



# THE CORPORATION OF THE CITY OF VERNON

## A G E N D A

REGULAR OPEN MEETING OF COUNCIL  
CITY HALL COUNCIL CHAMBER  
MONDAY, JANUARY 9, 2012  
AT 8:40 A.M.

**1. CALL TO ORDER**

**2. RESOLUTION TO CLOSE MEETING**

A. BE IT RESOLVED that the meeting be closed to the public in accordance with Section 90(1) (a), (c), (e), (g), (i), and (k) of the *Community Charter*.

**3. ADJOURN TO OPEN COUNCIL AT 1:30 P.M.**

A. THAT the Agenda for the January 9, 2012 Regular Open Meeting of Council be adopted as circulated.

**4. ADOPTION OF MINUTES AND RECEIPT OF COMMITTEE OF THE WHOLE AND PUBLIC HEARING RECORD**

A. THAT the minutes of the Regular Meeting of Council held December 12, 2011 be adopted; **(P. 10)**

AND FURTHER, that the minutes of the Public Hearing held on December 12, 2011, be adopted; **(P. 24)**

AND FURTHER, that the minutes of the Special Committee of the Whole Meeting held on December 9, 2011, be received;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held December 12, 2011, be received.

**5. GENERAL MATTERS**

A. Mayor Sawatzky will present a Community Institutional 'FINALIST' Award, from Okanagan Mainline Real Estate Board – Commercial Zone, for the new Polson Park Pavilion, to Mrs. Kim Flick, Manager, Community Development.

**AGENDA**

**MINUTES**

**PRESENTATION –  
OKANAGAN MAINLINE REAL  
ESTATE BOARD, THIRD  
ANNUAL COMMERCIAL  
BUILDING AWARDS**

**DELEGATION –  
RESPONSIBLE GAMBLING  
WEEK (P. 31)**

- B. Mr. Greg Walker, Manager, Public Affairs, BC Lottery Corporation (BCLC), Ms. Annette Sharkey, Executive Director, Social Planning Council for the North Okanagan, and Ms. Lynn Belsher, Executive Director of North Okanagan Employment Enhancement Society, re: Responsible Gambling Week.
- Letter dated December 22, 2011, from Mr. Mike Wolfram, Director, Gaming Finance, BCLC, re: Sponsorship Agreement Supporting Responsible Gambling Initiative in Vernon. **(P. 32)**
  - Letter dated January 9, 2012, from Mr. Michael Graydon, President and CEO, BCLC, re: First Responsible Gambling Awareness Week. **(P. 33)**

**DELEGATION - VERNON 2014  
RBC CUP BID (P. 34)**

- C. Mr. Don Klepp, representing the Vernon 2014 RBC Cup Bid Committee re: Request for Continued Council Support for the Event.

**6. UNFINISHED BUSINESS**

**FREEDOM DOGGY CARE –  
REQUEST FOR EXTENSION  
(P. 41)**

- A. Council, at their Regular meeting held on September 26, 2011, Council passed the following resolution:

*'THAT Council **directs** staff to defer enforcement of the contravention of zoning bylaw for 2803 – 26th Street, until December 31st, 2011;*

*AND FURTHER, that Georgina Haldane, **be advised** that this deferment is in order for her to relocate her business operation of 'Doggy Daycare', to a suitable location that will be in compliance with the Zoning Bylaw requirements.'*

- Email dated December 15, 2011, from Ms. Georgina Haldane, 2803 26<sup>th</sup> Street, Freedom Doggycare re: Request for Extension. **(P. 41)**
- Memo dated December 22, 2011, from Mr. Clint Kanester, Manager, Bylaw Enforcement, re: Haldane Request – Freedom Doggy Care. **(P. 43)**

**PROPOSED COUNCIL  
POLICY – REZONING BYLAW  
CONSIDERATION –  
DEVELOPER’S  
COMPENSATION FOR  
DISPLACED LOW INCOME  
RENTAL HOUSING TENANTS  
(P. 45)**

