan supports the future commercial development of the tract of residentially zoned properties between Evergreen Street and George Street (Highway 97A), including the subject properties;

- Under the current zoning designation of Residential Single Family (R.1-A), the maximum number of dwelling units that can be developed on each property is 4, giving the properties a combined residential density potential of 12 units. However, the proposed Highway and Tourist Commercial (C.2) zone permits residential dwelling units to occur above or behind a principal commercial use, to a maximum gross density of 60 units per hectare (24.28 units per acre). Given the properties' combined area of 0.292 hectares, if the properties were to be rezoned to the C.2 zone, the combined residential density potential of the properties would be increased to 17 dwelling units; given this, the proposal is consistent with the objectives of the City of Enderby Housing Needs Assessment Report related to increasing the availability of housing within the community.

As described by the Ministry of Transportation and Infrastructure in its referral comments above, the Ministry's approval of the rezoning bylaw is subject to the applicant satisfying two conditions. Should Council give First and Second Readings to the bylaw and forwards it to a public hearing, and then gives the bylaw third reading following the conclusion of the public hearing, the City will not be able to adopt the bylaw until such time as the applicant has satisfied the Ministry's conditions and the Ministry has endorsed the bylaw.

SUMMARY

This report relates to a Rezoning Application for the properties located at 1600, 1602 and 1604 Evergreen Street, Enderby BC. The applicant is proposing to rezone the properties from the Residential Single-Family (R.1-A) zone to the Highway and Tourist Commercial (C.2) zone, in order to enable the future commercial development of the sites and legalize an existing non-conforming use (commercial parking lot).

The City of Enderby Planner is supportive of the application.

Prepared By:



Kurt Inglis, MCIP, RPP
Planner

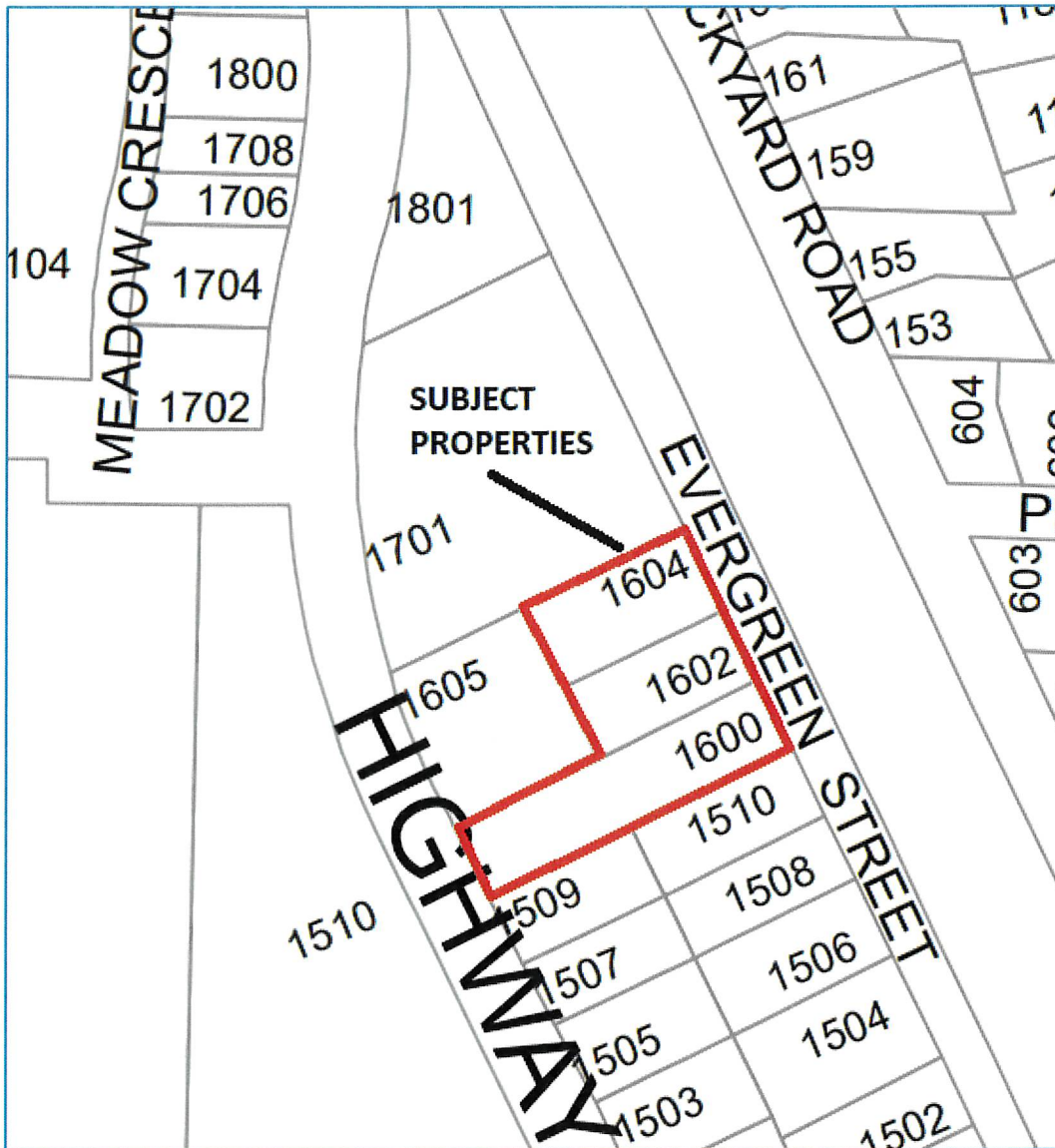
Reviewed By:



Tate Bengtson
Chief Administrative Officer

THE CORPORATION OF THE CITY OF ENDERBY
REZONING APPLICATION
SUBJECT PROPERTY MAP

File: 0006-24-RZ-END (GTI Petroleum)
Applicant: Beverley Humphrey
Owners: GTI Petroleum (B.C.) Ltd.
Location: 1600, 1602, 1604 Evergreen Street



THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1802

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. 1802, 2024".
2. The zoning designation of the property legally described as NORTHERLY PORTION OF LOT 2 DISTRICT LOT 150 KAMLOOPS DIVISION YALE DISTRICT PLAN 1876 HAVING A UNIFORM WIDTH OF 60 FEET FRONTING EVERGREEN AVENUE AND EXTENDING THE FULL DEPTH OF SAID LOT AND ADJOINING LOT 1 PLAN 1876, and located at 1600 Evergreen Street, Enderby BC, is hereby changed from the *Residential Single Family (R.1-A) zone* to the *Highway and Tourist Commercial (C.2) zone*.
3. The zoning designation of the property legally described as LOT 1 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563, and located at 1602 Evergreen Street, Enderby BC, is hereby changed from the *Residential Single Family (R.1-A) zone* to the *Highway and Tourist Commercial (C.2) zone*.
4. The zoning designation of the property legally described as LOT 2 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563, and located at 1604 Evergreen Street, Enderby BC, is hereby changed from the *Residential Single Family (R.1-A) zone* to the *Highway and Tourist Commercial (C.2) zone*.

READ a FIRST time this day of , 2024.

READ a SECOND time this day of , 2024.

Public notice provided in an edition of the local/regional print newspaper on the day of , 2024 and posted on the City of Enderby website on the day of , 2024, and a Public Hearing held pursuant to the provisions of Section 464 of the *Local Government Act* on the day of , 2024.

READ a THIRD time this day of , 2024.

Approved pursuant to section 52(3)(a) of the *Transportation Act*
this _____ day of _____, 20____

for Minister of Transportation & Infrastructure

ADOPTED this _____ day of _____, 2024.

MAYOR

CORPORATE OFFICER

CITY OF ENDERBY
OFFICIAL COMMUNITY PLAN AMENDMENT AND REZONING APPLICATION

AGENDA

File No: 0016-24-OR-END

September 12, 2024

APPLICANT: Beverley Humphrey

OWNER: GTI Petroleum (B.C.) Ltd.

