

THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF A REGULAR OPEN MEETING OF COUNCIL
HELD FEBRUARY 8, 2021**

PRESENT: Mayor V. Cumming

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

Staff: W. Pearce, Chief Administrative Officer
P. Bridal, DCAO, Director, Corporate Services
K. Austin, Manager, Legislative Services
J. Nicol, Deputy Corporate Officer
D. Law, Director, Financial Services
C. Poirier, Manager, Communications & Grants
K. Flick, Director, Community Infrastructure and Development
D. Lees, Manager, Protective Services
D. Sturgeon, Long Range Planner
C. Ovens, Director, Operation Services
B. Bandy, Manager, Real Estate
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 9:53 am and requested a motion to move to In Camera.

**RESOLUTION TO
CLOSE MEETING**

Moved by Councillor Gares, 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* as follows:

- (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;
- (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.

CARRIED

Mayor Cumming called the Regular Open meeting back to order at 1:30 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, Deputy CAO, Director, Corporate Services
K. Austin, Manager, Legislative Services
J. Nicol, Deputy Corporate Officer
C. Poirier, Manager, Communications and Grants
S. Baher, OIC, RCMP*
Sgt. D. Jackson, Watch Commander, RCMP*
K. Flick, Director, Community Infrastructure & Development Services
C. Broderick, Manager Current Planning*
C. Ovens, Director, Operation Services
D. Law, Director, Financial Services
J. Niu, Environmental Planning Assistant*
L. Cordell, Manager, Long Range Planning & Sustainability*
K. Poole, Manager, Economic Development & Tourism*
D. Lees, Manager, Protective Services*
I. Adkins, Acting Manager, Roads, Drainage & Airport*
R. Nuriel, Economic Development Planner*
D. Sturgeon, Long Range Planner*
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 Gares, seconded by Councillor Fehr:

THAT the agenda for the February 8, 2021, Regular Open meeting of the Council of The Corporation of The City of Vernon be amended to include:

- 1. SEE ITEM – 6. B. (i) General Matters – Public Input – Development Variance Application for 5 – 80 Kestrel Place (DVP00503)**

- Email dated February 5, 2021 from Norm Jeal and Staff Response, dated February 8, 2021.

CARRIED

ADOPTION OF MINUTES

COUNCIL MEETINGS Moved by Councillor Fehr, seconded by Councillor Gares:

THAT the minutes of the Regular Meeting of Council held January 25, 2021 be adopted;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held January 25, 2021 be received.

CARRIED

BUSINESS ARISING FROM THE MINUTES

GENERAL MATTERS

**PRESENTATION –
RCMP QUARTERLY
REPORT (7400-30)**

Supt. Shawna Baher, OIC, RCMP, introduced Sgt. Dale Jackson, Watch Commander and provided the Fourth Quarter report for 2020 (October to December).

The following points were reviewed:

- Policing Activity Report/Community Events
 - Great deal of pride for front line members
- Vernon Coldstream
 - Operations
 - Front Line Policing
 - General Investigation Section
 - Targeted Policing – much success with a reduction in dispatched calls resulting in more time for self generated calls
- North Okanagan Rural
 - Operations
 - Front Line Policing
 - General Investigation Section
- Traffic Enforcement
- Forensic Identification Section
- Police Dog Services
- Quarterly Stats reviewed
- Active Facebook and social media channels being successfully used.

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council receive the presentation entitled “RCMP 4th Quarter Report (October to December, 2020)” as provided by Supt. Shawna Baher, OIC, RCMP at the February 8, 2021 Regular Council Meeting.

