



# THE CORPORATION OF THE CITY OF VERNON

## A G E N D A

### REGULAR OPEN MEETING OF COUNCIL

#### CITY HALL COUNCIL CHAMBER

MONDAY, JUNE 24, 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 24, 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 June 10, 2019 be adopted; **(P. 13)**

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held June 10, 2019 be received.

**AGENDA**

**MINUTES**

**5. BUSINESS ARISING FROM THE MINUTES****6. GENERAL MATTERS**

**PRESENTATION:  
RECOGNITION OF  
RAELEEN MANJAK –  
LOCAL GOVERNMENT  
MANAGEMENT  
ASSOCIATION -  
PROFESSIONAL SERVICE  
AWARD FOR LEADERSHIP**

A. Mayor Cumming will recognize Raeleen Manjak, Director, Human Resources for her achievement in being awarded a Professional Service Award for Leadership from the Local Government Management Association.

**PRESENTATION:  
RECOGNITION OF AL  
HARRISON – B.C. BYLAW  
OFFICER OF THE YEAR  
2019**

B. Mayor Cumming will recognize Al Harrison, Bylaw Compliance Officer for his achievement in being awarded the title of 'BC Bylaw Officer of the Year' for 2019 from the Licence Inspectors and Bylaw Officers Association of BC.

**DELEGATION: BEAIRSTO  
SCHOOL (P. 27)**

C. Quinn Vienneau, Beairsto Parent, and Tara Coupla, PAC President will attend to thank Council for the City's efforts to improve the Beairsto neighbourhood & school over the past couple of years.

**PRESENTATION: CLIMATE  
ACTION (15 MINUTES)(P. 28)**

D. Laurie Cordell, Manager, Long Range Planning & Sustainability will provide a presentation regarding the 'Climate Ambassador Presentation', and a brief update on climate action planning.

**7. COUNCIL INQUIRIES****8. ADMINISTRATION UPDATES**

A. THAT Council receive the Administration Updates dated June 24, 2019. **(P. 44)**

**9. UNFINISHED BUSINESS**

**AGRICULTURAL LAND  
COMMISSION – VERNON  
COUNCIL RESOLUTION OF  
APRIL 23, 2019 (P. 50)**

A. THAT Council receives the letter received May 13, 2019 from Kim Grout, CEO, Agricultural Land Commission for information.

**OPTIONS FOR OFF LEASH  
DOG USE IN MARSHALL  
FIELDS (P. 52)**

B. THAT Council receive the delegations as heard at its Regular Meetings of January 21, 2019 and February 11, 2019 regarding dogs off leash at Marshall Fields;

AND FURTHER that Council direct Administration to take the following steps in order to establish a permanent off leash area within Marshall Fields, including protecting sensitive habitat and addressing erosion and safety concerns:

- a) Design a new layout of soccer fields and parking to determine the optimal alignment of a 1.2 m (4') high chain link fence to separate a permanent off leash area from all playing fields and improve field conditions;
- b) Move the footpath away from the bank at the oxbows at the eastern portion of the trail, place riprap as required, and create a vegetative buffer to prevent access by people and dogs;
- c) Protect critical habitat by removing access between the ponds in Lakers Disc Golf;
- d) Re-route the loop trail to the top of the drainage berm to connect back to the parking lot at Lakers;
- e) Renew the Great Basin Spadefoot Stewardship Waterfront Neighbourhood Agreement with the province (Attachment 2);
- f) Continue the current abeyance of Bylaw #5057, 6(a)(iv) in the area of Marshall Fields currently designated as off leash dog use until a permanent fence is installed and place signage with clear messaging to reflect this use change; and
- g) Develop a Master Plan in 2021 for Marshall Fields that addresses the installation of a playground and review of efficient vehicle access/egress of the park;

AND FURTHER, that Council authorize a budget of \$240,000 to construct a fence to separate the playing fields, re-route parts of the footpath, plant a vegetative buffer, remove access between the ponds at Lakers Disc Golf, re-route the loop trail near Lakers, initiate the renewal agreement to protect Great Basin Spadefoot Toad within the City, continue the abeyance of the on leash bylaw where current off leash rules apply in Marshall Fields, and install clear signage reflecting use changes.

**VIDEO SURVEILLANCE IN  
29<sup>TH</sup> STREET PARKING LOT  
(P. 111)**

- C. THAT Council receive the memo titled Video Surveillance in 29<sup>th</sup> Street Parking Lot, dated June 14, 2019 from the Director of Operations, for information.

