



CORPORATION OF THE CITY OF VERNON

ADVISORY PLANNING COMMITTEE

JANUARY 14, 2025, AT 4:00 PM

OKANAGAN LAKE ROOM (COUNCIL CHAMBER)

A G E N D A

1) CALL TO ORDER

2) LAND ACKNOWLEDGEMENT

As chair of the City of Vernon's Advisory Planning Committee (APC), 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.

3) ADOPTION OF AGENDA

4) ADOPTION OF MINUTES

a) November 26, 2024 (Attached)

5) NEW BUSINESS

- a) Annual Orientation
- b) Election of Chair & Vice Chair
- c) ZON00425 (3605 12 STREET)

6) INFORMATION ITEMS

a) Staff Liaison to provide verbal update of APC related items discussed at the last Council meeting.

7) NEXT MEETING

The next meeting is tentatively scheduled for January 28, 2025.

8) ADJOURNMENT



THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF THE
ADVISORY PLANNING COMMITTEE MEETING
HELD NOVEMBER 26, 2024 AT 4:00 P.M.
OKANAGAN LAKE ROOM (COUNCIL CHAMBER)**

PRESENT: Margo Lupien
Monique Hubbs-Michiel
Margo Jarman
Mayor Cumming
Jessica Kirkham
Kennedy Mund
Jordan Hart
Claire Ishoy
Harpreet Nahal

ABSENT: Makayla Gaudreau
Scott Chatterton
Craig Neville

STAFF: Michelle Austin, Senior Planner
Lydia Korolchuk, Manager, Planning
Jennifer Pounder, Records/Committee Clerk

ORDER

The meeting was called to order at 4:03 p.m.

**LAND
ACKNOWLEDGEMENT**

As Chair of the City of Vernon's Advisory Planning Committee, 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.

**ADOPTION OF THE
AGENDA**

Moved by M. Lupien, seconded by C. Ishoy:

THAT the agenda of the November 26, 2024 Advisory Planning Committee meeting be adopted.

CARRIED

**ADOPTION OF THE
MINUTES**

Moved by H. Nahal, seconded by M. Lupien:

THAT the minutes of the October 29, 2024 Advisory Planning Committee meeting be adopted.

CARRIED

NEW BUSINESS:

**ZON00408
(1600 15 STREET)**

M. Austin provided an overview of the application.

Moved by C. Ishoy, seconded by M. Lupien:

THAT the Advisory Planning Committee recommends that Council support Zoning Application ZON00408 to rezone Lot 1, Sec. 35, TP 9, ODYD, Plan 7642, Except Plans 19920 and 31500 (1600 15 St) from AGRS – Agricultural & Rural Small Block (Non-ALR) to MUA – Multi-Unit Acreage Small Scale;

AND FURTHER, that the Advisory Planning Committee recommends that Council's support for ZON00408 is subject to the following conditions:

- a) Consolidation of Lot 1, Sec. 35, TP 9, ODYD, Plan 7642 (1600 15 St) with the panhandle portion of Lot 1, Sec. 26 and 35, TP 9, ODYD, Plan KAP58251 (1904 15 St), shown in red bold outline on Attachment 7;
- b) Road dedication along 15 Ave and 15 St to the satisfaction of Administration;
- c) Dedication of land north of the ravine's southern top of bank to include a buffer that would allow for a pathway for park and open space, to the satisfaction of Administration;
- d) At the development/building permit stage, construction of a multi-use path along 15 St to the satisfaction of Administration;
- e) Statutory right of way for public pedestrian access from 15 Ave to the ravine lands to be dedicated to the City; and,
- f) A playground area within the housing complex at the development permit stage.

INFORMATION ITEMS:

M. Austin provided an update of recent Council decisions on bylaws and applications previously considered by the Advisory Planning Committee.

NEXT MEETING

The next meeting for the Advisory Planning Committee is tentatively set for December 10, 2024.

ADJOURNMENT

The meeting of the Advisory Planning Committee adjourned at 4:40 p.m.

CERTIFIED CORRECT:

_____ Chair



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TERMS OF REFERENCE

Committee Name: Advisory Planning Committee

Type: Select

Approvals/Reviews/Amendments

POLICY/AMENDMENT APPROVED BY:	DATE OF COUNCIL MEETING:	SECTION AMENDED
<i>“Sean Harvey,”</i> Mayor	October 14, 2003	ORIGINAL POLICY
<i>“Sean Harvey,”</i> Mayor	October 27, 2003	Section Amended: 4.3 - Meeting Schedule 4.0 – Addition of Committee Clerk duties Delete reference to DLUC and add Mayor and two Councillors to membership of the Committee.
<i>“Wayne Lippert,”</i> Mayor	October 26, 2009	2.01 Duties – amended 2.03 Duties – added 3.02 Mayor will appoint one member of Council and one alternate 4.01 Referrals will include the draft staff report
<i>“Rob Sawatzky,”</i> Mayor	January 9, 2012	Change name to Advisory Planning Committee. Add a Youth Member, as a non-voting member.



