



THE CORPORATION OF THE CITY OF VERNON

A G E N D A

REGULAR OPEN MEETING OF COUNCIL

COUNCIL CHAMBERS
CITY HALL
MONDAY
JANUARY 7, 2019
At 1:30 p.m.

Mayor V. Cumming

Councillor S. Anderson
Councillor K. Gares
Councillor D. Nahal

Councillor K. Fehr
Councillor A. Mund
Councillor B. Quiring

For Enquiries
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www.vernon.ca



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

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

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

THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF A REGULAR OPEN MEETING OF COUNCIL
HELD MONDAY, DECEMBER 10, 2018**

PRESENT: Mayor V. Cumming

Councillors: S. Anderson, A. Mund, K. Gares,
K. Fehr, B. Quiring (8:44 am), D. Nahal (8:45 am)

Staff: W. Pearce, CAO
P. Bridal, DCAO, Director, Corporate Services
S. Blakely, Manager, Legislative Services
N. Nilsen, Communications Officer & Grants Coordinator
S. Koenig, Director, Operations
K. Flick, Director, Community Infrastructure & Development
D. Law, Director, Financial Services
D. Ross, Director, Recreation Services
S. Knuhtsen, Manager, Building & Licencing
J. Rice, Manager, Public Works
C. Broderick, Manager, Current Planning
E. Stranks, Manager, Engineering Development Services*
A. Watson, Manager, Transportation*
G. Gaucher, Manager, Protective Services*
B. Bandy, Manager, Real Estate*

*attended as required

Mayor Cumming called the Regular Open meeting to order at 8:43 am and requested a motion to move to Committee of the Whole.

Mayor Cumming reconvened the Regular Open meeting and requested a motion to move to In Camera.

**RESOLUTION TO
CLOSE MEETING**

Moved by Councillor Nahal, seconded by Councillor Gares:

BE IT RESOLVED that the meeting be closed to the public in accordance with Section 90 of the *Community Charter as follows:*

- a) *personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*
- c) *labour relations or other employee relations;*
- d) *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.*

CARRIED.

Mayor Cumming called the Regular Open meeting back to order at 1:30 pm.

PRESENT: Mayor V. Cumming

Councillors: K. Fehr, S. Anderson, A. Mund
K. Gares, B. Quiring, D. Nahal

Staff: W. Pearce, Chief Administrative Officer
P. Bridal, DCAO/Director, Corporate Services
S. Blakely, Manager, Legislative Services
D. Law, Director, Finance
K. Flick, Director, Community Infrastructure & Development
S. Koenig, Director, Operations*
D. Ross, Director, Recreation Services*
S. Wright, Recreation Coordinator*
M. Dowhaniuk, Manager, Infrastructure Management*
N. Nilsen, Communications Officer & Grants Coordinator
C. Broderick, Manager, Current Planning*
A. Watson, Manager, Transportation*
J. Rice, Manager, Public Works*
D. Lind, Fire Chief*
S. Hemstad, Deputy Fire Chief – Training, Prevention & Logistics*
R. Nuriel, Planner, Economic Development*
B. Bandy, Manager, Real Estate*
S. Biluk, Administrative Assistant*
E. Croy, Transportation Planner*

*Attended, as required

Others: Media and Members of the Public

ADOPTION OF THE AGENDA:

**APPROVAL OF
ITEMS LISTED ON
THE AGENDA**

Moved by Councillor Gares, seconded by Councillor Mund:

THAT the agenda for the December 10, 2018, Regular Open meeting of the Council of The Corporation of The City of Vernon be amended as follows:

1. **SEE ITEM 8. A.) – UNFINISHED BUSINESS** – UBCM – Community Child Care Planning Program Grant – AMENDED Recommendation

AND FURTHER, that the Agenda be adopted, as amended.

CARRIED.

ADOPTION OF MINUTES:

**COUNCIL
MEETINGS**

Moved by Councillor Mund, seconded by Councillor Fehr:

THAT the minutes of the Regular Meeting of Council meeting held November 26, 2018 be adopted;

AND FURTHER, that the minutes of the Public Hearing held on November 26, 2018 be adopted;

AND FURTHER, that the minutes of the Special Regular Council meeting held November 27 and 28, 2018 be adopted;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held November 26, 2018, be received.

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

GENERAL MATTERS:

**RECOGNITION
MERITORIOUS
AWARD**

Mayor Cumming recognized and offered congratulations from the Community to Supt. Shawna Baher for her recent Award of Meritorious Service at the 37th annual Police Honours Night at Government House in Victoria.

**PRESENTATION –
SUPT. S. BAHER –
VERNON NORTH
OKANAGAN
DETACHMENT:
OPIOID
EMERGENCY
RESPONSE
CENTRE PILOT
(7400-30)**

Supt. Shawna Baher introduced Dr. Karin Goodison, Medical Health Officer, Interior Health, and Annette Sharkey, Executive Director, Social Planning Council for the North Okanagan, as partners in the new pilot project. Supt. Baher and Karin Goodison reviewed a Business Case: IM Naloxone Distribution to High Risk Clients – Vernon North Okanagan Detachment: Opioid Emergency Response Centre (OERC) Pilot.

The following points were reviewed:

- OERC Pilot
 - three pilot sites in British Columbia in an effort to support individuals at high risk to overdose who find themselves involved with police
 - Three sites: Abbotsford Police Department, Vancouver Police Department, Vernon North Okanagan Detachment (only RCMP Detachment)

- Issue
 - Illicit Drug Overdose deaths in British Columbia continue to rise. There were 128 suspected drug overdose deaths in September 2018. This is a 38% increase over the number of deaths occurring in September 2017 (93) and an 8% increase over the number of deaths occurring in August 2018 (118).
 - In April 2018 a BC Coroners Service Death Review Panel report found that a substantial number of overdose deaths occurred among persons with recent health care and/or recent or previous B.C. Corrections involvement.
 - Increase number of prisoners in Vernon cells: 1, 858 up 18.75%
 - Intermittent prisoners 440, up 155.81 %.
- Vernon Data
 - Between 2016-09-13 and 2018-09-12 the Vernon RCMP attended to 39 deaths in which overdose was identified as the cause of death.
 - 2016 (Sept 12 to Dec 31): 7 Deaths
 - 2017 (January 1 to December 31): 18 Deaths
 - 2018 (January 1 to September 12): 14 Deaths
 - In total there were 23 people identified within the 39 deaths where those individuals were a prisoner in Vernon Detachment cells at some time prior to their death.
 - BC Coroner Report (September 2018)
 - 2018- 20 (growing)
 - 2017-23
 - 2016- 12
- Locations of Overdoses in Vernon Reviewed
- Vernon (Demographics, Locations, Death Rate & Projections) Reviewed
- Vernon Pilot Two Phases
 - Phase 1:
 - Referral of individuals involved with police/cells to services.
 - Education to members on what available in community.
 - Training to individuals on Naloxone/kit provided.
 - Through video
 - Objectives:
 - Direct referral into services, possibly while still in cells,
 - Reduce deaths,
 - Overdose leaving cells
 - IIO Investigations
 - Phase 2
 - Introduction/continuation of OAT in cells.
 - Objectives:
 - Will not go into withdrawal
 - Lessen hospital visits,

- Stable while in custody,
- Individuals not drug seeking on release (reduced risk of overdose)
 - Reduce crime

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council receives the Business Case: IM Naloxone Distribution to High Risk Clients – Vernon North Okanagan Detachment: Opioid Emergency Response Centre Pilot as provided and reviewed by Supt. Shawna Baher at the December 10, 2018 Regular Council meeting.

CARRIED.

**DELEGATION – DR.
GORD LOVEGROVE
– OKANAGAN
VALLEY ELECTRIC
REGIONAL
PASSENER RAIL
PROPOSAL
(8600-01)**

Dr. Gord Lovegrove attended to provide a presentation and reviewed a request that all future Official Community Plan processes consider the inclusion of an Okanagan Valley Electric Regional Passenger Rail system.

The following points were reviewed:

- Why: Sustain our Economy, Environment & Quality of Life
 - Preserving our natural beauty, clean air & water
 - Thriving Local tourism economy
 - Luring visits from non-driving, eco-tourists who drink wine & ski
 - Un-congested highways and quiet, safe, inclusive, healthy cities
 - Staying competitive, innovative & resilient for future generations
 - Staying connected as we age in place
- What: Okanagan Valley Electric Regional Passenger Rail (OVER PR)
- What it is NOT:
 - \$150 million/mile Skytrain (ALRT) rising 50 feet in the air on concrete guideways
 - Heavy, noisy, stinking, vibrating diesel trains rumbling along
 - A panacea - it would provide more & safer CHOICES
- What it IS:
 - A 20 (+/-) year opportunity to sustain our Quality of Life
 - Zero-emission, passenger rail serving our communities
 - A SMARTer Growth approach
 - Connects our Thompson-Okanagan
 - Addresses many of our needs:
 - Congestion & Safety
 - Housing & Affordability
 - Aging-in-place & Staying connected
- Technology: HYDRAIL (Hydrogen Fuel Cell / Battery Hybrid Rail Power)
- Costs: What's it going to cost Vernon taxpayers?
 - OVER PR is economically feasible BEFORE 2040

- ROADS: \$10 to \$20 Million/km PLUS a 2nd crossing
 - \$5 Billion US to Vernon + to Kamloops to meet forecast travel demand
- RAIL: \$5 Million/km
 - \$1.5 Billion from the US to Vernon (rail to Kamloops exists)
 - Annual operating costs offset by fares, plus safety, AQ, tourism benefits
 - Rail brings \$3.5 Billion savings to taxpayers PLUS:
 - Safer, cleaner, healthier connections for Tourism, Youth & Seniors
 - Supports Climate Change, Sustainability, Affordability, Health, Safety, Accessibility,
 - Housing & Increased Transit Ridership Objectives
- **Asks:** Please start planning for station locations
 1. Include consideration of regional electric passenger rail as a priority mode into the terms of reference all future local, regional, provincial, and federal land use and transportation (e.g. Gateway, OVTP) planning processes, including the B.C. current long-term clean growth strategy.
 2. Include Okanagan Valley Electric Regional Passer Rail route & station planning in future Vernon Official Community Planning process.
 3. More, ongoing, and expanding 2-way conversations
- Next steps: Planning & Investment Opportunities
 - Public-Private partnerships to handle construction and operation
 - Private partners - cash rich, land poor - station development & fare revenues
 - Local government - cash poor, land rich – Service quality & Station locations
 - First Nations – social license, corridors, partners
 - Regional – coordination
 - Provincial – Highway corridors, funding partners, technology leveraging
 - Federal – funding partners through gas tax revenues
 - Owner - Okanagan Valley governments via P3 – the most sustainable model
 - Operator – Contractor(s)

Councillor Nahal left the meeting at 2:30 pm and returned to the meeting at 2:34 pm.

**DELEGATION –
O’KEEFE RANCH
AND INTERIOR
HERITAGE SOCIETY
(0230-37)**

Ms. Sherrilee Franks, Transition Manager, O’Keefe Ranch and Interior Heritage Society will attend to provide an update regarding Ranch Operations in 2018, provide an introduction of 2019 Staff and outline direction for 2019.

The following points were reviewed:

- Introduced Mr. Tim Gibson new Finance & Marketing Manager
- Provided update on recent and upcoming events
- Noted blacksmith Patrick Mciver has been operating for the last 5 years with a number of classes offered at the Ranch during this time
 - Currently able to accommodate 6 or 7 student – would like to rearrange space to accommodate up to 12 student and run 4 courses per year
 - Financial relationship needs change in order to retain this feature – suggests construction of a covered shelter along the back of the shop 30ft X 10ft that would be out of view from public for storage
 - Needs Council approval to proceed with application of building permit and subsequent construction

Moved by Councillor Anderson, seconded by Councillor Quiring:

THAT pursuant to Council Procedure Bylaw 4840, Section 12 (c), that Council considers the request from the O'Keefe Ranch and Interior Heritage Society for permission to proceed with construction of a 30'X10' extension to the blacksmith shop (non-heritage building) as outlined at the December 10, 2018 Regular Council meeting. *(requires 2/3 majority vote of Council)*.

CARRIED

Moved by Councillor Anderson, seconded by Councillor Mund:

THAT Council authorizes Administration to sign a Township of Spallumcheen Building Permit Application which will enable the O'Keefe Ranch & Interior Heritage Society to proceed with the process to allow construction of a 30'X10' extension to the blacksmith shop (a non-heritage building), as described by Sherrilee Franks Transition Manager, O'Keefe Ranch and Interior Heritage Society at the December 10, 2018 Regular Council meeting.

CARRIED.

Moved by Councillor Quiring, seconded by Councillor Gares:

THAT Council receives the update regarding Ranch Operations in 2018, the introduction of 2019 Staff and the outline direction for 2019 as provided by Sherrilee Franks, Transition Manager, O'Keefe Ranch and Interior Heritage Society at the December 12, 2018 Regular Council meeting.

CARRIED.

**DELEGATION –
VERNON WINTER
CARNIVAL SOCIETY
(0230-40)**

Ms. Deb White, Chair, Vernon Winter Carnival Society attended to review the City of Vernon letter sent to the Society June 28, 2018 regarding their request for permission to remain in the current Winter Carnival building.

The following points were reviewed:

- Executive Members of the Vernon Winter Carnival Society (Carnival) present at the meeting were introduced
- Noted here to discuss letter from City of Vernon (COV) dated June 28, 2018 with conditions listed therein
- Cannot accept conditions and as such is here to review
- Carnival has been provided a home by COV since 1981
- Current location in place since 1995
- No cost to COV – Carnival covers all costs
- Carnival brings in great revenue to the COV during shoulder season
- Hotels booked during events and Hotel Tax paid
- They are non-profit society
- Tickets went on sale on Friday – already 2 sold out events and two events are 70% sold out
- 250 people in line on Friday to buy tickets
- 2 – 4 volunteers work in office
- Percentage of ticket sales and percentage of ads fund society
- If every ticket sold out would equal revenue of \$21,000
- Expenses are \$135,000
- Decades of archives that need storage - no room at museum
- If forced to move – would the City continue to house Carnival?
- The need for more revenue would require having to take more of a percentage from ticket sales which would increase costs all around
- 2017 flooding was severe for most residents in North Okanagan
- 2018 saw minimal amount of flooding
- Building was tested and deemed safe after 2017 flood
- Carnival should be permitted to stay in the building and they accept all liability
- Have not been able to find suitable alternative home
- Carnival will continue to search for new home
- Will provide annual proof that building is safe to occupy
- Would like to work together to find solutions.

Moved by Councillor Quiring, seconded by Councillor Nahal:

THAT Council receives the verbal report provided by Ms. Deb White, Chair, Vernon Winter Carnival Society regarding the request for permission to remain in the current Winter Carnival building as provided at the December 10, 2018 Regular meeting;

AND FURTHER, that Council directs Administration to provide a report back to Council early in 2019.

CARRIED.

RECESS

Mayor Cumming recessed the meeting at 3:13 p.m.

RECONVENE

Mayor Cumming reconvened the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 3:24 pm.

COUNCIL INQUIRIES**SHOPPING CARTS**

Council inquired regarding a rumor that if shopping carts are found off property – the store will be fined? **A. Admin:** There are currently no regulations to this effect in the City of Vernon.

**28TH AVENUE AND
34TH STREET
INTERSECTION /
CROSSWALK**

Council inquired regarding the intersection at 28th Avenue and 34th Street – the street aligns on an angle, but the crosswalk goes straight across. This causes vision clearance issues. Suggestion to angle crosswalk. An Admin Update will be provided.

**SMALL WHEELED
VEHICLES**

Council noted concern regarding use of small wheeled vehicles on sidewalks due to vision clearance issues for drivers who are unable to see approaching small wheeled traffic.

**PERMITTED USES
IN INSTITUTIONAL
ZONE**

Council inquired regarding permitted use of temporary housing in an Institutional Zone. **A. Admin:** Temporary housing is a permitted use and nominal parking is required. There is no requirement for shopping cart storage on site. **Q. Council:** Is the COV confident that the building will have sufficient washroom and shower facilities? **A. Admin:** The Building Code regulations apply to this project in regard to facilities. Councillor Fehr noted that there will be 17 bicycle storage spots onsite. Shopping carts will not be permitted.

**FLASHING LIGHTS
– FOOTHILLS DR
AND SILVERSTAR
RD**

Council noted the new flashing traffic light installed at Foothills Drive and Silver Star Road. Suggested due to incline – a light could also be installed at Phoenix and Silver Star Road.

**DITCHING – BENCH
/ BENCH ROW RD**

Council noted ditching work has been completed along Bench Road and Bench Row Road.

ADMINISTRATION UPDATES**ADMINISTRATION
UPDATES
(0550-05)**

Moved by Councillor Mund, seconded by Councillor Quiring:

THAT Council receives the Administration Updates dated December 10, 2018.

CARRIED.

UNFINISHED BUSINESS

Councillor Quiring declared a conflict of interest in the following matter as his firm may conduct work on this project. Councillor Quiring left the meeting at 3:40 pm.

**UBCM –
COMMUNITY CHILD
CARE PLANNING
PROGRAM GRANT
(8000-06)**

Moved by Councillor Mund, seconded by Councillor Gares :

THAT Council authorize Administration to apply for the \$25,000 UBCM Community Child Care Planning Program Grant;

AND FURTHER, that Council authorize Administration to partner with the District of Coldstream to apply for an additional \$25,000 to broaden the scope of the research to the Greater Vernon area;

AND FURTHER, that Council authorize Administration to utilize up to \$5,000 from the 2018 Recreation Services Consulting Fees Major Maintenance Budget to investigate the feasibility of constructing a daycare facility at existing facilities.

CARRIED.

Councillors Quiring returned to the meeting at 3:41 pm

MATTERS REFERRED FROM THE IN-CAMERA MEETING – August 13, 2018

THAT Council brings forward, as public information, the following motions **declassified** from confidential to non-confidential at the **August 13, 2018**, In Camera meeting:

**KAL TIRE PLACE
NORTH FACILITY
USE AGREEMENTS
(7840-06)**

‘THAT Council authorize Administration to proceed with plans to fund the up-front costs of the tenant improvements for the lease spaces at Kal Tire Place North to a maximum of \$30,000 for RCR Excel Fitness Inc. and \$20,000 for The Edge of Excellence Inc., as presented in the memo titled Kal Tire North Facility Use Agreements from the Director, Recreation Services; dated August 3, 2018;

AND FURTHER, that Council authorize Administration to source the funds from the Recreation Facility Major Maintenance Reserve Fund and that the fund be replenished monthly, plus interest of 2.65%, on an equal prorated basis, through the tenant payments over the respective term, as per the Facility Use Agreements;

AND FURTHER, that Council authorize the Mayor and Corporate Officer to execute the Facility Use Agreements with RCR Excel Fitness Inc. and The Edge of Excellence Inc.;

*AND FURTHER, that Council **declassifies the resolution from in camera after the fully executed Facility Use Agreements have been signed by all parties.***

MATTERS REFERRED FROM THE IN-CAMERA MEETING – September 24, 2018

THAT Council brings forward, as public information, the following motions **declassified** from confidential to non-confidential at the **September 24, 2018**, In Camera meeting:

**SEPTAGE
RECEIVING
FACILITY
AGREEMENTS
(5340-20-N&T)**

'THAT Council endorse the Amending Agreement No 1 to the Purchase and Sale Agreement, with respect to the Regional District North Okanagan Septage Receiving Facility, between City of Vernon and Regional District of North Okanagan as substantially presented in Attachment 1 - A and attached to the report titled Septage Receiving Facility -Agreements from the Director, Operations dated September 17, 2018;

AND FURTHER, that Council endorse the Amending Agreement No. 1 to the Agreement of Purchase and Sale between City of Vernon and N & T Properties, with respect to the Regional District North Okanagan Septage Receiving Facility, as substantially presented in Attachment 2 - A and attached to the report titled Septage Receiving Facility Agreements from the Director, Operations dated September 17, 2018;

AND FURTHER, that Council endorse the Construction Agreement between the City of Vernon and N & T Agreement as substantially presented in Attachment 4 and attached to the report titled Septage Receiving Facility Agreements from the Director, Operations dated September 17, 2018;

*AND FURTHER, that the resolution be **declassified and removed from in camera upon removal of all conditions by the City of Vernon, noted in the Purchase and Sale Agreement between the City of Vernon and the Regional District of North Okanagan.***

MATTERS REFERRED FROM THE IN-CAMERA MEETING – November 26, 2018

THAT Council brings forward, as public information, the following motions **declassified** from confidential to non-confidential at the **November 26, 2018**, In Camera meeting:

**SEPTAGE
RECEIVING
FACILITY**

'THAT Council support the expenditure of \$20,000 from the Sewer Operating Reserves to fund the installation of an overhead crane, including the required building modifications, at the Septage Receiving Facility located at the Vernon Water Reclamation Centre.

MATTERS REFERRED FROM THE IN-CAMERA MEETING – December 10, 2018

THAT Council brings forward, as public information, the following motions **declassified** from confidential to non-confidential at the **December 10, 2018**, In Camera meeting:

**AREA DRAINAGE
PLAN FOR
OKANAGAN LAKE
SOUTH SHORE
(5225-20-06)**

'THAT Council support allocation of up to \$37,800 from Storm DCC reserves and up to \$112,200 from Infrastructure Reserves (total of \$150,000) in 2019 for an area drainage plan for Okanagan Lake South Shore catchment and south to the city boundary;

AND FURTHER, that Council support allocation of up to \$18,900 from Storm DCC reserves and up to \$56,100 from Infrastructure Reserves (total of \$75,000) in 2019 for detailed design of drainage system improvements in the Smith Road sub-catchments.'

NEW BUSINESS**CORRESPONDENCE:**

**VERNON MUSEUM
& ARCHIVES –
REQUEST TO
REMOVE
CENTENNIAL TREE
(0230-52)**

Moved by Councillor Anderson, seconded by Councillor Quiring:

THAT Council directs Administration to advise the Greater Vernon Museum and Archives to approach Greater Vernon Services Advisory Committee to request removal and disposal of the 'centennial' tree currently on display at the museum;

AND FURTHER, that Council suggests to the Greater Vernon Museum and Archives consider retaining the 'leaves' from the tree for historical archival storage.

CARRIED.

**PURCHASE OF
BIOSOLIDS
HAULING TRAILER
(5350)**

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Council authorize the purchase of a trailer for the Vernon Water Reclamation Centre for the purpose of hauling biosolids, at an estimated cost of \$65,000, using funds from the Sewer Operating Reserves.

CARRIED.

**PARKS &
RECREATION
MANAGEMENT
SOFTWARE
UPDATE
(7850-16)**

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT Council receive the memorandum titled Parks & Recreation Management Software Update dated December 4, 2018 from Shayne Wright, Manager, Recreation Programs and the related demonstration provided on December 10, 2018 for information purposes.

CARRIED.

REPORTS:

**FREE PARKING
FOR ELECTRIC
VEHICLES
(5280-03)**

Moved by Councillor Mund, seconded by Councillor Anderson:

THAT Council receive the report titled "Free Parking for Electric Vehicles" and dated November 23, 2018 from the Transportation Planner for information.

CARRIED.

**2019 FIRE
TRAINING CENTRE
BUDGET AND
VERNON'S
PERCENTAGE
SHARE
(7125-01)**

Moved by Councillor Mund, seconded by Councillor Nahal:

THAT Council approve the Fire Training Centre (FTC) Proposed 2019 Budget, the proposed Four (4) Year Facility Improvement Plan, and FTC Percentage Share of the 2019 Budget Requirements, subject to revision by BC Assessment, as attached to the report dated November 30, 2018, titled 2019 Fire Training Centre Budget and Vernon's Percentage Share, as respectfully submitted by Deputy Chief Scott Hemstad.

CARRIED.

**UNION OF BC
MUNICIPALITIES
(UBCM)
COMMUNITY
EMERGENCY
PREPAREDNESS
FUND (CEPF) –
EVACUATION
ROUTE PLANNING
(7130-07)**

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Council authorize the \$ 25,000 UBCM CEPF grant funding application as attached to the report titled *Union of BC Municipalities (UBCM) 2018 Community Emergency Preparedness Fund (CEPF) – Evacuation Route Planning* grant funding application, dated November 29, 2018 and respectfully submitted by the Director of Fire Rescue Services;

AND FURTHER, that Council support the proposed activities;

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

CARRIED.

LEGISLATIVE MATTERS:

ADOPTION

- 5714

Moved by Councillor Mund, seconded by Councillor Quiring:

THAT Bylaw #5714, **“3607 27 Street Rezoning Amendment Bylaw Number 5714, 2018”** – a bylaw to rezone the subject property from “R1 – Estate Lot residential” to “C4 – Street Oriented Commercial”, **be adopted;**

AND FURTHER that Council authorizes the Corporate Officer to **issue** Development Variance Permit **#00427**.