**DOWNTOWN WASHROOMS  
(P. 113)**

D. THAT Council receive the memo titled Downtown Washrooms, from the Director, Operations, dated June 13, 2019, for information.

**MOBILE VENDING POLICY  
(P. 115)**

E. THAT Council approve the proposed Mobile Vending Policy and related amendments to Fees and Charges Bylaw #3909 for mobile vending in public spaces, as outlined in the report titled Mobile Vending Policy and dated June 13, 2019 from the Economic Development Planner.

**FEES & CHARGES BYLAW  
#3909 AMENDMENT –  
SEPTIC AND HOLDING  
TANK DISPOSAL (P. 156)**

F. THAT Council approves the Fees and Charges Bylaw #3909 Amendment for Septic and Holding Tank Disposal Fees included as Attachment 2, in the memo titled Fees and Charges Bylaw #3909 Amendment – Septic and Holding Tank Disposal, dated June 13, 2019 from the Director of Operations.

**TURTLE MOUNTAIN  
BOULEVARD  
LANDSCAPING (P. 165)**

G. THAT Council support the one time capital cost of \$175,000 to decrease the level of maintenance of the landscaping within Turtle Mountain boulevard areas, source of funds being the 2018 Year End Unexpended and Uncommitted balance;

AND FURTHER, that Council approve an annual maintenance cost of \$75,000 for the reduced service level in the Turtle Mountain Boulevard areas to be funded from the 2018 year end unexpended and uncommitted balance for the 2019 season, and to be included as a service level increase for 2020 and beyond.

**CTQ CONSULTING – TOWN  
HALL MEETING (P. 237)**

H. THAT Council receives the CTQ Consultants report on the Vernon Town Hall Meeting of June 4, 2019, as provided in the Agenda dated June 24, 2019, for information.

**10. MATTERS REFERRED: COMMITTEE OF THE WHOLE  
AND IN-CAMERA****11. NEW BUSINESS****A. Correspondence:****2019 UBCM CONVENTION  
(P. 283)**

(i) THAT Council approves (*to be cited by Council*) attending the 2019 Union of B.C. Municipalities Convention – ‘Resiliency + Change’ – in Vancouver, BC from September 23 to 27, 2019.

**RENEWAL OF TRANSIT  
ANNUAL OPERATING  
AGREEMENT (P. 287)**

- (ii) THAT Council receive for information the 2019/2020 Transit Annual Operating Agreement as attached to the Memorandum dated June 12, 2019 and titled “Renewal of Transit Annual Operating Agreement” from the Manager, Transportation.

**APPOINTMENTS TO  
GREATER VERNON  
ADVISORY COMMITTEE  
(P. 301)**

- (iii) THAT Council appoints Councillors Gares and Quiring as alternates to the Greater Vernon Advisory Committee for 2019.

**2018 CLIMATE ACTION  
REVENUE INCENTIVE  
PROGRAM REPORTING  
(P. 303)**

- (iv) THAT Council receive the memorandum titled “2018 Climate Action Revenue Incentive Program Reporting” dated June 11, 2019, as submitted by the Manager of Long Range Planning and Sustainability, for information.

**CLIMATE ACTION  
ADVISORY COMMITTEE –  
RECOMMENDATION TO  
JOIN SIMON FRASER  
UNIVERSITY ADAPTATION  
TO CLIMATE CHANGE  
INITIATIVE (P. 332)**

- (v) THAT Council not endorse the following recommendation of the Climate Action Advisory Committee meeting of April 3, 2019:

*“THAT the Climate Action Advisory Committee recommends to Council that the city of Vernon join the Simon Fraser University ‘Adaptation to Climate Change’ Initiative.”*

**CHLORINE AND OZONE  
SAFETY UPGRADES –  
VERNON AQUATIC CENTRE  
(P. 337)**

- (vi) THAT Council authorize Administration to proceed with work required to bring the Vernon Aquatic Centre into full compliance with the new WSBC recommendations as listed in the memorandum titled Chlorine and Ozone Safety Upgrades - Vernon Aquatic Centre dated June 11, 2019 from Gary Lefebvre, Manager, Aquatics;

AND FURTHER, that Council authorizes Administration to reallocate up to \$41,195 from the Tot Slide and Raindrop Replacement Major Maintenance Project so that the work can be carried out prior to September 15, 2019

AND FURTHER, that any unspent money would be retained in the unassigned major maintenance account to fund projects requiring a larger scope of work in 2019;

AND FURTHER, that Council directs Administration to provide a report to Council once all work has been completed.

