



# THE CORPORATION OF THE CITY OF VERNON

## A G E N D A

### REGULAR OPEN MEETING OF COUNCIL

#### CITY HALL COUNCIL CHAMBER

**TUESDAY**, NOVEMBER 13, 2018

AT 8:40 AM

*“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:*

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;*

**3. ADJOURN TO OPEN COUNCIL AT 1:30 PM**

A. THAT the Agenda for the November 13, 2018 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 October 9, 2018 be adopted; **(P. 15)**

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held October 9, 2018, be received.

**5. BUSINESS ARISING FROM THE MINUTES**

**6. GENERAL MATTERS**

**AGENDA**

**MINUTES**

**PRESENTATION –  
RCMP  
QUARTERLY  
REPORT (P. 28)**

- A. Supt. Shawna Baher, OIC, RCMP, providing the Third Quarter report for 2018.
- Report to Council July to September 2018 **(P. 28)**
  - North Okanagan RCMP Victims Assistance Quarterly Activity Report **(P. 45)**

*THAT Council receives the RCMP 3<sup>rd</sup> Quarter Report (July to September 2018) and the North Okanagan RCMP Victims Assistance Quarterly Activity Report as provided by Supt. Shawna Baher, OIC, RCMP at the November 13, 2018 Regular Council Meeting.*

**DEVELOPMENT  
VARIANCE PERMIT  
APPLICATION FOR  
3904 29th STREET  
(P. 50)**

- B. THAT Council support Development Variance Permit Application DVP00431 for the subject property located on Lot 5, Block 1, Plan 383MV, ODYD (3904 29<sup>th</sup> Street) to vary the following sections of Zoning Bylaw #5000 in order to develop a four-plex with 2 two-bedroom, 1 two-bedroom and den, and 1 three-bedroom units:
- a) to vary Section 9.12.5, Development Regulations, (b) Building Regulations, to reduce the required rear yard setback from 9m to 6.05m on the property;
  - b) to vary Section 9.12.5, Development Regulations, (b) Building Regulations, to reduce the required side yard setback from 4.5m to 1.2m on the north side of the property and from 4.5m to 2.41m on the south side of the property; and
  - c) to vary Section 6.6, Minimum Landscape Buffers, to reduce the minimum required landscape buffer, Level 2 on the side yards from 1.5m in width to 1.2m in width.

AND FURTHER, that Council's support of DVP00431 is subject to the following:

- a) That the site survey, elevations, renderings, and landscaping plan, as generally shown as Attachments 1 to 5, and to the satisfaction of Administration, are included in the report titled "Development Variance Permit Application for 3904 29<sup>th</sup> Street" and dated October 4, 2018 by the Planning Assistant and Manager, Current Planning be attached to and form part of DVP00431 as Schedule 'A'.

**Public Input – DVP  
#00431**

- i. Public Input on Development Variance Permit #00431 to vary sections of Zoning Bylaw #5000 in order to develop a four-plex with 2 two-bedroom, 1 two-bedroom and den, and 1 three-bedroom units at 3904 29<sup>th</sup> Street.

**Issuance of Permit  
#00431**

- ii. THAT the Corporate Officer be authorized to issue Development Variance Permit #00431 to vary sections of Zoning Bylaw #5000 in order to develop a four-plex with 2 two-bedroom, 1 two-bedroom and den, and 1 three-bedroom units at 3904 29<sup>th</sup> Street, once all conditions of Council are satisfied.

**DEVELOPMENT  
VARIANCE PERMIT  
APPLICATION FOR  
5350 SILVER STAR  
ROAD (P. 63)**

- C. THAT Council support Development Variance Permit Application #DVP00433 to vary the following sections of Zoning Bylaw #5000 in order to construct two duplexes on four bareland strata lots on a portion of Lot A DL 51 ODYD Plan 40774, exc. Strata Plan EPS4330 (5350 Silver Star Road):

- a) For proposed Units 25 and 27:
  - i. To vary Section 9.16.6. to reduce the front yard setback from: a minimum of 6.0m from a garage or carport to the back of curb or sidewalk for vehicular entry, to a minimum of 5.3m; and
  - ii. To vary Section 9.16.6 to reduce the rear yard setback from a minimum of 7.5m to a minimum of 6.0m; and
- b) For proposed Units 26 and 28:
  - i. To vary Section 9.16.6. to reduce the front yard setback from a minimum of 6.0m from a garage or carport to the back of curb or sidewalk for vehicular entry, to a minimum of 5.2m; and
  - ii. To vary Section 9.16.6 to reduce the rear yard setback from a minimum of 7.5m to a minimum of 7.0m;

AND FURTHER, that Council support of DVP00433 is subject to the following:

- a) That the site plan and elevation plans, intended to illustrate the general form, character and massing of the proposed duplex units, and noted as Attachments 1 and 2 in the report titled “Development Variance Permit Application for 5350 Silver Star Road”, dated October 29, 2018 by the Manager, Current Planning be attached to and form part of DVP00433 as Schedule ‘A’.

