



THE CORPORATION OF THE CITY OF VERNON

MATTERS REFERRED

October 13, 2020

A. AGENDA CHANGES:

1. **ADD ITEM – 11. A. (vii) New Business, Reports** – Memo – Vernon Pickleball Association – Phase II Cover of Pickleball Courts at Marshall Fields – DCC's Payable:

'THAT Council direct Administration to fund the Development Cost Charges applicable, as determined by the Approving Officer, for the Enclosure of the Pickleball Courts at Marshall Fields to a maximum of \$215,000, from the Civic Building Reserve.'

2. **ADD ITEM – 12. A. (iv) Legislative Matters** – Adoption of “**2724 Howser Place Land Use Contract Number LTO #N1421, 1978 Discharge Bylaw Number 5829, 2020**”
3. **ADD ITEM – 12. A. (v) Legislative Matters** – First and Second Readings and scheduling of Public Hearing date for “**6309, 6321 and 6335 Okanagan Landing Road Rezoning Amendment Bylaw Number 5837, 2020**”.

B. COMMITTEE OF THE WHOLE (RATIFIED IN OPEN MEETING):

**AMENDMENT TO
COUNCIL COMMITTEE
STRUCTURE POLICY
(0540)**

'THAT Council adopts the amendments to the Council Committee Structure Policy as provided in Attachment 1 of the memorandum dated October 2, 2020, titled Amendment to Council Committee Structure Policy, respectfully submitted by the Deputy CAO'



THE CORPORATION OF

INTERNAL MEMORANDUM

**ADD ITEM 11.A.(vii) -
Memo re: Vernon Pickle Ball
Association, DCCs Payable**

TO: Will Pearce, CAO **FILE:** 6140-20
PC: Patti Bridal, Dir. Corp. Services/Deputy CAO **DATE:** October 8, 2020
FROM: Brett Bandy, Real Estate Manager
**SUBJECT: VERNON PICKLEBALL ASSOCIATION – PHASE II COVER OF PICKLEBALL
COURTS AT MARSHALL FIELDS – DCC'S PAYABLE**

Council passed a resolution on August 17, 2020 (Attachment 1), regarding amending the lease for construction of the enclosure of the pickleball courts at Marshall Fields; including direction from Council that the City would fund the applicable DCC's up to \$200,000. The calculated DCC's amount is \$212,044.20. Therefore the following resolution is respectfully submitted.

RECOMMENDATION:

THAT Council direct Administration to fund the Development Cost Charges applicable, as determined by the Approving Officer, for the Enclosure of the Pickleball Courts at Marshall Fields to a maximum of \$215,000, from the Civic Building Reserve.

Respectfully submitted:

Attachment 1: Council Resolution from Meeting August 17, 2020

ATTACHMENT 1

Council, on Monday, August 17, 2020, passed the following resolution:

VERNON PICKLEBALL ASSOCIATION – PHASE II COVER OF PICKLEBALL COURTS AT MARSHALL FIELDS (6140-20)

'THAT Council direct Administration to amend the lease agreement with the Vernon Pickleball Association (VPA) dated June 30, 2017, as assigned to the City of Vernon from the Regional District of the North Okanagan on January 1, 2018, as follows:

1. *add two additional five year renewal options, for a total of four, five year renewal options,*
2. *add Promissory Note dated September 5, 2019 as a Schedule,*
3. *add the Enclosure as a Schedule – the enclosure of the pickleball courts located at Marshall Fields, consisting of metal truss skeleton, non-flammable fabric cover, lighting, ventilation fans and gas furnaces,*
4. *update the Improvements and Construction - Schedules, to add the additional improvements and timing of construction,*
5. *add the Enclosure Capital Improvements Replacement Account - Schedule, for the VPA to fund up to \$300,000, for the replacement of the Enclosure Capital Improvements and the fund shall be held in trust by the VPA, at a registered financial institution in Vernon, B.C. for this purpose, as written and attached to this report titled, "Vernon Pickleball Association – Phase II Cover Of Pickleball Courts At Marshall Fields" dated August 4, 2020 from the Real Estate Manager.,*
6. *update the Operating Guidelines - Schedule:*
 - a. *daily hours of use 6:00am – 11:00pm,*
 - b. *a minimum of six hours daily be available for general public access, unless there are tournaments, or events,*
 - c. *that Mondays to Fridays - two of the six hours for general public access be from 5pm to 9pm,*
 - d. *that Saturdays and Sundays – four of the six hours for general public access be from start time in the am to 5pm,*
 - e. *the cost for general public use be \$15 per person for two hours of play, to a maximum of \$60 per court for two hours play,*

all as written and attached to this report titled, "Vernon Pickleball Association – Phase II Cover Of Pickleball Courts At Marshall Fields" dated August 4, 2020 from the Real Estate Manager;

