



THE CORPORATION OF THE CITY OF VERNON

A G E N D A

REGULAR OPEN MEETING OF COUNCIL

CITY HALL COUNCIL CHAMBER

MONDAY, JANUARY 13, 2020

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) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by 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 January 13, 2020, 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 December 16, 2019 be adopted; **(P. 13)**

AND FURTHER, that the minutes of the December 16, 2019 Public Hearing be adopted; **(P. 35)**

AGENDA

MINUTES

AND FURTHER, that the minutes of the Special Regular (Budget) Meeting of Council held December 9 & 10, 2019, be adopted; **(P. 37)**

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held December 16, 2019 be received.

5. BUSINESS ARISING FROM THE MINUTES

6. GENERAL MATTERS

DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 3403 15th STREET (P. 65)

A. THAT Council support Development Variance Permit Application #DVP00453 to vary the following sections of Zoning Bylaw #5000 in order to construct a secondary building with suite on Lot 2, Sec 35, Twp 9, ODYD, Plan 4781 (3403 15th Street):

- a) Zoning Bylaw #5000 Section 4.5.6: to increase the maximum height of a secondary building from 4.5 m or one storey to **7.5 m** or two storeys;
- b) Zoning Bylaw #5000 Section 9.3.5: to increase the maximum height of a secondary building from 4.5 m to **7.5 m**;
- c) Zoning Bylaw #5000 Section 9.3.6: to allow the access for the primary residence to remain off 15th Street, and permit the proposed secondary building with suite to access the rear lane; and
- d) Subdivision and Development Servicing Bylaw #3843 Schedule B Section 3.5.4. to increase the minimum combined access width of primary and secondary accesses on a residential lot from 8.0 m to 11.0 m;

AND FURTHER, that Council **not** support Development Variance Permit Application #DVP00453 to vary the following section of Zoning Bylaw #5000 in order to construct a secondary building with suite on Lot 2, Sec 35, Twp 9, ODYD, Plan 4781 (3403 15th Street):

- a) Section 5.5.6: to increase the maximum height of a secondary building containing a secondary suite from **7.5 m to 8.0 m**;

AND FURTHER, that Council support of DVP00453 is subject to the following:

- a) That the site plan noted as Attachment 1 in the report titled “Development Variance Permit Application for 3403 15th Street” and dated November 27, 2019 by the Manager, Current Planning be attached to and form part of DVP00453 as Schedule ‘A’; and
- b) That the applicant provide updated building elevation plans satisfactory to Administration, intended to illustrate the general form, character and massing of the proposed residence to meet the Zoning Bylaw Section 5.5.6, being the 7.5 m maximum height limit for a secondary building containing a secondary suite.

Public Input – DVP #00453

- (i) Public Input on Development Variance Permit #00453 to vary sections of Zoning Bylaw #5000 and Subdivision and Development Servicing Bylaw #3843 in order to construct a secondary building with suite at 3403 15th Street.

Issuance of Permit

- (ii) THAT the Corporate Officer be authorized to issue Development Variance Permit #00453, for Lot 2, Sec 35, Twp 9, ODYD, Plan 4781 (3403 15th Street), once all conditions of Council are satisfied.

7. COUNCIL INQUIRIES

ADMINISTRATION UPDATES

8. ADMINISTRATION UPDATES

- A. THAT Council receive the Administration Updates dated January 13, 2020. **(P. 74)**

9. UNFINISHED BUSINESS

REZONING APPLICATION FOR 4403 – 20th STREET (P. 76)

- A. THAT Council **rescind** Second Reading of Bylaw #5766 to rezone Parcel B, Lot 32, Sec 2, Twp 8, ODYD, Plan 474 exc. the west 20 feet shown on Plan B5878 (4403 – 20th Street) from R5: Four-plex Housing Residential to RH2: Stacked Row Housing Residential, and all conditions relating to the RH2: Stacked Row Housing Residential zone;

AND FURTHER, that Council **approve an amendment** to Bylaw #5766 by replacing the RH2: Stacked Row Housing Residential zone with RM1: Row Housing in order to allow for multi-family development;

AND FURTHER, that:

- a) Prior to final adoption of Bylaw #5766 (as amended) 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; and
- b) That a restrictive covenant be registered on title to provide for a future statutory right of way to allow for a future pedestrian and cycling connections between 20th Street and Pleasant Valley Road.