LEGAL DESCRIPTION: LOT 4 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563

PID #(s): 009-483-853

LOCATION: 1605 George Street, Enderby BC

PROPERTY SIZE: 1,426.3 m² (15,353 square feet)

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

PROPOSED ZONING: Highway and Tourist Commercial (C.2)

PRESENT O.C.P DESIGNATION: Residential Medium Density

PROPOSED O.C.P DESIGNATION: Highway and Tourist Commercial

PROPOSAL: Change the OCP future land use designation and zoning designation of the property to enable a future commercial development on the site

RECOMMENDATION:

THAT City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1800, 2024 which proposes to change the future land use designations of the property legally described as LOT 4 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563, and located at 1605 George Street, Enderby BC, from *Residential Medium Density* to *Highway and Tourist Commercial*, be given First Reading;

AND THAT after First Reading of City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1800, 2024 and in accordance with Sections 473 (2.1) and 477 of the *Local*

Government Act, Bylaw No. 1800 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. 1800, 2024 in conjunction with the City's Housing Needs Assessment Report, Financial Plan, and Regional Solid Waste Management Plan, Bylaw No. 1800 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. 1800, 2024, as outlined in this Staff Report, be considered appropriate consultation for the purposes of Sections 475 and 476 of the *Local Government Act*;

AND FURTHER THAT City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1801, 2024 which proposes to rezone the property legally described as LOT 4 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563, and located at 1605 George Street, Enderby BC, from the Residential Single Family (R.1-A) zone to the Highway and Tourist Commercial (C.2) zone, be given First and Second Reading and forwarded to a Public Hearing.

BACKGROUND:

This report relates to a Joint Official Community Plan Amendment and Rezoning Application for the property located at 1605 George Street, Enderby BC. The applicant is proposing to change the Official Community Plan (OCP) designation for the subject property from *Residential Medium Density* to *Highway and Tourist Commercial* and to rezone it from the Residential Single-Family (R.1-A) zone to the Highway and Tourist Commercial (C.2) zone, in order to enable the future commercial development of the property.

Site Context

The relatively flat property is 1,426.3 m² (15,353 square feet) in size and is located on the east side of George Street (Highway 97A). A one-storey single family dwelling, built in 1963, is located in the central portion of the property. Access to the property is gained via a paved driveway off of George Street (Highway 97A).

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

- Subject property - Zoned Residential Single Family (R.1-A) and designated in the OCP as Residential Medium Density
- East and south properties - Zoned Residential Single Family (R.1-A) and designated in the OCP as Highway and Tourist Commercial
- North and west properties – Zoned Highway and Tourist Commercial (C.2) and designated in the OCP as Highway and Tourist Commercial

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

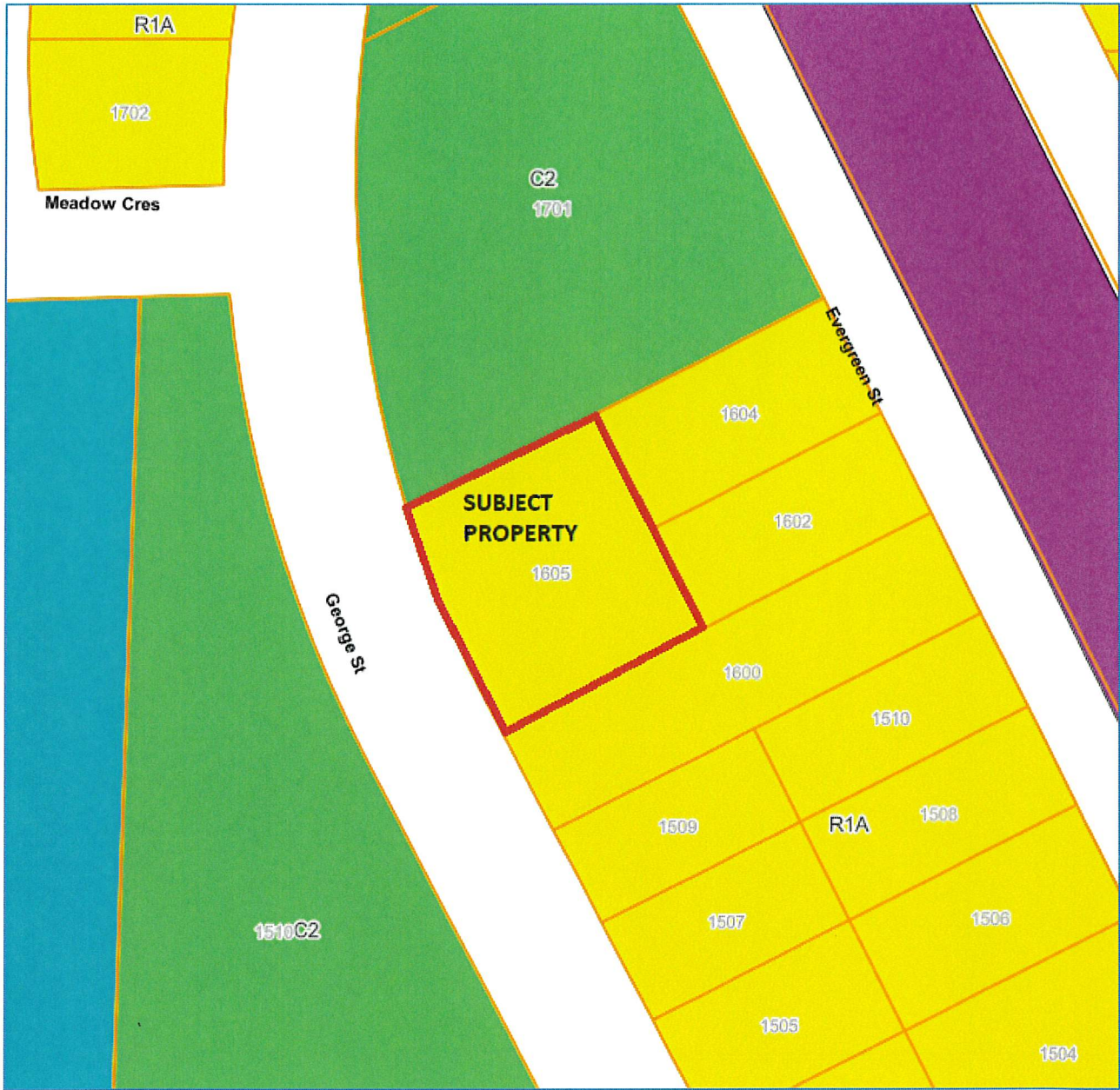


Figure 1. Zoning Map

Yellow – Residential Single Family (R.1-A)
 Green – Highway and Tourist Commercial (C.2)
 Purple – Transportation Corridor (S.2)

The following figure shows the OCP future land use designations of the subject and surrounding properties:

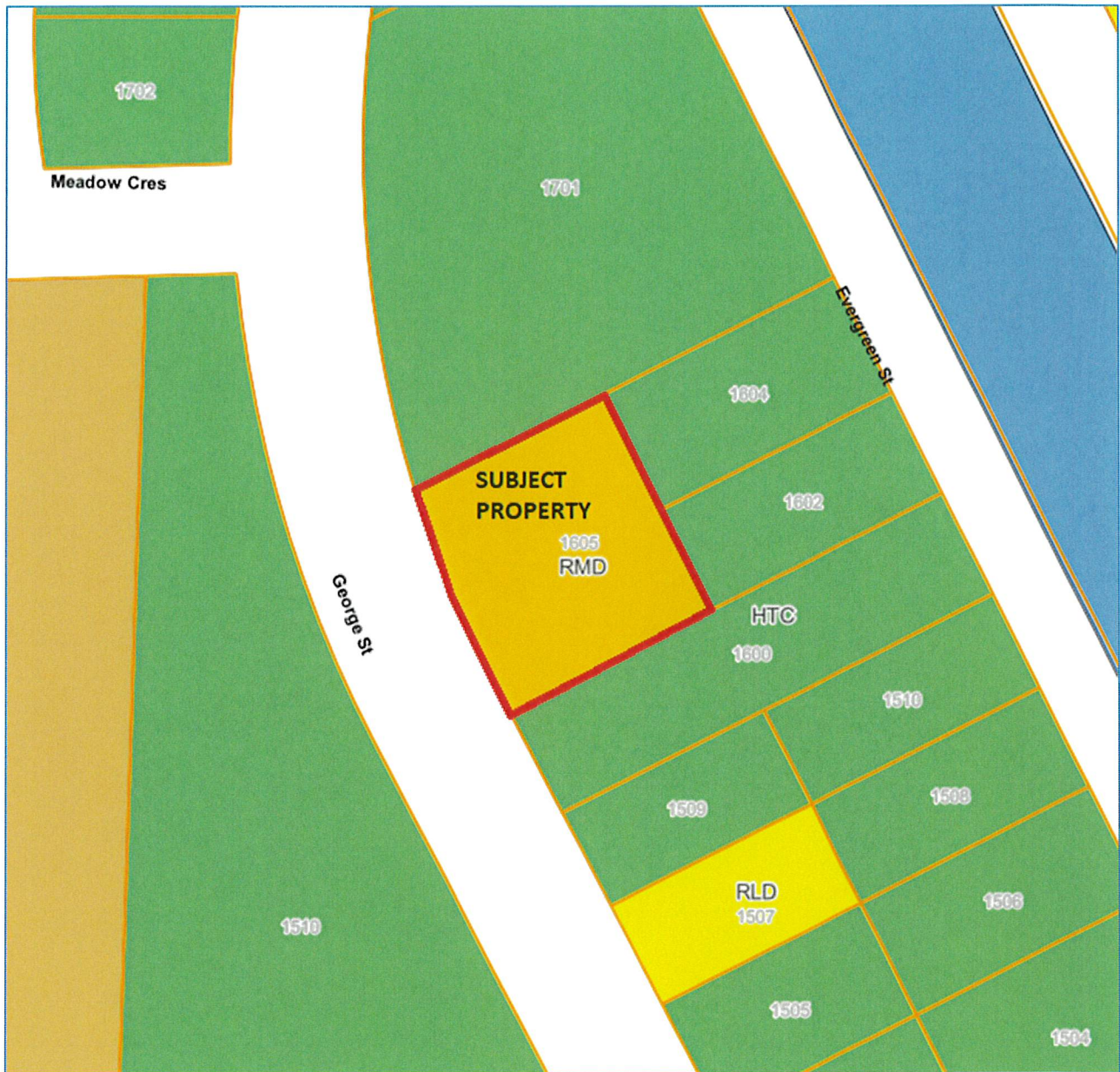


Figure 2. OCP Future Land Use Designations

Orange – Residential Medium Density
Yellow – Residential Low Density
Green – Highway and Tourist Commercial
Blue – Transportation Corridor