- B. THAT Council adopt the proposed policy entitled “Rezoning Bylaw Consideration – Developer’s Compensation for Displaced Low Income Rental Housing Tenants”, attached as Figure 1 to the report dated December 15, 2011;

AND FURTHER, should Council adopt the proposed policy, that Development Application Procedure Bylaw #4103 be amended to require a rezoning applicant to provide information to the City on the displacement of residential tenants and, in particular, whether any of the tenants would be eligible to receive additional compensation and the additional one month’s notice of eviction, as indicated in the policy;

AND FURTHER, that the policy be applied to Mayfield Homes Ltd. Rezoning Bylaw #5330 with a resident displacement agreement having to be executed prior to bylaw adoption.

**LAKERS CLUBHOUSE –  
COMMUNITY RECREATION  
PRGRAM GRANT (P. 54)**

- C. Memo dated December 19, 2011, from Mr. Doug Ross, Manager, Recreation Services, re: Lakers Clubhouse – Community Recreation Program Grant.

THAT Council approves 20% funding for the Province of British Columbia Community Recreation Program Grant project, estimated at \$100,000, to add resilient flooring, acoustic paneling, a playground, and a bike rack to the Lakers Clubhouse, contingent on successful grant application of 80% funding from the Province.

**7. MATTERS REFERRED: COMMITTEE OF THE WHOLE AND  
IN-CAMERA**

**8. NEW BUSINESS**

**A. Correspondence:**

**GREATER VERNON  
CHAMBER OF COMMERCE –  
AUDITOR GENERAL FOR  
LOCAL GOVERNMENT (P. 55)**

- (i) Letter dated December 21, 2011, from Mr. Ken MacLeod, President, Greater Vernon Chamber of Commerce, re: Request for Consideration for the City of Vernon to be included in an Audit by the new Auditor General for Local Governments.

**REMUNERATION – MAYOR  
(P. 56)**

- (ii) THAT Council amends the motion adopted October 24, 2011, regarding the Mayors Remuneration, to indicate a 0% increase in 2012.

**SISTER CITIES COMMITTEE  
NOTIFICATION OF NEW  
MAYOR & COUNCILLORS  
(P. 57)**

(iii) THAT Council supports the recommendation from the Sister City Committee that letters be forwarded to each of the five sister cities notifying them of the names and contact information for the new Mayor & Councillors.

**SISTER CITIES COMMITTEE  
SIGNAGE FOR SISTER CITY  
DISPLAY AT TOURIST  
INFORMATION CENTRE  
(P. 58)**

(iv) THAT Council supports the recommendation from the Sister City Committee that Council approve signage for the Sister City display at the Tourist Information Centre which would identify each community, with the expense realized from the Sister City Fund.

**B. Reports:**

**DR. STEPHANIE VAN SLYKE  
– REQUEST TO MODIFY CITY  
COVENANT LB456699 (2800 –  
17 STREET) (P. 59)**

(i) THAT Council support, in principle, the request from Dr. Stephanie Van Slyke that covenant LB456699 governing Lot A, Sec. 35, Tp. 9, Plan KAP91931, ODYD (2800 – 17 Street) be modified as follows:

- a) the maximum buildable area footprint for the primary building is to be increased from 1,500 sqft (139.4 sqm) to 1,577 sqft (146.5 sqm);
- b) the maximum buildable area footprint for the secondary building is to be increased from 500 sqft (46.5 sqm) to 528 sqft (49.1 sqm);
- c) the minimum front yard setback is to be reduced from 19.7 ft (6.0 m) to 16.5 ft (5.0 m); and
- d) the minimum exterior side yard setback is to be reduced from 19.7 ft (6.0 m) to 16.5 ft (5.0 m).

AND FURTHER, that prior to a final decision being made regarding the subject covenant modification request, there is to be a public input session held. All owners and occupiers of properties within 30 m of the subject property are to be provided with written notice advising them of the subject modification request and the invitation to attend a public input session or submit written comments.

