

THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF A REGULAR OPEN MEETING OF COUNCIL
HELD SEPTEMBER 27, 2021**

PRESENT: Mayor V. Cumming

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

Staff: W. Pearce, Chief Administrative Officer
P. Bridal, Deputy Chief Administrative Officer
K. Poole, Director, Community Safety, Lands and Safety
K. Austin, Manager, Legislative Services
J. Nicol, Deputy Corporate Officer
C. Poirier, Manager, Communications & Grants
D. Law, Director, Financial Services
J. Rice, Director, Operation Services
K. Flick, Director, Community Infrastructure & Development
B. Bandy, Manager, Real Estate
D. Lees, Manager, Protective Services
S. Wright, Manager, Recreation Programming
A. Watson, Manager, Transportation
D. Lind, Director, Vernon Fire Rescue Services
C. Isles, Executive Assistant, Real Estate & Corporate Services
S. Melenko, Information Tech.

Others: Media and Members of the Public

Mayor Cumming called the Regular Open meeting to order at 8:40 am.

**LAND
ACKNOWLEDGEMENT**

*As Mayor of the City of Vernon, and in the spirit of this gathering,
I recognize the City of Vernon is located in the traditional territory of the
Syilx People of the Okanagan Nation.*

Mayor Cumming requested a motion to move to Committee of the Whole.

Mayor Cumming reconvened the Regular Open meeting at 8:43 am and requested a motion to move to In Camera.

**RESOLUTION TO
CLOSE MEETING**

Moved by Councillor Gares, seconded by Councillor Fehr:

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

- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;

- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public.

CARRIED

Mayor Cumming called the Regular Open meeting back to order at 1:30 pm.

PRESENT: Mayor V. Cumming

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

Staff: W. Pearce, Chief Administrative Officer
K. Poole, Director, Community Safety, Lands and Administration
K. Austin, Manager, Legislative Services
J. Nicol, Deputy Corporate Officer
C. Poirier, Manager, Communications and Grants
K. Flick, Director, Community Infrastructure & Development Services
J. Rice, Director, Operation Services
D. Law, Director, Financial Services
D. Lind, Director, Vernon Fire Rescue Services
S. Wright, Manager, Community Recreation
R. Manjak, Director, Human Resources
C. Broderick, Manager, Current Planning
D. Lees, Manager, Protective Services
L. Cordell, Manager, Long Range Planning & Sustainability
G. Gaucher, General Manager, Municipal Support Services RCMP
J. Perrott, Manager, Economic Development & Tourism
R. Nuriel, Economic Development Planner
T. Martens, Manager, Financial Operations
S. Knuhtsen, Manager, Building & Licensing
A. Watson, Manager, Transportation
S. Melenko, Information Tech.*

**Attended, as required*

**LAND
ACKNOWLEDGEMENT**

As Mayor of the City of Vernon, and in the spirit of this gathering, I recognize the City of Vernon is located in the traditional territory of the Syilx People of the Okanagan Nation.

Others: Media and Members of the Public

ADOPTION OF THE AGENDA**APPROVAL OF ITEMS
LISTED ON THE
AGENDA**

Moved by Councillor Fehr, seconded by Councillor Quiring:

THAT the agenda for the September 27, 2021 Regular Open meeting of the Council of The Corporation of The City of Vernon be adopted amended to include:

1. **SEE ITEM – 6. D. (i) General Matters – Public Input –** Development Variance Application for 3004A 22nd Street (DVP00528):
 - Email dated September 27, 2021 from Gideon & Fiona Lamprecht
2. **ADD ITEM – 11. A. (xii) NEW BUSINESS – Correspondence** – Federation of Canadian Municipalities – Sustainable Communities Conference
3. **ADD ITEM – 11. A. (xiii) NEW BUSINESS – Correspondence** – Cultural Facility Loan Authorization Bylaw Consent of Participating Area.

CARRIED

ADOPTION OF MINUTES**COUNCIL MEETINGS**

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT the minutes of the Regular Meeting of Council held September 7, 2021 be adopted;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held September 7, 2021 be received.

CARRIED

BUSINESS ARISING FROM THE MINUTES

GENERAL MATTERS**PRESENTATION –
GOVERNMENT
FINANCE OFFICERS
ASSOCIATION
AWARDS (1700-01)**

Mayor Cumming presented the following awards, related to the City of Vernon's Budget for the fiscal year beginning January 1, 2021:

1. 2021 Distinguished Budget Presentation Award
2. 2021 Certificate of Recognition for Budget Preparation

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Council receives the letter dated August 30, 2021 from Michele Mark Levine, Director, Technical Services Centre, Government Finance Officers Association regarding receipt of the Distinguished Budget Presentation Award and Certificate of Recognition for information.

CARRIED**PRESENTATION – O.C.
TANNER AWARD FOR
LIFETIME
ACHIEVEMENT IN THE
HUMAN RESOURCES
INDUSTRY**

Mayor Cumming recognized Dr. Raeleen Manjak, Director, Human Resources, as the recipient of the O.C. Tanner Award for Lifetime Achievement in the Human Resources Industry.