CARRIED.

- 5731

Moved by Councillor Mund, seconded by Councillor Fehr:

THAT Bylaw #5731, **“Zoning Text (Cannabis) Amendment Bylaw Number 5731, 2018”** – a bylaw to amend Zoning Bylaw #5000, **be adopted.**

CARRIED.

FIRST, SECOND & THIRD READINGS

- 5729

Moved by Councillor Fehr, seconded by Councillor Nahal:

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 read a first, second and third time.**

CARRIED.

- 5732

Moved by Councillor Anderson, seconded by Councillor Mund:

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 read a first, second and third time.**

CARRIED.

COUNCIL INFORMATION UPDATES:

COUNCILLOR AKBAL MUND

Councillor Mund provided a verbal report on the following matters:

MEETING/EVENT ATTENDANCE

- Attended United Way ‘Giving Back’ event
- Community Foundation AGM
- City of Vernon budget meetings
- Canada Games Torch Event

- Homelessness & Affordable Housing Strategy seminar
- Caetani House – Open House
- Vernon SAR Christmas Party
- Worked Salvation Army Kettle – please volunteer if you are able

COUNCILLOR KARI GARES

Councillor Gares provided a verbal report on the following matters:

**MEETING/EVENT
ATTENDANCE**

- Attended Regional Advisory meeting
- Regional Growth meeting
- Winter Carnival meeting
- Attended Homelessness & Affordable Housing Strategy seminar

COUNCILLOR KELLY FEHR

Councillor Fehr provided a verbal report on the following matters:

- Candlelight Vigil for Women Who Have Experienced Violence
- Regional Advisory Committee at Okanagan College
- Paid to attend City of Vernon Christmas party but couldn't attend due to illness
- Homelessness & Affordable Housing Strategy seminar
- GVAC meeting

MAYOR VICTOR CUMMING

Mayor Cumming provided a verbal report on the following matters:

**MEETING/EVENT
ATTENDANCE****Attended:**

- Venture Training Fundraiser
- Queen Silver Star Program launch
- City of Vernon Christmas party
- Rotary Carol Festival
- Auditors Meeting
- CEDI Meeting
- Winter Games Torch Event
- Homelessness & Affordable Housing Strategy Seminar
- RDNO Orientation
- GVAC Cultural Centre moving along
- Caetani House – Open House
- Sovereign Lake Nordic Club Race Management Team (2020 Nationals Events will be held here)
- Vernon SAR Christmas party
- 'Scouted' linked cycling trail between Vernon and Armstrong
- Centre Stage Event
- Ribbons of Green Meeting

INFORMATION ITEMS:

Council received the following information items:

- A. Letter dated November 12, 2018 from TONG, Xiaoling, Consul General of the People's Republic of China in Vancouver re: Congratulation on Election to Council
- B. Letter dated November 22, 2018 from David Eby, QC, Attorney General and Mike Farnworth, Minister of Public Safety and Solicitor General re: Provincial issuance of licences for the retail sale of non-medicinal cannabis
- C. Letter dated December 1, 2018 from Alison Slater, Executive Director, Southern Interior Local Government Association (SILGA) re: Call for Resolutions for 2019 Convention
- D. Letter dated December 1, 2018 from Alison Slater, Executive Director, Southern Interior Local Government Association (SILGA) re: SILGA Convention – Call for Nominations 2019
- E. Minutes from the following Committees of Council:
 - Transportation Advisory, September 6, 2018

RECESS

Mayor Cumming recessed the meeting at 4:12 p.m.

RECONVENE

Mayor Cumming reconvened the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 7:51 pm.

PRESENT:

Mayor Cumming

Councillors: S. Anderson, B. Quiring, C. Gares,
K. Fehr, D. Nahal, A. Mund

Staff: W. Pearce, CAO
P. Bridal, DCAO/Corporate Officer
S. Blakely, Manager, Legislative Services
K. Flick, Director, Community Infrastructure & Development
E. Stranks, Manager, Engineering Dev. Services
E. Croy, Transportation Planner
A. Watson, Manager, Transportation

Others: Members of the Public

THIRD READING

- **5728**

Moved by Councillor Quiring, seconded by Councillor Mund:

THAT Bylaw #5728, "**7250 Hitchcock Road Rezoning Amendment Bylaw Number 5728, 2018**" a bylaw to rezone the subject property from 'NU (NORD)' to 'HR1 (Hillside Residential Single and Two Family)', 'HR2 (Hillside Residential Multi-Family)', and 'P1 (Parks and Open Space)' **be read a third time.**

CARRIED.

**CLOSE OF
REGULAR OPEN
MEETING**

Mayor Cumming closed the Regular Meeting at 8:08 pm.

CERTIFIED CORRECT:

Victor Cumming
Mayor

Patti Bridal
Corporate Officer

THE CORPORATION OF THE CITY OF VERNON

**RECORD OF A PUBLIC HEARING OF COUNCIL
HELD MONDAY, DECEMBER 10, 2018 COUNCIL CHAMBERS
3400 – 30 STREET, VERNON, B.C.**

PRESENT: Mayor Cumming

Councillors: K. Fehr, B. Quiring, K. Gares,
S. Anderson, D. Nahal, A. Mund

Staff: W. Pearce, CAO
P. Bridal, DCAO/Corporate Officer
S. Blakely, Manager, Legislative Services
C. Broderick, Manager, Current Planning
K. Flick, Director, Community Infrastructure & Development
E. Stranks, Manager, Engineering Dev. Services
E. Morrison, Transportation Planner
A. Watson, Manager, Transportation

Others: Members of the Public

Mayor Cumming called the Public Hearing to order at 5:32 p.m.

Mayor Cumming outlined the procedures to be followed.

Corporate Officer, Patti Bridal advised that Notice of the Public Hearing was published in the **Friday, November 30, 2018, and Wednesday, December 7, 2018** issues of the Morning Star Newspaper, as required by the *Local Government Act*.

Mayor Cumming called a first time for representation from the public in attendance with regard to:

A. “7250 Hitchcock Road Rezoning Amendment Bylaw Number 5728, 2018”

Administration provided a brief overview of the application.

Prior to the Public Hearing 29 written submission were received, as follows:

Date	Name
November 11, 2018	Barbara Van Sickle
November 14, 2018	David & Alison Hampton
November 15, 2018	David & Alison Hampton
November 18, 2018	Steve & Lee Crevier
November 19, 2018	Randy Savoie

November 20, 2018	Linda Kennedy
November 21, 2018	Donna Klym
November 21, 2018	Eric Clarke
November 21, 2018	Bruce & Linda Kline
November 22, 2018	Chris & Selena Russell
November 22, 2018	Jeff Moorehouse
November 23, 2018	Don Gibbs
November 23, 2018	Robin Barnes
November 23, 2018	Bev Bonner
November 23, 2018	Leanne Ruechel
November 23, 2018	Karen McKibbin
November 23, 2018	Bob Galloway
November 26, 2018	Leanne Ruechel
November 26, 218	Roman & Silvia Rotach
November 26, 2018	Mary Elton
November 26, 2018	Darrin Collie
November 26, 2018	Brian & Marian Kroeker
November 26, 2018	Leanne Ruechel
November 26, 2018	Philip and Barbara Levesque
November 26, 2018	Anne Thomson
December 7, 2018	David & Pascale Conly
December 7, 2018	Barbara Lee Burgess
December 10, 2018	Karen Siemens
December 10, 2018	Tania Heaton

Mayor Cumming called a first time for representation from the public in attendance with regard to:

“7250 Hitchcock Road Rezoning Amendment Bylaw Number 5728, 2018”

SPEAKER NAME	COMMENTS
Dustin and Ashlea Gudeit	<ul style="list-style-type: none"> • Owners of the subject property • Property was annexed into City of Vernon (COV) • Worked diligently within neighbourhood plan • Worked with staff and RDNO to examine best connection to existing services • Offsite traffic requirements – traffic impact study done including Silver Star Road – no concerns • Plan includes a variety of housing types to provide a diverse variety of product • Longtime residents • Strong team of professionals working on this product (listed) • Supports COV Official Community Plan (OCP) to enhance the area and putting in green space at top of area • Certified Wildlife Biologist completed study of area – is here to answer questions • Only required to do 5% park and elected to offer 20% of land for park • Development is designed for walking access so everyone can access park and trails • Hoping other developers in the area will all contribute to green spaces • Proud to say beginning large protected wildlife park at top of area for all to enjoy • Professional Team present to answer questions
Darrin Collie, Dwell Development	<ul style="list-style-type: none"> • Part of Professional Development Team • Nov 8 conducted Public Info meeting at BX School 7:30 pm – 9:30 pm advertised twice with flyers also delivered • 64 participants • Full team present to answer questions • Received comments compiled from 24 households – submitted to Planning • Worked to comply with Foothills Neighbourhood Plan (FNHP) • Variety of housing types offered • Worked to allow for multi-family residential to east side of site • Also tried to look at different types of housing forms for seniors (elevators, etc.) to allow aging in place • Part of compliance is to work to guidelines (road standards) • Also allowed for 18% park designations as well as walkways, sidewalks and trail connections

	<ul style="list-style-type: none"> • Ecology of site – worked to create dedicated park area in most sensitive areas
Brian Monaghan, Monaghan Engineering & Consulting	<ul style="list-style-type: none"> • Part of Development Team • A lot of the work was done through neighbourhood plan process • Fortunate property abuts 4 ROWs with servicing in them • Working with existing network – effort to create suitable preplan to create an affordable development • In developing the road network – preliminary discussions with COV and were advised previous developments had no accepted pre-plans • Obvious extensions with existing roads and with Hitchcock Road to be closed • Dealing with east side of property Taber Road is 8.5 m (local road) services with Nakiska being 12 m (collector road) • Some concerns from neighbours regarding traffic • As was stated earlier, traffic study indicates no concerns • With the comments about Nakiska, and Taber, Nakiska is the right road to have the multifamily development accessing • Taber Road is narrower width – parked cars slow the traffic down • Concern on Taber – winter – no room for snow storage • The COV has required signs in other areas of the city 'no parking winter months' – may need to deal with Taber in this manner • Those are the two main roads through • Silver Ridge Drive is the same as Taber – identical width • This deals with the east side of the site • The west side has some issues still to be resolved • The options require road options to offer access to the lands beyond • The west half of the site will require construction of reservoir and a booster station so fair amount of work • Sanitary and storm are readily available
Leanne Ruechel	<ul style="list-style-type: none"> • Lived in Vernon area 30 years • Worked in Capital District Parks on Island • Desire for more natural areas in Vernon and beyond • When Foothills NHP adopted did not live there so did not participate in public input • Has two young girls aged 2 & 5 years old • Walks daily on nature pathway • This occurs on unofficial trails in Foothills and surrounding area • Values time spent with family outdoors • Having large expansive natural areas allows this time • Urges Council to create more green space in Vernon and

	preserve the spaces we currently have
Alison Csanyi	<ul style="list-style-type: none"> • The FNHP – on website – why this wasn't a controlled number document? It could change at any point • Buying home in Vernon has been excruciating • Huge problem with high density in foothills • Parking is a problem • Annexing this into the City without transit and only one street in/out is a problem – particularly if there is a fire • Would like to see impacts noted added • Would like a controlled engineered drawings for the Foothills Neighbourhood
Harold Bowes	<ul style="list-style-type: none"> • Speaking for many on Nakiska Drive • Only 4 homes when he moved there • Traffic a big concern • School meeting – count was done • Estimated an extra 480 vehicles on Nakiska based on two per residence • Traffic will be on Nakiska • It's wide – but lived there 20 years – by end of winter it's 1.5 lanes wide and people have to pull over to pass • If there's a fire or emergency – evacuation would be a task • Disagrees with Traffic Study seeing no problem • 29 years in RCMP with 25 years on Traffic – when you take that amount of traffic to Phoenix you've got 3 houses to Silver Star • There will be a backlog in morning and evening • Hitchcock Road development – should widen Hitchcock with access off of Silver Star Rd • People trying to get onto Silver Star Rd in the morning find it very difficult • Add on all the other activities – it's going to be a major problem • Now a lot of kids in neighbourhood – could be dangerous • Why not move it onto Hitchcock to try and spread it out – that's what he feels should happen • Add 480 cars to the road where you live and see impact • Counted 34 four-plexes along with other types of housing • Q. Council: 240 Units to be developed and using Nakiska? A. Admin: Road layout and lot layouts are not confirmed. Multi-family 64 units and area east of no build area shows 35 units. There will be lands to north that may also eventually be developed
David Hampton	<ul style="list-style-type: none"> • Lives adjacent to Eastside • Moved to area for peace and quiet • Concern is with HR2 Zoning designation

	<ul style="list-style-type: none"> • Lives in a farm house and now a high density housing development is being proposed right next door • Questions location due to highly sensitive area and ravine • Planning of high density – should be closer to main routes for transit access • Makes no sense to locate here • Concerns with his property and others – they all have wells and worried about health of water supply • Questions traffic flow – already concerns and high density will add to it • Original Plan was to put it across the street in light commercial area – makes more sense closer to transit etc.
Michael Murison	<ul style="list-style-type: none"> • Compliments Developers for attempts to include large park area • Background 25 years of Development Financing at Coast • Heard about traffic already – hopefully Council reads submissions and concerns • Intuitively seems impossible that adding this many units to existing problems cannot be ‘no problem’ • Missed point there is already a problem and this will add to it • Seems only conclusion is that this is too soon – regional infrastructure needed • Personal rule – setting precedent – should be planned in greater detail with greater area in mind • Disrespectful to the residents and the other developers – plan should be done cooperatively on a larger scale, not piece meal • Won’t get a ‘do over’ at least for 100 years • Be very cautious as this is the first in a series of applications
Randy Schellenburg	<ul style="list-style-type: none"> • Used to live in Foothills – 7th house built • Used to enjoy going to top of hill to hike/ski • Thought view is incredible – needs to be a park one day • Lived there 10 years • Original build-out was supposed to be a fraction of what it is now • Plan was to have mostly parkland and riding trails • Development went on and on • Have to fight for parks in Vernon • Current parks plan is totally flawed as every ravine, etc. was counted as parkland – most communities don’t include in their parks tally • Vernon came up with number that makes it seem like there is lots of parkland • Completely wrong – only park in Foothills is tot lot and Whistler Place – gullies – don’t count – cannot be developed • Parks Plans says we can basically pave every square inch

	<p>in Vernon with no new parks</p> <ul style="list-style-type: none"> • This development should be 50% park and all the rest above should all be park – it's a travesty and a shame • Think about future generations • When park is built the COV won't get tax revenue • His business pays \$19,000 in commercial tax and he expects parks and room to explore nature • Do we really need to build that close to such a beautiful area • Reconsider and put on hold • Q. Council: Topographic Map of area – Appears that the park set aside is all cliff? A. Admin: Reviewed topo map of area. Working to protect knoll area. • Q. Council: Is the way we count our park areas set by a Municipality? A. Admin: It is not typical to count natural areas as parkland. They do form part of natural space and parks network
Brian Kroeker	<ul style="list-style-type: none"> • Lived there 5 years • Thanks to Developers but needs more work • Chose Foothills to live as it was outside the City of Vernon • Clearly not the City – wanted green space and views • The inclusion of high density is contrary to anything that makes sense – no transit or shopping near by • Bringing City into a rural area • Creating a traffic issue • 38.5 acres in question – needs unified plan for the entire area – another 4 development areas are up there • The nature of the land demands that • Their land backs off Silver Ridge Drive • Live on their deck and traffic is a concern already • Going up narrow road leading to Sun Ridge which is even more clogged leading to the new build area • Behooves us to have larger overall plan for the entire area • Look at original intent of the area – it's for people who want to live in a rural neighbourhood
Linda Kennedy	<ul style="list-style-type: none"> • Lovely homes in her area and they are multi-family • Are there as they want to be outside the City of Vernon yet live in a property that is small and manageable • Please don't think multi-family is 'the poor and needy' • Doesn't want 4 storey buildings, but multi-family is not for poor people • Let's have a plan for the whole place • Let's think of a park for the future, not today – let's not be skimpy
Amandeep Singh	<ul style="list-style-type: none"> • Moved there recently • Quiet, beautiful area

	<ul style="list-style-type: none"> • The residents living there now paid for development through purchase of lots • This development takes advantage of the work that has already happened • Not balanced – you should put in the infrastructure if you want to develop land • Having a separate entrance is important • Has to work well for the residents – doesn't want property to depreciate due to development • Q. Council: Please speak to comprehensive plan suggestion – is that possible? A. Admin: Foothills NHP adopted in 2013. The FHNP does not have a transportation preplan for the entire area as cost would be huge. Each parcel can produce 200+ units. Infrastructure, roadworks, etc. things change – given the growth required – developing this for the entire area is not reasonable. The NHP will be updated over time. This site is the first – it is the logical sequence of development. Would not recommend undertaking due to size of land involved and should proceed lot by lot.
Christine Rothwell	<ul style="list-style-type: none"> • Important – just moved there • Love area to walk in nature • Widening Silver Star Road due to traffic volumes • Don't have a reservoir for new housing • 200 new places need infrastructure – doesn't make sense – seems backwards • Admin: The existing reservoir has the necessary capacity for this area – not for the 'No Build Covenant Area' • Q. Council: How do you define infrastructure? A. Speaker: Cul de Sacs, no buses so must drive and cause traffic, Water Pressure and Water Restrictions already an issue – adding another 200 houses which will affect infrastructure • Admin: As condition of subdivision they are required to provide infrastructure • Q. Council: Infrastructure they need to tie into is at property line? A. Admin: Underground utilities are at a couple of different locations. Water would need to hook to existing system. Roads in area do touch property lines
Barbara Levesque	<ul style="list-style-type: none"> • Lives in Coldstream but owns adjacent property • In full support of the development • Parkland – a significant percentage set aside for parks is directly related to the rezoning • The amount dedicated on the subject property and on theirs is significant • The establishment of park is the result of requests and organizing of homeowners in area

	<ul style="list-style-type: none"> • Owned land since 1989 • Over years – used by neighbours for hiking, riding • ATVs and dirt bikes have degraded their land • Persistent camping and fires on both properties • Had to speak with local teens parents' who encouraged use of this private property • Understands enthusiasm for parks – this is why they bought here • Wanted to put house on property and live there • Couldn't get water – RDNO would not provide • Had three dry wells on the property so could not live there • Then could see a line of suburban development making its way up the hill • It is not rural living in that area - its suburban homes on small lots • The land is not a park – it's never been a park – it's private property and people using it are trespassing • The land designated as park has not been purchased • No one has ever approached them to offer them money for the land yet everyone feels free to use it • Reminds Council that placing additional requirements on developers as people have been trespassing for 30 years is not right • You can't put just one house on a lot and guarantee the land behind will remain as pristine park – you can't do that • Cost of development is significant – dedicating park is very costly – it means a higher level of density is required on remainder in order to do so • The developer must be compensated • Agrees with development with higher density
Tania Heaton	<ul style="list-style-type: none"> • To her all areas are wildlife habitat • There should be protection for these sensitive areas
Mark Piorecky	<ul style="list-style-type: none"> • Conducted Wildlife Assessment for the project • This park area is the most sensitive area on the property • Examined in great detail • So much of area has been dramatically degraded through use by public • So much of the hillside was beautiful grassland and now infested with noxious weeds – can hardly be called grassland
Donna Klym	<ul style="list-style-type: none"> • No problem with Development in general • Wonders about school buses in area – long walk for existing children – new houses even further away • Makes more sense to have alternative access directly onto Silver Star Road

	<ul style="list-style-type: none"> • Q. Council: Traffic Impact Assessment (TIA) done – has COV reviewed the traffic load? A. Admin: Yes – reviewed TIA and looked at additional traffic load – 80 vehicles at peak times – roads are built to accommodate. Estimate of TIA was done based on 230 Units – generated estimate of volume in a peak hour. • Q. Council: Any concerns with steep grade of roads in winter? A. Admin: Roads are built to COV standard. Signage used as needed • Q. Council: Is there a secondary route in or out? A. Admin: Foothills NHP shows Wildwood as possible secondary route in future also further to north there will be connections to Foothills Drive to the west
Janet Bose	<ul style="list-style-type: none"> • From information provided it was 227 Units • Everyone on her street has two vehicles so have to double to calculate number of vehicles • Already have piles of snow and winter is just starting • In winter there is nowhere to store snow and often times very narrow • Not sure why COV numbers are different than number of units proposed • The guidelines for OCP – why isn't it within guidelines instead of changing to HR-2 – other zones that are more fitting to the area • Admin: Typically transportation design looks at pm peak hour – the volume doesn't equate to total number of vehicles owned – average over the hour is taken – found to be .4 trips per lot in the peak hour and that is what was used. The smaller homes have lower trips per hour than a single family dwelling
Michael Murison	<ul style="list-style-type: none"> • In favour of density in area • Looks forward to tasteful and imaginative layouts for multi-family homes for aging in the area • Not opposed to multi-family • During NHP and OCP had discussions about the proposed park (circle) at top – told don't worry about it as it was just 'notional' – area needed to be much larger • Circle should always have been much larger – concept has now become gospel • Previous Council refused to deal with western bypass as they didn't want to sterilize properties – disagrees – should have a broad – long range plan for entire area • Lots of ways to compensate developers for park land • That area deserves to be a park not just small portion of it • A complete inventory is needed for that area • No chance for a 'do over' • Understands pressure on owners who want to move

	<p>forward, but area needs larger plan – the Developer should be compensated for that</p> <ul style="list-style-type: none"> • Not fair to developer to move forward when they don't know what is going to happen in the area • Lots of tools to work with • Agrees this Developer has done his best – but if you cannot do anything with the land – should it be considered park? • Q. Council: Do we know how many of the properties will have the capacity for legal suites? A. Admin: Most of the zones in the COV allow legal suites. Single Family Dwellings can have a suite – not multi-family.
Darrin Collie	<ul style="list-style-type: none"> • Provide clarification regarding density • Referred to as a high density development • What they are providing is under 6% density • Multi-family sites are 19 - 20 sites – they are well under the maximum units • Number of units 64 mf, 107 sf, plus duplex units • 194 vehicles is count for new area (not trips) • Q. Council: Would it be possible to get an access road to Silver Star to Multi-family? A. Admin Grade is too much
Mark and Victoria Murke	<ul style="list-style-type: none"> • Lived there 17 years • Daily hikes on Silver Star • Road is extremely busy year round • Moved there knowing they would eventually develop the land • Interested in how we will filter all the people out Phoenix and onto Silver Star Rd • Hitchcock Road – cannot get in there after 2pm due to ski traffic • Along with all the development at Silver Star with more to come – there is going to be a problem with accessing Silver Star from Phoenix Drive
Leanne Ruechel	<ul style="list-style-type: none"> • Please show map with roads • Does Hitchcock link to Silver Star Road? Yes • If that road links to Silver Star Road – how come Hitchcock Road is not being used to link traffic to Silver Star Rd? • A. Admin: Hitchcock Road has a difficult angle as it meets Silver Star Road – doesn't meet modern standard – very steep angled topography – not suitable without major redesign • Could be done on a gravel road though? What is grade? • A. Admin: The approach angle of Hitchcock would lead to difficulty with visibility – doesn't meet standards for road design. Nakiska Drive was designed to handle this traffic • There is potential connection to Wildwood in future

	<ul style="list-style-type: none"> Phoenix Drive is 11% grade – doesn't know what grade Hitchcock Drive is - could never amend to make it safe for a left turn to Silver Star – no way to use it for access Developers were required in past to put in roads and change infrastructure
Don Gibbs	<ul style="list-style-type: none"> Letter forwarded Three main areas of concern Storm water disposal – bylaw updated recently – good – would like to see developer come up with ideas to accomplish bylaw requirements Concerned with interjurisdictional issues with Regional District – increased water flow could result in damage to properties Environmentally sensitive area a concern – understands developer doesn't want to put aside land – need to think big picture as a society in regard to high conservation areas When developer required to put aside more land they should receive credit to DCCs for that area – equal to the parkland Collaborative approach needed for success of developer and conservation Owens land in COV that is basically sterilized due to changes in bylaws over past 20 years Have people that can't do a thing with their land – these developers at least can do something For long term well-being of City compensate and conserve Long term plan will be to Wildwood – seems reasonable but interjurisdictional issue – need to help developer get road through and put traffic circle at Wildwood Need another access out of the subdivision Suggestion of no build covenant due to water reservoir requirement – once available they will build – question at this stage is what will be park area

Mayor Cumming called a second, third and final time for representation from the public. There being none, Mayor Cumming closed the Public Hearing for:

“7250 Hitchcock Road Rezoning Amendment Bylaw Number 5728, 2018”

CLOSE:

The Public Hearing closed at 7:47 pm.