The following orthophoto of the subject and surrounding properties was taken in 2024:



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 to change the OCP designation for the subject property from *Residential Medium Density* to *Highway and Tourist Commercial* and to rezone it from the Residential Single-Family (R.1-A) zone to the Highway and Tourist Commercial (C.2) zone, in order to enable the future commercial development of the property. At this time, the applicant has not yet determined what the specific future commercial use(s) will be. Should the applicant be successful in their application, the existing single-family dwelling would be deemed 'legally non-conforming' (i.e. grandfathered) and would be subject to the provisions contained in Division 14 of Part 14 of the *Local Government Act*. Under Division 14 of Part 14 of

the *Local Government Act*, a legally non-conforming use is permitted to continue but is subject to a number of restrictions, including:

- Section 530 - Does not authorize the non-conforming use of land to be continued on a scale or to an extent or degree greater than that at the time of the adoption of the land use regulation bylaw.
- Section 531 - A structural alteration or addition must not be made in or to a building or other structure while a non-conforming use is continued in all or any part of it, unless i) required by enactment, ii) permitted by the Board of Variance, or iii) is done to a protected heritage property through a heritage alteration permit.
- Section 532 - If the building associated with a legally non-conforming use is damaged or destroyed to the extent of 75% or more of its value above its foundations, as determined by the building inspector, the structure must not be repaired or reconstructed except for a conforming use in accordance with the bylaw.

ZONING BYLAW:

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

- Accessory residential
- Restricted agricultural use
- Single family dwellings
- Two family dwellings
- Three family dwellings
- Four family dwellings
- Attached secondary suites
- Detached secondary suites
- Bed and breakfasts
- Civic and public service use
- The keeping of backyard hens
- The keeping of backyard bees

Uses permitted within the proposed Highway and Tourist Commercial (C.2) zone include:

- Accessory buildings and structures
- Accommodation including apartments, dwelling units, hotels and motels
- Civic and public service use
- Auditoriums, youth centres, and social halls
- Food service including coffee shops, dairy bars, restaurants, bakeries, butcher shops, caterers, and fish shops
- Retail sales and service for: automobiles, farm equipment, boats, mobile homes, trucks, recreation vehicles, motorcycles, and sporting goods
- Retail sales including servicing where applicable: confectionery stores, flowers, fruit, plants, produce, nurseries, green houses, tire shops, wine and beer shops, appliances, beverages, bicycles, electronic equipment, furniture, garden supplies, glass, hardware, paint, pets, pet food, plants,

animal beauty parlours, bakery shops, hairdressers, locksmith shops, optical shops, shoe repair, tailor shops, and watch repair

- Service, repair and rental: service stations, garages for automobile service and repairs, mini storage facilities, car washes, petroleum distribution, costume rentals, and video rentals
- Transportation facilities including commercial parking lots, passenger transportation depots, taxi dispatch offices, and weigh scales
- Retail sales of beer, wine and liquor
- Educational facilities and professional studios including art studios, business colleges, dance studios, music studios, photography studios, radio studios, television studios, and trade schools
- Entertainment and recreation facilities including arcades, billiard halls, bowling alleys, drive-in clubs, sports clubs, and sports facilities
- Office and commerce facilities and accommodations for engineers, funeral homes, land surveyors, management companies, mortuaries, newspapers, publishing, real estate, surveyors, veterinarians, massage therapy clinics, dentists, doctors, and any other professional office
- Cannabis-Related Business

OFFICIAL COMMUNITY PLAN:

Policies contained within the Official Community Plan 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 12.3.c - Council encourages and supports creative and innovative infilling, development, redevelopment and renovation of existing buildings in order to maintain a strong focus on commercial activity in commercial areas.

SUBDIVISION SERVICING AND DEVELOPMENT BYLAW

In addition to having the ability to require off-site improvements as a condition of building permit issuance or subdivision approval, municipalities have the authority to require off-site improvements as a condition of rezoning. Historically, the City of Enderby has not required off-site improvements as a condition of rezoning, given that it is quite common for rezoning applications to be made without having a firm development proposal or site plan in place (as is the case for the subject application), therefore the impacts of the proposed development are not fully known. Furthermore, it is common for development plans to change over time, which could result in the City under-collecting or over-collecting for off-site improvements as a condition of rezoning. Given this, the City will consider the requirement for off-site

improvements as a condition of a future building permit issuance or subdivision approval, at which point the City will have a better understanding of the extent of the proposed development of the subject properties and the potential impacts to the City's infrastructure. It should be noted that given that the subject property only fronts an arterial highway under jurisdiction of the Ministry of Transportation, the City's consideration of the requirement for off-site improvements would be limited to the extent to which the proposed development impacts municipal infrastructure (i.e. water, sanitary or storm sewer infrastructure within the highway right of way).

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.

REGIONAL SOLID WASTE MANAGEMENT PLAN

As per Section 477 (3)(a) of the *Local Government Act*, after giving first reading to an OCP amendment bylaw a local government must consider the bylaw in conjunction with any waste management plan under Part 3 [Municipal Waste Management] of the *Environmental Management Act* that is applicable in the municipality. Below is a link to the Regional District of North Okanagan Solid Waste Management Plan which is applicable to the City of Enderby:

https://www.rdno.ca/sites/default/files/2021-04/180620_RDNO_SWMPUpdate_Final.pdf

The application was referred to the Regional District of North Okanagan Manager of Regional Engineering Services, as discussed below

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 Manager of Regional Engineering Services; and
- Ministry of Transportation and Infrastructure.

The following comments were received in response to the application:

City of Enderby Chief Financial Officer

The application raises no concerns regarding the City's Financial Plan.

Ministry of Transportation and Infrastructure

The Ministry has reviewed the above noted rezoning referral. The proposed future development is unknown, and it is difficult to determine if the Ministry requires offsite works to mitigate the impact of future development traffic. Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the Transportation Act, subject to the following conditions:

- 1. Provision of a suitably worded covenant, registered in favor of His Majesty the King in right of the Province of British Columbia as represented by the Minister of Transportation and Infrastructure, stating that no development is to occur, beyond what is reasonable for the current use, without approval of the Ministry of Transportation and Infrastructure.*
- 2. In the absence of a Controlled Highway Access Permit for 1605 George Street, it is noted that an application and permit will be necessary for any existing and proposed driveway/entrance fronting Highway 97A. The landowner is encouraged to apply online.*

The Ministry also appreciates the opportunity to provide comments on the proposed changes to the OCP. No approval is required from the Ministry, however, depending upon future development any concerns will be addressed at the time of proposal(s).

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 change the OCP designation for the property from *Residential Medium Density* to *Highway and Tourist Commercial* and to rezone it from the Residential Single-Family (R.1-A) zone to the Highway and Tourist Commercial (C.2) zone. Upon consideration of input received at a Public Hearing, it is recommended that Council approve the application for the following reasons:

- The City of Enderby has a finite amount of commercial land, particularly along the highway corridor which has a strong potential for intensive commercial development; the proposal would enable an increase in commercial activity, which would result in significant economic development benefits to the broader community;
- The proposed OCP future land use designation of *Highway and Tourist Commercial* for the subject property is consistent with the OCP designations of all surrounding properties, with the OCP envisioning this tract of land between Evergreen Street and George Street as a highway and tourist commercial corridor;
- The subject property and neighbouring properties to the east and south are all under the same ownership, and the neighbouring properties are also proposed to have their zoning designations

changed in support of future commercial development; this creates the potential for the properties to be consolidated, which would result in the creation of a large commercial lot which would have the potential for a very intensive commercial highway development;

- Although the proposal would eliminate the potential for a significant, *standalone* multi-family development on the property, there would still be the potential for significant residential development on the site, given that the Highway and Tourist Commercial (C.2) zone supports mixed-use development; the C.2 zone allows for dwelling units to be located above or behind a principal commercial use, with residential densities up to 60 units per hectare (which is the same residential density allowances as the City's most intensive multi-family residential zone), therefore the proposal would be consistent with the objectives of the City of Enderby Housing Needs Assessment Report related to increasing the availability of housing within the community; and
- Given the scarcity of commercial property with highway frontage, there are other more appropriate areas upon which to focus residential development within the community.