CARRIED

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR LOT
5, PLAN KAS2084, DL
297 O.D.Y.D (5 – 80
KESTREL PLACE)
(DVP00503)**

Moved by Councillor Mund, seconded by Councillor Nahal:

THAT Council support development variance permit application DVP00503 to vary the following sections of Zoning Bylaw #5000 to accommodate a single family dwelling at LT 5 PL KAS2084 DL 297 ODYD (5 – 80 Kestrel Place):

- a) Section 9.5.5 by reducing the front yard setback from 3.5m to 0.45m, reducing the side yard setback from 1.5m to 0.9m and reducing the flanking street side yard setback from 3.5m to 1.5m, and;
- b) Section 4.13.2 to allow for development within 15m of High-Water Mark of Okanagan Lake;

AND FURTHER, that Council's support of DVP00503 is subject to the following:

- a) that the applicant provides confirmation of Strata (KAS2084) support for the proposed development pertaining to the variances requested;
- b) that the building siting and footprint must adhere to the site plan by Dean Thomas Design Group dated October 28, 2020, which will be attached to and form part of DVP00503;
- c) that the Environmental Assessment by Ecoscape Environmental Consultants Ltd. dated December 2020 be attached to and form part of DVP00503; and
- d) that the applicant demonstrates the requirements of the provincial Riparian Areas Protection Regulation (RAPR) have been met and that a complete and accepted RAPR Assessment, detailed landscaping plan including all required compensation works, be provided and form part of the associated Development Permit DP000878 (Environmental).

CARRIED

Councillor Nahal left the meeting at 2:09 pm.

**Public Input
DVP #00503**

*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 one written submission had been received:

- Email dated February 5, 2021 from Norm Jeal and Staff Response, dated February 8, 2021.

There being no further input, Mayor Cumming closed the public input for DVP#00503.

THE QUESTION WAS CALLED ON THE MAIN MOTION AND DECLARED CARRIED

Issuance of Permit #00503

Moved by Councillor Mund, seconded by Councillor Gares:

THAT the Corporate Officer be authorized to issue Development Variance Permit #00503, to reduce the minimum front yard setback, minimum side yard setback, reduce the flanking street side yard setback and to allow for development within 15m of the High-Water Mark of Okanagan Lake, for Lot 5, Plan KAS2084, DL 297, O.D.Y.D (5 – 80 Kestrel Place), once all conditions of Council are satisfied, **once all conditions of Council have been satisfied.**

CARRIED

COUNCIL INQUIRIES

BEAVERS NEAR VERNON CREEK

Council inquired regarding a family of beavers on Vernon Creek near the cross walk on Okanagan Avenue that have damaged many trees making them a hazard. **An Admin.** update will be provided.

GEESE CULL – MEAT DONATION

Council inquired regarding the goose cull. Are we able to donate the meat to hunters to use as bait? **An. Admin** update will be provided.

GEESE CULL - COST

Council inquired regarding the cost of the proposed geese cull and suggested the costs be made available to the public/media. **A. Admin.** Administration indicated that the breakdown of specific costs is available in the February 8, 2021 Council meeting package, which has been made available on the City's website.

POLSON PARK – OVERNIGHT SHELTERS

In relation to a recent fire in Polson Park, Council inquired as to whether the removal of tents was being enforced. **A. Admin.** Administration confirmed that enforcement was ongoing and tents were required to be taken down by 9:00 am.

POLSON PARK - SECURITY

Council inquired as to whether there was overnight security at Polson Park. **A. Admin.** It was confirmed that the Winter Carnival Society had arranged for overnight security for the duration of the Ice Sculpture Event in Polson Park.

PLACES OF WORSHIP

Councillor Quiring stated he had received a letter from a citizen expressing concern over the choice of words used he had used when Council had discussed places of worship at their January 11, 2021 Council meeting. Councillor Quiring noted that while his position on the matter remained unchanged, he did wish to apologize for his choice of words in describing the inability of places of worship being able to maintain social distancing, and suggesting it would be 'mayhem'.

**8840 EASTSIDE ROAD
– SURFACE
WATER/DITCHING**

Council inquired when the next environmental monitoring report would be available for 8840 Eastside Road, noting that a citizen was concerned regarding a large amount of surface water coming from the property and was also wondering when ditching would be looked at for Okanagan Landing Road.

