

THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF A REGULAR OPEN MEETING OF COUNCIL
HELD MONDAY, NOVEMBER 25, 2019**

PRESENT: Mayor V. Cumming

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

Staff: W. Pearce, CAO
P. Bridal, Director, Corporate Services
S. Blakely, Manager, Legislative Services
K. Poole, Manager, Economic Development & Tourism
D. Law, Director, Finance
S. Koenig, Director, Operations
C. Poirier, Manager, Communications & Grants

**Attended at Required*

Others: Media and Members of the Public

Mayor Cumming called the Regular Open meeting to order at 8:50 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 Quiring:

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

- 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;*

- 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 1:34 pm.

PRESENT: Mayor V. Cumming

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

Staff: W. Pearce, Chief Administrative Officer
P. Bridal, Director, Corporate Services
S. Blakely, Manager, Legislative Services
D. Law, Director, Financial Services
K. Poole, Manager, Economic Development & Tourism
K. Flick, Director, Community Infrastructure & Development*
K. Kryszak, Manager, Parks and Public Spaces*
S. Koenig, Director, Operation Services
C. Poirier, Communications and Grants Coordinator
C. Broderick, Manager, Current Planning*
A. Watson, Manager, Transportation*
G. Gaucher, Manager, Protective Services*
D. Lees, Sr. Bylaw Compliance Officer*
D. Lind, Fire Chief*
D. Ross, Director, Recreation*
Supt. S. Baher, OIC, RCMP Vernon Detachment*
R. Zubick, CPO Coordinator*
D. Sturgeon, Long Range Planner*
E. Stranks, Manager, Engineering Development Services*
M. Keast, Municipal Tech III, Subdivisions*
R. Gadoya, Environmental Planning Asst*
C. Liefke, Planning Asst.*
S. Wright, Manager, Recreation Programming*
L. Walker, Manager, Recreation Administration*
K. Dhillon, Manager, Infrastructure*
G. Lefebvre, Manager, Aquatics*
K. Chamberlain, Economic Development Planner*

*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 Gares:

THAT the agenda for the November 25, 2019, Regular Open meeting of the Council of The Corporation of The City of Vernon be amended as follows:

1. **AMEND THE ORDER OF BUSINESS – to move the following items to the top of the meeting:**

9.A. Request for Reconsideration – Speed Limit on the City Portion of Commonage Road Increase to 70 KM/Hour

9.C. Notice of Motion – Change Existing Camping Hours

9.B. Notice of Motion – Ban Camping in Polson Park / Open Camping in City Hall Plaza

2. **SEE ITEM 6.E. GENERAL MATTERS** – Development Variance Permit Application for 8840 Eastside Road - Public Input

a. Ltr dated November 20, 2019 from Caroline Pataky

b. Email dated November 25, 2019 from Inge Friesen

3. **ADD ITEMS 14. C. INFORMATION ITEMS** – Commonage Road – Increase of Speed Limits:

a. Email dated November 24, 2019 from Lorne Holowachuk

b. Email with Petition dated November 24, 2019 from Robert Dohnalek

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

CARRIED.

ADOPTION OF MINUTES:

COUNCIL MEETINGS

Moved by Councillor Mund, seconded by Councillor Gares:

THAT the minutes of the Regular Meeting of Council held November 12, 2019 be adopted;

AND FURTHER, that the minutes of the November 12, 2019 Public Hearing be adopted;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held November 12, 2019, be received.

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

UNFINISHED BUSINESS:

Moved by Councillor Quiring seconded by Councillor Mund:

THAT pursuant to Section 33 of Council Procedure Bylaw #4840, that Council **reconsider** the following motion of November 12, 2019 regarding the Speed Limit on the City Portion of Commonage Road – Increase to 70 km/hour:

REQUEST FOR RECONSIDERATION – SPEED LIMIT ON THE CITY PORTION OF COMMONAGE ROAD - INCREASE TO 70 KM/HOUR (8300-08)

'THAT Council directs Administration to advise the Ministry of Transportation and Infrastructure that the speed limit on City portion of Commonage Road will be increased to 70km/hour.'

CARRIED, with Councillors Nahal and Anderson opposed.

Moved by Councillor Quiring, seconded by Councillor Nahal:

THAT Council directs Administration to advise the Ministry of Transportation and Infrastructure that the speed limit on the City portion of Commonage Road will be maintained at 50km/hour;

AND FURTHER, that Council directs Administration to request McElhaney Consulting Services review the 50km/hour section of Mission Road (from 100m south of the DND crosswalk to Allan Brooks Way) to determine if an increase to 60km/hour would be feasible and under what conditions.

CARRIED.

**NOTICE OF MOTION –
CHANGE EXISTING
CAMPING HOURS
(COUNCILLOR
ANDERSON)
(3900-02)**

Moved by Councillor Anderson, seconded by Councillor Quiring:

THAT Council change existing hours of allowable camping to between 7 p.m. and 7 a.m.

