

THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF A REGULAR OPEN MEETING OF COUNCIL  
HELD JANUARY 24, 2022**

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PRESENT: Mayor V. Cumming

Councillors: S. Anderson, T. Durning, K. Fehr,  
K. Gares, A. Mund, (B. Quiring – 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  
D. Ross, Director, Recreation Services  
L. Walker, Manager, Customer Service - Recreation  
S. Melenko, Information Tech. 1

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  
Sylx People of the Okanagan Nation.*

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

Moved by Councillor Gares, seconded by Councillor Durning:

THAT Council move to the Committee of the Whole meeting.

**CARRIED**

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 Fehr, seconded by Councillor Durning:

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

- (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 1:30 pm.

PRESENT: Mayor V. Cumming

Councillors: S. Anderson, T. Durning, K. Fehr,  
K. Gares, A. Mund, B. Quiring

Staff: W. Pearce, Chief Administrative Officer  
P. Bridal, Deputy 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  
D. Law, Director, Financial Services  
K. Flick, Director, Community Infrastructure & Development  
D. Ross, Director, Recreation Services  
J. Rice, Director, Operation Services  
M. Faucher, Current Planner  
L. Cordell, Manager, Long Range Planning & Sustainability  
B. Everdene, Long Range Planner  
C. Broderick, Manager, Current Planning  
D. Lees, Manager, Protective Services  
S. Knuhtsen, Manager, Building & Licencing  
E. Croy, Transportation Planner  
K. Kryzsak, Manager, Parks & Public Places Maintenance  
S. Wright, Manager, Community Recreation  
L. Walker, Manager, Customer Service – Recreation  
G. Lefebvre, Manager, Aquatics  
S. Melenko, Information Tech.

Others: Media and Members of the Public

**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  
Sylix People of the Okanagan Nation.*

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

Moved by Councillor Gares, seconded by Councillor Durning:

THAT the agenda for the January 24, 2022 Regular Open meeting of  
the Council of The Corporation of The City of Vernon be amended:

- 1. SEE ITEM – 7.A. (i) General Matters – Public Input –**  
Development Variance Permit 00464 for 4300 35<sup>th</sup> Avenue

- Email dated January 21, 2022 from Sylvia Herchen
- Email dated January 24, 2022 from Ingrid Kraus

**CARRIED**

**ADOPTION OF MINUTES**

**COUNCIL MEETINGS**

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT the minutes of the Regular Meeting of Council held January 10, 2022 be adopted;

AND FURTHER, that the minutes of the Public Hearing held on January 10, 2022 be adopted;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held January 10, 2022 be received.

**CARRIED**

**BUSINESS ARISING FROM THE MINUTES**

**GENERAL MATTERS**

**DEVELOPMENT  
VARIANCE PERMIT  
APPLICATION #00464 –  
4300 35<sup>th</sup> AVENUE  
(DVP000464)**

Moved by Councillor Fehr, seconded by Councillor Durning:

THAT Council support Development Variance Permit application 00464 (DVP00464) to vary the following section of Zoning Bylaw #5000 to permit the construction of a residential development on LT A DL70 ODYD PL KAP68832 Except PL KAP80911 (4300 35<sup>th</sup> Avenue):

- a) Section 9.10.6 maximum height is the lesser of 10m or 2.5 storeys to 10m or 3 storeys;

AND FURTHER, that Council's support of DVP00464 is subject to the following:

- a) the site plan and building elevations illustrating the general siting and height of the proposed development (Attachment 1 and Attachment 2) in the report titled "Development Variance Permit Application for 4300 35<sup>th</sup> Avenue" dated January 12, 2022 and respectfully submitted by the Current Planner, be attached to and form part of DVP00464.

**Public Input  
DVP00464**

The Corporate Officer advised that two 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 00464.