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR
5400 OKANAGAN
AVENUE (DVP00476)**

Moved by Councillor Anderson, seconded by Councillor Gares:

THAT Council support Development Variance Permit Application (DVP00476) to vary the following section of Zoning Bylaw #5000 in order to construct a 36-unit townhouse development on Part 3.0 Acres More or Less of the Northwest ¼ of Sec. 28 shown on Plan B3911, TWN. 9 ODYD exc. Plans KAP50675 and KAP58681 (5400 Okanagan Avenue):

- a) to vary Section 9.11.6 building height from 2.5 storeys to 3 storeys to accommodate required visitor parking stalls between buildings 1, 2, 9, 10 and 11; and
- b) to vary Section 6.6.3 to reduce the minimum requirement of the number of trees per lineal metre of required landscape buffer from 1 tree per 10.0 lineal metre to 1 tree per 13.75 lineal metre;

AND FURTHER, that Council confirm its previous approval of Development Variance Permit Application DVP00382 to vary Zoning Bylaw #5000 Section 9.11.6 to reduce the minimum dwelling unit width from 6.5 m to 4.8 m and to vary the off-site works requirements of Subdivision and Development Servicing Bylaw No. 3843 (Schedule A – Level of Service) standards to Integrated Transportation Framework (ITF – Section 2-1) standards;

AND FURTHER, that Council confirm its previous approval of Development Variance Permit Application DVP00435 to vary Zoning Bylaw #5000 Section 4.16.1 to allow the construction of a building, structure or swimming on slopes of 30% or greater and to vary Section 6.5.11 to increase the maximum height of a retaining wall from 1.2 m to 3.6 m;

AND FURTHER, that Council's confirmation of its previous approval of DVP00435 is subject to the following:

- a) The applicant is to provide a geotechnical report, site plan and design drawings clearly demonstrating to the satisfaction of Administration that the proposed retaining structures can be established on the land in a manner that is safe, as well as that the construction and maintenance of the retaining structures do not impact or encroach into adjacent properties; and
- b) That a no build, no disturb covenant be registered on title to protect the manufactured slope and any supporting infrastructure (e.g., geogrid) required to establish the global stability of the retaining structures, as well as any other areas identified by the engineer responsible for the design, construction and inspection of the structures.

AND FURTHER, that Council's support of DVP00476 is subject to the following:

- a) That the design drawings, intended to illustrate the general form, character and massing of the proposed development, and noted as Attachment 1 in the report titled "Development Variance Permit Application for 5400 Okanagan Avenue" and dated August 12, 2021 by the Current Planner and the Manager, Current Planning be attached to and form part of DVP00476 as Schedule 'A';

***Public Input
DVP #00476***

The Corporate Officer advised that no written submissions had been received:

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 #00476.

1. Ranvir Nahal, providing design and construction for developer
 - Believes proposed development will enhance the neighbourhood
 - Rezoned in 2018, could have been as many as 70 units on this property but only 36 have been proposed
 - Developer has dealt with drainage with City Staff

- Height variance is for less than 40% of the project and means a parking variance is not required
- Hillside variance concerns have valid points but hillside is at its natural grade
- Height variance for walls – recommended by Staff to keep variance to a reasonable height although there are several projects underway in the neighbourhood with substantially higher retaining walls
- There have been a number of delays, they have tried to present a variance with the least amount of variances
- Have already spent about \$75,000 in off-site works
- Has been contacted by an individual who is not able to build a new home, very concerned that there is not affordable, attainable housing.
- **Council:** What is the market value of these units if there are to be affordable? **A.** The range is between \$400,000 to \$500,000 plus GST.
- **Council:** As the retaining walls are creating the backyards, will there be a significant amount of landscaping above the retaining wall? **A.** Yes, it is intended that the landscaping will protect against falling and provide a buffer.

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#00476.

THE QUESTION WAS CALLED ON THE MAIN MOTION AND DECLARED CARRIED, with Mayor Cumming opposed

***Issuance of Permit
#00476***

Moved by Councillor Quiring, seconded by Councillor Anderson:

THAT the Corporate Officer be authorized to issue Development Variance Permit #00476 for Part 3.0 Acres More or Less of the Northwest ¼ of Sec. 28 shown on Plan B3911, TWN. 9 ODYD exc. Plans KAP50675 and KAP58681 (5400 Okanagan Avenue), **once all conditions of Council have been met.**

CARRIED

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR
3004A 22 STREET
(DVP00528)**

Moved by Councillor Fehr, seconded by Councillor Anderson:

THAT Council support Development Variance Permit Application DVP00528 to vary the following section of Zoning Bylaw #5000 to permit the construction of an addition to a single detached dwelling on LT 1 SEC 35 TWN 9 ODYD PLAN 41608 (3004A 22nd Street):

- a) Section 9.3.5 minimum rear yard setback requirement from 7.5m to 5m;

AND FURTHER, that Council's support of DVP00528 is subject to the following:

- a) that the site plan illustrating the general siting, form and character of the proposed addition in Attachment 2, contained in the report titled 'Development Variance Permit Application for 3004A 22nd Street', dated September 15 2021, respectfully submitted by the Current Planner, be attached to and form part of DVP00528 as 'Schedule A.