**COMPOST PILOT PROJECT
RECOMMENDATIONS
(P. 88)**

- B.** THAT Council direct Administration to work with the Regional District of North Okanagan to enhance their waste characterization study to provide a more detailed analysis of the City of Vernon waste stream with a contribution of a maximum of up to \$10,000, with source of funds from Casino Reserve;

AND FURTHER, that Council direct Administration, upon completion of the waste characterization study, to put forth a call to assess market readiness, costs, opportunities and barriers to implementing household organics collection;

AND FURTHER, that Council direct Administration to report the outcomes of the waste characterization study and the market call assessing the feasibility, costs and benefits of household organic collection and identify how the City could address the impending Regional District of North Okanagan's Institutional, Commercial and Industrial food waste ban as outlined in the report titled "*Compost Pilot Project Recommendations*", dated December 30, 2019, respectfully submitted by the Manager, Long Range Planning and Sustainability;

AND FURTHER, that Council authorizes Administration to make application to any grant opportunities that may be available for this project.

**THIRD READING OF
BYLAW #5783 TO AMEND
DEVELOPMENT COST
CHARGE BYLAW #5233
(P. 96)**

- C.** THAT Council receive the public and stakeholder comments regarding the amendment to Development Cost Charge Bylaw #5233, as provided in the report titled *Third Reading of Bylaw #5783 to amend Development Cost Charge Bylaw #5233*, dated December 19, 2019, respectfully submitted by the Manager, Engineering Development Services;

AND FURTHER, that Council authorize Third Reading of Bylaw #5783, to amend Development Cost Charge Bylaw #5233 and forward this to the Inspector of Municipalities for provincial review and approval.

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

11. NEW BUSINESS

A. Correspondence:

**2020 – 2024 FINANCIAL
PLAN BYLAW #5794
(P. 105)**

(i) THAT Council receive the memorandum titled *2020 – 2024 Financial Plan Bylaw #5794*, from the Director, Financial Services, dated December 27, 2019, for information.

**PROPOSED AMENDMENTS
TO THE FEES AND
CHARGES BYLAW #3909
RELATING TO THE
COMMERCIAL VEHICLE
LICENCING BYLAW #3223
(P. 106)**

(ii) THAT Council approve Bylaw amendments to the Fees and Charges Bylaw #3909, as presented in the memorandum titled *Proposed Amendment to the Fees and Charges Bylaw #3909, relating to the Commercial Vehicle Licencing Bylaw #3233*, dated January 3, 2020, respectfully submitted by the Manager, Protective Services.

**DOWNTOWN VERNON
ASSOCIATION – BICYCLE
INFRASTRUCTURE (P. 118)**

(iii) THAT Council refers the letter dated December 14, 2019 from Dudley Coulter, Events & Promotions Coordinator to Administration for review and recommendation to Council.

B. Reports:

**UNION OF BC
MUNICIPALITIES 2019
COMMUNITY EMERGENCY
PREPAREDNESS FUND –
INDIGENOUS CULTURAL
SAFETY AND CULTURAL
HUMILITY TRAINING
(P. 129)**

(i) THAT Council authorize the \$25,000 UBCM CEPF grant funding application as attached to the report titled *Union of BC Municipalities (UBCM) 2019 Community emergency Preparedness Fund (CEPF) – Indigenous Cultural Safety & Cultural Humility Training* grant funding application, dated December 13, 2019, respectfully submitted by the Emergency Program Coordinator;

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

**AMENDMENT OF
SUBDIVISION AND
DEVELOPMENT
SERVICING BYLAW #3843
SCHEDULE B –
TRANSPORTATION (P. 139)**

- (ii) THAT Council support the proposed amendments to Subdivision and Development Servicing Bylaw #3843, Schedule B as outlined in the report titled *Amendment of Subdivision and Development Servicing Bylaw #3843 Schedule B – Transportation*, dated December 30, 2019, respectfully submitted by the Manager, Engineering Development Services.

