

THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF A REGULAR OPEN MEETING OF COUNCIL
HELD MONDAY, SEPTEMBER 28, 2020**

PRESENT: Mayor V. Cumming

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

Staff: W. Pearce, Chief Administrative Officer
P. Bridal, DCAO, Director, Corporate Services
K. Austin, Manager, Legislative Services
C. Poirier, Manager, Communications & Grants
A. Stuart, Manager, Financial Reporting
K. Flick, Director, Community Infrastructure and Development
C. Ovens, Acting Director, Operations
S. Wright, Manager, Recreation Programs
D. Ross, Director, Recreation Services
S. Melenko, Information Technician I

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 at 8:41 am and requested a motion to move to In Camera.

**RESOLUTION TO
CLOSE MEETING**

Moved by Councillor Mund, seconded by Councillor Nahal:

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

- (1)(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 1:30 pm.

PRESENT: Mayor V. Cumming

Councillors: S. Anderson (1:32 pm), K. Fehr, K. Gares,
A. Mund, D. Nahal, B. Quiring

Staff: W. Pearce, Chief Administrative Officer
 P. Bridal, Deputy CAO, Director, Corporate Services
 K. Austin, Manager, Legislative Services
 J. Nicol, Legislative Committee Clerk
 C. Poirier, Manager, Communications and Grants
 K. Flick, Director, Community Infrastructure & Development Services
 C. Ovens, Acting Director, Operations
 C. Barker, Specialist, Financial Operations*
 K. Chamberlain, Planning Assistant*
 A. Stuart, Manager, Financial Planning and Reporting*
 T. Martens, Manager, Financial Operations*
 E. Croy, Transportation Planner*
 D. Ross, Director Recreation Services*
 D. Lees, Manager, Protective Services*
 A. Watson, Manager, Transportation*
 S. Saunders, Emergency Program Coordinator*
 S. Melenko, Information Technician I*

**Attended, as required*

Others: Media and Members of the Public

ADOPTION OF THE AGENDA

APPROVAL OF ITEMS LISTED ON THE AGENDA

Moved by Councillor Mund, seconded by Councillor Gares:

THAT the agenda for the September 28, 2020, Regular Open meeting of the Council of The Corporation of The City of Vernon be amended to include the following items:

1. **SEE ITEM – 6. A General Matters - Delegation** – Kalamalka Highlanders Pipe Band Society Financial Statements
2. **SEE ITEM – 6. B (i) General Matters - Public Input** - Development Variance Application for 3400 Coldstream Avenue (DVP00483)
 - Email dated September 24, 2020 from Kelly Megyesi
 - Letter dated September 24, 2020 from Charlie Maddison and Nadine Beaulieu, Boni-Maddison Architects and Lindsey Fraser, Terra Housing
 - Letter dated September 25, 2020 from Wendy Fulton
3. **NEW ITEM – 11. A (v) New Business Correspondence (v)** – Memo dated September 27, 2020 from Doug Ross, Director, Recreation Services re: Request for Funding – Centennial Outdoor Rink Chiller.

CARRIED

Councillor Anderson entered the meeting at 1:32 p.m.

ADOPTION OF MINUTES

COUNCIL MEETINGS

Moved by Councillor Mund, seconded by Councillor Fehr:

THAT the minutes of the Regular Meeting of Council held September 14, 2020 be adopted;

AND FURTHER, that the minutes of the Public Hearing held September 14, 2020 be adopted;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held September 14, 2020 be received.

CARRIED

BUSINESS ARISING FROM THE MINUTES

GENERAL MATTERS

**DELEGATION:
KALAMALKA
HIGHLANDERS PIPE
BAND
(0220-03)**

Reg Scott and Maureen Soichuk, Kalamalka Highlanders Pipe Band, presented Council with a collage of photos from 1984 to present as a thank you for past support. An overview was provided of the Pipe Band.

The following points were noted:

- Have been serving Vernon as Pipers for over 36 years
- Reg Scott and Maureen Soichuk are the only remaining founding members
- Performed at many community functions over the years
- A great deal of training is required for new members and they are pleased to have three new junior members
- In past, they practiced on Thursday nights at the BC Dragoons building but, during COVID-19, they have practiced at various senior facilities on the sidewalk, with much enjoyment and appreciation from the seniors
- Kalamalka Highlanders Pipe Band is a non-profit society and rely on parade fees and donations
- Executive have committed to survive pandemic financially, as such they are not asking for funding at this time.