***Public Input –
DVP#00528***

The Corporate Officer advised that one written submission had been received:

- Email dated September 27, 2021 from G. & F. Lamprecht.

Mayor Cumming called a first time for representation from the public in attendance who believe their interest in property is affect by Development Variance Permit #00528.

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#00528.

THE QUESTION WAS CALLED ON THE MAIN MOTION AND DECLARED CARRIED

***Issuance of Permit
#00528***

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT the Corporate Officer be authorized to issue Development Variance Permit #00528 for LT 1 SEC 35 TWN 9 ODYD PLAN 41608 (3004A 22nd Street), **once all conditions of Council have been met.**

CARRIED

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR #14
9750 DELCLIFFE ROAD
(DVP00530)**

Moved by Councillor Fehr, seconded by Councillor Quiring:

THAT Council support Development Variance Permit Application DVP00530 to vary the following section of Zoning Bylaw #5000 to permit the construction of an attached garage on SL 19 SEC 4 TWP 13 ODYD STRATA PLAN KAS143 (14-9750 Delcliffe Road):

- a) Section 4.16.1 no construction of a building, structure or swimming pool is permitted on slopes 30% or greater;

AND FURTHER, that Council's support of DVP00530 is subject to the following:

- a) if any tree removal is required to construct the attached garage that the applicant obtain a Tree Cutting Permit; and

- b) that the site plan illustrating the general siting of the proposed garage in Attachment 1, contained in the report titled, "Development Variance Permit Application for 14-9750 Delcliffe Road" dated September 15, 2021, respectfully submitted by the Current Planner, be attached to and form part of DVP00530 as 'Schedule A'.

***Public Input –
DVP#00530***

The Corporate Officer advised that no written submissions had been received.

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 #00530.

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#00530.

THE QUESTION WAS CALLED ON THE MAIN MOTION AND DECLARED CARRIED

***Permit Issuance –
DVP#00530***

Moved by Councillor Gares, seconded by Councillor Anderson:

THAT the Corporate Officer be authorized to issue Development Variance Permit #00530 for SL 19 SEC 4 TWP 13 ODYD STRATA PLAN KAS143 (14-9750 Delcliffe Road), **once all conditions of Council have been met.**

CARRIED

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR
3305, 3307, 3309 and
3311 35th AVENUE
(DVP00538)**

Moved by Councillor Anderson, seconded by Councillor Gares:

THAT Council approve Development Variance Permit Application DVP00538 on LT 1, 2, 3 & 4, PL 3362, SEC 3, TWP 8, ODYD (3311, 3309, 3307 and 3305 35th Avenue) to allow the construction of a childcare facility by varying P1 - Parks and Open Space in Zoning Bylaw #5000 as follows:

- a) Section 12.1.5 minimum front yard setback from 6.0m to 3.82m from the existing property line and 1.0m from the future property line pending road dedication;

AND FURTHER, that Council's approval of Development Variance Permit Application DVP00538 is subject to:

- a) That a site plan generally conforming with the site plan noted as Attachment 1 in the report titled "Development Variance Permit Application for 3311, 3309, 3307 and 3305 35th Avenue", dated September 14, 2021 and respectfully submitted by the Current Planner, be attached to and form part of DVP00538 as Schedule

‘A’.

**Public Input –
DVP#00538**

The Corporate Officer advised that one written submissions had been received:

- Email dated September 21, 2021 from K. Aldridge

Mayor Cumming called a first time for representation from the public in attendance who believe their interest in property is affect by Development Variance Permit #00538.

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#00538.

**THE QUESTION WAS CALLED ON THE MAIN MOTION AND
DECLARED CARRIED**

**Permit Issuance –
DVP#00538**

Moved by Councillor Quiring, seconded by Councillor Gares:

THAT the Corporate Officer be authorized to issue Development Variance Permit #00538 for LT 1, 2, 3 & 4, PL 3362, SEC 3, TWP 8, ODYD (3311, 3309, 3307 and 3305 35th Avenue), **once all conditions of Council have been met.**

CARRIED

COUNCIL INQUIRIES

HOMELESS CAMP

Council expressed concern over a homeless camp just under Hwy. 97 overpass near the 27th Street on-ramp. **A. Admin.** advised that the Camp Okanagan Outreach Liaison (COOL) Team has been contacted.

**RECREATIONAL
VEHICLES – 25th
AVENUE**

Council requested a review of current traffic bylaws in response to the individuals living in recreational vehicles on City streets. A Notice of Motion will be made regarding this at the end of this meeting. It was also noted that some of the recreational vehicles do not appear safe to be operating on the road. **A. Admin** advised that outreach is being done through the COOL Team.

**TRONSON ROAD AND
30th AVENUE – CUTS
IN ASPHALT**

Council inquired regarding a deep cut in the asphalt along Tronson Road, it could be a hazard to vehicles. It was also noted that there is also a cut in the asphalt on 30th Avenue, just north of the double round-about. An Admin. update will be provided.

LAKE ACCESS SITES

Council requested an update on the following Lake Access Sites:

- 8797 Okanagan Landing Road
- 9030 Tronson Road
- 8835 Okanagan Landing Road – boat launch.

