

THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF A REGULAR OPEN MEETING OF COUNCIL
HELD MONDAY, SEPTEMBER 16, 2019**

PRESENT: Mayor V. Cumming

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

Staff: W. Pearce, CAO

P. Bridal, DCAO / Director, Corporate Services

S. Blakely, Manager, Legislative Services

K. Flick, Director, Community Infrastructure & Development

D. Law, Director, Finance

B. Bandy, Manager, Real Estate*

S. Koenig, Director, Operations

A. Watson, Manager, Transportation*

D. Ross, Director, Recreation Services*

G. Lefebvre, Manager, Aquatics*

L. Walker, Manager, Recreation Administration*

S. Mitchell, Manager, Arena, Events & Bookings*

C. Poirier, Manager, Communications & Grants

R. Zubick, CPO Coordinator

D. Sturgent, Long Range Planner*

D. Lees, Sr. Bylaw Compliance Officer*

G. Gaucher, Manager, Protective Services*

Supt. S. Baher, RCMP, OIC Vernon Detachment*

Insp. K. Keane, RCMP*

*Attended, as 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 Mund, 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*

d) the security of the property of the municipality;

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;*

- i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*
- 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 1:32 pm.

PRESENT: Mayor V. Cumming

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

Staff: W. Pearce, Chief Administrative Officer
P. Bridal, DCAO / Director, Corporate Services
S. Blakely, Manager, Legislative Services
D. Law, Director, Finance
K. Flick, Director, Community Development
S. Koenig, Director, Operation Services*
Supt. S. Baher, OIC, RCMP*
A. Watson, Manager, Transportation*
G. Gaucher, Manager, Protective Services*
D. Lees, Senior Bylaw Compliance Officer*
L. Cordell, Manager, Long Range Planning & Sustainability*
K. Dhillon, Interim Manager, Infrastructure Management*
C. Liefke, Planning Assistant*
C. Barker, Manager, Revenue Services*
R. Zubick, Community Safety Office Co-Coordinator*
C. Poirier, Manager, Communications & Grants
M. Beaugard, Manager, Building Services*
R. Zubick, CPO Coordinator
Sgt. Tammy Hoffman, RCMP, Vernon Detachment
S. Irwin, Manager, Utilities
C. Ovens, Manager, Roads, Drainage & Airport*

*Attended, as required

Others: Media and Members of the Public

ADOPTION OF THE AGENDA:

APPROVAL OF ITEMS LISTED ON THE AGENDA

Moved by Councillor Quiring, seconded by Councillor Mund:

THAT the agenda for the September 16, 2019, Regular Open meeting of the Council of The Corporation of The City of Vernon be amended as follows:

1. **REMOVE ITEM 6.A. GENERAL MATTERS – Delegation - Sandra Welton – Need For An Overdose Prevention Site – Removal requested by Delegate as she is unable to attend due to a family emergency.**
2. **REPLACE ITEM 11.A.(i) CORRESPONDENCE - Distribution Of Charitable Funds – 2018 Kindness Meters Donations – Replaced due to amended information.**

AND FURTHER, that the agenda be adopted, as amended.

CARRIED.

ADOPTION OF MINUTES:**COUNCIL MEETINGS**

Moved by Councillor Fehr, seconded by Councillor Quiring:

THAT the minutes of the Regular Meeting of Council held September 3, 2019 be adopted;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held September 3, 2019, be received;

CARRIED.

BUSINESS ARISING FROM THE MINUTES:**GENERAL MATTERS:****PRESENTATION:
VERNON FORENSIC
IDENTIFICATION
SECTION
(7400-30)**

Sgt. Tammy Hoffman, RCMP, Vernon Detachment provided a presentation on Vernon Forensic Identification Section.