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

Councillor Mund left the meeting at 2:05 pm

**NOTICE OF MOTION –
BAN CAMPING IN
POLSON PARK / OPEN
CAMPING IN CITY HALL
PLAZA
(COUNCILLOR
ANDERSON)
(3900-02)**

Moved by Councillor Anderson, seconded by Councillor Quiring:

THAT Council ban camping in Polson Park and open City Hall Plaza (including the lawn at the south end adjacent to the museum and administration offices) to overnight camping, subject to existing hours.

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

GENERAL MATTERS:

Councillor Anderson left the meeting at 2:28 pm

**DELEGATION:
COMMUNITY ENERGY
ASSOCIATION
(0220-06)**

Peter Robinson, Chief Technology Officer, Community Energy Association, presented Council with the Climate & Energy Action Award for the Climate Action Revolving Fund for Electric Bicycle Fleet initiative.

The following points were noted:

- Article featuring the Vernon Electric Bicycle Fleet will appear in the December 2019 Municipal World Magazine
- City of Vernon will also receive a complementary Local Government Association Membership to the Community Energy Association for 2020

Councillor Anderson returned to the meeting at 2:32 pm.

**PRESENTATION:
SOCIAL PLANNING
COUNCIL – HOMELESS
COUNT
(0360-20-35)**

Annette Sharkey, Social Planning Council, and Shelley Kiefiuk, My Place, Blair Apartment Manager, Turning Points Collaborative, presented 'Our Homeless Count: Survey Results' for Vernon B.C.

The following points were noted:

- Homelessness in BC – Review of 2018 Homeless Count in BC Communities
- Vernon Shelter Inventory:
 - 2016 – 125 spaces
 - 2017 – 125 spaces
 - 2018 – 132 spaces
 - 2019 – 128 spaces
- Vernon Fall Census Results – totals per year:
 - 2016 – 144 individuals
 - 2017 – 153 individuals
 - 2018 – 161 individuals
 - 2019 – 151 individuals
- Annual Gateway Shelter Numbers (Annual Number of Different Individuals Who Stayed in Gateway Shelter):
 - 2016 – 366
 - 2017 – 381
 - 2018 – 244 (Thirty Third Street temporary bridging program established)
 - 2019 – n/a
- Point in Time Counts each Fall:
 - 2016:
 - 33 Observed Sleeping Outside
 - 144 Total Number (Sheltered & Unsheltered)
 - 125 Number of Shelter Beds Available
 - 2017:
 - 44 Observed Sleeping Outside
 - 153 Total Number (Sheltered & Unsheltered)
 - 125 Number of Shelter Beds Available
 - 2018:
 - 40 Observed Sleeping Outside

- 161 Total Number (Sheltered & Unsheltered)
- 132 Number of Shelters Beds Available
- 2019:
 - 22 Observed Sleeping Outside
 - 151 Total Number (Sheltered & Unsheltered)
 - 128 Number of Shelter Beds Available
- Over the last decade – strong correlation between the rental vacancy rate and the number of people sleeping outside
- Cost of Living/Income Assistance for an Individual – cost of rent and food exceeds income
- Snapshot of Survey Demographics reviewed
- Housing results – Project confirmed in 2018 by BC Housing:
 - 46 beds – Our Place Shelter, Turning Point Collaborative
 - 52 units – My Place Apartment, Turning Point Collaborative
 - 38 units – Vernon Native Housing Society
 - 41 units – Vancouver Resource Society
 - 30 units – Canadian Mental Health Association, Vernon & District
 - 12 units – City of Vernon/Land Trust
 - 36 units – Vernon Pensioners Accommodation Society
- Inventory: Non-profit affordable housing (individual & family units) reviewed
- My Place: a new type of housing in Vernon.

Moved by Councillor Nahal, seconded by Councillor Quiring:

THAT Council receives the presentation from Annette Sharkey, Social Planning Council, and Shelley Kiefiuk, My Place, Blair Apartment Manager, Turning Points Collaborative, re: Our Homeless Count: Survey Results for Vernon, BC

CARRIED.

Councillor Mund returned to the meeting at 3:37 pm.

**PUBLIC SUBMISSIONS -
“2307 43RD STREET
ROAD CLOSURE
BYLAW NUMBER 5763,
2019”
(0913-20-46)**

Pursuant to Section 40 (3) (b) of the *Community Charter*, Council is providing an opportunity for the public to make submissions to City Council regarding the proposed “**2307 – 43rd Street Road Closure Bylaw Number 5763, 2019**”.

The Corporate Officer advised that no submissions had been received.

Mayor Cumming called a first time for representation from the public. There being none, Mayor Cumming called a second, third, and final time for representation from the public, there being none, Mayor Cumming closed the Public Input regarding the proposed “**2307 – 43rd Street Road Closure Bylaw Number 5763, 2019**”.

