



THE CORPORATION OF THE CITY OF VERNON

A G E N D A

REGULAR OPEN MEETING OF COUNCIL

CITY HALL COUNCIL CHAMBER

MONDAY, MAY 27, 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:*
 - d) the security of the property of the municipality;
 - e) *the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
 - i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - k) *negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public*
3. **ADJOURN TO OPEN COUNCIL AT 1:30 PM**
 - A. THAT the Agenda for the May 27, 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**

AGENDA

MINUTES

- A. THAT the minutes of the Regular Meeting of Council held May 13, 2019 be adopted; **(P. 15)**

(P. 36)

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held May 13, 2019 be received.

5. BUSINESS ARISING FROM THE MINUTES

6. GENERAL MATTERS

**DELEGATION: NO IDLING
REGULATION (P. 38)**

A.

(P. 39)

7. COUNCIL INQUIRIES

8. ADMINISTRATION UPDATES

- A. THAT Council receive the Administration Updates dated May 27, 2019. **(P. 55)**

9. UNFINISHED BUSINESS

**2019 CANADA DAY
SCHEDULE OF ACTIVITIES
(P. 59)**

- A. THAT Council endorses the July 1, 2019 Canada Day activities in Polson Park as presented to Council by Mr. David Frost, President, North Okanagan Canada Day Society (NOCDS); at the March 25, 2019 meeting of Council and attached to the memorandum dated May 27, 2019 from the Manager, Financial Planning & Reporting;

AND FURTHER, that Council reconfirms the appointment of Councillor Scott Anderson as the Council Liaison to the Canada Day Society, and confirms that as a Council Liaison he shall provide direction and control on all plans and arrangements made by the NOCDS so as to be able to resolve any issues or changes in plans to ensure the City's interests are safeguarded;

AND FURTHER, that Council endorses the proposed fireworks display from a barge on Okanagan Lake subject to approval from the RCMP and proof of liability insurance by the contractor naming the City and the Society as additional insured;

AND FURTHER, that Council approves the provision of liability insurance through the City's carrier for the 2019 Canada Day festivities in Polson Park;

AND FURTHER, that Council directs Administration to ensure liability insurance policies which name both the City and NOCDS as additional insured are in place in relation to the dog agility, horse and carriage rides, ATV display and train rides, extreme motocross, skateboard competition and fireworks display as well as signed waivers of liability prior to those events proceeding;

AND FURTHER, that Council directs Administration to issue a business licence to NOCDS at no cost;

AND FURTHER, that Council approves ‘in-kind’ items requested (use of Polson Park, tables, chairs, parks keys, parks employees on site, 6 porta potties, two large Canadian flags, on site traffic control, temporary entertainment permit) to the NOCDS for 2019 Canada Day activities.

**SKY (CHINESE) LANTERNS
PROHIBITED BY FIRE
SERVICES BYLAW #5635
(P. 64)**

- B.** THAT Council receive the memorandum titled Sky (Chinese) Lantern Prohibited by Fire Services Bylaw #5635, dated May 15, 2019, as respectfully submitted by the Director of Fire Services, for information.

**SHORT TERM RENTAL
REGULATIONS -
PLANNING PROCESS
(P. 66)**

- C.** THAT Council support the proposed process to develop regulations for short term rentals, as outlined in the report titled “Short term Rental Regulations Planning Process”, dated May 16, 2019, from the Economic Development Planners;

AND FURTHER, that Council authorize Administration to initiate the consultation component of this process by November, 2019, with draft Short Term Rental Regulations being submitted to Council in the spring, 2020.

**TOWN HALL MEETING –
FACILITATOR SELECTION
FROM REQUEST FOR
PROPOSALS**

- D.** ***This item will be distributed to Council on Friday, May 24, 2019***

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

11. NEW BUSINESS

- A.** Correspondence:

**YOUNG AGRARIAN LAND
MATCHING PROGRAM
(P. 70)**

- (i) THAT Council respectfully decline City of Vernon participation in the 2019 grant request to the Young Agrarians Land Matching Program as forwarded by the Regional District North Okanagan (RDNO) Board and City of Vernon participation in a proposed RDNO service for implementation items that arise from regional planning.

**ACTIVE LIVING CENTRE
FEASIBILITY STUDY RFP –
BUDGET ADJUSTMENT
(P. 105)**

- (ii) THAT Council authorize Administration to fund the additional \$50,000 required for the Active Living Centre Feasibility Study, from the Recreation Services Major Maintenance Reserve Fund, as presented in the memorandum dated May 7, 2019, from the Director, Recreation Services.

