



THE CORPORATION OF THE CITY OF VERNON

A G E N D A

REGULAR OPEN MEETING OF COUNCIL

CITY HALL COUNCIL CHAMBER

MONDAY, JUNE 10, 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;*
 - 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 June 10, 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 27, 2019 be adopted; **(P. 10)**

AND FURTHER, that the minutes of the Public Hearing held on May 27, 2019 be adopted; **(P. 32)**

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held May 27, 2019 be received.

5. BUSINESS ARISING FROM THE MINUTES

6. GENERAL MATTERS

- A. Mayor Cumming will recognize Gary Lefebvre, Manager, Aquatics, for his achievement in becoming certified as a National Trainer with the Lifesaving Society of Canada.

7. COUNCIL INQUIRIES

8. ADMINISTRATION UPDATES

- A. THAT Council receive the Administration Updates dated June 10, 2019. **(P. 37)**

9. UNFINISHED BUSINESS

PRESENTATION - NATIONAL TRAINER CERTIFICATION

DELEGATION RESPONSE – 4601 23RD STREET ACCESS DESIGN (P. 40)

- A. THAT Council receive the delegation from Ben Drodge regarding requested access design changes for 4601 23rd Street in the proposed 23rd Street sidewalk design, as heard at the Regular Meeting of May 13, 2019.

DELEGATION RESPONSE – REQUEST TO INCREASE ANTI-IDLING EDUCATION AND ENFORCEMENT (P. 47)

- B. THAT Council receive the delegation requesting an increase in anti-idling education and enforcement as heard at its Regular Meeting of May 27, 2019;

AND FURTHER, that Council direct Administration to work with the Regional District of North Okanagan staff on the development of a universal Anti-Idling Bylaw to regulate the idling of vehicles;

AND FURTHER, that Council directs Administration to present, when available, the universal Anti-Idling Bylaw for Council’s consideration for adoption with draft amendments to the Municipal Ticketing Information Bylaw #5300, Bylaw Notice Enforcement Bylaw #5250 and the Fees and Charges Bylaw #3909 with an associated anti-idling education program.

**PROCUREMENT OF
CONTACT TELEPHONE
NUMBER DECALS FOR
BUSINESSES (P. 56)**

- C. THAT Council approve \$850.00 to fund the purchase of printed contact telephone number decals for distribution to businesses, as presented in the memorandum titled "Procurement of Contact Telephone Number Decals for Businesses" dated May 30, 2019 from the Manager, Protective Services;

AND FURTHER, that Council fund the purchase of the decals from the 2018 uncommitted unexpended year-end balance.

**RECONSIDERATION -
CANNABIS BUSINESS
LICENCE APPLICATION
FOR 2813A – 35TH STREET
(P. 58)**

- D. THAT Council provide a positive recommendation to the Liquor and Cannabis Regulation Branch (LCRB) regarding Cannabis Retail Store application (Job#002058) (CRL00011) with respect to the application to establish a Non-Medical cannabis retail sales business on Lot 2, Plan 3097, DL 72, ODYD, exc. Pcl A, DD132090F (2813A – 35th Street);

AND FURTHER, that the LCRB be advised that Council's support of the subject cannabis retail store application addresses the LCRB resolution criteria in the following manner:

a) The location of the proposed store:

- i. The proposed new premise at 2813A – 35th Street is within the C8 – Central Business District zone, and a cannabis retail store is a permitted use within this commercial zone.

b) The general impact on the community if the application is approved:

- i. Council considers that approval of a cannabis retail store at this location would have minimal impact on the community as long as all federal, provincial and municipal regulations are adhered to.

c) The public consultation process consists of 169 stakeholder referral letters being sent to internal departments, agencies and to all businesses, property owners and occupants within 30 m of the subject property. One "no objection" response, eight negative responses, a 43 signature petition against the proposal and three positive responses were received.

