

THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF A REGULAR OPEN MEETING OF COUNCIL  
HELD MONDAY, MARCH 11, 2019**

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PRESENT: Mayor V. Cumming

Councillors: A. Mund, K. Gares, K. Fehr,  
B. Quiring, D. Nahal, (S. Anderson, absent)

Staff: W. Pearce, CAO  
P. Bridal, DCAO, Director, Corporate Services  
S. Blakely, Manager, Legislative Services  
N. Nilsen, Manager, Communications & Grants  
S. Koenig, Director, Operations  
K. Flick, Director, Community Infrastructure & Development  
D. Law, Director, Financial Services  
A. Watson, Manager, Transportation  
G. Gaucher, Manager, Protective Services  
D. Lees, Sr. Bylaw Compliance Officer

*\*Attended at Required*

Others: Media and Members of the Public

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

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

**RESOLUTION TO  
CLOSE MEETING**

Moved by Councillor Nahal, seconded by Councillor Gares:

BE IT RESOLVED that the meeting be closed to the public in accordance with Section 90(1) of the *Community Charter*.

*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 Cumming called the Regular Open meeting back to order at 1:33 pm.

REGULAR OPEN MEETING OF COUNCIL MONDAY, MARCH 11, 2019

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D. Nahal , (S. Anderson, absent)

Staff: W. Pearce, CAO  
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S. Koenig, Director, Operation Services  
K. Flick, Director, Community Infrastructure & Development  
D. Law, Director, Finance  
N. Nilsen, Manager, Communications & Grants  
G. Gaucher, Manager, Protective Services\*  
M. Beauregard, Manager, Building Services\*  
C. Broderick, Manager, Current Planning\*  
D. Lees, Sr. Bylaw Compliance Officer\*  
K. Kryszak, Manager, Parks and Public Spaces\*

\*Attended, as required

Others: Media and Members of the Public

ADOPTION OF THE AGENDA:

**APPROVAL OF ITEMS LISTED ON THE AGENDA**

Moved by Councillor Nahal, seconded by Councillor Fehr:

THAT the agenda for the March 11, 2019, Regular Open meeting of the Council of The Corporation of The City of Vernon be adopted, as presented.

**CARRIED.**

ADOPTION OF MINUTES:

**COUNCIL MEETINGS**

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT the minutes of the Regular Meeting of Council held February 25, 2019 be adopted, as presented;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held February 25, 2019, be received.

**CARRIED.**

BUSINESS ARISING FROM THE MINUTES:

GENERAL MATTERS:

**DELEGATION –  
ERIC FOSTER, MLA  
(0410-01)**

MLA Eric Foster attended to provide an update to Council regarding Provincial issues.

**The following points were noted:**

- Congratulations to Council on 2018 Election
- Here to provide an update on Provincial matters
- Advocates for citizens and local community
- Since Feb 1<sup>st</sup> discussion has been the Provincial budget
- Some issues of concern with the budget:
  - Employers Health Act
  - Rise in carbon tax
  - Tax & Fee increases
- Some 'positives' in budget:
  - Increase in Social Services
  - Increase to foster parents
  - Removal of interest on student loans
- Happy to answer any questions on the budget
- Thursday, March 7, 2019 – Changes were announced in regard to the Agricultural Land Reserve Act
  - Size of houses permitted on agricultural land changed
  - Ability of private land owner to make application to ALC is now removed
- Big concerns over these changes
  - Land Reserve is imperative to maintain, but to take ability from land owners to apply directly is wrong
- A lot of provincial dollars spent in our area recently, particularly in regard to affordable and supportive housing
- These initiatives will be paid for by the tax payer – will see how things work out
- Happy to meet with Council at any time
- Can assist with meeting arrangements with Ministers or senior staff
- Happy to answer any questions

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Council receives the update report from MLA Eric Foster regarding an Update on Provincial Issues as provided at the March 11, 2019 Regular Council meeting.

**CARRIED.**

**DELEGATION –  
BC SPCA VERNON &  
DISTRICT BRANCH  
(3900-02-Animal)**

Chelsea Taylor, Branch Manager, BC SPCA Vernon & District Branch attended to provide information on the BC SPCA Vernon & District Branch and proposed changes to the Animal Pound Bylaw Number 5252.