CERTIFIED CORRECT:

Victor Cumming
Mayor

Patti Bridal
DCAO/Corporate Officer



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

ORIGINAL

SUBMITTED BY: Roy Nuriel
Economic Development Planner

COUNCIL MEETING: REG ☒ COW ☐ I/C ☐
COUNCIL MEETING DATE: January 7, 2019
REPORT DATE: December 12, 2018
FILE: DVP00444

SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 5350 ANDERSON WAY

PURPOSE:

To review a development variance permit application for 5350 Anderson Way to vary sections of Zoning Bylaw #5000 in order to construct a six storey hotel.

RECOMMENDATION:

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'.

ALTERNATIVES & IMPLICATIONS:

1. 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) *(To be cited by Council); and*

- b) 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'.

Note: This alternative supports the development variance application subject to an additional condition or conditions as cited by Council.

2. THAT Council not support Development Variance Permit Application #DVP00444 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).

Note: This alternative does not support the development variance application. The owner would have to develop the property in accordance with the bylaw.

ANALYSIS:

A. Committee Recommendations:

At its meeting of December 11, 2018 the Advisory Planning Committee passed the following resolution:

"THAT the Advisory Planning Committee recommends 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 the Advisory Planning Committee recommends 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 4, 2018 by the Economic Development Planner be attached to and form part of DVP00444 as Schedule 'A'."

B. Rationale:

1. The subject property at 53050 Anderson Way, as shown on Figures 1 and 2, has an area of 0.8 ha (2.0 acres). The property is designated Community Commercial in the Official Community Plan (OCP) and zoned CD1: Comprehensive Development Area 1 (Type 1) as per Zoning Bylaw #5000.
2. The subject application is to vary the following sections of Zoning Bylaw #5000 in order to construct a six storey hotel with 114 suites, restaurant and banquet facility at 5350 Anderson Way (Attachments 1-5):

- 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).
3. As illustrated in Attachments 1 to 4, the proposed six storey hotel and restaurant has been designed with a contemporary modern appearance. The exterior design features structural elements and a variety of material and colours, including the use of metal and stone textures with bold colours. The landscaping (Attachment 5) includes a mix of trees, shrubs and other plantings along the property line and within the parking area to provide shade. The frontage along Anderson Way includes boulevard trees and signage. The landscape plan also includes a detailed design of the required Anderson Way subdivision multi-use path facing Highway 97 (west side of the property). This section includes trees and shrubs with lawn and ground cover to match the property to the south, and forms an important part of the City's north gateway beautification efforts.

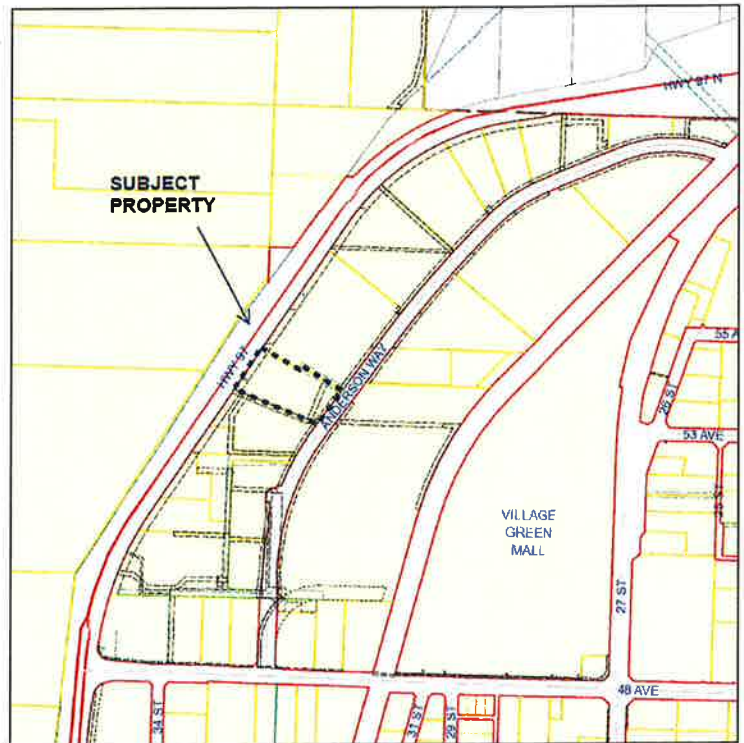


Figure 1 - Property Location Map

4. The number of on-site loading spaces required for the proposed development is four (three for the hotel and one for the restaurant) as per Zoning Bylaw #5000, Section 7.0 Parking and Loading (Table 7.1). The applicant is proposing a total of two on-site loading spaces, with one loading space for the hotel and the second space primarily for the restaurant (Attachments 1 and 2). The applicant does not anticipate more than two deliveries at any given time, and the delivery schedule would be coordinated by on-site management. As with many hotels, the front entrance of the hotel serves as a car and bus loading space for visitors and hotel patrons. This exceeds requirements, as there are zero requirements for car loading spaces for hotel uses as per Zoning Bylaw #5000.
5. The applicant has also requested a variance to reduce the minimum required front yard landscape buffer along Anderson Way. As illustrated on Attachment 1, the reduction of the landscape buffer is from 3.0m to 2.29m for approximately 7.3m along the Anderson Way and from 3.0m to 1.3m for the remaining 43.0m. The change of the width of the front yard landscape buffer is required to meet the minimum



Figure 2 - Aerial View of Subject Property

parking requirements for hotels in Zoning Bylaw #5000, as well as not to exceed the maximum allowed number of small cars (i.e. 40%). By keeping a full landscape buffer of 3.0m, 19 parking spaces along Anderson Way would need to be eliminated and the number of small cars would need to be increased over the allowed 40%. As illustrated in Attachment 5, the landscaping plan as proposed compensates for the reduction of the landscape buffer on the front yard by providing comprehensive design using a mixture of boulevard trees, shrubs and ornamental grasses with lawn and crushed decorative stone. All of these design features contributes to an appealing frontage along Anderson Way and screening for the parking area.

6. Administration supports the development variance application for the following reasons:

- a) The proposed variance to reduce the number of loading spaces from four to two would meet the anticipated commercial delivery for the hotel and restaurant, and would be managed on-site. Also, additional car loading spaces are provided at the front entrance of the hotel for visitors and patrons, which exceeds Zoning Bylaw #5000 requirements.
- b) The proposed reduction of a portion of the landscape buffer along Anderson Way allows the site to meet the parking requirements for the hotel and restaurant and would be compensated by a comprehensive landscaping plan that contributes positively to the Anderson Way image.

C. Attachments:

Attachment 1 – site plan
Attachment 2 – parking plan
Attachment 3 – building elevations
Attachment 4 – perspective view
Attachment 5 – landscaping plan
Attachment 6 – CD1: Comprehensive Development Area 1 zoning district

D. Council's Strategic Plan 2015 – 2018 Goals/Deliverables:

The subject rezoning application involves the following objective in Council's Strategic Plan 2015 – 2018:

- Support sustainable neighbourhoods by implementing the OCP

E. Relevant Policy/Bylaws/Resolutions:

1. The subject property is designated Community Commercial in the Official Community Plan (OCP). The property is zoned CD1: Comprehensive Development Area 1 (Type 1) in Zoning Bylaw #5000 (Attachment 6).
2. The Local Government Act provides Council with the authority to vary local bylaws based on site specific considerations. The granting of such variances does not set a precedent within the community for future variances to be based upon, as each variance application must be evaluated on its own merit and potential implications to the whole community and the specific neighbourhood.

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Dec 24 2018 10:10 AM

Approved for submission to Council:

X



✓

Roy Nuriel

DocuSign

Roy Nuriel
Economic Development Planner

Dec 24 2018 11:01 AM

Will Pearce, CAO

Date: 27. DEC. 2018

X



✓

Craig Broderick

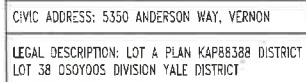
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Kim Flick
Director, Community Infrastructure and Development

REVIEWED WITH

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Thompson and M. Morton
 provide 1 and 1000 psi. water
 Building # 1 Water Filter
 15,000 - 50000 Gallons
 Supply 0.0 - 0.000000
 800 - 700 0000 - 0

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START DATE	APRIL 2008
PROJECT No	2008 15
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Project Name:
BEST WESTERN PREMIER HOTEL
VERNON, BC
5550 Anderson Way
Vernon, B.C.
Class:
R21 Grand, Surrey B.C.
Mr. Churn Roll Developer

SITE PLAN		
Scale: 5.0	Project No: 2008-19	A-10



LEGAL DESCRIPTION: LOT A PLAN KAP88388 DISTRICT
LOT 38 OSOYOOS DIVISION YALE DISTRICT

5.0	Project file 1008-19	A-102
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Perspective View - From NE CORNER



Perspective View - From NW CORNER



Perspective View - From SW CORNER



Aerial View - From NW CORNER

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START DATE: APRIL 2018
PROJECT No: 2018-19
DR: JJ
CP: 388
SCALE: AS SHOWN



Project Name:
BEST WESTERN PREMIER HOTEL
VERMONT, VT
1550 Anderson Way
Vermont, VT
Client:
RBI Group, LLC
Mr. Charles R. Developer

RENDERINGS

Sheet No: 5
Project No: 2018-19
A-901

NOTE: PER SCHEDULE "A" REGAM 2002

6. ARE TO BE PROVIDED WITH A MINIMUM OF ONE DRIP IRRIGATION HEAD PER SHRUB. HEADS ARE TO BE LOCATED BETWEEN 5 CM AND 10 CM FROM THE SHRUB CENTRE.
7. ARE TO BE PROVIDED MINIMUM OF 1 LITRE OF WATER PER DAY IN THE SUMMER MONTHS, FOR A MINIMUM OF THREE YEARS.
8. ARE TO BE MAINTAINED IN ACCORDANCE TO THE LANDSCAPE MAINTENANCE BYLAW # 304

COVER PLANTS ARE TO BE PROVIDED WITH A MINIMUM OF 1 DRIP IRRIGATION HEAD PER SHRUB
COVERS ARE TO BE PROVIDED WITH A MINIMUM OF 5 LITRES OF WATER PER DAY DURING THE MONTHS FROM MAY THROUGH TO AND INCLUDING OCTOBER, FOR A MINIMUM OF THREE YEARS
OF PLANTING

15. SUITED TO THE AREA ITS BEING USED, MUST HAVE SUITABLE IRRIGATION CONSISTING OF SPRINKLER IRRIGATION TO TAKE PLACE BETWEEN THE HOURS OF 7:00 PM AND 8:00 AM

MAINTENANCE AND INSTALLATION NOTES PER SCHEDULE "A" BOLAM 100

ALL SHRUBS TO BE MAINTAINED IN ACCORDANCE TO THE LANDSCAPE MAINTENANCE BY-LAW # 2014
ALL TREES TO BE MAINTAINED IN ACCORDANCE TO THE LANDSCAPE MAINTENANCE BY-LAW # 2014

ALL TREES INSTALLED WITHIN 25 METRES OF ROADS, CURBS AND SIDEWALKS, WALKWAYS, DRIVEWAYS, PARKING AREAS AND PATIOS SHALL BE INSTALLED WITH ROOT GUARD PROTECTION.

ALL SOG AREAS TO MAINTAINED ACCORDING TO THE LANDSCAPE MAINTENANCE BYLAW 50/1

WEED BARRIER AND GROUND COVER MATERIALS (INCLUDING AGGREGATE) ARE TO BE INSTALLED FOR ALL LANDSCAPE AREAS. FABRIC IS TO BE A QUALITY THAT IT WILL RETAIN ITS WEED INHIBITING CHARACTERS FOR A MINIMUM OF 5 YEARS AND IS TO BE OVERLAPPED A MINIMUM OF 30 CM AT ALL SEAMS.

EDGING: LANDSCAPE AREAS ARE TO BE SEPARATED FROM LAWN AREAS WITH EDGING (EDGING TO BE A TYPE AND QUALITY THAT ITS SEPARATING CHARACTERISTICS TO BE RETAINED FOR A MINIMUM OF 15 YEARS) STONE, CONCRETE, METAL, OR PLASTIC.
ALL LANDSCAPE AREAS ARE TO HAVE SUITABLE EXCAVATION OF PARENT SOILS TO ENSURE PROPER DRAINAGE.

SPECIAL NOTE: ALL SHRUB, TREES AND GROUNDCOVERS HAVE BEEN SELECTED FROM THE SCHEDULE "A" DOCUMENTS PER THE 5015 BYLAW



M2
LANDSCAPE ARCHITECTURE

#220 - 26 Lorne Mews
New Westminster, British Columbia
V3M 3L7
Tel: 604.553.0044
Fax: 604.553.0045
Email: office@m2la.com

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PROJECT
BEST WESTERN
PREMIER HOTEL
5350 ANDERSON WAY
VERNON,
BC

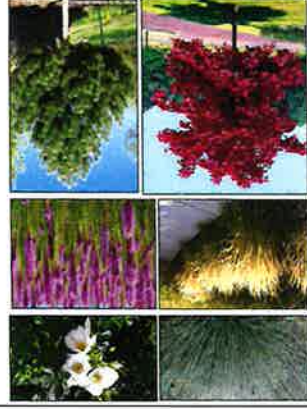
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SITE PLAN

DATE: MAY 2017	DRAWING NUMBER:
SCALE: 1/8" = 1'-0"	L1
DRAWING: TC	
SECTION: TC	
CHK'D: HTLM	

OF 5

M2LA PROJECT NUMBER: JOB NO 17 038

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ANDERSON

ANDERSON

HIGHWAY 97N

CD 1**13.1 CD1 : Comprehensive Development Area 1****13.1.1 Purpose**

The purpose is to provide a **zone** for the **development** of a mixed use **business** park accommodating a variety of compatible commercial, light industrial and residential uses in a high-quality urban environment. The siting of all uses designated as Area A (Type1) uses and Area B (Type 2) uses must be in accordance with the plan of the Comprehensive Development 2, as approved and incorporated as CD1, Map 1, attached to this bylaw.

13.1.2 Primary Uses Area A (Type 1)

- automotive and recreation vehicle sales/rentals
- automotive and equipment repair shops
- broadcasting studios
- business support services
- call centres
- commercial schools
- drive-through services
- drive-through vehicle services
- emergency protective services
- equipment rentals
- extended medical treatment services
- farmer's market
- financial services
- food primary establishments
- funeral services
- health services
- hotels
- motels
- offices
- participant recreation services, indoor
- participant recreation services, outdoor (except riding stables)
- personal services
- retail stores, convenience
- retail stores, general
- retail stores, licensee
- service stations, minor
- spectator entertainment establishment
- shopping centres
- warehouse sales

13.1.3 Secondary Uses Area A (Type 1)

- amusement arcades, minor
- apartment housing
- outdoor storage
- residential security/operator unit
- utility services, minor

13.1.4 Primary Uses Area B (Type 2)

- auctioneering establishments
- automotive and equipment repair shop
- automotive and recreation vehicle sales/rentals
- brewing or distilling, Class A
- broadcasting studios
- business support services
- call centres
- commercial schools
- commercial storage
- custom indoor manufacturing
- drive-through services
- drive-through vehicle services
- emergency protective services
- equipment rentals
- extended medical treatment services
- farmer's market
- food primary establishments
- funeral services
- general industrial uses
- household repair services
- mobile catering food services
- offices
- participant recreation services, indoor
- participant recreation services, outdoor
- personal services
- retail stores, convenience
- retail stores, general
- retail stores, licensee
- service stations, minor
- spectator entertainment establishment
- shopping centres
- warehouse sales

13.1.5 Secondary Uses Area B (Type 2)

- amusement arcades, minor
- care centre, minor
- outdoor storage
- residential security/operator unit
- utility services, minor

13.1.6 Subdivision Regulations

- Minimum **lot width** is 25.0m.
- Minimum **lot depth** is 45.0m.
- Minimum **lot area** is 1000m².

13.1.7 Development Regulations

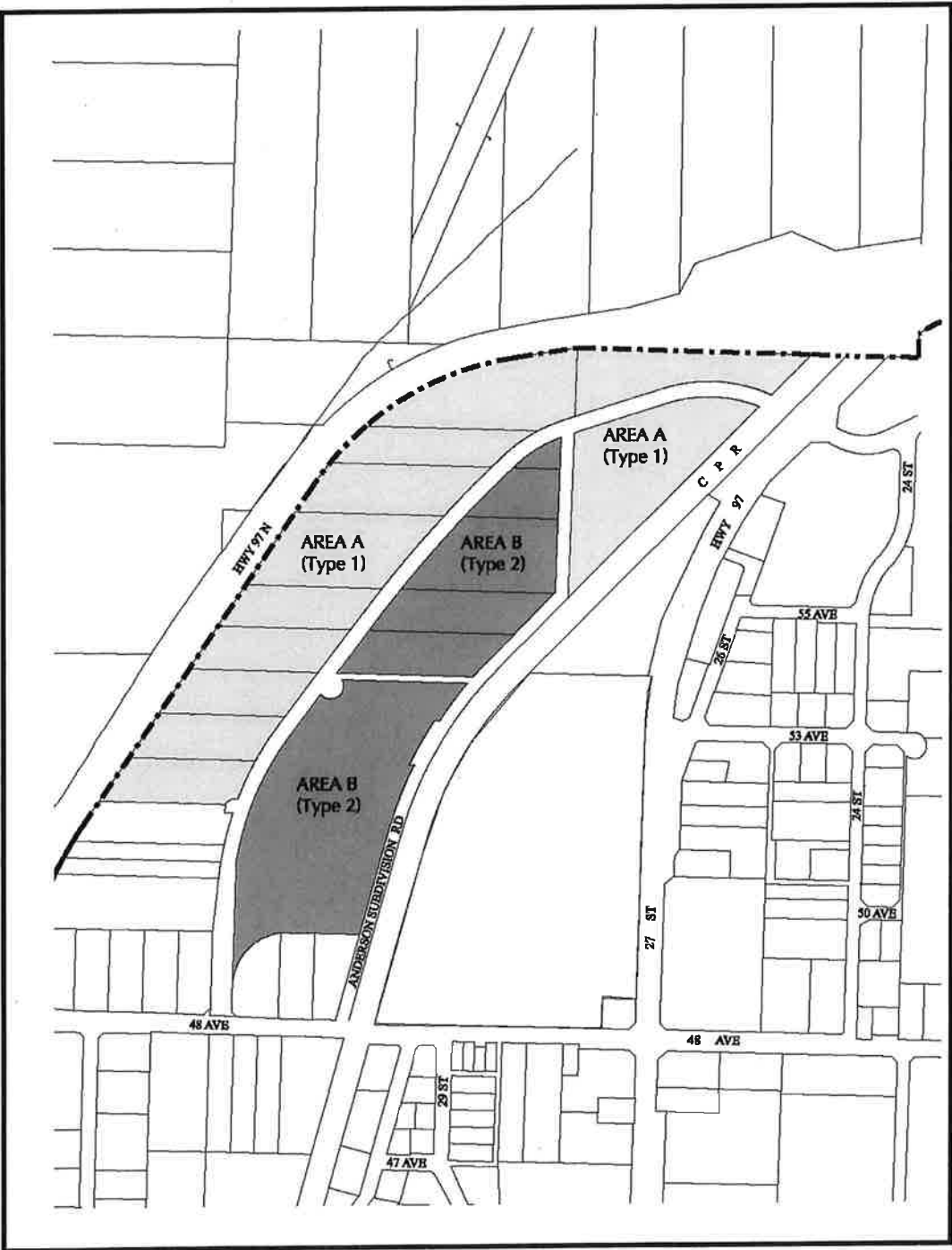
- Maximum **site coverage** is 60%.
- Maximum **height** is 15.0m or 4 storeys, whichever is the lesser, except it is 35.0m for hotels.

- Minimum **front yard** is 3.0m.
- Minimum **side yard** is 2.0m for a **buildings** or **secondary building or structure**, except it is 3.0m from a **flanking street**.
- Minimum **rear yard** is 0.0, except it is 6.0m where the **abutting** land is zoned or designated Residential or Agriculture and 10.0m if **abutting** Highway 97.

13.1.8 Other Regulations

- No **use** shall produce dust, dirt, toxic or offensive odours or gas.
- No **use** shall produce heat or glare perceptible from any **lot line** of the subject property.
- No **use** shall produce noise that creates a nuisance.
- No **use** shall create fire, explosion or other safety hazards.
- The parking requirements are as specified in Table 7.1 of this bylaw.
- **Landscaping** requirements are as specified in the Development Permit Guidelines.
- For **Care Centres** a safe drop-off area for patrons shall be provided on the **site**.
- **Outdoor storage** shall be screened from view of any **street** or **lane** and from **adjacent** properties and **outdoor storage** areas relating to tire service centres shall be screened in a material and colour consistent and complimentary with the primary **building**.
- **Apartment housing** requires a separate at-grade access from the **commercial uses**.
- A minimum area of 2.0m² of private open space shall be provided per **bachelor dwelling**, **congregate housing bedroom** or group home **bedroom**, 4.0m² of private open space shall be provided per 1 **bedroom dwelling**, and 5.0m² of private open space shall be provided per **dwelling** with more than 1 **bedroom**.
- Only one **residential security/operator unit** is permitted on a **site**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development**, **yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and the parking and loading regulations of Section 7.
- **Front yard** landscape buffer width is to be a minimum 3m, **side yard** buffer width is to be a minimum 1.5m, **rear yard** buffer is to be a minimum 1.5m.
- No fencing shall be permitted, with the exception of fencing being utilized for the purpose of screening **outdoor storage**.
- As per Section 4.10.2 - All **buildings** and **structures**, excluding **perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".
(Bylaw 5440)

CD1 – Map 1: Area A (Type 1) and Area B (Type 2)



ADMINISTRATION UPDATES
JANUARY 7, 2019 REGULAR COUNCIL MEETING

File: 0550-05

COMMUNITY INFRASTRUCTURE AND DEVELOPMENT SERVICE

Tronson Road - Shoulder / Bike Lanes

At its Regular Meeting of November 26, 2018, Council inquired about shoulders / bike lanes on Tronson Road. Administration contacted the resident to seek clarification. The resident's request was to improve, by widening where possible, the existing pedestrian and bike shoulders in Tronson Road from 6688 Tronson Road towards Okanagan Lake. The resident suggested that there will be an increase in users, particularly children, in light of the planned improvements to lakeside parks. Administration will investigate the feasibility, with due consideration of drainage requirements, and approximate costs when staff resources permit.

34th Street and 28th Avenue Crosswalk

At its Regular Meeting of December 10, 2018, Council inquired about the crosswalk configuration on the east leg of the 34th Street and 28th Avenue intersection (between Imperial Apartments and the Wholesale Club). Administration attended the site to review existing conditions and found that the existing crosswalk location meets recommended design given the intersection geometry (28th Avenue approaches 34th Street at an angle). The existing crosswalk configuration provides the following benefits:

- Reduced Crossing Distance - if the crosswalk were parallel to 34th Street, pedestrians would cross for a longer distance on the road surface.
- Accessibility – the curb ramps are currently placed so that those with visual impairments are directed straight across 28th Avenue in the shortest distance possible.
- Visibility – the curb ramp location and stop sign / stop bar encourages motorists to stop before entering 34th Street, see whether there are any pedestrians, and then proceed into the intersection.

Moreover, a review of historic ICBC collisions also shows zero pedestrian related collisions since 1996 at this intersection. Overall, Administration does not recommend changes to this crosswalk at this time.

Dr. Lovegrove Delegation

At its Regular Meeting of December 10, 2018, Council received a delegation from Dr. Gordon Lovegrove regarding a proposed passenger electric rail (Hydrail) extending from the US/Canada border, through Vernon, to Kamloops. Dr. Lovegrove requested the City of Vernon place a plan for this Hydrail route within the next Official Community Plan, start planning station locations, and to “start a conversation”. As this would be a regional route impacting several jurisdictions, Administration will start discussions with local municipalities and the Ministry of Transportation and Infrastructure.

32nd Avenue (29th Street to 30th Street) Project

The contractor continues to complete work along 30th Street and in the lanes adjacent to 30th Street and 31st Avenue to remove the utilities (Fortis, BC Hydro, Shaw, Telus, Bell) from the Vernon Block. This is additional work that has been added in cooperation with BC Hydro to remove and replace or underground existing infrastructure. The project is behind schedule due to these additions with BC Hydro. The project is within budget.