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<i>"Rob Sawatzky, Mayor"</i>	April 14, 2014	Various amendments to streamline TOR. Add two new positions with expertise in universal accessibility issues in the community.
<i>"Catherine Lord Acting Mayor"</i>	March 9, 2015	Add one representative from 'Independent Living Vernon'
<i>"Akbal Mund" Mayor</i>	March 23, 2015	Limit the term of the youth member to two years.
<i>"Akbal Mund" Mayor</i>	March 14, 2016	Add ALR exclusion applications to 2.01 Duties
<i>"Victor I. Cumming" Mayor</i>	June 26, 2023	Change Youth Member from non-voting to a voting member.

1.0 Committee Purpose

- 1.01 To provide City Council with advice and recommendations on proposed land use and planning changes and related matters as detailed below.

2.0 Duties

- 2.01 The Committee will consider proposed Official Community Plan, Neighbourhood Plans, Rezoning, Agricultural Land Reserve exclusion and Development Variance Permit applications, in accordance with the current Official Community Plan and will provide recommendations to City Council on same.
- 2.02 The Committee will also review and provide their advice on land use matters referred by Council.
- 2.03 The Committee will receive regular updates on long range planning matters, including neighbourhood plan reviews.



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3.0 Membership

- 3.01 The Committee shall be comprised of twelve (12) members appointed by Council from the community at large. All members must be a resident or property owner in the City of Vernon.
- 3.02 Membership may include one (1) individual from the community at large who has a background in accessibility for the disabled/mobility impaired.
- 3.03 Membership may include one (1) representative from Independent Living Vernon (ILV).
- 3.04 Membership may include one (1) youth member, to contribute the perspective of Vernon youth to Committee discussions and recommendations. The youth member shall have a maximum term of two (2) years.
- 3.05 All members, except the youth member, shall have a maximum term of four (4) years expiring in December following an election. Members are permitted a maximum of two consecutive terms, with each term not to exceed four years.

4.0 Operations of the Committee

4.01 Agenda Preparation

Agendas will be prepared by the Committee Clerk and endorsed by the City Planner or their designate. The Agenda will be circulated by the Committee Clerk to the Committee members by Friday preceding the Committee meeting.

The referral material provided in the committee agenda will include a copy of the draft staff report on the subject application.

The Committee and/or staff recommendations will be an addendum to reports to Council.

4.02 Meeting Schedule

The Committee will meet at 4:00 p.m. each Tuesday of the same week following a regularly scheduled Council meeting. Should there be no agenda items, the Committee will not meet.

In the event that the regularly scheduled Council meeting falls on a Tuesday, the Committee shall meet at 4:00 p.m. on the Wednesday of the same week.



THE CORPORATION OF THE CITY OF VERNON

3400 — 30th Street, Vernon, B.C. V1T 5E6

Telephone: (250) 545-1361

FAX: (250) 545-4048

website: www.vernon.ca

Corporate Policy

Section:	Corporate Services	
Sub-Section:	Administration	
Title:	Council - Committee Structure	

RELATED POLICIES

Number	Title

APPROVALS

POLICY APPROVED BY:	AMENDMENT APPROVAL:	SECTION AMENDED
Approved by: <i>"Juliette Cunningham"</i> Acting Mayor Date: February 26, 2007		ORIGINAL POLICY
	Amendment Approved by: <i>Buffy Baumbrough"</i> Acting Mayor Date: June 9, 2008	1.4.3: Added Terms of Reference maximum of two terms.
	Amendment Approved by: <i>"Wayne Lippert"</i> Mayor Date: January 26, 2009	Appendix A: Added to rules of decorum and attendance at Council meetings.

	<p>Amendment Approved by: <i>"Wayne Lipped"</i> Mayor</p> <p><u>Date: September 14, 2009</u></p> <p>Amendment Approved by: <i>Wayne Lippert"</i> Mayor</p> <p>Date: October 13, 2009</p>	<p>1.3.2: Added requirements for Staff Liaison to receive applications and bring forward with a memo to Council.</p> <p>11.1: Revised conflict of interest instructions for committee members.</p>
	<p>Amendment Approved by: <i>"Wayne Lippert"</i> Mayor</p> <p><u>Date: May 10, 2010</u></p> <p>Amendment Approved by: <i>"Wayne Lippert"</i> Mayor</p> <p>Date: July 26, 2010</p>	<p>1.2.4: Organizations requested to provide representation shall be different on each committee.</p> <p>12.9: Amended Working Group (Sub Committee) functions and policies.</p> <p>1.2.4: Organizations requested to provide representation to multiple committees shall strive to <u>appoint different members.</u></p>
	<p>Amendment Approved by: <i>"Wayne Lipped"</i> Mayor</p> <p><u>Date: December 13, 2010</u></p> <p>Amendment Approved by: <i>"Wayne Lipped"</i> Mayor</p> <p>Date: June 13, 2011</p>	<p>1.2.5 (a): If an appointed member of an organization is unable to attend a committee meeting, an alternate may vote on <u>behalf of the organization.</u></p> <p>9.3: Added Committees will NOT accept delegations at committee meetings. Applicants will apply through City staff.</p>
	<p>Amendment Approved by: <i>"Bob Spiers"</i> Acting Mayor</p> <p>Date: July 11, 2011</p>	<p>ADD to Section 9.0 Rules of Procedures, subsection 9.3 This will not apply to the Finance Committee, Audit Committee or any other Committees wherein all</p>