**NOTICE OF MOTION –  
(COUNCILLOR ANDERSON):  
INSTALLATION OF  
GARBAGE CANS (P. 339)**

- (vii) THAT Council install one garbage can on City property behind Canadian Wholesale Club on 28 Avenue at the rear vehicle entrance to the Wholesale Club, and one garbage can on City property (if possible) on 33 Street near or at Gateway Shelter.

AND FURTHER administration will identify other locations in the downtown area subject to heavy foot traffic and consequent garbage accumulation, and produce a report to that effect no later than 8 July 2019.

**NOTICE OF MOTION –  
(COUNCILLOR ANDERSON):  
SEASONAL SECURITY  
SUPPLEMENTATION BY  
PRIVATE SECURITY (P. 340)**

- (viii) THAT Council directs Administration to investigate the cost of seasonal security supplementation at night by a private security firm in specific locations more subject to petty crime, as identified by the RCMP and Bylaw. These locations may include downtown, but are likely not limited to downtown;

AND FURTHER that staff provide council a report with this information and estimates no later than 8 July, 2019.

**NOTICE OF MOTION –  
(COUNCILLOR GARES):  
ACTIVATE SAFETY TASK  
FORCE  
RECOMMENDATIONS  
(P. 341)**

- (ix) THAT Council directs Administration to bring back the report prepared by the Activate Safety Task Force for Council's review;

WHEREAS this report could provide further recommendations that could offer alternatives to the issues around crime, open drug use, and vagrancy that have not yet been considered;

AND WHEREAS, these recommendations, may provide reasonable and enforceable options that are within the purview of City Council to deal with the issues that have been ongoing;

AND WHEREAS, these recommendations can provide targeted options that will reduce crime, improve safety for businesses and residents while providing a safe environment for our most at risk population.

**B. Reports:**

**LOCAL GOVERNMENT  
INFRASTRUCTURE  
PLANNING GRANT  
PROGRAM GRANT  
APPLICATION –  
INTERMUNICIPAL FIRE  
TRAINING CENTRE (P. 346)**

- (i) THAT Council approves the Local Government Infrastructure Planning Grant Program application in the amount of \$5,000, for the Fire Training Centre to develop an asset management plan, as provided in the report dated June 14, 2019 and respectfully submitted by the Deputy Fire Chief, Fire Rescue Services;

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

**FM GLOBAL FIRE  
PREVENTION GRANT  
APPLICATION (P. 349)**

- (ii) THAT Council approves the \$5,868 FM Global Fire Prevention Grant Program application dated June 10, 2019 and respectfully submitted by the Deputy Fire Chief, for the creation of pre-incident plans for firefighter safety, as provided in the report in the amount of \$5,868 dated June 10, 2019 and respectfully submitted by the Deputy Fire Chief, Fire Rescue Services;

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

**2018 HERITAGE  
RETENTION INCENTIVE  
GRANT APPLICATIONS  
(P. 352)**

- (iii) THAT Council approve a grant for \$118.08 to the owner of the property at 3103 27<sup>th</sup> Street for eligible expenses undertaken during 2018 as per the Heritage Retention Incentive Grant Program;

AND FURTHER, that Council approve a grant for \$500.00 to the owner of the property at 4704 20<sup>th</sup> Street for eligible expenses undertaken during 2018 as per the Heritage Retention Incentive Grant Program;

AND FURTHER, that Council approve a grant for \$500.00 to the owner of the property at 2304 25<sup>th</sup> Avenue for eligible expenses undertaken during 2018 as per the Heritage Retention Incentive Grant Program.

**CANNABIS BUSINESS  
LICENCE APPLICATION  
FOR 3109 – 30<sup>TH</sup> AVENUE  
(P. 391)**

- (iv) THAT Council provide a positive recommendation to the Liquor and Cannabis Regulation Branch (LCRB) regarding Cannabis Retail Store application (Job#001462) (CRL00013) with respect to the application to establish a Non-Medical cannabis retail sales business on Lot 35, Blk 62, PI 327, Sec 34, Twp

9, ODYD (3109 – 30<sup>th</sup> Avenue);  
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 3109 – 30<sup>th</sup> Avenue is within the C7 – Heritage Business District, 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 112 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 positive response and three negative responses were received.

