



THE CORPORATION OF THE CITY OF VERNON A G E N D A

PUBLIC HEARING
COUNCIL CHAMBERS
MONDAY, APRIL 27, 2020
5:30 PM

1. **CALL TO ORDER**

MAYOR Cumming will call the meeting to order and advise that the purpose of the Public Hearing /Public Input is to consider:

A. "Official Community Plan (Boundary Extensions) Text Amendment Bylaw Number 5807, 2020"

2. **CONFIRMATION OF PUBLICATION**

The CORPORATE OFFICER will provide information as to how the meeting was publicized, as required by Legislation.

3. **BYLAW**

A. "Official Community Plan (Boundary Extensions) Text Amendment Bylaw Number 5807, 2020"

A Bylaw:

To amend the Official Community Plan to allow for the connection of BX Elementary School to the sanitary sewer system.

4. **PROCEDURE FOR EACH BYLAW:**

- a) Brief description of the application by City Staff.
- b) Mayor will request the Corporate Officer to indicate any correspondence/petitions received, for the record.
- c) Mayor will call for representation from the public in attendance.
 - i. Microphones are provided for any person(s) wishing to make representation to the meeting.
 - ii. The Chair will recognize ONLY speakers at the microphones. Speakers may be requested to limit the

**BX ELEMENTARY
SCHOOL – OCP
AMENDMENT
(P. 3, 5)**

length of time they speak until all present, who wish to be heard, have been given an opportunity. Thereafter speakers may take another opportunity to speak.

- iii. The public and members of Council may ask questions of the applicant and / or City staff in order to clarify details of the project, etc.
- iv. Final calls for representation

5. ADJOURNMENT

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5807

A bylaw to amend the City of Vernon's Official
Community Plan Bylaw Number 5470

WHEREAS the Council of The Corporation of the City of Vernon has determined to amend the "Official Community Plan Bylaw Number 5470, 2013";

AND WHEREAS all persons who might be affected by this amending bylaw have, before the passage thereof, been afforded an opportunity to be heard on the matters herein before the said Council, in accordance with the provisions of Section 464 of the *Local Government Act*, and all amendments thereto;

NOW THEREFORE the Council of The Corporation of the City of Vernon, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as "**Official Community Plan (Boundary Extensions) Text Amendment Bylaw Number 5807, 2020**".
2. That Official Community Plan Bylaw Number 5470 is hereby amended as follows:

Amend Section 24.0 Boundary Extensions to **ADD NEW** Subsection 24.7 under 'Supporting Policies' as shown in **red** on attached **Schedule "A"** attached to and forming part of this bylaw;
3. Official Community Plan Bylaw Number 5470 is hereby ratified and confirmed in every other respect.

READ A FIRST TIME this 9th day of March, 2020.

READ A SECOND TIME this 9th day of March, 2020.

PUBLIC HEARING held this day of , 2020.

READ A THIRD TIME this day of , 2020.

ADOPTED this day of , 2020.

Mayor

Corporate Officer

Supporting Policies

- 24.1 Review boundary extension applications annually, in conjunction with Official Community Plan amendment applications.
- 24.2 Recognize the rural protection boundary as embodied in the Regional Growth Strategy.
- 24.3 With the support of RDNO, support a block boundary extension process where connection to the City sewer system can replace failing septic systems and where the property is immediately adjacent to City infrastructure and contiguous to the City boundary. Pursuant to the RGS (Goal UC-2.4), such lands are not to receive additional development potential, and will be included in Development District 3, the Hillside Residential and Agricultural District and rezoned to an agricultural zoning district. Do not accept individual or small block boundary extension applications.
- 24.4 Work with RDNO and Electoral Areas B and C on the possibility of a boundary extension to include the Swan Lake Corridor, a designated future growth area, to accommodate the extension of servicing required to realize significant commercial development.
- 24.5 Where a boundary adjustment application falls within the designated rural protection area, and serves the City's growth strategy, require the Regional District of North Okanagan's approval on the redesignation of the lands as growth or future growth area in the RGS, as appropriate, prior to extension of the City boundary.
- 24.6 Do not support the extension of City services outside the municipal boundaries.
- 24.7 Notwithstanding the above, agree to a boundary extension process for BX Elementary School for purposes of a sanitary sewer service connection, providing RDNO does not oppose the boundary extension process.**



THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Will Pearce, CAO **FILE:** 3370-20
PC: Patti Bridal, Director, Corporate Services **DATE:** March 4, 2020
FROM: Kim Flick, Director, Community Infrastructure and Development Services
SUBJECT: BX Elementary School – OCP Amendment

BX Elementary School, located at 5849 Silver Star Road in Electoral Area C, has received funding to expand its classroom space. Construction will commence in the near future. In order to maximize new classroom space, School District #22 has requested connection to the City's sanitary sewer system. The School District has indicated that the cost of an expanded septic field would reduce the funding available for new classroom space.

As per policy 24.6 of the City's Official Community Plan (OCP), service connection is not permitted outside the City boundary. Further, OCP policy 24.3 does not support individual or small lot boundary extensions and requires Regional District of North Okanagan (RDNO) support for any boundary extension process motivated by the desire to connect to the City's sanitary sewer system. As such, the School District must apply for a boundary extension and RDNO support for that is required.

