



# THE CORPORATION OF THE CITY OF VERNON

## A G E N D A

### REGULAR OPEN MEETING OF COUNCIL

#### CITY HALL COUNCIL CHAMBER

MONDAY, DECEMBER 16, 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:*
    - a) *labour relations or other employee relations;*
    - 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 December 16, 2019, Regular Open Meeting of Council be adopted as circulated.

## AGENDA

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

**MINUTES**

- A.** THAT the minutes of the Regular Meeting of Council held November 25, 2019 be adopted; **(P. 12)**

AND FURTHER, that the minutes of the November 25, 2019 Public Hearing be adopted; **(P. 35)**

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held November 25, 2019 be received.

**5. BUSINESS ARISING FROM THE MINUTES**

**6. GENERAL MATTERS**

**PRESENTATION: VERNON PANTHERS FOOTBALL TEAM**

- A.** Mayor Cumming will offer the City's congratulations to the *Vernon Panthers Football Team* in honour of their second consecutive Subway Bowl B.C. High School Senior Varsity Football Championship win.

**DELEGATION: OKANAGAN REGIONAL LIBRARY FALL UPDATE (P. 37)**

- B.** Don Nettleton, CEO, and Kristy Hennings, Vernon Branch Head, Okanagan Regional Library, re: Fall 2019 Library Update.

*THAT Council receives the presentation provided by Don Nettleton, CEO, and Kristy Hennings, Vernon Branch Head, Okanagan Regional Library, regarding the Fall 2019 Library Update as presented at the November 25, 2019 Regular meeting for information.*

**PRESENTATION: RESTORATIVE JUSTICE 2019 SEMI-ANNUAL REPORT (P. 62)**

- C.** Margaret Clark, Executive Director, Restorative Justice Society, re: 2019 Semi-Annual Report.

*THAT Council receives the presentation provided by Margaret Clark, Executive Director, Restorative Justice Society, regarding the 2019 Semi-Annual Report for the Restorative Justice Society, as presented at the December 16, 2019 Regular meeting for information.*

**DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 8840 SOMERSET PLACE (P. 64)**

- D.** THAT Council **NOT** support Development Variance Permit Application #DVP00461 to vary the following section of Zoning Bylaw #5000 in order to allow a retaining wall 3.1m in height to remain on Lot 3, DL 298, ODYD, Plan KAP86381 (8840 Somerset Place):

- a) Section 6.5.11. to increase the maximum height of a retaining wall on a residential lot from 1.2m to 3.1m, measured from grade on the lower side.

AND FURTHER, that the applicant be directed to work with staff to find an alternative solution.

**Public Input – DVP #00461**

- (i) Public Input on Development Variance Permit #00461 to vary Section 6.5.11 of Zoning Bylaw #5000 in order to allow a retaining wall 3.1m in height to remain on Lot 3, DL 298, ODYD, Plan KAP86381 (8840 Somerset Place).

**7. COUNCIL INQUIRIES**

**8. ADMINISTRATION UPDATES**

- A. THAT Council receive the Administration Updates dated December 16, 2019. (P. 71)

**9. UNFINISHED BUSINESS**

**DOWNTOWN WASHROOMS  
– THIRD LOCATION (P. 73)**

- A. THAT Council approve the placement of the third public washroom in the 3500 block of the Linear Park located north of 25<sup>th</sup> Avenue (Option 1), once the existing Dragoons Memorial Monument has been removed, in consultation with the British Columbia Dragoons, and as outlined in the report titled '*Downtown Washrooms – Third Location*', dated November 28, 2019, respectfully submitted by the Director, Operations;

AND FURTHER, that Administration be directed to work with the BC Dragoons to expedite the removal of the plaques on the Monument at 25<sup>th</sup> Avenue.

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

**11. NEW BUSINESS**

A. Correspondence:

**FEDERATION OF  
CANADIAN  
MUNICIPALITIES 2020 –  
2021 MEMBERSHIP DUES  
(P. 85)**

- (i) THAT Council not approve payment of the 2020-2021 FCM Membership Invoice and authorize the Mayor, on behalf of Council, to write the FCM Executive noting that urban municipalities including the City of Vernon normally operate under considerable budget constraint and a 27% increase year over year is not a "modest revision";

AND FURTHER, that the Mayor request a more detailed explanation of the “revision”, particularly as it relates to the previously volunteer “Legal Defence Fund” and “Special Advocacy Fund”.