An Admin. update will be provided.

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

Moved by Councillor Fehr, seconded by Councillor Gares:

THAT Council receive the Administration Updates dated September 27, 2021, for information.

CARRIED

UNFINISHED BUSINESS**OFFICIAL COMMUNITY
PLAN REVIEW –
COUNCIL WORKSHOP
(6480-06)**

Moved by Councillor Gares, seconded by Councillor Anderson:

THAT Council direct Administration to schedule an Official Community Plan Workshop during the October 25, 2021 Committee of the Whole Meeting as outlined in the memorandum “Official Community Plan Review – Council Workshop” dated September 16, 2021 and respectfully submitted by the Manager, Long Range Planning and Sustainability.

CARRIED

MATTERS REFERRED

THAT Council brings forward, as public information, the following motions **declassified** from confidential to non-confidential at the September 27, 2021, In Camera meeting:

**ROAD DEDICATION
REMOVAL REQUEST –
3200 27TH STREET
(3200-20/00111.000)**

‘THAT Council receive the report titled, “Road Dedication Removal Request – 3200 27th Street”, dated September 16, 2021, submitted by the Real Estate Manager;

*AND FURTHER that Council direct Administration to **not** remove road dedication at 3200 27th Street, that was a condition of Rezoning Bylaw 4349 (Rezoning property from R2 – Residential District to C2 – Community Commercial District);*

AND FURTHER that Council direct Administration to advise the owner that an encroachment agreement with the City is required for the continued use of the City vested dedicated road;

AND FURTHER that Council declassify the resolution and remove from in camera.’

**ROAD CLOSURE,
CONSOLIDATION AND
ROAD DEDICATION ON
35TH AVENUE AT THE
RECREATION CENTRE**

‘THAT Council direct Administration to close that 792.7 m² portion of road as shown on Plan EPP114295, Attachment 2 in the report titled, “Road Closure, Consolidation and Road Dedication on 35th Avenue at the Recreation Centre (Childcare Facility)” dated September 16, 2021, from the Real Estate Manager;

**(CHILDCARE FACILITY)
(0913-20)**

AND FURTHER, that Council direct Administration to consolidate the closed road and Lots 1-4 Plan 3362, Section 3, Township 8, ODYD with Lot 1 KAP76941, Section 3, Township 8, ODYD (Recreation Centre Lands) and dedicate as road 206.7 m² on 35th Avenue, all as shown on Plan EPP114296, Attachment 3 in the report titled, "Road Closure, Consolidation and Road Dedication on 35th Avenue at the Recreation Centre (Childcare Facility)" dated September 16, 2021, from the Real Estate Manager;

AND FURTHER, that Council declassify the resolution and remove from in camera.'

**LAND LEASE – 6335
OKANAGAN LANDING
ROAD – OKANAGAN
VILLAGE HOUSING
SOCIETY
(0912-02)**

'THAT Council direct Administration to enter into a land lease with the Okanagan Village Housing Society (formerly the Vernon & District Community Land Trust Society), for the City owned land with a civic address: 6335 Okanagan Landing Road, Vernon, B.C., PID: 031-329-446, Legal: Lot A Plan EPP108039 DL 66-67 O.D.Y.D., for a term of 60 years commencing upon registration of the lease with the Land Title and Survey Authority of B.C., a basic rent of \$1, for the use of an affordable housing project, in the form of lease as attached to this memo titled, "Land Lease – 6335 Okanagan Landing Road – Okanagan Village Housing Society", dated September 24, 2021, respectfully submitted by the Real Estate Manager;

AND FURTHER, that Council declassifies the resolution and the lease and removes from In Camera.'

NEW BUSINESS

Correspondence:

**LIBRARY SUNDAY
OPENINGS REQUEST
FOR FUNDING
(1700-02)**

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Council direct Administration to forward the September 10, 2021 request from Jeremy Sundin, Chief Financial Officer, Okanagan Regional Library to the Regional District of North Okanagan (Electoral Areas B & C) and District of Coldstream Council for consideration of funding this request utilizing the typical cost ratio for Greater Vernon Advisory Committee services;

AND FURTHER, that Council direct Administration to include \$18,361 as a grant to the Okanagan Regional Library, for library Sunday openings, in the 2022 financial plan.

CARRIED

**RCMP MUNICIPAL
SUPPORT SERVICES
2022 BUDGET
PRIORITIES
(7400-30)**

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT Council receive the memorandum titled “Municipal Support Services RCMP 2022 Budget Priorities” dated September 17, 2021, respectfully submitted by the General Manager, Municipal Support Services RCMP;

AND FURTHER, that Council authorize Administration to bring forward a service level increase for consideration during 2022 Budget Deliberations for the addition of an Electronic File Disclosure Clerk, a Records Reviewer and an Operations Support Clerk at an annual cost of approximately \$236,000, to be funded by taxation and in addition to the 2% tax revenue increase directed by Council at their special meeting held on June 21, 2021.