**CANNABIS BUSINESS
LICENCE APPLICATION
FOR UNIT 1 – 800
KALAMALKA LAKE ROAD
(P. 169)**

- (iii) THAT Council provide a positive recommendation to the Liquor and Cannabis Regulation Branch (LCRB) regarding Cannabis Retail Store application (Job#002879/2267) (CRL00022) with respect to the application to establish a Non-Medical cannabis retail sales business on Lot 1, Plan 21570, ODYD (1-1800 Kalamalka Lake Road);

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 Unit 1-1800 Kalamalka Lake Road is within the C11 – Service Commercial 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:
- (ii) 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.

The Cannabis Business Licence application was referred to 19 staff in various departments and external agencies as well as 61 business, property owners and occupants within 30m of the subject property. Three responses were in support, one indicating no objection and one in opposition;

AND FURTHER, that the report from the Manager, Current Planning dated December 30, 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 CRL00022.

**CANNABIS BUSINESS
LICENCE APPLICATION
FOR UNIT 105D-3101
HIGHWAY 6 (P. 179)**

- (iv) THAT Council provide a positive recommendation to the Liquor and Cannabis Regulation Branch (LCRB) regarding Cannabis Retail Store application (Job#001627) (CRL00018) with respect to the application to establish a Non-Medical cannabis retail sales business on Lot A, Plan KAP45003, Sec 34, Twp 9, ODYD (105D-3101 Highway 6);

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 105D-3101 Highway 6 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 75 stakeholder referral letters being sent to internal departments, agencies and to all businesses, property owners and occupants within 30 m of the subject property. No objections were received. The Downtown Vernon Association and property owner had previously submitted letters of support.

AND FURTHER, that the report from the Manager, Current Planning dated December 30, 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 CRL00018.

12. LEGISLATIVE MATTERS

Bylaws:

ADOPTION

- 5787

(i) THAT Bylaw #5787, "**Zoning Text (Accessible Parking Updates) Amendment Bylaw Number 5787, 2019**" – a bylaw to amend Zoning Bylaw Number 5000, be **adopted. (P. 196)**

- Memo dated December 12, 2019, from the Transportation Planner, re: Confirmation of MoT approval and consideration of adoption. **(P. 207)**

- 5788

(ii) THAT Bylaw 5788, "**Zoning Text (Temporary Shelters) Amendment Bylaw Number 5788, 2019**" – a bylaw to amend Zoning Bylaw Number 5000, be **adopted. (P. 208)**

- Memo dated January 6, 2020, from the Planning Assistant, re: Confirmation of MoT approval and consideration of adoption. **(P. 215)**

THIRD READING

- 5783

(iii) THAT Bylaw #5783, "**Development Cost Charges (Updates) Amendment Bylaw Number 5783, 2019**" – a bylaw to amend the City of Vernon Development Cost Charge Bylaw #5233, be **read a third time. (P. 216)**

RESCIND SECOND READING, SECOND READING AS AMENDED

- 5766

(iv) THAT Council **rescinds second reading** for Bylaw #5766 - "**4403 20th Street Rezoning Amendment Bylaw Number 5766, 2019**" – a bylaw to rezone the subject property from rezoned from "R5: Four-plex Housing Residential" to "RH2: Stacked Row Housing Residential;

AND FURTHER, that Council amends "**4403 20th Street Rezoning Amendment Bylaw Number 5766, 2019**" by removing the RH2: Stacked Row Housing Residential Zone and **replacing with RM1: Row Housing;**

AND FURTHER, that Bylaw #5766 - "**4403 20th Street Rezoning Amendment Bylaw Number 5766, 2019**" – a bylaw to rezone the subject property from "**R5: Fourplex Housing Residential**" to "**RM1: Row Housing**" **be read a second time, as amended; (P. 219)**

AND FURTHER, that the Public Hearing for amended Bylaw #5766 be scheduled for **February 10, 2020 at 5:30 pm**, in Council Chambers.