**OKANAGAN LAKE
LEVEL**

Council inquired regarding a citizen request to drop the level of Okanagan Lake to prevent future flooding. **A. Admin.** Administration advised that lake levels were the purview of the Province and would forward the correspondence to the Province, requesting they respond to the writer and copy the City of Vernon Council on the response.

ADMINISTRATION UPDATES

**ADMINISTRATION
UPDATES
(0550-05)**

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council receive the Administration Updates dated February 8, 2021, for information.

CARRIED

UNFINISHED BUSINESS

MATTERS REFERRED

THAT Council brings forward, as public information, the following motions **declassified** from confidential to non-confidential at the January 25, 2021, In Camera meeting:

**CLIMATE ACTION
ADVISORY COMMITTEE
MEMBERSHIP (0540-20)**

'THAT Council appoint Jenn Comazzetto as the School District #22 Representative on the Climate Action Advisory Committee for the term of two years, expiring January 2023, with Molly Bono as the Alternate Representative;

AND FURTHER, that Council appoint Quinn Soon as a Youth Sector representative for the term of two years, expiring January 2023;

AND FURTHER, that Council appoint Colleen Marchand as the Okanagan Indian Band Representative on the Climate Action Advisory Committee for the term of two years, expiring January 2023;

*AND FURTHER, that Council **declassify** and remove the recommendation from In Camera once the appointees have been advised of Council's decision.'*

THAT Council brings forward, as public information, the following motions **declassified** from confidential to non-confidential at the February 8, 2021, In Camera meeting:

**AIRPORT
COMMERCIAL MONTH
TO MONTH LEASE –
6120 TRONSON ROAD
– 536648 YUKON INC. –
H. MICHAEL HEISEY
(8400-02-10)**

'THAT Council direct Administration to enter into a month to month land lease with 536648 Yukon Inc. – H. Michael Heisey, for the City owned Vernon Regional Airport lands at 6120 Tronson Road, Vernon, B.C., with an area of approximately 8,072.93 square feet, commencing December 1, 2020, and a monthly basic rent of \$309.74 plus GST, at commencement;

AND FURTHER, that Council authorize Administration to use the Airport Commercial Month to Month Lease as drafted and attached to this report titled, "Airport Commercial Month to Month Lease – 6120 Tronson Road – 536648 Yukon Inc. – H. Michael Heisey", dated January 29, 2021, from the Real Estate Manager, as a template for other airport commercial month to month land leases at the Vernon Regional Airport.'

NEW BUSINESS

Correspondence:

**SILGA – ANNUAL
GENERAL MEETING
AND REQUEST FOR
RESOLUTIONS
(0360-20-25)**

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Council receive for information the memo entitled "SILGA Annual General Meeting and Request for Resolutions", dated February 1, 2021, from the Senior Executive Assistant.

CARRIED

Councillor Fehr left the meeting at 2:42 pm and returned at 2:43 pm.

**2020 PLANNING AND
BUILDING FOURTH
QUARTER AND YEAR
END STATISTICS
SUMMARY (6970-20)**

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Council receive the memorandum titled "2020 Planning and Building Fourth Quarter and Year End Statistics Summary" dated January 27, 2021 from the Manager, Economic Development and Tourism and Current Planning Assistant, for information.

CARRIED

Councillor Anderson declared a conflict of interest as his firm (Dump Runz) is involved in waste collection. Councillor Anderson left the meeting at 3:05 pm.

Councillor Nahal returned to the meeting at 3:06 pm.

**ORGANICS
INFRASTRUCTURE
AND COLLECTION
PROGRAM
APPLICATION (5280-03)**

Moved by Councillor Fehr, seconded by Councillor Mund:

THAT Council receive the memorandum titled "Organics Infrastructure and Collection Program Application" dated January 27, 2021 from the Manager, Long Range Planning and Sustainability and the Acting Manager, Roads, Drainage and Airports;

AND FURTHER, that Council confirms it is in the final steps of due diligence to confirm if household organics collection is feasible for Vernon;

AND FURTHER, that Council endorse an application to the CleanBC Organics Infrastructure and Collection Program for funding to support the implementation of a household organics collection program;

AND FURTHER, that Council confirms that should Council choose to move forward with the household organics collection program, the City commits to fund 1/3 of the project (up to a maximum of \$475,000) through the Climate Action Revolving Fund;

AND FURTHER, that Council directs Administration to advise program administrators of the CleanBC Organics Infrastructure and Collection Program by May 1, 2021 of Council’s decision to implement a household organics collection program in the City of Vernon.

