



# THE CORPORATION OF THE CITY OF VERNON

## A G E N D A

### REGULAR OPEN MEETING OF COUNCIL

#### CITY HALL COUNCIL CHAMBERS

MONDAY, JUNE 25, 2018

AT 1:30 PM

*"To deliver effective and efficient local government services that benefit our citizens, our businesses, our environment and our future"*

1. **CALL REGULAR MEETING TO ORDER AND MOVE TO COMMITTEE OF THE WHOLE**
2. **RESOLUTION TO CLOSE MEETING**
  - A. BE IT RESOLVED that the meeting be closed to the public in accordance with Section 90 of the *Community Charter* as follows:
    - (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;*
    - (g) *litigation or potential litigation affecting the municipality;*
    - (i) *the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*
    - (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*
3. **ADJOURN TO OPEN COUNCIL AT 1:30 PM**

### AGENDA

- A. THAT the Agenda for the June 25, 2018 Regular Open Meeting of Council be adopted as circulated.

**4. ADOPTION OF MINUTES AND RECEIPT OF COMMITTEE OF THE WHOLE**

**MINUTES**

- A.** THAT the minutes of the Regular Meeting of Council held June 11, 2018, be adopted; **(P. 12)**

AND FURTHER, that the minutes of the Special Regular Meeting of Council held on June 7, 2018, be adopted; **(P. 23)**

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held June 11, 2018, be received.

**5. BUSINESS ARISING FROM THE MINUTES**

**6. GENERAL MATTERS**

**PRESENTATION –  
VERNON WINTER  
CARNIVAL SOCIETY (P. )**

- A.** Ms. Deb White, Chair, Vernon Winter Carnival Society, re: Relocation of the Winter Carnival Building.

- Letter dated May 10, 2017 from Apex EHS Services to the City of Vernon, re: Mould Air Sampling Results Letter **(P. 26)**
- Assignment & Assumption Agreement – Facility Use dated January 1, 2014 **(P. 31)**
- Facility Use Agreement dated May 15, 2003 **(P. 36)**
- Certificate of Insurance **(P. 39)**

**PRESENTATION –  
O’KEEFE RANCH AND  
INTERIOR HERITAGE  
SOCIETY (P. 40)**

- B.** Ms. Sherrilee Franks, Transition Manager, O’Keefe Ranch re: Update on Activities, Events and General Operation and Request for \$25,000 Funding.

- Powerpoint Presentation **(P. 40)**
- Curatorial 2018 / Curatorial Focuses Going Forward **(P. 48)**
- Request for Permission to Pursue Lease Agreements **(P. 49)**

**PRESENTATION - BC  
ROAD SAFETY  
STRATEGY TOOLKIT  
(P. 51)**

- C.** Ms. Amanda Watson, Manager, Transportation will provide a presentation regarding the BC Road Safety Strategy Toolkit.

*THAT Council receive the memorandum titled “BC Road Safety Strategy Toolkit”, dated June 15, 2018 from the manager, Transportation for information.*

**PUBLIC SUBMISSIONS -  
“LANE BETWEEN 25<sup>TH</sup>  
AND 27<sup>TH</sup> STREETS, AND  
44<sup>TH</sup> AND 45<sup>TH</sup> AVENUES,  
ROAD CLOSURE BYLAW  
NUMBER 5633, 2018”  
(P. 53)**

- D. See Item 12.(i) (P. 259) Legislative Matters – “Lane between 25<sup>th</sup> and 27<sup>th</sup> Streets, and 44<sup>th</sup> and 45<sup>th</sup> Avenues, Road Closure Bylaw Number 5633, 2018”.**

Pursuant to Section 40 (3) (b) of the *Community Charter*, Council is providing an opportunity for the public to make submissions to City Council regarding the proposed “**Lane between 25<sup>th</sup> and 27<sup>th</sup> Streets, and 44<sup>th</sup> and 45<sup>th</sup> Avenues, Road Closure Bylaw Number 5633, 2018**”.

**Submissions Received:**

- (i) Email dated June 18, 2018 from Dean Kosmino, Hilltop Subaru, re: Bylaw 5633 (Lane Closure – 4407 27<sup>th</sup> Street) **(P. 53)**

**DEVELOPMENT  
VARIANCE PERMIT  
#00428 FOR 5545 – 27<sup>TH</sup>  
AVENUE (P. 56)**

- E. THAT Council support Development Variance Permit Application #DVP00428 to vary the following sections of Zoning Bylaw #5000 in order to construct a four storey, 38 unit non-profit rental apartment development on Lot 1, Plan 5914, DL 66, ODYD (5545 – 27<sup>th</sup> Avenue):**

