

THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF A REGULAR OPEN MEETING OF COUNCIL
HELD TUESDAY, OCTOBER 13, 2020**

PRESENT: Mayor V. Cumming

Councillors: S. Anderson, K. Fehr, K. Gares,
A. Mund, B. Quiring (8:43 am), D. Nahal

Staff: W. Pearce, Chief Administrative Officer
P. Bridal, DCAO, Director, Corporate Services
K. Austin, Manager, Legislative Services
J. Nicol, Deputy Corporate Officer
C. Poirier, Manager, Communications & Grants
A. Stuart, Manager, Financial Reporting
K. Flick, Director, Community Infrastructure and Development
B. Bandy, Manager, Real Estate
C. Ovens, Acting Director, Operations
S. Melenko, Information Technician I

Others: Media and Members of the Public

Mayor Cumming called the Regular Open meeting to order at 8:42 am and requested a motion to move to Committee of the Whole.

Mayor Cumming reconvened the Regular Open meeting at 8:44 am and requested a motion to move to In Camera.

**RESOLUTION TO
CLOSE MEETING**

Moved by Councillor Quiring, seconded by Councillor Fehr:

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

- (1)(c) labour relations or other employee relations;
- (1)(d) the security of the property of the municipality;
- (1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (1)(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*.

CARRIED

Mayor Cumming called the Regular Open meeting back to order at 1:31 pm.

PRESENT: Mayor V. Cumming

Councillors: S. Anderson, K. Fehr, K. Gares,
A. Mund, D. Nahal, B. Quiring (1:37 pm)

Staff: W. Pearce, Chief Administrative Officer
P. Bridal, Deputy CAO, Director, Corporate Services
K. Austin, Manager, Legislative Services
J. Nicol, Deputy Corporate Officer
C. Poirier, Manager, Communications and Grants
K. Flick, Director, Community Infrastructure & Development Services
C. Ovens, Acting Director, Operations
D. Lind, Fire Chief*
R. Nuriel, Economic Development Planner*
D. Sturgeon, Long Range Planner*
K. Poole, Manager, Economic Development & Tourism*
D. Ross, Director, Recreation Services*
K. Chamberlain, Planning Assistant*
A. Stuart, Manager, Financial Planning and Reporting
A. Watson, Manager, Transportation*
S. Saunders, Emergency Program Coordinator*
S. Melenko, Information Tech.*

**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 October 13, 2020, Regular Open meeting of the Council of The Corporation of The City of Vernon be amended to include the following items:

1. **ADD ITEM – 11. A. (vii) New Business, Reports** – Memo – Vernon Pickleball Association – Phase II Cover of Pickleball Courts at Marshall Fields – DCC’s Payable
2. **ADD ITEM – 12. A. (v) Legislative Matters** – Adoption of “2724 Howser Place Land Use Contract Number LTO #N1421, 1978 Discharge Bylaw Number 5829, 2020”
3. **ADD ITEM – 12. A. (vi) Legislative Matters** – First and Second Readings and scheduling of Public Hearing date for “6309, 6321 and 6335 Okanagan Landing Road Rezoning Amendment Bylaw Number 5837, 2020”.

CARRIED

ADOPTION OF MINUTES

COUNCIL MEETINGS

Moved by Councillor Mund, seconded by Councillor Gares:

THAT the minutes of the Regular Meeting of Council held September 28, 2020 be adopted;

AND FURTHER, that the minutes of the Public Hearing held September 28, 2020 be adopted;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held September 28, 2020 be received.

CARRIED

RECOGNITION OF WORKING RELATIONSHIP WITH OKANAGAN INDIAN BAND

Mayor Cumming provided recognition on the anniversary of the second year of a successful Relationship Accord with Okanagan Indian Band There will be a photo opportunity at Sandy Canoe and Kin Beach today at 5 pm.

BUSINESS ARISING FROM THE MINUTES

GENERAL MATTERS

COUNCIL INQUIRIES

OUTDOOR PATIOS

Council inquired regarding a letter received from the Restaurant Association. When does the extension of outdoor patios run until? Who enforces the liquor sales cut-off of 10 pm? **Administration** advised a report is scheduled for the October 26 Regular Meeting.

DRAINAGE – 27TH STREET AND HWY 6

Council inquired about requesting provincial help with the drainage issues on 27th Street at the turn-off from Highway 6. **An Administration update** will be provided.