**1. Sylvia Herchen**

- Speaking on behalf of the owner
- 2 ½ years ago developer invited owner to come to a meeting regarding potential development, since then there have been no meetings or information
- There has been no discussion on the location of roads
- There are a number of people that trespass on the farm where she lives
- Feels that she received inadequate information in the mailout
- How does this fit into the Official Community Plan (OCP)?
- **A. Administration** advised that there was an OCP and Zoning request that went through the public hearing process as per the *Local Government Act*. This request being considered is for a height variance.

**2. Jeff Hunkin**

- Lives directly below development
- Lands on 30<sup>th</sup> Avenue are part of a land assembly for future development. Will there be height restrictions as a result of this variance?
- He is also speaking on behalf of a senior lady that lives on the corner of 30<sup>th</sup> Avenue and 32<sup>nd</sup> Street. This lady has worked with the City to dedicate a piece of property required for the corner. If there is a north south connection as part of this development – would this lady be required to give up more property?
- **A. Administration** advised that height restriction requirements would not be added to future development on 30<sup>th</sup> Avenue. In regard to the corner of 30<sup>th</sup> Avenue and 32<sup>nd</sup> Street, access for this development will be off of Turtle Mountain Blvd.

Mayor Cumming called a second time for representation from the public, and there being none, Mayor Cumming called a third and final time for representation from the public and there being none, Mayor Cumming closed the Public Input for DVP00464.

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

**Issuance of Permit  
DVP00464**

Moved by Councillor Quiring, seconded by Councillor Mund:

THAT the Corporate Officer be authorized to issue Development Variance Permit 00464 (DVP00464) on LT A DL70 ODYD PL KAP68832 Except PL KAP80911 (4300 35<sup>th</sup> Avenue) to vary Zoning Bylaw #5000, Section 9.10.6 maximum height is the lesser of 10m or 2.5 storeys to 10m or 3 storeys in order to permit the construction of a

residential development, once all conditions of Council are satisfied.

**CARRIED**

**COUNCIL INQUIRIES**

**UNSAFE PREMISES**

Council inquired if there are bylaws regarding health inspections, following a raid of a home by the RCMP. **A. Admin.** advised the City has Safe Premises Bylaw 5178, regulated through the Building Department. If there have been unsafe alterations, the house can be deemed as 'do not occupy' and require a 'Schedule C' before occupancy can resume. If the RCMP were to contact the Building Department regarding safety concerns, a Building Inspector would assist.

**ILLEGAL ACTIVITY**

Council inquired regarding a downtown apartment complex and drug activity near a Turning Points Collaborative building. **A. Admin.** advised that there have been neighbourhood meetings with residents, staff and the RCMP to address these concerns. The individual who organized the meetings has reported an improvement in issues and that they will notify the RCMP if illegal activities are witnessed.

**ADMINISTRATION UPDATES**

**ADMINISTRATION  
UPDATES  
(0550-05)**

Moved by Councillor Mund, seconded by Councillor Fehr:

THAT Council receive the Administration Updates dated January 24, 2022 for information.

**CARRIED**

**UNFINISHED BUSINESS**

**KIN RACE TRACK  
CONCEPT PLANS  
(6520-32)**

Moved by Councillor Anderson, seconded by Councillor Gares:

THAT Council direct Administration to remove affordable housing from the Kin Race Track Lands Concept Plans.

**CARRIED, with Mayor Cumming, Councillors Fehr and Durning opposed**

Moved by Mayor Cumming, seconded by Councillor Quiring:

THAT Council direct Administration to ensure Wetland Area Trail Network #7 with a connecting road link (with bridge) be included in the Kin Race Track Lands Concept Plans.

**CARRIED**

Moved by Mayor Cumming, seconded by Councillor Quiring:

THAT Council direct Administration to include a site for the Active Living Centre in all future Kin Race Track Lands Concept Plans.

**CARRIED**

Moved by Councillor Quiring, seconded by Councillor Gares:

THAT Council direct Administration to ensure the Kin Race Track Lands Concept Plans include a third sheet of ice at Kal Tire and an outside skating rink with potential heat capture.