Vehicle Activated Speed Sign on Silver Star Road

At its Regular Meeting of December 10, 2018, Council inquired about the location of the new “flashing lights” (i.e. Vehicle Activated Speed Sign) on Silver Star Road (located close to Foothills Drive), and whether this one or another one could be located closer to Phoenix Drive. The location of this specific Vehicle Activated Speed Sign is hardwired in place, and was installed as part of the road DCC project TR29 on Silver Star Road being constructed by development. Administration is in the process of reviewing mobile Vehicle Activated Speed Sign products to purchase and rotate between different roadways. While these signs would be focused at elementary schools, other roads (including Silver Star Road) would be included in the rotation as needed.



THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Will Pearce, CAO **FILE:** 8000-06

PC: Patti Bridal, Deputy CAO **DATE:** December 27, 2018
Doug Ross, Director, Recreation Services

FROM: Shayne Wright, Manager, Recreation Programs

SUBJECT: ***BC Child Care Space Grants***

The purpose of this memo is to provide Council with further information in regards to the grant opportunities outlined in the Childcare BC Plan as presented by Michelle Kirby, MCFSA and as per Council's resolution of November 26, 2018:

"THAT Council directs Administration to review the Childcare BC Plan as presented by Michelle Kirby, MCFSA, in which there are three funding opportunities as follows:

- 1. \$1M grant for the creation of daycare spaces on City owned land (deadline January 18, 2019),*
- 2. \$25,000 grant to create a child care space action plan (deadline January 18, 2019) and*
- 3. \$1M per facility for public-sector applicants (no deadline)*

AND FURTHER, that a detailed report be brought forward to the January 7, 2019 regular open meeting, providing consideration of the proposal and any additional information, including, but not limited to, overall costs relating to capital, potential location, operating, partnership, potential subsidy's, and the 15 year commitment."

Subsequently Council passed the following resolution at their meeting of December 10, 2018:

"THAT Council authorize Administration to apply for the \$25,000 UBCM Community Child Care Planning Program Grant;

AND FURTHER, that Council authorize Administration to partner with the District of Coldstream to apply for an additional \$25,000 to broaden the scope of the research to the Greater Vernon area.

AND FURTHER, that Council authorize Administration to utilize up to \$5,000 from the 2018 Recreation Services Consulting Fees Major Maintenance Budget to investigate the feasibility of constructing a daycare facility at existing facilities."

As per Council's resolution from December 10, 2018, the District of Coldstream (Coldstream) was invited to apply collectively for a \$50,000 grant. Coldstream Council respectfully notified the City that their community would be applying independently for the \$25,000 grant and provided the City with the following resolution passed at the Coldstream Council meeting of December 10, 2018:

“THAT the City of Vernon be advised that the District of Coldstream would be submitting its own application for grant funding under the UBCM Community Child Care Planning Program.”

Given the response from Coldstream, Administration is in the process of applying for the \$25,000 UBCM Community Child Care Planning Program Grant solely on behalf of the City of Vernon.

As per Council's resolution of November 26, 2018, Administration has reviewed the \$1M Childcare Space Creation Grant opportunities. In the short time available, Administration has considered the grant requirements, the feasibility of potential City owned sites and the potential impacts of moving forward with a successful grant to construct new child care spaces. The following areas were evaluated for the feasibility of creating new child care spaces:

Building –

Based on BC Community Child Care space requirements, it was determined that a minimum 2,000 sq. /ft. facility with outdoor play space would be required.

Location –

A requirement of the grant opportunities is that the land for the proposed facility be publicly owned. As per Council's resolution of December 10, 2018, Administration contracted an architectural consultant to evaluate five locations on City owned property. At this time, the most feasible option was the creation of a new standalone building on the property south of Lakers Club House.

Locations Considered:

1. Recreation Centre, Halina Senior Centre second floor addition. The cost to build a second floor addition was estimated at \$450 sq. /ft. This option potentially provides benefits for clients to access other Recreation Centre facilities and some additional program space evenings, weekends and in the summer. However, a second story access would require an elevator and staircase, adding an additional \$250,000 to this option. The total estimated cost with 15% for design and contingency is estimated to be \$1,322,500.
2. Boys & Girls Club second floor addition above the Ogopogo Room. The cost to build a second floor addition would be similar to the estimated \$1,322,500 for the Halina Senior Centre option and could potentially provide some similar benefits to clients.
3. Recreation Complex grounds standalone building on south end of property. The cost to build is estimated at \$450 sq. /ft. including adding service connections, parking and landscaping. This option fits into the \$1M budget, however the area is currently planned to be developed into a natural playground/green space. This option would eliminate the only remaining green space on the Recreation Complex grounds.
4. Boys & Girls Club building - south end of the gymnasium. The cost to build is estimated at \$450 sq. /ft. including adding service connections. This option impacts the required current outdoor afterschool program space. A new fenced in play area would need to be constructed at the north side of the building to provide outdoor space for the after

school programs. This would result in the removal of some of the limited public green space on the Recreation Complex grounds.

5. Cummins Road Property south of the Lakers Club House. The design / build of a 2,000 sq. /ft. facility including service connections, parking, fenced outdoor play area and basic landscaping with a contingency is estimated to fit within the \$1M budget. This option provides the opportunity for preschool child care in the underserved Okanagan Landing area and this location provides a unique opportunity to incorporate natural environment exploration into Preschool care; a benefit that is gaining favour with parents.

Potential Annual Operating costs – \$118,600

Utilities annually - \$10,600 (based on Lakers Club House), Supplies \$10,000, Program Staffing \$98,000 for full time preschool operated by Recreation Services

Potential Annual Program Revenue – \$125,200

Annual Registration fees 16 children - \$115,200, Child Care Operating Fund \$10,000

Partnership –

The Boys & Girls Club currently provide licensed day care. The Club has indicated that they would be willing to run the program and operate the space. The addition of this service would require a new facility use agreement and may also require an adjustment to the Art, Culture and Youth Operating Grant provided through Regional District of North Okanagan.

15 year Agreement –

Child Care Resource and Referral, the Boys & Girls Club, and local child care organizations all indicate an ongoing and increasing public demand for affordable child care spaces. The results of the \$25,000 UBCM Community Child Care Planning Program Grant review will confirm if a need exists and should indicate geographically where the demand is highest. As to the 15 year commitment, the Tiny Tots Preschool Program run through Recreation Services is an example of the ongoing need and a program that has been operating for over 40 years.

RECOMMENDATION:

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.

Respectfully submitted,

Shayne Wright
Manager, Recreation Programs
Attachment – Cummins Road Property



Property south of Lakers Clubhouse, Cummins Road



REPORT/RECOMMENDATION TO COUNCIL

SUBMITTED BY: Will Pearce, CAO

DATE: December 27, 2018

FILE: 230-20-40

SUBJECT: DELEGATION – VERNON WINTER CARNIVAL SOCIETY

PURPOSE:

To advise Council of past discussions with the Winter Carnival Society regarding relocation, condition of the City owned property at 3401 – 35th Avenue, flooding events and prior Council direction by resolution.

RECOMMENDATION:

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.

ALTERNATIVES & IMPLICATIONS:

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 (to be determined by Council) 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.

ANALYSIS:

A. Committee/Board Recommendations:

N/A

B. Rationale:

The subject building is at the end of its useful life cycle. The building does not warrant the investment of public tax dollars. Administration remains concerned about extended use of the building due to dated services, possibility of mould and likelihood of asbestos.

C. Attachments:

1. Facility Use Agreement
2. East wall, high stream flow

D. Strategic Plan Objectives:

N/A

E. Policy (Existing/Relevance/None):

N/A

F. Relevant History:

1. The Winter Carnival Society (WCS) has occupied the building at 3401 – 35th Avenue since 1995. Prior to 2014, the building was owned by the Regional District of the North Okanagan (RDNO). The WCS had entered into a Facility Use Agreement with the RDNO. This agreement was assigned to the City of Vernon when title to the building was transferred from RDNO to the City of Vernon, effective January 1, 2014 (**Attachment #1**). The Assignment Agreement was executed by RDNO, the City of Vernon and the WCS. The Facility Use Agreement may be terminated by either party by giving six (6) months' notice (Clause 13).

The WCS sub-let a portion of the building to the Funtastic Sports Society.

The building is immediately adjacent to the BX Creek. The east facing foundation wall forms part of the creek bank (**Attachment #2**) during spring freshets and periods of high flow.

In early spring 2017, high precipitation combined with a late snowpack melt led to extensive local flooding and high flow rates in BX Creek. The subject building basement was flooded for a number of weeks. Water entered the building through the east wall and through cracks and seams in the floor, indicating the floor was below the water table. While 2017 flooding was significant, flooding to some degree is a regular occurrence. The basement flooded, to a minor degree in the spring of 2018, during a more normal freshet year. (**Attachment #3**)

The WCS inquired whose responsibility it would be to pay for costs associated with 2017 flood cleanup. The City's solicitor noted in his opinion of May 5, 2017, that the WCS, not the City, has responsibility for addressing the flooding issues under Sections 2,4,5,6 and 11 of the Facility Use Agreement.

In May, 2017 the building was inspected by Jim Coughlin, Recreation Facilities Coordinator and Tyson Jeffery, Manager, Building Services. The building was deemed to be in poor condition with dated electrical, mechanical and plumbing services. The building likely has asbestos in the walls and ceiling tiles (generally considered acceptably safe if left completely undisturbed). The basement is often damp for extensive periods (post and pre flooding), heated and likely subject to mould. In the professional opinion of the Facility Coordinator and the Building Services Manager, the building has passed its useful life cycle, does not warrant the investment of public monies and should be demolished.

On Council's direction, Administration met with representatives of the WCS (Executive Assistant and Vice Chairman) and Funtastic on May 5, 2017 advising both groups to remove all materials from the basement (to avoid mould growth on the materials as well as further water damage), that further use of the building is on an "as is" basis and that both groups approach the community to seek sponsorship opportunities to supply office space and storage. Council also directed Administration to determine the process and costs for demolition.

Funtastic sought and secured other office and storage space solutions and moved out of the building, later in the summer of 2017.

During final 2018 budget deliberations, Council approved \$900,000 for the demolition of the Civic Arena, two adjacent City owned houses and the Winter Carnival building. The City provided written notice of termination of the Facility Use Agreement on March 15, 2018.

On March 8, 2018, Administration advised the WCS Chairperson of Council's direction and budget approval. Ms. White advised Administration that she would be attending Council.

Following Ms. White's presentation, Council made the following resolution:

"THAT Council authorizes the Vernon Winter Carnival Society (WCS) to remain As licensees at their current location 3401 – 35 Avenue for a one year term (June 25, 2019) conditional that:

- 1. WCS are responsible for all repairs and maintenance to the building;*
- 2. WCS accepts all liability for the building and indemnifies and holds the City harmless for any issues relating to the condition and safe use of the building;*
- 3. WCS continues to actively seek a new location for their operations;*

4. *WCS will not request funding in relation to maintenance or repairs to the current WCS building from the City of Vernon or the Regional District of the North Okanagan;*
5. *WCS acknowledges that the offer of alternative space provided by the City in June 2018 may not be available in the future;*
6. *No further extensions to the license agreement will be offered at this location.*

CARRIED.”

To assist the WCS, Brett Bandy, Real Estate Manager proposed approximately 1,200 square feet of the Community Safety Office building at 3010 – 31st Avenue as an alternative location. The office space had recently been vacated by a dog grooming tenant. The Real Estate Manager offered the space at a nominal rent (approximately \$335 per month) with the Society responsible for utility costs, property taxes, maintenance and insurance. The Real Estate Manager advised WCS that the space would not be available indefinitely as the City actively promotes and leases available space. The space has subsequently been leased.

The City has also proposed, through RDNO, that three (3) modest office spaces be incorporated into the final design of the Cultural Centre for periodic use by community groups who organize community cultural events (such as WCS and Canada Day Society). Design work has not been initiated and the Cultural Centre may be a few years until completion.

Ms. White appeared before Council on December 10, 2018, advising Council that the Society cannot accept the conditions cited by Council. Ms. White provided a verbal report.

At their Regular Open Meeting held on December 10, 2018, Council for the City of Vernon discussed the above captioned issue, and adopted the following resolution:

“THAT Council receives the verbal report provided by Ms. Deb White, Chair, Vernon Winter Carnival Society regarding the request for permission to remain in the current Winter Carnival building as provided at the December 10, 2018 Regular meeting;

AND FURTHER, that Council directs Administration to provide a report back to Council early in 2019.

CARRIED.”

Administration provides this report as directed. Administration advises Council that the subject building is at the end of its useful life cycle and does not warrant the investment of public monies. The building experiences regular minor flooding and experienced major flooding in spring 2017. Administration offered a usable office space alternative mid 2018 that was not accepted by WCS and has subsequently been leased. The Civic Arena and two adjacent City owned homes have been

demolished and the opportunity to include the subject building in the demolition contract has passed. Funtastic has vacated their sub-lease in the subject building and have found alternate accommodations. Funtastic has not requested space or rent subsidy from the City.

Administration recommends extension of the current Facility Use Agreement to May 1, 2020, with no further extensions. This would permit WCS a full 18 months to seek and plan for relocation. The City has no leasable space at this time.

There are no specific redevelopment plans for the subject building, other than re-establishment of creek side riparian habitat.

Redevelopment of the Winter Carnival Building site (3401 – 35th Avenue) would require works in-and-about a stream (due to the state of its foundation and associated retaining structures) and would be subject to the Water Sustainability Act (Section 11 application with the Province and a required engineer/hydrologist/QEP) and Riparian Areas Regulation equivalent (OCP Development Permit requirements which also requires a QEP). Though redevelopment within the streamside protection area (SPEA) is permitted on the footprint of a building (if surveyed prior to demolition to the foundation), the hydrology of the site and location of structure warrants an assessment of whether it's financially sustainable to reconstruct at this location, considering that the culvert across 35th Avenue may require future rehabilitation and its proximity to a major storm drainage system which is prone to future flooding. The entire creek corridor will be assessed in 2019, subject to grant funding, to determine risks associated with seasonal high water. As a result of that assessment, it is anticipated that properties such as this may be subject to additional development restrictions in the future.

G. Applicants Response:

N/A

H. Reasons for Bylaw:

N/A

I. Resources:

N/A

Prepared by:

Approved for submission to Council:

Will Pearce, CAO

Will Pearce, CAO

Date: 28. Dec. 2010

APPROVALS	DATE	COUNCIL AGENDA INFORMATION:	
Supervisor _____	_____	<input checked="" type="checkbox"/> Regular	Date: <u>Dec 7/19</u> Item # _____
Division Manager _____	_____	<input type="checkbox"/> In-Camera/COW	Date: _____ Item # _____
		<input type="checkbox"/> Information Item	Date: _____ Item # _____
		<input type="checkbox"/> Agenda Addenda	Date: _____ Item # _____

<u>REVIEWED WITH</u>	<u>REVIEWED WITH</u>	<u>REVIEWED WITH</u>	<u>REVIEWED WITH</u> Committees
<input type="checkbox"/> Bylaw Services	<input type="checkbox"/> Environment	<input type="checkbox"/> Public Works	<input type="checkbox"/> _____
<input type="checkbox"/> Clerk	<input type="checkbox"/> Facilities	<input type="checkbox"/> Planning	<input type="checkbox"/> _____
<input type="checkbox"/> Economic Dev.	<input type="checkbox"/> Finance	<input type="checkbox"/> Engineering	<input type="checkbox"/> _____
<input type="checkbox"/> RCMP	<input type="checkbox"/> Fire	<input type="checkbox"/> Operations	<input type="checkbox"/> _____
<input type="checkbox"/> Building & Licensing	<input type="checkbox"/> GVS – Parks	<input type="checkbox"/> GVS - Water	
<input type="checkbox"/> Human Relations	<input type="checkbox"/> Utilities	<input type="checkbox"/> Recreation Services	
		<input type="checkbox"/> Other _____	

NOTE: City Administrator's comments will be provided if required as an addendum to the report

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ASSIGNMENT & ASSUMPTION AGREEMENT

**FACILITY USE AGREEMENT
THE VERNON WINTER CARNIVAL SOCIETY**

THIS AGREEMENT dated for reference January 1, 2014 (the "Effective Date").

BETWEEN:

REGIONAL DISTRICT NORTH OKANAGAN
9848 Aberdeen Road
Coldstream, BC V1B 2K9

(the "Assignor")

AND:

CITY OF VERNON
3400 – 30th Street
Vernon, BC V1T 5E6

(the "Assignee")

WHEREAS:

- A. The Assignor is a party to a Facility Use Agreement with The Vernon Winter Carnival Society dated/signed as of January 13, 2004, a copy of which is attached hereto as **Schedule "A"** (the "Agreement"); and
- B. The Assignor and the Assignee, further to a Memorandum of Understanding dated September 12th, 2013 and a Greater Vernon Recreation Facilities Programming Service Agreement dated JANUARY 1, 2014, both of which relate to restructuring of Greater Vernon Recreation Facilities and Programming, have agreed that the Assignor's interest in the Agreement shall be transferred to the Assignee.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the premises and the mutual covenants and agreements herein contained, and other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged), the Assignor and the Assignee covenant and agree as follows:

- 1. As and from the Effective Date, the Assignor grants, assigns, transfers and sets over absolutely and unconditionally unto the Assignee all of the Assignor's right, title and interest both at law and in equity in and to the Agreement (the "Assignor's Interest").

2. The Assignor agrees that the Assignee is to have and to hold the Assignor's Interest for its sole use and benefit forever.
3. The Assignor represents and warrants to the Assignee that:
 - (a) the Assignor has full right and authority to assign the Assignor's Interest as contemplated hereby; and
 - (b) the Assignor's Interest is good, valid and subsisting and the Assignor has observed and performed each and every covenant, agreement and obligation of the Assignor under the Agreement required to be observed or performed by it to the Effective Date. The Assignor will indemnify, defend and save harmless the Assignee from and against any and all actions, suits, losses, damages and expenses which the Assignee may suffer or incur or be put to by reason of any of the warranties or representations set forth in section 3 being untrue or incorrect.
4. As and from the Effective Date, the Assignee assumes and agrees to observe, perform, be bound by and be liable under, as an obligation of the Assignee, each and every covenant, agreement and obligation of the Assignor under the Agreement required to be observed or performed on or after the Effective Date, and hereby agrees to indemnify, defend and save harmless the Assignor from and against any and all actions, suits, losses, damages and expenses which the Assignor may suffer or incur or be put to by reason of the failure of the Assignee to do any of the same on or after the Effective Date.
5. The Assignor expressly authorizes the Assignee to collect, demand, sue for, enforce, recover and receive, dispose of, realize or enforce the Assignor's Interest as the Assignee may deem advisable.
6. The Assignor agrees with the Assignee that it will from time to time and at all times hereafter at the request of the Assignee execute and deliver to the Assignee such further assurances for the better and more perfect assignment to the Assignee of the Assignor's Interest as the Assignee may require.
7. The Assignor will deliver such notices of this Agreement as may be reasonably requested by the Assignee.
8. This Agreement shall be binding upon and enure to the benefit of the parties and their respective successors and assigns.
9. The invalidity or unenforceability of any provision of this Agreement or any part thereof shall not affect the validity or enforceability of the remainder of this Agreement or such provision.

10. This Agreement shall be governed by and construed in accordance with the law of British Columbia.


IN WITNESS WHEREOF the parties have executed this Agreement as of the date first above written.

REGIONAL DISTRICT NORTH OKANAGAN
by its Authorized Signatory(ies):


Name: Patrick (Rick) Fairbairn, Vice Chair


Name: David Sewell, Chief Administrative Officer

CITY OF VERNON by its Authorized
Signatory(ies):


Name: Rob Sawatsky, Mayor


Name: Patricia Bridal, Corporate Officer

Assignment consented to by:

The Vernon Winter Carnival Society by its
Authorized Signatory(ies):


Name:


Name: Calvin Hoy

FACILITY USE AGREEMENT

BETWEEN: Regional District of North Okanagan
C/O Greater Vernon Services Commission
(hereinafter called the "Regional District")

OF THE FIRST PART

AND: The Vernon Winter Carnival Society
(hereinafter called the "Carnival Society")

OF THE SECOND PART

WHEREAS:

- A. The Regional District of North Okanagan (RDNO) is the Owner of the building located at 3401 -- 35th Avenue, Vernon, British Columbia;
- B. The Carnival Society is the main tenant of this building, using it as an Office for carrying out Carnival Business;

The Parties Agree as follows:

1. Any commercial uses in the premises, allowable under City of Vernon bylaws, must have the approval of the Greater Vernon Services Commission (GVSC).
2. The Regional District shall provide and maintain the basic structure of the building to include repair as necessary of plumbing, heating, electrical and roofing. Any additions, improvements or changes to the building shall be approved by the Regional District. The costs for such additions, improvements or changes are to be negotiated at the time between the Regional District and the Carnival Society.
3. The Carnival Society shall be responsible for regular maintenance of the plumbing and heating (example: changing furnace filters).
4. The Carnival Society shall be responsible for all damages to the building, other than normal wear and tear, and vandalism.
5. The Regional District shall not be responsible for any lost, stolen or damaged equipment, belonging to the Carnival Society.
6. The Carnival Society shall provide and maintain in good standing, a Comprehensive Liability Insurance Policy in the amount of \$2,000,000. The Policy shall name the Regional District of North Okanagan as an additional insured.

7. The Carnival Society shall have exclusive use of the building for the purpose of conducting carnival business. It is recognized that some of the office space may not be needed all year and the Carnival Society is hereby given permission to sub-let these offices. The criteria for sub-letting shall be as follows:

- The office spaces are to be available for local non-profit organization only;
- There is to be no rental fee charged for use of the space. There may be charges for actual costs incurred (i.e.: heat, lights, etc.);
- The space available is for temporary or short term use, and is not intended for long term residency by any group or organization; and
- The Regional District shall be given a list of all groups or organizations requesting space in the building.

8. It is agreed that the Carnival Society will be sub-letting a portion of the building to the Funtastic Sports Society with the following conditions:

- there will be no rent charged to the Funtastic Sports Society;
- Funtastic Sports Society will be responsible to assume a portion of the operation and maintenance costs of the building as agreed to with the Carnival Society; and
- The Funtastic Sports Society shall maintain in good standing a comprehensive liability insurance policy in the amount of \$2,000,000. The Policy shall name the Regional District of North Okanagan and the Vernon Winter Carnival Society as additional insured's.

9. No user fee shall be charged to the Carnival Society for the term of this Agreement.

10. The Carnival Society shall be responsible for paying all utility costs for the full year. This includes hydro, gas, telephone and City services (water/sewer/garbage). If the building is used by the Regional District for any appreciable length of time, such costs as apply to that time will be paid for by the Regional District.

11. All cleaning shall be done by the Carnival Society. All cleaning supplies and paper products (towels and bathroom tissue) will be supplied by the Carnival Society.

12. The terms of this Contract may be changed or amended by mutual written agreement between the Regional District and the Carnival Society.

13. This agreement may be terminated by either party by giving six (6) months notice.

The Parties hereto have agreed to the above conditions.