FIRE MITIGATION – EASTSIDE ROAD

Council inquired regarding the property bordering Eastside Estates at the end of Eastside Road. A resident has indicated that there will be extensive logging for fire mitigation. Is the land within the City boundaries and will it be logged? **An Administration update** will be provided.

ADMINISTRATION UPDATES

ADMINISTRATION UPDATES (0550-05)

Moved by Councillor Mund, seconded by Councillor Anderson:

THAT Council receive the Administration Updates dated October 13, 2020, for information.

CARRIED

**FOUR-WAY STOP –
20TH STREET AND 43RD
AVENUE**

Moved by Councillor Mund, seconded by Councillor Fehr:

THAT Council direct Administration to permanently retain the temporary four-way stop at 20th Street and 43rd Avenue.

CARRIED, with Mayor Cumming and Councillor Fehr opposed.

**REFERENCES TO 30TH
AVENUE HILL**

Moved by Councillor Mund, seconded by Councillor Fehr:

THAT Council direct Administration to remove all references of 'Suicide Hill' from City literature when referring to 30th Avenue hill;

AND FURTHER, that the Administration consider renaming this Avenue in the future.

CARRIED

CIVIC ARENA PARK

Moved by Councillor Gares, seconded by Councillor Anderson:

THAT Council direct Administration to pause all further planning of the Civic Arena Park until the location of the Cultural Centre site has been concluded;

AND FURTHER, that Council direct Administration to report back on the possibility of a mixed use development on the Civic site.

DEFEATED, with Mayor Cumming, Councillors Mund, Fehr and Quiring opposed.

UNFINISHED BUSINESS

**COVID – 19 BUSINESS
RECOVERY ACTION
TEAM UPDATE
(6750-20)**

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council receive the memorandum titled "*COVID – 19 Business Recovery Action Team Update*", dated September 29, 2020, submitted by the Economic Development Planner for information;

AND FURTHER, that Council direct Administration to report back to Council at a future date with updates on the business recovery actions and initiatives by Vision North Okanagan.

CARRIED

Councillor Fehr left the meeting at 2:58 pm

SEASONAL SECURITY SUMMARY (4000-02)

Moved by Councillor Anderson, seconded by Councillor Mund:

THAT Council receives the internal memorandum titled Seasonal Security Summary, dated October 1, 2020, respectfully submitted by the Manager, Protective Services;

AND FURTHER, that Council directs Administration to bring forward a Service Level Adjustment for the downtown seasonal security contract in 2021, for Council’s consideration during 2021 budget discussions.

CARRIED

Councillor Fehr returned to the meeting at 2:59 pm

MATTERS REFERRED

AMENDMENT TO COUNCIL COMMITTEE STRUCTURE POLICY (0540)

Moved by Councillor Mund, seconded by Mayor Cumming:

THAT Council **ratifies and confirms** the following resolution adopted at the **October 13, 2020**, Committee of the Whole meeting of Council:

‘THAT Council adopts the amendments to the Council Committee Structure Policy as provided in Attachment 1 of the memorandum dated October 2, 2020, titled Amendment to Council Committee Structure Policy, respectfully submitted by the Deputy CAO.’

CARRIED

NEW BUSINESS

Correspondence:

APPOINTMENT OF DEPUTY CORPORATE OFFICER (0550)

Moved by Mayor Cumming, seconded by Councillor Mund:

THAT Council appoints Patti Bridal, Deputy CAO/Dir Corporate Services as a Deputy Corporate Officer.

CARRIED

Councillor Quiring declared a conflict of interest as his firm (MQN) is involved in this project. Councillor Quiring left the meeting at 2:58 pm.

FACILITY CONSTRUCTION PROJECTS (1700-02)

Moved by Councillor Mund, seconded by Councillor Fehr:

THAT Council approve the Lakers Child Care Facility Construction project with a budget of up to \$3,000,000 funded by an external

source;

AND FURTHER, that Council approve the Recreation Complex Child Care Facility Construction project with a budget of up to \$4,000,000 funded by external sources.

CARRIED

Councillor Quiring returned to meeting at 3:01 pm

**RECREATION
SERVICES – 2020
THIRD QUARTER
REPORT
(7700-01)**

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council receives the memorandum titled *Recreation Services – 2020 Third Quarter Report* and the accompanying PowerPoint presentation, dated October 2, 2020, from Director Recreation Services, for information.