**OFFICIAL COMMUNITY PLAN  
AMENDMENT AND  
REZONING APPLICATION  
FOR LOT A, PLAN 40774, DL  
51, ODYD (5350 SILVER STAR  
ROAD) EXTENSION, BYLAWS  
5266 & 5267 (P. 76)**

(ii) THAT Council support a one year extension to the processing expiry date for Official Community Plan Amendment Bylaw #5266 and Rezoning Amendment Bylaw #5267, for Lot A, Plan 40774, DL 51, ODYD (5350 Silver Star Road), as requested by the applicant, Mr. Gordon.

**DWELL DESIGN STUDIO –  
REZONING AND  
DEVELOPMENT VARIANCE  
PERMIT APPLICATIONS FOR  
LOTS 4 AND 5, PLAN 420,  
SEC. 8, TP. 8, ODYD (4008  
AND 4010 – 27 STREET)  
(P. 84)**

(iii) THAT Council support the application submitted by Dwell Design Studio to rezone Lots 4 and 5, Plan 420, Sec. 8, Tp. 8, ODYD (4008 and 4010 – 27 Street) from R1 – Estate Lot Residential to C5 – Community Commercial, with the intent to develop a commercial retail and health services building, subject to the following conditions:

- a) That a covenant is to be registered on the property title that prohibits vehicle and driveway access from 27 Street; prohibits liquor, food and beverage sales and requires the owner/business operator to enter into a Good Neighbour Agreement; and
- b) That the owner enters into a Development Agreement for the required off-site works.

AND FURTHER, that Council support the development variance permit application submitted by officials of Dwell Design Studio to vary the minimum number of parking spaces required for a proposed commercial retail and health services office building on Lots 4 and 5, Plan 420, Sec. 8, Tp. 8, ODYD (4008 and 4010 – 27 Street) from 25 parking spaces to 20 parking spaces, subject to the following conditions:

- a) That the properties are rezoned to C5 – Community Commercial;
- b) That the proposed site plan is to be revised to include a Handi-Dart drop off area and a bicycle rack;
- c) That the floor plans are to accommodate end of trip facilities for staff that cycle to work. As part of the development permit process, a Staff Travel Plan would be required in order to demonstrate the functional use of the reduced parking area; and
- d) That the final site and floor plans are to be attached to and are to form part of the development variance permit as Schedule 'A'.

**GEORGE NAKASHIMA –  
REZONING PERMIT  
APPLICATION FOR PART OF  
LOT 1, PLAN 33073, SEC. 13,  
TP. 8, ODYD (180 WHISTLER  
PLACE) (P.103)**

(iv) THAT Council support the application submitted by George Nakashima to rezone Part of Lot 1, Plan KAP33073, Sec. 13, Tp. 8, ODYD (180 Whistler Place) from R2 – Large Lot Residential to HR1 – Hillside Residential Single and Two Family, in order to subdivide the property into lots to accommodate single detached and semi-detached homes, subject to the following conditions:

- a) That trail and sidewalk connections be created to provide pedestrian connectivity throughout the Foothills neighbourhood;
- b) That the natural drainage patterns and habitat area in the ravine beside the proposed development area be protected, as well as to provide wildlife passage through the neighbourhood without conflict with residents; and
- c) That a Development Permit be applied for and approved prior to signing of the subdivision plan by the Approving Officer.

## 9. LEGISLATIVE MATTERS

### Bylaws:

### THIRD READING

- (i) THAT Bylaw #5342, “**3210 Centennial Drive AND 3505 30th Avenue Plan Vernon Amendment Bylaw Number 5342, 2011”, a bylaw to redesignate 3210 Centennial Drive from “Parks and Open Space” to “Residential – High Density” and to redesignate 3505 – 30th Avenue from “Public and Institutional” to “Residential – High Density”, be **read a third time.** (*Schubert Centre*) (P. 117)**
- (ii) THAT Bylaw #5343, “**3210 Centennial Drive AND 3505 30th Avenue Rezoning Amendment Bylaw Number 5343, 2011**”, a bylaw to rezone 3210 Centennial Drive from “P1 – Parks and Open Spaces” to “RH3 – High Rise Apartment Residential” and to rezone 3505 – 30th Avenue from “P3 – Private Institutional” to “RH3 – High Rise Apartment Residential”, be **read a third time.** (*Schubert Centre*) (P. 120)
  - Memo dated December 15, 2011, from Mr. Dale Rintoul, Planner, re: Staff Response to Submission at Public Hearing/Public Input for Schubert Centre Society OCP Amendment Bylaw #5342 and Rezoning Bylaw #5343 (3210 Centennial Drive and 3505 – 30 Avenue) (P. 123)