**PUBLIC SUBMISSIONS -
"3504 20TH STREET
ROAD CLOSURE
BYLAW NUMBER 5778,
2019"
(0913-20-43)**

Pursuant to Section 40 (3) (b) of the *Community Charter*, Council is providing an opportunity for the public to make submissions to City Council regarding the proposed **"3504 - 20th Street Road Closure Bylaw Number 5778, 2019"**.

The Corporate Officer advised that no submissions had been received.

Mayor Cumming called a first time for representation from the public. There being none, Mayor Cumming called a second, third, and final time for representation from the public, there being none, Mayor Cumming closed the Public Input regarding the proposed **"2307 – 43rd Street Road Closure Bylaw Number 5763, 2019"**.

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR 8840
EASTSIDE ROAD
(DVP00423)**

Moved by Councillor Anderson, seconded by Councillor Gares:

THAT Council support the development variance application (DVP00423) to vary the following section of Zoning Bylaw #5000 in order to construct a single detached house on 'those portions of the NE ¼ and of the SE ¼ of Section 14 which may be more particularly described as follows: part shown on Plan attached to DD 8773, Township 13 ODYD exc. Plan 10958' (8840 Eastside Road):

- a) to vary Section 4.16.1
 - no construction of a building, structure or swimming pool is permitted on slopes 30% or greater.
 - construction of a single family dwelling and associated structures is permitted on slopes 30% or greater.

AND FURTHER, that Council support of DVP00423 is subject to the following:

- a) That prior to issuance of DVP00423 the City wildfire interface restrictive covenant be registered on the property title;
- b) That the site plan and geotechnical assessment, included as Attachments 1 and 3 in the report titled "Development Variance Application for 8840 Eastside Road" and dated November 4, 2019 by the Current Planning Assistant be attached to and form part of DVP00423 as Schedule 'A'; and
- c) That a civil engineer shall be retained by the owner to design the onsite stormwater management system to retain a 100 year event onsite and release it at a 2 year pre-development flow rate, and include a sediment and erosion control plan for the duration of construction (with associated calculations and design drawings); these must be submitted to the City for review and approval prior to issuance of a building permit; and

- d) That a qualified environmental professional and a qualified professional engineer must be retained by the owner for the duration of construction on the subject property to ensure ongoing monitoring and where necessary the implementation of mitigation measures for environmental and drainage features; the monitoring schedule and monitoring reports must be submitted to the City for review and approval prior to issuance of a building permit.

**Public Input – DVP
#00423**

The Corporate Officer advised that two written submissions had been received, as follows:

1. Letter dated November 20, 2019 from Caroline Pataky
2. Email dated November 25, 2019 from Inge Friesen

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 #00423 for 'those portions of the NE ¼ and of the SE ¼ of Section 14 which may be more particularly described as follows: part shown on Plan attached to DD 8773, Township 13 ODYD exc. Plan 10958' (8840 Eastside Road) to vary Zoning Bylaw #5000 to vary Section 4.16.1 **from:** no construction of a building, structure or swimming pool is permitted on slopes 30% or greater **to:** construction of a single family dwelling and associated structures is permitted on slopes 30% or greater.

1. John Friesen

- Professional Forester – 25 years land management
- Requesting permission to distribute map and pictures (distributed)
- Since 2014 concerned about steep slope & drainage on property above
- Culvert and non-draining ditch floods Okanagan Landing Road seasonally
- July 2019 met with Geotech to express concerns about drainage
- Pointed out tilted, curved and sweeping trees indicating instability
- Mentioned red dog wood in natural drainage area indicates wet soil
- Map reviewed
- Culvert noted in letter Aug 1, 2019 – flows down their property and into lake
- Proposed works very close to this ditch
- They are managing flows and correlate with precipitation
- Observed stream running at 20 – 50 gal. per minute during peak flow

- A lot of ground infiltration but did see water on road
- Soils have remained saturated
- This doesn't happen when there is a lot of water – even on average years
- 1000 loads of fill placed on neighbouring property
- Proposed drainage ditch will redirect toward non-drainage ditch and cannot be managed – will worsen situation
- Directs more water toward their home and their neighbours
- Recommends not approving this variance
- Is fractured bedrock with silty soils on top
- Septic field and non-draining ditch is the concern