**The following points were noted:**

- Reviewed Mission Statement and Vision
- 2019 – 2023 Strategic Plan Priorities
  - Protecting animals from cruelty & neglect
  - Caring for animals in the community & shelters
  - Inspiring the public to take action for animals
  - Growing our organization so we can do our best
- What We Do
  - Established in 1895, operates 44 locations across province
  - As of 2018, approx. 5,500 volunteers cared for over 47,000 animals
  - Launches over 8,000 cruelty investigations
  - Operates donor-funded, toll-free cruelty hotline
  - Have 32 Special Provincial Constables
- Vernon & District BC SPCA
  - Three full-time, four part-time, two casual staff plus over 100 active volunteers
  - Took 171 dogs and puppies and 436 cats and kittens in 2018
  - Received 334 calls to cruelty hotline (23 calls related to hot vehicles, 46 inadequate shelter)
- BC SPCA's Model Animal Responsibility Bylaws package
  - Evidence-based bylaws for public safety & humane treatment of animals
  - Animals raised under inhumane conditions more likely to carry disease and exhibit aggressive behaviour
- Recommended changes to City of Vernon Bylaw #5252
  - Provision of basic care (food, clean water, exercise & veterinary care)
  - No confinement without ventilation
  - Unattended tethering prohibited or minimized
  - Adequate outdoor shelter
- Impact of Changes
  - Encourage responsible pet ownership
  - Improve community health & safety
  - Increase ticketing powers
  - Improve compliance during cruelty investigations
  - Reduce instances of cruelty

**COUNCIL INQUIRIES****HANDICAP PARKING  
AT NEXUS**

Council noted that the handicap parking space at the Nexus facility has signage but the curb is yellow instead of blue causing confusion. Admin advised that the curb is scheduled to be repainted this spring. An Admin Update will be provided.

**KIN BEACH –  
HISTORY OF NAME**

Council requested a staff report on the history of the naming of Kin Beach. An Admin Update will be provided.

**MOBILE VENDORS IN  
DOWNTOWN CORE**

Council noted that some restaurant owners have expressed concerned regarding the possibility of the City allowing mobile vendors on the main street downtown.

**OKANAGAN BASIN  
WATER BOARD -  
MILFOIL  
MANAGEMENT  
PROGRAM**

Council noted recent difficulties being experienced by the Okanagan Basin Water Board with the continuation of their Milfoil Management Program at Kin Beach and Paddle Wheel Beach due to the discovery of native mussels in the area. An Admin Update will be provided.

**GOOSE CONTROL**

Council inquired as to current methods being utilized for goose control, particularly at Fulton School and Kin Beach, and as to how other municipalities are conducting this work. An Admin Update will be provided.

**ADMINISTRATION  
UPDATES  
(0550-05)**

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council receive the Administration Updates dated March 11, 2019.

**CARRIED.**

**UNFINISHED BUSINESS:**

**DELEGATION  
RESPONSE: DOGS  
OFF-LEASH IN  
MARSHALL FIELDS  
PARK  
(6135-01)**

Moved by Councillor Nahal, seconded by Councillor Quiring:

THAT Council refer the information and petition presented to Council by the Vernon Soccer Association to Administration for consideration in the on-going review of options for an off-leash area in Marshall Fields Park.

**CARRIED.**

**NORTH VALLEY  
GYMNASTICS  
SOCIETY  
DELEGATION  
RESPONSE  
(1850-01)**

Moved by Councillor Gares, seconded by Councillor Quiring:

THAT Council receive the information provided by the North Valley Gymnastics Society on February 25, 2019.

**CARRIED.**

Moved by Councillor Gares, seconded by Councillor Quiring:

THAT Council directs Administration to inquire if the North Valley Gymnastics Society's (NVGS) is desirous of an interest bearing, recoverable loan from the City of Vernon vs. a Financial Institution for the \$75,000 requested;

AND FURTHER, that Council encourages the NVGS to apply for a Council Discretionary grant which is currently open for applications for the April 2019 intake.

**CARRIED, with Councillor Fehr opposed.**

**REGULATIONS ON  
SHOPPING CARTS  
(4000-02)**

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council receive the Internal Memorandum dated February 8, 2019, from the Manager – Protective Services titled "Regulations on Shopping Carts" for information;

AND FURTHER, based on industry response that shopping carts located off the retailer property are normally removed by a third party contractor and are normally repaired and/or decommissioned at their expense: Council directs Administration to not proceed with a fine to retailers who choose not to use theft protection on commercial shopping carts.