**CARRIED**

*Councillor Anderson left at 3:27 pm, returned at 3:29 pm.*

Moved by Councilor Mund, seconded by Councillor Quiring:

THAT Council direct Administration ensure the Kin Race Track Lands Concept Plans include two artificial turf playing fields, a skate park and a domed facility of 100,000 square feet (field house).

**CARRIED**

Moved by Mayor Cumming, seconded by Councillor Mund:

THAT Council direct Administration ensure Kin Race Track Lands Concept Plans include outdoor courts for uses including, but not limited to basketball, pickleball, hard surface sports and wheelchair sports.

**CARRIED**

*Councillor Fehr left the meeting at 3:34 pm and returned at 3:36 pm.*

Moved by Mayor Cumming, seconded by Councillor Gares:

THAT Council direct Administration ensure the Kin Race Track Lands Concept Plans include a dog park, continuous walking trail and public washrooms.

**CARRIED**

Moved by Councillor Quiring, seconded by Councillor Gares:

THAT Council direct Administration ensure Kin Race Track Lands Concept Plans include a continuous ingress and egress for Road A to Old Kamloops Road.



**CARRIED**

*Councillor Quiring left the meeting at 3:47 pm.*

Moved by Councillor Gares, seconded by Councillor Durning:

THAT Council direct Administration to include two ball diamonds in the Kin Race Track Lands Concept.

**CARRIED**

*Councillor Quiring returned to the meeting at 3:51 pm.*

**RETAIL CANNABIS  
LICENSING  
REGULATIONS AND  
SENSITIVE USES  
(4330-01)**

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council direct Administration to bring forward the following amendment bylaws for Council's consideration at the February 14, 2022 Regular Meeting of Council as outlined in the report titled "Retail Cannabis Licensing Regulations and Sensitive Uses" dated January 11, 2022 and respectfully submitted by the Current Planner:

- a) Amend Zoning Bylaw #5000 to include a 500m proximity buffer prohibition on retail cannabis stores from other retail cannabis stores (not to apply in Business Improvement Areas 1 and 2) and a 250m proximity buffer prohibition from K to 12 schools;
- b) Amend Delegation of Authority Bylaw #5727 to include the delegation of Council's authority to make recommendations and comments on provincial applications for a retail cannabis store licence in response to referrals provided by the Liquor and Cannabis Regulation Branch; and
- c) Amend Business Licence Bylaw #5480 to include a lapse provision for applications that are not active for a period of twenty-four months.

**CARRIED****MATTERS REFERRED**

**DECLASSIFIED MOTIONS FROM THE IN CAMERA MEETING HELD  
DECEMBER 13, 2021:**

**GREATER VERNON  
MINOR HOCKEY  
ASSOCIATION –  
FACILITIES USE  
AGREEMENT  
(7800-03)**

*'THAT Council endorse the terms of the Facilities Use Agreement between Greater Vernon Minor Hockey and the City of Vernon, as substantially presented in the memorandum dated November 24, 2021 from the Director, Recreation Services titled "Greater Vernon Minor Hockey Association – Facilities Use Agreement";*

*AND FURTHER, that Council authorize the Mayor and Corporate Officer to execute the Facilities Use Agreement with the Greater Vernon Minor Hockey Association for a term of ten (10) years as substantially presented;*

*AND FURTHER, that Council declassifies the resolution from In Camera after the fully executed Facilities Use Agreement has been signed by all parties.'*

**DECLASSIFIED MOTIONS FROM THE IN CAMERA MEETING HELD  
JANUARY 10, 2022:**

**AFFORDABLE  
HOUSING ADVISORY  
COMMITTEE  
MEMBERSHIP  
(0540-20)**

*'THAT Council appoint Catherine Lord as the Seniors representative on the Affordable Housing Advisory Committee;*