FIRST, SECOND & THIRD READINGS

- 5796
 - 5798
 - 5793
 - 5794
 - 5797
- (v) THAT Bylaw #5796, "**Fees and Charges (Commercial Vehicle Licencing) Amendment Bylaw Number 5796, 2020**" – a bylaw to amend Fees and Charges Bylaw 3909, **be read a first, second and third time. (P. 222)**
 - (vi) THAT Bylaw #5798, "**City of Vernon Records Management (Updates) Amendment Bylaw Number 5798, 2020**" – a bylaw to update various references and include new record compliance for third parties, **be read a first, second and third time. (P. 224)**
 - Memorandum dated January 3, 2020, from DCO/Manager, Legislative Services, re: Updates to Records Management Bylaw Number 5051, 2006. **(P. 227)**
 - (vii) THAT Bylaw #5793, "**4005 Pleasant Valley Road Housing Agreement Bylaw Number 5793, 2020**" - a bylaw to authorize a Housing Agreement, **be read a first, second and third time. (P. 228)**
 - (viii) THAT Bylaw #5794, "**City of Vernon 2020 Financial Plan Bylaw Number 5794, 2020**", - a bylaw to adopt the Financial Plan for the years 2020 – 2024, **be read a first, second and third time. (P. 239)**
 - (ix) THAT Bylaw #5797, "**Subdivision and Development Servicing (Schedules O, B, D, E, F and G) Amendment Bylaw Number 5797, 2020**", a bylaw to amend sections of Subdivision and Development Servicing Bylaw #3843, **be read a first, second and third time. (P. 242)**

13. COUNCIL INFORMATION UPDATES

- A. Mayor and Councillors Reports.

14. INFORMATION ITEMS

- A. Minutes from the following Committees of Council:
 (i) Affordable Housing Advisory, April 11, 2019 **(P. 258)**
 (ii) Economic Development, June 27, 2019 **(P. 262)**
 (iii) Climate Action, November 13, 2019 **(P. 266)**
 (iv) Tourism Commission, November 20, 2019 **(P. 271)**
- B. Letter dated December 12, 2019 from Alison Slater, Southern Interior Local Government Association, re: SILGA Convention Call for Nominations 2020. **(P. 276)**
- C. Letter dated December 12, 2019 from Alison Slater, Southern Interior Local Government Association, re: Call for Resolutions for 2020 Convention. **(P. 278)**

RECESS**15. RECESS MEETING****NOTES:**

- A. Public Hearing scheduled for at 5:30 pm at City Hall:
1. **“3202 16th Avenue and 1504 32nd Street Rezoning Amendment Bylaw Number 5789, 2019”**
 2. **"967 Mt. Beaven Place Rezoning Amendment bylaw Number 5782, 2019", together with Public Input for Development Variance Permit #00463**
 3. **“5577 27th Avenue Rezoning Amendment Bylaw Number 5790, 2019”**

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

- 5789

A. THAT Bylaw #5789, **“3202 16th Avenue and 1504 32nd Street Rezoning Amendment Bylaw Number 5789, 2019”** - a bylaw to rezone the subject properties from “R2 – Large Lot Residential” to “RM2: Multiple Housing Residential” be read a third time. **(P. 280)**

- 5782

B. THAT Bylaw #5782, **"967 Mt. Beaven Place Rezoning Amendment bylaw Number 5782, 2019"** – a bylaw to rezone the subject property from “R2:Large Lot Residential” to “R2h: Large Lot Residential – Sub-zone”, be read a third time. **(P. 283)**

- 5790 C. THAT Bylaw #5790, “**5577 27th Avenue Rezoning Amendment Bylaw Number 5790, 2019**” – a bylaw to rezone the subject property from “R1: Estate Lot Residential” to “RH1: Low-Rise Apartment Residential”, be read a third time. (P. 286)

17. CLOSE OF MEETING