AND FURTHER, that Council direct Administration to fund the Development Cost Charges applicable, as determined by the Approving Officer, for the Enclosure of the Pickleball Courts at Marshall Fields to a maximum of \$200,000, from the Civic Building Reserve;

AND FURTHER, that Council direct the Vernon Pickleball Association (VPA) to apply for a variance, per the VPA request to waive the parking requirements, as per Zoning Bylaw #5000;

AND FURTHER, that Council declassify and remove from confidential: the resolution, the Assignment of Lease, the Lease, the Promissory Note, and the Lease Addendum Agreement.'

**ADD ITEM 12.A.(iv) - Adoption -
"2724 Howser Place Land Use
Contract Number LTO#N1421, 1978
Discharge Bylaw Number 5829**

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5829

A bylaw to authorize the discharge of Land Use
Contract Bylaw Number LTO #N1421, 1978

WHEREAS the owner of Lot A, Plan 34882, District Lot 66, ODYD (2724 Howser Place) has requested that Council of The Corporation of the City of Vernon discharge "Land Use Contract Bylaw Number LTO #N1421, 1978" and all amendments thereto;

AND WHEREAS Section 546 of the *Local Government Act* permits a municipality to discharge a Land Use Contract by bylaw, with the agreement of the local Council and the owner of any parcel that is described in the bylaw as being covered by the Land Use Contract;

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 for all purposes as "**2724 Howser Place Land Use Contract Number LTO #N1421, 1978 Discharge Bylaw Number 5829, 2020**".
2. That the Corporation of the City of Vernon be and is hereby authorized to discharge Land Use Contract Bylaw Number LTO #N1421, 1978 registered as N1421, being registered against the following described lands in the Land Title Office, Kamloops, B.C.:

**Lot A, District Lot 66, ODYD, Plan 34882
(2724 Howser Place)**

as shown as outlined on the plan attached hereto as **Schedule "A"**.

BYLAW NUMBER 5829

3. That the Mayor and Corporate Officer be and are hereby authorized to execute the necessary discharge documents on behalf of The Corporation of the City of Vernon, and generally to do all things necessary to give effect to the matters set out herein.

READ A FIRST TIME this 17th day of August, 2020.

READ A SECOND TIME this 17th day of August, 2020.

PUBLIC HEARING held in accordance with the requirements of the *Local Government Act* this 28th day of September, 2020.