The following issues were noted:

- Vernon Forensic Identification Section (FIS):
 - Sgt. Tammy Hoffman
 - Cpl. Spencer Marginson
 - Cpl. Trevor Cook
- Specialized Support Unit
 - Consists of 1 Sgt. & 2 Cp. Positions
 - Shift is 07:00 to 17:00, 7 days a week with a member having to be on call outside these scheduled hours
 - One of seven FIS Units assigned to the Southeast District in "E" Division

- Provides Services for the Following:
 - City of Vernon
 - Coldstream
 - Falkland
 - Enderby
 - Armstrong
 - Spallumcheen
 - Lumby
- Assistance Provided for Criminal Investigations
 - Crime scene and exhibit examinations
 - Processing and handling of evidence
 - Analysis, comparison and identification of fingerprint and physical evidence
 - Presentation of expert testimony by providing opinion evidence in court
- Other FIS Duties
 - Deployment with the District Tactical Team
 - Deployment with the Forensic Search & Evidence Recovery Team (FSERT) for complex homicide scenes where victims have been burnt, buried, scattered or damaged beyond recognition
 - Deployment with the Disaster Victim Identification (DVI) Team
 - Assistance for the Explosives Disposal & Chemical, Biological, Radiological, Nuclear (CBRN) Unit

Moved by Councillor Nahal, seconded by Councillor Fehr:

THAT Council receives the presentation from Sgt. Hoffman, RCMP, Vernon Detachment regarding the Vernon Forensic Identification Section, as presented at the September 16, 2019 Regular Council Meeting for information.

CARRIED.

Councillor Nahal left the meeting at 2:10 pm and returned at 2:14 pm.

**PRESENTATION:
CLIMATE ACTION
ADVISORY COMMITTEE
– CLIMATE ACTION
PLAN: THE CONTEXT
(0540-20)**

Brian Guy, Co-Chair, Climate Action Advisory Committee, provided a presentation regarding the Climate Action Plan: The Context.

The following issues were reviewed:

- Natural causes of climate change
- The climate is warming – statistics reviewed
- Mountain glaciers are disappearing
- Recent sea level rise – statistics reviewed
- Implications of sea level rise on infrastructure & cities
- Arctic ice is disappearing & permafrost is melting
- Droughts & fires are getting worse
- Effects of farming and food prices reviewed

- Storms and flooding are getting worse
- Reviewed Canada's Changing Climate: Temperature & Precipitation
- Reviewed effects of Climate Change on health
- Climate Change Costs to governments noted
- Vernon's predicted future climate reviewed
- COP21 The Paris Agreement – objectives reviewed
- Difference between 1.5 and 2 degree of warming – impact
- Urgent Action Needed:
 - The United Nations IPCC says:
 - To keep warming to 1.5 degrees we must reduce GHG emissions by 45% below 2010 levels by 2030 and get to zero by 2050
 - 1.5 degree increase will still mean significant impacts
 - We are currently on track for between 2 degrees Celsius and 6 degrees Celsius (which would be catastrophic)
 - The global community has to solve this

Moved by Councillor Mund, seconded by Councillor Nahal:

THAT Council receives the presentation from Brian Guy, Co-Chair, Climate Action Advisory Committee, regarding Climate Action Plan: The Context, as presented at the September 16, 2019 Regular Council Meeting for information.

CARRIED.

Councillor Anderson left the meeting at 2:16 pm and returned at 2:18 pm.

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION: 2005
28TH CRESCENT**

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council support the Development Variance Permit Application (DVP00452) to vary the following section of Zoning Bylaw #5000 on Lot B Plan 43622 Sec. 35 Twp. 9 ODYD (2005 28th Crescent):

- a) to vary Section 9.2.5 by reducing the side yard setback on the flanking street from 7.5 m to 4.73 m to allow the construction of a garage;

AND FURTHER, that Council support the Development Variance Permit Application (DVP00452) to vary the following section of Subdivision and Development Servicing Bylaw #3843 on Lot B Plan 43622 Sec. 35 Twp. 9 ODYD (2005 28th Crescent):

- a) to vary Schedule B, Section 3.5.5. by reducing the minimum distance from the entrance of a driveway to an intersection from 9.0 m to 6.0 m;

AND FURTHER, that Council's support of DVP00452 is subject to the following:

- b) That the site plan shown as Attachment 1 in the report titled Development Variance Permit application for 2005 28th Crescent, dated August 21, 2019 by the Current Planning Assistant be attached to and form part of Development Variance Permit #DVP00452 as Schedule 'A'; and
- c) That a plan for the narrowing of the primary driveway access and closure of the secondary driveway access, including the addition of landscaping to enhance the driveway modifications, be prepared and submitted to Administration for approval; and
- d) That the applicant provide a security deposit, based on an acceptable cost estimate, for the cost of the driveway modifications and landscaping.

