



THE CORPORATION OF THE CITY OF VERNON

A G E N D A

REGULAR OPEN MEETING OF COUNCIL

CITY HALL COUNCIL CHAMBER

JANUARY 10, 2022

AT 8:40 AM

“To deliver effective and efficient local government services that benefit our citizens, our businesses, our environment and our future”

All Council meetings will be conducted under the provisions of the Provincial Health Officer's Orders:

- *Gathering and Events – December 22, 2021; and*
- *Face Coverings (COVID-19) – December 3, 2021.*

Masks are mandatory for in-person attendance to Council meetings. Please note capacity is limited and is available on a first come, first served basis. A hand-washing and/or sanitizing station will be provided.

Council meetings are live-streamed and video-recorded and may be accessed at <https://www.vernon.ca/council-video>. Recordings are made available on the City of Vernon website by noon on the day following the meeting.

1. CALL REGULAR MEETING TO ORDER

LAND ACKNOWLEDGEMENT

- A. As Mayor of the City of Vernon, and in the spirit of this gathering, I recognize the City of Vernon is located in the traditional territory of the Sylix People of the Okanagan Nation.

2. MOVE TO COMMITTEE OF THE WHOLE

3. RECONVENE REGULAR MEETING AND 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)(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;
- (f) law enforcement, if the Council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment.

4. RECONVENE OPEN COUNCIL MEETING AT 1:30 PM

**LAND
ACKNOWLEDGEMENT**

A. As Mayor of the City of Vernon, and in the spirit of this gathering, I recognize the City of Vernon is located in the traditional territory of the Syilx People of the Okanagan Nation

AGENDA

B. THAT the Agenda for the January 10, 2022, Regular Open Meeting of Council be adopted as circulated.

5. ADOPTION OF MINUTES AND RECEIPT OF COMMITTEE OF THE WHOLE

**MINUTES
(P. 8, 26)**

A. THAT the minutes of the Regular Meeting of Council held December 13, 2021 be adopted;

AND FURTHER, that the minutes of the Special Meeting of Council held on December 14, 2021 be adopted;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held December 13, 2021 be received.

6. BUSINESS ARISING FROM THE MINUTES

7. GENERAL MATTERS

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION #00537 –
9261 EASTSIDE ROAD
(DVP000537)
(P. 30)**

A. THAT Council approve Development Variance Permit #DVP00537 on Lot 1, Sec 10, TP 13, ODYD, Plan EPP42660 (9261 Eastside Road) by varying Zoning Bylaw #5000, Section 4.16.1 – Hillside Development Areas regulations to allow construction of buildings, structures or swimming pools on a slope of 30% or greater;

AND FURTHER that Council’s approval of Development Variance Permit #DVP00537 is subject to the following:

a) That the proposed development substantially complies with the site plan, by Hillside Design and Drafting Inc., dated December 19, 2021, to be attached to and form part of DVP00537;

b) That the proposed development generally complies with the house elevations, by Hillside Design and Drafting Inc., dated December 19, 2021, to be attached to and form part of DVP00537;

c) That the proposed development strictly complies with the Geotechnical Assessment, by Geopacific Consultants, dated December 9, 2021, to be attached to and form part of DVP00537; and,

d) That the slope analysis, by McPherson Maddox, December 2, 2021, be attached to and form part of DVP00537, as outlined in the report titled “Development Variance Permit Application for 9261 Eastside Road” dated December 20, 2021 and respectfully submitted by the Current Planner.

**Public Input
DVP #00537**

(i) Public Input on Development Variance Permit #DVP00537 on Lot 1, Sec 10, TP 13, ODYD, Plan EPP42660 (9261 Eastside Road).

**Issuance of Permit
DVP #00537**

(ii) THAT the Corporate Officer be authorized to issue Development Variance Permit #DVP00537 on Lot 1, Sec 10, TP 13, ODYD, Plan EPP42660 (9261 Eastside Road) to varying Zoning Bylaw #5000, Section 4.16.1 – Hillside Development Areas regulations to allow construction of buildings, structures or swimming pools on a slope of 30% or greater), once all conditions of Council are satisfied.