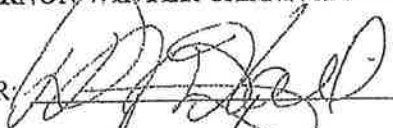
REGIONAL DISTRICT OF NORTH OKANAGAN

PER:  STAN FIELD, CHAIR

PER:  BRIAN REARDON, CORPORATE OFFICER

DATE:

VERNON WINTER CARNIVAL SOCIETY

PER:  CHAIRMAN

PER:  EXECUTIVE DIRECTOR

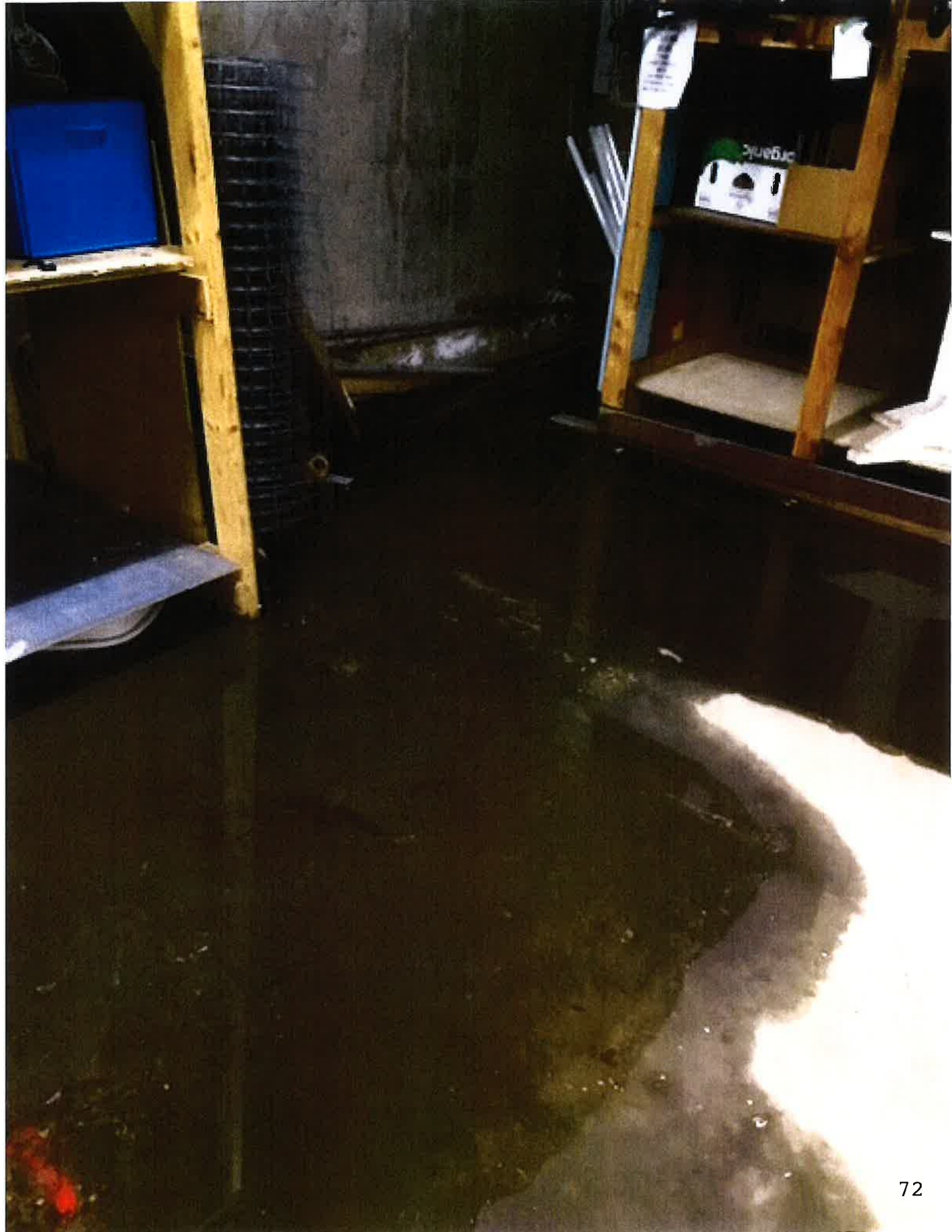
JAN 13/04
DATE:

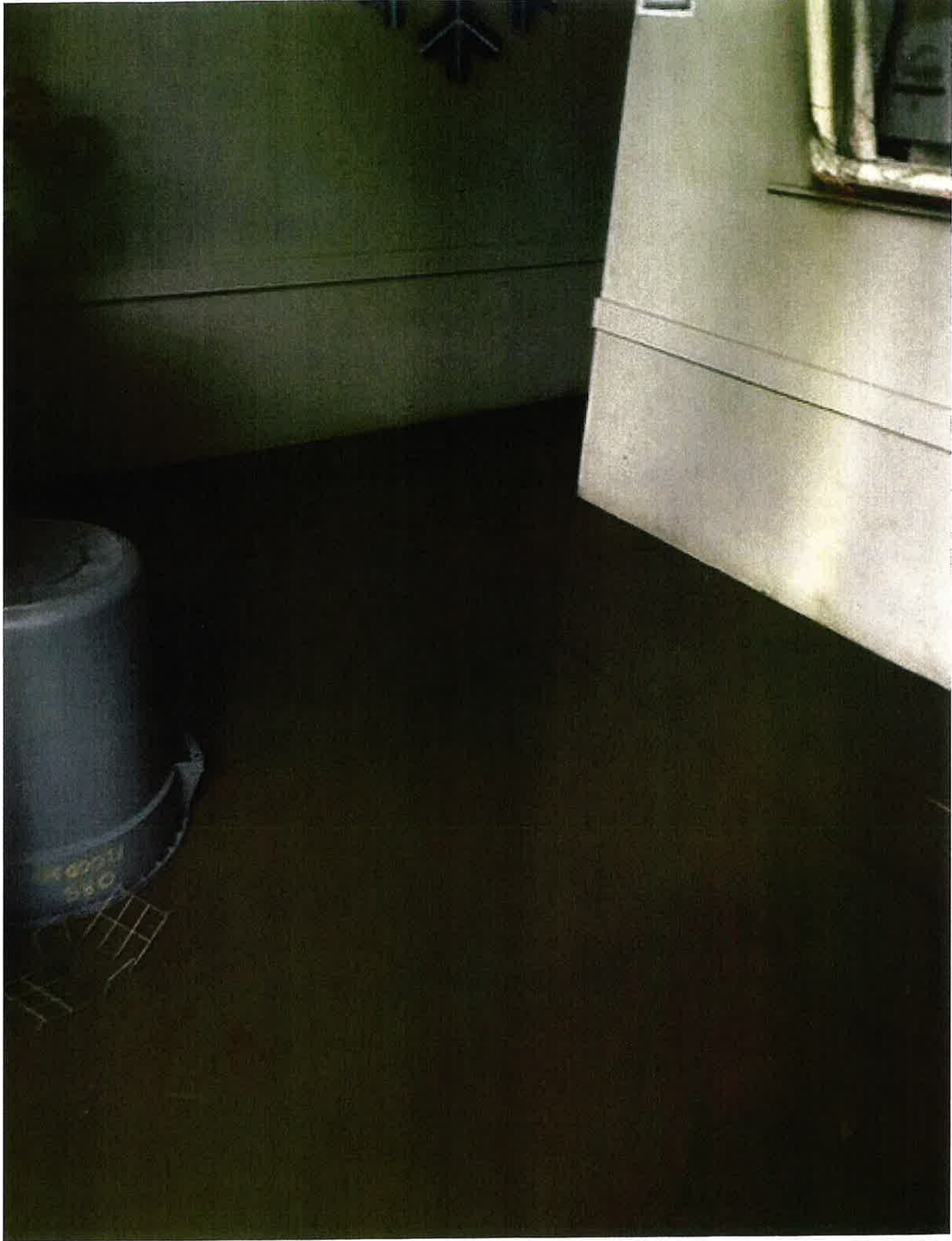
Attachment #2



Attachment 3









THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Will Pearce, Chief Administrative Officer **FILE:** DVP00373
PC: Patti Bridal, Director, Corporate Services **DATE:** December 18, 2018
Craig Broderick, Manager, Current Planning
FROM: Jing Niu, Environmental Planning Assistant
SUBJECT: RENEWAL OF DVP00373 FOR 9 – 9750 DELCLIFFE RD

As approved by Council, Development Variance Permit 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) was issued on January 10, 2017 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”.

Development Variance Permit Application DVP00373 was recommended for support by Administration for the following reasons:

- a) The subject vacant lot has a very limited buildable area due to steep rock slope areas from the lakeshore up to a more level area near the common strata road frontage. The proposed site and building plans utilize the less steep areas.
- b) The proposed 10.0m riparian setback conforms to the Streamside Protection and Enhancement setback as established by the Riparian Areas Regulation (RAR) Assessment by a Qualified Environmental Professional. The RAR assessment was recommended to form part of the permit to ensure that the subject development would adhere to the requirements of the report.
- c) The proposed increase in the permitted projection of the unenclosed steps into the side yard setback area from 0.8m to 1.2m is minor in nature. Based on the proposed plans, the increase in the projection was not considered to unduly impact the neighbouring property. The permit review process allowed for the neighbouring properties to provide their comments to Council.
- d) The Strata Corporation governing Strata Plan K143 has no issue with respect to the proposed variances as outlined in the letter from the Strata Council President.

Development Variance Permit DVP00373 (Attachment 1) is contingent to multiple conditions, including “if the development authorized by this permit (DVP00373) does not commence within 24 months of the date of Permit issuance, this Permit shall lapse.”

Prior to permit expiry, the property owner has submitted a request to renew the subject Permit on December 5, 2018 and has provided the associated permit extension fee. The owner noted that unexpected personal and career circumstances had not allowed him to focus on this project during the past two years, and would like to request additional time to provide the required documents and resources necessary to initiate the development.

Development Application Procedure Bylaw #4103 allows the Development Variance Permit Application renewals to be approved by Council if it is deemed appropriate.

As the project has retained the previously approved reduced setbacks and has not proposed any additional alterations, it is recommended that the approval of DVP00373 be renewed in order to allow the Development Variance Permit to be re-issued.


RECOMMENDATION:

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”.

Respectfully submitted:

Dec 28 2018 10:17 AM



Craig Broderick DocuSign

Jing Niu
Environmental Planning Assistant

Attachment 1: Development Variance Permit DVP00373

DEVELOPMENT VARIANCE PERMIT**NO. DVP00373****ORIGINAL**

TO: Jason Podollan
430 Niblick Crt
Vernon, BC V1H 1V6

1. This DEVELOPMENT VARIANCE PERMIT (DVP00373) is issued subject to compliance with all of the bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit.
2. DVP00373 applies to and only to those lands within the Municipality described below and any and all building structures and other development thereon:

for: **LOT 9, PLAN KAS143, SEC 4, TWP 13, O.D.Y.D & FORESHORE
LICENCE #336718
001-699-105**

and having a civic address at 9 - 9750 Delcliffe Road

3. Jason Podollan (hereinafter referred to as the "Owner") has requested the Development Variance Permit and has agreed to the terms of same.
4. Pursuant to Section 498 of the Local Government Act – City of Vernon Zoning Bylaw #5000 is hereby varied subject to the following:
 - a) Vary the minimum riparian area setback from 15.0m from the High Water Mark of Okanagan Lake to 10.0m from the High Water Mark of Okanagan Lake (Section 4.13.2); and
 - b) Vary the permitted projection of unenclosed steps into the minimum side yard setback area from 0.8m to 1.2m (Section 4.4.2).
5. The development shall be constructed in general conformance with the plans and the Riparian Areas Regulation (RAR) assessment report set out in Schedule "A" attached hereto and must match the building permit drawings.
6. If the development authorized by this Permit (DVP00373) does not commence within 24 months of the date of Permit issuance, this Permit shall lapse.
7. This is not a Building Permit.

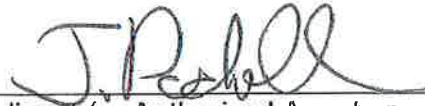


AUTHORIZING RESOLUTION PASSED BY COUNCIL THE 9th DAY OF JANUARY, 2017 AND
ISSUED THIS 10th DAY OF JANUARY, 2017.



Patti Bridal, Director Corporate Services
City of Vernon

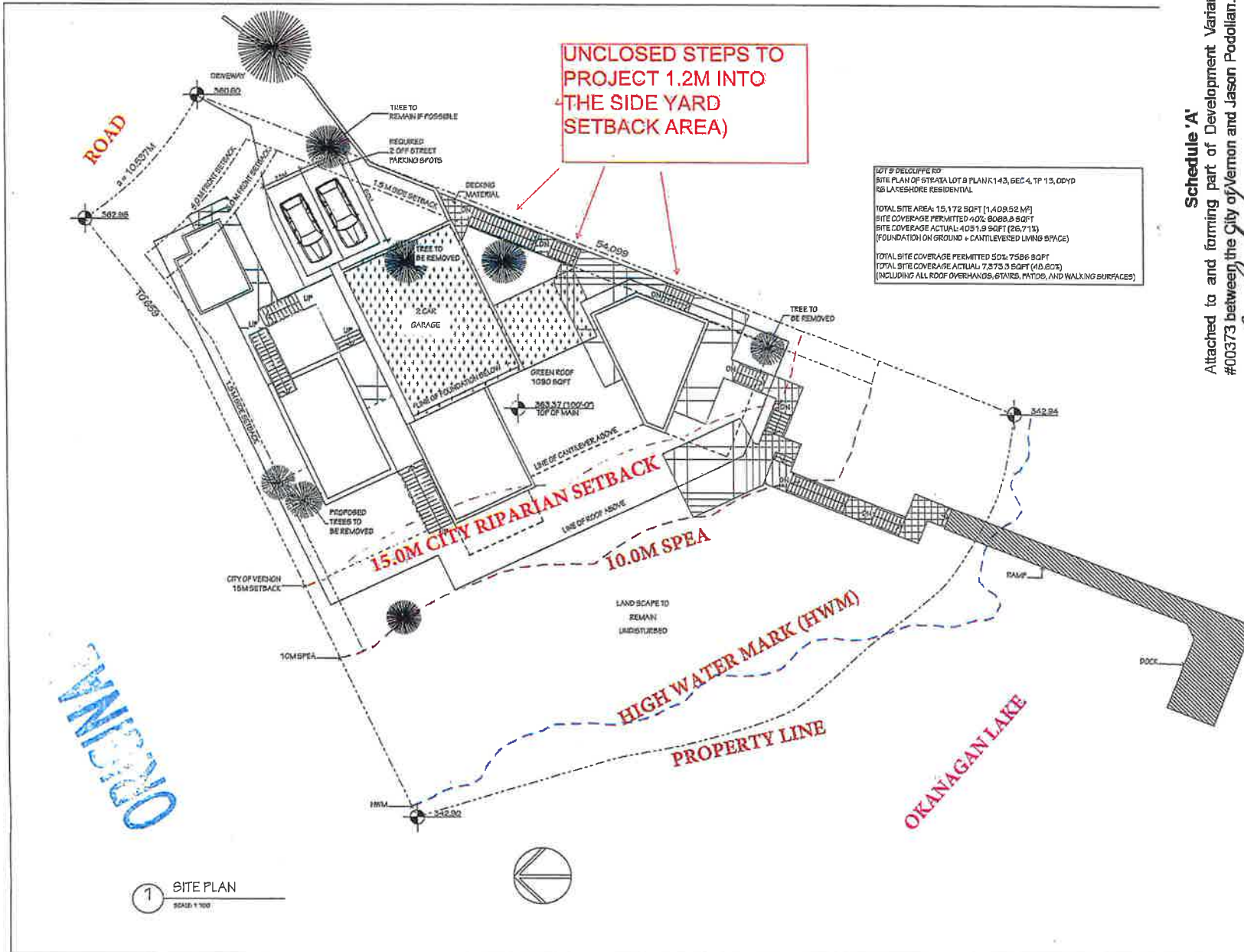
**I ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE TO THE TERMS AND
CONDITIONS UPON WHICH THIS PERMIT IS ISSUED:**



Applicant (or Authorized Agent or
Representative of Applicant)

G:\3000-3699 LAND ADMINISTRATION\3090 DEVELOPMENT VARIANCE PERMITS\20 Applications\DVP00373\2 PROC\Legal\170109_rm_DVP00373
PERMIT.DOCX

ORIGINAL



Schedule 'A'
Attached to and forming part of Development Variance Permit #00373 between the City of Vernon and Jason Podollan.

Dale Rintoul
Dale Rintoul, City Planner



PODOLLAN RESIDENCE
JASON PODOLLAN - DESIGN PARTNER
DATE: Aug 15, 2016
SCALE: AS NOTED

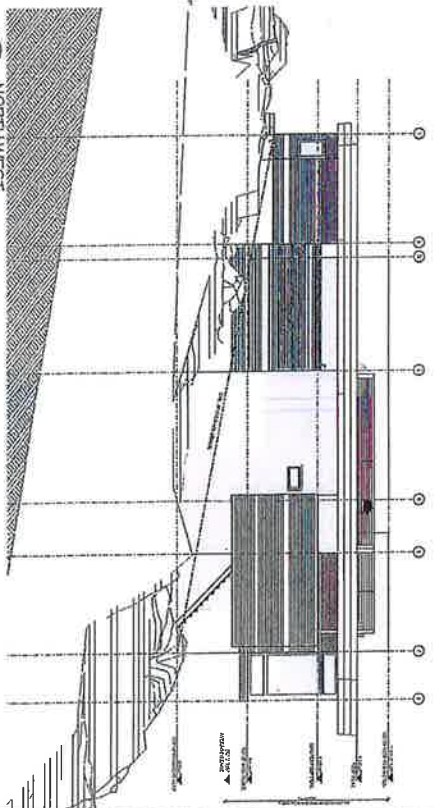
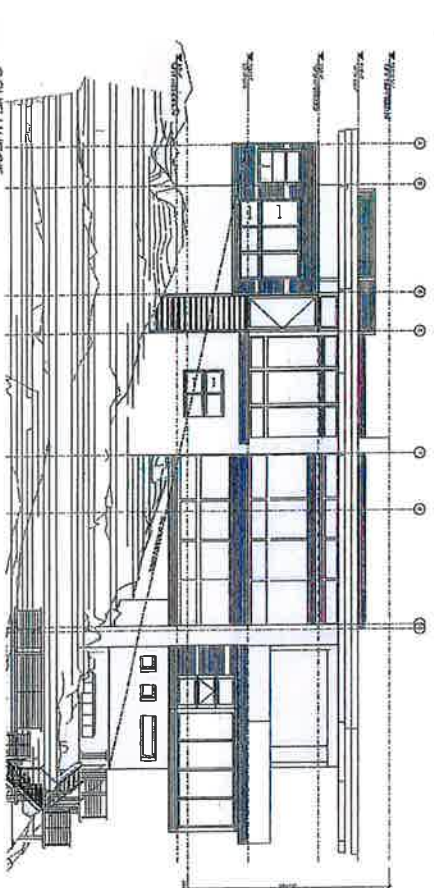
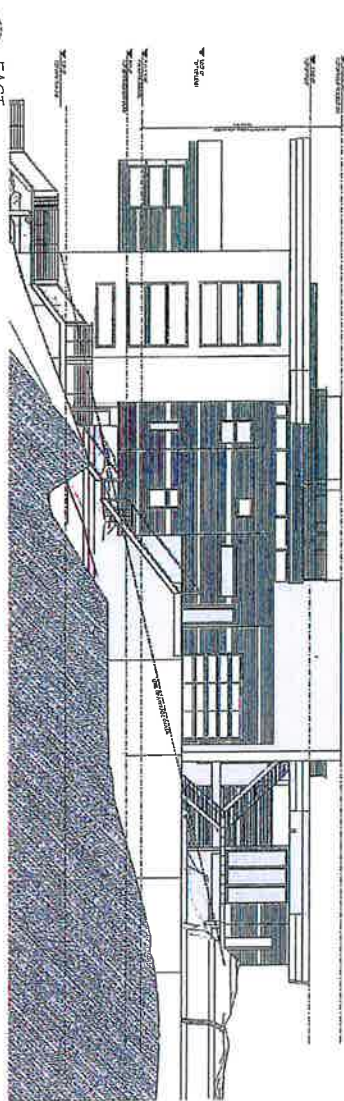
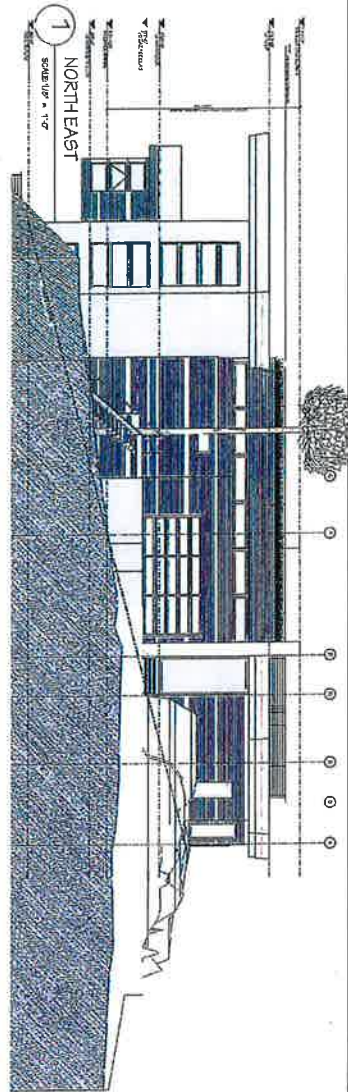
GENERAL NOTES

1. ALL PLANS AND DIMENSIONS MUST BE REVIEWED BY CONTRACTOR BEFORE CONSTRUCTION AND MUST BE IN ACCORDANCE WITH THE CITY OF VERNON AND DISCREPANCIES BEYOND THE DESIGN PARTNER'S RESPONSIBILITY SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
2. CONTRACTOR MUST COMPLY WITH ALL CURRENT BUILDING CODES, BYLAWS AND REGULATIONS.
3. THESE PLANS ARE FOR A SINGLE PROJECT AND THE CONTRACTOR IS RESPONSIBLE FOR ANY DISCREPANCIES BEYOND THE DESIGN PARTNER'S RESPONSIBILITY SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

NO.	DATE	DESCRIPTION
1	2016.08.15	ISSUED FOR REVIEW
2	2016.08.15	ISSUED FOR REVIEW
3	2016.08.15	ISSUED FOR REVIEW
4	2016.08.15	ISSUED FOR REVIEW
5	2016.08.15	ISSUED FOR REVIEW
6	2016.08.15	ISSUED FOR REVIEW
7	2016.08.15	ISSUED FOR REVIEW
8	2016.08.15	ISSUED FOR REVIEW
9	2016.08.15	ISSUED FOR REVIEW
10	2016.08.15	ISSUED FOR REVIEW

SITE PLAN

0.1
SHEET 2 OF 6



ORIGINAL

Schedule 'A'

Attached to and forming part of Development Variance Permit #00373 between the City of Vernon and Jason Podollan.

Dale Rintoul
Dale Rintoul, City Planner

PODOLLAN RESIDENCE
JASON PODOLLAN - DESIGN PARTNER
DATE: OCT 4, 2016
SCALE: AS NOTED

LESTER DESIGN, DRAFTING & ARCHITECTURE
P.O. BOX 204
VERNON, BC V1B 2Y1



GENERAL NOTES
1. ALL MATERIALS AND FINISHES TO BE USED SHALL BE APPROVED BY THE CITY OF VERNON.
2. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND VARIANCES.
3. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ENGINEERING AND ARCHITECTURAL SEALS.
4. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PROFESSIONAL FEES.
5. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.
6. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONTRACTS.
7. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY AGREEMENTS.
8. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS.
9. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS.
10. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ENDORSEMENTS.

ELEVATIONS

NO.	DESCRIPTION	DATE	BY	CHECKED
1	FRONT ELEVATION	10/4/16	JPO	LPO
2	REAR ELEVATION	10/4/16	JPO	LPO
3	LEFT SIDE ELEVATION	10/4/16	JPO	LPO
4	RIGHT SIDE ELEVATION	10/4/16	JPO	LPO
5	SECTION 1-1	10/4/16	JPO	LPO
6	SECTION 2-2	10/4/16	JPO	LPO
7	SECTION 3-3	10/4/16	JPO	LPO
8	SECTION 4-4	10/4/16	JPO	LPO
9	SECTION 5-5	10/4/16	JPO	LPO
10	SECTION 6-6	10/4/16	JPO	LPO
11	SECTION 7-7	10/4/16	JPO	LPO
12	SECTION 8-8	10/4/16	JPO	LPO
13	SECTION 9-9	10/4/16	JPO	LPO
14	SECTION 10-10	10/4/16	JPO	LPO
15	SECTION 11-11	10/4/16	JPO	LPO
16	SECTION 12-12	10/4/16	JPO	LPO
17	SECTION 13-13	10/4/16	JPO	LPO
18	SECTION 14-14	10/4/16	JPO	LPO
19	SECTION 15-15	10/4/16	JPO	LPO
20	SECTION 16-16	10/4/16	JPO	LPO
21	SECTION 17-17	10/4/16	JPO	LPO
22	SECTION 18-18	10/4/16	JPO	LPO
23	SECTION 19-19	10/4/16	JPO	LPO
24	SECTION 20-20	10/4/16	JPO	LPO
25	SECTION 21-21	10/4/16	JPO	LPO
26	SECTION 22-22	10/4/16	JPO	LPO
27	SECTION 23-23	10/4/16	JPO	LPO
28	SECTION 24-24	10/4/16	JPO	LPO
29	SECTION 25-25	10/4/16	JPO	LPO
30	SECTION 26-26	10/4/16	JPO	LPO
31	SECTION 27-27	10/4/16	JPO	LPO
32	SECTION 28-28	10/4/16	JPO	LPO
33	SECTION 29-29	10/4/16	JPO	LPO
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35	SECTION 31-31	10/4/16	JPO	LPO
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41	SECTION 37-37	10/4/16	JPO	LPO
42	SECTION 38-38	10/4/16	JPO	LPO
43	SECTION 39-39	10/4/16	JPO	LPO
44	SECTION 40-40	10/4/16	JPO	LPO
45	SECTION 41-41	10/4/16	JPO	LPO
46	SECTION 42-42	10/4/16	JPO	LPO
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49	SECTION 45-45	10/4/16	JPO	LPO
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99	SECTION 95-95	10/4/16	JPO	LPO
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101	SECTION 97-97	10/4/16	JPO	LPO
102	SECTION 98-98	10/4/16	JPO	LPO
103	SECTION 99-99	10/4/16	JPO	LPO
104	SECTION 100-100	10/4/16	JPO	LPO

2.0
SHEET 8 OF 8

ORIGINAL

**Riparian Areas Regulations
Assessment Report: 9750 Lot 9 DelCliffe
Road
Development Application**

For:

Jason Podollan
430 Niblick Ct.
Vernon, BC.
V1H 1V6

Completed By:

Makonis Consulting Ltd
955 Westbrook Drive
West Kelowna, BC V1Z 1R5

RARNS # 3799b

November 18, 2015

Schedule 'A'

Attached to and forming part of Development Variance Permit
#00373 between the City of Vernon and Jason Podollan.