Public Input – DVP #00452

The Corporate Officer advised that one written submission has been received as follows:

- 1. Email dated September 3, 2019, from Robin Bristow, re: Public Input – Application #00452 – 2005 28th Crescent.

Mayor Cumming called a first time for representation from the public in attendance who believe their interest in property is affected by Development Variance Permit #00452 for Lot B Plan 43622 Sec. 35 Twp. 9 ODYD (2005 28th Crescent) to reduce the side yard setback on the flanking street from 7.5 m to 4.73 m, and reduce the minimum distance from the entrance of a driveway to an intersection from 9.0 m to 6.0 m.

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

Issuance of Permit #00452

Moved by Councillor Mund, seconded by Councillor Quiring:

THAT Council the Corporate Officer be authorized to issue Development Variance Permit #00452, for Lot B Plan 43622 Sec. 35 Twp. 9 ODYD (2005 28th Crescent) once all conditions of Council are satisfied.

CARRIED.

COUNCIL INQUIRIES

LANEWAY HOMES

Council inquired regarding the potential for laneway homes in Vernon as they provide a source of affordable housing. The City of Vernon has many back lanes that could be utilized for this purpose.

Moved by Councillor Quiring , seconded by Councillor Fehr:

THAT Council directs Administration to provide a report on the potential for laneway homes with details to include:

1. Potential suitable areas in Vernon
2. Possibility of eliminating the requirement for owners to live on the property
3. Implications regarding Development Cost Charges
4. Requirement for variances in order to construct residences over accessory buildings
5. Parking

CARRIED.

RESPONSE TO PHONE CALLS

Council inquired as to whether there a policy in regard to a maximum time period for staff to return phone calls. **A. Admin:** Policy is to return calls within 48 hours (business days).

FENCING – MARSHALL FIELDS

Council requested the status for the new fencing at Marshall Fields. **A. Admin:** The tender for fencing closed on September 11. An Admin Update will be provided regarding progress.

CATHERINE GARDENS – TRAIL CONNECTIVITY

Council inquired regarding the status for construction of trail connection from Catherine Gardens to Becker Park and F.B. Jacques Park, as this was a condition of development. An Admin Update will be provided.

FULTON SCHOOL BOARDWALK

Council inquired as to who owns and is responsible for the Boardwalk Path at Fulton School. An Admin update will be provided.

PREDATOR RIDGE – TRAIL CONNECTION TO KEKULI BAY

Council inquired regarding the status of the request to consider a trail connection from Predator Ridge to Kekuli Bay Park. **A. Admin:** This item was referred to Greater Vernon Advisory Committee (GVAC). A delegation request has been send for attendance at the October 3 GVAC meeting.

ADMINISTRATION UPDATES (0550-05)

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT Council receives the Administration Updates dated September 16, 2019.

CARRIED.

UNFINISHED BUSINESS:

**ZONING BYLAW
REGULATION ON
MAXIMUM LENGTH OF
RECREATIONAL
VEHICLES PERMITTED
TO PARK ON
RESIDENTIAL
PROPERTIES
(6450)**

Moved by Councillor Fehr, seconded by Councillor Mund:

THAT Council receive the memorandum titled *Zoning Bylaw Regulation on Maximum Length of Recreational Vehicles Permitted to Park on Residential Properties*, dated September 6, 2019, from the Manager, Transportation, for information.

CARRIED.

**ACTIVATE SAFETY
TASK FORCE
RECOMMENDATIONS –
NOTICE OF MOTION:
COUNCILLOR GARES
(6460-20)**

Moved by Councillor Gares, seconded by Councillor Anderson:

THAT Council receives the Internal Memorandum, titled Activate Safety Task Force Recommendations – Councillor Gares – Notice of Motion, dated September 9, 2019, respectfully submitted by the CAO, for information.

CARRIED.

**ACTIVATE SAFETY
TASK FORCE
RECOMMENDATIONS –
IMPROPERLY
DISCARDED NEEDLES
(6460-20)**

Moved by Councillor Mund, seconded by Councillor Fehr:

THAT Council receive the Internal Memorandum dated September 9, 2019 titled "Activate Safety Task Force Recommendations – Improperly Discarded Needles respectfully submitted by the Coordinator – Community Safety –Public Programs.