CARRIED

**RECREATION
SERVICES –
MAINTENANCE
UPDATE
(7700-14)**

Moved by Councillor Fehr, seconded by Councillor Nahal:

THAT Council receive the memorandum titled *Recreation Services – Maintenance Update* and the accompanying PowerPoint presentation, dated October 2, 2020, from the Director Recreation Services, for information.

CARRIED

Councillor Quiring declared a conflict of interest as his firm (MQN) may be involved in this project. Councillor Quiring left the meeting at 3:23 pm.

**LAKEVIEW WADING
POOL REVITALIZATION
PROJECT
(8000-02-03-06)**

Moved by Councillor Fehr, seconded by Councillor Mund:

THAT Council approve the application for the second intake of the Canada-British Columbia Investing in Canada Infrastructure Program for the Lakeview Wading Pool Revitalization Project as presented in the Memorandum dated October 2, 2020 from the Manager, Aquatics for 73.33% funding or \$1,887,576;

AND FURTHER, that Council approve the funding of the remaining 26.67% (\$686,508) of the Lakeview Wading Pool Revitalization Project's eligible costs and the cost of the building permit (\$25,741) for up to \$712,249 with \$356,125 funded by the Recreation Services Major Maintenance Reserve and \$356,124 funded by the 1.9% infrastructure Levy, should the application be successful;

AND FURTHER, that Council supports the Project and commits to its share (\$712,249) of the Project plus any overages, in accordance with the Investing in Canada Infrastructure Program;

AND FURTHER, that Council direct Administration to forward a certified true copy of this resolution to the Ministry of Municipal Affairs and Housing as part of the City’s application for the Canada-British Columbia Investing in Canada Infrastructure Program;

AND FURTHER, that Council direct Administration to make the District of Coldstream and Electoral Areas B & C aware of Council’s direction regarding the application to the Canada-British Columbia Investing in Canada Infrastructure Program for the Lakeview Wading Pool Revitalization Project.

CARRIED

Councillor Quiring returned to the meeting at 3:24 pm.

**COMMUNITY
ECONOMIC RECOVERY
INFRASTRUCTURE
PROGRAM
(6900-01)**

Moved by Councillor Nahal, seconded by Councillor Fehr:

THAT Council direct Administration to submit a grant application to the Community Economic Recovery Infrastructure Program as described in the memorandum titled “Community Economic Recovery Infrastructure Program”, dated October 6, 2020, submitted by the Manager, Economic Development and Tourism;

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

CARRIED

Councillor Quiring left the meeting at 3:26 pm.

Reports

**VERNON PICKLEBALL
ASSOCIATION –
PHASE II COVER OF
PICKLEBALL COURTS
AT MARSHALL FIELDS
– DCC’S PAYABLE
(6140-20)**

Moved by Mayor Cumming, seconded by Councillor Mund:

THAT Council direct Administration to fund the Development Cost Charges applicable, as determined by the Approving Officer, for the Enclosure of the Pickleball Courts at Marshall Fields to a maximum of \$215,000, from interest earned on the Civic Legacy Fund.

CARRIED

**SIGN BYLAW #4489
AMENDMENT
REQUEST
(3900-02)**

Moved by Councillor Anderson, seconded by Councillor Mund:

THAT Council not support an amendment to Sign Bylaw #4489 to permit digital third party signage as outlined in the report titled *Sign Bylaw #4489 Amendment Request* dated October 2, 2020 and respectfully submitted by the Director, Community Infrastructure and Development.

AND FURTHER that Council direct Administration to invite the

Applicant to make a Development Variance Permit application.

CARRIED

Councillor Gares declared a conflict of interest as she is the Chair of the Vernon and District Community Land Trust. Councillor Gares left the meeting at 3:32 pm.

**REZONING FOR 6309,
6321 AND 6335
OKANAGAN LANDING
ROAD (3360-20,
ZON00359, ZON00360,
ZON00361)**

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT Council support the rezoning applications for Lot 1, Plan 23913, District Lot 66-67, ODYD (6309 Okanagan Landing Road) from RR: Rural Residential to RH1: Low-Rise Apartment Residential, and for Lot 2, Plan 23913, District Lot 62&66-67, ODYD (6321 Okanagan Landing Road) and Lot 3, Plan 23913, District Lot 62&67, ODYD (6335 Okanagan Landing Road) from I2: Airport Residential to RH1: Low-Rise Apartment Residential;

AND FURTHER, that Council’s support of the rezoning applications is subject to the following:

- a) That the operator, Vernon and District Community Land Trust, enter into a Housing Agreement with the City; and
- b) That a restrictive covenant be registered on the subject property to limit the density on the site to Residential Low Density (maximum 12 units per acre);

AND FURTHER, that this report be forwarded to the Advisory Planning Committee for review and comment, with any arising resolution brought forward to the Public Hearing as input for Council’s consideration.

