



# THE CORPORATION OF THE CITY OF VERNON

## A G E N D A

### REGULAR OPEN MEETING OF COUNCIL

### CITY HALL COUNCIL CHAMBER

MONDAY, OCTOBER 26, 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**

### AGENDA

- A. THAT the Agenda for the October 26, 2020, Regular Open Meeting of Council be adopted as circulated.

4. **ADOPTION OF MINUTES AND RECEIPT OF COMMITTEE OF THE WHOLE**

### MINUTES

- A. THAT the minutes of the Regular Meeting of Council held October 13, 2020 be adopted; **(P. 8)**

AND FURTHER, that the minutes of the Public Hearing held October 13, 2020 be adopted; **(P. 22)**

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held October 13, 2020 be received.

## 5. BUSINESS ARISING FROM THE MINUTES

## 6. GENERAL MATTERS

**DELEGATION: HOME  
ZERO COLLECTIVE  
(0230-01)  
(P. 26)**

A. Amandeep Singh, Home Zero Collective will present to Council on a proposal for reducing GHG Emissions.

**DEVELOPMENT  
VARIANCE  
APPLICATION FOR 156  
SUNSET BOULEVARD  
(DVP00499/3090-20)  
(P. 93)**

B. THAT Council support Development Variance Permit Application #DVP00499 to vary a section of Zoning Bylaw #5000 in order to reduce spacing between multiple retaining walls on a residential property on Lot 27, Plan KAS1975, DL 6 ODYD (156 Sunset Boulevard), as follows:

a) Section 6.5.11 from 1.2m to 1.0m;

AND FURTHER, that Council support of DVP00499 is subject to the following:

a) the site plan and elevations, intended to illustrate the general location and character of the retaining wall, as shown on Attachment 2 in the report titled "Development Variance Permit Application for 156 Sunset Boulevard" and dated October 13, 2020 by the Manager, Current Planning, be attached to and form part of DVP00499 as Schedule 'A'.

**Public Input  
DVP #00499**

(i) Public Input on Development Variance Permit #00499

**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  
#00499**

(ii) THAT the Corporate Officer be authorized to issue Development Variance Permit #00499 to vary a section of Zoning Bylaw #5000 in order to reduce spacing between multiple retaining walls, **once all conditions of Council have been met.**

**7. COUNCIL INQUIRIES**

**8. ADMINISTRATION UPDATES**

**ADMINISTRATION  
UPDATES (0550-05)  
(P. 108)**

- A. THAT Council receive the Administration Updates dated October 26, 2020, for information.

**9. UNFINISHED BUSINESS**

**EXTENSION OF  
ACTIVATE  
OUTDOORS AND  
TEMPORARY  
LIQUOR SERVICE  
AREAS (8300-07)  
(P. 115)**

- A. THAT Council direct Administration to extend the waiver of the requirement for a Sidewalk and Boulevard Area Use Permit within the Primary and Secondary Business Improvement Areas until October 31, 2021, to allow businesses to expand their commercial uses into sidewalks and boulevards, subject to leaving a minimum 2.0 m clear aisle for pedestrian circulation, and entering into a use agreement with guidelines;

AND FURTHER, that Council allow businesses in the Primary and Secondary Business Improvement Areas to expand their commercial uses into one available public on-street parking space adjacent to their business from March 1, 2021 to October 31, 2021, without a permit and without a fee, and entering into a use agreement with guidelines;

AND FURTHER, that Council allow businesses with private off-street parking lots throughout the city to temporarily expand their commercial use outdoors on up to 25% of their required private off-street parking spaces until October 31, 2021;

AND FURTHER, that Council direct Administration to continue to consult with businesses and the Downtown Vernon Association and report back to Council in December 2020 with recommendations on potential supports for curbside pick up;

AND FURTHER, that Council provide pre-approval to all liquor primary and manufacturer establishments within Vernon who may apply for an expanded service area for food primary, liquor primary and manufacturer licensees (i.e. wineries, breweries, distilleries) to temporarily expand their service areas until October 31, 2021 in alignment with the Liquor Control and Cannabis Regulation Branch Policy Directive No. 20-26 and City requirements.