At its Regular Meeting of February 19, 2020, the RDNO Board passed a resolution consenting to the provision of the sanitary sewer connection in advance of the boundary extension process, which is required under Section 13 of the Community Charter. However, the OCP for Electoral Areas B and C specifically oppose boundary extensions for the purpose of obtaining a sanitary sewer connection. As such, RDNO passed an additional resolution specifying that "when a referral is received at the RDNO for annexation of the property located at 5849 Silver Star Road, the RDNO's response will be that there is no negative financial impact and the RDNO will not be providing any further comment."

In order to proceed with the boundary extension process for the school, an amendment to the City's OCP is required (Attachment 1). In order to retain the City's position on boundary extensions and not extending services beyond its municipal boundaries, the following amendment is recommended:

- 24.7 Notwithstanding the above, agree to a boundary extension process for BX Elementary School for purposes of a sanitary sewer service connection, providing RDNO does not oppose the boundary extension process.

Administration has spoken with staff at the Ministry of Municipal Affairs and Housing and confirmed that this approach satisfies the Ministry's expectations.

The City has a corporate policy regarding OCP amendment applications which requires an additional open house be held in addition to the legislated official Public Hearing process (Attachment 2). In this instance, given the timeline for construction of the new classroom space and that it will result in a significant community benefit, it is recommended that the policy be waived in this instance. Further, given the numerous discussions regarding this issue with RDNO Directors and School District #22 officials, all of whom support the school connecting the sanitary sewer system, it is recommended that this be considered to satisfy the conditions of Section 475 of the Local Government Act – Consultation during development of Official Community Plan (OCP).

Should Council support the draft OCP amendment in principle, it is noted that Council members must keep an open mind as to the final disposition of the draft OCP amendment during the Public Hearing process.

RECOMMENDATION:

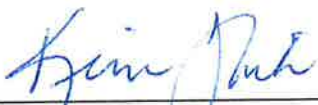
THAT Council support waiving the open house for the proposed Official Community Plan Amendment as per the corporate OCP Amendment Applications Policy and proceed directly to First and Second Readings and scheduling of a Public Hearing;

AND FURTHER, that Council consider the discussions to date with the Regional District of North Okanagan and School District #22 to satisfy the conditions of Section 475 of the Local Government Act – Consultation during development of Official Community Plan (OCP);

AND FURTHER, that the draft OCP amendment be referred to the Advisory Planning Committee for consideration at its Regular Meeting of March 10, 2020, with any comment being provided as public input at the Public Hearing for Council's consideration;

AND FURTHER, that Council support, in principle, the amendment to Section 24 Boundary Extensions of the Official Community Plan as outlined in the memo titled BX Elementary School – OCP Amendment dated March 4, 2020 and respectfully submitted by the Director, Community Infrastructure and Development Services.

Respectfully submitted:



Kim Flick, Director
Community Infrastructure and Development

Attachment 1 – Official Community Plan Section 24 Boundary Extensions
Attachment 2 – Corporate Policy OCP Amendment Applications

24.0 Boundary Extensions

Goals

Provide a process for consideration of boundary extension applications.

Undertake a study to determine the feasibility and desirability of extending the City's boundary to include lands in the Swan Lake Corridor.

Work with the Regional District of North Okanagan on the identification and redesignation of Rural Protection Lands, as outlined in the Regional Growth Strategy, that serve the City's growth strategy.

Guiding Principles Met

- Foster prosperity for people, business and government
- Protect and preserve green spaces and sensitive areas
- Ensure housing meets the needs of the whole community
- Create a culture of sustainability
- Protect agricultural land
- Create strong, compact and complete neighbourhoods

Context

For many years, the City has accepted and supported boundary extension applications for lands contiguous to and within an ultimate City of Vernon boundary, identified to provide general guidance in the consideration of boundary extension applications. This property by property approach is time consuming for all parties and tends to reflect individual property interests as opposed to the goals and interests outlined in the City and Regional District of North Okanagan's (RDNO) long term planning, development and infrastructure phasing.

Further, there are concerns related to the trend towards boundary extension to facilitate residential densification. Allocations of increased density far from the City Centre and designated neighbourhood centres are contrary to the growth strategy embodied in this plan. Attention must also be paid to the rural-urban interface to ensure that the residential subdivision pattern does not encroach into or serve to fragment ALR lands, particularly on the City's eastern boundary.

With the adoption of the Regional Growth Strategy (RGS) on September 21, 2011, specific areas for growth and future growth, as well as rural areas intended to be protected from the pressures of urban development were identified. As a result of the RGS, the City's boundary extension policies need to evolve to reflect these new regional designations.

As such, pursuant to RGS policy UC-2.4, the City will support a block boundary extension process along its boundary in the rural protection area to address issues of failing on-site septic systems where the properties are immediately adjacent to City infrastructure. Individual or small block boundary extension applications will not be accepted. In order to meet the intent of the RGS policy, properties annexed for this purpose will be included in Development District 3, the Hillside Residential and Agricultural District, and be rezoned to an agricultural zoning district. This further supports RGS policy UC-1.2.8, whereby municipalities are to recognize the rural protection boundary in their Official Community Plans. The endorsement of RDNO is required prior to the initiation of a block boundary extension process.

