



THE CORPORATION OF THE CITY OF VERNON

A G E N D A

REGULAR OPEN MEETING OF COUNCIL

CITY HALL COUNCIL CHAMBER

MONDAY, FEBRUARY 25, 2019

AT 8:40 AM

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

1. CALL REGULAR MEETING TO ORDER AND MOVE TO COMMITTEE OF THE WHOLE

2. RESOLUTION TO CLOSE MEETING

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

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

3. ADJOURN TO OPEN COUNCIL AT 1:30 PM

A. THAT the Agenda for the February 25, 2019, Regular Open Meeting of Council be adopted as circulated.

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

A. THAT the minutes of the Regular Meeting of Council held February 11, 2019 be adopted; **(P. 15)**

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held February 11, 2019, be received.

5. BUSINESS ARISING FROM THE MINUTES

AGENDA

MINUTES

6. GENERAL MATTERS**PRESENTATION –
GOVERNMENT FINANCE
OFFICERS ASSOCIATION
AWARD (P. 30)**

- A. Mayor Cumming will present the Canadian Award for Financial Reporting Achievement to Ms. Debra Law, Director of Financial Services & Staff.

**DELEGATION – VERNON
SOCCER ASSOCIATION –
DOGS OFF LEASH AT
MARSHALL FIELDS (P. 32)**

- B. Darrell Buckham, Director of Fields, Vernon Soccer Association will attend to present on behalf of the Association regarding the issue of dogs off leash at Marshall Fields.

**DELEGATION – VERNON
COMMUNITY RADIO
SOCIETY – REQUEST FOR
SUPPORT FOR CRTC
APPLICATION (P. 35)**

- C. Gordon Leighton, President, Vernon Community Radio Society will attend to request Council support for the Society's application to the Canadian Radio and Telecommunications Commission (CRTC).

**DELEGATION – NORTH
VALLEY GYMNASTICS
SOCIETY – REQUEST FOR
GRANT FUNDING
(P. 45)**

- D. Robin Nanji, President, Paul Jeffry Williamson, Director and Garry Mugridge, Director, North Valley Gymnastics Society will attend to request consideration for a \$75,000 grant from the City of Vernon and further, will request that this item be dealt with at the February 25, 2019 Regular meeting.

**DELEGATION – GREATER
VERNON CHAMBER OF
COMMERCE (P. 64)**

- E. Diana Wilson, President, Greater Vernon Chamber of Commerce will attend to provide an update on activities of the Chamber.

THAT Council receives the update report as provided by Diana Wilson, President, Greater Vernon Chamber of Commerce at the February 25, 2019 Regular Council meeting.

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION DVP00446
FOR 9738 DELCLIFFE
ROAD (P. 123)**

- F. THAT Council support the Development Variance Permit application submitted by Ryan Molitwenik of Heartwood Homes Ltd. to vary the minimum riparian area setback as set out in Section 4.13.2 of Zoning Bylaw #5000 from 15.0m from the High Water Mark of Okanagan Lake to 0.0m from the High Water Mark of Okanagan Lake in order to construct a two storey single family dwelling on Lot 21, Plan 10667, Sec 4, Tp 13, ODYD (9738 Delcliffe Road), subject to the following:

- a) the site and elevation plans, intended to illustrate the general form, character and massing of the proposed residence and noted as Attachment 1 in the report titled “Development Variance Permit Application for 9738 Delcliffe Road” and dated January 16, 2019 by the Manager, Current Planning be attached to and form part of DVP00415 as Schedule ‘A’;
- b) a Water Sustainability Act application;
- c) a legal survey to determine if any works are below the present natural boundary and if found to be so, an approval of a Crown Land Foreshore Tenure including ensuring public access if required by the Province; and
- d) registration of a Section 219 Restrictive Covenant (Flooding Covenant) on the subject property, that would indemnify and save the City harmless in the event of a flood or damage caused by proximity to high water and related wave action.