As described by the Ministry of Transportation and Infrastructure in its referral comments above, the Ministry's approval of the rezoning bylaw is subject to the applicant satisfying two conditions. Should Council give First and Second Readings to the bylaw and forwards it to a public hearing, and then gives the bylaw third reading following the conclusion of the public hearing, the City will not be able to adopt the bylaw until such time as the applicant has satisfied the Ministry's conditions and the Ministry has endorsed the bylaw.

SUMMARY

This report relates to a Joint Official Community Plan Amendment and Rezoning Application for the property located at 1605 George Street, Enderby BC. The applicant is proposing to change the Official Community Plan (OCP) designation for the subject property from *Residential Medium Density* to *Highway and Tourist Commercial* and to rezone it from the Residential Single-Family (R.1-A) zone to the Highway and Tourist Commercial (C.2) zone, in order to enable the future commercial development of the property.

The City of Enderby Planner is supportive of the application.

Prepared By:



Kurt Inglis, MCIP, RPP
Planner

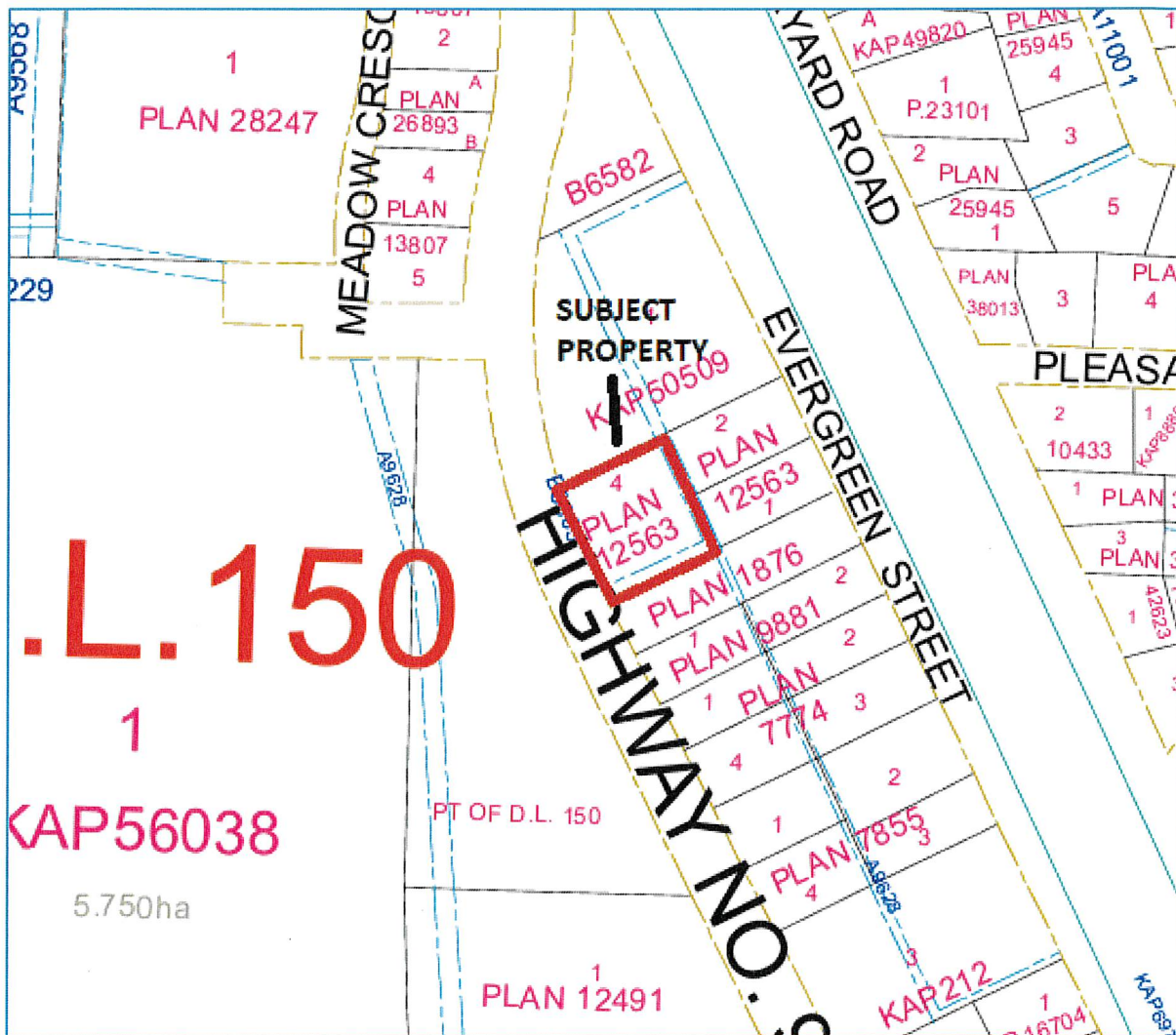
Reviewed By:



Tate Bengtson
Chief Administrative Officer

THE CORPORATION OF THE CITY OF ENDERBY
JOINT OFFICIAL COMMUNITY PLAN AMENDMENT AND REZONING APPLICATION
SUBJECT PROPERTY MAP

File: 0016-24-OR-END
Applicant: Beverley Humphrey
Owner: GTI Petroleum (B.C.) Ltd.
Location: 1605 George Street, Enderby BC



THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1800

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. 1800, 2024".
2. The future land use designation of the property legally described as LOT 4 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563 and located at 1605 George Street, Enderby BC is hereby changed from *Residential Medium Density* to *Highway and Tourist Commercial*.

READ a FIRST time this day of , 2024.

READ a SECOND time this day of , 2024.

Advertised on the day of , 2024 and posted on the City of Enderby website on the day of , 2024, and a Public Hearing held pursuant to the provisions of Section 464 of the Local Government Act on the day of , 2024.

READ a THIRD time this day of , 2024.

ADOPTED this day of , 2024.

MAYOR

CORPORATE OFFICER

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1801

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. 1801, 2024".
2. The zoning designation of the property legally described as LOT 4 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 12563 and located at 1605 George Street, Enderby BC is hereby changed from the *Residential Single Family (R.1-A)* zone to the *Highway and Tourist Commercial (C.2)* zone.

READ a FIRST time this day of , 2024.

READ a SECOND time this day of , 2024.

Public notice provided in an edition of the local/regional print newspaper on the day of , 2024 and posted on the City of Enderby website on the day of , 2024, and a Public Hearing held pursuant to the provisions of Section 464 of the Local Government Act on the day of , 2024.

READ a THIRD time this day of , 2024.

<p>Approved pursuant to section 52(3)(a) of the <i>Transportation Act</i> this _____ day of _____, 20____</p> <p>_____</p> <p>for Minister of Transportation & Infrastructure</p>

ADOPTED this day of , 2024.

MAYOR

CORPORATE OFFICER

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner
Date: September 18, 2024
Subject: Delegation Request for Amendment to City of Enderby Sidewalk Encroachments Policy

RECOMMENDATION

THAT Council maintains proactive enforcement of the current *Sidewalk Encroachments Policy*.

ALTERNATE RESOLUTION A

THAT Council reverts to reactive enforcement of the current *Sidewalk Encroachments Policy*, responding solely to accessibility and hazard complaints.

ALTERNATE RESOLUTION B

THAT Council directs Staff to amend the *Sidewalk Encroachments Policy* to provide for an exemption system that is available to all businesses, not-for-profit organizations, and other entities on an application basis, with exemptions to be decided upon by Council.

ALTERNATE RESOLUTION C

THAT Council discontinues the *Sidewalk Encroachments Policy*.