		members are strictly Members of Council.
	Amendment Approved by: <i>"Rob Sawatzky"</i> Mayor Date: February 24, 2014	Various amendments to streamline Committee administration and provide a sound and consistent basis for a proposed restructure of many of the Council Committees.
	Amendment Approved by: <i>"Akbal Mund"</i> Mayor Date: November 23, 2015	2.0 added wording "or the Mayor" 2.6 added a paragraph and moved original 2.6 to make a 2.7
	Amendment Approved by: <i>"Akbal Mund"</i> Mayor Date: May 9, 2016	1.10 Amended Resignation of Member Any member of a Committee wishing to resign has to provide in writing to Mayor and Council and submit same to Staff Liaison. Upon acceptance of the resignation by Council, Staff Liaison will advise the Committee members via a memo presented at next Committee meeting
	Amendment approved by: <i>"Victor Cumming"</i> Mayor Date: October 13, 2020	3.2. Made Committee Clerk plural 3.2.2 Removed the word all 3.2.4 Changed to provide Corporate Officer schedule of meetings to post 3.3 Changed wording for task approval from Clerk's direct Supervisor

POLICY

The Mayor and/or the Council of the City of Vernon establish committees and appoint(s) Council and/or citizen members to the committees to:

- provide information and well considered advice to Council, through Administration on issues of concern to the public and the City, as requested by Council.
-

DEFINITIONS

"Standing Committee" are advisory bodies to Council pursuant to Section 141 of the *Community Charter* as follows:

Standing Committees of Council

- 141 (1)** *The mayor must establish standing committees for matters the Mayor considers would be better dealt with by Committee and must appoint persons to those committees.*
- (2) *At least half of the members of a standing committee must be council members.*
- (3) *Subject to subsection (2), persons who are not council members may be appointed to a standing committee.*

"Select Committee" are advisory bodies established by Council pursuant to Section 142 of the *Community Charter* as follows:

Select Committees of Council

- 142 (1)** *A council may establish and appoint a select committee to consider or inquire into any matter and to report its findings and opinion to the Council.*
- (2) *At least one member of a select Committee must be a Council member.*
- (3) *Subject to subsection (2), persons who are not council members may be appointed to a select committee.*

"Statutory Committee" means boards, commissions, or committees established pursuant to a specific enabling statute including a Library Board established pursuant to the *Library Act*, a Police Board established pursuant to the *Police Act*, a commission including a Parks Commission, and Recreation Commission, etc., established pursuant to the *Local Government Act or Community Charter*, a Family Court Committee established pursuant to the *Provincial Court Act* and any other body established pursuant to enabling legislation which serves in an arms-length capacity on behalf of or in cooperation with the municipality.

"Staff Liaison" is the staff member assigned by the Chief Administrative Officer to assist a committee in a non-voting advisory and resource capacity.

"Committee Clerk" is the staff member who acts as the recording secretary for the Committee's and prepares the Agendas, Minutes and Correspondence resulting from decisions and recommendations from the Committee's.

PROCEDURE

1.0 Membership

1.1 Diversity

Membership of committees will be diverse, and broadly reflective of the community. The Terms of Reference for each Committee may identify specific desired experience, knowledge/education, expertise and geographic location in the community.

1.2 Appointments

- 1.2.1** Appointments to Committee's will be advertised in the local newspaper so that all Citizens who are interested in serving on a Committee will be given an opportunity to apply.
- 1.2.2** Unless there are extenuating circumstances, as determined by the Corporate Officer, advertisements will be done on an annual basis, using one advertisement for all vacancies.
- 1.2.3** Committee members must be City of Vernon residents except as provided in a statutory committee enabling statute, establishment bylaw **OR** identified in the Terms of Reference set out by Council.
- 1.2.4** Appointments for all Committees will be made in January of each year, for a TWO YEAR term, unless the Terms of Reference indicates otherwise.
- 1.2.5** Organizations requested to provide representation, shall be advised that if there are various committees the organization is represented on, that the organizations shall strive to appoint different representatives to committees, in order to provide a broader range or representation. In the event that the organization cannot secure other members of their organization, to serve on a Committee, Council may consider appointing the same representative to multiple Committees.
- 1.2.6** In the event a Council appointed member of an organization within the Committees Terms of Reference, (i.e. Chamber of Commerce, DVA, etc.), is unable to attend a committee meeting, the organization may appoint an alternate to attend the meeting and vote on behalf of the organization. Council approval is not required for appointment of an alternate.
- 1.2.7** Committee membership shall be nine (9) appointed voting members, unless otherwise stated in the Terms of Reference of

individual Committees.

1.2.8 Committee members shall serve without pay at the pleasure of Council, unless otherwise provided in the enabling statute, establishment bylaw or Council resolution.

1.2.9 All appointed Committee members will be required to sign an "Oath of Confidentiality" as attached to this policy as Schedule "A"

1.3 Applications for Membership

1.3.1 Applicants are required to submit a "Volunteer Application Form", attached to this policy as Schedule "B".

1.3.2 All applications for membership on committees shall be kept in confidence when submitted to the City and considered at an In-Camera meeting of Council pursuant to Section 90 (a) of the *Community Charter*. The Staff Liaison to the Committee will receive the applications, and bring them forward to Council with a covering memo in order to provide additional information.