**2020 FIRE TRAINING  
CENTRE BUDGET AND  
VERNON’S PERCENTAGE  
SHARE (P. 89)**

- (ii) THAT Council approve the Fire Training Centre (FTC) proposed 2020 Budget, the proposed four (4) Year Facility Improvement Plan, and FTC Percentage Share of 2020 Budget requirements, subject to revision by BC Assessment, as attached to the report dated November 27, 2019, titled *2020 Fire Training Centre Budget and Vernon’s Percentage Share*, respectfully submitted by the Deputy Chief Scott Hemstad.

**CLIMATE ACTION  
ADVISORY COMMITTEE  
MEMBERSHIP – SCHOOL  
DISTRICT 22 (P. 96)**

- (iii) THAT Council adopts an amendment to the Terms of Reference for the Climate Action Advisory Committee to increase the membership to 10 voting members with the new category for School District #22, as shown in the attachment to the report dated November 28, 2019, respectfully submitted by the Manager, Long Range Planning and Sustainability.

**COUNCIL DISCRETIONARY  
GRANT APPLICATIONS –  
OCTOBER IN-TAKE (P. 101)**

- (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 BC Ballooning Association in the amount of \$3,218 as the City of Vernon has limited funds for disbursement.
  2. THAT Council **approve**, on a one time basis, a Council Discretionary Grant to Buoyant Buddies North Okanagan Dragon Boat Society in the amount of \$504 for the purchase of life jackets.
  3. THAT Council **approve**, on a one time basis, a Council Discretionary Grant to Canadian Mental Health Association – Vernon Branch in the amount of \$5,000 to fund program costs for youth and community mental health education.
  4. THAT Council **deny** a Council Discretionary Grant to Dollywood Foundation of Canada in the amount of \$9,033 as the application was incomplete with no financial statements or meeting minutes.

5. THAT Council **deny**, a Council Discretionary Grant to Elks Lodge #45 in the amount of \$10,000 as the City of Vernon has limited funds for disbursement.
6. THAT Council **deny** a Council Discretionary Grant to Independent Vernon Living in the amount of \$4,458 as the grant application was incomplete as the financial statements were out of date.
7. THAT Council **deny** a Council Discretionary Grant to Learning Disabilities Association – Vernon Chapter in the amount of \$4,000 as the City of Vernon has limited funds for disbursement.
8. THAT Council **deny** a Council Discretionary Grant to Literacy Society of the North Okanagan in the amount of \$5,000 as the City of Vernon has limited funds for disbursement.
9. THAT Council **deny** a Council Discretionary Grant to North Okanagan Cycling Society in the amount of \$5,000 as the application does not meet the discretionary grant criteria.
10. THAT Council **deny** a Council Discretionary Grant to North Okanagan Gymnastics Society in the amount of \$24,938 as the City of Vernon has limited funds for disbursement.
11. THAT Council **deny** a Council Discretionary Grant to Okanagan Association of Classical Music Enthusiasts in the amount of \$6,000 as the City of Vernon has limited funds for disbursement.
12. THAT Council **approve**, on a one time basis, a Council Discretionary Grant to Okanagan Landing Community Association in the amount of \$3,587 to cover the costs for Historical Wall Murals and Station House Museum signs.
13. THAT Council **deny** a Council Discretionary Grant to Schubert Centre in the amount of \$5,000 as the application does not meet the discretionary grant criteria.

