



THE CORPORATION OF THE CITY OF VERNON

A G E N D A

REGULAR OPEN MEETING OF COUNCIL

CITY HALL COUNCIL CHAMBER

MONDAY, JANUARY 7, 2019

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:*

c) *the security of the property 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.*

2. ADJOURN TO OPEN COUNCIL AT 1:30 PM

A. THAT the Agenda for the January 7, 2019 Regular Open Meeting of Council be adopted as circulated.

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

AGENDA

MINUTES

THAT the minutes of the Regular Meeting of Council meeting held December 10, 2018 be adopted; **(P. 7)**

AND FURTHER, that the minutes of the Public Hearing held on December 10, 2018 be adopted; **(P. 24)**

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held December 10, 2018, be received.

4. BUSINESS ARISING FROM THE MINUTES

5. GENERAL MATTERS

**PUBLIC
SUBMISSIONS - “5012
SILVER STAR ROAD
CLOSURE BYLAW
NUMBER 5729, 2018”**

A. See Item 11.A.(i) (P. 105) Legislative Matters – “5012 Silver Star Road Closure Bylaw Number 5729, 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 **“5012 Silver Star Road Closure Bylaw Number 5729, 2018”**.

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR
5350 ANDERSON WAY
(P. 36)**

A. THAT Council support Development Variance Permit Application #DVP00444 to vary the following sections of Zoning Bylaw #5000 in order to construct a six storey hotel on Lot A, Plan KAP88388, DL 38, ODYD (5350 Anderson Way):

- a) to vary the minimum number of required on-site loading spaces from four spaces to two spaces (Section 7, Table 7.2); and
- b) to vary the minimum front yard landscape buffer on the north end of Anderson Way from 3.0m to 2.29m for approximately 7.3m, and from 3.0m to 1.3m for the remainder of the front yard (Section 13.1.8);

AND FURTHER, that Council support of DVP00444 is subject to the following:

- a) That the site, elevation and landscaping plans generally noted as Attachments 1 to 5 inclusive in the report titled “Development Variance Permit Application for 5350 Anderson Way” and dated December 12, 2018 by the Economic Development Planner be attached to and form part of DVP00444 as Schedule ‘A’.

**Public Input – DVP
#00444**

- i. Public Input on Development Variance Permit #00444 to vary sections of Zoning Bylaw #5000 in order to construct a six storey hotel at 5350 Anderson Way.

**Issuance of Permit
#00444**

- ii. THAT the Corporate Officer be authorized to issue Development Variance Permit #00444 to vary sections of Zoning Bylaw #5000 in order to construct a six storey hotel on Lot A, Plan KAP88388, DL 38, ODYD (5350 Anderson Way), once all conditions of Council are satisfied.

6. COUNCIL INQUIRIES

7. ADMINISTRATION UPDATES**ADMINISTRATION
UPDATES (P. 51)**

- A. THAT Council receive the Administration Updates dated January 7, 2019.

8. UNFINISHED BUSINESS**DELEGATION
RESPONSE - BC
CHILD CARE SPACE
GRANTS (P. 53)**

- A. THAT Council authorize Administration to proceed with the Community Child Care Planning Program assessment should the grant application be successful;

AND FURTHER that, Council authorize Administration to apply for the \$1M Childcare BC New Spaces Fund for public-sector (no deadline) if, after reviewing the results of the Community Child Care Planning Program assessment, it is demonstrated that there is a need for additional child care spaces in the City of Vernon.

**DELEGATION
RESPONSE –
VERNON WINTER
CARNIVAL SOCIETY
(P. 57)**

- B. THAT Council authorizes the Vernon Winter Carnival Society (WCS) to remain as a tenant at the current City owned building (the “**building**”) located at 3401 – 35th Avenue for a term to end no later than May 1, 2020 conditional that:

1. WCS be responsible for all repairs and maintenance to the building;
2. WCS will secure, at their cost, structural building and air quality assessments from qualified professionals, and will provide such to the City each year beginning in 2019;
3. WCS accepts all liability for the building, without exception, and indemnifies and holds the City harmless for any issues relating to the condition and use of the building;
4. WCS continues to actively seek a new location for their operations;
5. WCS will not request funding – related to maintenance or repairs for the building from the City of Vernon or the Regional District of the North Okanagan;
6. WCS will enter into a licence of occupation agreement with the City no later than March 1, 2019;
7. The City of Vernon shall not be responsible for any lost, stolen or damaged equipment belonging to the WCS;

- 8. WCS shall not sub-let or permit any other use of the building;
- 9. WCS shall provide and maintain in good standing, a Comprehensive Liability Insurance Policy in the amount of \$5,000,000. The Policy shall name the City of Vernon as an additional insured, while WCS occupies the building;
- 10. WCS agrees that the Society will vacate the building immediately if ordered by a Provincial or Federal authority, or if the building suffers structural failure; and
- 11. WCS acknowledges that no further extensions to the Licence of Occupation will be offered at the subject building.

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

10. NEW BUSINESS

A. Correspondence:

**RENEWAL OF
DVP00373 FOR 9 –
9750 DELCLIFFE RD
(P. 74)**

- i) THAT Council renew Development Variance Permit Application DVP00373 to vary Zoning Bylaw #5000 by a) reducing the minimum riparian area setback from 15.0m to 10.0m from Okanagan Lake High Water Mark (Section 4.13.2), and b) permitting projection of unenclosed steps into the minimum side yard setback area from 0.8m to 1.2m (Section 4.4.2) to construct a single family dwelling at 9 – 9750 Delcliffe RD (Lot 9, Plan KAS143, Sec 4, Tp 13, ODYD) subject to the following:
 - a) That the site and elevation plans shall be attached to the Development Variance Permit as “Schedule A”; and
 - b) That the Riparian Areas Regulation assessment report shall be attached to the Development Variance Permit as “Schedule B”.

**CLAREMONT WATER
LOCAL SERVICE
AREA (LSA)(P. 99)**

- ii) THAT Council direct Administration to create a bylaw “To impose a parcel tax for the Claremont Water Local Area Service” and a bylaw “To direct the preparation of a parcel tax roll for the Claremont Water Local Service Area”.

11. LEGISLATIVE MATTERS

A. Bylaws:

ADOPTION

- 5729
 - i) THAT Bylaw #5729, “**5012 Silver Star Road Closure Bylaw Number 5729, 2018**” - a bylaw to authorize closure and removal of the dedication as highway at 5012 Silver Star Road, be **adopted. (P. 105)**
- 5732
 - ii) THAT Bylaw #5732, “**City of Vernon 2019 Financial Plan Bylaw Number 5732, 2018**” – a bylaw to adopt the “Financial Plan” for the Years 2019 – 2023, be **adopted. (P. 108)**
- 5730
 - iii) THAT Bylaw 5730, “**Zoning Text (Additional Setbacks from City Roads) Amendment Bylaw Number 5730, 2018**” – a bylaw to amend City of Vernon Zoning Bylaw #5000, be **adopted. (P. 111)**

12. COUNCIL INFORMATION UPDATES

A. Mayor and Councillors Reports.

13. INFORMATION ITEMS

A. Letter dated November 2018 from the Hon. Andrew Scheer, Leader of the Official Opposition, re: Congratulations on Recent Election. **(P. 115)**

B. Minutes from the following Committees of Council:

- i) Economic Development Advisory, Sept 27, 2018 **(P. 116)**
- ii) Advisory Planning, Oct 10, 2018 **(P. 120)**
- iii) Tourism Commission, Nov 15, 2018 **(P. 126)**

14. CLOSE OF MEETING