**Public Input – DVP  
#00433**

- i. Public Input on Development Variance Permit #00433 to vary sections of Zoning Bylaw #5000 in order to construct two duplexes on four bareland strata lots at 5350 Silver Star Road.

***Issuance of Permit  
#00433***

- ii. THAT the Corporate Officer be authorized to issue Development Variance Permit #00433 to vary sections of Zoning Bylaw #5000 in order to construct two duplexes on four bareland strata lots at 5350 Silver Star Road, once all conditions of Council are satisfied.

**DEVELOPMENT  
VARIANCE PERMIT  
APPLICATION FOR  
5400 OKANAGAN  
AVENUE (P. 75)**

- D. THAT Council support a modified Development Variance Permit Application #DVP00435 to vary the following sections of Zoning Bylaw #5000 in order to construct a 36 unit townhouse development on Part of the NW ¼ of Sec. 28 shown on Plan B3911, Twp. 9 ODYD exc. Plans KAP50675 and KAP58681 (5400 Okanagan Avenue):
  - a) to vary Section 4.16.1. to allow the construction of a building, structure or swimming pool on slopes of 30% or greater, and
  - b) to vary Section 6.5.11. to increase the maximum height of a retaining wall from 1.2 m to a maximum of 3.6 m.

AND FURTHER, that Council confirm its previous approval of Development Variance Permit application DVP00382 to vary Zoning Bylaw #5000 Section 9.11.6 to reduce the minimum dwelling unit width from 6.5 m to 4.8 m;

AND FURTHER, that Council support of DVP00435 is subject to the following:

- a) That the revised site and elevation plans show retaining walls up to a maximum of 3.6m, intended to illustrate the general form, character and massing of the proposed residence, be submitted to the satisfaction of Administration and be attached to and form part of DVP00435 as Schedule 'A'.

***Public Input – DVP  
#00435***

- i. Public Input on Development Variance Permit #00435 to vary sections of Zoning Bylaw #5000 in order to construct a 36 unit townhouse development at 5400 Okanagan Avenue.

***Issuance of Permit  
#00435***

- ii. THAT the Corporate Officer be authorized to issue Development Variance Permit #00435 to vary sections of Zoning Bylaw #5000 in order to construct a 36 unit townhouse development at 5400 Okanagan Avenue, once all conditions of Council are satisfied.

**DEVELOPMENT  
VARIANCE PERMIT  
APPLICATION FOR  
1905 AND 2001 – 15<sup>TH</sup>  
AVENUE (P. 86)**

- E. THAT Council support Development Variance Permit Application #DVP00441 to vary the following sections of Zoning Bylaw #5000 in order to construct a 48 unit townhouse development project on Lots 3 and 4, Sec 26, Twp 9, ODYD, Plan KAP58251 (1905 and 2001 – 15<sup>th</sup> Avenue):

- a) to vary Section 9.6.6 to increase the height of a vertical wall element, without recessing the upper portion of the building wall, from a maximum of 6.5 m to 9.4 m (Buildings 10 and 12); and
- b) to vary Section 9.6.6 to reduce the minimum unit width from 6.5 m to 6.1 m.

AND FURTHER, that Council support of DVP00441 is subject to the following:

- a) That the site plan and elevation plans, intended to illustrate the general form, character and massing of the proposed townhouse development project, and noted as Attachments 1, 2 and 3 in the report titled “Development Variance Permit Application for 1905 and 2001 – 15<sup>th</sup> Avenue” and dated October 29, 2018 by the Manager, Current Planning be attached to and form part of DVP00441 as Schedule ‘A’.

***Public Input – DVP  
#00441***

- i. Public Input on Development Variance Permit #00441 to vary sections of Zoning Bylaw #5000 in order to construct a 48 unit townhouse development project at 1905 and 2001 – 15<sup>th</sup> Avenue.

***Issuance of Permit  
#00441***

- ii. THAT the Corporate Officer be authorized to issue Development Variance Permit #00441 to vary sections of Zoning Bylaw #5000 in order to construct a 48 unit townhouse development project at 1905 and 2001 – 15<sup>th</sup> Avenue, once all conditions of Council are satisfied.