CARRIED

Councillor Gares returned to the meeting at 3:38 pm.

**PROVINCE OF BRITISH
COLUMBIA’S EVACUEE
REGISTRATION AND
ASSISTANCE TOOL
(7130-08)**

Moved by Councillor Mund, seconded by Councillor Fehr:

THAT Council authorize Administration to execute the Province of British Columbia’s electronic access agreement as attached to the report titled *Province of British Columbia’s Evacuee Registration and Assistance Tool*, dated October 1, 2020 and respectfully submitted by the Emergency Program Coordinator;

AND FURTHER, that Council support Administration’s access to, and use of the Evacuee Registration and Assistance tool where appropriate in the delivery of Emergency Support Services.

CARRIED

LEGISLATIVE MATTERS

Bylaws:

ADOPTION

- **5821**

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Bylaw #5821 “**2109 32nd Avenue Rezoning Amendment Bylaw Number 5821, 2020**” – To rezone the subject property from “R2 - Large Lot Residential” to “R3 - Medium Lot Residential” in order to subdivide the parcel into two residential lots, be **adopted**;

AND FURTHER, that Council authorize issuance of DVP #00481 once all conditions are met.

CARRIED

Councillor Fehr declared a conflict of interest in the following matter as he is employed by Turning Points Collaborative. Councillor Fehr left the meeting at 3:39 pm.

- **5825**

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Bylaw #5825 “**Zoning Text (I1 Group Home, Major) Amendment Bylaw Number 5825, 2020**”, a bylaw to add “group home, major” as a Primary Use in the I1: Light Industrial zone on the parcel described as Lot 1, Plan EP94980, DL 66 & 71, ODYD (2307 43rd Street), be **adopted**.

CARRIED

Councillor Fehr returned to the meeting at 3:40 pm.

- **5832**

Moved by Councillor Mund, seconded by Councillor Nahal:

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 **adopted**.

CARRIED

- **5829**

Moved by Councillor Mund, seconded by Councillor Gares:

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 **adopted**.

CARRIED

FIRST, SECOND AND THIRD READINGS

- 5834

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Bylaw #5834, “**Officers Bylaw Number Amendment Number 5834, 2020**”, a bylaw amend the Officers Bylaw Number 5726, 2018, be **read a first, second and third time**.

CARRIED

Councillor Gares declared a conflict of interest as she is the Chair of the Vernon and District Community Land Trust. Councillor Gares left the meeting at 3:41 pm.

FIRST & SECOND READINGS AND PUBLIC HEARING DATE

- 5837

Moved by Councillor Quiring, seconded by Councillor Nahal:

THAT Bylaw #5837, “**6309, 6321 and 6335 Okanagan Landing Road Rezoning Amendment Bylaw Number 5837, 2020**” – a bylaw to rezone lands from I2: Airport Residential and RR: Rural Residential to RH1: Low-Rise Apartment Residential, be **read a first and second time**;

AND FURTHER, that the Public Hearing for Bylaw #5837, “**6309, 6321 and 6335 Okanagan Landing Road Rezoning Amendment Bylaw Number 5837, 2020**”, be scheduled for **5:30 pm, Monday, November 9th, 2020** in the Recreation Centre Auditorium, 3310 37th Avenue.

CARRIED

Councillor Gares returned to the meeting at 3:42 pm.

COUNCIL INFORMATION UPDATES

Councillor Scott Anderson:

No report.

Councillor Akbal Mund

No report.

Councillor Kari Gares:

- Met with the Canadian Home Builders Association

Moved by Councillor Mund, seconded by Councillor Anderson:

THAT Council waive the requirement for a Notice of Motion pursuant to section 16 of the Council Procedure Bylaw #4840 in order to address a motion regarding Canadian Home Builders put forward by Councillor Gares.

