



THE CORPORATION OF THE CITY OF VERNON

A G E N D A

REGULAR OPEN MEETING OF COUNCIL

CITY HALL COUNCIL CHAMBER

MONDAY, MAY 11, 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:

(1)(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;

(1)(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;

(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

3. ADJOURN TO OPEN COUNCIL AT 1:30 PM

A. THAT the Agenda for the May 11, 2020, 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 April 27, 2020 be adopted; **(P. 11)**

AND FURTHER, that the minutes of the Public Hearing held April 27, 2020 be adopted; **(P. 29)**

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held April 27, 2020 be received.

5. BUSINESS ARISING FROM THE MINUTES

6. GENERAL MATTERS

DELEGATION: INTERIOR HEALTH

- A. Colleen McEwan, Director Clinical Operations – Mental Health & Substance Use and Allied Health, North Okanagan and Dr. Karin Goodison, Interior Medical Health Officer re: Overdose Prevention Site.

PRESENTATION: RCMP – QUARTERLY REPORT (P. 31)

- B. Supt. Shawna Baher, OIC, RCMP, will be providing the First Quarter report for 2020.

DEVELOPMENT VARIANCE APPLICATION FOR 2600 25TH AVENUE (P. 48)

- C. THAT Council support Development Variance Permit Application #DVP00474 to vary the following section of Zoning Bylaw #5000 in order to allow the further subdivision of the easterly 82 feet of Lot 1 measured along the northerly and southerly boundaries thereof Sec 34, Twp 9, ODYD, Plan 550, Pine Grove (2600 25th Avenue) which contains an existing residence:

- a) To vary Section 9.3.5. to reduce the rear yard setback for a 2 or 2.5 storey portion of the existing building from 7.5 m to 7.1 m.

Public Input – DVP #00474

- (i) Public Input on Development Variance Permit #00474 to vary a section of Zoning Bylaw #5000 to reduce the rear yard set back from 7.5 m to 7.1 m.

NOTE: At their April 27, 2020 In Camera (declassified) meeting, Council passed the following resolution:

*THAT Council directs Administration to receive public input for development variance permit applications in **written form only** until the COVID-19 pandemic response social distancing requirements have been lifted by the Provincial Health Officer.*

Issuance of Permit #00474

- (ii) THAT the Corporate Officer be authorized to issue Development Variance Permit #00474 for 2600 25th Avenue in order to allow the further subdivision of the easterly 82 feet of Lot 1 measured along the northerly and southerly boundaries thereof Sec 34, Twp 9, ODYD, Plan 550, Pine Grove, **once all conditions of Council have been met.**

**DEVELOPMENT VARIANCE
APPLICATION FOR 1103 35th
AVENUE
(P. 53)**

- D. THAT Council **not support** the Development Variance Permit Application (DVP00477) to vary the following section of Zoning Bylaw #5000 on Pt. Lot 2, Plan 21392, Section 2, Twp 8, ODYD (1103 35th Avenue):

- a) To vary Section 9.3.5 to reduce the minimum rear yard setback from 7.5m to 3.5m to construct a single-storey addition with a roof top deck on an existing single-family dwelling.

Public Input – DVP #00477

- (i) Public Input on Development Variance Permit #00477 to vary a section of Zoning Bylaw #5000 on Pt. Lot 2, Plan 21392, Section 2, Twp 8, ODYD (1103 35th Avenue) to construct a single-storey addition with a roof-top deck on an existing single-family dwelling.

- Email from D. Buyar, dated April 30, 2020 **(P. 78)**

NOTE: At their April 27, 2020 In Camera (declassified) meeting, Council passed the following resolution:

*THAT Council directs Administration to receive public input for development variance permit applications in **written form only** until the COVID-19 pandemic response social distancing requirements have been lifted by the Provincial Health Officer.*

7. COUNCIL INQUIRIES

8. ADMINISTRATION UPDATES

**ADMINISTRATION UPDATES
(P. 81)**

A. THAT Council receive the Administration Updates dated May 11, 2020, for information.

9. UNFINISHED BUSINESS

**SUSPENSION OF BYLAW
ENFORCEMENT FOR
METERED PARKING
(P. 84)**

A. THAT Council directs Administration to suspend bylaw enforcement of all on-street metered parking and two-hour parking zones in the City of Vernon, with the exception of enforcement related to safety issues, until **July 1, 2020**.

**BUSINESS RECOVERY TASK
FORCE
(P. 86)**

B. THAT Council receive the memorandum titled “Business Recovery Task Force”, dated May 4, 2020, by the Manager, Economic Development and Tourism for information.