(iii) THAT Bylaw #5345, “**3412 28th Avenue Rezoning Amendment Bylaw Number 5345, 2011**”, a bylaw to rezone the subject lands from “C8 – Central Business District” to “RH3 High Rise Apartment Residential”, be **read a third time**. (501114 BC Ltd.) (P. 129)

- Memo dated December 15, 2011, from Mr. Dean Strachan, Planning Asst., re: Staff Response to Submission at Public Hearing for “3412 28th Avenue Rezoning Amendment Bylaw Number 5345, 2011” (P. 132)

(iv) THAT Bylaw #5346, “**3100 16th Avenue Rezoning Amendment Bylaw Number 5346, 2011**”, a bylaw to rezone the subject lands from “RH1 – Low Rise Apartment Residential” to “C3 – Mixed Use Commercial”, be **read a third time**. (Piorecky/Davies) (P. 134)

- Memorandum, dated December 15, 2011, from Mr. Dean Strachan, Planning Asst. re: Staff Response to Submission at Public Hearing for “3100 16th Avenue Rezoning Amendment Bylaw Number 5346, 2011” (P. 137)

**FIRST & SECOND READINGS  
AND PUBLIC HEARING DATE**

(v) THAT Bylaw #5349, “**4008 and 4010 27<sup>th</sup> Street Rezoning Amendment Bylaw Number 5349, 2012**”, a bylaw to rezone the subject lands from “R1 – Estate Lot Residential” to “C5 – Community Commercial”, be **read a first and second time**;

AND FURTHER, that the Public Hearing for Bylaw #5349, **together with** Public Input for Development Variance Permit 00248, be scheduled for **Monday, February 13, 2012**, at 5:30 p.m., in Council Chambers. (Dwell Design Studio) (P. 140)

(vi) THAT Bylaw #5350, “**180 Whistler Place Rezoning Amendment Bylaw Number 5350, 2012**”, a bylaw to rezone the subject lands from ‘R2 – Large Lot Residential’ to ‘HR1 – Hillside Residential Single and Two Family’, be **read a first and second time**;

AND FURTHER, that the Public Hearing for Bylaw #5350, be scheduled for **Monday, February 13, 2012**, at 5:30 p.m., in Council Chambers. (Foothills Development Ltd.) (P. 142)

**10. COUNCIL INFORMATION UPDATES**

**A.** Mayor and Councillors Reports.

**CLOSE**

**11. CLOSE OF MEETING**

**12. INFORMATION ITEMS**

**A.** Letter dated December 14, 2011, from the Hon. Michael de Jong, Minister of Health, re: Vernon Jubilee Hospital – Completion of Two Additional Floors. **(P. 145)**

**B.** Letter dated December 13, 2011, from Mr. Gary MacIsaac, Chair, Gas Tax Management Committee, re: Gas Tax General Strategic Priorities Fund and Innovations Fund Applications – **Kalamalka Lake Multi Use Trail – not approved. (P. 146)**

**C.** Letter dated December 13, 2011 from Mr. Gary MacIsaac, Chair, Gas Tax Management Committee, re: Gas Tax General Strategic Priorities Fund and Innovations Fund Applications – **43<sup>rd</sup> Avenue Road Diet – not approved. (P. 147)**

**D.** Minutes from the following Committees of Council:

**(i)** Advisory Planning – Nov 28 **(P. 148)**

**(ii)** Communities in Bloom – Nov 4 **(P. 155)**

**(iii)** Heritage Advisory Committee – Oct 20 **(P. 159)**

**(iv)** Sister City Committee – Nov 8 **(P. 163)**

**(v)** Heritage Advisory – Nov 24 **(P. 166)**