**ENTREPRENEUR
IMMIGRATION – REGIONAL
PILOT (P. 107)**

- (iii) THAT Council endorse the proposed approach to reviewing Business Plans and nominating entrepreneurs' under the Provincial Nominee Program Entrepreneur Immigration – Regional Pilot, as outlined in the memorandum titled "Entrepreneur Immigration – Regional Pilot", dated May 13, 2019, from the Manager of Economic Development and Tourism.

**COUNCIL DISCRETIONARY
GRANT APPLICATIONS –
APRIL 30 INTAKE (P. 110)**

- (iv) THAT Council approves the recommendations regarding the Council Discretionary Grants from the Finance Committee as follows:
1. THAT Council **deny** a Council Discretionary Grant to 1705 BC Dragoons (Vernon Army Cadets) in the amount of \$10,000 as the City of Vernon has limited funds for disbursement.
 2. THAT Council **deny** a Council Discretionary Grant to Cycling Without Age: Schubert Centre Sponsor in the amount of \$3,500 as they do not meet the discretionary grant policy criteria.
 3. THAT Council **deny** a Council Discretionary Grant to Fetal Alcohol Spectrum Disorder (FASD) Okanagan Valley Assessment & Support in the amount of \$10,500 as the City of Vernon has limited funds for disbursement.
 4. THAT Council **approve, on a one time basis**, a Council Discretionary Grant to the Food Action

Society of the North Okanagan in the amount of \$2,000 to develop a backyard community garden sharing network, promote and encourage participation by providing free public talks, printing posters and advertising, purchase material for garden building.

5. THAT Council **deny** a Council Discretionary Grant to the Friends of the Okanagan Rail Trail in the amount of \$5,000 as the City of Vernon has limited funds for disbursement.
6. THAT Council **approve, on a one time basis,** a Council Discretionary Grant to H.O.P.E. (Helping Out People Exploited) in the amount of \$2,000 of the original request of \$3,500 to purchase outreach supplies.
7. THAT Council **deny** a Council Discretionary Grant to JCI Vernon in the amount of \$15,000 as the City of Vernon has limited funds for disbursement.
8. THAT Council **deny** a Council Discretionary Grant to John Rudy Health Resource Centre Association in the amount of \$12,500 as the City of Vernon has limited funds for disbursement.
9. THAT Council **deny** a Council Discretionary Grant to Mothers Against Drunk Driving (MADD) Central Okanagan in the amount of \$5,000 as the City of Vernon has limited funds for disbursement.
10. THAT Council **deny** a Council Discretionary Grant to Maven Lane (North Okanagan Child Care Society) in the amount of \$25,000 as the City of Vernon has limited funds for disbursement.
11. THAT Council **deny** a Council Discretionary Grant to North Valley Gymnastics Society in the amount of \$25,000 as they do not meet the discretionary grant policy criteria.
12. THAT Council **approve, on a one time basis,** a Council Discretionary Grant to Okanagan Quality Life Society in the amount of \$2,533 to cover unforeseen, but necessary maintenance of the pontoon boat (replace seat covers and Bimini top).

13. THAT Council **deny** a Council Discretionary Grant to Powerhouse Theatrical Society in the amount of \$10,000 as the City of Vernon has limited funds for disbursement.
14. THAT Council **deny** a Council Discretionary Grant to Schubert Centre Society in the amount of \$9,008 as the City of Vernon has limited funds for disbursement.
15. THAT Council **approve, on a one time basis**, a Council Discretionary Grant to Southern Interior Safe Boating Society in the amount of \$2,500 to support program operations for boat fuel and maintenance.
16. THAT Council **deny** a Council Discretionary Grant to The Bridge Educational Society in the amount of \$10,000 as the City of Vernon has limited funds for disbursement.
17. THAT Council **approve, on a one time basis**, a Council Discretionary Grant to Vernon & District Association for Community Living in the amount of \$2,500 of the original \$5,400 request for the purchase of a sea can.
18. THAT Council **approve, on a one time basis**, a Council Discretionary Grant to Vernon Community Music School in the amount of \$5,000 to purchase equipment for the Music Explorers program.
19. THAT Council **deny** a Council Discretionary Grant to Vernon Elks Lodge No. 45 in the amount of \$10,000 as the City of Vernon has limited funds for disbursement.
20. THAT Council **approve, on a one time basis**, a Council Discretionary Grant to Vernon Horseshoe Club in the amount of \$6,000 of the original \$8,000 request for site preparation for the 2020 Provincial Championships.
21. THAT Council **deny** a Council Discretionary Grant to Vernon Jubilee Hospital Foundation in the amount of \$15,000 as the City of Vernon has limited funds for disbursement.

