RESOLUTION TO CLOSE MEETING

Moved by Councillor Nahal, seconded by Councillor Cunningham:

BE IT RESOLVED that the meeting be closed to the public in accordance with Section 90(1) of the Community Charter

c) labour relations or other employee relations;

d) the security of the property of the municipality;

e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;

k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public.

CARRIED.

Mayor Mund called the adjourned meeting back to order at 1:30 pm.

PRESENT: Mayor A. Mund
REGULAR OPEN MEETING OF COUNCIL MONDAY, APRIL 27, 2015


Staff:  W. Pearce, Chief Administrative Officer
        S. Blakely, Manager, Legislative Services
        J. Nicol, Committee Clerk
        K. Flick, Director, Community Development
        S. Koenig, Director, Operation Services
        T. Laing Gahr, Communications and Grants Coordinator
        E. Stranks, Acting Director, Engineering & GIS*
        K. Green, Fire Chief*
        J. Blair, Deputy Fire Chief, Operations*
        D. Law, Manager, Financial Planning & Reporting*
        C. Corbett, Long Range Planner*
        D. Rintoul, Manager, Current Planning*
        B Bandy, Manager, Real Estate*
        C. Andruik, Municipal Technician III – Transportation*
        S. Forsyth, Manager, Engineering Development*

*Attended, as required

Others:  Media and Members of the Public

ADOPTION OF THE AGENDA:

APPROVAL OF ITEMS LISTED ON THE AGENDA

Moved by Councillor Lord, seconded by Councillor Cunningham:

THAT the agenda for the April 27, 2015, Regular Open meeting of the Council of The Corporation of The City of Vernon be adopted.

CARRIED.

ADOPTION OF MINUTES:

COUNCIL MEETINGS

Moved by Councillor Lord, seconded by Councillor Anderson:

THAT the minutes of the Regular Meeting of Council held April 13, 2015 be adopted;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held April 13, 2015, be received.

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

GENERAL MATTERS:
Ms. Margaret Clark, Coordinator, Restorative Justice Society - North Okanagan, provided a presentation regarding the Restorative Justice Society - North Okanagan – 2014 Year End Review.

The following issues were reviewed:

- Logo, Vision and Mission Statements
- Executive Director's Report
- President's Report
- Executive Sub-Committee Report
- Treasurer and Finance Committee Report
- Referral Overview
- Restorative Justice 2014 Data
- Working/Days Summary
- Types of Charges Summary
- Types of Conditions on Agreements
- Update on Board of Directors and Volunteer RJ Practitioners
- Presentations and Other Events
- Thanks to Funding and Other Partners 2014

COUNCIL INQUIRIES

LANEWAY BETWEEN 24 AND 25 STREET WEST OF 41 AVENUE

Council inquired regarding the result of traffic counts for the lane connecting 25 St and 24 Street west of 41 Avenue. **A.** Information on the traffic count results are contained in the April 27, 2015 Administration Updates.

FLOOD REMEDIATION AT MARSHALL FIELDS (5225-07)

Council inquired regarding the flood remediation project at Marshall Fields and concerns over two large stagnant ponds. **A.** The Acting Director, Engineering advised that there are some issues with flows in these ponds. The Engineering Department needs to re-examine the status of the ponds and will take whatever action is needed to rectify the lack of water flow.

DISCUS GOLF PARK AT MARSHALL FIELDS (6135-01)

Council inquired if there are plans for a Frisbee Park at Marshall Fields? **A.** The Director, Community Development advised that staff are considering feasibility of a Discus Golf Park in that location.

IRRIGATION PIPE ON 25 AVENUE

Council inquired regarding a pipe in the ditch on the south side 25 Avenue, west of Fulton Avenue that appears not to be connected to anything. **A.** The Acting Director, Engineering & GIS advised that this pipe is part of the South Vernon Irrigation District, there is a license on the creek and water is pumped to a several properties for irrigation. The pipe is disconnected in fall and reconnected in the late spring.