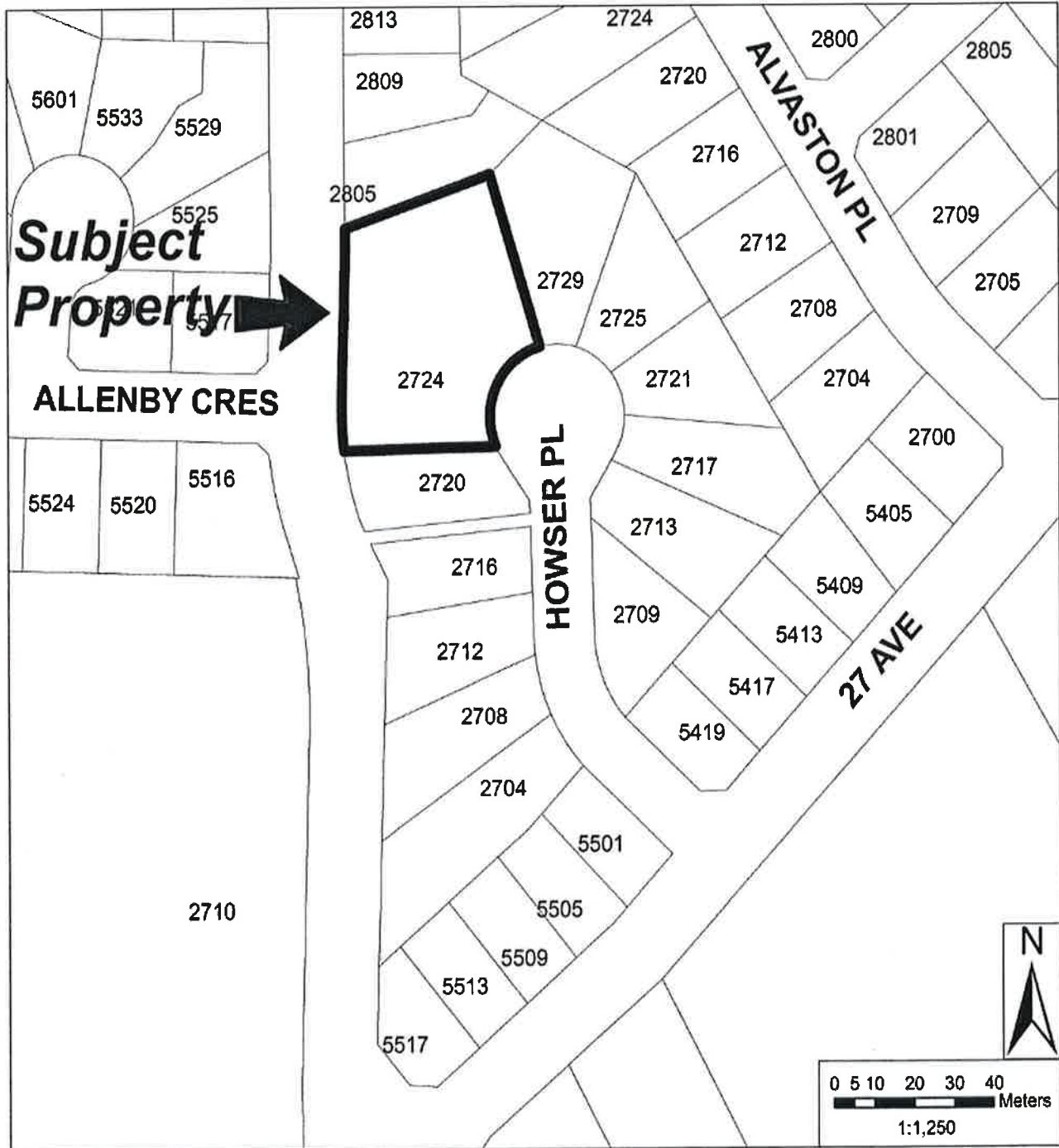
READ A THIRD TIME this 28th day of September, 2020.

ADOPTED THIS day of , 2020.

Mayor

Corporate Officer

Schedule 'A'
Attached to and forming part of Bylaw 5829
"2724 Howser Place Land Use Contract Number LTO #N1421, 1978 Discharge
Bylaw Number 5829, 2020"



THE CORPORATION OF THE CITY

BYLAW NUMBER 5837

A bylaw to amend the City of Vernon
Zoning Bylaw Number 5000

WHEREAS the Council of The Corporation of the City of Vernon has determined to amend the City of Vernon Zoning Bylaw Number 5000;

AND WHEREAS all persons who might be affected by this amendment 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 the **"6309, 6321 and 6335 Okanagan Landing Road Rezoning Amendment Bylaw Number 5837, 2020"**.
2. Pursuant to the Official Zoning Map, Schedule "A" attached to and forming part of Bylaw Number 5000, is hereby amended as follows:
 - a) That the following legally described land be rezoned from **"RR – Rural Residential"** to **"RH1 – Low-Rise Apartment Residential"**

Legal Description:

**LOT 1, PLAN 23913, DISTRICT LOT 66-67, ODYD
(6309 Okanagan Landing Road)**

and by changing the Zoning Map accordingly, all in accordance with the bolded areas as shown on Schedule "A" attached to and forming part of this bylaw.

BYLAW NUMBER 5837

- b) That the following legally described lands be rezoned from **“I2 – Airport Industrial” to “RH1 – Low-Rise Apartment Residential”**:

Legal Descriptions:

**LOT 2, PLAN 23913, DISTRICT LOT 62&66-67, ODYD
(6321 Okanagan Landing Road)**

**LOT 3, PLNA 23913, DISTRICT LOT 62&67, ODYD
(6335 Okanagan Landing Road)**

and by changing the Zoning Map accordingly, all in accordance with the bolded areas as shown on Schedule “A” attached to and forming part of this bylaw.

3. Zoning Bylaw Number 5000 is hereby ratified and confirmed in every other respect.

READ A FIRST TIME this day of , 2020

READ A SECOND TIME this day of , 2020

PUBLIC HEARING held this day of , 2020

READ A THIRD TIME this day of , 2020

ADOPTED this day of , 2020.

Mayor:

Corporate Officer:

SCHEDULE 'A'

Attached to and Forming Part of Bylaw 5837

"6309, 6321 and 6335 Okanagan Landing Road Rezoning Amendment Bylaw Number 5837, 2020"