- a) to vary the minimum side yard setback on the south side of the property from 4.5m to 3.2m (Section 9.12.5);
- b) to vary the minimum two-way drive aisle width from 7.0m to 6.0m (Section 7.1.12);
- c) to vary the minimum number of required off-street parking spaces from 61 spaces to 55 spaces (Section 7, Table 7.1); and
- d) to vary the maximum number of small car parking spaces from 40% to 62% (Section 7.1.11);

AND FURTHER, that Council support of DVP00428 is subject to the following:

- a) That the site, floor, elevation, landscaping plans, shadow analysis and the Transportation Impact Assessment generally noted as Attachments 1 to 6 inclusive in the report titled “Development Variance Permit Application for 5545 – 27<sup>th</sup> Avenue” and dated June 1, 2018 by the Economic Development Planner be attached to and form part of DVP00428 as Schedule ‘A’.

**Public Input – DVP #00428**

- i. Public Input on Development Variance Permit #00428 to vary sections of Zoning Bylaw #5000 in order to construct a four storey, 38 unit non-profit rental apartment development on Lot 1, Plan 5914, DL 66, ODYD (5545 – 27<sup>th</sup> Avenue).

**Issuance of Permit #00428**

- ii. THAT the Corporate Officer be authorized to issue Development Variance Permit #00428 to vary sections of Zoning Bylaw #5000 in order to construct a four storey, 38 unit non-profit rental apartment development on Lot 1, Plan 5914, DL 66, ODYD (5545 – 27<sup>th</sup> Avenue), once all conditions of Council are satisfied.

**7. COUNCIL INQUIRIES**

**8. ADMINISTRATION UPDATES**

- A. THAT Council receive the Administration Updates dated June 25, 2018. (P. 147)

**9. UNFINISHED BUSINESS**

**SHARED FUNDING AGREEMENT – INTEGRATED SUPPORT SERVICES VERNON NORTH OKANAGAN RCMP DETACHMENT (P. 149)**

- A. THAT Council approves an extension to the deadline for the North Okanagan RCMP Detachment Shared Funding Agreement, and directs Administration to amend the July 1, 2018 deadline of ceasing services for Integrated Support Services to **September 4, 2018**, as summarized in the memorandum dated June 15, 2018, from the Deputy Chief Administrative Officer.

**KAL TIRE PLACE ARENA EXPANSION PROGRESS – JUNE (P. 152)**

- B. THAT Council receive the memo titled Kal Tire Place Arena Expansion Progress – June, dated June 14, 2018 from Doug Ross, Director, Recreation Services for information purposes.

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

**11. NEW BUSINESS**

**A. Correspondence:**

**RESTORATIVE JUSTICE – UBCM RESOLUTION (P. 155)**

- (i) THAT Council supports the North Okanagan Restorative Justice resolution to Union of BC Municipalities as follows:

*‘WHEREAS the Minister of Public Safety and Solicitor General oversees the Community Safety and Crime Prevention Branch, Victim Services and*

*Crime Prevention Division, Community Programs and thus the Community Accountability Program;*

*AND WHEREAS the Minister of Public Safety and Solicitor General has spoken about, "...that it's time to significantly broaden a restorative-justice system..." (The Globe and Mail, July 30, 2017) and that restorative justice has been in operation in British Columbia since 1998);*

*AND WHEREAS there has not been an increase in funds since 1998;*

*AND WHEREAS restorative justice services are in some communities that are not part of the Community Accountability Program and are receiving restorative justice services and other communities that are part of the Community Accountability Program and no longer receive restorative justice services;*

*THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the Minister of Public Safety and Solicitor General undertake a province-wide review of restorative justice services with a focus on previously endorsed Union of BC Municipalities Resolutions (2000 B7; 2001 B10; 2003 B2; 2006 B10; 2007 B3; 2008 B4; 2013 B10; 2014 B5; 2016 B8 and in 2017 B89), i.e.; funding, standards and training plus re-open the list for communities to become part of the Community Accountability Program and to increase the funds while identifying gaps "...to enact a province-wide restorative-justice system..." in British Columbia.'*

AND FURTHER, that Council encourages member municipalities of the North Okanagan Regional District, to support the North Okanagan Restorative Justice Society resolution at Union of BC Municipalities.

**FEDERATION OF  
CANADIAN  
MUNICIPALITIES –  
CLIMATE CHANGE  
GRANT (P. 161)**

- (ii) THAT Council directs Administration to provide a letter of support to the Regional District of the North Okanagan for an application to the Federation of Canadian Municipalities for a Climate Change Grant for the purpose of re-evaluating the GHG targets for the region, as well as initiating the discussion on Climate Change Adaptation.