1.3.3 Existing members of Committees, whose terms have expired and who wish to be reappointed to a Committee, may submit a letter to Council.

1.3.4 Council will consider the following factors:

- Length of time an individual has served on the Committee
- Number of new applications received
- Mix of experience desired on the Committee
- Committee stability and membership continuity
- Input, as requested, from the *Staff Liaison* to the Committee on the contribution and attendance of the individual seeking reappointment.

1.4 Terms of Appointment for *Standing and Select Committees*

1.4.1 The term of appointment is two (2) calendar years unless otherwise provided for in the "Terms of Reference" for that committee.

1.4.2 An individual can serve for up to two (2) consecutive terms on any one committee unless otherwise provided for in the "Terms of Reference" for that committee, or, as otherwise directed by Council.

1.4.3 Where possible, all members remain in office until their respective successors are appointed.

1.4.4 In circumstances where a Committee Member resigns within six (6) months of the end of their term, the Chair may choose to leave the seat vacant.

1.5 Terms of Appointment of *Short Term Select Committees*

The term of appointment of members to *short term select committees* is concurrent with the time frame provided to the *short term select committee* to complete its work; after which the members' terms expire unless extended by Council resolution.

1.6 Terms of Appointment of *Statutory Committees*

The term and conditions of appointment of members to *statutory committees* is as provided in the enabling statute or establishment bylaw.

1.7 Committee Vacancy Replacement Term

In the event of a vacancy, the person appointed to fill the vacancy shall hold office for the remainder of the term of the vacated office.

1.8 Attendance of Members at Meetings

Unless otherwise provided in the enabling statute or establishment bylaw, any Member who is absent from two (2) consecutive regular meetings without leave of absence from the Committee Chair or without reason satisfactory to the Committee shall forthwith cease to be a member of the Committee and the appointing authority shall be advised by the Committee. Committee Members are permitted to attend the meeting by '*electronic means*' as authorized and directed under section 128 of the Community Charter.

1.9 Removal of Member from Committee

Council may remove or request the resignation at the request of the committee or on its own initiative any of its committee appointees for malfeasance in office, or any other good and sufficient cause.

1.10 Resignation of Member

Any member of a Committee wishing to resign from the Committee is requested to provide the resignation in writing to Mayor and Council and submit same through the Staff Liaison. Upon acceptance of the resignation by Council, the Staff Liaison shall advise the Committee Members of the resignation through a memorandum presented at the next Committee meeting.

2.0 Council Liaison/Council Membership

- 2.1 Council or the Mayor will appoint members of Council as representatives to each select *committee and each standing committee*.
- 2.2 The Chair and alternate Chair will be appointed annually by the Committee at the first meeting of the calendar year.
- 2.3 Any person not appointed to a committee may attend the committee meetings as an observer, but is not entitled to vote. Permission to speak at the meeting may be granted, on request, by the Committee Chair.
- 2.4 Council representatives serve for a one year term
- 2.5 The role of Council representatives on committees is:
 - 2.5.1 to be a voting member of the Committee to which they are assigned; unless otherwise noted in the Terms of Reference, and
 - 2.5.2 to serve as a communication channel to Council.
- 2.6 At the request of the appointed Council representative, or the Alternate Council representative, any Member of Council can be an ex officio voting member of a *standing* or *select* committee (unless otherwise noted in the Terms of Reference), should the assigned Council representative or the Alternate Member not be available to attend a Committee meeting, and the ex officio voting Member is counted in determining if a quorum is present.
- 2.7 The Mayor is an ex-officio member of every *standing* and *select committee* and as such has the same rights as other Committee members, but is not obligated to attend meetings and is not counted in determining if a quorum is present. However, in situations wherein a quorum is not met, the Mayor may attend as a voting member.

3.0 Staff Support

- 3.1 A *Staff Liaison* may be appointed to each *standing committee* or *select committee* by the Chief Administrative Officer at the request of Council. The *Staff Liaison* is not a member of the committee and therefore is not entitled to vote. The role of the *Staff Liaison* includes:
 - 3.1.1 Providing information and professional advice;
 - 3.1.2 supporting the Chair in developing agendas, arranging meetings, and promoting effective committee functioning;
 - 3.1.3 Writing covering memorandums to Council, which will include background information attached, as required, for all Committee recommendations;

3.1.4 Providing an annual orientation to the work of the Committee, the structure of the City, and Council's annual goal setting and budgeting processes; and

3.1.5 Performing other projects or tasks related to the function of the Committee only with the approval of the Direct Supervisor.

3.2 The *Committee Clerks* will provide support to each Committee as follows:

3.2.1 Preparing and circulating the Committee's agenda at the direction of the *Staff Liaison* as prescribed in Section 7.0 — Agendas.

3.2.2 Attending Committee meetings to record the minutes as outlined in Section 8.0 — Minutes.

3.2.3 Ensuring appropriate arrangements for committee meetings, including room bookings in accordance with City procedure.