22. THAT Council **deny** a Council Discretionary Grant to Vernon Judo Club Parent's Association in the amount of \$12,000 as the City of Vernon has limited funds for disbursement.
23. THAT Council **approve, on a one time basis**, a Council Discretionary Grant to Vernon Native Housing Society in the amount of \$3,000 to assist with funding for summer youth programs including cultural workshops, healthy eating and outdoor activities.
24. THAT Council **deny** a Council Discretionary Grant to Vernon Restholm & Abbeyfield House in the amount of \$20,000 as the City of Vernon has limited funds for disbursement.
25. THAT Council **deny** a Council Discretionary Grant to Vernon Scottish Country Dancers in the amount of \$500 as the City of Vernon has limited funds for disbursement.
26. THAT Council **deny** a Council Discretionary Grant to Vernon Winter Carnival in the amount of \$10,000 and recommend that they consider applying for a Community Grant prior to the application deadline of September 30, 2019 for the 2020 budget year.

**MURAL MAINTENANCE
(P. 113)**

- (v) THAT Council approve the expenditure of \$10,000 from the Mural Maintenance Reserve to allow for maintenance of a portion of the downtown murals.

**31ST STREET ROAD AND
UTILITY REHABILITATION
(28TH AVENUE TO 30TH
AVENUE) (P. 114)**

- (vi) THAT Council endorse the use of \$120,000 from the Infrastructure Reserve to fund the 31st Street (28th Avenue to 30th Avenue) Road and Utility Project as outlined in the memorandum titled 31st Street Road and Utility Rehabilitation (28th Avenue to 30th Avenue) dated May 15, 2019, as submitted by the Municipal Technician III, Infrastructure;

AND FURTHER, that Council endorse the use of \$275,915 of Community Works Gas Tax Grant Reserve to fund the 31st Street (29th Avenue to 30th Avenue) Road and Utility Project.

**REQUEST FOR SPEED
LIMIT CHANGES (P. 116)**

- (vii) THAT Council receive the memorandum titled “Request for Speed Limit Changes”, dated May 15, 2019 by the Manager, Transportation for information.

B. Reports:**REVIEW OF OFFICIAL
COMMUNITY PLAN AND
ZONING AMENDMENT
APPLICATIONS FOR 4300 –
35TH AVENUE (P. 138)**

- (i) THAT Council support the proposed Official Community Plan amendment and concurrent rezoning of a portion of Lot A, Plan KAP68832, DL 70, ODYD Except Plan KAP80911 in order to realign the existing Official Community Plan designation of the subject property (Residential Medium Density (RMD)/Park) and to rezone the parcel from A3-Rural Small Holdings to RM1-Row Housing Residential and P1-Parks and Open Space, as outlined in the report titled “Review of Official Community Plan and Zoning Amendment Applications for 4300 – 35th Avenue” dated May 15, 2019 from the Manager, Current Planning subject to a No Build, No Disturb restrictive covenant being registered on title until such time that a Development Permit and subdivision including required road dedications is ready for issuance and approval;

AND FURTHER, that Council support waiving the open house for the proposed Official Community Plan Amendment application as per the corporate OCP Amendment Applications Policy and proceed directly to First and Second Readings and scheduling of a Public Hearing.

**REZONING APPLICATION
FOR 7497 AND 7501 BROOKS
LANE (P. 150)**

- (ii) THAT Council support the application to rezone the subject property located at 7497 and 7501 Brooks Lane from R1 (Estate Lot Residential) to C10A (Tourist Commercial and Residential) and P1 (Parks and Open Space) as outlined in the report titled “Rezoning Application for 7497 and 7501 Brooks Lane” dated May 15, 2019 by the Manager, Current Planning and Economic Development Planner, subject to the following conditions:
- a) Consolidation of Lot 1 DL 5372 Sec. 19 Twp. 9 ODYD Plan EPP31641 and Lot 2 DL 5373 into a single title;
 - b) Registration of a 6.0 m statutory right of way on the consolidated lot, upland of the higher of either the 343 m high water level, or the high water mark as established by the Ecosystems Branch of the Ministry of Forests, Lands, Natural Resource

Operations and Rural Development along the foreshore, in addition to a 2.0 m statutory right of way along the eastern boundary of Lot 1 DL 5373, to allow for public pedestrian access along the foreshore, and from the foreshore to Okanagan Landing Road;

- c) Removal of the existing garage/boathouse prior to construction of the 6.0 m statutory right of way on the consolidated lot if it conflicts with the location of the statutory right of way for pedestrian access along the foreshore.