BACKGROUND

Since at least 2003, the City of Enderby has implemented a *Sidewalk Encroachments Policy* to establish conditions upon which to permit encroachments on City sidewalks, including sandwich boards. The intent of the *Sidewalk Encroachments Policy* is to provide opportunities for business owners to place encroachments on or above sidewalks in support of their business (i.e. chairs, tables, sandwich boards), but in a way that is safe for pedestrians, protects taxpayers from liability exposure, manages the aesthetics of the streetscape, and is broadly fair to the business community as a whole. The *Sidewalk Encroachments Policy* is attached as Schedule 'A', and is summarized as follows:

- In order to have a sidewalk encroachment, the Permittee must obtain a Sidewalk Encroachment Permit from the City;
- As a condition of the issuance of the Permit, the Permittee shall provide proof of \$2 million in commercial general liability insurance with the City as an additional insured;
- Sidewalk encroachments must be related to the primary adjacent business operation (i.e. no off-premise sandwich boards);

- Sidewalk encroachments must be secured/weighted and must not interfere with the travelled portion of the sidewalk; and
- Sidewalk encroachments must be removed at the end of the business day.

Several years ago, Council expressed concerns over the large number of off-premise sandwich boards located along the sidewalks of the Highway 97A corridor; in response to this, Council directed Staff to proactively enforce the provision of the *Sidewalk Encroachments Policy* which prohibits off-premise sandwich boards, specifically along the highway corridor. A significant amount of resourcing was invested in transitioning to this approach and obtaining compliance. Maintaining the approach does not consume significant resources as non-compliances are one-off incidents that are resolved quickly.

In early 2024, the City's Bylaw Enforcement Officer engaged with several businesses who had placed off-premise sandwich boards along the highway corridor, including the Cardiff Miller Art Warehouse (CMAW); these signs were all voluntarily removed by the businesses. An owner of CMAW attended the September 3, 2024 Council meeting as a delegation and made a request that the City amend its *Sidewalk Encroachments Policy* to allow off-premise sandwich boards for 'museums and cultural activities'; this memorandum is intended to provide background information and analysis to aid Council in its consideration of CMAW's request.

Staff have reached out to the following nearby communities which have an arterial highway running through them, in order to understand how sandwich board sidewalk encroachments are regulated in those communities; the approaches are summarized below:

City of Salmon Arm

- Sandwich boards only permitted to be located on private property and are not permitted as a sidewalk encroachment.
- Sandwich boards may only advertise for a business located on the property (i.e. no off-premise sandwich boards).

District of Sicamous

- Sandwich boards only permitted to be located on private property and are not permitted as a sidewalk encroachment.
- Sandwich boards may only advertise for a business located on the property, or on a separate parcel if having obtained the written authorization of the property owner.

City of Vernon

- Sandwich boards permitted as a sidewalk encroachment but may only advertise for the adjacent business (i.e. no off-premise sandwich boards).
- The business must obtain a Sidewalk Encroachment Permit from the City, which is conditional upon the business providing the City with proof of \$2 million in liability insurance with the City as an additional insured.

City of Kelowna

- Sandwich boards only permitted to be located on private property and are not permitted as a sidewalk encroachment, except on Bernard Avenue in accordance with the regulations of the *Bernard Avenue Sidewalk Program*.
- When Bernard Avenue was reconstructed, the design standard included a 'frontage zone' between private property and the adjacent pedestrian right-of-way, which was intended to provide space for adjacent businesses to use with respect to patios, signs, planters, heaters, etc., without interfering with the movement of pedestrians along the sidewalk.
- Under the *Bernard Avenue Sidewalk Program*, adjacent business must obtain a Sidewalk Encroachment Permit from the City, which is conditional upon the business providing the City with proof of \$2 million in liability insurance with the City as an additional insured. Sandwich boards permitted as a sidewalk encroachment may only advertise for the adjacent business.

Based on the above, the City of Enderby is among the more permissive of communities in the area with respect to permitting sidewalk encroachments for sandwich boards; only one other community permits sandwich boards as a sidewalk encroachment on all municipal streets, and that community also does not permit off-premise sandwich boards.

In addition to the communities contacted above, Staff also researched the bylaw/policy frameworks for sandwich board sidewalk encroachments in the following other communities:

- Revelstoke
- Merritt
- Fernie
- Penticton
- Osoyoos
- Nelson
- Summerland
- Peachland
- West Kelowna
- Hope

In all of these communities, except for Nelson, sandwich boards are permitted as a sidewalk encroachment but only on the sidewalk adjacent to the business (i.e. no off-premise sandwich boards). In Nelson, the Director of Development Services has the delegated authority to permit off-premise sandwich boards on the sidewalk of Nelson's main street, at their discretion. This research further confirms that the City of Enderby adheres to a typical regulatory principle, on the most permissive end of the spectrum.

Staff have identified four options for Council's consideration with respect to the manner in which the City may regulate off-premise sandwich boards:

1. Maintain proactive enforcement of the current *Sidewalk Encroachments Policy*.

2. Revert to reactive enforcement of the current *Sidewalk Encroachments Policy*, responding solely to accessibility and hazard complaints.
3. Amend the *Sidewalk Encroachments Policy* to provide for an exemption system that is available to all businesses, not-for-profit organizations, and other entities on an application basis, with exemptions to be decided upon by Council.
4. Discontinue the *Sidewalk Encroachments Policy*.

The following matrix provides an overview of the degree to which each of the options described above works towards achieving objectives associated with a regulatory framework for sidewalk encroachments:

OBJECTIVES	OPTIONS			
	Maintain current policy	Revert to reactive enforcement of current policy	Amend policy to provide for exemption system	Discontinue the current policy
*Ensure perceived fairness and equity	Good	Poor	Poor	Poor
Support broader business sector	Good	Good	Good	Poor
**Avoid risk of assistance to business	Good	Good	Poor	Good
Mitigate sign pollution	Good	Poor	Discretionary	Good
Reduce tripping and blow-over hazards	Good	Poor	Discretionary	Good
Protect for accessibility needs	Good	Poor	Discretionary	Good
***Provide enforcement consistency	Good	Poor	Poor	Good
****Avoid inviting business investment in something that is disallowed	Good	Poor	Poor	Good
Manage administrative burden	Good	Poor	Poor	Good
Maintain regulatory consistency with other communities	Good	Poor	Poor	Poor

* Ensure perceived fairness and equity – Business location is part of an investment. That investment involves the neighbourhood and streetscape and the overall perception of the community. The existing policy is designed to provide a simple, clear, manageable and widely used system for permitting encroachments on a streetscape, in a manner that respects fairness and equity from a regulatory perspective. With respect to potential exemption systems, it is critical that there is transparency and consistency in the manner in which exemptions are granted in order to ensure fair and equitable treatment amongst all stakeholders, for reasons that are further explained below.

** Avoid risk of assistance to business – A general policy that supports the broad business sector is permissible, but support for a specific business (which can include a not-for-profit organization that engages in business transactions) is at-risk of being deemed assistance to business, unless that assistance is provided as part of a partnering agreement. While a partnering agreement may satisfy the legal requirements, it does come with administrative and advertising costs and may not be responsive to other businesses’ perceptions of fairness.

*** Provide enforcement consistency – Unequal treatment, whether real or perceived, makes bylaw enforcement of a regulation more difficult, time-consuming, and potentially expensive if the enforcement is disputed or challenged. When there is equal treatment that is related to clear regulatory objectives, the intention and rationale for decisions can be reasonably understood and, if disputed, a coherent defense can be presented to an arbitrator, judge or Ombudsperson. When exceptions are granted regularly and without clear, consistent, and fair reasons, the regulatory framework is perceived as arbitrary. This leads to a higher administrative burden attempting to explain the basis for other exemptions while upholding the objectives of the regulatory framework. A perception of unfairness is one of the leading triggers for enforcement disputes and Ombudsperson complaints.

**** Avoid inviting businesses to invest in something that is not allowed – Reactive or exemption-based enforcement contributes to the problem of businesses perceiving something as permitted or condoned, and investing in the same. This creates a perception that they are permitted, and therefore invited, to invest in a particular form of low-cost marketing. If and when enforcement occurs, it is perceived as unfair and tends to get an adverse reaction because their investment is wasted.

With respect to the manner in which the City regulates off-premise sandwich boards, it is recommended that Council maintains proactive enforcement of the current *Sidewalk Encroachments Policy*, given the objectives that it achieves when compared to the detrimental or higher-risk consequences of the other options.

Respectfully Submitted,



Kurt Inglis
Planner

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.

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner
Date: September 17, 2024
Subject: City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1804, 2024 –
Setbacks for Single Family Dwellings in Residential Multi-Family Medium Intensity (R.3)
Zone and Corrugated Metal Fencing for Screening Purposes

RECOMMENDATION

THAT Council gives First and Second Reading to City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1804, 2024 and forwards it to a Public Hearing.