CARRIED, unanimously

Moved by Councillor Gares, seconded by Councillor Anderson:

THAT Council direct Administration to write a letter to the Canadian Home Builder's Association (CHBA) illustrating the following key points:

1. That CHBA write a letter to their members advising them of our ongoing support to build a positive working relationship with CHBA and with the building and development community;
2. That we are asking the building & development community to come together to provide solutions on how we can best serve them and the needs of the development community within the City of Vernon;
3. And to address areas that require additional improvement to enhance the development and permit process in order to improve on efficiencies, timelines and communications; and
4. And that we are interested in forging a working group to address the needs of our local development community.

CARRIED

**NOTICE OF MOTION –
COUNCILLOR GARES**

Councillor Gares advised she will provide a Notice of Motion to the October 26, 2020 Regular Meeting regarding proposed amendments to Zoning Bylaw #5000 in relation to retail cannabis licences.

Councillor Kelly Fehr:

Attended:

- GVAC
- Okanagan College meeting
- Tour of The View
-

Councillor Brian Quiring:

- No report

Councillor Dalvir Nahal:

Attended:

- Meeting with various developers
- Northern Immigration Zoom meeting with Annette Sharkey
- Agricultural Committee
- Okanagan Film Commission

Mayor Victor Cumming:

Attended:

- Beachcomber Bay access meeting
- Tour of Tronson Bay boat launch
- Advisory Planning Committee
- Provided a CBC interview
- Okanagan Basin Water Board 50th Year Celebration
- Okanagan Basin Water Board meeting
- Climate Action Advisory Committee meeting
- Joint Biosolids Advisory
- GVAC
- CEDI meeting
- Tour of Operations Centre

**NOTICE OF MOTION –
COUNCILLOR FEHR
(0410-31)**

Moved by Councillor Fehr, seconded by Councillor Mund:

WHEREAS cost is a significant barrier to people accessing contraception, particularly to people with low incomes, youth, and people from marginalized communities; and

WHEREAS providing free prescription contraception has been shown to improve health outcomes for parents and infants by reducing the risks associated with unintended pregnancy, and is likely to reduce direct medical costs on the provincial health system; and

WHEREAS contraceptive methods such as condoms or vasectomies are available at low cost, no cost, or are covered by BC's Medical Services Plan, whereas all contraceptive methods for people with uteruses (such as birth control pills, intrauterine devices, or hormone injections) have high up-front costs, making access to contraception unequal and gendered;

THEREFORE BE IT RESOLVED

THAT the City of Vernon write to the Provincial Minister of Finance, the Provincial Minister of Health, the Premier of BC, and the local MLA supporting universal no-cost access to all prescription contraception available in BC under the Medical Services Plan; and

THAT this letter be forwarded to all BC municipalities asking to write their support at well.

CARRIED, with Councillor Anderson opposed.

INFORMATION ITEMS

Council received the following information items:

- A. Minutes from the following Committees of Council:
 - (i) Advisory Planning, September 15, 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 6:14 pm.

PRESENT: Mayor V. Cumming

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

Staff: W. Pearce, Chief Administrative Officer
P. Bridal, DCAO, Director, Corporate Services
K. Austin, Manager, Legislative Services
J. Nicol, Deputy Corporate Officer
C. Poirier, Manager, Communications & Grants
K. Flick, Director, Community Infrastructure & Development Services
K. Chamberlain, Planning Assistant
D. Sturgeon, Long Range Planner
E. Croy, Planner, Transportation
J. Henry, Information Technician II

Others: Media and Members of the Public

THIRD READING Moved by Councillor Mund, seconded by Councillor Gares:

- 5831

THAT Bylaw #5831, "**1800 32nd Street Rezoning Amendment Bylaw Number 5831, 2020**", a bylaw to rezone land from R2: Large Lot Residential to RM2: Multiple Housing Residential be **read a third time**.

CARRIED

- 5833

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Bylaw #5833, "**Okanagan Hills Neighbourhood Plan Rezoning Amendment Bylaw Number 5833, 2020**", a bylaw to rezone multiple properties in the Okanagan Hills Neighbourhood Plan in order to permit full-time/year-round residential land use and to align zoning boundaries with parcel boundaries and Official Community Plan designations, be **read a third time**.

CARRIED

CLOSE Mayor Cumming closed the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 6:19 pm.

CERTIFIED CORRECT:



Mayor



Corporate Officer