CARRIED

Councillor Anderson returned to the meeting at 3:14 pm.

Councillor Fehr declared a conflict of interest as his employer (Turning Points Collaborative Society) may be considered as a recipient of the Kindness Meter funds. Councillor Fehr left the meeting at 3:14 pm.

DISTRIBUTION OF CHARITABLE FUNDS – 2021 KINDNESS METERS DONATIONS (4000-01-2021)

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council directs Administration to forward the proceeds in the amount of \$386.16 obtained from the Kindness Meter program for the calendar year 2020 to Archway Society for Domestic Peace.

CARRIED

Councillor Fehr returned to the meeting at 3:17 pm.

2022 – 2026 FINANCIAL PLAN SCHEDULE (1700-02)

Moved by Councillor Gares, seconded by Councillor Nahal:

THAT Council approve the 2022-2026 Financial Plan timeline as set forth in the memo from the Director, Financial Services dated January 29, 2021 titled “2022-2026 Financial Plan Timeline”;

AND FURTHER, that Council approve a Special Meeting of Council held at Lakers Clubhouse on Monday, June 21, 2021 to review the progress of the 2019-2022 Strategic Plan and review the issues influencing the 2022-2026 Financial Plan;

AND FURTHER, that Council approve Special Meetings of Council to be held on November 29 and 30, 2021 to deliberate the 2022-2026 Proposed Financial Plan.

CARRIED

GEESE CULL (6100-14) Moved by Councillor Nahal, seconded by Councillor Anderson:

THAT Council receive the Internal Memorandum titled ‘Geese Cull’ dated February 2, 2021 from the Acting Director, Operation Services;

AND FUTHER, that Council direct Administration to proceed with the geese cull with an authorized budget of up to \$40,000 including contingencies, with the source of funds being the Casino Reserve.

CARRIED, with Mayor Cumming opposed

Reports:

OKANAGAN FLOODING AND THE REVIEW OF OKANAGAN LAKE REGULATION SYSTEM (0360-20-26) Moved by Mayor Cumming, seconded by Councillor Quiring:

THAT Council authorize the Mayor to execute a Letter of Support to the Okanagan Basin Water Board in support of a review and update of the Okanagan Lake Regulation System (OLRS) as detailed in the Memorandum from the Executive Director, Okanagan Basin Water Board, dated December 15, 2020.

CARRIED

STRATA CONVERSION APPLICATION FOR 5545 27TH AVENUE (SUB00788) Moved by Councillor Fehr, seconded by Councillor Mund:

THAT Council approve the strata conversion application for Lot 1, Plan 5914, DL 66, ODYD (5545 27th Avenue), subject to the following conditions:

- a) That Council waive the Section B conditions within Council’s policy titled “Strata Conversion Applications”;
- b) That a covenant be registered on the titles of all strata units that maintain the use of the building as affordable rental housing; and
- c) That Council’s approval period is to expire one year from the date of Council’s consideration

CARRIED

ZONING TEXT AMENDMENT TO P1 (PARKS AND OPEN SPACE) (ZON00364) Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT Council support an amendment to Zoning Bylaw #5000 by adding “educational services, public” as a Secondary Use in P1 (Parks and Open Space), as described in the report titled “Zoning Text Amendment to P1 (Parks and Open Space)” dated January 27, 2021 by the Long Range Planner;

AND FURTHER, that Council waive the Public Hearing for the proposed zoning text amendment bylaw in accordance with Section 464(2) of the *Local Government Act*;

AND FURTHER, that completion of a lease agreement with School District #22 for use of the clubhouse at MacDonald Park be subject to the receipt of a fire safety plan from School District #22 to the satisfaction of the City of Vernon Fire Chief.