**ADDITION OF 15 YEAR  
PAYMENT  
SPREADSHEETS FOR  
LATECOMER BYLAWS  
#5066, #5271, #5393,  
#5448, #5489, #5490 &  
#5559 (P. 164)**

- (iii) THAT Council receive for information the memo titled Addition of 15 Year Payment Spreadsheets for Latecomer Bylaws #5066, #5271, #5393, #5448, #5489, #5490 and #5559, dated June 14, 2018 as submitted by the Manager, Engineering Development Services.

**PADDLEWHEEL HALL –  
2018 PROPERTY TAXES  
(P. 173)**

- (iv) THAT Council direct Administration to source the \$6,709.69 in 2018 property taxes owing for folio 07815.0000 (Paddlewheel Hall – 7813 Okanagan Landing Rd) from 2017 unexpended, uncommitted budget;

AND FURTHER, that Council direct Administration to facilitate a 2019 permissive tax exemption application with the Okanagan Landing and District Association.

**CITY OF VERNON AND  
REGIONAL DISTRICT OF  
NORTH OKANAGAN  
CONFINED SPACE  
AGREEMENT RENEWAL  
(P. 174)**

- (v) THAT Council approve the five (5) year Confined Space Agreement between the City of Vernon and the Regional District of North Okanagan.

**CITY OF VERNON AND  
REGIONAL DISTRICT OF  
NORTH OKANAGAN  
(VILLAGE OF LUMBY)  
AMMONIA/ CHLORINE/  
SULPHUR DIOXIDE  
AGREEMENT RENEWAL  
(P. 186)**

- (vi) THAT Council approve the five (5) year Ammonia/ Chlorine/ Sulphur Dioxide Agreement between the City of Vernon and the Regional District of North Okanagan (Village of Lumby).

**GREATER VERNON  
RECREATION FACILITIES  
AND PROGRAMMING  
SERVICE AGREEMENT  
(OPERATIONS)(P. 200)**

- (vii) THAT Council receives the letter dated June 15, 2018 from Bob Fleming, Director Electoral Area “B”, and Mike Macnabb, Director Electoral Area “C”, Regional District of North Okanagan, regarding their notice to withdraw from the Recreation Service;

AND FURTHER, directs Administration to review the withdrawal of the Electoral Areas and bring forward options for Council’s review and consideration.

**B. Reports:**

**REZONING APPLICATION  
FOR 6473 OKANAGAN  
LANDING ROAD (P. 201)**

- (i) THAT Council support the application (ZON00301) to rezone Lot 4, DL 62, ODYD, Plan 9738 (6473 Okanagan Landing Road) from RR (Rural Residential) to R4 (Small Lot Residential) and P1 (Parks and Open Space), in order to create a small lot residential subdivision and accommodate the future extension of a trail adjacent to Vernon Creek;

AND FURTHER, that adoption of the Zoning Amendment be subject to the following conditions:

1. Registration of a Section 219 Restrictive Covenant (Flooding Covenant) on the subject property, that would indemnify and save the City harmless in the event of a flood; and
2. Registration of a Statutory Right of Way adjacent to Vernon Creek, having a minimum width of 9 metres, to allow for the future construction of a trail; and
3. Registration of a Section 219 Restrictive Covenant prohibiting further development or subdivision until the execution of a Servicing Agreement pursuant to Subdivision and Development Servicing Bylaw #3843 which governs the design and construction of all on-site and off-site works and services necessary to service the property for the proposed use and density.

**NORTH OKANAGAN  
REGIONAL TRANSIT  
ESTABLISHMENT  
AMENDMENT BYLAW  
#2780, 2018 (P. 212)**

- (ii) THAT Council support the proposed bylaw amendments to change the cost allocation percentages for the funding of the Regional Transit Service Routes #60 and #61 as proposed by the Regional District of North Okanagan as outlined in the report titled North Okanagan Regional Transit Establishment Amendment Bylaw #2780, 2018 and dated June 15, 2018 as submitted by the Manager, Transportation;

AND FURTHER, pursuant to the provisions of Section 346 of the Local Government Act, the Council of the City of Vernon does hereby consent, on behalf of the electors of the City of Vernon, to the Regional District of North Okanagan adopting North Okanagan Regional Transit Service Establishment Amendment Bylaw #2780, 2018;

AND FURTHER, that Council request that the Regional District of North Okanagan undertake a further review of the cost allocation model for the Regional Transit Routes #60 Enderby / Armstrong and #61 Lumby based upon the data from the Automatic Passenger Count equipment after it has been installed and operational for twelve months.