AND FURTHER, that Council not support a needle buyback program;

AND FURTHER, that Council direct Administration to include Folks on Spokes/Hotline program as a Service Level Adjustment in the 2020 Budget at \$27,540.

CARRIED, with Councillor Gares and Anderson opposed.

Moved by Councillor Gares, seconded by Councillor Anderson:

THAT Council directs Administration to explore a Mobile Needle Exchange Program potentially in partnership with IHA and/or other service providers and provide a report back to Council.

CARRIED, with Councillor Mund and Mayor Cumming opposed.

**ACTIVATE SAFETY
TASK FORCE
RECOMMENDATION –
DOWNTOWN WASTE
COLLECTION
(6460-20)**

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT Council directs Administration to work with the current service provider to adjust the commercial refuse collection contract to provide a 10 am or later commercial pickup in the downtown;

AND FURTHER, that Council direct Administration to adjust refuse and blue bag collection times to after 10 am, for the inclusion in the 2020 call for service.

CARRIED.

**ACTIVATE SAFETY
TASK FORCE
RECOMMENDATION –
LOCKS FOR PRIVATE
GARBAGE
CONTAINERS
(6460-20)**

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT Council encourage commercial business that use private garbage bins to request locks from their service providers should they wish to secure their bins;

AND FURTHER, that Council send a letter to the Downtown Vernon Association and the Chamber of Commerce to request that they encourage their members to lock their commercial bins in consultation with their service provider.

CARRIED.

Moved by Councillor Quiring, seconded by Councillor Anderson:

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

AND FURTHER, that Council directs Administration to send a letter to Refuse Collection Service Providers in Vernon requesting that they provide bins with lids that can be fully secured on all garbage bins.

CARRIED.

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

**ACTIVATE SAFETY
TASK FORCE
RECOMMENDATION –
DOWNTOWN CLEAN-UP
(6460-20)**

Moved by Councillor Mund, seconded by Councillor Fehr:

THAT Council receive the memorandum titled Activate Safety Task Force – Downtown Clean-Up from the Director, Operations, dated September 6, 2019, for information.

CARRIED.

**ACTIVATE SAFETY
TASK FORCE
RECOMMENDATION –
GRAFFITI / TAGGING
(6460-20)**

Moved by Councillor Quiring, seconded by Councillor Mund:

THAT Council receive the internal Memorandum dated September 9, 2019 titled “*Activate Safety Recommendations – Graffiti Tagging*” respectfully submitted by the Coordinator – Community Safety – Public Programs;

AND FURTHER, that Council direct Administration to include the Anti-Tag Team as a Service Level Adjustment in the 2020 Budget at \$16,380.00.

CARRIED.

**ACTIVATE SAFETY
TASK FORCE
RECOMMENDATION –
REMEDIAL ACTION –
DEMOLITION OF
'LEGION BUILDING'
(6460-20-04)**

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Council receive for information the memorandum titled *Remedial Action- Demolition of 'Legion Building'*, dated September 6, 2019, respectfully submitted by the Director, Community Infrastructure and Development.

CARRIED.

**DOWNTOWN
WASHROOM
OPERATIONS PLAN
AND BUDGET
(6460-01)**

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council endorse the operating plan for the downtown washroom as presented in the Memorandum titled *Downtown Washroom Operations Plan and Budget*, dated September 3, 2019 from the Manager of Long Range Planning and Sustainability;

AND FURTHER that Council approve \$17,820 to be expended from the capital budget for the downtown washroom in order to complete installation and provide servicing for the remainder of 2019;

AND FURTHER, that Council supports, in principal, the addition of \$35,000 within the Operations budget in 2020 for ongoing maintenance and security of the downtown washroom facility, pending an update from Administration on the status of the servicing schedule in 2019, for direction of Council during the 2020 budget deliberations.

CARRIED.