Dale Rintoul, City Planner

Riparian Areas Regulation: Assessment Report

Please refer to submission instructions and assessment report guidelines when completing this report.

Date November 18, 2015

I. Primary QEP Information

First Name	John	Middle Name	C
Last Name	Grods		
Designation	R.P.Bio	Company	Makonis Consulting Ltd
Registration #	1722	Email	john@makonis.com
Address	955 Westbrook Drive		
City	West Kelowna	Postal/Zip	V1Z 1R5
Prov/state	BC	Country	Canada
Phone #	250-469-1087		

II. Secondary QEP Information (use Form 2 for other QEPs)

First Name		Middle Name	
Last Name			
Designation		Company	
Registration #		Email	
Address			
City		Postal/Zip	
Prov/state		Country	
Phone #			

III. Developer Information

First Name	Jason	Middle Name	
Last Name	Podollan		
Company			
Phone #	250-308-1985	Email	jason@podollan.com
Address	430 Niblick Ct		
City	Vernon	Postal/Zip	V1H 1V6
Prov/state	BC	Country	Canada

IV. Development Information

Development Type	Construction: Single Family Residential		
Area of Development (ha)	0.05	Riparian Length (m)	50
Lot Area (ha)	0.12	Nature of Development	redevelopment
Proposed Start Date	2015-12-01	Proposed End Date	2017-12-30

V. Location of Proposed Development

Street Address (or nearest town)	9-9750 Delcliffe Road, Vernon		
Local Government	City of Vernon	City	City of Vernon
Stream Name	Okanagan Lake		
Legal Description (PID)	005-699-105	Region	Okanagan
Stream/River Type	Lake	DFO Area	BC Interior
Watershed Code	310-000000		
Latitude	50	11	25
Longitude	119	26	05

Completion of Database Information includes the Form 2 for the Additional QEPs, if needed. Insert that form immediately after this page.

Table of Contents for Assessment Report

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Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

(Provide as a minimum: Species present, type of fish habitat present, description of current riparian vegetation condition, connectivity to downstream habitats, nature of development, specific activities proposed, timelines)

Fish Habitat

Okanagan Lake (310-939400) is located in the southern interior of British Columbia and receives an average annual precipitation of 400mm. Okanagan Lake is approximately 135 kilometres long and 4-5 kilometres wide with a surface area of 35,112 hectares at an elevation of 342 meters. Maximum depth is 242 meters with a mean depth of 76 meters the lake is divided into three basins created by underwater sills located at Squally Point and the William Bennett floating bridge. Okanagan Lake is within the Columbia River system draining south and is regulated through a weir at the outlet of the lake near Penticton. The levels are managed between 341 and 342.5 meters in elevation where through flow is small due to arid dry climate of the Okanagan Valley. Lake residence time is estimated at 52 years with the majority of the lake is considered oligotrophic (low nutrient). The exception is the extreme north end which is considered mesotrophic. Thermal stratification is well established by July with surface temperatures often exceeding 20° C and a thermocline lying between 15-20 meters. Dissolved oxygen profiles indicate a well-oxygenated system typical of oligotrophic lakes.

Twenty two fish species are present in Okanagan Lake. Those species valued by sport fishing include kokanee salmon (*Oncorhynchus nerka*), cutthroat trout (*Oncorhynchus clarki*), and rainbow trout (*Oncorhynchus mykiss*). All three species prefer cold water and have life histories that involve stream residence (for one population of kokanee) and lake residence. These fish spawn in tributary systems and rear for a variable amount of time. Stream spawning kokanee leave the streams immediately after hatching from gravel, while trout rear 1 - 3 years in tributary systems. Lake rearing takes place along the shoreline during times of year when water temperatures are low although predominantly occurs within the deeper water sections of the lake. Salmonids preference for cooler water temperatures results in reduced use of littoral habitats when temperatures reach 16° C and above. Kokanee rearing in lake are within the water column primarily deeper below the thermocline and undertake vertical migrations during the night to feed.

Table 1: Fish species present in Okanagan Lake (Fishwizard 2013)

Common Name	Scientific Name
Burbot	<i>Lota lota</i>
Carp	<i>Cyprinus carpio</i>
Chiselmouth	<i>Acrocheilus alutaceus</i>
Eastern Brook trout	<i>Salvelinus fontinalis</i>
Kokanee	<i>Oncorhynchus nerka</i>
Lake chub	<i>Couesius plumbeus</i>
Lake trout	<i>Salvelinus namaycush</i>
Lake whitefish	<i>Coregonus clupeaformis</i>
Largescale sucker	<i>Catostomus macrocheilus</i>
Leopard dace	<i>Rhinichthys falcatus</i>
Longnose dace	<i>Rhinichthys cataractae</i>

Longnose sucker	<i>Catostomus catostomus</i>
Mountain whitefish	<i>Prosopium williamsoni</i>
Northern pikeminnow	<i>Ptychocheilus oregonensis</i>
Peamouth chub	<i>Mylocheilus caurinus</i>
Prickly sculpin	<i>Cottus Asper</i>
Pumpkinseed	<i>Lepomis gibbosus</i>
Pygmy whitefish	<i>Prosopium Coulteri</i>
Rainbow trout	<i>Oncorhynchus mykiss</i>
Redside shiner	<i>Richardsonius balteatus</i>
Slimy sculpin	<i>Cottus cognatus</i>
Smallmouth bass	<i>Micropterus dolomieu</i>
Westslope cutthroat trout	<i>Oncorhynchus clarki lewisi</i>
Yellow perch	<i>Perca flavescens</i>

Lake production comes in several forms. Food such as insects can be swept directly into lake from tributaries. Food can also be produced in shallow near shore (littoral) areas as the sun reaches the substrate and insects feed on the algae growth. In the open water section of lake, food is produced through photosynthetic processes, creating small plant organisms (phytoplankton) which are eaten by small animal (zooplankton) in turn consumed by fish.

Existing Riparian

The subject property is accessed from DelCliffe Road via Eastside Road from Vernon, BC. It is a gated strata community. The zoning is listed as Lakeshore Residential, or R6. No previous home had been constructed at this location. Access had been established, blasting and removal of rock into the subject property.

There is no dock or beach access during the site visit. It is understood a dock assessment and application has been done and underway. Expectations are the dock will be installed in late 2015.

Terrestrial Ecosystem Mapping for the City of Vernon completed shows the area as Rural Residential and Antelope brush – Selaginella habitat. Site visit confirms rural residential for nearly all the immediate area surrounding the subject site. However, this is interspersed with Douglas-fir forests and rock outcroppings. No Selaginella or Antelope communities were noted in the vicinity of DelCliffe Road. **The subject site was dominated by rock outcroppings from steep slopes adjacent to Okanagan Lake towards the access driveway of gated community.** Shallow soil Douglas-fir forest was noted near the road and along the boulevard. **Scattered shrub was noted on the rock outcropping above Okanagan Lake. Therefore the Site Potential Vegetation chosen was “Shrub”, or “SH”.**

The Zones of Sensitivity (ZOS) calculated for the subject property are shown in figure three. The existing home is within the SPEA as determined under a detailed methodology.

The SPEA was provided to owner and designers as part of the design phase of the project to ensure conformity to riparian areas regulatory requirements.

Proposed Development

The foundation of the house will be located 13.8 meters at the closest point to the High Water Mark, mid property. Roof line of the house will extend outward towards Okanagan Lake up to the 10 meter SPEA at the closest point, with all decking, hot-tub, and patio behind the 10 meter SPEA.

A stairway is planned to traverse the steep rock outcropping to the established dock on the foreshore. It is noted an additional set of stairs leaves the dock to the small beach area at low water. This has been discussed with home owner that an additional application will be necessary as it does terminate below HWM and Present Natural Boundary. Until such an approval is granted this portion of the plan, additional stairs to beach, cannot move forward.

Construction of the house will be little excavation of soils as nearly none exist and mostly rock. Blasting and rock hammering are expected, in discussion with home owner the design was to minimize the rock configuration and use native topography as much would allow for. Thus minimal excavation is planned. Contractors must be diligent to ensure no debris, rock fall or fly rock enter the lake throughout the construction.

Section 2. Results of Riparian Assessment (SPEA width)

Attach or insert the Form 3 or Form 4 assessment form(s). Use enough duplicates of the form to produce a complete riparian area assessment for the proposed development

Refer to Chapter 3 of Assessment Methodology

Date: November 18, 2015

Description of Water bodies involved (number, type)

1, Lake

Stream	
Wetland	
Lake	X
Ditch	
Number of reaches	
Reach #	

Site Potential Vegetation Type (SPVT)

	Yes	No	
SPVT Polygons		X	<p>Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes</p> <p>I, <u>John Grods</u>, hereby certify that:</p> <p>a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Podollan</u>;</p> <p>c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and</p> <p>d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.</p>
Polygon No:	1		Method employed if other than TR
SPVT Type	LC	SH	
		X	
			<p>A shrub Site potential was used as the majority was rock outcrop. Some shrub was observed thus setting the SPVT as shrub. No trees were within the 30m assessment area on the subject property.</p> <p>Supplemental Request From Victoria is Inserted below:</p> <ol style="list-style-type: none"> 1. SIBEC. This will only work for treed sites. If you review the Ecosystems found throughout BC you'll find many do not have trees. As having mapped over 20 million hectares of BC and Yukon I have a pretty good grasp of differentiation of ecosystem types. Here is the link to the latest ecosystems of BC..http://www.env.gov.bc.ca/ecology/tem/list.html 2. Adjacent undisturbed sites. This site within the 30 meter assessment area was not disturbed, so an evaluation could be made specifically to this site. 3. Historical Photos. Not needed. 4. Vegetation and Soils mapping. This part of RAR is laughable as lots are based to a 1:500 mapping scale while these at best are 1:20,000. Too coarse.

5. Local vegetation ecologist. I consider myself a reasonable expert here to make this call. I have been audited many times through the years by Ministry of Environment and passed. I am a certified TEM and DEIF practitioner by the province of BC.

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	5						
Litter fall and insect drop ZOS (m)	10						
Shade ZOS (m) max	5						
		South bank	Yes	X	No		
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)						
Ditch Fish Bearing	Yes		No		If non-fish bearing insert no fish bearing status report		
SPEA maximum	10	(For ditch use table3-7)					

I, John Grods, hereby certify that:

- I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- I am qualified to carry out this part of the assessment of the development proposal made by the developer Podollan;
- I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Comments

No further comment.

Section 3. Site Plan

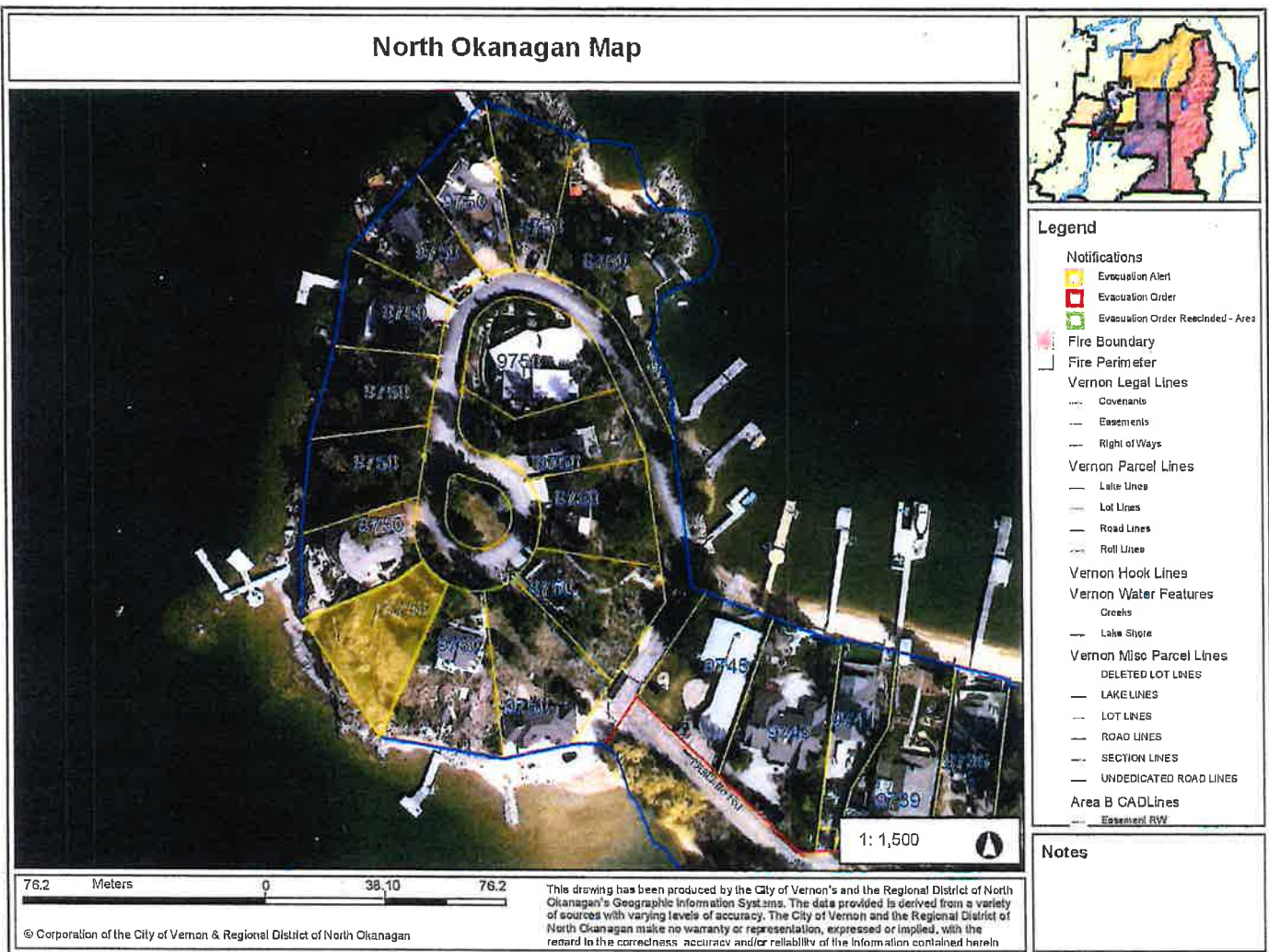


Figure One. Overview of subject property at 9 – 9750 DeCliffe Road, City of Vernon.

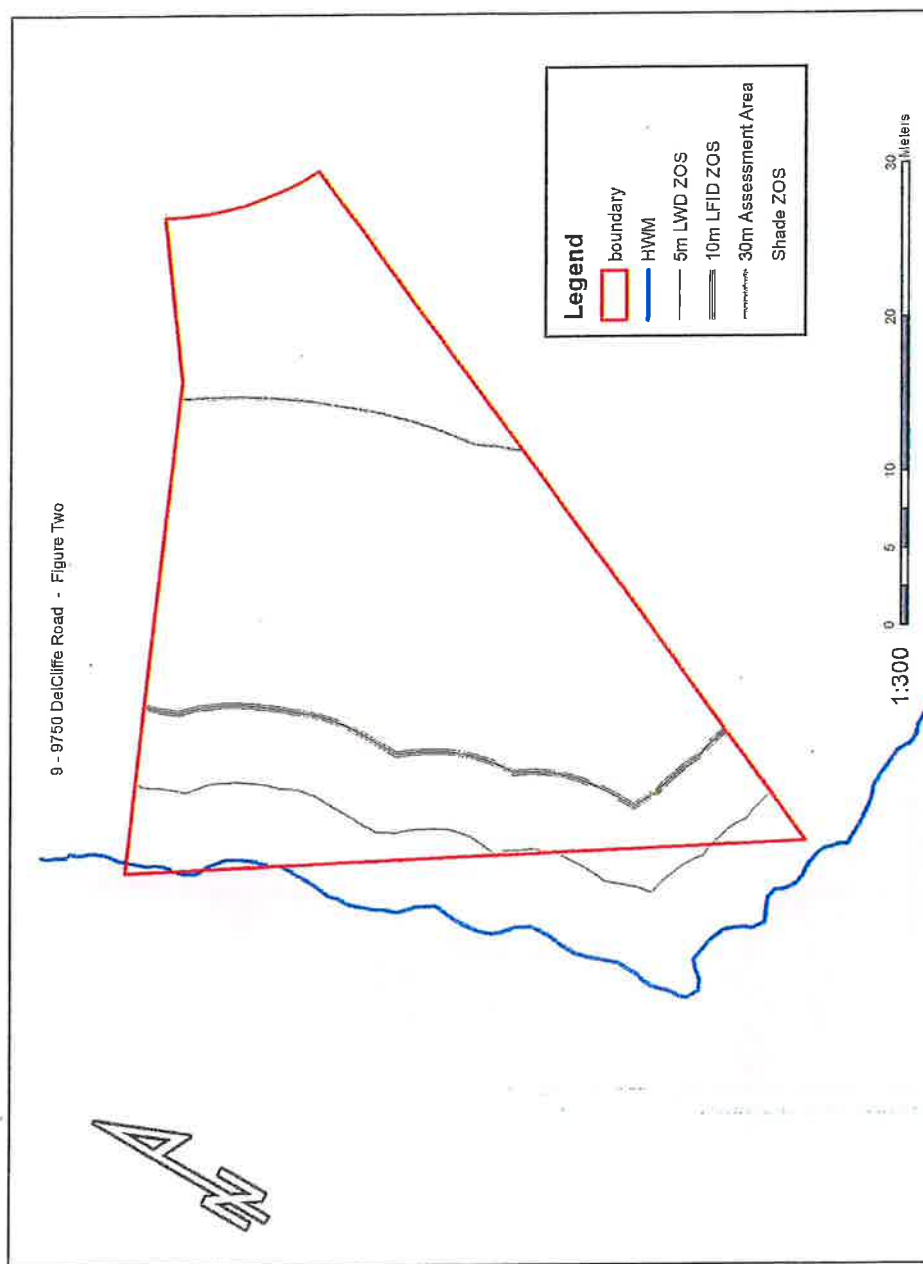


Figure Two. Zones of Sensitivity and SPEA determined for 9 – 9750 DeCliffe Road. SPEA was determined at 10 meters.

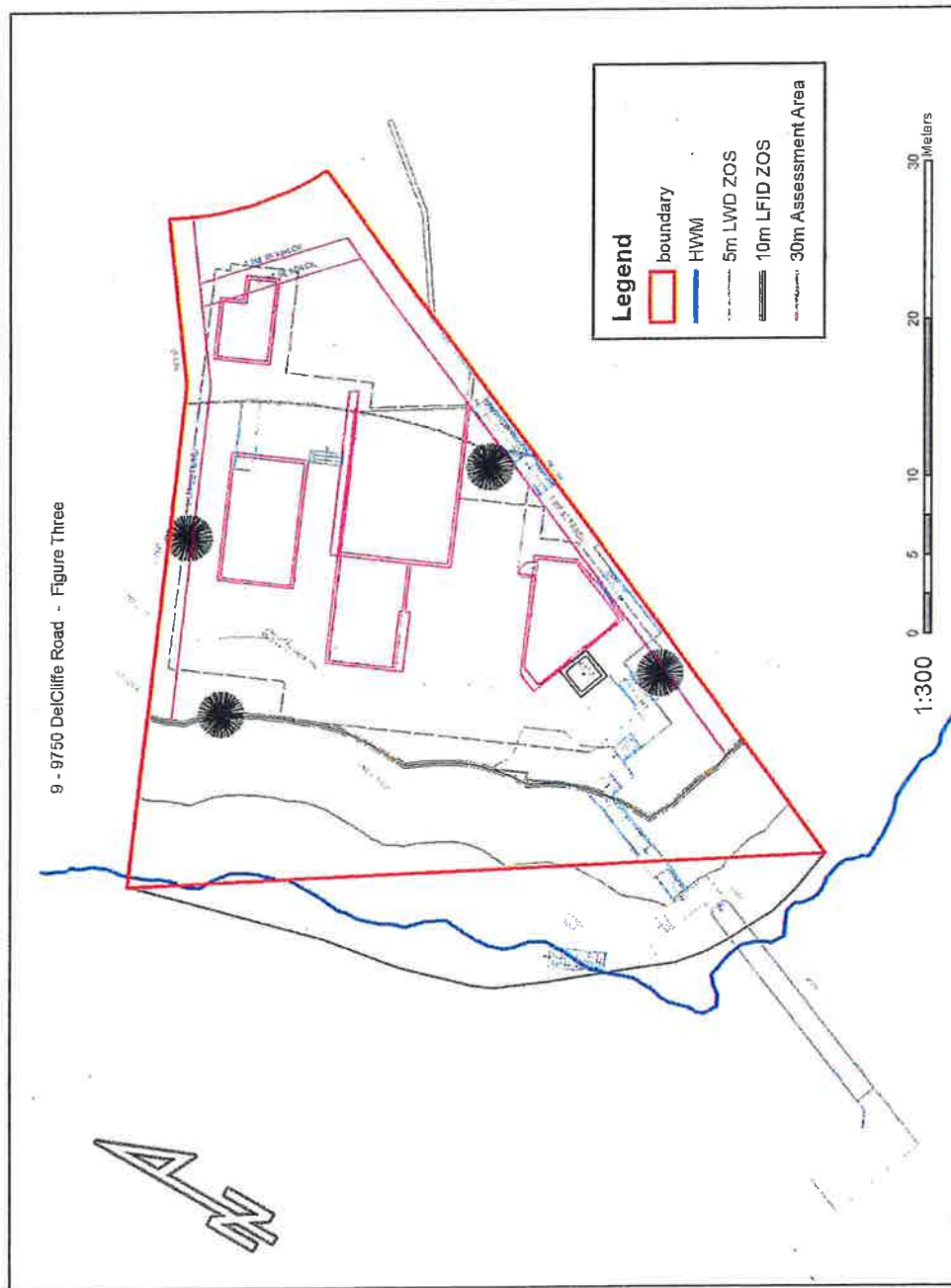


Figure Three. Proposed development for 9 – 9750 DelCliffe Road.

Section 4. Measures to Protect and Maintain the SPEA

This section is required for detailed assessments. Attach text or document files, as need, for each element discussed in chapter 1.1.3 of Assessment Methodology. It is suggested that documents be converted to PDF *before* inserting into the assessment report. Use your "return" button on your keyboard after each line. You must address and sign off each measure. If a specific measure is not being recommended a justification must be provided.

1. Danger Trees	No Concerns. No Trees
I, John Grods _____, hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Podollan</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
2. Windthrow	No windthrow noted on site. No trees
I, John Grods _____, hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Podollan</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
3. Slope Stability	No slope stability concerns noted on site. All rock.
I, John Grods _____, hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Podollan</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
4. Protection of Trees	No Concerns, No trees
I, John Grods _____, hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Podollan</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
5. Encroachment	No Encroachment for development
I, John Grods _____, hereby certify that: e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; f) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Podollan</u> ; g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
6. Sediment and Erosion Control	No sediment and erosion concerns, all rock
I, John Grods _____, hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Podollan</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
7. Stormwater Management	No storm water concerns. Roof will be put to dry wells.
I, John Grods _____, hereby certify that:	

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

<p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Podollan</u>;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
<p>8. Floodplain Concerns (highly mobile channel)</p>	<p>No floodplain concerns house is well elevated above lake.</p>
<p>I, <u>John Grods</u>, hereby certify that:</p>	
<p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Podollan</u>;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	

Section 5. Environmental Monitoring

Attach text or document files explaining the monitoring regimen Use your "return" button on your keyboard after each line. It is suggested that all document be converted to PDF *before* inserting into the PDF version of the assessment report. Include actions required, monitoring schedule, communications plan, and requirement for a post development report.

A Qualified Environmental Professional (QEP) will be retained as project environmental monitor by the proponent. The focus of monitoring will be on the protection and enhancement of the SPEA.

There will be a pre-construction meeting to communicate the importance of SPEA protection, along with the erosion and sediment control plans with site personnel.

Site inspection frequency will be timed to key construction activities in areas adjacent to the SPEA and based on weather events (e.g. after periods of intense rainfall). The QEP will ensure that sediment and erosion control measures are functioning properly and protecting the SPEA. The monitor has the authority to halt construction activities if impacts to sensitive habitats are likely to occur.

