

THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF A REGULAR OPEN MEETING OF COUNCIL
HELD MONDAY, JUNE 11, 2018**

PRESENT: Mayor A. Mund

Councillors: B. Spiers, J. Cunningham, S. Anderson,
B. Quiring, D. Nahal, (C. Lord, absent)

Staff: W. Pearce, CAO
P. Bridal, DCAO, Director, Corporate Services
S. Blakely, Manager, Legislative Services
D. Law, Director, Financial Services
N. Nilsen, Communications Officer and Grants Coordinator
K. Flick, Director, Community Infrastructure & Development
S. Koenig, Director, Operations

**Attended as required*

Others: Media and Members of the Public

Mayor Mund called the Regular Open meeting to order at 8:40 am and requested a motion to move to Committee of the Whole.

Mayor Mund reconvened the Regular Open meeting and requested a motion to move to In Camera.

**RESOLUTION TO
CLOSE MEETING**

Moved by Councillor Cunningham, seconded by Councillor Anderson:

BE IT RESOLVED that the meeting be closed to the public in accordance with Section 90 of the *Community Charter as follows:*

(c) labour relations or other employee relations;

(d) the security of the property of the municipality;

(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

CARRIED.

Mayor Mund called the Regular Open meeting back to order at 1:30 pm.

PRESENT: Mayor A. Mund

Councillors: B. Spiers, J. Cunningham, S. Anderson,
B. Quiring, D. Nahal, (C. Lord, absent)

Staff: W. Pearce, Chief Administrative Officer
P. Bridal, DCAO/Director, Corporate Services
S. Blakely, Manager, Legislative Services
D. Law, Director, Financial Services
K. Flick, Director, Community Infrastructure & Development
S. Koenig, Director, Operation Services
M. Dowhaniuk, Manager, Infrastructure Management*
N. Nilsen, Communications Officer/Grants Coordinator
C. Broderick, Manager, Current Planning*
J. Rice, Manager, Parks*
G. Thomspson, Municipal Technician Design III*
A. Nelson, Practicum Student, Okanagan College

*Attended, as required

Others: Media and Members of the Public

ADOPTION OF THE AGENDA:

APPROVAL OF ITEMS LISTED ON THE AGENDA

Moved by Councillor Cunningham, seconded by Councillor Nahal:

THAT the agenda for the June 11, 2018, Regular Open meeting of the Council of The Corporation of The City of Vernon be adopted.

CARRIED.

ADOPTION OF MINUTES:

COUNCIL MEETINGS

Moved by Councillor Anderson, seconded by Councillor Nahal:

THAT the minutes of the Regular Meeting of Council held May 28, 2018, be adopted;

AND FURTHER, that the minutes of the Special Regular Meeting of Council held on June 4, 2018, be adopted;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held May 28, 2018, be received.

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

GENERAL MATTERS:

**PRESENTATION –
NORTH OKANAGAN
CANADA DAY
SOCIETY
(0230-20-66)**

On behalf of the North Okanagan Canada Day Society, Kerry McLeod, provided a Review of Activities Planned for July 1, 2018 Canada Day.

The following points were reviewed:

- Mandate is 'Free Family Fun'
- Evening Fireworks planned for Kin Beach
- Working on additional sponsors and volunteers for the day
- Schedule Presented
- Noted a couple of pending items due to search for sponsorships
- 'In Kind' Requests reviewed
- Clarified - no expectation of traffic control at Fireworks Event – only at Polson Park events

Moved by Councillor Cunningham, seconded by Councillor Quiring:

THAT Pursuant to Council Procedure Bylaw 4840, Section 12 (c), Council considers approval of the Activities Planned for July 1, 2018 Canada Day at the June 11, 2018 Regular Council meeting. (requires 2/3 majority vote of Council)

CARRIED.