**DEVELOPMENT  
VARIANCE PERMIT  
APPLICATION FOR  
6533 ORCHARD HILL  
ROAD (P. 95)**

- F. THAT Council support the Development Variance Permit application (DVP00443) for the subject property located on Lot 28, Plan 25142, Section 31, ODYD (6533 Orchard Hill Road) to vary the following section of Zoning Bylaw #5000 in order to construct a second-floor addition above an existing garage for a secondary suite:

- a) to vary Section 9.2.5, Development Regulations, to reduce the required side yard setback from 2.5m to 1.76m on the property located at 6533 Orchard Hill Road.

AND FURTHER, that Council’s support of DVP00443 is subject to the following:

- a) That the site survey and elevations as generally shown as Attachments 1 to 3, and to the satisfaction of Administration, and as included in the report titled “Development Variance Permit Application for 6533 Orchard Hill Road” and dated October 4, 2018 by the Planning Assistant and Manager, Current Planning, be attached to and form part of DVP00443 as Schedule ‘A’.

**Public Input – DVP  
#00443**

i. Public Input on Development Variance Permit #00443 to vary a section of Zoning Bylaw #5000 in order to construct a second-floor addition above an existing garage for a secondary suite at 6533 Orchard Hill Road.

**Issuance of Permit  
#00443**

ii. THAT the Corporate Officer be authorized to issue Development Variance Permit #00443 to vary a section of Zoning Bylaw #5000 in order to construct a second-floor addition above an existing garage for a secondary suite at 6533 Orchard Hill Road, once all conditions of Council are satisfied.

**7. COUNCIL INQUIRIES**

**8. ADMINISTRATION UPDATES**

**ADMINISTRATION  
UPDATES (P. 107)**

A. THAT Council receive the Administration Updates dated November 13, 2018.

**9. UNFINISHED BUSINESS**

**2019 COUNCIL  
MEETING DATES –  
RECONFIRMED**

A. THAT Council **reconfirms** the amended 2019 Council Meeting schedule as adopted at the November 5, 2019 Inaugural Meeting, as follows:

2019 Council Meeting Dates	
January 7 January 21	July 8 July 29
February 11 February 25	August 19
March 11 March 25	September 3 September 16
April 8 Tues. April 23	Tues. October 15 October 28 <sup>th</sup>
May 13 May 27	Tues. November 12 November 25
June 10 June 24	December 16

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

**11. NEW BUSINESS**

A. Correspondence:**OFFICIAL ELECTION RESULTS – 2018 LOCAL GOVERNMENT ELECTION (P. 112)****MEL ARNOLD, M.P., NORTH OKANAGAN SHUSWAP – CONGRATULATIONS (P. 115)****APPOINTMENT OF ACTING MAYORS – 2019**

- (i) THAT Council receives the Official Election Results – 2018 Local Government Elections, as provided in the memo dated October 22, 2018, from Susan Blakely, Chief Elections Officer.
- (ii) THAT Council receives the letter dated October 31, 2018 from Mel Arnold, M.P., North Okanagan-Shuswap, offering congratulations on being elected to Mayor Cumming and City of Vernon Council.
- (iii) THAT Council Appoints the following Acting Mayors for 2019:

<b>2019</b>	<b>Acting Mayor</b>
<b>January</b>	Councillor Gares
<b>February</b>	Councillor Mund
<b>March</b>	Councillor Anderson
<b>April</b>	Councillor Nahal
<b>May</b>	Councillor Fehr
<b>June</b>	Councillor Nahal
<b>July</b>	Councillor Quiring
<b>August</b>	Councillor Mund
<b>September</b>	Councillor Fehr
<b>October</b>	Councillor Quiring
<b>November</b>	Councillor Anderson
<b>December</b>	Councillor Gares

**COUNCIL  
APPOINTMENTS TO  
COMMITTEES – 2019**

- (iv) THAT Council approves the following appointments to Council Committees in 2019:

<b><u>2019 Appointments</u></b>	
<b><u>Committee/Commission</u></b>	<b><u>Staff / Council Representative</u></b>
<b>Advisory Planning Committee</b>	
Council Representative:	Councillor Mund
Alternate:	Mayor Cumming
<b>Affordable Housing Advisory Committee</b>	
Council Representatives:	Councillor Fehr
Alternate:	Councillor Gares
<b>Audit Committee</b>	
Council Representatives:	Mayor Cumming, Councillor Mund, Councillor Gares
Alternate:	All Other Members of Council
<b>Biosolids Advisory Committee</b>	
Council Representatives:	Councillor Anderson Councillor Nahal
Alternates:	Mayor Cumming
<b>Economic Development</b>	
Council Representatives:	Mayor Cumming
Alternate:	Councillor Quiring
<b>Emergency Measures Policy/Planning</b>	
Council Representative:	Mayor Cumming
<b>Finance (Tax Role Review Panel)</b>	
Council Representative:	Mayor Cumming, Councillor Mund, Councillor Gares
Alternates:	All Other Members of Council
<b>Tourism Advisory Committee</b>	
Council Representative:	Councillor Nahal
Alternate:	Mayor Cumming
<b>Transportation Advisory Committee</b>	
Council Representative:	Councillor Anderson
Alternate:	Councillor Mund



<b><u>Other Council Appointments:</u></b>	
Arts Council of North Okanagan	Councillor Quiring Alt: Councillor Gares
Canada Day Committee	Councillor Anderson
CEDI Working Group	Councillor Mund Alt: Mayor Cumming
Chamber of Commerce Liaison	Councillor Gares Alt: Councillor Quiring
Climate Action Task Force	Councillor Quiring Alt: Mayor Cumming
Downtown Vernon Association	Councillor Quiring
Drought Response Team	Mayor Cumming Alt: Councillor Mund
Fire Training Centre – Policy Board	Mayor Cumming
Funtastic Sports Society Liaison	Councillor Mund
Kelowna Airport Advisory Committee	Councillor Mund
Library – North Okanagan Regional Library	Councillor Nahal Alt: Councillor Gares
Liquid Waste Management Plan Public Advisory Committee	Councillor Anderson Alt: Mayor Cumming
Municipal Insurance Association	Councillor Anderson Alt: Councillor Quiring
North Okanagan Early Childhood Development Coalition – Children’s Charter Committee	Councillor Fehr
North Okanagan Regional Advisory Committee (Okanagan College)	Councillor Fehr Alt: Councillor Gares
O’Keefe Ranch and Historical Society	Councillor Anderson
OKIB/First Nations Liaison	Mayor Cumming

Regional Growth Management Committee	Councillor Gares Alt: Councillor Mund
Regional Agricultural Advisory Committee	Councillor Nahal
Ribbons of Green Trail Committee	Mayor Cumming
Vernon Winter Carnival Liaison	Councillor Gares

**2018 PLANNING AND BUILDING THIRD QUARTER STATISTICS SUMMARY (P. 116)**

- (v) THAT Council receive the memorandum titled “2018 Planning and Building Third Quarter Statistics Summary” dated October 30, 2018 from the Manager, Economic Development and Tourism and Current Planning Assistant, for information.

**ASSET MANAGEMENT PLAN FOR VERNON WATER RECLAMATION CENTRE AND SPRAY IRRIGATION (P. 120)**

- (vi) THAT Council support the development of an Asset Management Plan & Condition Assessment for the Vernon Water Reclamation Centre, Spray Irrigation Program & Outfall and direct staff to provide overall grant management for this project.

**PARKING AGREEMENT – OKANAGAN REGIONAL LIBRARY (ORL) PARKING LOT (P. 122)**

- (vii) THAT Council direct Administration to renew the prior parking agreement with the Okanagan Regional Library for the period January 2, 2014 to December 31, 2023 with the same terms and conditions as the original agreement as presented in the memorandum titled “Parking Agreement – Okanagan Regional Library (ORL) Parking Lot” dated October 31, 2018 from the Manager, Protective Services.

**B. Reports:**

**UNION OF BC MUNICIPALITIES (UBCM) 2018 COMMUNITY EMERGENCY PREPAREDNESS FUND (CEPF) EMERGENCY SOCIAL SERVICES (ESS) GRANT FUNDING APPLICATION (P. 130)**

- (i) THAT Council authorize the \$ 25,000 UBCM 2018 CEPF ESS grant funding application as attached to the report titled *Union of BC Municipalities (UBCM) 2018 Community Emergency Preparedness Fund (CEPF) Emergency Social Services (ESS) grant funding application*, dated October 30, 2018 and respectfully submitted by the EP/ESS Coordinator;

AND FURTHER, that Council support for the proposed activities;

AND FURTHER, that Council authorize Administration to assume overall grant management.

## 12. LEGISLATIVE MATTERS

Bylaws:

## ADOPTION

- 5715

(i) THAT Bylaw #5715, “**Zoning Text (Secondary Suites / Semi-Detached Housing) Amendment Bylaw Number 5715, 2018**” – a bylaw to amend Zoning Bylaw #5000, **be adopted. (P. 138)**

- 5659

(ii) THAT Bylaw #5659, “**4215 – 32nd Street Land Use Contract Number 2640, 1977, (N11481) Discharge Bylaw Number 5659, 2017**” – a bylaw to authorize the discharge of Land Use Contract Bylaw Number 2640, 1977, **be adopted;**

AND FURTHER, that the Corporate Officer be authorized to **issue Development Variance Permit 00381** as the required conditions have been met.