**DEVELOPMENT  
PROCESS REVIEW  
TERMS OF  
REFERENCE  
(6410-01)  
(P. 125)**

**B.** THAT Council endorse the proposed terms of reference for the development process review as attached to the report titled Development Process Review Terms of Reference dated October 19, 2020 and respectfully submitted by the Director, Community Infrastructure and Development.

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

**11. NEW BUSINESS**

**A. Correspondence:**

**CERIP APPLICATION –  
PRIEST VALLEY  
ARENA  
REFRIGERATION  
PLANT  
(7830-02)  
(P. 164)**

**(i)** THAT Council, direct Administration to submit a grant application to the Community Economic Recovery Infrastructure Program as described in the memorandum titled CERIP Application – Priest Valley Arena Refrigeration Plant, dated October 19, 2020 from the Director, Recreation Services.

**DOWNTOWN VERNON  
ASSOCIATION –  
REQUEST FOR  
FINANCIAL SUPPORT  
(0230-26)  
(P. 165)**

**(ii)** THAT Council receives the letter, dated October 16, 2020, from Susan Lehman, Executive Director, Downtown Vernon Association – Request for Financial Support of Downtown Park-Based Activities - 2021;

AND FURTHER, that Council direct Administration to refer this item to 2021 Budget discussions.

**DOWNTOWN VERNON  
ASSOCIATION –  
REQUEST FOR FREE  
ON-STREET METERED  
PARKING  
(0230-26)  
(P. 167)**

**(iii)** THAT Council receives the letter, dated October 16, 2020, from Susan Lehman, Executive Director, Downtown Vernon Association – Request for Free On-Street Metered Parking – Saturdays 2021;

AND FURTHER, that Council direct Administration to refer this item to 2021 Budget discussions.

**5661 OKANAGAN  
LANDING ROAD  
REZONING  
AMENDMENT BYLAW  
#5773 – REQUEST FOR  
PROCESSING TIME  
EXTENSION  
(ZON00329)  
(P. 168)**

**(iv)** THAT pursuant to the “*Bylaws – Inactive Policy*” Council approves a one-year extension to the processing period for 5661 Okanagan Landing Road Rezoning Amendment Bylaw Number 5773 to October 15, 2021.

**STORMWATER  
MANAGEMENT VIDEO  
(5225-20-07)  
(P. 169)**

- (v) THAT Council receive for information the memorandum titled “Stormwater Management Video” dated October 16, 2020 and respectfully submitted by the Manager, Infrastructure.

**2020 BUDGET  
VARIANCE AS OF  
SEPTEMBER 30, 2020  
(1830-02)  
(P. 170)**

- (vi) THAT Council receive the internal memorandum dated October 16, 2020 and titled “2020 Budget Variances as of September 30, 2020” as provided by the Manager, Financial Planning & Reporting.

**2020 PLANNING AND  
BUILDING THIRD  
QUARTER STATISTICS  
SUMMARY  
(6970-20)  
(P. 172)**

- (vii) THAT Council receive the memorandum titled “2020 Planning and Building Third Quarter Statistics Summary” dated October 19, 2020 from the Manager, Economic Development and Tourism and Current Planning Assistant, for information.

**REQUEST FOR LETTER  
OF SUPPORT – NORTH  
OKANAGAN  
FRIENDSHIP CENTRE  
SOCIETY FOR A  
CHILDCARE FACILITY  
(0230-01)  
(P. 177)**

- (viii) THAT Council authorize the Mayor to send a letter of support to North Okanagan Friendship Centre Society (NOFCS) for their application to the Child Care BC New Spaces Fund, Ministry of Child and Family Development for additional child care spaces on behalf of Council.

## 12. LEGISLATIVE MATTERS

### A. Bylaws:

**RESCIND READINGS**  
• 5830

- (i) THAT Council **rescind** First and Second Readings for Bylaw #5830, “**2724 Howser Place Rezoning Amendment Bylaw Number 5830, 2020**” – a bylaw to rezone the property in order to facilitate a future multi-family development. **(P. 180)**
- Memo dated October 19, 2020 from the Planning Assistant, ‘2724 Howser Place Rezoning Amendment Bylaw #5830 – Rescind Defeated Bylaw’. **(P. 183)**