Where a boundary extension application falls within the designated rural protection area, but serves the City's growth strategy and is in keeping with the RGS goal of compact, complete communities, it is necessary to receive RDNO approval prior to the boundary extension process on the redesignation of the lands as growth or future growth area, as appropriate.

In addition, the relative costs and benefits of the extension of the municipal boundaries in the Swan Lake Corridor should be examined. This corridor is identified as a future growth area in the RGS and the extension of servicing is key to realizing significant development potential. As the development of this area is beneficial to the entire sub regional area given the potential to provide significant new highway oriented commercial development, it is desirable to work with RDNO and Electoral Areas B and C to ascertain the feasibility and desirability of extending the City's boundary to include this corridor.

The RGS also speaks to the need for the Government of British Columbia to review and update municipal expansion policies, ensuring that the process is equitable, transparent and inclusive. The City strongly supports this initiative.

Supporting Policies

- 24.1 Review boundary extension applications annually, in conjunction with Official Community Plan amendment applications.
- 24.2 Recognize the rural protection boundary as embodied in the Regional Growth Strategy.
- 24.3 With the support of RDNO, support a block boundary extension process where connection to the City sewer system can replace failing septic systems and where the property is immediately adjacent to City infrastructure and contiguous to the City boundary. Pursuant to the RGS (Goal UC-2.4), such lands are not to receive additional development potential, and will be included in Development

District 3, the Hillside Residential and Agricultural District and rezoned to an agricultural zoning district. Do not accept individual or small block boundary extension applications.

- 24.4 Work with RDNO and Electoral Areas B and C on the possibility of a boundary extension to include the Swan Lake Corridor, a designated future growth area, to accommodate the extension of servicing required to realize significant commercial development.
- 24.5 Where a boundary adjustment application falls within the designated rural protection area, and serves the City's growth strategy, require the Regional District of North Okanagan's approval on the redesignation of the lands as growth or future growth area in the RGS, as appropriate, prior to extension of the City boundary.
- 24.6 Do not support the extension of City services outside the municipal boundaries.
- 24.7 Notwithstanding the above, agree to a boundary extension process for BX Elementary School for purposes of a sanitary sewer service connection, providing RDNO does not oppose the boundary extension process.



ATTACHMENT #1

THE CORPORATION OF THE CITY OF VERNON

3400 – 30th Street, Vernon, B.C. V1T 5E6
 Telephone: (250) 545-1361 Fax: (250) 545-4048

website: www.vernon.ca

Corporate Policy

Section:	Planning and Building Services	
Sub-Section:		
Title:	OCP Amendment Applications	

RELATED POLICIES

Number	Title

APPROVALS

POLICY APPROVAL:	AMENDMENT APPROVAL:	SECTION AMENDED
Approved by: "WAYNE LIPPERT"	Amendment Approved by: "Wayne Lippert"	<ul style="list-style-type: none"> • Exceptions to Annual Review added
Mayor	Mayor	
Date: February 9, 2009	Date: September 12, 2011	

POLICY

In order to ensure that the intent of the Official Community Plan (OCP) 2008 is not eroded, and to enhance public awareness of proposed changes to the OCP, OCP amendment applications will be reviewed on an annual basis, with the exception of amendments that result in significant public amenities and community benefit. All OCP amendment applications will be reviewed subject to the criteria identified below.

DEFINITIONS

PROCEDURES

1. Pursuant to Section 895(2)(a) of the *Local Government Act*, a local government must consider every application for an amendment to an OCP. Further, pursuant to Section 895(1) of the *Local Government Act*, the *City's Development Application Procedure Bylaw Number 4103, 1995*, specifies the process for applications for OCP amendments. Council may, upon receipt of the required report specified in Section 6A of that bylaw, proceed with an amendment bylaw or reject the application.
2. Applications for OCP amendments will be processed annually. All complete applications received on or before March 01 will be considered during that calendar year.
3. The report to Council on the amendment application will assess whether that application is contrary to any of the Guiding Principles of the OCP 2008, as follows:

- Protect and preserve green spaces and sensitive areas
- Ensure housing meets the needs of the whole community
- Create a culture of sustainability
- Protect agricultural land
- Create strong, compact and complete neighbourhoods
- Provide alternative transportation
- Revitalize the Downtown
- Ensure development pays for itself
- Create a youth friendly city

Applications which are contrary to the Guiding Principles will receive a negative recommendation by staff.

4. A public open house will be hosted by the City of Vernon, in addition to the legislated official Public Hearing process, to provide community residents with an additional opportunity to consider the amendment applications.
5. The following OCP amendments will be considered at any time during the year, as approved by Council:

- a) Neighbourhood Plan reviews;
- b) Minor amendments in adopted neighbourhood plan areas that do not result in a change to Land Use Designations except where the Parks and Open Space Designation is being created or reallocated;
- c) Amendments resulting in significant public amenities and community benefit.