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Council receive the presentation from Mr. Reg Scott, on behalf of the Kalamalka Highlanders Pipe Band, regarding the Band's endeavours to-date.

CARRIED

**DEVELOPMENT
VARIANCE
APPLICATION FOR
3400 COLDSTREAM
AVENUE
(DVP00483/3090-20)**

Moved by Councillor Fehr, seconded by Councillor Quiring:

THAT Council support the development variance application #DVP00483 to vary the following sections of Zoning Bylaw #5000 and Subdivision Development Servicing Bylaw #3842 to construct an additional 48 one-bedroom units at an existing seniors housing facility, McCulloch Court, on Lot 1, Plan 27701, District Lot 72, ODYD (3400 Coldstream Avenue):

- a) Section 7 Parking and Loading of Zoning Bylaw #5000 to reduce the number of required residential vehicle spaces from 204 to 69, required loading spaces from four to two, and required bicycle parking spaces from 121 to 31, and reduce the minimum aisle width on the lane of 7.0m to 4.21m for two-way aisles; and
- b) Schedule B, Section 3.5.5. of Subdivision and Development Servicing Bylaw #3843 to increase the number of accesses from two to three;

AND FURTHER, that the approval of the development variance application is subject to the following:

- a) The applicant provides road dedication on Coldstream Avenue to the back edge of the existing public sidewalk; and
- b) That the site plan and details generally shown as Attachments 1 to 5, inclusive in the report titled "Development Variance Permit Application for 3400 Coldstream Avenue" and dated September 16, 2020 by the Planning Assistant, be attached to and form part of DVP00483 as Schedule 'A'.

**Public Input
DVP #00483**

*Mayor Cumming advised that public input for development variance applications would be received in **written form only** until the COVID-19 pandemic response physical distancing requirements are lifted by the Provincial Health Officer.*

The Corporate Officer advised that four written submissions had been received.

- Email dated September 16, 2020 from Michael Sherwood, CEO, Nature's Fare Markets
- Email dated September 24, 2020 from Kelly Megyesi
- Letter dated September 24, 2020 from Charlie Maddison and Nadine Beaulieu, Boni-Maddison Architects and Lindsey Fraser, Terra Housing
- Letter dated September 25, 2020 from Wendy Fulton.

There being no further input, Mayor Cumming closed the public input for DVP#00483.

THE QUESTION WAS CALLED ON THE MAIN MOTION AND DECLARED CARRIED**Issuance of Permit
#00483**

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT the Corporate Officer be authorized to issue Development Variance Permit #00483 3400 Coldstream Avenue in order to vary sections of Zoning Bylaw #5000 and Subdivision and Development Servicing Bylaw #3842 in order to construct an additional 48 unit seniors housing facility **once all conditions of Council have been met.**

CARRIED

COUNCIL INQUIRIES**FOUR-WAY STOP AT
20TH STREET AND 43RD
AVENUE**

Council commented on the temporary four-way stop at 20th Street and 43rd Avenue. Residents have indicated they would like to see the four-way stop remain permanently, however, residents are encouraged to wait until Pleasant Valley Road is completed to evaluate the new traffic flow.

**PAINTING ON SUICIDE
HILL**

Council inquired regarding the paint on 30th Avenue (Suicide Hill) now that the road is open. It was understood that the paint would be removed prior to re-opening. An **admin. update** will be provided.

**WEIGHT
RESTRICTIONS – 27TH
STREET**

Council inquired regarding weight restrictions on 27th Street. The street is being used by heavy trucks and it is impacting traffic and the roadway. An **admin. update** will be provided.

ADVENTURE BAY TRAIL

Council inquired if Adventure Bay Trail. Is it public or private? Administration confirmed that the agreement with Tavistock states that this trail will have public access the same as for residents. An **admin. update** will be provided.

PUBLIC HEARING PROCESS

Council inquired regarding streamlining the process of development applications. Should we hold more Public Hearings during the summer to streamline development? An **admin. update** will be provided.

PARKING REQUIREMENTS FOR COMMERCIAL USE

Council inquired regarding the City's parking bylaw. Can you rent commercial space downtown if you cannot provide adequate off-street parking spaces? An **admin update** will be provided.

WATER RECLAMATION CENTRE – HIGH STRENGTH DISPOSAL

Council inquired regarding the high strength waste disposal line at the Vernon Water Reclamation Centre as there has been an increase in odour. An **admin. update** will be provided.