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

11. NEW BUSINESS

A. Correspondence:

**FORESHORE TENURE AND
AQUATIC LAND LEASE
EXTENSION – KIN PARK
(P. 89)**

(i) THAT Council directs Administration to apply for foreshore tenure for 7200 Tronson Road Right-of-Way, Lot 2, Plan 5193, and Lots 6-9 Block 7 Plan 2068, and to extend the Aquatic Land Lease 776 for the aforementioned lands as described in the memorandum titled “Foreshore Tenure and Aquatic Land Lease Extension – Kin Park” dated April 22, 2020 from the Parks Planner.

**FEDERATION OF CANADIAN
MUNICIPALITEIS –
SUSTAINABLE
COMMUNITIES AWARD
APPLICATION – DRAINAGE
INFRASTRUCTURE
PRIORITIZATION PLAN
(P. 91)**

(ii) THAT Council supports an application being submitted to the Federation of Canadian Municipalities – Sustainable Communities Award – Asset Management Category, for the Drainage Infrastructure Prioritization Plan.

**REVENUE PROJECTIONS
AND FISCAL STRATEGY
(P. 92)**

(iii) THAT Council receives the memorandum dated May 4, 2020 titled “Revenue Projections and Fiscal Strategy” as submitted by the Director, Financial Services;

AND FURTHER, that Council approve the 2020 cost containment and budget balancing strategy as presented in Schedule 1 attached to the subject memorandum.

**PURCHASING POLICY
UPDATE ADVISEMENT
(P. 96)**

- (iv) THAT Council receive the memorandum dated April 30, 2020 from the Manager, Procurement Services titled “Purchasing Policy Update AdviseMENT”.

**PROPOSED ADDITIONAL
ROAD RECONSTRUCTION –
48TH AVENUE (32ND STREET
TO 29TH STREET) CAPITAL
PROJECT
(P. 97)**

- (v) THAT Council endorse the use of \$203,285.80 from 48th Avenue Drainage and Road Rehabilitation project budget to fund the additional road reconstruction work in 48th Avenue as outlined in the memorandum titled “Proposed Additional Road Reconstruction – 48th Avenue (32nd Street to 29th Street) Capital Project”, dated May 1, 2020 from the Municipal Technician III, Infrastructure.

**RECREATION AND PARKS
SERVICES FEES &
CHARGES ANNUAL
AMENDMENT
(P. 99)**

- (vi) THAT Council approve amendments to the Recreation & Parks Services Fees & Charges Bylaw #5813 for the period of September 1, 2020 to August 31, 2021 as outlined in Attachment “1” to the memorandum titled Recreation & Parks Services Amendments to Fees & Charges Bylaw, dated April 17, 2020 from the Director, Recreation Services and the Manager, Parks & Public Spaces.

**PUBLIC HEARING PROCESS
COVID-19
RECOMMENDATIONS
(P. 158)**

- (vii) THAT Council receive the memorandum titled “Public Hearing Process – COVID-19 Recommendations”, dated May 4, 2020 by the Manager, Long Range Planning and Sustainability.

B. Reports:

**SCHOOL DISTRICT 22 -
BOUNDARY EXTENSION
APPLICATION FOR LOT 1,
PLAN KAP12270, SEC 12,
TP8, ODYD (5849 SILVER
STAR ROAD)
(P. 171)**

- (i) THAT Council support the boundary extension application submitted by MQN Architects on behalf of Board of Trustees, School District #22 for Lot 1, Plan KAP12270 (BX Elementary School, located at 5849 Silver Star Road);

AND FURTHER, that Council authorize the School District #22 boundary extension application to be forwarded to the Province, together with comments from the Regional District of North Okanagan and Okanagan Indian Band, requesting that the Province grant approval to undertake the advertising for the statutory thirty day petition period;

AND FURTHER, that the School District #22 boundary extension application be exempt from the portion of Council's existing policy titled "Annexation Applications" which would require the subject application be forwarded to the next annual review period commencing March 1, 2021.

**CANNABIS BUSINESS
LICENCE APPLICATION FOR
200A-3107 48TH AVENUE
(P. 183)**

- (ii) THAT Council provide a positive recommendation to the Liquor and Cannabis Regulation Branch (LCRB) regarding Cannabis Retail Store application (Job#002765) (CRL00017) with respect to the application to establish a Non-Medical cannabis retail sales business on Lot 10, Plan 2630, DL 38, ODYD, Except Plan KAP56448 (200A-3107 – 48th 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 200A-3107 48th Avenue is within the C5 – Community 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:
- 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 66 stakeholder referral letters being sent to internal departments, agencies and to all businesses, property owners and occupants within 30 m of the subject property. A total of six (6) responses were received, of which three (3) responses were from the same adjacent business.