CARRIED

**ENTREPRENEUR
IMMIGRATION –
REGIONAL PILOT
UPDATE & RENEWAL
(6750-20 PNP)**

Moved by Councillor Fehr, seconded by Councillor Anderson:

THAT Council direct staff to participate in the Province of British Columbia’s Provincial Nominee Program Entrepreneur Immigration Regional Pilot Project for a three year term beginning October 2021;

AND FURTHER, that Council endorse North American Industry Classification System codes as outlined in Attachment 1 of the memo titled “Entrepreneur Immigration – Regional Pilot Update & Renewal”, dated September 15, 2021 and respectfully submitted by the Manager, Economic Development & Tourism as the desired industries sought under the Province of British Columbia’s Provincial Nominee Program Entrepreneur Immigration Regional Pilot in Vernon.

CARRIED

**HOSTING THE 2023
SOUTHERN INTERIOR
LOCAL GOVERNMENT
ASSOCIATION (SILGA)
CONVENTION
(0390)**

Moved by Councillor Anderson, seconded by Councillor Fehr:

THAT Council support hosting the 2023 Southern Interior Local Government Association (SILGA) Convention in Vernon from April 25 to 28, 2023;

AND FURTHER, that Council authorize staff support from the Economic Development and Tourism Department to provide onsite assistance at the 2022 and 2023 SILGA conferences, and to support the SILGA convention committee to assist with convention planning and community introductions.

CARRIED

**TOURISM STAFF
REQUESTS FOR
CONSIDERATION IN
THE 2022 BUDGET
(6900-01)**

Moved by Councillor Gares, seconded by Councillor Quiring:

THAT Council approve the Tourism Commission's recommendations for a Visitor Services and Community Specialist and a Digital Marketing Specialist, funded from the Municipal and Regional District Tax, as part of the 2022 Tourism budget considerations as outlined in the memorandum titled "Tourism Staff Requests for Consideration in the 2022 Budget" dated September 15, 2021 respectfully submitted by the Manager, Economic Development and Tourism;

AND FURTHER, that Council authorize Administration to establish and recruit a Visitor Services and Community Specialist and a Digital Marketing Specialist, funded from the Municipal and Regional District Tax, as part of the 2022 Tourism budget considerations, effective immediately.

CARRIED

**GOOD CITIZEN OF THE
YEAR AND FREEMAN
OF THE CITY –
BENEFITS BESTOWED
BY THE CITY, POLICY
AMENDMENT
(0110-40)**

Moved by Councillor Anderson, seconded by Mayor Cumming:

THAT Council receive the memorandum titled "Good Citizen of the Year and Freeman of the City – Benefits Bestowed by the City, Policy Amendment" dated September 10, 2021, respectfully submitted by the Manager, Legislative Services/Corporate Officer;

AND FURTHER, that Council direct Administration to amend the policy title "Good Citizen of the Year and Freeman of the City – Benefits Bestowed by the City" by replacing the "*freeman*" with the word "*freedom*" throughout the policy to be consistent with the language in the *Community Charter*.

CARRIED

**BY-ELECTION
PROCEDURES
(4200-2021)**

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Council receive the memorandum titled "By-election Procedures" dated September 17, 2021 respectfully submitted by the Manager, Legislative Services/Corporate Officer;

AND FURTHER, that pursuant to Ministerial Order No. M307 "*Elections in Special Circumstances (COVID-19) Regulation*", Council authorizes the Chief Election Officer to:

- a) Disapply Section 4 [*Special Voting Opportunities*] of the City of Vernon "Election Procedure Bylaw Number 3971, 1993";
- b) Permit mail ballot voting for eligible electors pursuant to section 110 of *the Local Government Act*; and

- c) Take oral declarations as an alternative to written declarations in the voting book pursuant to section 7(2)(b) of Ministerial Order No. M307;

AND FURTHER, that Council direct Administration to suspend enforcement of section 4 of Sign Bylaw #4489 as shown below, during the 2021 By-election campaign period November 6 to December 4, 2021, unless there are safety or liability issues apparent:

4. *Signs Permitted in all Zones*

- g) *Political Signs provided that such signs:*

iii) are not placed on any dedicated road allowance or lands owned by any government.

CARRIED

**BY-ELECTION 2021:
APPOINTMENT OF
ELECTION OFFICERS
AND FUNDING
AUTHORIZATION
(4200-2021)**

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Council receive the memorandum titled "By-election 2021: Appointment of Election Officers and Funding Authorization" dated September 15, 2021 respectfully submitted by the Manager, Legislative Services;

AND FURTHER, that Council appoint Keri-Ann Austin as the Chief Election Officer and Janice Nicol as the Deputy Chief Election Officer in order to conduct the by-election to fill one (1) vacancy for the office of Councillor;

AND FURTHER, that Council directs the Chief Election Officer to notify the Minister of Municipal Affairs that the general voting date for the by-election will be December 4, 2021;

AND FURTHER, that Council authorize the expenditure of up to \$120,000 to conduct a by-election, funded from the Insurance Deductible Reserve.