Public Input – DVP #00446

- i. Public Input on Development Variance Permit #00446 to vary the minimum riparian area setback as set out in Section 4.13.2 of Zoning Bylaw #5000 from 15.0m from the High Water Mark of Okanagan Lake to 0.0m from the High Water Mark of Okanagan Lake in order to construct a two storey single family dwelling on Lot 21, Plan 10667, Sec 4, Tp 13, ODYD (9738 Delcliffe Road)

Issuance of Permit #00446

- ii. THAT the Corporate Officer be authorized to issue Development Variance Permit #00446 to vary the minimum riparian area setback as set out in Section 4.13.2 of Zoning Bylaw #5000 from 15.0m from the High Water Mark of Okanagan Lake to 0.0m from the High Water Mark of Okanagan Lake in order to construct a two storey single family dwelling on Lot 21, Plan 10667, Sec 4, Tp 13, ODYD (9738 Delcliffe Road), once all conditions of Council are satisfied.

7. COUNCIL INQUIRIES

**ADMINISTRATION
UPDATES (P. 140)**

8. ADMINISTRATION UPDATES

- A. THAT Council receive the Administration Updates dated February 25, 2019.

9. UNFINISHED BUSINESS**TRAVEL AND EXPENSE
POLICY – MAYOR,
COUNCIL, BOARDS AND
COMMITTEES (P. 142)**

- A. THAT Council adopt the amended “Travel and Expense Policy – Mayor, Council, Boards and Committees” as presented in the memorandum dated February 13, 2019, of the same title and respectfully submitted by the Manager, Legislative Services.

**URBAN BEEKEEPING
REGULATION UPDATES
(P. 149)**

- B. THAT Council receive the report titled *Urban Beekeeping Regulation Updates*, dated February 11, 2019 from the Environmental Planning Assistant and endorse the following bylaw amendments in support of urban beekeeping in the City of Vernon:

- amend Animal Regulations and Animal Pound Bylaw #5252 (Attachment 1),
- text amend Zoning Bylaw #5000 (Attachment 2),
- amend Bylaw Notice Enforcement Bylaw #5250 (Attachment 3),
- amend Municipal Ticketing Information System Bylaw #5300 (Attachment 4), and
- repeal Bee Keeping Bylaw #4987 (Attachment 5);

AND FURTHER, that Council direct Administration to schedule the first, second and third reading of the proposed amendments to Animal Regulations and Animal Pound Bylaw #5252, Bylaw Notice Enforcement Bylaw #5250, Municipal Ticketing Information System Bylaw #5300, and Bee Keeping Bylaw #4987 at its Regular Meeting of March 11, 2019;

AND FURTHER, that Council direct Administration to schedule the first and second reading of the proposed text amendments to Zoning Bylaw #5000 at its Regular Meeting of March 11, 2019, and a subsequent Public Hearing at its Regular Meeting of March 25, 2019;

AND FURTHER, that Council direct Administration to schedule the final readings of the proposed amendments to Animal Regulations and Animal Pound Bylaw #5252, Bylaw Notice Enforcement Bylaw #5250, Municipal Ticketing Information System Bylaw #5300, Bee Keeping Bylaw #4987, and Zoning Bylaw #5000 at its Regular Meeting of April 8, 2019.

**SILGA – PROVINCIAL
FOREST MANAGEMENT
(P. 173)**

- C. THAT Council directs administration to submit a resolution pertaining to Provincial Forest Management to the Southern Interior Local Government Association (SILGA) 2019 convention, as follows:

‘WHEREAS the wildfire burden to BC’s society, economy and environment over the last decade can be measured in billions of dollars;

AND WHEREAS, successive provincial governments have significantly underfunded mitigation programs;

AND WHEREAS, the current wildfire management strategy is overly reliant on FireSmart, placing wildfire risk mitigation at the homeowner level while much of the land requiring treatment is government controlled;

AND WHEREAS, the BC government inconsistently mitigates natural disasters;

*THEREFORE BE IT RESOLVED that UBCM support lobbying the provincial government to support and implement changes to its wildfire **mitigation** practices to significantly fund Wildland Urban Interface (WUI) fuels treatments, provide fire resilient communities and to maintain an effective wildfire response capability.’*

**2019 SILGA RESOLUTION
SUBMISSION – DISASTER
RESPONSE (P. 174)**

- D. THAT Council directs Administration to submit a resolution pertaining to ‘Disaster Response’ to the 2019 Southern Interior Local Government Association Convention as follows:

‘WHEREAS, many areas across the Province have suffered through a range of natural disasters that require the resources and response from all levels of government; and

WHEREAS, some natural disasters, such as flooding, can be reasonably predicted in advance of the actual disaster, and municipalities require Provincial and Federal approvals to mitigate potential impact;

THEREFORE, be it resolved that UBCM approach the Province of BC to ensure sufficient Provincial staff are in place to administer necessary permitting processes, and to work with local jurisdictions such that imminent disasters are mitigated in advance of potential loss of life and serious destruction of private and public property.’