MANDATORY SEWER CONNECTION EXEMPTION FOR PROPERTIES IN A LOCAL AREA SERVICE (5340-01)

Moved by Councillor Anderson, seconded by Councillor Quiring:

THAT Council direct Administration to amend Sewer System Connection Bylaw #5089 to remove the mandatory connection requirement for properties included in an LAS project, except for properties where existing on-site septic fields have failed, and as provided in the memorandum titled "Mandatory Sewer Connection Exemption for Properties in a Local Area Service" from the Manager, Infrastructure, dated August 27, 2019.

CARRIED.

Councillor Anderson left the meeting at 3:17 pm.

CLAREMONT SEWER LOCAL AREA SERVICE PETITION RESULTS (5340-09-03-Clairemont)

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Council receives the memorandum dated September 9, 2019 from the Manager, Legislative Services regarding the Claremont Sewer Local Area Service Petition Results;

AND FURTHER, that Council directs Administration to provide a letter to the residents in the petition area advising that the sewer project will NOT proceed due to an unsuccessful petition and provide options for proceeding in the future.

CARRIED.

Councillor Nahal declared a conflict of interest in the follow matter as she is related to Legal Counsel for the Applicant. Councillor Nahal left the meeting at 3:17 pm.

Councillor Anderson returned to the meeting at 3:18 pm.

STATUS OF RETAIL CANNABIS LICENCE APPLICATIONS (4330-10)

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council request the provincial Liquor and Cannabis Regulation Branch accept new applications from only the applicants of CRL00017 (Job #002387) and CRL00022 (Job #002379), as outlined in the report titled "Status of Retail Cannabis Licence Applications" dated September 10, 2019 and respectfully submitted by the Director, Community Infrastructure and Development

CARRIED.

Councillor Nahal returned to the meeting at 3:22 pm.

NEW BUSINESS

CORRESPONDENCE:

*Councillor Fehr declared a conflict of interest in the following matter as his employer is being considered as a recipient of this donation.
Councillor Fehr left the meeting at 3:22 pm.*

DISTRIBUTION OF CHARITABLE FUNDS – 2018 KINDNESS METERS DONATIONS (4000-01-02)

Moved by Councillor Mund, seconded by Councillor Quiring:

THAT Council directs Administration to forward the proceeds in the amount of \$672.47, obtained from the Kindness Meter Program for the calendar year 2018, to **North Okanagan Youth and Family Services**.

CARRIED.

Councillor Fehr returned to the meeting at 3:23 pm

INVITATION – CEDI PANEL AND CANDO’S 26TH NATIONAL CONFERENCE (6750-10)

Moved by Councillor Mund, seconded by Councillor Nahal:

THAT Council authorizes Kevin Poole, Manager, Economic Development & Tourism to attend the 26th Annual National Conference & Annual General Meeting of Cando to be held in Gatineau, Quebec October 27 – 30, 2019 in order to participate on the 2019 CEDI Panel, with air and ground travel, meals, two night accommodation, conference registration for two days and a President’s Dinner ticket to be provided by Cando and CEDI as outlined in the email dated August 16, 2019 from Marissa Lawrence, Senior Program Officer, CEDI.

CARRIED.

REPORTS:

FEDERATION OF CANADIAN MUNICIPALITIES MUNICIPAL ASSET MANAGEMENT PROGRAM (FCM-MAMP) GRANT APPLICATION – INTERMUNICIPAL FIRE TRAINING CENTRE (1855-20)

Moved by Councillor Anderson, seconded by Councillor Gares:

THAT Council authorize the \$50,000 FCM-MAMP grant application titled *Federation of Canadian Municipalities (FCM) 2019 Municipal Asset Management Program Grant – Intermunicipal Fire Training Centre*, dated September 5, 2019, respectfully submitted by the Deputy Chief of Vernon Fire Rescue Services;

AND FURTHER, that Council authorize Administration to assume overall grant management.

CARRIED.

**UNION OF BC
MUNICIPALITIES
(UBCM) 2019 ASSET
MANAGEMENT
PLANNING PROGRAM
GRANT APPLICATION –
INTERMUNICIPAL FIRE
TRAINING CENTRE
(1855-20)**

Moved by Councillor Anderson, seconded by Councillor Gares:

THAT Council authorize the \$15,000 UBCM 2019 Asset Management Planning Program grant application titled *Union of BC Municipalities (UBCM) 2019 Asset Management Grant – Intermunicipal Fire Training Centre*, dated September 5, 2019, respectfully submitted by the Deputy Fire Chief, Fire Rescue Services;

AND FURTHER, that Council authorize Administration to assume overall grant management.