AND FURTHER, that the report from the Manager, Current Planning dated April 29, 2019 be provided to the Liquor and Cannabis Regulation Branch to document the City of Vernon’s consideration of the location of the proposed cannabis retail store, the means of public consultation and the summary of input received with respect to Cannabis Retail Store application CRL00011.

REVITALIZATION TAX EXEMPTION PROGRAM UPDATE (P.171)

- E. THAT Council receive the memorandum titled “Revitalization Tax Exemption Program Update”, dated May 31, 2019 from the Economic Development Planner for information.

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

11. NEW BUSINESS

A. Correspondence:

PRIEST VALLEY ARENA DRY FLOOR USE (P. 210)

- (i) THAT Council receives the memorandum titled Priest Valley Arena Dry Floor Use dated May 31, 2019 from the Director, Recreation Services for information.

VERNON HERITAGE REGISTER – REMOVAL OF PROPERTY LOCATED AT 3405 26TH STREET (P. 213)

- (ii) THAT Council received the Memorandum titled Vernon Heritage Register – Removal of Property Located at 3405 26th Street dated May 22, 2019 from the Manager, Current Planning.

2018 ANNUAL REPORT (P. 215)

- (iii) THAT Council approve the “2018 Annual Report” for the City of Vernon as attached to the Internal Memorandum of the same title, dated May 31,2019 and respectfully submitted by the Director, Financial Services;

AND FURTHER, that Council schedule a Public Meeting to receive submissions and questions from the public concerning the 2018 Annual Report on Monday, June 24, 2019, at 5:00 pm in Council Chambers.

REGIONAL GROWTH STRATEGY FIVE YEAR REVIEW: FUTURE GROWTH AREAS (P. 373)

- (iv) THAT Council receive the memo titled Regional Growth Strategy Five Year Review: Future Growth Areas and dated May 31, 2019 from the Director, Community Infrastructure and Development for information.

B. Reports:**DOWNTOWN VERNON
ASSOCIATION 2018
AUDITED FINANCIAL
STATEMENTS (P. 378)**

- (i) THAT Council receive the Downtown Vernon Association Audited 2018 Financial Statements as presented in the report dated May 30, 2019 as submitted by the Director of Financial Services;

AND FURTHER, that Council approve payment of the second and final instalment of the 2019 BIA tax levies for the total amount of \$196,132.50.

**REZONING APPLICATION
FOR 1030 MT. BULMAN
DRIVE (ZON00327)(P. 396)**

- (ii) THAT Council support the application to rezone Lot 2, Plan KAP73749, Sec 26, Twp 9, ODYD (1030 Mt. Bulman Dr.) from R2 – Large Lot Residential to the R2h – Large Lot Residential sub-zoning district to allow for a “home based business, major” use within the existing single family dwelling, subject to a restrictive covenant being registered on title for the following conditions:

- a) That an operation of a secondary suite is not permitted concurrently with a home based business;
- b) That the major home based business shall not generate more than one client to the site at any given time;
- c) That no person other than residents of the primary residence shall be engaged in the home based business, major; and
- d) That stipulates details of any signage for the home based business to one sign, non-illuminated, 0.5m², installed no higher than 1.2m, attached to the dwelling or ground mounted near the vehicle entrance;

AND FURTHER, that Council support of ZON00327 is subject to the following:

- a) that the owner is to update building permit application #BP005762 in order to decommission the secondary suite and cancel business license #BL00060003.

**REZONING APPLICATION
FOR 5000 20TH STREET
(P. 409)**

- (iii) THAT Council support the application (ZON00297) to rezone Lot A Section 11 Township 8 ODYD Plan 20774 (5000 20th Street) from A3 – Rural–Small Holdings to RH1 – Low-Rise Apartment Residential;

AND FURTHER, that Council’s support of ZON00297 be subject to the following:

- a) That a *Land Title Act* Section 219 restrictive covenant be registered on title to ensure protection of the adjacent Blue Heron rookery during construction on the subject property;
- b) That a 5.0m wide road right of way adjacent to the north property line be dedicated to the City for a future active transportation connection between 20th Street and 24th Street; and
- c) That the applicant be required to clear and grub on the west side of 20th Street north of their property, adjacent to 5104 20th Street.