Environmental monitor will have the authority to halt works if contravening these recommendations, Development Permit guidelines, and/or Provincial or Federal regulations.

Recommendations:

1. 10 meter SPEA will be well delineated by silt fencing throughout the span of the construction project. Given it is rock the silt fencing will use sand to lay flap tight to the surface of rock. Winds and weather do take a toll on fencing and should be inspected regularly by construction crews.
2. Construction of the house will be little excavation of soils as nearly none exist and mostly rock. Blasting and rock hammering are expected. Contractors must be diligent to ensure no debris, rock fall or fly rock enter the lake throughout the construction.
3. Spill Kit will be present along the 10 meter SPEA during excavation as spills on rock will convey materials quickly downslope to Okanagan Lake. As such,
4. Contractor's equipment must be in good working order and well maintained. Any sign of worn hydraulic hoses, leaks, of dirty equipment will be asked to leave the project site by the Environmental Monitor.
5. No construction materials will be stored or staged in the 10 meter SPEA.

Section 6. Photos

Provide a description of what the photo is depicting, and where it is in relation to the site plan.



Photo One. Looking south from mid property near the High Water Mark. This is the proposed location of future dock.



Photo Two. Looking north towards location of Photo One near future dock at rock face.



Photo Three. Mid bench of grasses and shrub below the 10 meter SPEA setback above to the left in photo.



Photo Four. Looking south towards Okanagan Lake along a 15 meter demarcation as seen in orange sprayed on rock by surveyors.



Photo Five. Looking south towards subject property from common driveway. Note rock outcropping coming close to front with small band of trees in boulevard.

Section 7. Professional Opinion

Assessment Report Professional Opinion on the Development Proposal's riparian area.

Date November 18, 2015

1. I/We John Grods

Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)

hereby certify that:

- a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- b) I am/We are qualified to carry out the assessment of the proposal made by the developer Podollan, which proposal is described in section 3 of this Assessment Report (the "development proposal");
- c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
- d) In carrying out my/our assessment of the development proposal, I have/We have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

- a) if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**
(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)
- b) ☒ if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

[NOTE: "qualified environmental professional" means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if
(a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,
(b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
(c) the individual is acting within that individual's area of expertise.]



THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Will Pearce, CAO

FILE: 1970-02

PC: Mark Dowhaniuk, Manager of Infrastructure

DATE: December 27, 2018

FROM: Debra Law, Director of Finance

SUBJECT: Claremont Water Local Service Area (LSA)

On September 22, 2014 Council, at its Regular Open Meeting, adopted the following resolution:

"THAT pursuant to the provision of Section 801.4 [*Consent on behalf of municipal participating area*] of the *Local Government Act*, the Council of the Corporation of the City of Vernon does hereby consent, on behalf of the electors of the City of Vernon to the Board of the Regional District of North Okanagan adopting the following bylaws:

1. ***Claremont Water Service Area Establishment Bylaw No. 2654, 2014***
being a bylaw to establish the Claremont Water Service Area; and
2. ***Claremont Water Service Area Loan Authorization Bylaw No. 2655, 2014***
being a bylaw to authorize the borrowing for the purpose of financing the construction of a water main extension to connect to the Greater Vernon Water Service.

Administration has confirmed that the work related to these bylaws was completed and the Regional District of North Okanagan will include the related parcel taxes in its 2019 requisition.

The City of Vernon is now required to create its own bylaws to impose a parcel tax and to prepare a parcel tax roll for the purpose of providing taxation authority.

RECOMMENDATION:

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".

Respectfully submitted:

Attachment (1) RDNO Bylaw 2654
Attachment (2) RDNO Bylaw 2655

REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW No. 2654

A bylaw to establish the Claremont Water Service Area

WHEREAS Section 796(1) [*General authority for services*] of the *Local Government Act* states that a regional district may operate any service that the board considers necessary or desirable for all or part of the regional district;

AND WHEREAS the Board of Directors of the Regional District of North Okanagan has received a valid and sufficient petition to extend water services in accordance with Section 797.4 of the *Local Government Act*;

AND WHEREAS Section 796.2 [*Authorities in relation to services other than regulatory services*] and Section 800.(1) [*Establishing bylaws required for most services*] of the *Local Government Act* provides for the adoption of a bylaw to establish a new Regional District service;

AND WHEREAS pursuant to Section 802.2 of the *Local Government Act*, if money is to be borrowed in relation to the service, the establishing bylaw and the loan authorization bylaw [*Claremont Water Service Area Loan Authorization Bylaw No. 2655, 2014*] must, for the purpose of obtaining participating area approval, be dealt with as if they were one bylaw;

NOW THEREFORE, the Board of the Regional District of North Okanagan in open meeting assembled enacts as follows:

TITLE

1. This bylaw may be cited as the "**Claremont Water Service Area Establishment Bylaw No. 2654, 2014**".

PURPOSE

2. To extend and construct a water main extension for the purpose of distribution of potable water.

SERVICE AREA

3. The participating area for the Claremont Water Service Area Establishment Bylaw 2654, 2014 shall include those properties as identified on Schedule "A" attached to and forming part of this Bylaw.

PARTICIPANTS

4. The only participant is the City of Vernon.

MAXIMUM REQUISITION

5. The maximum amount which may be requisitioned annually for this service shall not exceed the product of a levy of \$2.96 for each \$1,000 of net taxable value of land and improvements in the service area or \$80,000 whichever is greater.

COST RECOVERY

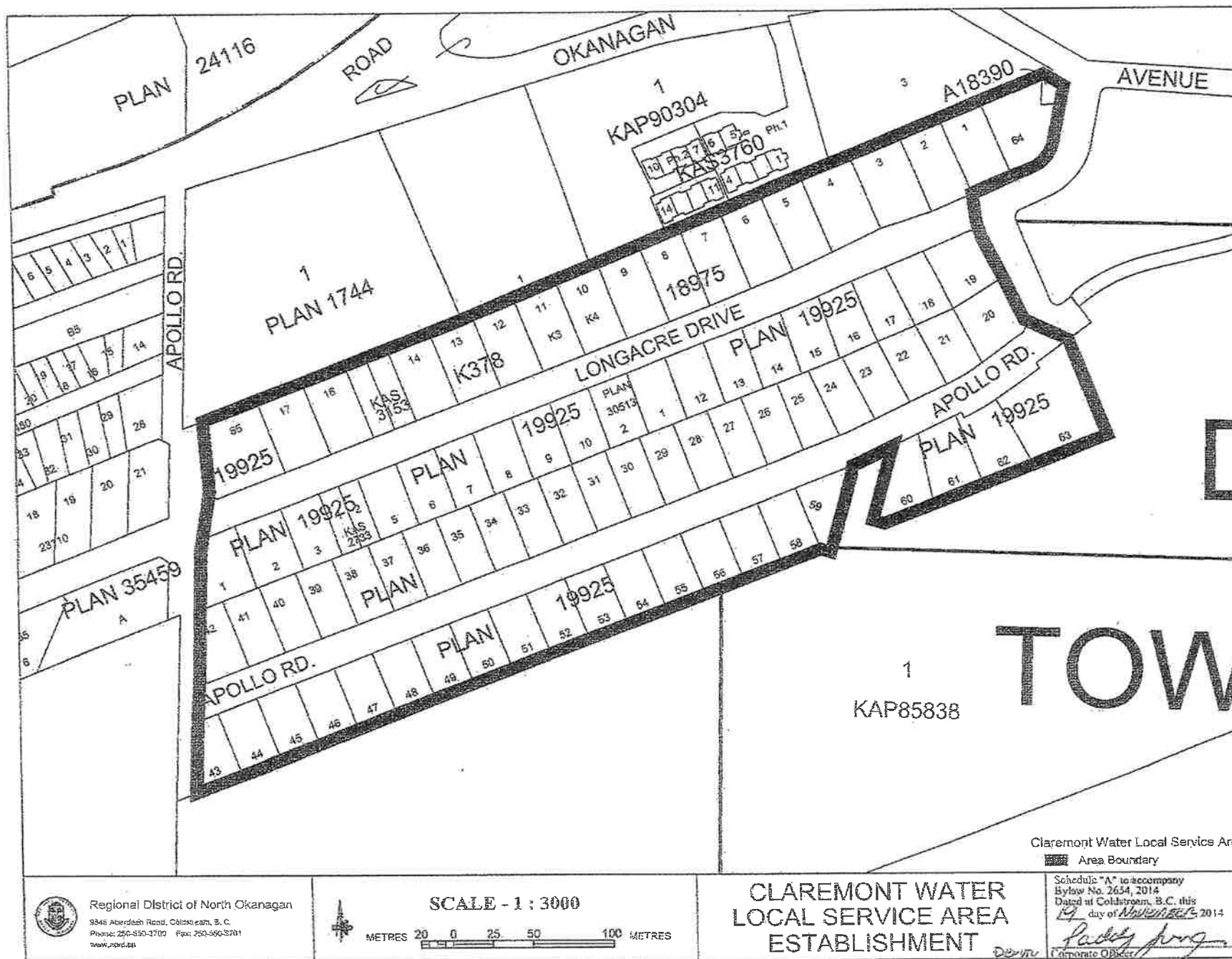
6. The annual cost of providing the service shall be recovered by either or both of the following:

- (1) the requisition of money under Section 805 (Requisition of funds from Municipalities) of the *Local Government Act* to be collected as a parcel tax to be levied on land and improvements and collected in accordance with Section 805.1(b) of the *Local Government Act*;
- (2) the imposition of fees and other charges.

Read a First, Second and THIRD Time	this	17th	day of	September, 2014
Consent provided by the participants	this	22nd	day of	September, 2014
Approved by the Inspector of Municipalities	this	5th	day of	November, 2014
ADOPTED	this	19th	day of	November, 2014


 Vice Chair
 Rick Fairbairn


 Deputy Corporate Officer
 Paddy Juniper



REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2655

To bylaw to authorize the borrowing for the purpose of financing the construction of a water main extension to connect to the Greater Vernon Water Service

WHEREAS the Board of Directors of the Regional District of North Okanagan has established by Bylaw No. 1262, 1994, the *Regional District of North Okanagan – Greater Vernon Regional Water Supply Local Service Establishment Bylaw No. 1262, 1994* (Greater Vernon Water);

AND WHEREAS the Board of Directors of the Regional District of North Okanagan has received a valid and sufficient petition to extend water services in accordance with Section 797.4 of the *Local Government Act*;

AND WHEREAS the Board of Directors of the Regional District of North Okanagan has established by Bylaw No. 2654, 2014 being the *Claremont Water Service Area Establishment Bylaw No. 2654, 2014* a service for the purpose of extending the provision of Greater Vernon Water to the Claremont Water Service Area;

AND WHEREAS it is deemed desirable and expedient to construct a water main extension serving the Claremont Water Service Area to provide connection to the Greater Vernon Water Service;

AND WHEREAS the estimated cost of construction of the water main extension to connect the Claremont Water Service Area to Greater Vernon Water Service including expenses incidental thereto is the sum of Seven Hundred Thousand (\$700,000.00) of which the sum of Seven Hundred Thousand (\$700,000.00) is the amount of debt intended to be borrowed by this bylaw;

AND WHEREAS the maximum term for which a debenture may be issued to secure the debt created by this bylaw is for a term not to exceed twenty (20) years;

NOW THEREFORE, the Board of Directors of the Regional District of North Okanagan, in open meeting assembled, hereby ENACTS AS FOLLOWS:

TITLE

1. This bylaw may be cited as the "*Claremont Water Service Area Loan Authorization Bylaw No. 2655, 2014*".

ESTABLISHMENT

2. The Board of Directors of the Regional District of North Okanagan is hereby authorized to undertake and carry out or cause to be carried out the construction of a water main extension to connect to the Greater Vernon Water Service to serve the area known as the Claremont Water Service Area as established under the *Claremont Water Service Area Establishment Bylaw No. 2654, 2104* and to do all things necessary in connection

therewith and without limiting the generality of the foregoing:

- a. To borrow upon the credit of the Regional District a sum not exceeding Seven Hundred Thousand dollars (\$700,000.00).
 - b. To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of the water main extension to connect the Claremont Water Service Area to the Greater Vernon Water Service.
3. The maximum term for which debentures may be issued to secure the debt created by this bylaw is twenty (20) years.

SCOPE OF SERVICE

4. The service established by this bylaw is to provide the capital financing for the construction of water main infrastructure within the Claremont Water Service Area as established under the *Claremont Water Service Area Establishment Bylaw No. 2654, 2104*.

Read a First, Second and THIRD Time	this	17th	day of	September, 2014
Consent provided by the participants	this	22nd	day of	September, 2014
Approved by the Inspector of Municipalities	this	5th	day of	November, 2014
ADOPTED	this	19th	day of	November, 2014


 Vice Chair
 Rick Fairbairn


 Deputy Corporate Officer
 Paddy Juniper

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5729

A bylaw to authorize closure and removal of the
dedication as highway at 5012 Silver Star Road

WHEREAS Section 40 (1) (a) and (2) (b) of the *Community Charter* provides that Council may, by bylaw, close all or part of a highway and remove the dedication of a highway;

AND WHEREAS the Corporation of the City of Vernon deems it necessary and to close and cancel the dedication of a portion highway for the purpose of disposal and consolidating with adjoining lands the following described road as shown and described as "Closed Road" on a reference plan to accompany this bylaw, certified by Scott G. McPherson, B.C.L.S. 859, and completed on the 25th day of October, 2018, (hereinafter referred to as the "Plan"), a copy of which is attached hereto as Schedule "A":

NOW THEREFORE the Council of The Corporation of the City of Vernon, in open meeting assembled, enacts as follows:

1. That portion of the following described road:

DESCRIPTION	AREA
By Plan KAP90756, Sec 2, Tp 8 ODYD	0.104 ha

shown as "**Closed Road**" on the Plan is hereby stopped up and closed to traffic.

2. That the dedication as highway of the portion of the following described road:

DESCRIPTION	AREA
By Plan KAP90756, Sec 2, Tp 8 ODYD	0.104 ha

shown as "**Closed Road**" on the Plan be cancelled.

3. That prior to adoption of this bylaw, the Council shall cause public notice to be given by advertising once each week for two consecutive weeks in the newspaper published and circulating in the City of Vernon.

**Attached to and forming Part of Bylaw #5729
"5012 Silver Star Road Closure Bylaw Number 5729, 2018"**

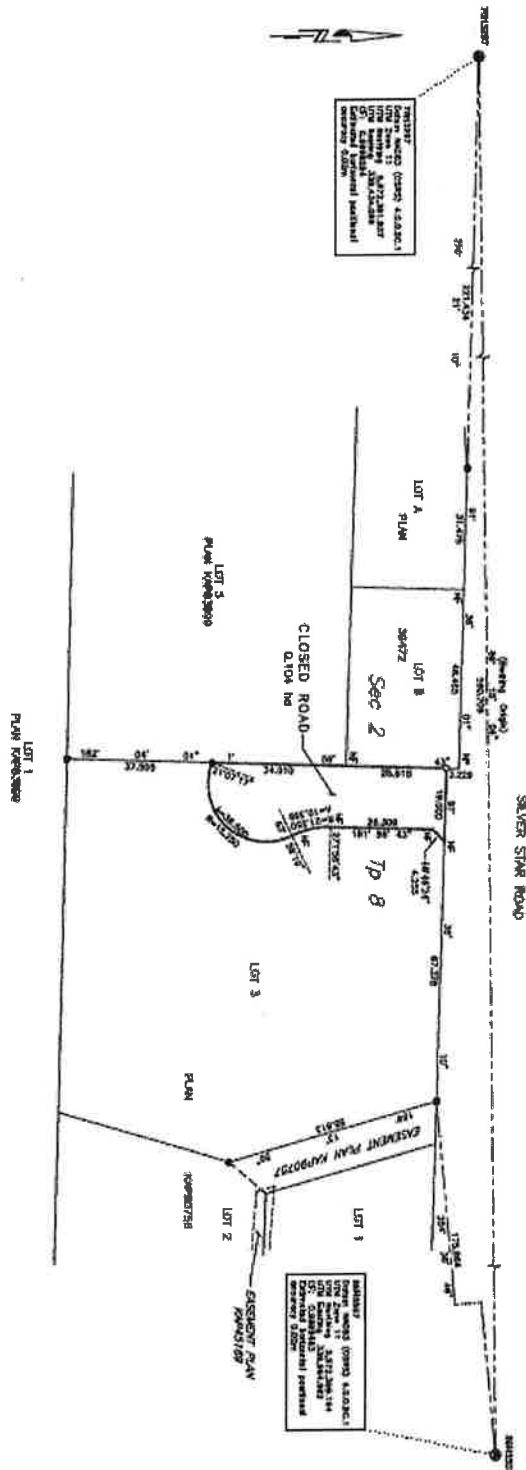
PLAN EPP87802

B065 82L-024

Biological Survey Area No. 19, City of Warner, MONTGOMERY 4.0.11.EC.1

This panel shows recent (≤ 1 year) changes in average within-cowalls specificity to serotypes and strains, multiplied ground-level distances by the average combined factor of 0.996844, which has been derived from specific control measurements 751237 and 561502.

The tilt coordinates and unitized horizontal positions necessary to define the coordinate system for specific control maneuvers (e.g., 201257 and 201255).



LEGEND

- distance standard from pool found
- distance standard from peak soil
- distance central monument found

FILE: R10491

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5732

A bylaw to adopt the "Financial Plan"
for the Years 2019 – 2023

WHEREAS Section 165 of the *Community Charter* requires the Council to prepare and adopt a Financial Plan for a five year period for the years 2019 to 2023.

NOW THEREFORE as the Council of The Corporation of the City of Vernon desires to adopt the 2019 Financial Plan, Council, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as the **"City of Vernon 2019 Financial Plan Bylaw Number 5732, 2018"**.
2. That Schedule "A" attached hereto and forming part of this bylaw is hereby adopted and shall be the 2019 Financial Plan for The Corporation of the City of Vernon.
3. That Schedule "B" attached hereto and forming part of this bylaw is hereby adopted and shall be the 2019 - 2023 Financial Plan Revenue Policy.

Public Consultation was held the 28th and 29th day of November 2018, pursuant to Section 166 of the *Community Charter*.

READ A FIRST TIME this 10th day of December, 2018.

READ A SECOND TIME this 10th day of December, 2018.

READ A THIRD TIME this 10th day of December, 2018.

ADOPTED this ____ day of _____, 2019.

Mayor

Corporate Officer

THE CORPORATION OF THE CITY OF VERNON
2019 - 2023 FINANCIAL PLAN (CONSOLIDATED)

SCHEDULE A BYLAW 5732

December 10, 2018

For Year Ended December 31st	Budget 2019	Provisional Budget 2020	Provisional Budget 2021	Provisional Budget 2022	Provisional Budget 2023
Revenue					
Taxation	42,579,671	43,716,106	45,194,046	47,424,521	49,430,450
Sanitary Sewer User Fees	9,661,056	9,758,964	9,863,073	9,968,397	10,074,955
Sale of Goods and Services	18,644,568	18,553,592	18,815,699	19,098,230	18,916,512
Fiscal Services	1,399,364	1,403,893	1,423,947	1,423,947	1,423,947
Natural Gas System Lease & Franchise	2,316,000	2,316,000	2,316,000	2,316,000	2,316,000
Government Transfers	12,688,260	8,462,264	8,574,525	8,687,346	8,834,745
Developer Contributions	4,879,554	4,163,762	4,508,343	3,800,772	3,353,284
Total Revenue	92,168,473	88,374,581	90,695,633	92,719,213	94,349,893
Expenses					
Communications, Insurance & Utilities	4,379,945	4,453,255	4,414,686	4,609,428	4,692,338
Cost of Goods Sold	685,707	697,141	711,290	724,689	726,604
Amortization	12,115,656	12,333,737	12,555,745	12,781,749	12,909,564
Supplies, Materials & Contracts	33,656,589	31,388,588	31,542,606	32,682,869	33,344,780
Salaries, Wages, & Benefits	31,797,990	32,329,017	33,107,214	33,857,539	34,536,814
Interest and Fiscal Services	1,180,241	700,688	582,849	580,610	578,121
Total Expenses	83,816,128	81,902,426	82,914,390	85,236,884	86,788,221
Net Revenues for the Year	8,352,345	6,472,155	7,781,243	7,482,329	7,561,672
Principal Payments on Long Term Debt	(1,800,420)	(854,405)	(509,797)	(512,348)	(515,150)
Change in Fund Balance	6,551,925	5,617,750	7,271,446	6,969,981	7,046,522
Estimated Closing Fund Balance	601,643,043	607,260,793	614,532,239	621,502,220	628,548,742
Reconciliation to Cash Basis:					
Change in Fund Balance (see above)	6,551,925	5,617,750	7,271,446	6,969,981	7,046,522
Plus: Amortization	12,115,656	12,333,737	12,555,745	12,781,749	12,909,564
Plus: Transfers from Reserves	11,850,393	11,771,891	7,907,847	8,689,163	9,238,265
Less: Transfers to reserves	(8,616,276)	(10,130,648)	(10,490,798)	(10,351,033)	(10,323,121)
Less: Approved capital asset additions	(21,901,698)	(19,592,730)	(17,244,240)	(18,089,860)	(18,871,230)
Reconciled Surplus (Deficit)	0	0	0	0	0

2019-2023 Financial Plan Revenue Policy

Schedule B Bylaw 5732

Property Value taxes

Taxation Revenue of the Corporation of the City of Vernon (the City) will be determined by Council each year according to the operating and capital infrastructure needs of the community as part of the annual budget process.

Taxation will be allocated to the various property classes as follows;

- The utility class will be taxed at the maximum combined rate per thousand dollars of value permitted by legislation.
- All remaining classes of property will receive an equal allocation of the percent change in the annual tax levy.
- The City will strive to maintain a business to residential multiplier range not exceeding 3.2 to 1 under optimal conditions.

The City recognizes the benefits provided to the community through the efforts and activities of volunteer organizations and community groups. Permissive tax exemptions will be extended to such groups and must be renewed annually. New applications will be reviewed each year to ensure the applicants meet the guidelines of the City's Tax Exemption policy.

Taxation

- The proportion of revenues to be raised from taxation in 2019 is 46.2% of total revenue.

Municipal Fees

- Service fee recovery should reflect the full costs of program delivery.
- The proportion of revenues to be raised from fees and charges in 2019 is 30.7% of total revenue.

Other Revenue

- Investment income will be based on prudent investments of taxpayer funds.
- Other revenue flows should be developed and enhanced to maximize the value derived for the benefit of the City's residents.
- The proportion of revenues to be raised from other revenue in 2019 is 23.1% of total revenue.

Parcel Taxes

- Specified areas will bear the net cost of all debt incurred to finance the local improvements.
- The proportion of revenues to be raised from parcel taxes in 2019 is less than 1.0% of total revenue.

Infrastructure

- Commencing for 2013, Council committed to rebuilding the capacity of the City to fund its capital infrastructure obligations. To this end a 1.9% annual taxation increase is to be levied cumulatively for capital infrastructure funding.

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5730

A bylaw to amend the City of Vernon
Zoning Bylaw Number 5000

WHEREAS the Council of The Corporation of the City of Vernon has determined to amend the City of Vernon Zoning Bylaw Number 5000 to make it consistent with the Master Transportation Plan, Official Community Plan Bylaw #5151, as amended and Subdivision and Development Servicing Bylaw #3843, as amended.

AND WHEREAS all persons who might be affected by this amendment bylaw have, before the passage thereof, been afforded an opportunity to be heard on the matters herein before the said Council, in accordance with the provisions of Section 464 of the Local Government Act, and all amendments thereto;

NOW THEREFORE the Council of The Corporation of the City of Vernon, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the **"Zoning Text (Additional Setbacks from City Roads) Amendment Bylaw Number 5730, 2018"**.
2. The City of Vernon Zoning Bylaw Number 5000 be, and is hereby amended, as follows:
 - (i) **DELETING, in its entirety**, Schedule B: Additional Setbacks to Major City Roads, and **REPLACING** Schedule B – Additional Setbacks to Major City Roads, as shown on attached Schedule A (enlarged inset second page), attached to and forming part of this bylaw.