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

11. NEW BUSINESS

A. Correspondence:

SOCIAL PLANNING COUNCIL – REQUEST FOR LETTER OF SUPPORT – FEDERAL GRANT PROGRAM (P. 177)

- (i) THAT Council directs the Mayor, on behalf of Council, to provide a letter of support to the Social Planning Council for the North Okanagan’s application to the federal government’s *Reaching Home: Canada’s Homelessness Strategy* for Vernon to become a designated community.

CLAREMONT SEWER LOCAL AREA SERVICE (P. 178)

- (ii) THAT Council receive the memorandum titled “Claremont Sewer Local Area Service” from the Municipal Technician III, Infrastructure Management, dated February 12, 2019;

AND FURTHER, that Council endorse the Claremont Sewer Local Area Service petition process as presented in the internal memorandum titled “Claremont Sewer Local Area Service” dated February 12, 2019, and respectfully submitted by the Municipal Technician III.

PETERS ROAD SANITARY SEWER SERVICE (P. 188)

- (iii) THAT Council endorse the use of \$53,000 from Sanitary Sewer Collection Reserves to fund installation of the sewer collector pipe with cost recovery by way of a fee bylaw for Service Area A1, in accordance with Section 194 of the *Community Charter*, as provided in the memorandum titled “Peters Road Sanitary Sewer Service” from the Municipal Technician III, Infrastructure Management, dated February 13, 2019.

GOVERNMENT OF CANADA’S RURAL AND NORTHERN IMMIGRATION PILOT (P. 191)

- (iv) THAT Council supports Administration submitting an application for the Government of Canada’s Rural and Northern Immigration Pilot Program by the Manager, Economic Development and Tourism by March 1, 2019.

2019 VIRTUAL VERNON BUSINESS WALKS SURVEY (P. 195)

- (v) THAT Council receive for information the memorandum titled 2019 Virtual Vernon Business Walks Survey dated February 15, 2019 from the Economic Development Planner;

AND FURTHER, that Council direct Administration to share the 2019 Virtual Business Walks Survey Results with participating businesses and business support agencies.

**NEW FRONT COUNTER
SAFE WORK
PROCEDURE POLICY
(P. 208)**

- (vi) THAT Council receive for information the Internal Memorandum titled “New Front Counter Safe Work Procedure Policy”, including the “Front Counter Safe Work Procedures” Administrative Policy (Attachment 1), dated February 14, 2019 and respectfully submitted by the Manager of Revenue Services.

**FEES & CHARGES
BYLAW AMENDMENTS –
ATHLETIC COMMISSION
(P. 216)**

- (vii) THAT Council support an amendment to the City of Vernon Fees and Charges Bylaw #3909, to remove Section 4 – “City of Vernon Athletic Commission Fees”, as shown in Attachment 1 of the memorandum dated February 14, 2019, from the Deputy CAO.

**FEES & CHARGES
BYLAW AMENDMENTS –
BYLAW COMPLIANCE
(P. 219)**

- (viii) THAT Council support amendments to the City of Vernon Fees and Charges Bylaw #3909, in relation to various fees within the Bylaw Compliance Division, as attached to the memorandum dated February 14, 2019, from the Senior Bylaw Compliance Officer.

B. Reports:

**PROPOSED
AMENDMENTS TO THE
FEES AND CHARGES
BYLAW #3909 (P. 235)**

- (i) THAT Council support revisions to the Fees and Charges Bylaw #3909 as identified on Attachment 1 in the report titled Proposed Amendments to the Fees and Charges Bylaw #3909, dated February 13, 2019 by the General Manager, Public Works.

**PROPOSED AMENDMENTS
TO BYLAW #3909 (FEES AND
CHARGES) (P. 239)**

- (ii) THAT Council supports amendments to Bylaw #3909 (Fees and Charges) as shown in red on Attachment 1 to the report titled Proposed Amendments to Bylaw #3909 (Fees and Charges) and dated February 14, 2019 and submitted by the Manager, Legislative Services.