8. COUNCIL INQUIRIES

9. ADMINISTRATION UPDATES

**ADMINISTRATION
UPDATES
(0550-05)
(P. 72)**

A. THAT Council receive the Administration Updates dated January 10, 2022, for information.

10. UNFINISHED BUSINESS

**RETAIL CANNABIS
APPLICATION &
ANNUAL BUSINESS
LICENCE FEE
AMENDMENTS
(4330-01)
(P. 75)**

A. THAT Council support the proposed amendment to Fees & Charges Bylaw #3909 to lower the cost of business application and annual licensing for a Retail Cannabis Store as show in Attachment 1 in the memorandum titled “Retail Cannabis Application & Annual Business Licence Fee Amendments” dated December 22, 2021 and respectfully submitted by the Current Planner.

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

12. NEW BUSINESS

A. Correspondence:

**2021 VERNON
BUSINESS WALKS
REPORT
(6750-20)
(P. 78)**

(i) THAT Council receive the memorandum titled “2021 Vernon Business Walks Report” dated December 1, 2021 and respectfully submitted by the Manager, Economic Development and Tourism, for information.

2022 SILGA ANNUAL GENERAL MEETING AND REQUEST FOR RESOLUTIONS (0360-20-25) (P. 96)

(ii) THAT Council receive for information the memo entitled “2022 SILGA Annual General Meeting and Request for Resolutions”, dated December 23, 2021, respectfully submitted by the Senior Executive Assistant.

TIMELINE EXTENSION REQUEST FOR 3912, 3914 ALEXIS PARK DRIVE AND 3703 TURTLE MOUNTAIN BOULEVARD REZONING AMENDMENT BYLAW #5839 (3360-20/ZON00353) (P. 97)

(iii) THAT pursuant to the “Bylaws – Inactive Policy”, Council approves a one year extension to the processing period for “3912, 3914 Alexis Park Drive and 3703 Turtle Mountain Boulevard Rezoning Amendment Bylaw #5839, 2020” to January 12, 2023.

B. Reports:

KIN RACE TRACK CONCEPT PLANS (6520-32) (P. 100)

(i) THAT Council support, in principle, the two concept plans for the proposed park at the Kin Race Track Lands as attached to the report titled “Kin Race Track Concept Plans” dated December 29, 2021 and respectfully submitted by the Manager of Long Range Planning and Sustainability and the Long Range Planner;

AND FURTHER, that Council direct Administration to bring the concept plans to the community for a second round of public engagement and refinement of the concepts for Council’s consideration by March 14, 2022.

13. LEGISLATIVE MATTERS

Bylaws:

RESCIND READINGS
• 5596

(i) THAT Council **rescind** First, Second and Third Readings for Bylaw #5596, “**3903 – 30th Street Official Community Plan Amendment Bylaw Number 5596, 2018**” - a bylaw to redesignate the subject property from “Mixed Use – Medium Density Commercial and Residential” to “Residential – Medium Density”. **(P. 548)**

• Memo dated December 22, 2021 from the Manager, Current Planning re: Request to Rescind Official Community Plan Amendment Bylaw #5596, 2018. **(P. 551)**

- 5597 (ii) THAT Council **rescind** First, Second and Third Readings for Bylaw #5597, "**3903 – 30th Street Rezoning Amendment Bylaw Number 5597, 2018**" – a bylaw to rezone the subject property from R2 – Large Lot Residential" to "RM1 – Row Housing Residential". (P. 560)