ADMINISTRATION UPDATES (0550-05)

Moved by Councillor Nahal, seconded by Councillor Spiers:

**THAT Council receives the Administration Updates dated April 27, 2015.**

CARRIED.
UNFINISHED BUSINESS:

Moved by Councillor Cunningham, seconded by Councillor Quiring:

THAT Council amend Council’s Strategic Plan 2015 – 2018 to include the 2015 deliverable of “Complete the Internal Certificate of Recognition or COR Audit to maintain our standing and access to annual rebates”, as outlined in the memo titled Addendum to Council’s Strategic Plan 2015 – 2018, dated April 16, 2015 and submitted by the Director of Community Development.

CARRIED.

Moved by Councillor Quiring, seconded by Councillor Cunningham:

THAT Council amends the three year funding program endorsed at its Regular Meeting of April 13, 2015 for the construction of sidewalk in 25th Street in 2015, as presented in the report dated March 24, 2015, titled “2015 Capital Project – 25th Street Sidewalk Construction” from the Transportation Technician by rescinding:

“AND FURTHER, that Council endorse a three year funding program in the amount of $634,000 to complete the construction of new sidewalk in 25th Street from 46th Avenue to Pleasant Valley Road in the 2016-2018 Capital Projects budgets, as presented in the report dated March 24, 2015, titled “2015 Capital Project – 25th Street Sidewalk Construction” from the Transportation Technician.”;

AND FURTHER, that Council endorse a three year funding program in the amount of $634,000 to complete the construction of new sidewalk in 25th Street from 46th Avenue to Pleasant Valley Road in the 2016-2018 Capital Projects budgets, as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Location</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>35th Avenue to Pleasant Valley Road</td>
<td>$220,000</td>
</tr>
<tr>
<td>2017</td>
<td>41st Avenue to 39th Avenue &amp; 37th Avenue to 35th Avenue</td>
<td>$249,000</td>
</tr>
<tr>
<td>2018</td>
<td>46th Avenue to 44th Avenue</td>
<td>$165,000</td>
</tr>
</tbody>
</table>

(Note: This would still provide sidewalk closer to Harwood in 2015, but speeds up the construction closer to Beairstto from 2018 to 2016. There would be sidewalk gaps in the middle section until 2017 and at either end until 2018.)

CARRIED.
REGULAR OPEN MEETING OF COUNCIL MONDAY, APRIL 27, 2015

3911 29TH AVENUE
OCP AMENDMENT
BYLAW NUMBER
5551, 2015 – INPUT
FROM OPEN HOUSE
(OCP00062)

Moved by Councillor Lord, seconded by Councillor Quiring:

THAT Council receives the memorandum dated April 21, 2015, titled “3911 – 29th Avenue OCP Amendment Bylaw Number 5551, 2015 – Input from Open House”, from the Manager, Current Planning, and directs Administration to include this information as a submission to the Public Hearing for Bylaw 5551, scheduled for April 27, 2015.

CARRIED.

MATTERS REFERRED FROM IN CAMERA

THAT Council brings forward, as public information, the following motions declassified from confidential to non-confidential at the April 27, 2015, In Camera meeting:

- CANADIAN LAKEVIEW ESTATES – PARKLAND PURCHASE (6520-25)

‘THAT Council declassifies the Resolution adopted at the September 9, 2013, In Camera meeting as follows:

“THAT Council direct the Regional District of North Okanagan to pursue the acquisition of the proposed park land in the Bella Vista West Neighbourhood Plan area, specifically that approximately 2.98 acre southern portion of Lot 2, District Lot 297, ODYD, Plan KAP51334, except Plans KAP54692 and KAP76344m, on behalf of the City of Vernon, utilizing the Development Cost Charges allocated to the City of Vernon in the Parks Memorandum of Understanding, with an upset price of $500,000.”’