2. Inge Friesen

- Lives below subject property – referenced photographs distributed
- Fairly dramatic situation
- In touch with staff since 2014 to resolve drainage issues
- Dubbed 'Lake Friesen' on social media
- Realize staff working to address this drainage issue
- Also recognizes requires further study
- Recent evidence of slope instability in the neighbourhood
- Suggest if DVP is approved – request neighbourhood drainage improvements be completed before the development proceeds
- Require connection to City Sewer due to existing issues
- City Engineering advised them to wait one year to do any work on the property after drainage issues dealt with
- They have waited 5 years – how long do they have to wait
- Ditch on Okanagan Landing Road stays filled with water due to other flow
- Proposed runoff ditch may help a little, but if directed at the ditch that doesn't drain it may cause more trouble
- Frustrated and wants problem dealt with so new neighbour can be welcomed by the neighbourhood
- Spoke with all neighbours – development was never planned for hillside above and that is why they do not have water service
- Easement – is for historic community water system from reservoir which can still be seen on the map
- No functioning ditch on subject property

3. Applicant

- Living in rental for past three years
- Paying for property for many years and cannot live here as it has been on hold
- Would like to solve water issues
- Has seen water running over road

- Now has culvert to stop this
- Is willing to help with whatever needs to be done to solve
- Noted all water coming down will hit ditch and then be diverted to culvert
- Doesn't interfere with septic system
- Would control water to deal with issues
- **Q. Council:** When did GeoTech Engineer do the work **A.** Has attended many times - not during runoff. Putting house there will help situation as he can control the water
- **Q. Council:** Does the Geotech say septic will be fine? **A.** The runoff will not interfere with the septic system. Will ditch directly to culvert
- The Culvert water is what is running through Friesen's property
- **Q. Council:** Will septic system contribute to the problem – have there been conversations around that? **A.** It has been discussed – every system has water – Geotech didn't seem too concerned

Mayor Cumming called a second, third, and final time for representation from the public, and there being none, Mayor Cumming closed the Public Input for DVP #00423.

Deferral

Moved by Councillor Anderson, seconded by Councillor Quiring:

THAT Council defers consideration of Development Variance Permit #00423, for 'those portions of the NE ¼ and of the SE ¼ of Section 14 which may be more particularly described as follows: part shown on Plan attached to DD 8773, Township 13 ODYD exc. Plan 10958 pending receipt of an engineer's signed report from the Applicant confirming whether the septage system will add additional charge to the site which will exacerbate the existing drainage issues.

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

Reconsideration

Moved by Councillor Quiring, seconded by Councillor Anderson:

THAT Council **reconsiders** the motion to defer consideration of Development Variance Permit #00423, for 'those portions of the NE ¼ and of the SE ¼ of Section 14 which may be more particularly described as follows: part shown on Plan attached to DD 8773, Township 13 ODYD exc. Plan 10958 pending receipt of an engineer's signed report from the Applicant confirming whether the septage system will add additional charge to the site which will exacerbate the existing drainage issues.

CARRIED.

Deferral

Moved by Councillor Quiring, seconded by Councillor Anderson:

THAT Council defers consideration of Development Variance Permit #00423, for 'those portions of the NE ¼ and of the SE ¼ of Section 14 which may be more particularly described as follows: part shown on Plan attached to DD 8773, Township 13 ODYD exc. Plan 10958 pending receipt of an geotechnical engineer's signed report from the Applicant advising whether the septage system will add additional charge to the site which will exacerbate the existing drainage issues.

CARRIED.

RECESS

Mayor Cumming temporarily adjourned the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 4:47 p.m.

RECALL

Mayor Cumming reconvened the meeting at 4:53 pm

COUNCIL INQUIRIES

SPEED LIMIT SILVER STAR ROAD

Council acknowledged notes from residents along Silver Star Road inquiring as to why the speed limit on Silver Star Road increases to 60km (from 50 km) for 1.8 km – why not make the entire road 50 km/per hour? An Admin Update will be provided.

TRUCKS USING BENCH ROW ROAD

Council noted growing frustration that heavy trucks are still using Bench Row Road even after signs were posted prohibiting use. Indicates enforcement issues and electronic issues (GPS advises it is accessible). An Admin Update will be provided.

ADMINISTRATION UPDATES (0550-05)

Moved by Councillor Anderson, seconded by Councillor Quiring:

THAT Council receive the Administration Updates dated November 25, 2019.

CARRIED.

UNFINISHED BUSINESS:

DELEGATION FOLLOW UP: GREAT CANADIAN SHORELINE CLEANUP – CITY DESIGNATION (5280-03)

Moved by Councillor Quiring, seconded by Councillor Anderson:

THAT Council receive the memorandum regarding "Great Canadian Shoreline Cleanup – City Designation", dated November 15, 2019, as submitted by Environmental Planning Assistant and Manager, Long Range Planning and Sustainability, for information.

CARRIED.

Councillor Quiring declared a conflict of interest in the following matter at Wesbild is a client of his firm. Councillor Quiring left the meeting at 5:00 pm.