ADOPTION

- 5789 (iii) 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 **adopted**. (P. 563)
 - Memo dated December 16, 2021 from the Current Planner re: Conditions completed, consideration of adoption. (P. 566)
- 5878 (iv) THAT Bylaw #5878 "Traffic (RV Parking) Amendment Bylaw Number 5878, 2021", a bylaw to include changes related to Recreational Vehicles parking with jacks and slides deployed (or equivalent materials), be **adopted**. (P. 576)
- 5879 (v) THAT Bylaw #5879 "Municipal Ticket Information (Traffic Bylaw RV Parking) Amendment Bylaw Number 5879, 2021", a bylaw to include penalties that align with Recreational Vehicles parking amendments made to Traffic Bylaw #5600, be **adopted**. (P. 578)
- 5880 (vi) THAT Bylaw #5880 "Bylaw Notice Enforcement (Traffic Bylaw RV Parking) Amendment Bylaw Number 5880, 2021", a bylaw to include penalties that align with Recreational Vehicles parking amendments made to Traffic Bylaw #5600, be **adopted**. (P. 580)
- 5881 (vii) THAT Bylaw #5881 "City of Vernon 2022 Financial Plan Bylaw Number 5881, 2021", a financial plan for a five year period for the years 2022 to 2026, as per section 165 of the *Community Charter*, be **adopted**. (P. 582)
- 5900 (viii) THAT "City of Vernon Building Bylaw No. 5900, 2021", a bylaw for administration of the Building Code Regulations of Construction, be **adopted**. (P. 585)
- 5882 (ix) THAT Bylaw #5882 "Fees and Charges (Building Bylaw Number 5900) Amendment Bylaw Number 5882, 2021", a bylaw to amend Fees and Charges Bylaw Number 3909, 1993 for fees associated with City of Vernon Building Bylaw Number 5900, 2021, be **adopted**. (P. 632)

**FIRST, SECOND &
THIRD READING**

- 5873

- (x) THAT Bylaw #5873, Fees and Charges (Refuse Collection and Recycling) Amendment Bylaw Number 5873, 2022, a bylaw to amend Fees and Charges Bylaw Number 3909, 1993 for fees for refuse collection and recycling, be **read a first, second and third time. (P. 635)**

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

- 5883

- (xi) THAT Bylaw #5883 “**4408 25th Street Rezoning Amendment Bylaw Number 5883, 2022**”, a bylaw to rezone land from “R5 – Fourplex Housing Residential” to “R4 – Small Lot Residential” in order to provide for a future single family bareland strata development, be **read a first and second time;**

AND FURTHER, that the Public Hearing for Bylaw #5883 be scheduled for **Monday, February 14, 2022 at 5:30 pm** in the Council Chambers. **(P. 637)**

14. COUNCIL INFORMATION UPDATES

- A. Mayor and Councillors Reports.

15. INFORMATION ITEMS

- A. Letter dated December 12, 2021 from Alison Slater, General Manager, Southern Interior Local Government Association (SILGA) re: Call for Resolutions for 2022 Convention. **(P. 640)**
- B. Letter dated December 12, 2021 from Alison Slater, General Manager, SILGA re: Call for Nominations 2022 **(P. 642)**
- C. Letter dated December 15, 2021 from Peter Busse, Mayor, District of Lillooet re: BC Wildfires Petition **(P. 644)**
- D. Letter dated December 15, 2021 from Rachel Dumas, Director of Corporate Services, District of North Saanich re: Elected Officials – Parental Leave **(P. 650)**
- E. Letter dated December 17, 2021 from Hon. Minister Sheila Malcolmson, Ministry of Mental Health and Addictions re: Proposed Decriminalization of Drugs **(P. 654)**
- Letter dated November 16, 2021 from Mayor Cumming to Hon. Adrian Dix, Ministry of Health, Hon. Sheila Malcolmson, Ministry of Mental Health & Addictions and Premier John Horgan re: Proposed Decriminalization of Drugs **(P. 657)**

F. Letter dated December 23, 2021 from Bob Fleming, Director, Electoral Area “B” and Amanda Shatzko, Director, Electoral Area “C”, Regional District North Okanagan re: Greater Vernon Parks: Sports Fields / Beaches Agreement (P. 659)

G. Minutes from the following Council Committees:
i) Tourism Commission, November 17, 2021 (P. 660)
ii) Advisory Planning, November 23, 2021 (P. 668)

RECESS

16. RECESS MEETING

NOTES:

A Public Hearing is scheduled to be held at the **City of Vernon Council Chambers** at **5:30 PM** for:

“Mt. Fosthall Drive Land Use Contract LTO Registration Number N978, Discharge Bylaw Number 5875, 2021” together with Public Input for Development Variance Permit #00532

RECONVENE

17. RECONVENE MEETING

THIRD READING

- 5875

A. THAT Bylaw #5875 **“Mt. Fosthall Drive Land Use Contract LTO Registration Number N978, Discharge Bylaw Number 5875, 2021”**, a bylaw to discharge “City of Vernon Land Use Contract Bylaw Number 2613, 1977”, be **read a third time. (P. 672)**

CLOSE

18. CLOSE OF MEETING