Moved by Councillor Cunningham, seconded by Councillor Quiring:

THAT Council endorses the July 1, 2018 Canada Day activities in Polson Park as presented to Council by Kerry McLeod on behalf of the North Okanagan Canada Day Society (NOCDS); at the June 11, 2018 meeting of Council;

AND FURTHER, that Council reconfirms the appointment of Councillor Scott Anderson as the Council Liaison to the Canada Day Society, and confirms that Councillor Anderson, as Council Liaison, shall provide direction and control on all plans and arrangements made by the Canada Day Society so as to be able to resolve any issues or changes in plans to ensure the City's interests are safeguarded;

AND FURTHER, that Council approves the provision of liability insurance through the City's carrier for the 2018 Canada Day festivities in Polson Park;

AND FURTHER, that Council directs Administration to ensure liability insurance policies which name both the City and the NOCDS as co-insureds are in place in relation to the dog agility, ATV demonstration and skate board competition events prior to those events proceeding;

AND FURTHER, that Council directs Administration to issue a business licence to the North Okanagan Canada Day Society at no

cost;

AND FURTHER, that Council **approves** 'in kind' items requested (use of Polson Park, tables, chairs, parks key, parks employee on site, 6 porta potties, two large Canadian flags, on site traffic control at Polson Park, to the Canada Day Committee for **2018** Canada Day activities.

CARRIED.

**DEVELOPMENT
VARIANCE PERMIT
#00430 APPLICATION
FOR 7012
APPALOOSA WAY**

Moved by Councillor Quiring, seconded by Councillor Cunningham:

THAT Council's approval, at its Regular Meeting of **June 26, 2017**, of Development Variance Application #DVP00395 to vary the following sections of Zoning Bylaw #5000 to allow for an addition to the house and a retaining wall with a fence on top on the property described as Lot H, Plan 19058, Sec 31, Tp 9, ODYD (7012 Appaloosa Way):

- a) to vary the minimum front yard building setback from 7.5m to 1.8m (Sec.9.2.5); and
- b) to vary the maximum combined height of a retaining wall and a fence on top of the retaining wall from 2.0m to 3.96m (Sec.5.11 and Sec.6.5.12).

AND FURTHER, that Council's support of DVP00395 is subject to the following:

- a) That the revised site, elevation, floor, retaining wall and fence plans be provided by the applicant and attached to and form part of DVP00395 as Schedule 'A'; and
- b) That the revised site plan is to indicate that the west driveway access is to be closed and the closed area is to be landscaped

be extended for one year;

AND FURTHER, that Council support Development Variance Permit Application #DVP00430 to vary the following section of Zoning Bylaw #5000 to allow for an addition to the house on the property described as Lot H, Plan 19058, Sec 31, Tp 9, ODYD (7012 Appaloosa Way):

- a) to vary the minimum west side yard building setback from 2.5m to 1.5m (Sec.9.2.5).

AND FURTHER, that Council's support of DVP00430 is subject to the following:

- a) That the site, elevation, floor, retaining wall and fence plans noted as Attachments 3 to 9 inclusive in the report titled "Development Variance Permit Application for 7012 Appaloosa Way" dated May 16, 2018 be attached to and form part of DVP00430 as Schedule 'A'; and
- b) That the site plan is to indicate that the west driveway access is to be closed and the closed area is to be landscaped.

**Public Input – DVP
#00430**

The Corporate Officer advised that no written submissions have been received:

Mayor Mund called a first time for representation from the public in attendance who believe their interest in property is affected by Development Variance Permit #00430 to vary Section 9.2.5 of Zoning Bylaw #5000 to allow for an addition to the house on the property described as Lot H, Plan 19058, Sec 31, Tp 9, ODYD (7012 Appaloosa Way)

Mayor Mund called a second and third time for representation from the public. There being none Mayor Mund closed the Public Input session for DVP00430.

THE QUESTION WAS CALLED ON THE MAIN MOTION AND DECLARED CARRIED.