3.2.4 Providing the Corporate Officer the Calendar of Committee meetings, as required, for postings on the identified notice boards and City website; and,

3.2.5 Performing other administrative duties or tasks related to the function of the Committee as assigned only by the Committee Clerk's direct supervisor.

3.3 Any other projects or tasks requested of the *Committee Clerk*, require the approval of the Clerk's direct supervisor.

4.0 Meeting Schedule

4.1 *Standing and Select committees* will meet as required. All meetings will be held weekdays, Monday to Friday, and Committees are encouraged to meet between 8:00 am and 6:00 pm, when possible, in order for the *Staff Liaison* and *Committee Clerk* to attend.

4.2 *Statutory committees* meet as provided in their enabling statute or establishment bylaw.

5.0 Quorum

Unless otherwise provided in a committee's enabling statute or establishment bylaw, a majority of the members of a committee constitute a quorum. For *Standing Committees* the quorum must include a member of Council. Quorum shall be based on the number of occupied voting positions on the Committee. A staff liaison or alternate must be present in order for the meeting to proceed. If a quorum is not met, no meeting shall take place.

6.0 Chair

Each committee shall, at its first regular meeting in January or as soon thereafter as possible, or as provided in its enabling statute or establishment bylaw, elect a Chair and Vice-Chair if the Mayor and/or Council has not already done so, each of whom hold office for a period of one year, to carry out the duties normally attributed to such office in conducting the business of the committee.

7.0 Agendas

The *Staff Liaison* is responsible, to coordinate, with the Committee Chair, the preparation of committee agenda items, which are then provided to the *Committee Clerk* for preparation of the agenda and made available to all members, as required. The Committee Chair shall approve all agendas prior to distribution. Agenda items and all background material shall be provided to the Committee Clerk at least one week prior to the scheduled meeting date wherever possible. Late agenda items are strongly discouraged, and in order to be added to the agenda, the item must be time sensitive, and approved by the Chair and the Staff Liaison, prior to introduction at the meeting.

Agendas, shall be posted on the City of Vernon website.

8.0 Minutes

8.1 Committee minutes, setting out the decisions made and the key discussion points of the proceedings of all meetings of committees shall be legibly recorded by the *Committee Clerk*. Minutes should not be 'verbatim'. The Committee Clerk will record the points of discussion and any resulting resolutions.

8.2 The *Staff Liaison* shall review the minutes prepared by the *Committee Clerk* and said minutes shall be included on the next meeting of the Committee for adoption.

8.3 Following adoption of the minutes:

8.3.1 the Chair shall certify by signing the adopted minutes

8.3.2 the *Committee Clerk* will forward said minutes to the Corporate Officer for distribution to Council

8.3.3. the *Committee Clerk* shall post on the City of Vernon website

8.3.4 file the signed original minutes into the approved Records Management System file.

8.4 All Committee minutes will be in the prescribed format as shown on attached Schedule "C"

9.0 Rules of Procedure

- 9.1 Each committee shall follow the guidelines attached as Appendix "A" and the current Council Procedure Bylaw. The Committee may rely for reference upon the advice of the *Committee Clerk, Staff Liaison* or the Corporate Officer.
- 9.2 Questions of procedure which cannot be resolved by the Committee upon the advice of the *Committee Clerk* shall be referred to the Corporate Officer.
- 9.3 Committees will **NOT** accept delegations at the Committee meetings unless directed by Council or provided for in the Committee Terms of Reference.
- *This does not apply to the Finance Committee or any other Committees wherein all members are strictly Members of Council.

10.0 Voting

All members of a committee, including the Chair and Vice-Chair, shall have a vote on any question before it, and in all cases in the event of a tie vote, the motion shall be deemed defeated. Any member who abstains from voting, without having declared a conflict of interest and leaving the meeting, shall be deemed to have voted in the affirmative.

11.0 Conflict of Interest

11.1 Committee Members to Avoid Conflicts of Interest

A conflict of interest exists where:

- a) A committee member is a director, member or employee of an organization seeking a benefit from the City upon which the committee will make a recommendation;
- b) The committee member has a direct or indirect pecuniary interest in the outcome of committee deliberations.

A conflict of interest does not exist if:

- a) The pecuniary interest of the committee member is a pecuniary interest in common with members of the municipality generally; or
- b) The pecuniary interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the member in relation to the matter.

Where a conflict of interest exists, Committee Members:

- a) Must declare to the committee that a conflict exists and the nature of the conflict; and

- b) Must leave the meeting following the declaration; and
- c) The conflict will be noted in the minutes; and
- d) The Committee Member may not take part in any discussion or vote on the subject once they have disclosed their conflict; and
- e) May return to the meeting once the matter has been dealt with.

11.2 Perceived Conflict of Interest

Where a perceived conflict of interest might exist, the Member may note that a perception of conflict might exist but need not declare a conflict and need not exit the meeting if in the Member's view there is no actual conflict of interest.

11.3 Council Review

Where in the opinion of a committee a member is in a conflict of interest and has not so declared, the Committee may ask for a review of the matter by the Corporate Officer. The matter, if unresolved, may then be referred for Council review.

12.0 Sub-committees

Committees may establish working groups (sub committees) to review a particular task/subject and report back to the parent Committee with a recommendation.