AND FURTHER, that:

- a) Prior to final adoption of the zoning amendment bylaw, the Development Permit be ready to be issued and that any required variance to Zoning Bylaw #5000, as amended, be evaluated by Council and approved if appropriate.

**OFFICIAL COMMUNITY
PLAN AMENDMENT AND
REZONING APPLICATION
FOR PREDATOR RIDGE
NEIGHBOURHOOD PLAN
(P. 161)**

- (iii) THAT Council support the proposed Official Community Plan amendment and concurrent rezoning of a portion of Lot A, Plan KAP68832, DL 70, ODYD Except Plan KAP80911 in order to realign the existing Official Community Plan designation of the subject property (Residential Medium Density (RMD)/Park) and to rezone the parcel from A3-Rural Small Holdings to RM1-Row Housing Residential and P1-Parks and Open Space, as outlined in the report titled “Review of Official Community Plan and Zoning Amendment Applications for 4300 – 35th Avenue” dated May 15, 2019 from the Manager, Current Planning subject to a No Build, No Disturb restrictive covenant being registered on title until such time that a Development Permit and subdivision including required road dedications is ready for issuance and approval;

AND FURTHER, that Council support waiving the open house for the proposed Official Community Plan Amendment application as per the corporate OCP Amendment Applications Policy and proceed directly to First and Second Readings and scheduling of a Public Hearing.

**REGIONAL DISTRICT OF
NORTH OKANAGAN
REGIONAL HOUSING
NEEDS ASSESSMENT
REPORT – SUPPORT FOR
UBCM GRANT (P. 186)**

- (iv) THAT Council supports the Regional District of North Okanagan as the primary applicant to the Union of BC Municipalities for a Regional Housing Needs Report, as described in the report titled “Regional District of North Okanagan Regional Housing Needs Assessment Report – support of UBCM Grant” dated May 15, 2019 from the Manager, Long Range Planning and Sustainability;

AND FURTHER, that Council acknowledges that the Regional District of North Okanagan will apply for, receive and manage the grant, and that the grant will be used to develop Housing Needs Reports for each participating community and also include a broader discussion on regional housing needs.

12. LEGISLATIVE MATTERS

Bylaws:

ADOPTION

- 5689

- (i) THAT Bylaw #5689, “**9238 Chinook Road Land Use Contract Number 291, 1978 (P2461) Discharge Bylaw Number 5689, 2018**” - a bylaw to authorize the discharge of Land Use Contract Bylaw Number 291, 1978 (P2461), **be adopted**;

AND FURTHER, that the City Clerk be authorized to **issue** Development Variance Permit #00421, for Lot 17, Sec 11, TWP 13, ODYD, Plan 31060 (9238 Chinook Road) as all conditions of Council are satisfied;

AND FURTHER, that Administration forward a certified copy of Bylaw #5689, “**9238 Chinook Road Land Use Contract Number 291, 1978 (P2461) Discharge Bylaw Number 5689, 2018**” to the applicant’s legal counsel.(P. 209)

- Memorandum dated May 14, 2019, from Planning Assistant, re: Adoption of Bylaw 5678 and issuance of DVP #00421. (P. 212)

- 5748

- (ii) THAT Bylaw #5748, “**Recreation Services Fees and Charges (2019) Amendment Bylaw Number 5748, 2019**” – a bylaw to Amend Recreation Fees & Charges Bylaw Number 5472, **be adopted. (P. 214)**

- 5749 (iii) THAT Bylaw #5749, “**Animal Regulation and Animal Pound (Updates) Bylaw Number 5749, 2019**” – a bylaw to amend Animal Regulation and Animal Pound Bylaw Number 5252, be **adopted. (P. 267)**
- 5750 (iv) THAT Bylaw #5750, “**Bylaw Notice Enforcement (Animal Regulation and Animal Pound Updates) Amendment Bylaw Number 5750, 2019**” – a bylaw to amend the Bylaw Notice Enforcement Bylaw, be **adopted. (P. 275)**
- 5751 (v) THAT Bylaw #5751, “**Municipal Ticketing Information (Animal Regulation and Animal Pound Updates) Amendment Bylaw Number 5751, 2019**” - a bylaw to amend the Municipal Ticketing Information (M.T.I) Bylaw, be **adopted. (P. 279)**

FIRST, SECOND & THIRD READINGS

- 5459 (vi) THAT Bylaw #5759, “**Animal Regulation and Animal Pound (Urban Beekeeping – Fencing) Bylaw Number 5759, 2019**” – a bylaw to amend Animal Regulation and Animal Pound Bylaw Number 5252, be **read a first, second and third time. (P. 282)**