**PROPOSED  
AMENDMENTS TO  
CHARTER OR FREE  
TRANSIT SERVICE  
POLICY (P. 230)**

- (iii) THAT Council endorse the Kids Ride Free Program effective September 1, 2018 that permits an adult customer, with a valid pass, to bring up to four children (12 years and under) on board the Vernon Regional Transit service for free, and adults paying with cash or tickets permitted to bring up to four children on board for free on statutory holidays and on weekends from 6:00 p.m. Friday until the end of service on Sunday, as outlined in the report titled “Proposed Amendments to Charter or Free Transit Service Policy” and dated June 15, 2018 as submitted by the Manager, Transportation;

AND FURTHER, that Council endorse the proposed amendments for a new Charter or Free Transit Service Policy as presented as Attachment 5 in the report titled “Proposed Amendments to Charter or Free Transit Service Policy” and dated June 15, 2018 as submitted by the Manager, Transportation;

AND FURTHER, that Council endorse the implementation of a pilot project, through the Vernon and District Immigrant and Community Services Society, to permit each new refugee to obtain a bike (up to the value of \$70 each) from Cycle Cycle to a maximum of \$700 annually to be funded through the 2018 and 2019 Transportation Demand Management Budget.

## 12. LEGISLATIVE MATTERS

Bylaws:

**ADOPTION**  
• 5633

- (i) THAT Bylaw #5633, “**Lane between 25<sup>th</sup> and 27<sup>th</sup> Streets, and 44<sup>th</sup> and 45<sup>th</sup> Avenues, Road Closure Bylaw Number 5633, 2018**” – a bylaw to authorize the closure and removal of the dedication as highway of a lane located between 25<sup>th</sup> and 27<sup>th</sup> Streets, be **adopted. (P. 259)**

- 5671

(ii) THAT Bylaw #5671, “**Zoning Text (Cannabis / Marihuana Dispensaries) Amendment Bylaw Number 5671, 2018**” – a bylaw to amend the City of Vernon Zoning Bylaw Number 5000, be **adopted**. (P. 262)

- Memo dated June 19, 2018 from Craig Broderick, Manager, Current Planning, re: Cannabis Bylaw Amendments (P. 265)

- 5686

(iii) THAT Bylaw #5686, “**City of Vernon Business Licence (Retail Sale of Cannabis) Amendment Bylaw Number 5686, 2018**” – a bylaw to amend City of Vernon Business Licence Bylaw Number 5480, 2014, be **adopted**. (P. 266)

- 5687

(iv) THAT Bylaw #5687, “**Fees and Charges (Retail Sale of Cannabis) Amendment Bylaw Number 5687, 2018**” – a bylaw to amend Fees and Charges Bylaw Number 3909, be **adopted**. (P. 269)

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

- 5692

(v) THAT Bylaw #5692, “**6473 Okanagan Landing Road Rezoning Amendment Bylaw Number 5692, 2018**” – a bylaw to rezone the subject property from “RR – Rural Residential” to “R4 – Small Lot Residential” and “P1 – Parks and Open Space”, be **read a first and second time**;

AND FURTHER, that the Public Hearing for Bylaw #5692, be scheduled for **Monday, July 23, 2018**, at **5:30 pm**, in Council Chambers. (P. 271)

### 13. COUNCIL INFORMATION UPDATES

A. Mayor and Councillors Reports.

### 14. INFORMATION ITEMS

A. Letter dated June 7, 2018 from Mayor Johnathan X. Cote, City of New Westminster, re: Changes to the Strata Property Act. (P. 274)

B. Minutes from the following Committees of Council:

(i) Advisory Planning, May 29, 2018 (P. 291)

C. Agenda for **June 25, 2018 Public Input on the 2017 Annual Report and Audited Financial Statements, 5:00 pm**, Council Chambers (P. 295)

RECESS

15. RECESS MEETING

NOTES:

Public Input scheduled for **5:00 pm at City Hall**

1. **2017 Annual Report and Audited Financial Statements**

Public Hearing scheduled for at **5:30 pm at City Hall:**

1. **"7818 Okanagan Landing Bench Road Rezoning Amendment Bylaw Number 5691, 2018"**
2. **"9238 Chinook Road Land Use Contract Number 291, 1978 (P2461) Discharge Bylaw Number 5689, 2018"**

RECONVENE

16. RECONVENE MEETING

THIRD READING

- 5691

A. THAT Bylaw #5691, **"7818 Okanagan Landing Bench Road Rezoning Amendment Bylaw Number 5691, 2018"** – a bylaw to rezone the subject property from 'A3 – Rural Small Holdings' to 'R1 – Estate Lot Residential', **be read a third time. (P. 296)**

- 5689

B. THAT Bylaw #5689, **"9238 Chinook Road Land Use Contract Number 291, 1978 (P2461) Discharge Bylaw Number 5689, 2018"** - a bylaw to authorize the discharge of Land Use Contract Bylaw Number 291, 1978 (P2461), **be read a third time. (P. 299)**

CLOSE

17. CLOSE OF MEETING