The parent Committee will appoint a Member(s) of the Committee to the working group (sub committee) and provide them with clear direction on the task of the group. The appointed member(s) may recruit appropriate members of the public, review the task requested, and report back to the Committee with a recommendation.

The Committee Member of a working group (sub committee), will report back to the parent Committee at each meeting, with an update on the status of the group — providing notes from meetings, and any documentation that is utilized in determining a recommendation of the working group (sub committee).

The parent Committee will receive the information from the working group (sub-committee).

The Staff Liaison and Committee Clerk are not required to provide services to a sub-committee. Formal agendas and minutes are not required.

13.0 Reporting

13.1 Establishment and Authority

Members will not misrepresent themselves as having any authority beyond that delegated by Council.

13.1.1 *Standing and Select committees* must refer recommendations through the Staff Liaison, to Council for authority to act.

13.1.2 *Short Term Select committees* conduct their task within the time prescribed by Council following which they report their findings and opinions to Council for consideration through the Staff Liaison.

13.1.3 *Statutory committees* conduct their business in accordance with the terms of their enabling statute, establishment bylaw and/or the policies of the authority which established the committee.

13.2 Reporting on Issues

When responding on an issue referred by Council the Staff Liaison will submit a memorandum, to Mayor and Council indicating the motion or decision of the Committee. Such memo shall contain the background information, as required, in support of the recommendation.

14.0 Authority

Except as may be provided in their enabling statute or establishment bylaw, committees do not have the authority to communicate with other levels of government, to pledge the credit of the City of Vernon or to authorize any expenditures to be charged against the City.

Media inquiries must be referred to the City of Vernon Communications Officer. Committee Members are not permitted to speak on behalf of the City of Vernon to the media.

15.0 Budget

15.1 Unless otherwise provided in their enabling statute or establishment bylaw, committees may request budget funds from Council in accordance with the City budget preparation schedule and procedure.

15.2 Any solicitation of funds from other organizations requires the prior approval of Council.

15.3 The Committee shall have reasonable use of City miscellaneous services such as photocopying, paper supplies, meeting areas, etc. which are primarily provided through the *Committee Clerk*.

16.0 Personal Liability

No member of a committee shall be liable in his or her personal capacity for any debt or liability of the committee. It is the responsibility of the City to insure the members of committees against all liabilities related to fulfilling their responsibilities as a member of the committee.

17.0 Orientation

All Committee members, upon appointment, will be provided with the Terms of Reference for the Committee, a current membership list and a copy of the Council Committee Policy. The *Staff Liaison* to each Committee will provide a verbal orientation for Committee members at the first meeting of the year. Attention shall be brought to the implications and requirements pertaining to the '*Oath of Confidentiality*' signed by each Committee Member.

18.0 New Committees

In considering the formation of a new select *committee*, *standing committee* or *statutory committee* Council will request staff to prepare a Terms of Reference for consideration by Council prior to establishing the Committee.

19.0 Meetings Open to Public

All meetings of Council Committees are open to the public and no person shall be excluded except for improper conduct, except as may be provided in the committee's enabling statute or establishment bylaw, or where the committee is considering an item where, in accordance with applicable legislative requirements or Council procedure, the public interest requires the exclusion of the public.

APPENDIX "A"

Committee Meeting Guidelines

The Agenda

- Have an agenda and stick to it. Late items are strongly discouraged and may only be brought forward as approved by the Chair and the Staff Liaison.
- The agenda can be seen as a contract between the Chair and the members: "In return for your preparation, time, and participation, we will deal with these issues."

- The agenda package should include supporting material which all members should read in advance.
- The agenda package will be uploaded to the City of Vernon website for public information, one week prior to the meeting to allow sufficient time for review and consideration. Committee Members shall be advised by email when the agenda is available on line for their review and information.

Rule of the Clock

- Start on time and end on time - do not reward latecomers.
- Keep the meeting to 1 1/2 to 2 hours. More than that, people leave, bodily or otherwise. Less than that, there is not enough time to develop and engage the team.

Handling the Business of the Meeting

- Some meetings tend to have too many issues on the agenda. Focus on the issues that are for discussion or decision, are important and urgent, and where the background work has been done. Keep the time spent "just informing" people to a minimum.
- Most groups do their most effective work at about 2/3 of the way through the meeting. Plan the most difficult decisions and discussions at that point.
- Think of a meeting as an aerobic exercise, warming the group up to effective team decision-making, and letting emotions and conflicts cool off before people leave.
- Remember, good decision-making requires:
 - background information
 - options and recommendations
 - the right people attending
 - preparation before the meeting, along with enough time to review the material
 - full participation

Role of Chair

- **The role of the Chair is critical for effective meetings. The Chair should be a:**
 - ◆ **leader** = **willing to** give up personal interests, and willing to work with the whole group
 - ◆ **facilitator** = able to encourage people to participate, help people

to listen to each other, and to reflect back the common threads of the discussion

allow all Committee Members the opportunity to provide input and not allow any one Member to dominate the discussions at the meeting

- The Chair's duties are:

work with *Staff Liaison* to prepare and approve the agenda in a timely manner in order to meet the distribution deadline

discourage late agenda items (refer to next meeting instead)

check if a quorum is present and open the meeting at the prescribed time

announce the business in the proper sequence (as on the agenda)

recognize members entitled to speak, in the order in which they request to speak

state and put the questions (resolutions which have been moved and seconded) to a vote

enforce the rules of decorum

expedite business

decide questions of order and respond to parliamentary enquiries (with the assistance of the *Staff Liaison* or *Committee Clerk*)

declare the meeting adjourned

Decision-making

Committees should strive for consensus in their decision-making. However, final decisions **are made** by resolution adopted by a majority vote. Decisions that relate to the internal operations of the Committee (ex. Establishment of a sub-committee), do not require endorsement by Council. Most other recommendations require consideration and endorsement by Council. The Staff Liaison can assist with this. (Please note, Committees of Council are advisory in nature, and Council may or may not endorse the Committee's recommendation).