FIRST & SECOND READINGS & PUBLIC HEARING DATE

- 5754 (vii) THAT Bylaw #5754, “**4300 35th Avenue Official Community Plan Amendment Bylaw Number 5754, 2019**” – a bylaw to realign the boundaries of the subject property for “Residential – Medium Density” and “Parks & Open Space”, be **read a first and second time;**

AND FURTHER, that the Public Hearing for Bylaw #5754, be scheduled for **Monday, June 24, 2019**, at **5:30 pm**, in Council Chambers. **(P. 284)**

- 5755 (viii) THAT Bylaw #5755, “**4300 35th Avenue Rezoning Amendment Bylaw Number 5755, 2019**” – a bylaw to rezoning the subject property from “A3 – Rural Small Holdings” to “RM1 – Row Housing Residential” and “P1 – Parks and Open Space”, be **read a first and second time;**

AND FURTHER, that the Public Hearing for Bylaw #5755, be scheduled for **Monday, June 24, 2019**, at **5:30 pm**, in Council Chambers. **(P. 287)**

- 5756
 - (ix) THAT Bylaw #5756, "**Predator Ridge Neighbourhood Plan Official Community Plan Amendment Bylaw Number 5756, 2019**" – a bylaw to redesignate the subject property from "Residential – Low Density" to "Tourism Commercial", be **read a first and second time**;
 - AND FURTHER, that the Public Hearing for Bylaw #5756, be scheduled for **Monday, June 24, 2019**, at **5:30 pm**, in Council Chambers. **(P. 290)**

- 5757
 - (x) THAT Bylaw #5757, "**Predator Ridge Neighbourhood Plan Rezoning Amendment Bylaw Number 5757, 2019**" – a bylaw to rezone the subject property from "RTR – Resort Residential" to "RTCA Resort Commercial and Residential", be **read a first and second time**;
 - AND FURTHER, that the Public Hearing for Bylaw #5757, be scheduled for **Monday, June 24, 2019**, at **5:30 pm**, in Council Chambers. **(P. 293)**

- 5758
 - (xi) THAT Bylaw #5758, "**7497 and 7501 Brooks Lane Rezoning Amendment Bylaw Number 5758, 2019**" – a bylaw to rezone the subject properties from "R1-Estate Lot Residential" to "C10A – Tourist Commercial and Residential" and "P1-Parks and Open Space", be **read a first and second time**;
 - AND FURTHER, that the Public Hearing for Bylaw #5758, be scheduled for **Monday, June 24, 2019**, at **5:30 pm**, in Council Chambers. **(P. 297)**

13. COUNCIL INFORMATION UPDATES

- A. Mayor and Councillors Reports.

14. INFORMATION ITEMS

- A. Minutes from the following Committees of Council:
 - (i) Joint Biosolids, May 3, 2018 **(P. 300)**
 - (ii) Finance, August 16, 2018 **(P. 305)**
 - (iii) Transportation Advisory, November 22, 2018 **(P. 309)**
 - (iv) Climate Action Advisory, March 6, 2019 **(P. 313)**
 - (v) Climate Action Advisory, April 3, 2019 **(P. 320)**
 - (vi) Advisory Planning, April 9, 2019 **(P. 327)**
 - (vii) Tourism Commission, May 15, 2019 **(P. 332)**

RECESS

15. RECESS MEETING

NOTES:

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

1.

RECONVENE

16. RECONVENE MEETING

THIRD READING

• 5752

A. THAT Bylaw #5752, “**6501 Blackcomb Way and 180 Whistler Place Official Community Plan Amendment Bylaw Number 5752, 2019**” – a bylaw to redesignate the subject property from “Rural Agricultural” (RAGR) and “Hillside Residential: (HRES) to “Rural Agricultural” (RAGR) and “Hillside Residential” (HRES) **be read a third time. (P. 339)**

• 5753

B. THAT Bylaw #5753, “**6501 Blackcomb Way and 180 Whistler Place Rezoning Amendment Bylaw Number 5753, 2019**” – a bylaw to rezone the subject property from ‘Row Housing Residential’ (RM1) to ‘Parks and Open Space (P1)’, from ‘Row Housing Residential’ (RM1) to ‘Hillside Residential Multi-Family’ (HR2) and from ‘Parks and Open Space’ (P1) to ‘Hillside Residential Multi-Family’ (HR2), **be read a third time. (P. 342)**

17. CLOSE OF MEETING