CARRIED.

Councillor Fehr declared a perceived conflict of interest in the following matter as his employer receives a property tax exemption. Councillor Fehr left the meeting at 3:27 pm.

**TAX EXEMPTION
AMENDMENT BYLAW
NUMBER 5769, 2019
(3900-02)**

Moved by Councillor Mund, seconded by Mayor Cumming:

THAT Council approve the recommendations of the Finance Committee for the Tax Exemption Amendment Bylaw Number 5769, 2019 as follows:

1. THAT Council reaffirm that the percentage of tax exemption per classification for 2020 remain the same as 2019 namely as follows;

Social Service services 100%
Cultural and educational services 75%
Recreational services 50%

2. AND FURTHER, that Council **grant** the Habitat for Humanity Okanagan a 100% tax exemption for the property located at Lot 5 Plan KAS3786 DL 71 ODYD (#5, 4100 25 Avenue) as long as Habitat for Humanity Okanagan is on title, to be phased in over a three year period;
3. AND FURTHER, that Council **grant** the Vernon Book Volunteers Society a 100% tax exemption for the property located at Lot 47 Plan KAS2385 Sec 27 Twp 9 ODYD (#35, 100 Kalamalka Lake Road) to be phased in over a three year period;
4. AND FURTHER, that Council **grant** the North Okanagan Valley Gleaners Society a 20% tax exemption for the property located at Lot A Plan 25714 Sec 3 Twp 8 ODYD (4405 29 Street) to be applied in full in the first year and not be subject to the three year phased in period;

5. AND FURTHER, that Council **deny** the request from the North Valley Gymnastics Society on property located at Lot 2 Plan 18942 DL 38 ODYD (4700 31 Street) as they do not meet the requirements of the Community Charter, Division 7, Section 224.

CARRIED.

Councillor Fehr returned to the meeting at 3:29 pm.

Councillor Quiring declared a conflict of interest in the following two matters as the Applicants are clients of his firm. Councillor Quiring left the meeting at 3:31 pm.

**OFFICIAL COMMUNITY
PLAN AMENDMENT
AND REZONING
APPLICATION FOR
1700 POLSON DRIVE
(OCP00079 /
ZON00374)**

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Council support the application (OCP00079) to amend the Future Land Use designation for Lot 1 Sec. 34 Twp. 9 ODYD Plan KAP84037 (1700 Polson Drive) from Public and Institutional (PUBINS) to Neighbourhood Centre (NCTR) to allow high density commercial and residential uses;

AND FURTHER, that Council support the application (ZON00324) to rezone Lot 1 Sec. 34 Twp. 9 ODYD Plan KAP84037 (1700 Polson Drive) from Light Industrial (I1) to Comprehensive Development Area 5 (CD5) to allow high density commercial and residential uses, subject to the following conditions:

1. Completion of the mutual conditions contained in the sale agreement between the City of Vernon and the Regional District of North Okanagan;

AND FURTHER, that Council support the text amendment to Zoning Bylaw #5000 Section 13.5.2 to add "Hotel" to the list of Primary Uses permitted within the Comprehensive Development Area 5 Zone as shown in Attachment 1 to the report titled "Official Community Plan Amendment and Rezoning Application For 1700 Polson Drive" from the Economic Development Planner dated September 4, 2019.

CARRIED.

**REZONING
APPLICATION FOR 7497
AND 7501 BROOKS
LANE
(ZON00341)**

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Council support the application to rezone the subject property located at 7497 and 7501 Brooks Lane from R1 (Estate Lot Residential) to C10A (Tourist Commercial and Residential) and P1 (Parks and Open Space) as outlined in the report titled "Rezoning Application for 7497 and 7501 Brooks Lane" dated September 4, 2019 by the Economic Development Planner, subject to the following conditions:

- a) Consolidation of Lot 1, Plan EPP31641, DL 5372, Sec 19, Twp 9, ODYD, and Lot 2, Plan EPP31641, DL 5373, Sec 19, Twp 9, ODYD into a single title;
- b) Registration of a Restrictive Covenant to restrict the building height to a maximum of five storeys for residential construction with a one-storey parkade partially built below grade;
- c) Registration of a 6.0 m statutory right of way on the consolidated lot, upland of the higher of either the 343 m high water level, or the high water mark as established by the Ecosystems Branch of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development along the foreshore, in addition to a 2.0 m statutory right of way along the eastern boundary of Lot 1, DL 5373, to allow for public pedestrian access along the foreshore, and from the foreshore to Okanagan Landing Road; and
- d) Removal of the existing garage/boathouse prior to construction of the 6.0 m statutory right of way on the consolidated lot if it conflicts with the location of the statutory right of way for pedestrian access along the foreshore;

AND FURTHER, that prior to final adoption of the zoning amendment bylaw, the Development Permit ready for issuance and that any required variance to Zoning Bylaw #5000, as amended, be evaluated by Council and approved if appropriate.

CARRIED.

Councillor Quiring returned to the meeting at 3:39 pm.

Councillor Nahal declared a conflict of interest in the follow matter as she is related to Legal Counsel for the Applicant. Councillor Nahal left the meeting at 3:40 pm.

**CANNABIS BUSINESS
LICENCE APPLICATION
FOR 115, 1500
ANDERSON WAY
(4330-20)**

Moved by Councillor Mund, seconded by Councillor Anderson:

THAT Council provide a positive recommendation to the Liquor and Cannabis Regulation Branch (LCRB) regarding Cannabis Retail Store application (Job#002379) (CRL00021) with respect to the application to establish a Non-Medical cannabis retail sales business on Lot 1, PLAN KAP87698, DL 38, ODYD (115-5100 Anderson Way);

AND FURTHER, that the LCRB be advised that Council's support of the subject cannabis retail store application addresses the LCRB resolution criteria in the following manner:

- a) The location of the proposed store:
 - i. The proposed new premise at 115 - 5100 Anderson Way is within the C5 – Community Commercial zone, and a cannabis retail store is a permitted use within this commercial zone.
- b) The general impact on the community if the application is approved:
 - i. Council considers that approval of a cannabis retail store at this location would have minimal impact on the community as long as all federal, provincial and municipal regulations are adhered to.
- c) The public consultation process consists of 69 stakeholder referral letters being sent to internal departments, agencies and to all businesses, property owners and occupants within 30 m of the subject property. One "no objection" response and one negative response were received.

AND FURTHER, that the report from the Manager, Current Planning dated August 26, 2019 be provided to the Liquor and Cannabis Regulation Branch to document the City of Vernon's consideration of the location of the proposed cannabis retail store, the means of public consultation and the summary of input received with respect to Cannabis Retail Store application CRL00021.

CARRIED.

Councillor Nahal returned to the meeting at 3:42 pm

LEGISLATIVE MATTERS:

BYLAWS:

ADOPTION

- 5771

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Bylaw #5771, "**Municipal Ticketing Information (Cemetery Bylaw) Amendment Bylaw Number 5771, 2019**" – a bylaw to amend the Municipal Ticketing Information (M.T.I.) bylaw, be **adopted**.

CARRIED.

- 5772

Moved by Councillor Anderson, seconded by Councillor Mund:

THAT Bylaw #5772, "**Bylaw Notice Enforcement (Cemetery Bylaw) Amendment Bylaw Number 5772, 2019**" – a bylaw to amend the Bylaw Notice Enforcement Bylaw, be **adopted**.

CARRIED.

- 5779

Moved by Councillor Fehr, seconded by Councillor Mund:

THAT Bylaw #5779, "**Subdivision And Development Servicing (Schedules C and O) Amendment Bylaw Number 5779, 2019**" – a bylaw to amend the "City of Vernon Subdivision and Development Servicing Bylaw #3843, 1992", be **adopted**.

CARRIED.

Councillor Fehr declared a perceived conflict of interest in the following matter as his employer receives a property tax exemption. Councillor Fehr left the meeting at 3:43 pm.

FIRST, SECOND & THIRD READINGS

- 5769

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Bylaw #5769, "**Tax Exemption Bylaw Number 5679, 2019**": - a bylaw to amend the City of Vernon Tax Exemption Bylaw Number 5723, 2018, to provide permissive exemptions in 2020, be **read a first, second and third time**.