Voting and Debating Rights

Each voting member of a committee, including the Chair, may make or second motions, may debate motions and may vote.

Note: A Member can vote on, or second a motion to approve the minutes of a meeting where he or she was not in attendance.

Other Terms and Procedures

- ***Unanimous General Consent*** is an informal method of resolving a routine and non-controversial procedural issue. For example, the presiding member may seek unanimous general consent as follows:

"Is there any objection to moving item 7 forward on the agenda and considering it now? Hearing none, we will proceed now with item 7."

- ***Friendly Amendment*** is an informal method of making a minor change to a motion or amendment. For example, during debate, it may be indicated that a minor change to a motion or amendment would better achieve the intent of the mover. The Chair may then ask:

"Is there any objection to adding the words "7 Hearing no objection, the words are added and the motion now reads: `....¹ OR "Hearing no objection, the words are added. Would the *Committee Clerk* please read the motion? ... Is there any further discussion on the motion?"

Caution: Overuse of this method could result in confusion.

- ***Motions and Amendments***

A main motion is a proposal to take action or give direction. The steps of handling a main motion are:

1. A member makes a motion:

"I move that "

2. Another member seconds the motion:

"Second" or "I second the motion"

* Note that it is helpful if the Chair repeats the names of the mover and seconder.

3. The Chair states the motion or moves directly to debate:

"It is moved and seconded that....." AND/OR "Is there any discussion?"

4. Debate, and amendment if any, takes place.

5. The Chair puts the motion to a vote:

"We are now voting on the motion to Those in favour? [Those voting in the affirmative indicate by raising a hand.] Opposed? [Those voting against indicate by raising a hand]"

Members should always clearly indicate their vote by raising their hand at the appropriate time. Those who do not vote by raising a hand are counted as voting in the affirmative.

6. The Chair announces the result:

"Motion passes." "Motion defeated." "Tie Vote - motion defeated."

- ***Amending Motions***

An amendment is a motion to change the wording of another motion before voting on it. An amendment is always dealt with before the original motion. In effect, the amendment temporarily sets aside the motion which it proposes to modify. A motion to amend a debatable motion is debatable and requires the same steps as a main motion.

Three Methods of Amending a Motion

1. By inserting or adding words

"I move that the motion be amended by inserting the word[s] between the word ... and the word" OR

"I move that the motion be amended by adding the word[s] . ."

2. By striking out words

"I move that the motion be amended by deleting the words"

3. By striking out words and inserting replacement words

"I move that the foregoing motion be amended by deleting the words and inserting the words ... in their place."

Only two levels of amendment are allowed. A main motion can be amended (primary amendment) and an amendment can be amended only once (secondary amendment). No amendment is permitted to a secondary amendment. If further amendments are desired, the question on the amendment to the amendment must be called before another amendment to the amendment can be made.

The steps in the process are:

1. A motion is made.
2. An amendment to the motion is made.
3. An amendment to the amendment is made.
4. The question on the amendment to the amendment is called. (A further amendment to the amendment could be made here.)
5. The question on the amendment is called. (A further amendment to the main motion could be made here).
6. The question on the main motion is called.

- ***Debate on Motions and Amendments***

When an amendment is made, discussion is allowed on the amendment only, not on the main motion. Once the vote on the amendment is taken, discussion proceeds on the motion (as amended if the amendment passed).

- ***Motions Permitted While Matter Under Debate***

During debate on a motion, there are a limited number of other motions which would be considered to be in order. These are: a motion to adjourn or recess the meeting, a motion to withdraw if made by the original mover, to amend, to refer to a subcommittee or to the *Staff Liaison* for report, or to postpone to a certain day. Questions of Privilege and Points of Order can also interrupt proceedings.

- ***Replacement Motion***

A replacement motion is like an amendment in that it sets aside the motion which it proposes to modify. If a replacement motion passes, there is no need to call the question on the original motion - the original motion is in effect gone.

"I move that the foregoing motion be replaced with the following:..."

- ***Motion to Withdraw a Motion***

A motion which has been duly moved and seconded may only be withdrawn with the consent of the original mover and seconder. Once a motion to withdraw a motion has been carried, there is no record made in the minutes of the original motion having existed. It will not appear in the minutes.

- ***Motion to refer:***

A motion to send a main motion to a sub-committee or to staff for further study and report back (within the authority of the committee).

"I move that the foregoing motion be referred to the sub-committee for review and report back to the committee by"

Or

"I move that the Committee recommends to Council that Administration be requested to research..... and report back to the Committee."