**TURTLE MOUNTAIN
BOULEVARD
LANDSCAPING:
ENGAGEMENT
SUMMARY AND DESIGN
SOLUTION
(8300-02, SUB00122)**

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Council direct Administration to proceed with detailed design of the landscaping scheme identified as "Option 4" in the report titled "Turtle Mountain Boulevard Landscaping – Engagement Summary and Design Solution" dated November 15, 2019 submitted by the Long Range Planner;

AND FURTHER, that Council endorse the installation of new landscape design "Option 4", funded from the previously approved capital expenditure of \$175,000 established for Turtle Mountain Boulevard.

CARRIED.

Councillor Quiring returned to the meeting at 5:03 pm

**IMPLEMENTATION AND
FUNDING STRATEGY
FOR THE CEMETERY
(4100-01)**

Moved by Councillor Quiring, seconded by Councillor Anderson:

THAT Council approve in principle the funding strategy shown in Figure 2 of this report in the amount of \$1,171,500 from the 1.9% infrastructure levy and \$518,900 from the casino funds to be included in the 4 year Capital Plan (2020-2023) for the implementation of improvements identified in the Cemetery Master Plan as outlined in the report titled "*Implementation and Funding Strategy for the Cemetery*", dated October 30, 2019 from the Manager, Parks and Public Spaces.

CARRIED.

**2020 & 2021 CEMETERY
FEE AMENDMENTS
(1810-01)**

Moved by Councillor Gares, seconded by Councillor Quiring:

THAT Council receive the memorandum from the Manager, Financial Operations, dated November 12, 2019 and give first three readings to the Fees & Charges (Cemetery Fees) Amendment Bylaw No. 5791 for cemetery fee increases for 2020 and 2021.

CARRIED.

**MATTERS REFERRED FROM THE IN-CAMERA MEETING –
November 25, 2019**

THAT Council brings forward, as public information, the following motions **declassified** from confidential to non-confidential at the **August 19, 2019**, In Camera meeting:

**BENTALL GREEN OAK
(FORMERLY BENTALL
KENNEDY) FUNDING
REQUEST
(8500-04)**

*'THAT Council endorse a \$100,000 contribution towards the construction of a secondary transit exchange at the Village Green Centre (Lot A, Plan KAP71544) to be funded from the 2018 year end uncommitted and unexpended balance; subject to securing the access for public transit to the satisfaction of the City for no less than a twenty year period by registering a **statutory right of way** on the Village Green Centre property title **and** entering into a legally binding agreement.'*

*AND FURTHER, that the resolution be **declassified following the issuance of a media release** jointly written by the City of Vernon and Bentall Green Oak (formerly Bentall Kennedy).'*

THAT Council brings forward, as public information, the following motions **declassified** from confidential to non-confidential at the **November 25, 2019**, In Camera meeting:

**FORTIS BC OPERATING
AGREEMENT
(1660-20)**

'THAT Council authorize the Mayor and Corporate Officer execute an Operating Agreement with Fortis BC setting out the terms and conditions that will govern Fortis BC's use of public places, for a term of 20 years commencing December 1, 2019, including provision for Fortis BC to collect an operating fee on the City's behalf, and subject to the approval of the BC Utilities Commission, as per the memo and attachment dated November 19, 2019 from the Director, Financial Services.'

NEW BUSINESS

CORRESPONDENCE:

**RECREATION SERVICES
THIRD QUARTER
REPORT
(7700-01)**

Moved by Councillor Mund, seconded by Councillor Nahal:

THAT Council receive the memorandum titled "Recreation Services Third Quarter Report" and the accompanying Power Point presentation, dated November 12, 2019, from the Director Recreation Services, for information.

CARRIED.

RECESS

Mayor Cumming temporarily adjourned the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 5:15 p.m.

RECALL

Mayor Cumming reconvened the meeting at 5:22 pm

**2019 VERNON
BUSINESS WALKS
SURVEY
(6750-20)**

Moved by Councillor Quiring, seconded by Councillor Gares:

THAT Council receives the memorandum *titled "2019, Vernon Business Walks Survey"* dated November 14, 2019, from the Economic Development Planner, for information.

CARRIED.

RECESS

Mayor Cumming temporarily adjourned the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 5:30 p.m.

RECALL

Mayor Cumming reconvened the meeting at 5:37 pm

AMENDMENT

- 5787

Moved by Councillor Quiring, seconded by Councillor Anderson:

THAT Council amends **"Zoning Text (Accessible Parking Updates) Amendment Bylaw Number 5787, 2019"** to remove the following proposed amendment:

7.1.7 Accessible parking spaces:

- ~~• shall be clearly marked as an accessible parking space using a vertically mounted sign that is sized at least 0.3m wide by 0.45m high, incorporating the *International Symbol of Access*, mounted 2.0m above the parking surface or if there is an adjacent sidewalk, mounted 2.1m above the sidewalk;~~

CARRIED, with Councillor Mund opposed.

THIRD READING

- 5787

Moved by Councillor Quiring, seconded by Councillor Nahal:

THAT Bylaw #5787, **"Zoning Text (Accessible Parking Updates) Amendment Bylaw Number 5787, 2019"** - a bylaw to amend various text sections relating to accessible parking, **be read a third time, as amended.**

CARRIED, with Councillor Nahal opposed.