**REZONING APPLICATION
FOR 7235 HITCHCOCK
ROAD (P. 417)**

- (iv) THAT Council support the application (ZON00332) to rezone Lot A Plan 31181 Sec. 18 Twp. 5 ODYD (7235 Hitchcock Road) from CR (RDNO) to HR1 (Hillside Residential Single and Two Family) subject to the following condition:

- a) Registration of a “No Build – No Subdivision” Covenant on the property that would restrict further development or subdivision until provision is made for the design and construction of appropriate access and the extension of works and services necessary to service the property to City of Vernon standards.

**ZONING BYLAW #5000
PARKING AMENDMENTS
(P. 424)**

- (v) THAT Council endorse amendments to Zoning Bylaw #5000, as shown in red in Attachment 6 in the report titled “Zoning Bylaw #5000 Parking Amendments” dated May 27, 2019 by the Transportation Planner, that would:

- a) enable a cash in-lieu of parking program within the C7 and C8 zoning districts and along portions of Lakeshore Road within the Waterfront Neighbourhood Centre; and
- b) introduce commercial parking rate requirements within the C7 and C8 zoning districts.

12. LEGISLATIVE MATTERS

Bylaws:

ADOPTION

- 5759

(i) 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 **adopted. (P. 472)**

- 5728

(ii) THAT Bylaw #5728, “**7250 Hitchcock Road Rezoning Amendment Bylaw Number 5728, 2018**” – a bylaw to rezone the subject properties from ‘**NU (NORD)**’ to ‘**HR1 (Hillside Residential Single and Two Family)**’, ‘**HR2 (Hillside Residential Multi-Family)**’, and ‘**P1 (Parks and Open Space)**’ be **adopted. (P. 474)**

- Memo dated May 31, 2019 from the Manager, Current Planning, re: “7250 Hitchcock Road Rezoning Amendment Bylaw Number 5728, 2018”. **(P. 477)**

FIRST & SECOND READINGS & PUBLIC HEARING DATE

- 5760

(iii) THAT Bylaw #5760, “**5000 20th Street Rezoning Amendment Bylaw Number 5760, 2019**” – a bylaw to rezone the subject property from “A3 – Rural – Small Holdings” to “RH1 – Low-Rise Apartment Residential”, be **read a first and second time;**

AND FURTHER, that the Public Hearing for Bylaw #5760, be scheduled for **Monday, July 8, 2019**, at **5:30 pm**, in Council Chambers. **(P. 479)**

- 5761

(iv) THAT Bylaw #5761, “**1030 Mt. Bulman Drive Rezoning Amendment Bylaw Number 5761, 2019**” – a bylaw to rezone the subject property from “R2 – Large Lot Residential” to “R2h – Large Lot Residential – Sub-zone”, be **read a first and second time;**

AND FURTHER, that the Public Hearing for Bylaw #5761, be scheduled for **Monday, July 8, 2019**, at **5:30 pm**, in Council Chambers. **(P. 482)**

- 5762

(v) THAT Bylaw #5762, “**7235 Hitchcock Road Rezoning Amendment Bylaw Number 5762, 2019**” - a bylaw to rezone the subject property from “C.R. (Country Residential – RDNO)” to “HR1 – Hillside Residential Single and Two Family” be **read a first and second time;**

AND FURTHER, that the Public Hearing for Bylaw #5762, be scheduled for **Monday, July 8, 2019**, at **5:30 pm**, in Council Chambers. **(P. 484)**

13. COUNCIL INFORMATION UPDATES

A. Mayor and Councillors Reports.

14. INFORMATION ITEMS

A. Minutes from the following Committees of Council:

(i) Advisory Planning, May 14, 2019 **(P. 487)**

15. CLOSE OF MEETING