CARRIED

**COMMITTEE
APPOINTMENTS
(0540-01)**

Moved by Councillor Fehr, seconded by Councillor Gares:

THAT Council receive the memorandum titled "Committee Appointments" dated September 22, 2021, respectfully submitted by the Manager, Legislative Services/Corporate Officer;

AND FURTHER, that Council approve the following Committee Appointments for the term ending January 2, 2022:

Arts Council of North Okanagan
Councillor Gares

Kelowna Airport Advisory Committee

Councillor Mund

Okanagan Regional Library Board

Alternate: Mayor Cumming

Regional Agriculture Advisory Committee

Councillor Gares

Alternate: Mayor Cumming

Regional District of North Okanagan Board

Councillor Gares

CARRIED

**DEVELOPMENT
APPROVAL PROCESS
REVIEW PHASE 2
IMPLEMENTATION
FUNDING
(6410-01)**

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Council authorize the expenditure of up to \$393,200 for Phase 2 of the Development Approval Process Review, funded by the Development Excess Reserve, as described in the memorandum titled "Development Approval Process Review Phase 2 Implementation Funding" dated September 13, 2021 and respectfully submitted by the Manager, Building and Licensing.

CARRIED

**LANDSCAPE
MAINTENANCE
CONTRACTS
(6100-14)**

Moved by Councillor Fehr, seconded by Mayor Cumming:

THAT Council receive the memorandum titled "Landscape Maintenance Contracts – Update" dated September 13, 2021, respectfully submitted by the Manager, Parks and Public Space, for information.

CARRIED

**FEDERATION OF
CANADIAN
MUNICIPALITIES –
SUSTAINABLE
COMMUNITIES
CONFERENCE
(0360-24)**

Moved by Councillor Quiring, seconded by Councillor Gares:

THAT Council receive the memorandum titled "Federation of Canadian Municipalities – Sustainable Communities Conference", dated September 24, 2021, respectfully submitted by the Sr. Executive Assistant;

AND FURTHER, that Council approve the registration of Mayor Cumming for the virtual Sustainable Communities Conference scheduled on October 19 - 21, 2021.

CARRIED

**CULTURAL FACILITY
LOAN AUTHORIZATION
BYLAW CONSENT OF
PARTICIPATING AREA
(0482-03-04)**

Moved by Mayor Cumming, seconded by Councillor Quiring:

WHEREAS the Board of the Regional District of North Okanagan has resolved to direct staff to undertake an alternative approval process for the entire proposed service area being the District of Coldstream,

City of Vernon, and Electoral Areas “B” and “C” of the Regional District of North Okanagan pursuant to section 342(4) of the Local Government Act to determine the opinion of the electors with regard to adopting the Greater Vernon Multi-Purpose Cultural Facility Loan Authorization Bylaw No. 2910, 2021 to borrow up to \$25 million to facilitate a portion of the funding required for the acquisition of lands and construction of a Greater Vernon Multi-Purpose Cultural Facility;

AND WHEREAS the Board of the Regional District of the North Okanagan will, upon receiving consent on behalf of the municipal participating areas and the electoral participating areas, seek the approval of the Inspector of Municipalities and undertake an alternative approval process to receive the assent of the electors of the entire proposed service area;

BE IT RESOLVED, that pursuant to the provisions of Section 346 [*Consent on behalf of municipal participating area*] of the *Local Government Act*, the Council of the Corporation of the City of Vernon does hereby consent, in writing, on behalf of the electors of the Corporation of the City of Vernon, to the Board of the Regional District of North Okanagan adopting Greater Vernon Multi-Purpose Cultural Facility Loan Authorization Bylaw No. 2910, 2021.

CARRIED

Reports:

TAX EXEMPTION AMENDMENT BYLAW NUMBER 5870, 2021 (1970-16)

Moved by Councillor Quiring, seconded by Councillor Fehr

THAT Council receive the report titled “Tax Exemption Amendment Bylaw Number 5870, 2021” dated September 10, 2021 respectfully submitted by the Manager of Financial Operations;

AND FURTHER, that Council approve the recommendations of the Finance Committee for the Tax Exemption Amendment Bylaw Number 5870, 2021 as follows:

1. The following properties making new application be granted tax exemptions beginning in 2022 to the extent shown:

- Kindale Developmental Association – B2814 44 Ave – 100% exemption phased in over 3 years
- Upper Room Mission – 2708 34 St – 100% exemption phased in over 3 years
- Vernon Elks Lodge – 3103 30 St – 100% exemption phased in over 3 years
- Vernon Native Housing Society – 5545 27 Ave – 100% exemption phased in over 3 years

- Arts Council of the North Okanagan – A2704 Hwy 6 – 75% exemption
2. The tax exemptions for the following properties be amended beginning in 2022 to the extent shown:
- Okanagan Boys & Girls Club – 3600 33 St – amend exemption from 80% of entire property assessment to 100% of Class 6 assessment only
 - Vernon & District Association for Community Living – 4240 Alexis Park Dr – amend exemption to include 100% of the entire property and amend Schedule “AA” of City of Vernon Tax Exemption Bylaw Number 5713, 2018 to reflect the expanded area
3. The tax exemptions for the following properties be deleted beginning in 2022 for the reasons shown:
- Vernon Gospel Chapel – 4106 Pleasant Valley Rd – due to lack of submission of a renewal application as required by City of Vernon policy
 - Salvation Army – 3102 29 Ave – due to the closure of the thrift store and the listing of the property for sale
 - Vernon & District Association for Community Living – 1812 22 St – due to the sale of the property
4. That Schedule “G” (“New 2020 Properties”) of City of Vernon Tax Exemption Bylaw Number 5713, 2018 be deleted by moving the properties in that schedule to Schedule “C” (“Social Service Properties”).