*AND FURTHER, that this appointment to the Affordable Housing Advisory Committee be declassified and removed from In Camera once both applicants have been notified of the appointment.'*

**DECLASSIFIED MOTIONS FROM THE IN CAMERA MEETING HELD  
JANUARY 24, 2022:**

**SPORT FLOORING  
(7700)**

*'THAT Council directs Administration to investigate and report back on acquiring sport flooring (both rental and purchase options) including a source(s) of funding, for the February 14, 2022 In Camera meeting;*

*AND FURTHER, that the chosen sport flooring be acceptable to the B.C. Lacrosse Association, for installation in Kal Tire Place North Arena prior to the B.C. Lacrosse Association Bantam Minor Box Lacrosse Provincial Championships in July 2022.'*

**NEW BUSINESS**

**RECREATION  
SERVICES – 2021  
FOURTH QUARTER  
REPORT  
(6750-20)**

Moved by Councillor Gares, seconded by Councillor Anderson:

THAT Council receive the memorandum titled "Recreation Services – 2021 Fourth Quarter Report" and the accompanying presentation, dated January 14, 2022 and respectfully submitted by the Manager, Customer Service - Recreation.

**CARRIED**

*Councillor Anderson declared a conflict of interest as he is working with the contractor involved in construction of the Child Care Space Project. Councillor Anderson left the meeting at 4:16 pm.*

**CHILD CARE SPACE  
CREATION PROJECTS**

Moved by Councillor Gares, seconded by Councillor Mund:



**PROGRESS – JANUARY  
(8215-05)**

THAT Council receive for information the memo titled “Child Care Space Creation Projects Progress – January”, dated January 14, 2022 and respectfully submitted by the Manager, Community Recreation.

**CARRIED**

*Councillor Anderson returned to the meeting at 4:20 pm.*

**REQUEST FOR  
AUTHORIZATION – ICE  
RESURFACERS  
CONVERSION GRANT  
(7800-01)**

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Council authorize Administration to apply to the CleanBC Commercial Vehicle Pilot Program for the electric conversion of two ice resurfacers, funded in part by the grant of up to \$45,333, as outlined in the memorandum titled “Request for Authorization – Ice Resurfacers Conversion Grant” dated January 12, 2022 and respectfully submitted by the Manager, Recreation Operations;

AND FURTHER, that should the grant application be successful, Council approve the funding of the remaining cost of the ice resurfacers conversion, of up to \$90,667, from the Recreation Equipment & Vehicle Replacement Fund.

**CARRIED**

*Councillor Mund declared a conflict of interest as he sits on the Kindale Board of Directors. Councillor Fehr declared a conflict as he sits on a Board being considered for award of the Kindness Meter funds. Both Councillors left the meeting at 4:21 pm.*

**DISTRIBUTION OF  
CHARITABLE FUNDS –  
2021 KINDNESS  
METERS DONATIONS  
(4000-01-2022)**

Moved by Councillor Gares, seconded by Councillor Quiring:

THAT Council directs Administration to forward the proceeds in the amount of \$318.91 obtained from the Kindness Meter program for the calendar year 2021 to the People Place.

**CARRIED**

*Councillors Mund and Fehr returned at 4:22 pm.*

**2021 YEAR END  
OVERTIME SUMMARY  
(1610-06)**

Moved by Councillor Gares, seconded by Councillor Quiring:

THAT Council receive the memorandum titled “2021 Year End Overtime Summary” dated January 14, 2022 and respectfully submitted by the Director, Financial Services for information.

**CARRIED**

**SEMI-ANNUAL GRANTS  
UPDATE: JANUARY –  
DECEMBER 2021  
(1855-21)**

Moved by Councillor Fehr, seconded by Councillor Durning:

THAT Council receive the memorandum titled “Semi-Annual Grants Updated: January – December 2021” dated January 13, 2022, respectfully submitted by the Manager, Communications and Grants.