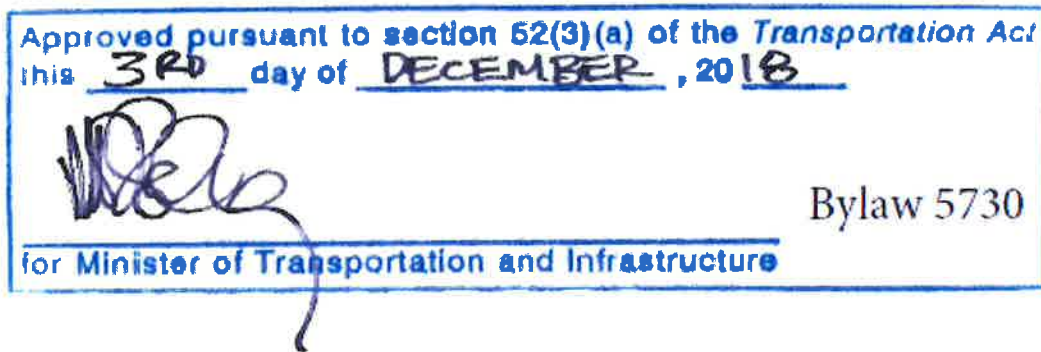
3. Zoning Bylaw Number 5000 is hereby ratified and confirmed in every other respect.

READ A FIRST TIME this 13th day of November, 2018.

READ A SECOND TIME this 13th day of November, 2018.

PUBLIC HEARING held this 26th day of November, 2018

READ A THIRD TIME this 26th day of November, 2018.



ADOPTED this day of , 2018.

Mayor

Corporate Officer

THE CORPORATION OF
THE CITY OF VERNON
ZONING BYLAW 5000
SCHEDULE B ADDITIONAL SETBACKS
ADJACENT TO CITY ROADS
SCHEDULE 'B' FORMING PART OF AND ATTACHED TO
ZONING BYLAW No. 5000 AS AMENDED



ENLARGED INSET

OFFSET RIGHTS OF WAY ARE REQUIRED ON THE FOLLOWING ROADS:

The Special Building Line Setbacks listed below are in addition to the setbacks as outlined in the particular Zoning District of the Zoning Bylaw in which a specific lot is situated. All Special Building Line Setbacks shall be not less than the noted offset from the centerline of the original right of way of the noted road or as otherwise defined in each case.

- 1) **34th Street**, from Coldstream Avenue to 30th Avenue, 7.76 metres west and 10.67 metres east.
- 2) **35th Street**, from 27th Avenue south to 25th Avenue, 12.2 metres west and 6.3 metres east.
- 3) **43rd Avenue**, from 32nd Street to 27th Street, 15.2 metres north and 9.8 metres south.
- 4) **32nd Avenue**, from Bella Vista Road east adjacent to Lot A, Plan KAP68832, the 16.75m north of south property line of Lot A, Plan KAP68832
- 5) **48rd Avenue**, from 27th Street west to Highway 97, 15.0 metres south and 12.5 metres north.
- 6) **Coldstream Avenue**, from 33rd Street to 35th Street, 9.14 metres south and 6.2 metres north.
- 7) **28th Avenue**, from 34th Street to 35th Street, 6.2 metres north and 10.8 metres south.
- 8) **24th Avenue**, from 34th Street to 34A Street, 2.0 metres north and 18.0 metres south.
from 33rd Street to 32nd Street, 10.8 metres north and 6.2 metres south
- 9) **Silver Star Road**,
 - 17.5 metres north and 15.9 metres south from Pleasant Valley Road to 82 metres west of the centerline of Pearson Road;
 - Transition to 14.2 metres north and 14.1 metres south at Pearson Road;
 - 11.9 metres north and 15.9 metres south from Pearson Road to MacDonald Road;
 - 14.0 metres north and south from MacDonald Road to Cunningham Road;
 - 17.4 metres north and 15.1 metres south on the east side of Cunningham Road;
 - Transition to 14.0 metres north and 13.5 metres south at a point 80.0 metres east of the centerline of Cunningham Road;
 - 14.0 metres north and 13.5 metres south from 80.0 metres east of the centerline of Cunningham Road to L & A Road.
 - 10.0 metres west and 15.0 metres east from L & A Road to east Vernon Road.
 -
- 10) **Highway 97 (32nd Street)**, from Clerke Road to 48th Avenue, to be confirmed with Ministry of Transportation and Infrastructure, plus a minimum building setback of 4.5 metres from the property line.
- 11) **39th Avenue**, adjacent to Lot 48, Plan 1257 (3001 - 39th Avenue) 11.64m on the north and 9.15 on the south.
- 12) **Kalamalka Lake Road**, from City boundary to Browne Road, 12.0 metres on the west and 13.0 metres on the east.
- 13) **Marshall Road**, from Lakeshore Road to Cummins Road, 5.35 metres on the north and 14.65 on the south.
- 14) **Scott Road**, through the southeast corner of Lot 24, Plan 1689, 18.5 metres west perpendicular to the east property line from the south east property corner of Lot 24, Plan 1689, north 51.861m north to a point along the south property line 37.7m west of the southeast IP of Lot 24, Plan 1689
- 15) **Russell Road**, 6m offset from the centerline of the existing travelled surface
- 16) **Inkster Road**, 6m offset from the centerline of the existing travelled surface
- 17) **Apollo Road**, from Okanagan Landing Road south to south of intersection with Longacre Drive, 17.5m on the east and 7.5m on the west
- 18) **Bench Row Road**, from Ramsay Road east to Okanagan Landing Bench Road as per covenant on Plan KAP54550 on south and 12.5m north
from Okanagan Landing Bench Road east, 3m north and as per covenant on Plan KAP54550 on south.

✓ 0430-01



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

HON. ANDREW SCHEER, P.C., M.P.
L'HON. ANDREW SCHEER, C.P., DÉPUTÉ
LEADER OF THE OFFICIAL OPPOSITION / CHEF DE L'OPPOSITION OFFICIELLE

November 2018

His Worship Victor Cumming
Mayor of Vernon

Dear Mr. Mayor:

I would like to take this opportunity to offer you my personal congratulations on your recent election as Mayor of Vernon.

I commend your commitment to working to build a strong and prosperous future for your community. Your impressive results on election day are evidence of the confidence that your citizens have placed in your leadership.

I look forward to keeping in touch and to discussing issues of importance to your community.

Once again, congratulations on your victory. Please extend my best wishes to all members of your municipal council as you begin a new term.

Yours sincerely,

A handwritten signature in blue ink that reads "Andrew Scheer".

The Hon. Andrew Scheer, P.C., M.P.
Leader of the Official Opposition



THE CORPORATION OF THE CITY OF VERNON

MINUTES OF THE ECONOMIC DEVELOPMENT ADVISORY COMMITTEE HELD THURSDAY, SEPTEMBER 27, 2018 OKANAGAN LAKE ROOM

PRESENT: **VOTING:**

Mayor Akbal Mund, Chair
Alex Goodhew, Accelerate Okanagan
Bud Mortenson, Director, UBCO
Jane Lister, Okanagan College
Leigha Horsfield, Community Futures North Okanagan
Dione Chambers, Greater Vernon Chamber of Commerce
Richard Toperczer, Province of B.C. – Regional Ec. Dev.
Tannis Nelson, Regional District of North Okanagan

ABSENT: Annette Sharkey, Social Planning of North Okanagan
Susan Lehman, Downtown Vernon Association

STAFF: Kevin Poole, Manager, Economic Development & Tourism
Janice Nicol, Legislative Committee Clerk

ORDER

The Chair called the meeting to order at 8:32 a.m.

**ADOPTION OF
AGENDA**

Moved by Jane Lister, seconded by Richard Toperczer:

THAT the agenda for the Thursday, September 27, 2018 meeting of the Economic Development Advisory Committee be amended to include:

Under New Business ADD:

1. 2017 Economic Impact Study Results for tech industries
2. Small Business Week – Community Futures
3. Hidden Professions Survey result – City of Vernon.

AND FURTHER that the agenda be adopted as amended.

CARRIED.

**ADOPTION OF
MINUTES**

Moved by Leigha Horsfield, seconded by Bud:

THAT the minutes for the June 28, 2018 meeting of the Economic Development Advisory Committee be adopted.

CARRIED.

Dione Chambers entered the meeting at 8:36 a.m.

PRESENTATION:

Tanis Nelson from the Regional District of North Okanagan presented on the Multi-Purpose Cultural Facility Referendum question that will be on the ballot in conjunction with the civic election and the following points were noted:

- Regional District has three objectives to inform voters – tell what vote is about, value of the project and create voter awareness (where to vote, etc).
- There have been various renditions on a cultural facility that have evolved since 2005
- In 2006, a new plan was developed for the Coldstream Hotel site (between Ratio Coffee and Eatology) but it did not proceed
- 2012 - Construction of new library
- 2012 - Art gallery raised awareness that art was at risk due to condition of building, space challenging, etc. A business case was commissioned which spurred the cultural plan
- Cultural activities have increased but are not at threshold, there is an opportunity for synergies
- 2016 – a Cultural Plan was developed considering all cultural needs of community broadly, plan was adopted
- Extensive outreach was done, majority was one on one
- Consensus was to maximize value by having a multi-purpose, adaptable, flexible and efficient
- Currently examining size and types of space needed
- Space needs to be multi-purpose – the proposed footprint is 27,000 square feet, building is proposed to be three stories which will include exhibition space for museum and gallery, meeting space, class room spaces, presentation space for small performances and lectures (150-200), gift shop, administrative spaces and a shared lobby
- Cultural Centre would take up about 1/3 of the site, parking loss will be offset by pocket parking lots planned by the City
- Funding – may be an opportunity to get a \$10M grant
- Working with heritage Canada to analyse data for cultural impacts, to be released soon –
- Response so far has been positive
- Suggestion to bring loan costs down to basics -\$48 per year and keep it simple and show images
- Will be lots of future public information opportunities.

NEW BUSINESS:**2017 ECONOMIC
IMPACT STUDY
RESULTS FOR TECH
INDUSTRIES**

Alex Goodhew gave an overview of the results of the of Accelerate Okanagan's third survey and noted the following:

- Stats are up on Accelerate's website – third data set 2015-2017
- Economic impact is up to 1.67B, previously was 1.3B in 2015
- In 2017, average revenues in tech industry broke \$1M mark
- Survey results encompass the whole valley, Salmon Arm to Kelowna, including Revelstoke and surrounding area
- There are currently over 12,000 tech employees
- Strategies are being developed to reach outside the Okanagan as there is a talent shortage
- Focus is on inspiring students and assisting them in developing skills
- Possibility to have several provincial Ministers visit area to showcase tech industries
- Looking at attracting employees from Europe to help with tech employee shortage.

November 5 – 8 Accelerate Okanagan is offering workshops and panel discussions in different locations. Andrew from Ration Coffee is providing local food and drink. It is free to attend. Evening workshops are \$40 – please share through your communication channels.

**SMALL BUSINESS
WEEK AT COMMUNITY
FUTURES**

Leigha Horsfield advised that 2018 Small Business Week would be happening October 15 – 18 on the 3rd floor Community Board Room at Community Futures Vernon (3105 33 Street). Many exciting events including a trade show on Tuesday and a workshop on how to hire and keep youth. All are welcome to attend.

**HIDDEN PROFESSIONS
SURVEY RESULTS –
CITY OF VERNON**

Kevin Poole reported that there were 270 responses to the Hidden Professions Survey. Analysis is still being compiled but it is evident that there are lots of entrepreneurs and international export businesses in the area. A younger demographic have located here for the lifestyle. 72 of respondents would like to part of a focus group. City of Vernon looking at amending the current home-based business regulations.

INFORMATION ITEMS:**DATE OF NEXT
MEETING**

The next meeting is scheduled for Thursday, December 13, 2018 at 8:30 a.m.

ADJOURNMENT

The meeting of the Economic Development Advisory Committee adjourned at 9:50 a.m.

CERTIFIED CORRECT:

A handwritten signature in blue ink, reading "Victoria Lumma", is written over a horizontal line.



THE CORPORATION OF THE CITY OF VERNON

MINUTES OF ADVISORY PLANNING COMMITTEE MEETING HELD

WEDNESDAY, OCTOBER 10, 2018

PRESENT: VOTING

Mark Longworth, Chair
Joanne Georgeson
Phyllis Kereliuk
Monique Hubbs-Michiel
Ian Murphy
Don Schuster
Jamie Paterson
Doug Neden
Vicki Topping

NON VOTING

Councillor Cunningham
Corbin Kelley, Youth Member

GUESTS Two (2)

ABSENT: Lisa Biggs

STAFF: Craig Broderick, Manager, Current Planning
Ed Stranks, Manager, Engineering Development Services
Keltie Chamberlain, Planning Assistant
Natasha Kositsin, Acting Legislative Committee Clerk

ORDER

The Chair called the meeting to order at 4:00 p.m.

**ADOPTION OF
AGENDA**

Moved by Doug Neden, seconded by Don Schuster;

THAT the agenda of the Advisory Planning Committee meeting for Wednesday, October 10, 2018 be adopted.

CARRIED.

**ADOPTION OF
MINUTES**

Moved by Monique Hubbs-Michiel, seconded by Joanne Georgeson;

THAT the minutes for the Advisory Planning Committee meeting of Tuesday, September 25, 2018 be adopted.

CARRIED.

Ian Murphy left at 4:01 pm due to conflict

NEW BUSINESS:

**DEVELOPMENT
VARIANCE PERMIT
APPLICATIONS FOR
3904 29 STREET**

The Advisory Planning Committee reviewed the Development Variance Permit application DVP #00431 for 3904 29 Street. The Planning Assistant reviewed the application. The following points were noted by the Committee:

- Were informed of two tandem parking spaces outside of garage and three spaces in front of lot for a total of seven – and there is no parking variance
- Concern of number of buyers due to lack of parking
- No parking layout in the plans so hard to see requirements
- No access from the back for a lane as it is a private lot
- Concern on narrowing the setbacks and landscaping buffer, but were informed the proposed buffer is planted at the same rates as is required minimum landscape buffer required by bylaw

Moved by Don Schuster, seconded by Vicki Topping;

THAT the Advisory Planning Committee recommends that Council support the Development Variance Permit application (DVP00431) for the subject property located on Lot 5, Block 1, Plan 383MV, ODYD (3904 29th 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 the Advisory Planning Committee recommends 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 29th 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'.

DEFEATED, with Jamie Paterson, Joanne Georgeson, Mark Longworth and Doug Neden opposed.

Ian Murphy returned to meeting 4:15pm

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR
6533 ORCHARD HILL
ROAD**

The Advisory Planning Committee reviewed the development variance permit application DVP #00443 for 6533 Orchard Hill Road. The Planning Assistant reviewed the application and the Committee provided the following feedback:

- Will rely on public input at next Council Meeting so neighbours can come forward if this will block any of their views

Moved by Phyllis Kereliuk, seconded by Don Schuster;

THAT the Advisory Planning Committee recommends 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:

- b) That the site survey and elevations as generally shown as Attachments 1 to 3, and to the satisfaction of Administration, are 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'.

CARRIED.

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR
5400 OKANAGAN
AVENUE**

The Advisory Planning Committee reviewed the development variance permit application DVP #00435 for 5400 Okanagan Avenue. The Manager, Current Planning reviewed the application and the Committee provided the following feedback:

- No build on slopes that are over 30% is the Bylaw
- Need for retaining walls – 6m
- Challenging site and worried about the ravine being filled
- The gulley is at 40 to 50% slope

Moved by Joanne Georgeson, seconded by Doug Neden;

THAT the Advisory Planning Committee recommends that Council not support 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 6.0 m.

CARRIED, with Don Schuster opposed.

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR
1905 AND 2001 15
AVENUE**

The Advisory Planning Committee reviewed the development variance permit application DVP #00441 for 1905 and 2001 15 Avenue. The Manager, Current Planning reviewed the application and the Committee provided the following feedback:

- Single family and townhouses with possibility of commercial business going forward

Moved by Doug Neden, seconded by Phyllis Kereliuk;

THAT the Advisory Planning Committee recommends 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 – 15th 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's 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 – 15th Avenue" and dated October 1, 2018 by the Manager, Current Planning be attached to and form part of DVP00441 as Schedule 'A'.

CARRIED.

INFORMATION ITEMS:

The Manager, Current Planning reviewed the information for APC related items discussed at the October 9, 2018 Council meeting as follows:

- DVP00424, 3803 23rd Street in order to permit the subdivision along the party wall of an existing rental to create two lots, had to reduce the setbacks for both lots with Council's support on that
- Rezoning of 7250 Hitchcock Road park east to go phase 1 and the west to be held back due to water supply, Council bylaws was read a First and Second time and will be back on November 26 for Public Hearing

Councillor Juliette Cunningham said her goodbyes to the Committee and how much she appreciated their input all these years

NEXT MEETING

The next regular meeting of the Advisory Planning Committee is scheduled for **Wednesday, November 14, 2018.**

ADJOURNMENT

The meeting of the Advisory Planning Committee adjourned at 4:41 p.m.

CERTIFIED CORRECT:


Chair



THE CORPORATION OF THE CITY OF VERNON

MINUTES OF TOURISM COMMISSION MEETING HELD THURSDAY, NOVEMBER 15, 2018 OKANAGAN LAKE ROOM

PRESENT: VOTING:

Claus Larsen, Accommodation Provider
Christine Kashuba, Arts & Culture
Kevin O'Brien, Attractions
Jacqueline Birk, Accommodation Provider (4:17 pm)
Dione Chambers, Greater Vernon Chamber of Commerce
Councillor Dalvir Nahal
Jenelle Brewer, Okanagan Indian Band (4:07 pm)
Gale Woodhouse, Arts & Culture
Matt Ball, Biking
Troy Hudson, Ski leave
Cecilia Guerrero, Accommodation Provider
Susan Lehman, Downtown Vernon Association

ABSENT: Ricardo Smith, Sports & Events
David Gibbs, Accommodation Provider
Myles Johnson, Golf
Mary-Jo O'Keefe, Restaurant

STAFF: Kevin Poole, Staff Liaison, Manager, Economic Dev. & Tourism
Ange Chew, Manager, Tourism
Torrie Silverton, Tourism Coordinator
Janice Nicol, Legislative Committee Clerk

ORDER The meeting was called to order at 4:05 p.m.

ADOPTION OF AGENDA Moved by Kevin O'Brien, seconded by Matt Ball:

THAT the agenda for Thursday, November 15, 2018 Tourism Advisory Committee be adopted.

CARRIED.

ADOPTION OF MINUTES Moved by Kevin O'Brien, seconded by Gale Woodhouse;

THAT the minutes of the Tourism Advisory Committee meeting held Wednesday, October 24, 2018 be adopted.

TOURISM ADVISORY COMMITTEE MINUTES – NOVEMBER 15, 2018

CARRIED.

UNFINISHED BUSINESS

REVIEW TERMS OF REFERENCE

The Staff Liaison reviewed Bylaw #5683 which includes the Terms of Reference for the Commission. The following points were noted:

- The distinct differences – Advisory Committee provides advice to Council, - Commission - Council gives authority to operate according to budget, anything outside the budget plan needs Council approval. Co-op marketing request at \$5000 and under can be approved in-house, over \$5000 can now be decided by Commission.
- At the October 24, 2018 Tourism Commission meeting, there was discussion over procurement. This is not the role of the Commission and is outside the Terms of Reference.
- The challenges currently being experienced in term of delays over procurement need to be resolved by staff.
- The Commission questioned why things previously approved as part of the budget need to go through the procurement process? Why the procurement process if a Commission has been established?
- According to the establishing Bylaw, Section 7.3 - purchases must go through the corporate purchasing policy.
- The Commission would like to pursue a different process for tourism related items as six months is too long for procurement and is having a negative effect.
- The City is still responsible for tax dollars spent and a balance needs to be found. Suggestion of a minimum spend limit. There are additional circumstances to things like TV purchases as options are limited.
- Further discussion on this topic to follow as more information becomes available.

EMERGENCY PLAN DISCUSSION

- The Staff Liaison advised that there is a City of Vernon Emergency Plan developed in 2018.
- It was agreed that there needs to be a specific marketing plan for Tourism along with a recovery plan for businesses.
- Only 11% of businesses that applied for disaster relief in Grand Forks were successful.
- Need to be careful that messaging is reflective of actual weather conditions.
- Although it is difficult to get messaging out as Tourism Vernon, it's more effective when put out by our larger partners as long as message does not go international.

TOURISM ADVISORY COMMITTEE MINUTES – NOVEMBER 15, 2018

- Suggestion to the Marketing Committee that they develop protocols for emergencies and ensure that these protocols are in line with other City plans.
- Suggestion to create an emergency sub-committee that works with the City's Emergency Operations Centre to allow consistent messaging.
- Destination B.C. did have some guidelines that will be shared with tourism partners in January.

MRDT DISCUSSION CONTINUED

The Manager, Tourism reviewed previous calculations for the MRDT – since the inception of 3% collection, the tourism event program and an administration fee is deducted from the 3%. Gross numbers are used for event planning and other reporting is done at net for comparison purposed.

AirBnB collection has also started- there will be three month lag time

It was noted that in July, MRDT was 3% down in revenue, August was flat but overall, there has been a 3.7% growth rate.

NEW BUSINESS

RAIL TRAIL PROMOTION The Manager, Tourism noted the following:

- Meeting occurred in Lake Country, with RDNO, Lake Country and City of Kelowna, Okanagan Indian Band was not in attendance
- Planning a workshop in December with key stakeholders, suggestion that someone from Commission attends to talk about branding. Thompson Okanagan Tourism Association has made a pitch along with Gatzke Orchards.
- Updates to Commission will follow.
- Suggestion – host a 'Sculpture by the Seat' event placing sculptures along the Rail Trail, event could also involve music and activities. This event would fall into the Arts and Culture mandate.
- For Rail Trail promotion, there are assets – video and good imagery currently on file but some winter imagery is currently out for bid. Challenges can also be put out through the Arts Council for imagery as long as the photographer is credited.

Moved by Jenelle Brewer, seconded by Susan Lehman:

THAT the Tourism Commission authorizes the Chair to provide a letter of support to the Regional District of North Okanagan for the

TOURISM ADVISORY COMMITTEE MINUTES – NOVEMBER 15, 2018

Arts Council of the North Okanagan's project funding application for an Arts and Culture event to coincide with the opening of the Rail Trail.

CARRIED.

ASIAN MARKETS – IMPORTANCE OF GROWING CHINESE/ASIAN MARKET READINESS

At the October meeting, there was an interest in ensuring we had a market ready situation for Asian tourists. The following points were noted:

- Torrie Silverthorn recently attended a TIABC presentation on the Chinese market and will have some information for the open house on January 17, 2019. Jacqueline/Claus/Cecilia to do a presentation on 'how to be market ready' for the Asian market to key stakeholders. Suggestion to also target Australian tourists.

DESTINATION BC MEETING

There is interest in encouraging Destination Marketing Organizations to strengthen ties with regional rep: aka Thompson Okanagan Tourism Association. The following additional points were noted:

- Current interest is encouraging with continued sector and marketing projects funding. Challenge continues with building relationships with TOTA, there are some opportunities for collaboration.

QUESTIONS - ROUNTABLE

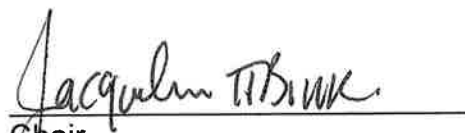
- There is interest in the film industry for Vernon, Kamloops has partnered with post-secondary institutions to offer a film school. Suggestion to do something similar in Vernon.
- Suggestion to have a seasonal asset list and develop a single iconic thing to do in Vernon.
- Suggestion to access MRDT funding for community mapping and promotion of things to do in the area (Moon Rocks up by King Edward Reservoir, Kal Park waterfall in spring, etc.)
- The Commission would like to see more indigenous tourism opportunities in Vernon. Possibility of offering retail spaces through the Visitor Info Centre for indigenous dancers and artists.
- Suggestion to have some sort of outdoor museum information at the Mosaic River in Cenotaph Park.
- Should Silver Star Mountain Resort be successful in forming their own tourism association, Associated Memberships should be discussed (next agenda).
- CrowdRiff statistics can be gathered to indicate what are the most popular activities and can assist in determining what is missing.

TOURISM ADVISORY COMMITTEE MINUTES – NOVEMBER 15, 2018

INFORMATION ITEMS:

ACCOMMODATION TRACKING	NONE
VISITOR INFO CENTRE STATISTICS	The Committee reviewed the statistics for the Visitor Info Centre.
MUNICIPAL & REGIONAL DISTRICT TAX (MRDT) UPDATE	The Committee reviewed the statistics for the Municipal & Regional District Tax.
GETTING READY FOR CANNABIS	A link was provided to an article in BC Business regarding being prepared for the legalization of cannabis.
MEDIA	The Manager, Tourism reviewed various media information including events, conferences, hosting opportunities and articles, etc. that have happened and are upcoming.
DATE AND TIME OF NEXT MEETING	The next meeting of the Tourism Advisory Committee is tentatively scheduled for Wednesday, December 19, 2018 at 8:00 a.m. in the Okanagan Lake Room.
ADJOURNMENT	The Tourism Advisory Committee meeting adjourned at 5:38 a.m.

CERTIFIED CORRECT:


Chair