**CARRIED.**

**NEW BUSINESS**

**CORRESPONDENCE:**

**VERNON SEARCH  
AND RESCUE –  
REQUEST FOR  
PARKING PASSES  
FOR BOAT LAUNCH  
(0230-70)**

Moved by Councillor Quiring, seconded by Councillor Gares:

THAT Council directs Administration to provide twelve 2019 boat launch parking passes, to Vernon Search and Rescue Group Society, to be utilized when responding to emergencies on the water.

**CARRIED.**

**AFFORDABLE  
HOUSING ADVISORY  
COMMITTEE TERMS  
OF REFERENCE  
(0540-20)**

Moved by Councillor Mund, seconded by Councillor Fehr:

THAT Council re-affirms its appointment of Councillor Kelly Fehr as a Council representative to the Affordable Housing Advisory Committee;

AND FURTHER, that Council appoints Councillor Kari Gares as the second Council representative to the Affordable Housing Advisory Committee.

**CARRIED.**

Moved by Councillor Mund, seconded by Councillor Quiring:

THAT Council appointments Councillor Brian Quiring as the alternate Council representative to the Affordable Housing Advisory Committee.

**CARRIED.**

**MIXED MARSHALL  
ARTS (MMA)  
(3900-02-MMA)**

Moved by Councillor Mund, seconded by Councillor Nahal:

THAT Council retain the prohibition of professional and amateur Mixed Martial Arts events within municipal limits as outlined in the City of Vernon Mixed Martial Arts Bylaw Number 5505, 2014.

**DEFEATED with Councillors Gares, Mund, Nahal, Fehr and Quiring opposed.**

Moved by Councillor Fehr, seconded by Councillor Mund:

THAT Council directs Administration to rescind the City of Vernon bylaw prohibiting Mixed Martial Arts Events in Vernon.

**DEFEATED, with Councillors Quiring, Nahal, Gares and Mayor Cumming opposed.**

Moved by Councillor Quiring, seconded by Councillor Nahal:

THAT Council directs Administration to obtain input from the RCMP and stakeholders regarding any issues or concerns in relation to Mixed Martial Arts Events in the City of Vernon.

**CARRIED.**

**KIN RACE TRACK  
DEMOLITION AND  
REMOVAL  
(6140-20)**

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Council direct Administration to proceed with the demolition and removal of the structures and debris located at Kin Race Track and convert the area into a greenfield site, as outlined in the memorandum titled "Kin Race Track Demolition and Removal" dated February 27, 2019, from the Manager, Parks and Public Spaces, in 2019, with the source of funds being the insurance deductible reserve (\$560,000).

**CARRIED.**

**NOTICE OF FAILURE  
TO FILE –  
DISQUALIFICATION  
NOTICE  
(4200-05)**

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council receives the memorandum dated February 28, 2019 from Susan Blakely, Chief Elections Officer, advising Council of receipt of a 'Notice of Failure to File – Disqualification Notice' from Elections BC.

**CARRIED.**

**LEGISLATIVE MATTERS:**

**BYLAWS:**

**ADOPTION**  
• 5737

Moved by Councillor Mund, seconded by Councillor Quiring:

THAT Bylaw #5737, "**Subdivision and Development Servicing (Approval Period) Amendment Bylaw Number 5737, 2019**" – a bylaw to amend the City of Vernon Subdivision and Development Servicing Bylaw #3843, 1992, be **adopted**.

**CARRIED.**

• 5675

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Bylaw #5675, "**5902 Pleasant Valley Road Official Community Plan Amendment Bylaw #5675, 2018** – a bylaw to redesignate the subject properties from '*Residential Regional District of North Okanagan Electoral Areas B & C Community Land Use*' to "*Residential – Low Density*" be **adopted**.

**CARRIED.**



FIRST, SECOND &  
THIRD READINGS

- 5742

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Bylaw #5742, "**Fees and Charges (Annual) Amendment Bylaw Number 5742, 2019**" – a bylaw to amend Fees & Charges Bylaw Number 3909, be read a **first, second & third time**.

**CARRIED.**

- 5738

Moved by Councillor Quiring, seconded by Councillor Mund:

THAT Bylaw #5738, "**Animal Regulation and Animal Pound (Urban Beekeeping) Bylaw Number 5738, 2019**" – a bylaw to amend Animal Regulation and Animal Pound Bylaw #5252, be read a **first, second and third time**.