BX CREEK SEDIMENT CONTROL STRUCTURE

Council inquired regarding the timeline for the BX Creek Sediment Control structure, and if it will be completed prior to next year's freshet? An **admin. update** will be provided.

PADDLEWHEEL PARK – STRING BUOYS

Council thanked Operations for investigating connected buoys in swim areas and advised there is still concern that Paddlewheel boat launch is heavily used and has connected buoys.

AUDIT AND REVIEW – COMMUNITY INFRASTRUCTURE AND DEVELOPMENT

Council inquired regarding the Audit and Review of Community Infrastructure and Development Services Division. Administration advised the review will not be completed before December 2020. An **admin. update** will be provided.

ADMINISTRATION UPDATES**ADMINISTRATION UPDATES (0550-05)**

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council receive the Administration Updates dated September 28, 2020, for information.

CARRIED

Moved by Councillor Anderson, seconded by Councillor Mund;

THAT Council direct Administration to report on the potential installation of buoys for designated swimming areas at Hurlburt and Paddlewheel Parks for the 2021 Budget discussions.

CARRIED

UNFINISHED BUSINESS

**VERNON EDIBLE
GARDENS,
PERMACULTURE
COMMUNITY GROUP
PROJECT UPDATE
(5280-03)**

Moved by Councillor Nahal, seconded by Councillor Gares:

THAT Council receive the memorandum titled “Vernon Edible Gardens, Vernon Permaculture Community Group Project Update” by the Manager, Long Range Planning and Sustainability, for information.

CARRIED

**REQUEST FOR
SUPPORT FOR
EXPANDED PATIO
PERMISSIONS
(8300-07)**

Moved by Councillor Mund, seconded by Councillor Anderson:

THAT Council extend permission for businesses in the Primary and Secondary Business Improvement Areas to expand their commercial uses into one available public on-street parking space adjacent to their business until October 31, 2020, without a permit and without a fee, subject to entering into a use agreement and the COVID-19 Temporary Outdoor Patios and Retail Public Guidelines;

AND FURTHER, that Council extend permission for businesses with private off-street parking lots throughout the city to temporarily expand their commercial use outdoors on up to 25% of their required private off-street parking spaces until October 31, 2020, subject to the COVID-19 Temporary Outdoor Patios and Retail Private Guidelines.

CARRIED

**WASTE MANAGEMENT
PRACTICE AND
ORGANICS DIVERSION
FEASIBILITY STUDY
(5280-03)**

Moved by Councillor Anderson, seconded by Councillor Gares:

THAT Council support the Waste Management Practices and Organics Diversion Feasibility Study for the City of Vernon and reallocate the \$10,000 Regional District of North Okanagan waste study contribution to the project as described in the memorandum titled, “Waste Management Practices and Organics Diversion Feasibility Study” dated September 17, 2020 from the Manager, Long Range Planning and Sustainability.

AND FURTHER that Council support the additional \$15,000 required for the \$25,000 study be allocated from the Long Range Planning and Sustainability project budget.

CARRIED

**COMMONAGE ROAD
SHOULDER WIDENING
COST SHARING
MEMORANDUM OF
UNDERSTANDING
(8300-12)**

Moved by Councillor Anderson, seconded by Councillor Gares:

THAT Council authorize the Mayor to sign the Commonage Road Shoulder Widening Cost Sharing Memorandum of Understanding between the City of Vernon and the Regional District of North Okanagan as shown in Attachment 2 of the report titled "Commonage Road Shoulder Widening Cost Sharing Memorandum of Understanding", dated September 17, 2020 from the Manager, Transportation;

AND FURTHER, that the maximum \$25,000 contribution be funded from the Gas Tax Reserve.

CARRIED

MATTERS REFERRED

THAT Council brings forward, as public information, the following motions **declassified** from confidential to non-confidential at the September 14, 2020, In Camera meeting:

**VERNON BLOCK –
TRANSFER OF LAND
TO RDNO FOR
CULTURAL FACILITY
(0912-02)**

'THAT Council direct Administration to sell and transfer up to one half of the City owned lands referred to as the Vernon Block (approximately 33,000 square feet), to the Regional District of the North Okanagan, for the use by the Greater Vernon Cultural Facility;

AND FURTHER, that the sale price of the subject lands be \$75 per square foot, or \$2,475,000 for 33,000 square feet, with \$777,150 to be funded from Coldstream and Areas B, C.'

NEW BUSINESS

Correspondence:

Councillor Anderson left the meeting at 2:37 p.m. and returned at 2:39 p.m.