**(P. 143)**

Memo dated October 29, 2018 from C. Liefke, Planning Assistant, Current Planning, re: Land Use Contract Discharge and Development Variance Application for 4215 – 32nd Street. **(P. 146)**

## FIRST &amp; SECOND READINGS AND PUBLIC HEARING DATE

- 5730

(iii) THAT Bylaw #5730, “**Zoning Text (Additional Setbacks from City Roads) Amendment Bylaw Number 5730, 2018**” – a bylaw to amend Zoning Bylaw #5000, **be read a first and second time;**

AND FURTHER, that the Public Hearing for Bylaw #5730 be scheduled for **Monday, November 26, 2018, at 5:30 pm**, in Council Chambers. **(P. 148)**

- 5731

(iv) THAT Bylaw #5731, “**Zoning Text (Cannabis) Amendment Bylaw Number 5731, 2018**” – a bylaw to amend Zoning Bylaw #5000, **be read a first and second time;**

AND FURTHER, that the Public Hearing for Bylaw #5730 be scheduled for **Monday, November 26, 2018, at 5:30 pm**, in Council Chambers. **(P. 152)**

- Memo dated October 31, 2018 from Kim Flick, Director, Community Infrastructure & Development re: Cannabis Bylaw Amendments **(P. 158)**

**13. COUNCIL INFORMATION UPDATES**

A. Mayor and Councillors Reports.

**14. INFORMATION ITEMS**

A. Letter dated August 31, 2018 from Sherry Price, Acting President, Caetani Cultural Centre Board of Directors, re: Thank You for Support **(P. 174)**

B. Minutes from the following Committees of Council:  
 (i) Advisory Planning, September 25, 2018 **(P. 176)**  
 (ii) Tourism Commission, September 26, 2018 **(P. 181)**

**RECESS****15. RECESS MEETING****NOTES:**

A. Public Hearing scheduled for at 5:30 pm at City Hall:

1. **“Zoning Text (RTR – Resort Residential) Amendment Bylaw Number 5723, 2018”**
2. **“5757 Okanagan Landing Road Rezoning Amendment Bylaw Number 5722, 2018”**
3. **“2907 26<sup>th</sup> Street Rezoning Amendment Bylaw Number 5721, 2018”, together with Public Input for DVP00439**
4. **“3903 – 30<sup>TH</sup> Street Official Community Plan Amendment Bylaw Number 5596, 2018”**

**AND**

**“3903 – 30<sup>th</sup> Street Rezoning Amendment Bylaw Number 5597, 2018” together with Public Input for DVP00440**

**RECALL****16. RECALL TO ORDER****THIRD READING**

- 5723

A. THAT Bylaw #5723, **“Zoning Text (RTR – Resort Residential) Amendment Bylaw Number 5723, 2018”** – a bylaw to amend Zoning Bylaw #5000, **be read a third time. (P. 186)**

- 5722

B. THAT Bylaw #5722, **“5757 Okanagan Landing Road Rezoning Amendment bylaw Number 5722, 2018”** – a bylaw to rezone the subject property from “A3 – Rural Small Holdings” to R1 – Rural Small Holdings” and “R5 – Four-plex Housing Residential”, **be read a third time. (P. 191)**

- 5721

C. THAT Bylaw #5721, **“2907 26<sup>th</sup> Street Rezoning Amendment Bylaw Number 5721, 2018”** – a bylaw to rezone the subject property from “R3 – Medium Lot Residential” to “R3H – Medium Lot Residential”, **be read a third time. (P. 194)**

- 5596                    D. THAT Bylaw #5596, “**3903 – 30<sup>TH</sup> Street Official Community Plan Amendment Bylaw Number 5596, 2018**” - a bylaw to redesignate the subject property from “Mixed Use – Medium Density Commercial and Residential” to “Residential – Medium Density”, **be read a third time. (P. 197)**
  
- 5597                    E. THAT Bylaw #5597, "**3903 – 30<sup>th</sup> Street Rezoning Amendment Bylaw Number 5597, 2018**” – a bylaw to rezone the subject property from R2 – Large Lot Residential” to “RM1 – Row Housing Residential”, **be read a third time. (P. 200)**

**17. CLOSE OF MEETING**