**CARRIED.**

- 5740

Moved by Councillor Fehr, seconded by Councillor Quiring:

THAT Bylaw #5740, "**Bylaw Notice Enforcement (Penalties for Non-Compliance with Urban Beekeeping Regulations) Amendment Bylaw Number 5740, 2019**" – a bylaw to amend Bylaw Notice Enforcement Bylaw #5250 be read a **first, second and third time**.

**CARRIED.**

- 5741

Moved by Councillor Fehr, seconded by Councillor Quiring:

THAT Bylaw #5741, "**Municipal Ticketing Information (Penalties for Non-Compliance with Urban Beekeeping Regulations) Amendment Bylaw Number 5741, 2019**" – a bylaw to amend the Municipal Ticketing Information Bylaw #5300, be read a **first, second and third time**.

**CARRIED.**

- 5743

Moved by Councillor Quiring, seconded by Councillor Mund:

THAT Bylaw #5743, "**Repeal of *City of Vernon Bee Keeping Bylaw Number 4987, Bylaw Number 5743, 2019***" – a bylaw to repeal City of Vernon Bee Keeping Bylaw Number 4987, 2006, be read a **first, second and third time**.

**CARRIED.**

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

- 5739

Moved by Councillor Quiring, seconded by Councillor Mund:

THAT Bylaw #5739, "Zoning Text (Urban Beekeeping) Amendment Bylaw Number 5739, 2019" – a bylaw to amend Zoning Bylaw #5000 to address Urban Hobby Beekeeping in the City of Vernon, be read a first and second time;

AND FURTHER, that the Public Hearing for Bylaw #5739, be scheduled for Monday, March 25, 2018, at 5:30 pm, in Council Chambers.

**CARRIED.**

COUNCIL INFORMATION UPDATES:

COUNCILLOR AKBAL MUND

Councillor Akbal Mund provided a verbal report on the following matters:

**CONGRATULATIONS**

**Attended the following events:**

- Congratulations to the Chamber of Commerce on successful 'Expo' event

COUNCILLOR KARI GARES

Councillor Kari Gares provided a verbal report on the following matters:

**MEETING/EVENT  
ATTENDANCE**

**Attended the following events:**

- Regional District of North Okanagan (RDNO) Meeting

COUNCILLOR KELLY FEHR

Councillor Kelly Fehr provided a verbal report on the following matters:

**MEETING/EVENT  
ATTENDANCE**

**Attended the following events:**

- Okanagan College Advisory Board meeting
- Greater Vernon Advisory Committee meeting
- Tour of SPCA facilities

COUNCILLOR DALVIR NAHAL

Councillor Dalvir Nahal provided a verbal report on the following matters:

**MEETING/EVENT  
ATTENDANCE**

**Attended the following events:**

- Regional District of North Okanagan (RDNO) meeting

COUNCILLOR BRIAN QUIRING

Councillor Brian Quiring provided a verbal report on the following matters:

**MEETING/EVENT  
ATTENDANCE**

**Attended the following events:**

- Climate Action Committee meeting
- Georgie Awards in Vancouver (Noted - Bercum Builders received 'Builder of the Year' award for second year in a row)

MAYOR VICTOR CUMMING

Mayor Cumming provided a verbal report on the following matters:

**MEETING/EVENT  
ATTENDANCE**

**Attended several events including:**

- Regional District of North Okanagan (RDNO) meeting
- BC Economic Development Association meeting
- 'Beyond Climate' event at UBCO
- RDNO – Cannabis Discussion
- Heritage Fair at Mission Hill Elementary School
- Chamber of Commerce Expo
- Vernon Fish & Game Club Banquet
- Met with new Federal Minister of Agriculture today


INFORMATION ITEMS:

- A. Letter dated February 28, 2019 from Mayor Terry Rysz, District of Sicamous, re: Request for Support of Resolution for 2019 SILGA – Backcountry Closures
- B. Letter dated February 28, 2019 from Mayor Terry Rysz, District of Sicamous, re: Request for Support of Resolution for SILGA – Gas Prices
- C. Minutes from the following Committees of Council:
  - (i) Board of Variance, March 7, 2018

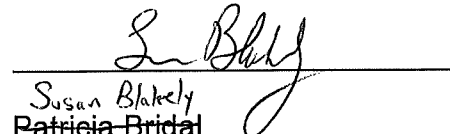
**CLOSE**

Mayor Cumming closed the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 3:28 pm.

CERTIFIED CORRECT:



Victor Cumming  
Mayor



Susan Blakely  
~~Patricia Bridal~~  
Dep. Corporate Officer