**Issuance of Permit
#00430**

Moved by Councillor Cunningham, seconded by Councillor Quiring:

THAT the Corporate Officer be authorized to issue Development Variance Permit #00430 to vary Section 9.2.5 of Zoning Bylaw #5000 to allow for an addition to the house on the property described as Lot H, Plan 19058, Sec 31, Tp 9, ODYD (7012 Appaloosa Way), once all conditions of Council are satisfied.

CARRIED.

COUNCIL INQUIRIES

ADMINISTRATION UPDATES

**ADMINISTRATION
UPDATES
(0550-05)**

Moved by Councillor Cunningham, seconded by Councillor Quiring:

THAT Council receives the Administration Updates dated June 11, 2018.

CARRIED.

UNFINISHED BUSINESS:

**PROPOSED
COSMETIC
PESTICIDES REVIEW
PROCESS
(5280-03-Pesticides)**

Moved by Councillor Cunningham, seconded by Councillor Nahal:

THAT Council direct Administration to undertake the process to determine the feasibility of a cosmetic pesticide reduction program for public lands in Vernon and a bylaw for regulating cosmetic pesticide use on residential lands, as outlined in the report titled "Proposed Cosmetic Pesticides Review Process" dated May 31, 2018 from the Director, Community Infrastructure and Development.

CARRIED, with Councillor Anderson opposed.

MATTERS REFERRED FROM THE IN-CAMERA MEETING – June 11, 2018:

THAT Council brings forward, as public information, the following motions **declassified** from confidential to non-confidential at the **June 11, 2018**, In Camera meeting:

**ADVISORY PLANNING
COMMITTEE –
RESIGNATION
(0540-20)**

'THAT Council accept Sets Diana Mori's resignation from the Advisory Planning Committee as submitted on May 24, 2018;

AND FURTHER, that Council direct Administration to advertise for a member from the community at large who has a background in accessibility for the disabled/mobility impaired to the Advisory Planning Committee;

AND FURTHER, that the Mayor, on behalf of Council, issue a letter of thanks to Ms. Mori for her volunteer service to the City.'

**LICENSE RENEWAL –
ST. JOHN
AMBULANCE, 1905
47TH AVENUE
(0912-02)**

'THAT Council direct Administration to renew the license agreement with St. John Society (British Columbia and Yukon) for the City owned land at 1905 47th Avenue, for a one year term commencing June 1, 2018 and ending May 31, 2019, and the license fee will be \$4,998.82, plus GST.'

**AIRPORT LEASE
RENEWAL
EXTENSION – NL
HELICOPTERS LTD.
(8400-02-10)**

'THAT Council direct Administration to amend the lease with Northern Lights Helicopters Ltd. (Inc. No. A0101471) at 6200 Tronson Road, to extend the lease by two further renewal terms – one for five years and one for four years and eleven months.'

NEW BUSINESS

CORRESPONDENCE:

**OKANAGAN LANDING
SEWER EXTENSION –
CLEAN WATER
WASTEWATER FUND
(CWWF) – FUNDING
TRANSFER
(5340-09)**

Moved by Councillor Cunningham, seconded by Councillor Spiers:

THAT Council support the transfer of \$180,000 of infrastructure reserves and \$120,000 of gas tax reserves from the approved Willow/Dallas sewer local service project budget to the Clean Water Wastewater Fund project, to fund necessary road and drainage renewal in areas identified during construction.

CARRIED.

**2017 ANNUAL
REPORT
(1880-03)**

Moved by Councillor Cunningham, seconded by Councillor Quiring:

THAT Council receive and approve the 2017 Annual Report for the City of Vernon as attached to the Internal Memorandum of the same title, dated May 31, 2018 and respectfully submitted by the Director of Financial Services;

AND FURTHER, that Council schedule a Public Meeting to receive submissions and questions from the public concerning the 2017 Annual Report on Monday, June 25, 2018 at 5:00 pm in Council Chambers.