CARRIED

Councillor Fehr declared a conflict of interest as his employer (Turning Points Collaborative Society) is an applicant for tax exemptions. Councillor Fehr left the meeting at 3:31 pm.

**TAX EXEMPTION
AMENDMENT BYLAW
NUMBER 5870, 2021
(1970-16)**

Moved by Councillor Gares, seconded by Councillor Quiring:

THAT Council approve the recommendations of the Finance Committee for the Tax Exemption Amendment Bylaw Number 5870, 2021 as follows:

- Turning Points Collaborative Society – 3214 35 St – 100% exemption phased in over 3 years
- Turning Points Collaborative Society – 3412 28 Ave – 100% exemption phased in over 3 years
- Turning Points Collaborative Society – 3102 37 Ave – 100% exemption phased in over 3 years

- Turning Points Collaborative Society – 2700 35 St – 100% exemption phased in over 3 years
- Turning Points Collaborative Society – 3905 30 Ave – 100% exemption phased in over 3 years
- Turning Points Collaborative Society – 3912 30 Ave – 100% exemption phased in over 3 years

AND FURTHER, that the tax exemption for the following property be deleted beginning in 2022 for the reason stated:

- Turning Points Collaborative Society – 2307 43 St – due to the sale of the property.

CARRIED

Councillor Fehr returned to the meeting at 3:32 pm.

**NORTH OKANAGAN
ARTISTS
ALTERNATIVE
GALLERY VERTIGO –
MURAL REQUEST FOR
2800 31ST STREET
(01395.000/3320-20)**

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Council approve the mural on the south wall of the building located at 2800 31st Street as proposed by North Okanagan Artists Alternative Gallery Vertigo in their request dated August 6, 2021;

AND FURTHER, that Council approve the proposed mural design as submitted by North Okanagan Artists Alternative and included as Attachment 1 in the report titled "North Okanagan Artists Alternative Gallery Vertigo – Mural Request for 2800 31st Street" dated September 13, 2021 and respectfully submitted by the Economic Development Planner.

CARRIED

**THREE (3) YEAR
TRANSIT EXPANSION
INITIATIVE
MEMORANDUM OF
UNDERSTANDING
(8500-08)**

Moved by Councillor Fehr, seconded by Councillor Gares:

THAT Council authorize the addition of 2,600 transit hours per year for the new Local Transit Network Route #10 - Middleton Mountain starting September 2022 at a cost of \$178,270 annually, of which the City of Vernon will fund 48.92% (\$87,211 annual cost; \$29,070 2022 cost) of the operating costs;

AND FURTHER, that Council authorize the addition of 560 transit hours per year for additional Statutory Holiday Service starting September 2022 at a cost to the City of \$47,376 annually (\$15,792 2022 cost);

AND FURTHER, that Council approve that the funding of the new Route #10 – Middleton Mountain and additional Statutory Holiday service be partially funded from the Transit Expansion Reserve for three years (2022 to 2024) drawing \$108,400+/- in 2022, \$100,00 +/- in 2023 and \$75,000+/- in 2024;

AND FURTHER, that Council authorize Administration to sign the 3 Year Transit Expansion Initiatives Memorandum of Understanding, dated September 20, 2021 from BC Transit, for the addition of 2,600 transit hours for the new Local Transit Network Route #10 – Middleton Mountain and 560 transit hours for additional Statutory Holiday Service starting September 2022 as presented in the report titled “3 Year Transit Expansion Initiatives Memorandum of Understanding” dated September 20, 2021 and respectfully submitted by the Manager, Transportation;

AND FURTHER, that Council authorize the increase in transit operating expenditures substantially as presented in the report titled “3 Year Transit Expansion Initiatives Memorandum of Understanding” dated September 20, 2021 and respectfully submitted by the Manager, Transportation.

CARRIED

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR
3305, 3307, 3309 and
3311 35th AVENUE
(DVP00538)**

Moved by Mayor Cumming, seconded by Councillor Anderson:

THAT Council direct Administration to seek authorization from the Regional District of North Okanagan, for the City of Vernon to expand the exit of the subject parking lot onto 33 Street to dual lanes.

CARRIED

LEGISLATIVE MATTERS

Bylaws:

**RESCIND READINGS
• 5775**

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT Council rescind First, Second and Third Readings for Bylaw #5775, **6141 Highway 97 and 6162 Pleasant Valley Road Avenue Official Community Plan Amendment Bylaw Number 5775, 2019** – a bylaw to Redesignate the subject properties from “Community Commercial” (CCOM) to “Residential Medium Density” (RMD) AND from “Residential – Regional District of North Okanagan Electoral Areas B & C Official Community Plan” to “Residential Small Lot” (RSL).

CARRIED

**RESCIND THIRD
READING AND AMEND
• 5838**

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT Council **rescind** third reading of Bylaw #5838, **“6309, 6321 and 6335 Okanagan Landing Road Housing Agreement Bylaw Number 5838, 2020”**, a bylaw to authorize a Housing Agreement for 6309, 6321 and 6335 Okanagan Landing Road.