CARRIED

LEGISLATIVE MATTERS

Bylaws:

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Bylaw #5849, “**Zoning Text (P1 Educational Services, Public) Amendment Bylaw Number 5849, 2021**” – a bylaw to add ‘educational services, public’ as a Secondary Use in the P1: Parks and Open Space zone, be **read a first and second time**;

AND FURTHER, that the Public Hearing for Bylaw #5849, “**Zoning Text (P1 Educational Services, Public) Amendment Bylaw Number 5849, 2021**” be **waived** pursuant to Section 467, *Local Government Act*.

CARRIED

COUNCIL INFORMATION UPDATES

Councillor Dalvir Nahal

- No Report

Councillor Brian Quiring:

- No Report

Councillor Kelly Fehr:

- No Report

Councillor Kari Gares:

Attended:

- Greater Vernon Chamber of Commerce meeting
- Winter Carnival Society meetings
- Tourism Commission

Councillor Scott Anderson:

- No report

FIRST & SECOND READINGS AND WAIVING OF PUBLIC HEARING
• 5849

- NOTICE OF MOTIONS – COUNCILLOR ANDERSON** Councillor Anderson advised that he will be bringing forward two Notice of Motions to the February 22, 2021 Regular Council meeting as follows:
1. A Letter of Support for the City of Penticton regarding a requested audit of BC Housing; and
 2. A request for a letter to be sent to the Province allowing non-food vendors to sell at the Farmers' Market.

Councillor Akbal Mund

Attended:

- Winter Carnival event

- NOTICE OF MOTION – COUNCILLOR MUND** Councillor Mund advised that he will be bringing forward a Notice of Motion to the February 22, 2021 Regular Council meeting requesting a letter be sent to the District of Coldstream encouraging the District to support affordable housing initiatives within Coldstream.

Mayor Victor Cumming:

Attended:

- Hospital Board meeting
- Radio interview regarding the goose cull
- Noted that RDNO has settled BX Ranchlands sale
- Teleconference with Minister Josie Osborne regarding climate action and a retrofit program
- Okanagan Basin Water Board meeting
- Rural Centre Communication Group meeting

- NOTICE OF MOTION – HOLIDAY LIGHTING - COUNCILLOR ANDERSON (5410-10 Hwy 97)** Moved by Councillor Anderson, seconded by Councillor Gares:

THAT Council direct Administration to propose plans to enhance holiday lighting along Highway 97 between 34 Avenue and 25 Avenue between December 1 and January 30;

AND FURTHER, that Administration identify a source of funding for the proposed enhanced holiday lighting;

AND FURTHER, that Council direct Administration to deliver the proposal no later than August 15, 2021.

CARRIED

INFORMATION ITEMS

Council received the following information items:

- A. Minutes from the following Committees of Council:**
- (i) Advisory Planning, November 10, 2020
 - (ii) Tourism Commission, December 16, 2020
 - (iii) Advisory Planning, January 12, 2021

- B. Letter dated January 21, 2021 from Mayor Lisa Helps, City of Victoria, re: Universal No-Cost Access to all prescription contraception.
- C. Email dated January 29, 2021 from Thomas Guerrero, Executive Director, Patient and Client Relations, Ministry of Health, re: Universal access to free prescription contraception in B.C.
- D. Letter dated February 2, 2021 from Mayor Fred Haynes, District of Saanich, re: Actions to Address the Overdose Crisis.
- E. Letter dated February 2, 2021 from Minister of Health, Adrian Dix, re: Places of Worship.
- F. Letter dated February 2, 2021 from Mayor Richard Stewart, City of Coquitlam, re: BC Hydro and Power Authority – 2020 Street Lighting Rate Application.

CLOSE

Mayor Cumming closed the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 3:50 pm.

CERTIFIED CORRECT:



Mayor



Corporate Officer