RECESS

Mayor Cumming temporarily adjourned the Regular Open Meeting of the Council for the Corporation of the City of Vernon at 5:39 pm

RECALL

Mayor Cumming reconvened the meeting at 5:56 pm

CORRESPONDENCE REGARDING CONSIDERATION OF CANNABIS COWBOY (CRL00018)

Moved by Councillor Quiring, seconded by Councillor Mayor Cumming:

THAT Council remove the Secondary BIA from the April 23, 2019 Council resolution which limited the number of cannabis shops within the Secondary and Primary BIA area to six licensed cannabis retail shops, and direct Administration to process applications for cannabis retail uses in the Secondary BIA area that were received prior to July 29, 2019.

CARRIED.

3903 – 30TH STREET OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW #5596 AND REZONING AMENDMENT BYLAW #5597 (OCP68/ZON266/DVP440)

Moved by Councillor Quiring, seconded by Councillor Nahal:

THAT Council approve the extension of the processing timeline for “3903 – 30th Street Official Community Plan Amendment Bylaw #5596, 2018” and “3903 – 30th Street Rezoning Amendment Bylaw #5997, 2018” to November 13, 2020.

CARRIED.

LOWER BX & VERNON CREEK FLOOD RISK ASSESSMENT, MAPPING, AND FLOOD MITIGATION PLANNING GRANT APPLICATION (1855-20)

Moved by Councillor Anderson, seconded by Councillor Quiring:

THAT Council support an application to the Community Emergency Preparedness Fund for the Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning Stream for work related to Lower BX Creek and Vernon Creek;

AND FURTHER, that Council support proceeding with the project should the application be successful;

AND FURTHER, that Council appoint the Mayor, on behalf of Council, to meet with the local Member of the Legislative Assembly to seek active support for funding under the Community Emergency Preparedness Fund.

CARRIED.

2020 COUNCIL MEETING DATES (0530-01)

Moved by Councillor Quiring, seconded by Councillor Anderson:

THAT Council approves the 2020 Council meeting schedule, as provided in the Memorandum dated November 14, 2019, from the Deputy CAO, as follows:

2020 Council Meeting Dates	
January 13 January 27	July 20
February 10 February 24	August 17

March 9 March 23	September 14 September 28
April 6 April 27	October 13 (Tues.) October 26
May 11 May 25	November 9 November 23
June 8 June 22	December 14

CARRIED, with Councillor Nahal opposed.

**CBW DEVELOPMENT
CORPORATION –
SHAREHOLDER
MEETING
(1660-20)**

Moved by Councillor Anderson, seconded by Councillor Gares:

RESOLVED, as a resolution of the sole shareholder of **CBW Development Corporation** (the Company) entitled to vote at an annual general meeting, that:

- 1) WHEREAS there were no financial transactions for the Company for the fiscal year ended December 31, 2018 and the Company has no assets, liabilities and equity, the appointment of auditors for the Company are waived.
- 2) November 6, 2019 is hereby selected as the annual reference date for the Company for its current annual reference period;
- 3) The number of directors of the Company is hereby fixed at three;
- 4) The following persons, each of whom has consented in writing to act as a director, are hereby elected as directors of the Company, to hold office until the next annual general meeting of the Company (or unanimous resolutions consented to in lieu of holding an annual general meeting) or until their successors are appointed:

 WILL PEARCE
 PATRICIA BRIDAL
 DEBRA LAW
- 5) All lawful acts, contracts, proceedings, appointments and payments of money by the directors of the Company since the last annual reference date of the Company, and which have previously been disclosed to the shareholders, are hereby adopted, ratified and confirmed.

CARRIED.

**HESPERIA
DEVELOPMENT
CORPORATION
SHAREHOLDER
MEETING
(1660-20)**

Moved by Councillor Quiring, seconded by Councillor Gares:

RESOLVED, as a resolution of the sole shareholder of **Hesperia Development Corporation** (the Company) entitled to vote at an annual general meeting, that:

- 1) WHEREAS there were no financial transactions for the Company for the fiscal year ended December 31, 2018 and the Company has no assets, liabilities and equity, the appointment of auditors for the Company are waived.
- 2) November 6, 2019 is hereby selected as the annual reference date for the Company for its current annual reference period;
- 3) The number of directors of the Company is hereby fixed at three;
- 4) The following persons, each of whom has consented in writing to act as a director, are hereby elected as directors of the Company, to hold office until the next annual general meeting of the Company (or unanimous resolutions consented to in lieu of holding an annual general meeting) or until their successors are appointed:

WILL PEARCE
PATRICIA BRIDAL
DEBRA LAW

- 5) All lawful acts, contracts, proceedings, appointments and payments of money by the directors of the Company since the last annual reference date of the Company, and which have previously been disclosed to the shareholders, are hereby adopted, ratified and confirmed.