**MY CITY ON-LINE
(1610-01)**

Moved by Councillor Fehr, seconded by Councillor Gares:

THAT Council receive for information the memorandum dated September 16, 2020, respectfully submitted by the Specialist, Financial Operations, regarding the *New MyCity Online Services Video*.

CARRIED

**OKANAGAN SCIENCE
CENTRE – 2020
PROPERTY TAXES
(1970-16)**

Moved by Councillor Nahal, seconded by Councillor Gares:

THAT the letter from the Okanagan Science Centre dated September 6, 2020, regarding the request for a one-time exemption for 2020 property taxes of \$6,089.95, be received.

CARRIED

**EXTENSION REQUEST
- OFFICIAL
COMMUNITY PLAN
AMENDMENT FOR 6141
HWY 97 AND 6162
PLEASANT VALLEY
ROAD
(3360-20, OCP00073)**

Moved by Councillor Quiring, seconded by Councillor Nahal:

THAT pursuant to the “Bylaws – Inactive Policy” Council approve a one year extension to the processing period for 6141 Highway 97 and 6162 Pleasant Valley Road Official Community Plan Amendment Bylaw #5775, to October 15, 2021.

CARRIED

Councillor Quiring declared a conflict of interest as his firm, MQN, is involved in this project. Councillor Quiring left the meeting at 2:47 pm.

**EXTENSION REQUEST
- REZONING
APPLICATION FOR
7497 AND 7501
BROOKS LANE
(3090-20, ZON00341)**

Moved by Councillor Mund, seconded by Councillor Fehr:

THAT pursuant to the “Bylaws – Inactive Policy” Council approves a one year extension to the processing period for “7497 and 7501 Brooks Lane Rezoning Amendment Bylaw Number 5785, 2019” to October 28, 2021.

CARRIED

Councillor Quiring returned to the meeting at 2:48 p.m.

**REQUEST FOR
FUNDING –
CENTENNIAL
OUTDOOR RINK
CHILLER
(7810-03)**

Moved by Councillor Mund, seconded by Councillor Fehr:

THAT Council approve the funding of up to \$30,000, to be drawn from the Recreation Major Maintenance Reserve Fund, for the non-destructive testing and re-insulation of the Centennial Outdoor Rink chiller as per the memorandum titled Request for Funding – Centennial Outdoor Rink Chiller dated September 27, 2020 from the Director, Recreation Services.

CARRIED

Reports

HERITAGE RESTORATION GRANT APPLICATION FOR 2609 24TH AVENUE (3087-20 HGS00008)

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council approve a grant for \$3,683.80 to the owner of the property at 2609 24th Avenue for eligible works constructed during 2020 as per the Heritage Restoration Grant Program.

CARRIED

UBCM COMMUNITY RESILIENCY INVESTMENT PROGRAM – 2021 FIRESMART COMMUNITY FUNDING & SUPPORTS - PROGRAM (1855-20)

Moved by Councillor Fehr, seconded by Councillor Mund:

THAT Council authorize Administration to apply for a \$150,000 grant from the “*UBCM Community Resiliency Investment Program – 2021 FireSmart Community Funding & Supports – Program*”, as attached to the Report of the same title, dated September 14, 2020 and respectfully submitted by the Director, Fire & Rescue Services;

AND FURTHER, that Council support the proposed wildland urban interface fuel management activities as prioritized and in-line with the Vernon Community Wildfire Protection Plan (CWPP) (July 2, 2014) and the provision of FireSmart education;

AND FURTHER, that Council Authorize the Administration to assume overall grant management

CARRIED

LEGISLATIVE MATTERS

Bylaws:

FIRST, SECOND AND THIRD READINGS
• 5832

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Bylaw #5832, “**Tax Exemption Amendment Bylaw Number 5832, 2020**”, a bylaw to amend the City of Vernon Tax Exemption Bylaw Number 5713, 2018, be read a first, second and third time.

CARRIED

COUNCIL INFORMATION UPDATES

Councillor Scott Anderson:

No report

Councillor Akbal Mund

No report

Councillor Kari Gares:

- Attended Regional Library Board meeting
- Met with developers to discuss potential developments
- Chamber of Commerce AGM via Zoom.

Councillor Kelly Fehr:

- Met with members of the Climate Action Advisory Committee
- GVAC
- Preparation for Homelessness Memorial.