14. THAT Council **approve**, on a one time basis, a Council Discretionary Grant to Sovereign Lake Nordic Club in the amount of \$10,000 to help support hosting the Canadian National Championships for Nordic skiing from March 25 – April 2, 2020 (rental of tents and trailers to serve as shelters for ski waxing and servicing.)
15. THAT Council **approve**, on a one time basis, a Council Discretionary Grant to Upper Room Mission in the amount of \$3,138 to assist with the purchase of one washing machine.
16. THAT Council **approve**, on a one time basis, a Council Discretionary Grant to Vernon Concert Band in the amount of \$800 to assist with the operating expenses (i.e. liability insurance to rent space).
17. THAT Council **deny** a Council Discretionary Grant to Vernon Homeless Outreach Team Association in the amount of \$2,500 as their discretionary grant application was incomplete with no financial statements.
18. THAT Council **approve**, on a one time basis, a Council Discretionary Grant to Vernon Paddling Centre Society in the amount of \$1,406 to assist in the purchase of Duo-Flo Stabilizers.
19. THAT Council **deny** a Council Discretionary Grant to Vernon Pickleball in the amount of \$3,000 as the application does not meet discretionary grant criteria.
20. THAT Council **deny** a Council Discretionary Grant to Vernon Ski Club in the amount of \$5,000 as the City of Vernon has limited funds for disbursement.
21. THAT Council **approve**, on a one time basis, a Council Discretionary Grant to Vernon Youth Triathlon Society in the amount of \$1,100 to assist with the rental costs for fencing;

AND FURTHER that the Vernon Youth Triathlon Society be encouraged to submit a letter to Council requesting the in-kind donations.

**B. Reports:****BC TRANSIT FARE REVIEW  
FOR ADVANCED FARE  
COLLECTION SYSTEM  
(P. 104)**

- (i) THAT Council directs Administration to sign the Vernon Fare Review Project Charter attached to the report titled '*BC Transit Fare Review for Advanced Fare Collection System*' dated November 29, 2019, from the Manager, Transportation.

**NON-ADHERING  
RESIDENTIAL USE  
APPLICATION AT 7888  
BENCH ROW ROAD (P. 111)**

- (ii) THAT Council support the non-adhering residential use application (ALR00018) to allow for the replacement of an additional single family dwelling for farm help on the property located on Lot 3, PL KAP54550, DL 6, ODYD (7888 Bench Row Road).

**ROSTERS SPORTS CLUB –  
APPLICATION FOR A  
STRUCTURAL CHANGE  
(P. 129)**

- (iii) THAT Council advise the Liquor and Cannabis Regulation Branch that Council supports the application submitted by the Roster Sports Club for a structural change to the existing service area to increase the occupant load from 54 to 95 patrons plus staff, for Licence Number 0313810 held by the Roster Sports Club located at 2319 53<sup>rd</sup> Avenue (Lot 26, Plan 28089, Section 10, Township 8, ODYD), based on the following reasons:

- The subject property is in the C5 – Community Commercial zoning district and is located on 53<sup>rd</sup> Avenue and 24<sup>th</sup> Street adjacent to commercial and industrial properties. There is also multi-family residential located to the east of the property. The zoning district permits the existing sports club and pub and restaurant use.
- The subject property is in the North Vernon Neighbourhood and is surrounded by commercial, industrial, and residential properties. It is designated Community Commercial in the Official Community Plan with the surrounding lots designated Light Industrial Service Commercial and Residential Medium Density. The subject use is compatible with existing and potential surrounding uses for the area.
- The subject property is adequately served with on-site parking. Traffic in the area is not expected to be impacted by the proposed change to the structure. Similarly, noise in the area is not expected to change due to the proposed change to the structure.

- The RCMP and Bylaw Compliance have indicated that the structural change at the Roster Sports Club and the proposed occupancy change do not present any policing concerns.
- A change to the interior of the structure is not expected to negatively impact the community.
- All owners and occupiers of lands and businesses operating within a 60m radius of the subject property were notified of the application, and were provided the opportunity to provide comments to the City. A total of 122 property owners and occupiers, including businesses, were contacted. Advertisements requesting public input were published in the Wednesday, November 27, 2019, and Friday, November 29, 2019, editions of the Morning Star newspaper. A total of one email from the public was received by the response deadline, expressing support for the proposal.