AND FURTHER, that the report from the Manager, Current Planning dated April 30, 2020 be provided to the LCRB 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 CRL00017.

**REQUEST TO WAIVE
REZONING APPLICATION
CONDITION FOR 5000 20TH
STREET (ZON00297)
(P. 194)**

(iii) THAT Council receive for information the report titled "Request to Waive Rezoning Application Condition for 5000 20th Street (ZON00297)" dated April 28, 2020 from the Environmental Planning Assistant.

- Letter from M. Wettleland and B. Scott of Scotland Constructors, dated May 4, 2020 re: Request to Waive Rezoning Application Condition for 5000 20th Street (ZON00297). (P. 213)

**REZONING APPLICATION
FOR 2103 39TH STREET
(P. 214)**

(iv) THAT Council support the application to rezone Lot 7, District Lot 74, Plan 23255, ODYD (2103 39th Street) from R2: Large Lot Residential to R2h to allow for a "home based business, major" use within the existing single family dwelling at 2103 39th Street, subject to a restrictive covenant being registered on title for the following conditions:

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

AND FURTHER, that Council support of ZON000348 is subject to the following:

- a) That the site and floor plans, generally shown as Attachment 1 in the report titled “Rezoning Application for 2103 39th Street” dated May 1, 2020, by the Planning Assistant be attached to and form part of ZON00348 as Scheduled ‘A’.

12. LEGISLATIVE MATTERS

Bylaws:

ADOPTION

- 5783

- (i) 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 **adopted. (P. 225)**

FIRST, SECOND AND THIRD READINGS AND ADOPTION

- 5812

- (ii) THAT Bylaw #5812, "**Tax Rates Bylaw 5812, 2020**" a bylaw for the levying of rates for Municipal, Hospital, Regional District and Specified Area purposes for the Year 2020, be **read a first, second and third time.**

- (iii) THAT Bylaw #5812, "**Tax Rates Bylaw 5812, 2020**" a bylaw for the levying of rates for Municipal, Hospital, Regional District and Specified Area purposes for the Year 2020, **be adopted. ** (P. 230)**

PLEASE NOTE:

***Council for the City of Vernon will consider ALL readings of the foregoing bylaw, including adoption, at the same meeting, by authority of the following **Ministerial Order** related to the COVID- 19 Pandemic Emergency Measures.*

Emergency Program Act

Ministerial Order No. M139 (May 1, 2020)

Timing requirement for bylaw passage – municipalities

- 12. *Despite section 135 (3) [requirements for passing bylaws] of the Community Charter, **a council may adopt a bylaw on the same day that a bylaw has been given third reading.***

FIRST, SECOND AND THIRD READINGS

- 5813

- (iv) THAT Bylaw # 5813 "**Recreation Services Fees and Charges (2020/21) Amendment Bylaw Number 5813, 2020**", a bylaw to amend the City of Vernon Recreation Fees and Charges Bylaw # 5472, be **read a first, second and third time. (P. 235)**

**FIRST & SECOND READINGS
AND PUBLIC HEARING DATE**

- 5814

- (v) THAT Bylaw #5814, “**2103 39th Street Rezoning Amendment Bylaw Number 5814, 2020**” a bylaw to rezone land from R2 – Large Lot Residential to R2h Large Lot Residential – Sub-zone, **be read a first and second time;**

AND FURTHER, that a Public Hearing for Bylaw #5814, be scheduled for **Monday, June 8, 2020**, at 5:30 pm, in Vernon Recreation Centre Auditorium, 3310 – 37th Avenue, in order to accommodate physical distancing requirements related to the COVID-19 pandemic. **(P. 287)**

**RELOCATION OF PUBLIC
HEARING VENUE**

- 5802

- (vi) THAT the May 25, 2020 (5:30 pm) Public Hearing for Bylaw #5802 “**9188 Tronson Road Rezoning Amendment Bylaw number 5802, 2020**” be **relocated** from Council Chambers to the Vernon Recreation Centre Auditorium, 3310 – 37th Avenue, in order to accommodate physical distancing requirements related to the COVID-19 pandemic.

13. COUNCIL INFORMATION UPDATES

- A. Mayor and Councillors Reports

14. INFORMATION ITEMS

- A. Minutes from the following Committees of Council:
- (i) Joint Biosolids Advisory, Sep. 19, 2020 **(P.290)**
 - (ii) Advisory Planning, Mar. 26, 2020 **(P. 295)**

15. CLOSE OF MEETING