**CLIMATE ACTION TASK
FORCE
RECOMMENDATIONS –
FOR DECISION (P. 243)**

- (iii) THAT Council amend the status of the Climate Action Task Force from a Task Force to an Advisory Committee and adopt the Amended Terms of Reference: Climate Action Advisory Committee (Attachment 2);

AND FURTHER, that Council amend the Terms of Reference for the Climate Action Task Force to include a voting member from the Okanagan Indian Band;

AND FURTHER, that Council formally request that the Okanagan Indian Band consider appointing a member as a representative on the Climate Action Advisory Committee;

AND FURTHER, that Council join the Partners for Climate Protection Program by adopting Attachment 4, the “Council Resolution to Join the Federation of Canadian Municipalities – ICLEI (Local Governments for Sustainability) Partners for Climate Protection Program”;

AND FURTHER, that Council direct Administration to pursue becoming a formal member of the Partners for Climate Protection Program.

**REZONING AND
DEVELOPMENT
VARIANCE PERMIT
APPLICATIONS FOR 4800,
4808, 4816, 4824, 4940,
5012 SILVER STAR ROAD
(P. 256)**

- (iv) THAT Council support the application to rezone Lot 3, Plan KAP90756, Sec 2, Twp 8, ODYD (5012 Silver Star Road), Lot A, Plan 39472, Sec 2, Twp 8, ODYD (4940 Silver Star Road) and Lot 5, Plan KAP83899, Sec 2, Twp 8, ODYD (4824 Silver Star Road) from RR – Rural Residential to I1 – Light Industrial;

AND FURTHER, that Council support the application to rezone a portion of Lots 2, 3 and 4, Plan KAP83899, Sec 2, Twp 8, ODYD (4800, 4808, 4816 Silver Star Road) that is located within the top of the bank area from R7 – Mobile Home Residential to C5 – Community Commercial;

AND FURTHER, that Council support of ZON00322 is subject to the following:

- a) That the owner registers a blanket easement on the titles of 5012, 4940, 4824, 4816, 4808 and 4800 Silver Star Road for private road access, shared parking and private utility corridor;
- b) That Lot A, Plan 39472, Sec 2, Twp 8, ODYD (4940 Silver Star Road) and Lot 5, Plan KAP83899, Sec 2, Twp 8, ODYD (4824 Silver Star Road) be consolidated;

- c) That Lots 2, 3 and 4, Plan KAP83899, Sec 2, Twp 8, ODYD (4800, 4808, 4816 Silver Star Road) be consolidated;
- d) That the owner is to dedicate road right-of-way widening adjacent to Silver Star Road on Lot A, Plan 39472, Sec 2, Twp 8, ODYD (4940 Silver Star Road) and Lot 5, Plan KAP83899, Sec 2, Twp 8, ODYD (4824 Silver Star Road); and
- e) That an environmental monitor will be retained by the owner as condition of development permit, primarily to ensure that within the identified wildlife movement corridor no development and/or soil disturbance will occur outside of the identified development footprint, and that the owner is to provide a monetary security in the amount of 125% of the estimated costs of the environmental works and monitor, as approved by Administration;

AND FURTHER, that Council support Development Variance Permit application #DVP00447 to vary the following sections of Zoning Bylaw #5000 to allow for an industrial development to be constructed on Lot 3, Plan KAP90756, Sec 2, Twp 8, ODYD (5012 Silver Star Road):

- a) to vary the minimum east side yard setback from 10.0m to 7.0m (Section 11.1.5);
- b) to vary the minimum rear yard setback from 6.0m to 3.0m (Section 11.1.5);
- c) to vary the minimum landscape buffer on the rear yard from 2.0m to 0.0m (Section 6.6.2, Table 6.1); and
- d) to vary the parking space requirement for light industrial use in the I1 – Light Industrial zoning district from 2.0 spaces per 100m² to 1.4 spaces per 100m² (Section 7, Table 7.1);

AND FURTHER, that Council support Development Variance Permit application #DVP00447 to vary the following sections of Zoning Bylaw #5000 to allow for an industrial development to be constructed on Lot A, Plan 39472, Sec 2, Twp 8, ODYD (4940 Silver Star Road):

- a) to vary the minimum front yard setback from 7.5m to 1.1m (Section 11.1.5);
- b) to vary the minimum landscape buffer on the front yard from 3.0m to 1.0m (Section 6.6.2, Table 6.1); and
- c) to vary the parking space requirement for light industrial use in the I1 – Light Industrial zoning district from 2.0 spaces per 100m² to 1.4 spaces per 100m² (Section 7, Table 7.1);