CARRIED.

REPORTS:

Moved by Councillor Quiring, seconded by Councillor Gares:

**KALAMALKA LAKEVIEW
AREA EMERGENCY
SERVICES AGREEMENT
RENEWAL
(7010-03)**

THAT Council authorize the Chief Administrative Officer to execute, on behalf of the City of Vernon, the Kalamalka Lakeview Area Emergency Service Agreement with the Regional District of North Okanagan at approximately \$34,000 per year with an annual percentage increase consistent with the rate of increase in Vernon Fire Rescue Services operational budget as provided in attachment #1 of the report dated November 19, 2019 and respectfully submitted by the Director of Vernon Fire Rescue Services.

CARRIED.

**REZONING
APPLICATION FOR 3202
16TH AVENUE AND 1504
32ND STREET
(ZON00333)**

Moved by Councillor Mund, seconded by Councillor Quiring:

THAT Council support the application (ZON00333) to rezone Lots 7 and 8, Blk 15, DL 73, ODYD, Plan 225 (3202 16th Avenue and 1504 32nd Street) from R2 (Large Lot Residential) to RM2 (Multiple Housing Residential) in order to construct a residential building containing three units, subject to the following conditions:

1. Consolidation of Lots 7 and 8, Blk 15, DL 73, ODYD, Plan 225 into one lot;
2. Dedication of Road Right of Way adjacent to Highway 97 to the satisfaction of the Ministry of Transportation and Infrastructure;

The design and construction of all on-site and off-site works and services necessary to service the property to standards set out in the Subdivision and Development Servicing Bylaw #3843, or securities to the satisfaction of Administration to ensure the required upgrades.

CARRIED.

**REZONING
APPLICATION FOR 5577
– 27TH AVENUE
(ZON00342)**

Moved by Councillor Quiring, seconded by Councillor Nahal:

THAT Council support the application to rezone Lot Pt 10, Plan B1827, DL 66, ODYD (5577 27th Avenue) from R1 – Estate Lot Residential to RH1 – Low Rise Apartment Residential in order to construct a rental apartment development, subject to the following:

- a) The owner is to enter into a reciprocal access agreement for parking and drive aisles across the site and adjacent properties (5577 and 5545 27th Avenue).

AND FURTHER, that:

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

CARRIED, with Councillor Anderson opposed.

**DEVELOPMENT
VARIANCE AND
REZONING
APPLICATION FOR 967
MT. BEAVEN PLACE
(DVP004863/ZON00337)**

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Council support the application to rezone Lot 33, Plan KAP53255, Sec 26, Twp 9, ODYD (967 Mt Beaven Place) from R2 – Large Lot Residential to the R2h – Large Lot Residential sub-zoning district (ZON00337) to allow for a “Home Based Business, Major” use within the existing single family dwelling, subject to a restrictive covenant being registered on title for the following conditions:

- a) That an operation of a secondary suite is not permitted concurrently with a Home Based Business;
- b) That the Major Home Based Business shall not generate more than one client to the site at any given time;
- c) That employee parking related to the Home Based Business, Major is limited to one space; and
- d) That stipulates details of any signage for the home based business to one sign, non-illuminated, 0.5m², no higher than 1.2m, attached to the dwelling or ground mounted near the vehicle entrance.

AND FURTHER, that Council support Development Variance Permit application (DVP00463) to vary the following section of Zoning Bylaw #5000 in order to allow parking related to a proposed Home Based Business, Major within a driveway located partially on the city boulevard on LOT 33 PL KAP53255 SEC 26 TWP 9 ODYD (967 Mt Beaven Place):

- a) to vary Section 7.1.11 “each required on-site parking space shall be a minimum of 2.5m in width with a minimum clear length of 6.0m exclusive of access drives or aisles, ramps, columns”.

CARRIED.

LEGISLATIVE MATTERS:

BYLAWS:

ADOPTION

- 5763

Moved by Councillor Anderson, seconded by Councillor Quiring:

THAT Bylaw #5763, “**2307 – 43rd Street Road Closure Bylaw Number 5763, 2019**” – a bylaw to authorize closure and removal of a dedication of highway, **be adopted.**

CARRIED.

- 5778

Moved by Councillor Quiring, seconded by Councillor Anderson:

THAT Bylaw #5778, "**3504 20th Street Road Closure Bylaw Number 5778, 2019**" – a bylaw to authorize closure and removal of the dedication as highway at 3504 20th Street, be adopted.

CARRIED.

- 5692

Moved by Councillor Quiring, seconded by Councillor Mund:

THAT Bylaw #5692, "**6473 Okanagan Landing Road Rezoning Amendment Bylaw Number 5692, 2018**" – a bylaw to rezone the subject property from "RR – Rural Residential" to "R4 – Small Lot Residential" and "P1 – Parks and Open Space", **be adopted.**

CARRIED.