CARRIED.

**2018/2019 SILGA
MEMBERSHIP DUES
(0360-20)**

Moved by Councillor Anderson, seconded by Councillor Nahal:

THAT Council directs Administration to renew membership in the Southern Interior Local Government Association for 2018/2019.

CARRIED.

**DOG CONTROL
BYLAW 2466
(0482-50)**

Moved by Councillor Nahal, seconded by Councillor Cunningham:

THAT Council support the proposed amendments to Dog Control Bylaw 2466 with regard to keeping dogs on a secure leash in public places, except in a permitted dog off-leash area, as presented in the Regional District of North Okanagan letter titled "Dog Control Bylaw 2466", dated May 30, 2018, attached to the Internal Memorandum of the same title, dated June 6, 2018 respectfully submitted by the CAO.

DEFEATED, with Councillors Anderson, Nahal, Cunningham, Spiers, Quiring and Mayor Mund opposed.

**REGIONAL
CONSERVATION
FUND AND SERVICE
ESTABLISHMENT
BYLAW
(0482-01;0230-51)**

Moved by Councillor Cunningham, seconded by Councillor Nahal:

THAT Council receives the letter dated April 30, 2018 from the Regional District of North Okanagan, regarding participation in a Regional Conservation Fund, and directs Administration to advise the Regional District of the North Okanagan, that the City of Vernon will not be participating in the Service Establishment Bylaw for a Regional Conservation Fund.

CARRIED.

**BYLAW 2778 –
VERNON SEARCH
AND RESCUE,
SERVICE
ESTABLISHMENT
BYLAW 2779 –
VERNON SEARCH
AND RESCUE,
SERVICE LOAN
AUTHORIZATION
(0482-05-23)**

Moved by Councillor Nahal, seconded by Councillor Quiring:

THAT City of Vernon Council endorses proceeding to assent of the electors through an Alternative Approval Process (AAP) for Vernon Search and Rescue Service Establishment Bylaw No. 2778, 2018, and Vernon Search and Rescue Loan Authorization Bylaw No. 2779, 2018, to establish a service and adopt a loan authorization bylaw to borrow up to \$3.5 million to facilitate the cost of buying real property and constructing a building to serve the Vernon Search and Rescue Service within the Regional District of North Okanagan.

Moved by Councillor Cunningham, seconded by Mayor Mund:

THAT Council **amends** the resolution to add:

AND FURTHER, that Council supports proceeding to assent of the electors **conditional** that all Members of the Regional District participate in Search and Rescue Service Establishment Bylaw No. 2778, 2018, and Vernon Search and Rescue Loan Authorization Bylaw No. 2779, 2018.

CARRIED.

THE QUESTION WAS CALLED ON THE MAIN MOTION, AS AMENDED AND DECLARED CARRIED.

REPORTS:

**REZONING
APPLICATION FOR
5770 PLEASANT
VALLEY ROAD
(ZON00291)**

Moved by Councillor Cunningham, seconded by Councillor Spiers:

THAT Council support the application (ZON00291) to rezone Lot 6, Plan 939, Section 11, Township 8, ODYD (5770 Pleasant Valley Road) from RDNO R1 (Residential Single Family) to RH1 (Low Rise Apartment Residential) and P1 (Parks and Open Space) in order to construct three 72 unit apartment buildings and an amenity building, and to accommodate the extension of BX trail adjacent to BX Creek, subject to the following conditions:

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1. a) Provision of a statutory right of way to accommodate sanitary and water mains;
 - b) Provision, design and construction of an emergency access route to connect this property to Lot A, Plan EPP56407;
 - c) Dedication and construction of a 15m wide corridor adjacent to the east side of BX Creek to allow for the extension of the BX trail;
 - d) The design and construction of all on-site and off-site works and services necessary to service the property; and
 - e) Dedication and construction of road right of way adjacent to Deleenher Road, including a cul de sac turnaround, the extension or replacement of the bridge structure in Deleenher Road adjacent to the subject property, and improvements to the extension of the BX trail through the subject property;
2. Return to Crown of lands below the high water mark of BX Creek; and
 3. Completion of environmental enhancement and mitigation as recommended in the Riparian Area Reports prepared by Sage Environmental and dated July 2017 and March 2018 respectively.