AND FURTHER, that Council support Development Variance Permit application #DVP00447 to vary the following sections of Zoning Bylaw #5000 to allow for an industrial development to be constructed on Lot 5, Plan KAP83899, Sec 2, Twp 8, ODYD (4824 Silver Star Road):

- a) to vary the minimum front yard setback from 7.5m to 1.1m (Section 11.1.5);
- b) to vary the minimum landscape buffer on the front yard from 3.0m to 1.0m (Section 6.6.2, Table 6.1);
- c) to vary the minimum rear yard setback from 6.0m to 3.0m (Section 11.1.5);
- d) to vary the minimum landscape buffer on the rear yard from 2.0m to 0.0m (Section 6.6.2, Table 6.1); and
- e) to vary the parking space requirement for light industrial use in the I1 – Light Industrial zoning district from 2.0 spaces per 100m² to 1.4 spaces per 100m² (Section 7, Table 7.1);

AND FURTHER, that Council support of DVP00447 is subject to the following:

- a) the owner is to enter into a Works Contribution Agreement for off-site works along Pleasant Valley Road adjacent to the subject property at the time of development of the adjacent lot;
- b) the owner is to provide additional bicycle parking stalls beyond the minimum Zoning Bylaw #5000 requirement;

- c) the owner is to provide a parking study six months after occupation of phases one and two to demonstrate whether the parking supply meets the parking demand and providing recommended mitigation measures; and
- d) that the site, floor, elevation and landscaping plans, Environmental Site Review and Transportation Impact Assessment generally shown as Attachments 2 to 6 inclusive and Attachments 10 and 11 in the report titled “Rezoning And Development Variance Permit Applications for 4800, 4808, 4816, 4824, 4940, 5012 Silver Star Road” and dated February 13, 2019 by the Economic Development Planner be attached to and form part of DVP00447 as Schedule ‘A’.

12. LEGISLATIVE MATTERS

Bylaws:

ADOPTION

- 5735

- (i) THAT Bylaw #5735, “**Cemetery Amendment (Fees & Charges 2019 – 2021) Bylaw Number 5735, 2019**” – a bylaw to amend “The City of Vernon Cemetery Bylaw Number 3472, 1987” be **adopted. (P. 350)**

- 5733

- (ii) THAT Bylaw #5733, “**Claremont Water Service Parcel Tax Roll Bylaw Number 5733, 2019**” – a bylaw to direct the preparation of a parcel tax roll for Claremont Water Local Service Area, be **adopted. (P. 353)**

- 5734

- (iii) THAT Bylaw #5734, “**Claremont Water Service Parcel Tax Bylaw Number 5734, 2019**” – a bylaw to impose a parcel tax for Claremont Water Local Service, be **adopted. (P. 356)**

FIRST, SECOND & THIRD READINGS

- 5737

- (iv) THAT Bylaw #5737, “**Subdivision and Development Servicing (Approval Period) Amendment Bylaw Number 5737, 2019**” – a bylaw to amend the City of Vernon Subdivision and Development Servicing Bylaw #3843, 1992, be **read a first, second and third time. (P. 359)**

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

- 5736

- (v) THAT Bylaw #5736, "**Silver Star Gateway Business Park Rezoning Amendment Bylaw Number 5736, 2019**" – a bylaw to rezone the subject properties from 'RR – Rural Residential' to 'I1 – Light Industrial' AND 'R7 – Mobile Home Residential' to 'C5 – Community Commercial', be **read a first and second time**;

AND FURTHER, that the Public Hearing for Bylaw **#5736, along with** Public Input for DVP00447 be scheduled for **Monday, March 25, 2018, at 5:30 pm**, in Council Chambers. **(P. 361)**

13. COUNCIL INFORMATION UPDATES

- A. Mayor and Councillors Reports.

14. INFORMATION ITEMS

- A. Email dated February 12, 2019 from Alison Slater, Executive Director, Southern Interior Local Government Association, re: 2019 SILGA Community Excellence Awards – deadline Extension to March 1 **(P. 364)**

- B. Minutes from the following Committees of Council:

- (i) Tax Roll Review Panel, January 26, 2017 **(P. 368)**
- (ii) Affordable Housing Advisory, June 28, 2018 **(P. 370)**
- (iii) Advisory Planning, January 22, 2019 **(P. 374)**

15. CLOSE OF MEETING