AND FURTHER, that the report from the Manager, Current Planning dated June 13, 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 CRL00013;

AND FURTHER, that Council direct staff not to forward any additional Cannabis Business Licence applications within the Downtown Business Primary and Secondary Improvement areas to Council until such time as the City of Vernon is advised on the status of pending provincial Non-Medical Cannabis Licence applications within these areas that have received positive recommendations from Council.



**12. LEGISLATIVE MATTERS**Bylaws:**ADOPTION**

- 5744

(i) THAT Bylaw #5744, “**Zoning Text (Accessible Parking & Loading) Amendment Bylaw Number 5744, 2019**” – a bylaw to amend Zoning Bylaw Number 5000, be **adopted. (P. 404)**

**RESCIND SECOND READING**

- 5719

(ii) THAT Council **rescinds** Second Reading for Bylaw #5719, “**Zoning Text (Parking & Loading) Amendment Bylaw Number 5719, 2018**” – a bylaw to amend the City of Vernon Zoning Bylaw #5000.

**CALL THE QUESTION.****SECOND READING**

THAT Bylaw #5719, “**Zoning Text (Parking & Loading) Amendment Bylaw Number 5719, 2018**” – a bylaw to amend the City of Vernon Zoning Bylaw #5000, **be read a second time;**

**CALL FOR AMENDING MOTION.****AMENDMENT**

THAT Council **amends** Bylaw #5719 “**Zoning Text (Parking & Loading) Amendment Bylaw Number 5719, 2018**” – a bylaw to amend the City of Vernon Zoning Bylaw #5000 as outlined in attachment 6 of the report dated May 27, 2019 from the Transportation Planner. **(P. 409)**

**CALL THE QUESTION.****CALL THE QUESTION ON THE MAIN MOTION, AS AMENDED.****SECOND PUBLIC HEARING**

- 5719

THAT Council directs that a **second** Public Hearing for Bylaw **#5719** be scheduled for **Monday, July 29, 2019**, at **5:30 pm**, in Council Chambers.

**13. COUNCIL INFORMATION UPDATES****A. Mayor and Councillors Reports.**

**14. INFORMATION ITEMS**

- A.** Letter dated June 3, 2019 from Martin Johansen, Mayor, Town of Oliver, re: Reducing Conflict Between Native Mussel Protection and Invasive Milfoil Control in the Okanagan **(P. 414)**
- B.** Memo dated June 5, 2019 from Councillor Murry Krause, Chair Nominating Committee, UBCM, re: Call for Nominations for UBCM Executive **(P. 444)**
- C.** Letter dated June 10, 2019 from Dan Albas, MP, Central Okanagan Similkameen Nicola re: Proposed New Legislation to Help Modernize the Criminal Code in Regard to Natural Disasters and Evacuation Orders **(P. 455)**
- D.** Minutes from the following Committees of Council:
  - (i) Climate Action Advisory, May 8, 2019 **(P. 460)**
  - (ii) Advisory Planning, May 28, 2019 **(P. 466)**

**RECESS****15. RECESS MEETING****NOTES:****A. Public Input scheduled for 5:00 pm at City Hall (P. 471)**

- 1. 2018 Annual Report and Audited Financial Statements

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

- 1. "4300 35<sup>th</sup> Avenue Official Community Plan Amendment Bylaw Number 5754, 2019" AND "4300 35<sup>th</sup> Avenue Rezoning Amendment Bylaw Number 5755, 2019"
- 2. "Predator Ridge Neighbourhood Plan Official Community Plan Amendment Bylaw Number 5756, 2019" AND "Predator Ridge Neighbourhood Plan Rezoning Amendment Bylaw Number 5757, 2019"
- 3. "7497 and 7501 Brooks Lane Rezoning Amendment Bylaw Number 5758, 2019"

**RECONVENE****16. RECONVENE MEETING****THIRD READING**

- 5754

- A. THAT Bylaw #5754, "4300 35<sup>th</sup> 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 third time. (P. 472)**

- 5755 B. THAT Bylaw #5755, “**4300 35<sup>th</sup> 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 third time. (P. 475)**
  
- 5756 C. 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 third time AND adopted. (P. 478)**
  
- 5757 D. 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 third time AND adopted. (P. 481)**
  
- 5758 E. 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 third time. (P. 485)**

#### 17. CLOSE OF MEETING