NEW BUSINESS

CORRESPONDENCE:

PRIVATIZING LAUNDRY - INTERIOR HEALTH (0410-31)

Moved by Councillor Lord, seconded by Councillor Cunningham:

THAT Council authorizes the Mayor to forward a letter to Interior Health Authority outlining concerns related to the potential impact of privatization of laundry facilities in the region, particularly with regard to loss of local jobs and environmental impact.

CARRIED.

2015 COMMUNITY DEVELOPMENT FIRST QUARTER APPLICATION STATISTICS (6970-20)

Moved by Councillor Quiring, seconded by Councillor Cunningham:

THAT Council receives the memorandum titled “2015 Community Development First Quarter Application Statistics” dated April 15, 2015, from the Planning Assistant.

CARRIED.
Moved by Councillor Cunningham, seconded by Councillor Lord:

THAT Council receives the following resolution passed by the Affordable Housing Advisory Committee at its Regular Meeting of March 26, 2015 for information:

“THAT the Affordable Housing Advisory Committee recommends that Council direct Administration provide a report to determine the benefits of a former Federal tax program which provided a tax deduction based upon the depreciation of a rental housing project against the income of the property owner;

AND FURTHER, that Council pass and forward a resolution to the Southern Interior Local Government Association (SILGA) and the Union of British Columbia Municipalities (UBCM) requesting the Federal Government to re-instate the tax program that allows for the depreciation of a rental housing project to be deducted from the income of the property owner.”

CARRIED.

REPORTS:

Councillor Quiring declared a Conflict of Interest in the following matter as the applicant is a client of his firm.

Councillor Quiring left the meeting at 2:03 pm.

Moved by Councillor Anderson, seconded by Councillor Cunningham:

THAT Council authorize a 2015 budget amendment in the amount of $67,140.00 to complete interior finishing, asphalt paving, and fund underground servicing for completion of Station 3 Predator Ridge;

AND FURTHER, that source of funds be the Emergency Response Reserve.

CARRIED.

Councillor Quiring returned to the meeting at 2:07 pm.

Moved by Councillor Anderson, seconded by Councillor Lord:

THAT Council respectfully decline to partner with the Regional District of North Okanagan on the development of a Municipal Boundary Extension Protocol Agreement, as the Regional Growth Strategy provides a commonly agreed upon framework for regional growth management, and the City’s recently amended Official Community Plan now addresses many of the advantages identified with a Protocol
AGREEMENT;
AND FURTHER, that should the Regional District of North Okanagan be interested at a future date in either the proposed block boundary extension or in the extension of the City’s sanitary sewer service to the Swan Lake Corridor (that area defined as a future growth area in the Regional Growth Strategy) in association with boundary extension, the City would be pleased to participate at that time.

CARRIED.

Councillor Quiring declared a Conflict of Interest in the following matter as the applicant is a client of his firm.

Councillor Cunningham declared a Conflict of Interest in the following matter as her mother owns adjacent property.

Councillors Quiring and Cunningham left the meeting at 2:08 pm.

DEVELOPMENT VARIANCE PERMIT APPLICATION #00321 FOR LOTS 42 AND 43, DL 71, PLAN 324, ODYD (3800 AND 3802 – 27TH AVENUE) (MQN ARCHITECTS) (DVP00321)

Moved by Councillor Lord, seconded by Councillor Anderson:

THAT Council support the development variance permit application submitted by officials of MQN Architects on behalf of Belmonte Apartments Ltd. and Rickford Apartments Ltd. to vary the minimum number of required off-street parking spaces from 163 spaces to 115 spaces, to vary the minimum rear yard setback from 9.0m to 6.0m and to vary the permitted projection of the second, third and fourth floors into the east side yard setback from 0.6m to 0.9m for a proposed apartment building to be constructed on Lots 42 and 43, DL 71, Plan 324, ODYD (3800 and 3802 – 27th Avenue), subject to the following conditions:

1. That Lots 42 and 43, DL 71, Plan 324, ODYD be consolidated;
2. That a 0.25m widening to the 27th Avenue right-of-way be dedicated and form part of the consolidation plan;
3. That a transportation impact analysis be undertaken in accordance with the standard terms of reference and with particular reference to the proposed variance to the number of required parking spaces;
4. That an emergency vehicle access and egress analysis be undertaken and it is to provide confirmation the design meets the BC Building Code; and
5. That the approved site and building elevation plans and the transportation impact analysis and emergency vehicle access analysis form part of the development variance permit as Schedule ‘A’.
CARRIED.

The Public Input for Development Variance Permit will be held this evening, April 27, 2015, together with the Public Hearing for "3800 and 3802 27th Avenue Road Rezoning Amendment Bylaw Number 5531, 2014.

Councillors Quiring and Cunningham returned to the meeting at 2:14 pm.

Councillor Quiring declared a Conflict of Interest in the following matter as the applicant is a client of his firm.

Councillor Quiring left the meeting at 2:15 pm.

SANITARY SEWER LATECOMER BYLAW – WHITEPOINT ROAD (3900-02 & BP004639)

Moved by Councillor Lord, seconded by Councillor Spiers:

THAT Council authorize initiation of a 15 year Latecomer Bylaw payable to Richard Fontain with an initiation date of January 9, 2015, ending on January 9, 2030, for the 114m of 50mm HDPE low pressure sanitary sewer main, 4 – 38mm sanitary pressure sewer service connections and 50mm terminal blow off connection with a total project cost of $68,060.54.

CARRIED.

Councillor Quiring returned to the meeting at 2:20 pm.

LEGISLATIVE MATTERS:

BYLAWS:

ADOPTION

Moved by Councillor Quiring, seconded by Councillor Spiers:

THAT Bylaw #5525, “1701 43rd Avenue Rezoning Bylaw Number 5525, 2014” – a bylaw to rezone the subject property from R5 – Four-Plex Residential to RH2 – Stacked Row Housing Residential be adopted. (Robatzek)

CARRIED.

FIRST, SECOND & THIRD READINGS

Moved by Councillor Lord, seconded by Councillor Quiring:

THAT Bylaw #5558, “Tax Rates Bylaw Number 5558, 2015” – a bylaw for the levying of rates for Municipal, Hospital, Regional District and Specified Area purposes for the Year 2015, be read a first, second and third time.

CARRIED.

COUNCIL INFORMATION UPDATES:
Councillor Nahal left the meeting at 2:33 pm.

COUNCILLOR CATHERINE LORD

Councillor Catherine Lord provided a verbal report on the following matters:

- **MEETING/EVENT ATTENDANCE**
  - Attended Okanagan Spirits Grand Opening
  - Attended BC Seniors Advocate, Isobel Mackenzie’s speaking event at the Schubert Centre

COUNCILLOR SCOTT ANDERSON

Councillor Scott Anderson provided a verbal report on the following matters:

- **MEETING/EVENT ATTENDANCE**
  - Met with the Citizen’s Committee to discuss ‘Hidden Park’
  - Attended the Biosolids Committee meeting

COUNCILLOR JULIETTE CUNNINGHAM

Councillor Juliette Cunningham provided a verbal report on the following matters:

- **MEETING/EVENT ATTENDANCE**
  - Attended the Garden Fair Luncheon hosted by the Hospital Auxiliary
  - Attended BC Seniors Advocate, Isobel Mackenzie’s speaking event at the Schubert Centre
  - Okanagan Spirits Grand Opening

COUNCILLOR BRIAN QUIRING

Councillor Brian Quiring provided a verbal report on the following matters:

- **MEETING/EVENT ATTENDANCE**
  - Attended the Okanagan Film Commission Board meeting
  - Attended Annual General Meeting for the Downtown Vernon Association
  - Attended a Transportation Advisory Committee meeting