BACKGROUND

Staff are advancing City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1780, 2024 for First and Second Reading and then a Public Hearing. The purpose of Bylaw No. 1780 is to address two matters, which are summarized as follows:

1. Setbacks for Single Family Dwellings in Residential Multi-Family Medium Intensity (R.3) Zone

Earlier in 2024, the City adopted Zoning Amendment Bylaw No. 1793, 2024 which amended the Zoning Bylaw in order to bring it into compliance with the Province’s small-scale, multi-unit housing legislation. One of the provisions of Bylaw No. 1793 was to update the Zoning Bylaw to have consistent front and rear yard setbacks for single family dwellings between all residential zones; however, there was an unintended omission and the setback provisions were not updated for the Residential Multi-Family Medium Intensity (R.3) Zone. Staff are now advancing Bylaw No. 1804 to update the R.3 zone such that its front and rear yard setback provisions are consistent with all other residential zones (6 m or 4.5 m on lots exceeding 20% average natural slope). Note that the revised setback provisions only apply to single family dwellings in the R.3 zone and will not impact the setback provisions for other types of uses (i.e. duplexes, multi-family dwellings).

2. Corrugated Metal Fencing for Screening Purposes

The City’s Zoning Bylaw outlines certain uses where visual screening must be provided (i.e. outdoor industrial storage areas, multi-family parking lots). When visual screening is required, the Zoning Bylaw identifies certain building materials which are prohibited for the purposes of screening, including corrugated metal. This restriction was intended to avoid situations where

property owners simply attach corrugated metal panels (i.e. roofing panels) to fence posts for a 'quick and dirty' form of screening, which would not be an appropriate standard. However, in recent years, the use of decorative corrugated metal fence panels has become common and are generally visually appealing. Given this, Staff are advancing Bylaw No. 1804 to update the screening provisions of the Zoning Bylaw to state that the restrictions on screening materials specifically excludes decorative corrugated metal fence panels.

It is recommended that Council gives First and Second Reading to City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1804, 2024 and forwards it to a Public Hearing. The Public Hearing provides an opportunity for all persons who believe that their interest in property is affected by the Bylaw to make public representation, with the Public Hearing to be advertised in advance in the local newspaper and on the City of Enderby website.

Respectfully Submitted,



Kurt Inglis
Planner

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1804

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”;

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. 1804, 2024”.
2. DIVISION THREE – GENERAL REGULATIONS is amended by replacing Section 309.1.f as follows:
 - f. Screening shall not consist of untreated plywood, corrugated metal (except for decorative corrugated metal fence panels) or chain link fencing (except for chain link fencing that contains slat inserts to create a visual barrier).
3. DIVISION SIX – RESIDENTIAL ZONES is amended by replacing Section 604.10.b as follows:
 - b. Front Yard:

A front yard free of buildings and structures shall be provided with a depth of not less than:

 - i. 10 m (32.81 feet) for apartment and multi-family use; or
 - ii. 6 m (19.68 feet) for row housing and adult retirement housing; or
 - iii. 6 m (19.68 feet) for single family dwellings except that the front yard may be reduced to 4.5 m (14.76 feet) for single family dwellings on lots exceeding twenty percent (20%) average natural slope determined from the uppermost point on the lot to the lowest point on the lot; or
 - iv. 6 m (19.68 feet) for all other uses.
4. DIVISION SIX – RESIDENTIAL ZONES is amended by replacing Section 604.10.d as follows:
 - d. Rear Yard:

A rear yard free of buildings and structures shall be provided with a depth of not less than:

 - i. 10 m (32.81 feet) for apartment and multi-family use; or
 - ii. 6 m (19.68 feet) for row housing and adult retirement housing; or

- iii. 6 m (19.68 feet) for single family dwellings except that the rear yard may be reduced to 4.5 m (14.76 feet) for single family dwellings on lots exceeding twenty percent (20%) average natural slope determined from the uppermost point on the lot to the lowest point on the lot; or
- iv. 6 m (19.68 feet) for all other uses.

Public notice provided in an edition of the local/regional print newspaper on the day of , 2024 and posted on the City of Enderby website on the day of , 2024, and a Public Hearing held pursuant to the provisions of Section 464 of the *Local Government Act* on the day of , 2024.

READ a FIRST time this day of , 2024.

READ a SECOND time this day of , 2024.

READ a THIRD time this day of , 2024.

Approved pursuant to section 52(3)(a) of the *Transportation Act*
 this _____ day of _____, 20____

 for Minister of Transportation & Infrastructure

ADOPTED this day of , 2024.

 MAYOR

 CORPORATE OFFICER

RDNO Building Permits Issued Comparison for Year/Month - Summary

Area: **CITY OF ENDERBY**

Category: **BUILDING PERMITS**

Year: **2024** Month: **08**

Folder Type	2024 / 08		2023 / 08		2024 to 08		2023 to 08	
	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	1	2,500	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	0	0	0	0	1	25,000	1	0
END - COMMERCIAL BUILDING	0	0	0	0	4	1,279,524	1	0
END - DEMOLITION	0	0	0	0	2	1,500	2	0
END - INDUSTRIAL BUILDING	0	0	0	0	0	0	0	0
END - INSTITUTIONAL	0	0	0	0	1	50,000	0	0
END - MANUFACTURED HOME	0	0	0	0	1	5,000	0	0
END - MODULAR HOME	0	0	0	0	0	0	0	0
END - MULTI FAMILY DWELLING	0	0	0	0	3	1,800,000	0	0
END - PLUMBING	0	0	0	0	0	0	2	0
END - RETAINING WALL	0	0	0	0	0	0	3	0
END - SFD W/SUITE	0	0	0	10	2	397,000	6	12
END - SIGN	0	0	0	1	1	6,000	5	0
END - SINGLE FAMILY DWELLING	0	0	0	0	5	1,383,022	8	3
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
OPEN 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	1	0	29,731	0	2	49,731	0	0
SOLID FUEL BURNING APPLIANC	0	0	0	0	0	0	0	0
Report Totals	1	0	29,731	8	23	4,999,276	28	15
								4,203,319

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner
Date: September 12, 2024
Subject: Pay Parking Program for Tuey Park

RECOMMENDATION

THAT Council receives and files the memorandum titled "Pay Parking Program for Tuey Park".

BACKGROUND

An elected official has requested that the topic of introducing a pay parking program at Tuey Park be brought back to Council for discussion.

This matter was last discussed by Council at its Regular Meeting of August 21, 2023, with the Staff memorandum attached as Schedule 'A' being presented to Council. At this meeting, Council passed the following resolution:

Moved by Councillor Schreiner, seconded by Councillor Ramey
"THAT Council does not pursue a pay parking program for Tuey Park at this time."

Respectfully Submitted,



Kurt Inglis
Planner

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.

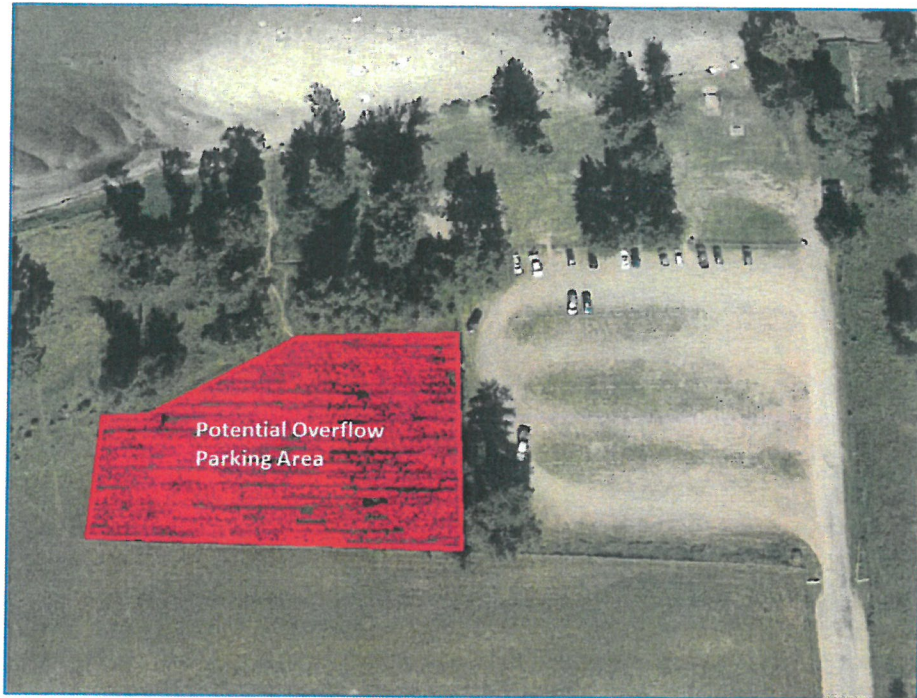
It is anticipated that the number of park users who would voluntarily donate would be minimal, and the practice would not reduce parking demands. Furthermore, the donation box would be a target for theft and would need to be emptied daily. Although there could be efficiencies realized with the Tuey Park 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", 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

Premium



Charcoal
Gray



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

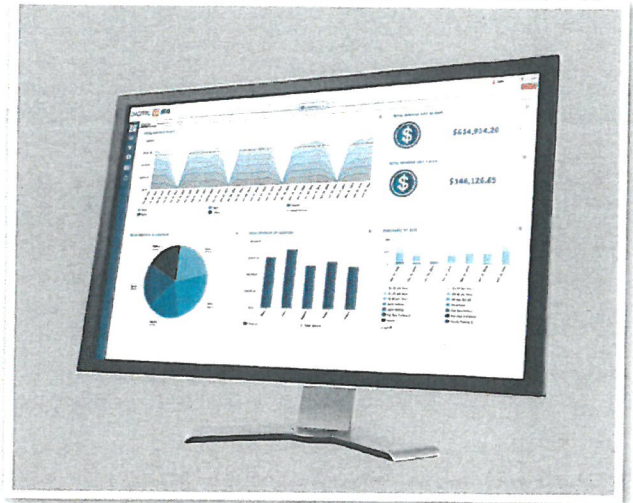
- Pay for parking or add time using any pay station or your mobile phone
- Receive expiry reminders via your mobile phone
- Advanced payment types such as passcards, smart cards, and contactless payments
- Load funds onto your smart card using any pay station

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.