CARRIED.

MATTERS REFERRED FROM THE IN-CAMERA MEETING – May 28, 2018:

THAT Council brings forward, as public information, the following motion **declassified** from confidential to non-confidential at the **May 28, 2018**, In Camera meeting:

SEPTAGE RECEIVING FACILITY

'THAT Council authorize the Mayor and City Clerk to execute the Septage Service Agreement (as presented in Attachment 1) and the Purchase and Sale Agreement (as presented in Attachment 2), both are Agreements between the Regional District of North Okanagan and the City of Vernon, both Agreements are presented in the report titled Septage Receiving Facility dated May 22, 2018 and respectfully submitted by the CAO;

*AND FURTHER, that Council **declassify the motion upon authorization by RDNO to execute the two subject agreements and RDNO authorization to declassify.***

LEGISLATIVE MATTERS:

ADOPTION

- 5678

Moved by Councillor Quiring, seconded by Councillor Anderson:

THAT Bylaw #5678, "**Parks and Public Places (Prohibit Smoking) Amendment Bylaw 5678, 2018**" – a bylaw to amend City of Vernon Parks and Public Places Bylaw #5057, 2007, **be adopted.**

CARRIED.

- 5679

Moved by Councillor Cunningham, seconded by Councillor Quiring:

THAT Bylaw #5679, "**Clean Indoor Air and Smoking Regulations Amendment Bylaw Number 5679, 2018**" – a bylaw to amend the Clean Indoor Air and Smoking Regulations Bylaw #5679, **be adopted.**

CARRIED.

FIRST AND SECOND READINGS & PUBLIC HEARING DATE

- 5688

Moved by Councillor Cunningham, seconded by Councillor Anderson:

THAT Bylaw #5688, "**5770 Pleasant Valley Road Rezoning Amendment Bylaw Number 5688, 2018**" – a bylaw to rezone the subject property from "R1 NORD (Residential Single Family)" to "RH1 – Low rise Apartment Residential" and "P1 – Parks and Open Space", **be read a first and second time;**

AND FURTHER, that the Public Hearing for Bylaw #5688, be scheduled for **Monday, July 9, 2018, at 5:30 pm**, in Council Chambers.

CARRIED.

COUNCIL INFORMATION UPDATES:

COUNCILLOR JULIETTE CUNNINGHAM

Councillor Cunningham provided a verbal report on the following matters:

Attended:

- Okanagan Basin Water Board Meeting last week

MAYOR AKBAL MUND

Mayor Mund provided a verbal report on the following matters:

Attended:

- Tourism Week Kick Off Event
- ALS Fundraiser Walk
- Kindale Golf Fundraiser
- NOYFSS Fashion Show Fundraiser Event
- Bike to Work Week Challenge

MEETING/EVENT ATTENDANCE

- BC Transit Workshop in Parksville

INFORMATION ITEMS:

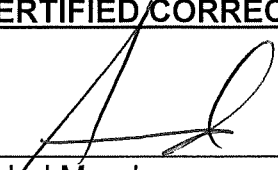
Council received the following information items:

- A. Minutes from the following Committees of Council:
- (i) Finance Committee, April 17, 2018
 - (ii) Advisory Planning, May 15, 2018


**CLOSE OF REGULAR
OPEN MEETING**

Mayor Mund closed the Regular Meeting at 2:21 pm.

CERTIFIED CORRECT:



Akbal Mund
Mayor



Patti Bridal
Corporate Officer