MAYOR AKBAL MUND

Mayor Mund provided a verbal report on the following matters:

- **MEETING/EVENT ATTENDANCE**
  - Attended several events including:
    - Opening of the Digital Mammography unit at the Hospital
    - Okanagan Spirits Grand Opening
    - Ribbon cutting of new business ‘30 Minute Hit’
    - Funtastic Grant Awards Ceremony
    - BC Power Pioneers event
    - Law Day at the Vernon Courthouse
    - JCI Dinner

INFORMATION ITEMS:
Council received the following information items:

Minutes from the following Committees of Council:
(i) Tourism Advisory Committee, March 18, 2015.

Councillor Quiring declared a Conflict of Interest in the following matter as the applicant is a client of his firm.

Councillor Cunningham declared a Conflict of Interest in the following matter as her mother owns adjacent property.

Councillors Quiring and Cunningham left the meeting at 2:30 pm.

DEVELOPMENT VARIANCE PERMIT APPLICATION #00321
FOR LOTS 42 AND 43, DL 71, PLAN 324, ODYD (3800 AND 3802 – 27TH AVENUE) (MQN ARCHITECTS) (DVP00321)

Moved by Councillor Anderson, seconded by Councillor Lord;

THAT Council rescind support for the development variance permit application submitted by officials of MQN Architects on behalf of Belmonte Apartments Ltd. and Rickford Apartments Ltd. to vary the minimum number of required off-street parking spaces from 163 spaces to 115 spaces, to vary the minimum rear yard setback from 9.0m to 6.0m and to vary the permitted projection of the second, third and fourth floors into the east side yard setback from 0.6m to 0.9m for a proposed apartment building to be constructed on Lots 42 and 43, DL 71, Plan 324, ODYD (3800 and 3802 – 27th Avenue), subject to the following conditions:

1. That Lots 42 and 43, DL 71, Plan 324, ODYD be consolidated;

2. That a 0.25m widening to the 27th Avenue right-of-way be dedicated and form part of the consolidation plan;

3. That a transportation impact analysis be undertaken in accordance with the standard terms of reference and with particular reference to the proposed variance to the number of required parking spaces;

4. That an emergency vehicle access and egress analysis be undertaken and it is to provide confirmation the design meets the BC Building Code; and

5. That the approved site and building elevation plans and the transportation impact analysis and emergency vehicle access analysis form part of the development variance permit as Schedule ‘A’.

CARRIED.

RECESS

Mayor Mund temporarily adjourned the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 2:32 p.m.
Mayor Mund reconvened the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 5:30 p.m.

**Present:** Mayor A. Mund

**Councillors:** B. Spiers, J. Cunningham, C. Lord, B. Quiring, S. Anderson, D. Nahal

**Staff:** W. Pearce, Chief Administrative Officer  
S. Blakely, Manager Legislative Services  
J. Nicol, Committee Clerk  
D. Rintoul, Manager, Current Planning  
K. Flick, Director, Community Development  
E. Stranks, Acting Director, Engineering & GIS

**Others:** Members of the Public

*Councillor Quiring declared a Conflict of Interest in the following matter as the applicant is a client of his firm.*

*Councillor Cunningham declared a Conflict of Interest in the following matter as her mother resides in this development.*

*Councillors Quiring and Cunningham left the meeting at 5:31 pm.*

**Amend Agenda**

Moved by Councillor Anderson, seconded by Councillor Lord;

**that Council amends the Agenda as follows:**

1. **Add Item 16.B.** Consideration to rescind DVP00307 for 3800 and 3802 27th Avenue supported at the December 8, 2014 Regular meeting.

2. **Add Item 16.C.** Consideration of DVP00321 for 3800 and 3802 27th Avenue.

**Carried.**

**Rescind Development Variance Permit Application #00307 for Lots 42 and 43, DL 71, Plan 324, ODYD (3800 and 3802 – 27th Avenue) (MQN Architects) (DVP**

Moved by Councillor Lord, seconded by Councillor Anderson.