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THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner
Date: September 12, 2024
Subject: Proposed Date and Time for 2024 Business Walk

RECOMMENDATION

THAT Council confirms either Thursday October 24 or Friday October 25 as the date for the 2024 Business Walk;

AND THAT Council confirms that 10:00 am - 12:00 pm is an acceptable time for the 2024 Business Walk;

AND FURTHER THAT Council sends an invitation to the Enderby & District Chamber of Commerce to participate in the 2024 Business Walk.

BACKGROUND

Since 2016, Enderby City Council in cooperation with Community Futures North Okanagan, has undertaken an annual Business Walk. The intent of the Business Walk is to learn more about local businesses through face-to-face interviews and to identify opportunities for further supporting community economic development; the British Columbia Economic Development Association has identified Business Walks as a key initiative to supporting local business retention and expansion.

In past years, the City has scheduled its Business Walk to correspond with Small Business Week; this year, Small Business week is from October 20-26. Community Futures has requested that the Business Walk be held on either October 24 or October 25, as they are celebrating their 40th anniversary earlier in the week. Staff are requesting that Council confirms which of these days is preferred and that 10:00 am - 12:00 pm is an acceptable time for the 2024 Business Walk, consistent with previous years. Lastly, as the Enderby & District Chamber of Commerce is now back in operation, it is recommended that Council sends an invitation to the Chamber of Commerce to participate in the event.

Respectfully Submitted,



Kurt Inglis
Planner

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner
Date: September 17, 2024
Subject: Proposed Pedestrian Walkway Enhancements Along the Unpaved Portion of Waterwheel Street

RECOMMENDATION

THAT Council supports in principle a walkway enhancement initiative consisting of the installation of ‘No Parking’ signs along, and the re-grading of, the western boulevard of the unpaved portion of Waterwheel Street;

AND THAT Council refers the project to budget for 2025 and directs Staff to explore potential grant opportunities.

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. Waterwheel Street sees a high volume of pedestrian traffic during the summer months as tube floaters end their float at Tuey Park and then walk back to their launch location.

In 2020, as part of a broader set of improvements completed to Tuey Park and Waterwheel Street (expansion of Tuey Park parking lot, installation of parking signs on east side of Waterwheel Street) in order to deal with vehicle congestion and access concerns, a number of large rocks were installed along the western edge of the unpaved portion of Waterwheel Street which were intended to:

- i. Provide a barrier between the travelled portion of Waterwheel Street and the adjacent boulevard area, in order to provide a safe pedestrian walkway; and
- ii. Restrict on-street parking along the west side of Waterwheel Street, given that Waterwheel Street is not wide enough to accommodate parking on both sides of the road without severely limiting two-way traffic flow on a long stretch of road without opportunities to turn into a driveway access, which impacted emergency vehicle access and created conflicts.

However, the number, width, and spacing of the large rocks have made it difficult to access the area for boulevard maintenance without allocating significant resources away from other obligations in order to line trim; as a result of the constrained path width (proximate to a barbed wire fence), uneven boulevard surface, and organic surface accumulation, the area has become less useful for pedestrians,

with most choosing to walk on the travelled portion of Waterwheel Street instead, which is inconsistent with the safety aspirations of the original project.

Following discussions between Staff and the Parks Foreman, the following solution was developed for the western boulevard of the unpaved portion of Waterwheel Street:

- Removal and repurposing of the existing large rocks;
- Installation of a series of 'No Parking' signs between Tuey Park and the paved portion of Waterwheel Street;
- Removal of the top layer of organic material; and
- Placement and grading of gravel to create a defined walkway.

It is anticipated that this solution will result in a safer, more useable walkway for pedestrians to travel along the unpaved portion of Waterwheel Street, while still ensuring that vehicles are only parking in the appropriate designated areas (i.e. Tuey Park parking lot, eastern side of unpaved portion of Waterwheel Street). It is recommended that Council supports this proposed solution and refers the project to budget for 2025. In the meantime, Staff will explore potential grant opportunities that support small-scale pedestrian safety initiatives.

Respectfully Submitted,



Kurt Inglis
Planner

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, CAO
From: Jennifer Bellamy, CFO
Date: September 27, 2024
Subject: 2025-27 Residential Refuse Collection Contract

RECOMMENDATION

THAT Council awards the Residential Refuse Collection Contract for 2025 – 2027 to Tip-It Waste Solutions.

BACKGROUND

The current residential refuse collection contract is set to expire at the end of 2024. A request for quotations was issued for the next three-year term, which included options to extend for two additional three-year terms for a total of nine years.

Only one quotation was received, which came from the City’s current contractor, Tip-It Waste Solutions:

	<u>2025</u>	<u>2026</u>	<u>2027</u>
Amount per Residence per Month	\$ 4.20	\$ 4.28	\$ 4.37
% Increase	6.6%	1.9%	2.1%

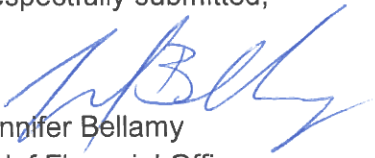
The City’s 2024 collection fee is \$3.94 per residence per month. For 2025, this would amount to a \$3.12 increase to the annual garbage collection fee charged to residents. Note that this collection fee is only one component of the charges that make up the total garbage collection fee charged to residents. Other expenses, such as tipping fees and the spring pruning pickup, are also covered in the total garbage collection fee.

Additional bag tags are also included in the collection contract, which Tip-It has quoted a price of \$3.00 per tag. The current tag price is \$1.50, which has not had a change in price since 1996 when the additional tags were first introduced.

Staff have reviewed the pricing with a neighbouring jurisdiction and given that waste must now be taken to the Greater Vernon Diversion and Disposal Facility (as of July 31, 2024, the Armstrong/Spallumcheen Diversion and Disposal Facility no longer accepts waste from commercial haulers), staff are confident that the pricing provided by Tip-It is competitive.

Staff are recommending that the contract be awarded to Tip-It Waste Solutions rather than extend the proposal period to receive additional quotes. Tip-It has provided collection services in the City since 2015 and staff are happy with the service provided.

Respectfully submitted,



Jennifer Bellamy
Chief Financial Officer

MEMO

To: Mayor and Council
From: Tate Bengtson, CAO
Date: October 1, 2024
Subject: Appointment of Liaison to Enderby & District Chamber of Commerce

RECOMMENDATION

THAT Council appoints _____ as liaison to the Enderby & District Chamber of Commerce.

BACKGROUND

During the course of 2024, the Enderby & District Chamber of Commerce (“the Chamber”) has reactivated itself. The President of the board of directors for the Chamber, Diane Hutchison, has requested in the attached correspondence that Council appoints a liaison to the Chamber.

A liaison is distinct from a board member; this role does not vote at Chamber board meetings or otherwise have a fiduciary obligation to the Chamber. Instead, a liaison is intended to maintain open lines of communication between the Chamber and the City.

Respectfully submitted,



Tate Bengtson
Chief Administrative Officer

Hi Tate,

The Chamber is interested in establishing a liaison with City Council for consultation on matters relating to the City, the Chamber, and our local business community.

As such, I hereby invite City Council to appoint a liaison to the Enderby & District Chamber of Commerce for 2024/25 term ending September 30, 2025. This role is non-voting with no decision-making authority, distinct from the role of a Director on the Board of the Chamber. Attendance at board meetings will be optional and by invitation only.

We request that our liaison be a representative who is passionate about a flourishing local economy, and preferably someone with years of experience on City Council and with strong local connections. Our liaison will be welcome to attend any and all public and member events held by the Chamber at no charge.