**ADOPTION**  
• 5780

- (ii) THAT Bylaw #5780, “**1700 Polson Drive Official Community Plan Amendment Bylaw Number 5780, 2019**” – a bylaw to redesignate the subject property from “Public Institutional” to “Neighbourhood Centre”, **be adopted. (P. 184)**
- Memo dated September 16, 2020 from the Manager, Current Planning, ‘1700 Polson Drive Official Community Plan and Zoning Bylaws #5780 and #5781 Adoption’ re:

confirmation of conditions met and consideration of adoption. **(P. 187)**

- 5781
  - (iii) THAT Bylaw #5781, “**Zoning Text (CD5 – Comprehensive Development Area 5) Amendment AND 1700 Polson Drive Rezoning Amendment Bylaw Number 5781, 2019**” – a bylaw to amend the City of Vernon Zoning Bylaw Number 5000 and Rezone the subject property from “I1 – Light Industrial” to “CD5 – Comprehensive Development Area 5”, **be adopted. (P. 189)**
    - Memo dated September 16, 2020 from the Manager, Current Planning, ‘1700 Polson Drive Official Community Plan and Zoning Bylaws #5780 and #5781 Adoption’ re: confirmation of conditions met and consideration of adoption. **(P. 187)**
  
- 5828
  - (iv) THAT Bylaw #5828 “**3405 27<sup>th</sup> Street Rezoning Amendment Bylaw Number 5828, 2020**”, a bylaw to rezone the property in order to change the use from residential to commercial (3405 27<sup>th</sup> Street), **be adopted. (P. 193)**
    - Memo dated October 14, 2020 from the Economic Development Planner, ‘3405 27<sup>th</sup> Street Rezoning Amendment Bylaw Number 5828, 2020’ re: letter of undertaking and consideration of adoption. **(P. 196)**
  
- 5834
  - (v) THAT Bylaw #5834, “**Officers Bylaw Number Amendment Number 5834, 2020**”, a bylaw amend the Officers Bylaw Number 5726, 2018, **be adopted. (P. 200)**

### 13. COUNCIL INFORMATION UPDATES

#### A. Mayor and Councillors Reports.

#### NOTICE OF MOTION – COUNCILLOR GARES (3360-01, 4330-01)

- B. THAT Council directs Administration to review and bring back amendments to the current Cannabis bylaw, while we currently hold a moratorium on further applications, for the purpose of strengthening such bylaw in order to limit the amount of Cannabis retailers that are within a 500m radius of each other;

WHEREAS Council has already seen substantial requests for cannabis application since legalization whereby many storefronts are within close proximity to other retailers;

AND WHEREAS, this regulation will naturally manage the market so that Council will not need to implement further regulatory caps.

**13. INFORMATION ITEMS**

- A.** Letter dated September 10, 2020 from Karla Kozakevich, Chair, Regional District of Okanagan – Similkameen re: Thank you to Vernon Fire Department for safety and protection of citizens – Christie Mountain wildfire. **(P. 201)**
- B.** Petition dated October 6, 2020 from Heath Anderson re: Review the temporary closure of the portion of 30<sup>th</sup> Avenue. **(P. 202)**
- C.** Letter dated October 13, 2020 from the B.C. Utilities Commission re: Fuel Price Transparency Act – Investigation of Fuel Prices in the Okanagan Valley in response to the June 17 and 19, 2020 letters from the City of Vernon and the September 18, 2020 response from the Ministry of Energy, Mines and Petroleum Resources. **(P. 209)**
- Letters dated June 17 and 10, 2020 from City of Vernon re: Gasoline Price Gouging **(P. 211)**
  - Letter dated September 18, 2020 from the Hon. Bruce Ralston, Minister, Energy, Mines and Petroleum Resources **(P. 214)**
- D.** Letter dated October 14, 2020 from the Regional District of the North Okanagan re: Okanagan Regional Library – Request for Discussion at Greater Vernon Advisory Committee **(P. 216)**
- E.** Minutes from the following Committees of Council:
- (i)** Joint Biosolids Advisory, April 23, 2020 **(P. 217)**
  - (ii)** Climate Action Advisory, August 18, 2020 **(P. 222)**
  - (iii)** Advisory Planning, September 29, 2020 **(P. 227)**

**CLOSE****14. CLOSE OF MEETING**