**that Council rescinds support as passed at the December 8, 2014 Regular meeting, for Development Variance Permit #00307 to vary the minimum required number of parking spaces for the existing two apartment buildings and the proposed new apartment building on the consolidation of Lots 42 and 43, DL 71, Plan 324, ODYD (3800 and 3802 – 27th Avenue) from 164 parking spaces to 106 spaces.**

**Carried.**
Moved by Councillor Lord, seconded by Councillor Nahal;

THAT Council support development variance permit application #00321 submitted by officials of MQN Architects on behalf of Belmonte Apartments Ltd. and Rickford Apartments Ltd. to vary the minimum number of required off-street parking spaces from 163 spaces to 115 spaces, to vary the minimum rear yard setback from 9.0m to 6.0m and to vary the permitted projection of the second, third and fourth floors into the east side yard setback from 0.6m to 0.9m for a proposed apartment building to be constructed on Lots 42 and 43, DL 71, Plan 324, ODYD (3800 and 3802 – 27th Avenue), subject to the following conditions:

1. That Lots 42 and 43, DL 71, Plan 324, ODYD be consolidated;

2. That a 0.25m widening to the 27th Avenue right-of-way be dedicated and form part of the consolidation plan;

3. That a transportation impact analysis be undertaken in accordance with the standard terms of reference and with particular reference to the proposed variance to the number of required parking spaces;

4. That an emergency vehicle access and egress analysis be undertaken and it is to provide confirmation the design meets the BC Building Code; and

5. That the approved site and building elevation plans and the transportation impact analysis and emergency vehicle access analysis form part of the development variance permit as Schedule ‘A’.

CARRIED.

Councillors Quiring and Cunningham returned to the meeting at 5:33 pm.
THIRD READING

Moved by Councillor Lord, seconded by Councillor Cunningham:

THAT Bylaw #5554, “Zoning Text (HR3 – Hillside Residential Apartment) Amendment Bylaw Number 5554, 2015” – a bylaw to amend City of Vernon Zoning Bylaw Number 5000, be read a third time.  (City of Vernon)

CARRIED.

Moved by Councillor Lord, seconded by Councillor Quiring:

THAT Bylaw #5551, “3911 29th Avenue Plan Vernon Amendment Bylaw Number 5551, 2015” – a bylaw to redesignate the subject properties from “Residential Small Lot – Single and Two Family” to “Residential – Medium Density”, be read a third time.  (Jeruth Holdings Ltd.)

CARRIED, with Councillors Anderson, Nahal, and Spiers opposed.

Moved by Councillor Lord, seconded by Councillor Quiring:

THAT Bylaw #5552, “3911 29th Avenue Rezoning Amendment Bylaw Number 5552, 2015” – a bylaw to rezone the subject properties from “RM2 – Multiple Housing Residential” to “RH1 – Low Rise Apartment Residential”, be read a third time.  (Jeruth Holdings Ltd.)

CARRIED, with Councillors Nahal and Spiers opposed.

Councillor Quiring declared a Conflict of Interest in the following matter as the applicant is a client of his firm.

Councillor Cunningham declared a Conflict of Interest in the following matter as her mother resides in this development.

Councillors Quiring and Cunningham left the meeting at 7:41pm.

Moved by Councillor Lord, seconded by Councillor Nahal:

THAT Bylaw #5531, "3800 and 3802 27th Avenue Road Rezoning Amendment Bylaw Number 5531, 2014" – a bylaw to rezone the subject properties from RH1 – Low Rise Residential to RH3 – High Rise Residential be read a third time.  (MQN Architects)

CARRIED.
Mayor Mund closed the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 7:47 pm.

CERTIFIED CORRECT:

Akbal Mund
Mayor

Susan Blakely
Deputy Corporate Officer