**NOTICE OF MOTION –
COUNCILLOR FEHR**

Councillor Fehr advised he will be bringing a Notice of Motion forward in support of the City of New Westminster letter for universal access to low cost prescription contraception.

Councillor Brian Quiring:

- Attended a Zoom meeting with the Climate Action Advisory Committee regarding the B.C. Step Code
- Downtown Vernon Association monthly meeting via Zoom
- Downtown Vernon Association strategic planning session via Zoom.

Councillor Dalvir Nahal:

- Regional District of North Okanagan Board meeting
- Thank you to Councillor Mund for attending the Tourism Commission
- Arts Centre of North Okanagan meeting
- Film Commission meeting.

Mayor Victor Cumming:

- BC Rural Centre meeting via zoom at Zoom
- Advisory Planning Centre
- Attended Chamber of Commerce AGM via Zoom
- Regional District of North Okanagan Board meeting
- Provincial resource meeting
- New old growth management plan
- Meetings for water intake on Okanagan Lake
- UBCM via Zoom
- GVAC Parks special meeting.

**NOTICE OF MOTION –
COUNCILLOR
ANDERSON
(1850-01)**

Moved by Councillor Anderson, seconded by Councillor Nahal:

THAT the 2021 City grant to O'Keefe Ranch be increased to \$125,000;

AND FURTHER, that the members of Council who attend the Regional District of North Okanagan introduce and support a request for a reasonable financial contribution from the Regional District of North Okanagan.

CARRIED, with Councillors Gares, Mund and Fehr opposed.

**NOTICE OF MOTION –
COUNCILLOR QUIRING
(6135-01)**

Moved by Councillor Quiring, seconded by Councillor Nahal:

THAT the City of Vernon reconsider the land use designation of the remaining balance of the Vernon Block;

AND FURTHER, that the residual balance of the property, contingent upon successful development of the Greater Vernon Cultural Centre, is to be designated park as opposed to mixed use residential.

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

O'KEEFE RANCH

Moved by Councillor Mund, seconded by Councillor Nahal;

THAT Council direct Administration to investigate the options returning the O'Keefe Ranch back to the Devonian Foundation.

CARRIED

INFORMATION ITEMS

Council received the following information items:

- A. Letter dated September 15, 2020 from the Jonathan X. Cote, Mayor, City of New Westminster: Universal access to no-cost prescription contraception.
- B. Letter dated September 18, 2020 from Hon. Bruce Ralston, M.L.A. Minister of Energy, Mines and Petroleum Resources: Gasoline price gouging.
- C. Minutes from the following Committees of Council:
 - (i) Tourism Commission, August 19, 2020;
 - (ii) Advisory Planning, September 1, 2020.

RECESS

Mayor Cumming recessed the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 3:56 pm.

RECONVENE

Mayor Cumming reconvened the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 6:10 pm.

PRESENT: Mayor V. Cumming

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

Staff: W. Pearce, Chief Administrative Officer
P. Bridal, DCAO, Director, Corporate Services
K. Austin, Manager, Legislative Services
K. Flick, Director, Community Infrastructure and Development
C. Broderick, Manager, Current Planning
S. Melenko, Information Technician
E. Croy, Planner, Transportation

Others: Media and Members of the Public

THIRD READING

- 5828

Moved by Councillor Anderson, seconded by Councillor Gares:

THAT Bylaw #5828 “**3405 27th Street Rezoning Amendment Bylaw Number 5828, 2020**”, a bylaw to rezone the property in order to change the use from residential to commercial (3405 27th Street), be **read a third time**.

CARRIED

- 5829

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT Bylaw #5829, “**2724 Howser Place Land Use Contract Number LTO N#1421, 1978 Discharge Bylaw Number 5829, 2020**”, a bylaw to discharge Land Use Contract #N1421 in order to allow all current bylaw to apply, be **read a third time**.

CARRIED

- 5830

Moved by Councillor Quiring, seconded by Councillor Nahal:

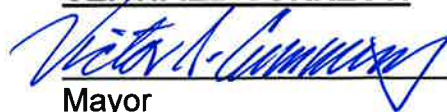
THAT Bylaw #5830, “**2724 Howser Place Rezoning Amendment Bylaw Number 5830, 2020**”, a bylaw to rezone the property in order to facilitate a future multi-family development, be **read a third time**.

DEFEATED, Mayor Cumming and Councillors Anderson, Gares and Mund opposed

CLOSE

Mayor Cumming closed the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 6:26 pm.

CERTIFIED CORRECT:


Mayor


Corporate Officer