CARRIED

Councillor Anderson left the meeting at 3:46 pm and returned at 3:48 pm.

Moved by Councillor Fehr, seconded by Councillor Quiring:

THAT Bylaw #5838, **“6309, 6321 and 6335 Okanagan Landing Road Housing Agreement Bylaw Number 5838, 2020”** - a bylaw to authorize a Housing Agreement for 6309, 6321 and 6335 Okanagan Landing Road, be **read a third time**;

AND FURTHER, that “6309, 6321 and 6335 Okanagan Landing Road Housing Agreement Bylaw Number 5838, 2020” be amended as follows:

1. Section 1: Citation is amended to read “6335 Okanagan Landing Road Housing Agreement Bylaw Number 5838, 2020”;
2. Schedule A to Bylaw 5838 is amended to reflect updated legal description and change in the name of ‘owner’ from “Vernon and District Community Land Trust” to “Okanagan Village Housing Society”

CARRIED

Moved by Councillor Quiring, seconded by Councillor Gares:

THAT Bylaw #5838, **“6335 Okanagan Landing Road Housing Agreement Bylaw Number 5838, 2020”** - a bylaw to authorize a Housing Agreement for 6335 Okanagan Landing Road, be **read a third time, as amended**.

CARRIED**ADOPTION**

- **5866**

Moved by Councillor Fehr, seconded by Councillor Gares:

THAT Bylaw #5866 **“9228 Kokanee Road Land Use Contract LTO Registration Number P2461, Discharge Bylaw Number 5866, 2021”**, to authorize the discharge of Rezoning Bylaw No. 292, 1978 and Land Use Contract Agreement Bylaw No. 291, 1978, LTO #P2461, be **adopted**.

CARRIED

- **5871**

Moved by Councillor Fehr, seconded by Councillor Gares:

THAT Bylaw #5871, **“Refuse Collection (Automated Garbage Collection) Amendment Bylaw Number 5871, 2021”** – a bylaw to amend Refuse Collection Bylaw Number 3148 to include provisions for automated garbage collection, be **adopted**.

CARRIED

• 5872

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Bylaw #5872, “**Fees and Charges (Household Refuse Carts) Amendment Bylaw Number 5872, 2021**”, a bylaw to amend Fees and Charges Bylaw Number 3909 to amend fees for cost recovery of new or damaged carts, be **adopted**.

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

• 5867

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT Bylaw #5867, “**2904 26th Street City of Vernon Heritage Revitalization Agreement Bylaw Number 5867, 2021**” – a bylaw, pursuant to Part 15 of the *Local Government Act*, to enter into a Heritage Revitalization Agreement with the owner of a heritage property, be **read a first and second time**;

AND FURTHER, that the Public Hearing for Bylaw #5867 be scheduled for **Monday, October 25, 2021, at 5:30 pm**, in Council Chambers.

CARRIED**FIRST, SECOND &
THIRD READINGS**

• 5874

Moved by Councillor Gares, seconded by Councillor Quiring:

THAT Bylaw #5874, **5545 and 5577 27th Avenue Housing Agreement Bylaw No. 5874, 2021**” – a bylaw to authorize a housing agreement, be **read a first, second and third time**.

CARRIED**COUNCIL INFORMATION UPDATES****Councillor Anderson:**

- No report

Councillor Gares:

Attended:

- RDNO
- Regional Agricultural meeting
- Library Board meeting
- Finance Committee
- Chamber of Commerce meeting.

Councillor Fehr:

Attended:

- GVAC
- Housing Advisory with Social Planning Council
- Naloxe training.

Councillor Quiring

Attended:

- Councillor Nahal's funeral service
- AGM for DVA
- DVA regular meeting
- RDNO

**NOTICE OF MOTION –
COUNCILLOR QUIRING**

Councillor Quiring gave the following Notice of Motion, to be brought forward at the Regular Meeting of October 12, 2021:

THAT Council request Administration to make amendment to Traffic Bylaw #5600 to prohibit recreational vehicles from setting up (deploying slides and jacks) on municipal roads.

Mayor Victor Cumming:

Attended:

- GVAC
- Finance Committee
- OBWB annual meeting
- UBCM virtual conference
- Premier's address
- Swearing in of new executive for Greater Vernon Chamber of Commerce
- Working Group with OKIB
- RDNO
- Meeting with Mayor Garlick
- Breakfast by Councillor Mund
- Produced several videos
- Coldstream Council In Camera session.

INFORMATION ITEMS

Council received the following information items:

- A. Minutes from the following Committee of Council:
 - (i) Finance, July 7, 2021
- B. Email dated September 10, 2021 from the Honourable Mitzi Dean, Minister of Children and Family Development re: Foster Family Month in October.
- C. Letter dated September 14, 2021 from Jennifer Graham, Director of Corporate Administration, District of Coldstream re: Proposed

Active Living Centre – City of Vernon.

CLOSE

Mayor Cumming closed the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 4:01 pm.

CERTIFIED CORRECT:



Mayor



Corporate Officer