CARRIED.

Councillor Fehr returned to the meeting at 3:44 pm

Councillor Quiring declared a conflict of interest in the following three matters as the Applicants are clients of his firm. Councillor Quiring left the meeting at 3:44 pm.

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

- 5780

Moved by Councillor Mund, seconded by Councillor Gares:

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 **read a first and second time**;

AND FURTHER, that the Public Hearing for Bylaw #5780, be scheduled for **Monday, October 28, 2019, at 5:30 pm**, in Council Chambers.

CARRIED.

- 5781

Moved by Councillor Mund, seconded by Councillor Gares:

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 **read a first and second time**;

AND FURTHER, that the Public Hearing for Bylaw #5781, be scheduled for **Monday, October 28, 2019, at 5:30 pm**, in Council Chambers.

CARRIED.

- 5785

Moved by Councillor Fehr, seconded by Councillor Gares:

THAT Bylaw #5785, “**7497 and 7501 Brooks Lane Rezoning Amendment Bylaw Number 5785, 2019**” – a bylaw to rezone the subject property from “R1: Estate Lot Residential” to “C10A: Tourist Commercial and Residential” and “P1: Parks and Open Space”, be **read a first and second time**;

AND FURTHER, that the Public Hearing for Bylaw #5785, be scheduled for **Monday, October 28, 2019, at 5:30 pm**, in Council Chambers.

CARRIED.

Councillor Quiring returned to the meeting at 3:46 pm.

COUNCIL INFORMATION UPDATES:

COUNCILLOR KARI GARES

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

- **MEETING/EVENT ATTENDANCE**
 - Attended Chamber of Commerce AGM Dinner, Regular meeting and Advocacy meeting
 - Attended Winter Carnival Media Launch to announce receipt of \$150,000 grant
 - Participated in tour of O'Keefe Ranch

COUNCILLOR KELLY FEHR

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

- **MEETING/EVENT ATTENDANCE**
 - Attended Canadian Mental Health Association Suicide Prevention and Awareness event
 - Attended Terry Fox Run on behalf of Mayor Cumming
 - Attended Chamber of Commerce Business Excellence Nominee Reception on behalf of Mayor Cumming
 - Attended Event to Announce Chamber of Commerce Finalist for 2019 Manufacturer of the Year Award

COUNCILLOR DALVIR NAHAL

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

- **MEETING/EVENT ATTENDANCE**
 - Attended Regional District Agriculture Advisory Committee meeting
 - Chamber of Commerce AGM

COUNCILLOR BRIAN QUIRING

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

- **MEETING/EVENT ATTENDANCE**
 - Attended BC Wood Conference last week

MAYOR VICTOR CUMMING

Mayor Cumming provided a verbal report on the following matters:

- **MEETING/EVENT ATTENDANCE**
 - **Attended several events including:**
 - Toured O'Keefe Ranch
 - Advisory Planning Committee Meeting
 - AGM for Okanagan Basin Water Board
 - Tour of BC Hydro Building with Kevin Poole
 - Climate Action Committee on behalf of Councillor Quiring
 - Chamber of Commerce AGM
 - Celebration for receipt of grant announcement for Swan Lake Sewer project

- Telephone Meeting with Mayors and Minister Farnworth regarding policing costs
- Meeting with Fulton Teachers regarding integrating climate action items into curriculum

INFORMATION ITEMS:

Council received the following information items:

- A. Letter dated August 22, 2019 from Linda Buchanan, Mayor, City of North Vancouver to the Hon. Rob Fleming, Minister of Education, re: Support for Public Libraries. (P.)
- B. Letter dated September 4, 2019, from Henry Wiebe, Acting Mayor, Village of Burns Lake, re: Support for UBCM Resolution – Limited Entry Hunt for Cow/Calf Moose. (P.)
- C. Letter dated September 5, 2019 from Tate Bengtson, Chief Administrative Officer, City of Enderby, re: Fostering Transportation Network Services in Small Communities (P.)
- D. Minutes from the following Committees of Council:
 - (i) Advisory Planning, August 20, 2019 (P.)

CLOSE

Mayor Cumming closed the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 3:52 pm

CERTIFIED CORRECT:


Mayor


Corporate Officer