**CARRIED**

**2022 GENERAL LOCAL  
ELECTIONS:  
APPOINTMENT OF  
ELECTION OFFICERS  
(4200-2022)**

Moved by Councillor Anderson, seconded by Councillor Fehr:

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 2022 General Local Elections;

AND FURTHER, that Council direct Administration to suspend enforcement of section 4 of Sign Bylaw #4489 as shown below, during the 2022 General Local Elections campaign period September 17 to October 15, 2022, 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 with Councillors Mund and Quiring opposed**

**PROPOSED  
AMENDMENTS TO  
OFFICIAL COMMUNITY  
PLAN DEVELOPMENT  
PERMIT GUIDELINES  
(6480-04)**

Moved by Councillor Gares, seconded by Councillor Quiring:

THAT Council support in principle an amendment to the Official Community Plan Bylaw #5470 that would change the dollar value for an exemption to the Development Permit requirements and Development Permit Minor requirements from \$50,000 to \$200,000 as outlined in the report titled “Proposed Amendments to Official Community Plan Development Permit Guidelines” dated January 11, 2022 and respectfully submitted by the Long Range Planner, and direct Administration to bring forward the proposed amendment for its consideration to the Regular Meeting of February 14, 2022.

**CARRIED**

**AMENDMENT OF  
SUBDIVISION AND  
DEVELOPMENT  
SERVICING BYLAW  
3843, SECTIONS 1  
THROUGH 9  
(6455)**

Moved by Councillor Quiring, seconded by Councillor Gares:

THAT Council support the proposed amendments to Subdivision and Development Servicing Bylaw #3843, Section 1 through 9 as outlined in the report titled "Amendment of Subdivision and Development Servicing Bylaw #3843, Sections 1 through 9" dated January 10, 2022 and respectfully submitted by the Manager, Engineering Development Services.

**CARRIED**

**LEGISLATIVE MATTERS**

Bylaws:

**ADOPTION  
5873**

Moved by Councillor Mund, seconded by Councillor Anderson:

THAT Bylaw 5873, "**Fees and Charges (Refuse Collection and Recycling) Amendment Bylaw Number 5873, 2022**", a bylaw to amend Fees and Charges Bylaw Number 3909, 1993 for fees for refuse collection and recycling, be **adopted**.

**CARRIED**

**FIRST, SECOND AND  
THIRD READING**

- 5884

Moved by Councillor Gares, seconded by Councillor Durning:

THAT Bylaw 5884, "**Fees and Charges (Retail Cannabis Application and Licensing Fees) Amendment Bylaw 5884, 2022**", a bylaw to amend Fees and Charges Bylaw Number 3909, 1993 to reduce retail cannabis application and licensing fees be **read a first, second and third time**.

**CARRIED**

**COUNCIL INFORMATION UPDATES**

**Councillor Quiring:**

- No report

**Councillor Durning:**

Attended:

- Send congratulations North Okanagan arts Council for increase in attendance at Artsolutely

**Councillor Fehr:**

Attended:

- Greater Vernon Advisory Committee (GVAC)
- Downtown Vernon Association meeting
- Housing Action Team



**Councillor Gares:**

Attended:

- Regional District of North Okanagan (RDNO)
- Regional Growth meeting
- 62<sup>nd</sup> Winter Carnival occurring soon

**Councillor Anderson:**

- No report

**Councillor Mund:**

- Please support Winter Carnival

**Mayor Cumming:**

Attended:

- Beach Radio interview
- Discussion with developer
- GVAC
- Okanagan Indian Band Working Group
- Strategic Planning session with School District 22
- Tourism Commission
- Participated in Shop Local ad
- RDNO
- Economic Development Advisory Committee

**INFORMATION ITEMS**

Council received the following information item:

- A. Minutes from the following Council Committee:
- i) Tourism Commission, December 15, 2021

**CLOSE**

Mayor Cumming closed the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 4:37pm.

**CERTIFIED CORRECT:**

  
Mayor

  
\_\_\_\_\_

Corporate Officer