AND FURTHER, that the Liquor and Cannabis Regulation Branch be advised that Council is in support of the subject liquor licence application as it addresses the Liquor and Cannabis Regulation Branch criteria in the following manner:

- Noise in the area is not expected to change due to the proposed change in capacity.
- The subject property has been in operation for over 20 years. A change to the structure is not expected to negatively impact the community.
- It is not anticipated that a proposed change to the structure would result in Rosters Sports Club, located at 2319 53<sup>rd</sup> Avenue (Lot 26, Plan 28089, Section 10, Township 8, ODYD), being operated in a manner that is contrary to its primary purpose of a sports club.



**AMENDMENT OF  
SUBDIVISION AND  
DEVELOPMENT  
SERVICING BYLAW #3843  
SCHEDULE O – STANDARD  
DRAWINGS AND  
REFERENCES TO  
SCHEDULE O (P. 143)**

(iv) THAT Council support the proposed amendments to Subdivision and Development Servicing Bylaw #3843, Schedule O, B, D, E, F and G, as outlined in the report titled “Amendment of Subdivision and Development Servicing Bylaw #3843 Schedule O – Standard Drawings and References to Schedule O”, dated November 25, 2019 and respectfully submitted by the Manager, Engineering Development Services.

**VERNON & DISTRICT  
COMMUNITY LAND TRUST  
SOCIETY – HOUSING  
AGREEMENT FOR 4005  
PLEASANT VALLEY ROAD  
(P. 162)**

(v) THAT Council support entering into a housing agreement pursuant to Section 4.9 of Zoning Bylaw #5000 with the Vernon & District Community Land Trust Society for a twelve unit rental housing project on Plan B3444, Section 2, Township 8, ODYD (4005 Pleasant Valley Road), subject to the following condition:

1. That the terms and conditions of the draft housing agreement are those outlined in Attachment 1 contained in the report dated November 27, 2019 and titled “Vernon & District Community Land Trust Society – Housing Agreement for Plan B3444, Section 2, Township 8, ODYD (4005 Pleasant Valley Road)” from the Economic Development Planner.

AND FURTHER, that Council direct Administration to bring forward the appropriate bylaw to enable the City of Vernon to enter into the referenced housing agreement.

**12. LEGISLATIVE MATTERS**

Bylaws:

**ADOPTION**  
• 5791

(i) THAT Bylaw #5791, “**Fees and Charges (Cemetery Fees Increase 2020 and 2021) Amendment Bylaw Number 5791, 2019**” – a bylaw to amend Fees and Charges Bylaw 3909, be **adopted. (P. 184)**

**FIRST, SECOND & THIRD  
READINGS**  
• 5792

(ii) THAT Bylaw #5792, “**Council Procedure (July Meeting Removed) Amendment Bylaw Number 5792, 2019**” - a bylaw to remove a meeting in July, be **read a first, second and third time. (P. 188)**

- Memorandum dated December 2, 2019, from the Manager, Legislative Services, re: Amendment to Council Procedure Bylaw #4840. **(P. 190)**

**13. COUNCIL INFORMATION UPDATES**

- A. Mayor and Councillors Reports.

**14. INFORMATION ITEMS**

- A. Minutes from the following Committees of Council:
  - (i) Finance Committee, Aug 12, 2019 **(P. 191)**
  - (ii) Advisory Planning Committee, Nov 13, 2019 **(P. 194)**
  - (iii) Tourism Commission, Oct 23, 2019 **(P. 198)**
- B. Letter dated November 14, 2019, from Minister Darcy, Ministry of Mental Health and Addictions, re: follow up to meeting at UBCM – September, 2019. **(P. 203)**

**RECESS**

**15. RECESS MEETING**

**NOTES:**

- A. Public Hearing scheduled for **at 5:30 pm at City Hall:**
  - 1. “Zoning Text (Temporary Shelters) Amendment Bylaw Number 5788, 2019” – a Bylaw to amend the City of Vernon Zoning Bylaw Number 5000, to add text amendments to include development regulations for temporary shelters.

**RECONVENE**

**16. RECONVENE MEETING**

**THIRD READING**

- **5788**

- A. THAT Bylaw #5788, “**Zoning Text (Temporary Shelters) Amendment bylaw Number 5788, 2019**”, – a bylaw to add text amendments to include development regulations for temporary shelters, **be read a third time. (P. 205)**

**17. CLOSE OF MEETING**