We look forward to working closely with the City in the years ahead to collaborate on matters of common interest for Enderby.

Sincerely,

Diane Hutchison

President

Enderby & District Chamber of Commerce

Cell: (587) 228-4729

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

Tate Bengtson

AGENDA

From: Robyn Cyr <robyncyr@brabynbusiness.ca>
Sent: October 1, 2024 4:16 PM
To: tbengtson@cityofenderby.com
Cc: Diane Hutchison
Subject: Re: Support letter for the Enderby & District Chamber
Attachments: ETSIBC Letter of Support - Draft.docx

Hi Tate,

I hope that you are well.

I have been contracted through the Enderby & District Chamber to assist them with applying for grants to get the Chamber back up and operating.

I am currently working on a grant for ETSI-BC for \$20,000.00 and I will be working on a grant for REDIP funding over the next few weeks. The deadline for the ETSI-BC grant is October 10. My apologies for the late notice but I have just started working with the Chamber.

I have attached a draft letter of support which outlines what the EDCC will be doing with the funding from ETSI-BC.

Please let me know if you have any questions or need any further information.

Thank you

Robyn Cyr

Robyn Cyr

Brabyn Business Solutions

Living and working in Secwepemculecw, unceded Secwepemc territory.

Email: robyncyr@brabynbusiness.ca

Phone: 250-833-6008

(LOGO)

(Draft Letter of Support)

To Whom It May Concern:

We are providing this letter of support for the Enderby and District Chamber of Commerce in their application for an ETSI-BC grant for \$20,000.00 through the Building Economic Development Capacity Funding Stream.

The initiatives that are supported in the grant application are outlined below:

1. The current Chamber website has undergone a current refresh but there are several additions to be developed to provide the best information for the members. The development of a CRM (Customer Relationship Management) software that will integrate into the website will allow the Chamber to communicate effectively with their members. This will include the creation of a member database, the creation and implementation of a marketing content calendar to communicate events, workshops, and other happenings that are going on in the community, as well as the promotion and recognition of all businesses in the community.
2. The development of networking events and educational workshops that will provide information and new tools for the members. Examples are Marketing 101, Employee Recruitment and Retention, Emergency Preparedness, Online security, and other workshops as defined by the members.
3. Funding for contract staff that will manage the development and integration of these projects and also provide research on other grant opportunities to fund more projects as the Chamber moves forward.

We are happy to see that the Enderby and District Chamber of Commerce is reopening their doors and providing resources for the businesses in Enderby, RDNO Electoral Area F, and the Splatsin First Nation.

Sincerely

(Place name of organization, signing authority, and signature)

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, CAO
From: Jennifer Bellamy, CFO
Date: September 25, 2024
Subject: Enderby National Film Board – Screening Event Funding

RESOLUTION A

THAT Council provides the Enderby National Film Board with a Bronze Sponsorship for the October 31, 2024 screening date.

RESOLUTION B

THAT Council does not provide the Enderby National Film Board with financial assistance.

BACKGROUND

Attached is a funding request from the Enderby National Film Board (ENFB). The ENFB is a new initiative, providing free screenings to the public of films from the National Film Board of Canada (NFBC). The NFBC has a mandate “to create, produce, and distribute distinctive and original audiovisual works that reflect the diverse realities and perspectives of Canadians, and to share these works with the people of Canada and the rest of the world”. ENFB will be providing screenings each Thursday, beginning October 3rd (see the attached screening dates and films for October). The ENFB is seeking financial support either through a general grant for operations, or through the sponsorship of screening events.

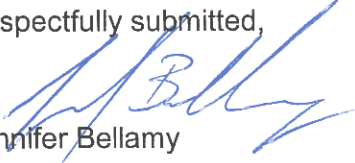
The ENFB is looking into registering as a non-profit organization, but is not registered at this time, nor is it officially affiliated with NFBC. The ENFB does not have a projected budget or financial information that is required for providing a grant to an organization per policy. All financial dealings are transacted personally through the event organizer. As such, it is not recommended that Council provide a general operating grant to the ENFB at this time.

If Council wishes to provide a sponsorship for a screening event, care should be taken in deciding which films to sponsor. An example is the screenings to occur on October 24th, which are about the wool industry. The event organizer operates Lewis Woollen Mills, which provides wool products; a sponsorship for these films may be actual or perceived assistance to business.

The City does not have a past practice of providing funds for similar individual initiatives; however, funds have been provided in the past to groups that are enhancing or supporting community events provided by the City, such as the Enderby & District Lions Club for Halloween

celebrations. The ENFB does have Halloween themed screenings occurring on October 31st, which could be considered consistent with this practice.

Respectfully submitted,



Jennifer Bellamy
Chief Financial Officer

Mayor and Council
City of Enderby
619 Cliff Avenue
Enderby, BC
V0E 1V0

September 9, 2024

Dear Mayor Galbraith and City Councillors,

Re: Request for sponsoring NFB Screening Event

On behalf of the Enderby National Film Board volunteer planning committee, we wish to express our deepest appreciation for your ongoing support, involvement and enthusiasm towards Enderby's community events, which benefit and impact all the members of our community!

The Enderby NFB volunteer committee is excited to announce Enderby's first ever NFB screening premiere that will take place at 6PM on Thursday's during the month of October at the Enderby Legion. This will be a free public event, and everyone is welcome. We would especially like to take this opportunity to formally invite you all to attend any or each of the screenings.

We are committed and excited to offer this event for free to the public! This is only possible through generous support from sponsors and donations that help cover the costs of promotional materials, venue rental, and snacks for all five screening events. We believe that the City of Enderby would be an ideal partner and we are requesting a financial or in-kind donation in order to make this event a success. Please see attached document for sponsorship and donation details for additional information.

We would be grateful for your support, and we hope to see you at Enderby's National Film Board Premiere.

If you have any questions, please don't hesitate to contact Ms. Bonnie Knudson at 604-754-8604.

Donations can be sent to filmedia125@gmail.com.

Thank you for considering sponsoring or donating to help make this event possible!

Warm regards,

Amal Galbraith



Enderby's National Film Board Premier

Free Admission

Screenings held every Thursday night during October from 6PM-8PM!

Events located at the Enderby Legion

Bronze Sponsor : \$50 – Name will appear on Program

Silver Sponsor : \$150 – Name and logo will appear on Program

Gold Sponsor : \$ 250 – Same as above and Name Partner for one movie

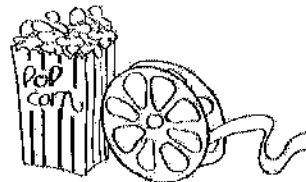
Official Partner : \$750 – Main Name partner

Businesses can choose to sponsor a single or multiple screenings

**Donations can be made by cash or etransfer to
filmedia125@gmail.com**

**For additional information please contact event organizer
Ms. Bonnie Knudson at 604-754-8604**

We thank you for your generous Support



Enderby's NFB's Screening Dates & Films

Day 1 Screening Thursday October 3, 2024:

1. **S.P.L.A.S.H / Michael Mills / 1980 / 12 min**
2. **Strike In Town / Leslie McFarlane / 1955 / 37 min**
3. **Okanagan Dreams / Annie O'Donoghue / 2001 / 46 min**

Day 2 Screening Thursday October 10, 2024

1. **Shining Mountains : On the Edge / Guy Clarkson / 2005 / 47 min**
2. **Between: Living in the Hyphen / Anne Marie Nakagawa / 2005 / 43 min**

Day 3 Screening Thursday October 17, 2024

1. **How They Saw Us: Needles and Pins / Ann Pearson & Roger Blais / 1977/ 10 min**
2. **Baaaaad Dream / Jesse Gouchey / 2012 / 1 min**
3. **Woolly's Gift / Jocelyn Rehder / 1985 / 6 min**

Day 4 Screening Thursday October 24, 2024

1. **Move Your Mind / Hubert Davis / 2010 / 5 min**
2. **And We Knew How To Dance: Women In The World War I / Maureen Judge / 1993 / 55 min**

Day 5 Screening Thursday October 31, 2024

1. **Halloween According to Old Weird Harold / Eva Szasz / 1985 / 7 min**
2. **Bone Mother / Dale Hayward & Sylvie Trouvé / 2018 / 8 min**
3. **Land of the Heads / Cedric Louis & Claude Barras / 2009 / 6 min**
4. **The Passion and Puppetry of Ronnie Burkett / Michelle Mama / 2024 / 5 min**
5. **The Cat Came Back / Cordell Barker / 1988 / 7 min**
6. **The Big Snit / Richard Condie / 1985 / 9 min**
7. **Animal Behaviour / Alison Snowden & David Fine / 2018 / 14 min**