- 5761

Moved by Councillor Gares, seconded by Councillor Nahal :

THAT Bylaw #5761, "**1030 Mt. Bulman Drive Rezoning Amendment Bylaw Number 5761, 2019**" – a bylaw to rezone the subject property from "R2 – Large Lot Residential" to "R2H – Large Lot Residential – Sub-zone, **be adopted.**

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

FIRST, SECOND & THIRD READINGS

- 5791

Moved by Councillor Gares, seconded by Councillor Quiring:

THAT Bylaw #5791, "**Fees and Charges (Cemetery Fees Increase 2020 and 2021) Amendment Bylaw Number 5791, 2019**" – a bylaw to amend Fees and Charges Bylaw 3909, be read **a first, second & third time.**

CARRIED.

FIRST & SECOND READINGS AND PUBLIC HEARING DATE

- 5782

Moved by Councillor Mund, seconded by Councillor Quiring:

THAT Bylaw #5782, "**967 Mt. Beaven Place Rezoning Amendment bylaw Number 5782, 2019**" – a bylaw to rezone the subject property from "R2:Large Lot Residential" to "R2h: Large Lot Residential – Sub-zone", be read **a first and second time;**

AND FURTHER, that the Public Hearing for Bylaw #5782 together with Public Input for Development Variance Permit #00463, be scheduled for **Monday, January 13, 2019, at 5:30 pm**, in Council Chambers.

CARRIED.

- 5788

Moved by Councillor Anderson, seconded by Councillor Mund:

THAT Bylaw #5788, “**Zoning Text (Temporary Shelters) Amendment bylaw Number 5788, 2019**” – a bylaw to add text amendments to include development regulations for temporary shelters, be **read a first and second time**;

AND FURTHER, that the Public Hearing for Bylaw #5782, be scheduled for **Monday, December 16, 2019, at 5:30 pm**, in Council Chambers.

CARRIED.

- 5789

Moved by Councillor Quiring, seconded by Councillor Gares:

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 **read a first and second time**;

AND FURTHER, that the Public Hearing for Bylaw #5789, be scheduled for **Monday, January 13, 2019, at 5:30 pm**, in Council Chambers.

CARRIED.

- 5790

Moved by Councillor Mund, seconded by Councillor Quiring:

THAT Bylaw #5790, “**5577 27th Avenue Rezoning Amendment Bylaw Number 5790, 2019**” – a bylaw to rezoning the subject property from “R1: Estate Lot Residential” to “RH1: Low-Rise Apartment Residential”, be **read a first and second time**;

AND FURTHER, that the Public Hearing for Bylaw #5790, be scheduled for **Monday, January 13, 2019, 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:

- **MEETING/EVENT ATTENDANCE**

- Kettle Campaign
- Rotary Auction
- Safety Awards
- Fire Hall unveiling of new truck
- SILGA Emergency Management BC Meeting Dec 6 – may attend in Kamloops

COUNCILLOR KARI GARES

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

- **MEETING/EVENT ATTENDANCE**

- Library Board - passed budget for 2020
- Regional Agricultural Committee
- Confirmed six month timeline to bring forward a motion to reconsider in regard to Retail Cannabis locations

COUNCILLOR SCOTT ANDERSON

Councillor Scott Anderson provided a verbal report on the following matters:

- **MEETING/EVENT ATTENDANCE**

- Chamber of Commerce meeting

MAYOR VICTOR CUMMING

Mayor Cumming provided a verbal report on the following matters:

- **MEETING/EVENT ATTENDANCE**

- **Attended several events including:**
 - CEDI meeting
 - Climate Action
 - Community Dental Access Centre open house
 - GVAC
 - Mayor of Armstrong , Spall and Area B – bike and walk route link to rail trails
 - Community Safety Awards
 - Met with Caetani House Reps
 - Landing Association AGM
 - Climate Action Adaption Workshop
 - RDNO
 - Breakfast with JCI
 - Senator Mary Coyle Xmas Card
 - UBCM – Resolutions – all three were endorsed

INFORMATION ITEMS:

Council received the following information items:

- A. Petition Received November 19, 2019 from Jolene McLellan, re: Commonage Petition to Retain Speed Limit on Commonage Road at 60 km/h.
- B. Minutes from the following Committees of Council:
 - (i) Advisory Planning Committee, Oct 16
 - (ii) Climate Action Advisory Committee, Oct 22
- C. Commonage Road – Increase of Speed Limits:
 - (i) Email dated November 24, 2019 from Lorne Holowachuk
 - (ii) Email with Petition dated November 24, 2019 from Robert Dohnalek

CLOSE

Mayor Cumming closed the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 7:02 pm.

CERTIFIED CORRECT:



Mayor



Corporate Officer