- ***Motion to defer indefinitely:***

A motion to decline to take a position on an issue or motion.

"I move that this item be deferred indefinitely"

OR

"I move that no action be taken on this issue at this time."

- ***Motion to defer to a specific date:***

A motion to stop debate and amendment and postpone consideration of an issue or motion to a specific future date.

- ***Division of a question:***

A motion to divide a main motion into separate motions if each part can stand on its own.

- ***Adjourn***

When a motion to adjourn is made, it means the meeting stops and will reconvene at another date and time. A motion to adjourn is not required if the agenda is completed - the Chair simply declares the meeting "closed" or "concluded".

- ***Recess***

A motion to take a break in the meeting. A motion or call for a recess should specify the amount of time to be taken for the recess.

- ***Point of Order***

A statement that a rule of the Council is being violated. It is ruled on by the Chair whose decision may be appealed to committee and decided by committee resolution.

- ***Question of Privilege***

Raising a request or motion relating to the rights or comfort of the committee or an individual. It is decided by the Chair.

- ***Point of Information***

A request for information, e.g. from staff during debate.

- ***Reading of Motions***

A member may require the motion under consideration to be read. The *Committee Clerk* would then read the motion. Sometimes the *Committee Clerk* will ask to read a motion if he/she is unsure what it is or if he/she feels others may not understand the exact motion being considered.

- ***Rules of Decorum and Debate***

Committee meetings tend to be more informal than would a Council meeting. The Chair of the committee has the duty and authority to allow the level of informality he or she feels would best facilitate the work of the committee.

Here are some meeting rules which may be helpful and may be used by the committee:

the maker of a motion has a right to speak first to their motion

to speak a second time, a member should wait until all those who wish to speak have done so for the first time

members must remain courteous and avoid personal attacks of each other and staff

remarks must be confined to the motion before the committee

remarks are always directed "through the chair"

members should not interrupt another speaker

there are no limitations on the number of times a member may speak, or the length of speeches

motions should be phrased concisely and to the point

a decision to close debate can be made by unanimous general consent, by resolution or by the Chair

decisions of the Committee are by vote of majority. Therefore, all members of a Committee shall respect the rules of democracy and the outcome of the vote. A Committee member may not agree with the end result, but is expected to be respectful to the vote both during the meeting and thereafter.

- ***Attendance at Council Meetings***

when a Committee wishes to address Council, at a Council meeting, it shall be through the Chair or Vice Chair of the Committee

if a Committee member wishes to address Council, it shall be as a member of the public and not as a member of the Committee and should therefore not state they are a member of a particular Committee.

SCHEDULE "A"



CITY OF VERNON

OATH OF CONFIDENTIALITY

_____, of the _____ Committee, do promise and swear that I will, to the best of my knowledge and ability, fulfill the terms of my position in accordance with the Council Committee Structure policy and will respect and maintain the confidentiality of the information that I become aware of through my appointment to this Committee of Council.

Sworn/Affirmed by me, at Vernon, B. C. on

_____, 20

(Signature of person swearing/affirming oath)

(Signature of person administering oath)

SCHEDULE "B"



THE CORPORATION OF THE CITY OF VERNON
3400 — 30 Street, Vernon, British Columbia V1T 5E6
City Hall Telephone: (250) 545-1361 Fax: (250) 545-4048 Website: www.vernon.ca

VOLUNTEER APPLICATION
CIVIC COMMITTEES, COMMISSIONS AND BOARDS

Name of Applicant: _____

Address of Applicant:
(Individual Applicants **MUST** reside within Vernon City Limits, **unless otherwise stated in Committee Terms of Reference**):

Postal Code: _____

Contact: Work: _____ Fax: _____

Home: _____ E-mail: _____

1. Are you a business operator in the City of Vernon? Yes No
2. Are you applying as a representative of a community association or other organization? Yes No
If YES, identify the association/organization: _____
3. Are you currently serving on a Committee/Commission/Board? Yes _____ No
If you answered YES, complete question 4 only.
If you answered NO, proceed to fill out the entire questionnaire.
4. Name of Committee/Commission/Board you are applying to: _____
5. Have you previously volunteered on any City of Vernon Committees? Yes No **If YES, provide name of Committee(s) and length of service.**

6. Have you volunteered on any Committee(s) for another municipality or any community Organization? Yes No If YES, provide details:

7. What skills and goals will you bring to the Committee/Commission/Board?

8. Business/Work experience in the past five years?

9. How is your business/work experience related to the mandate of the Committee/Commission/Board?

10. Educational background/Professional qualifications?

11. Other relevant information, if any:

Date of Application: _____

Your application/resume will be made available to Vernon City Council, civic staff, and the applicable Committee/Commission/Board for the sole purpose of making appointments. Personal information contained on this form is collected in compliance and protected in accordance with the Freedom of Information and Protection of Privacy Act and will be used for the purposes of appointing members to the City's advisory committees/boards. Questions about the collection and use of this information should be directed to the Head of FOIPP in the City Clerk's office.

Contact Information:

Corporate Officer, City of Vernon
3400 — 30 Street, Vernon, BC V1T 5E6
Telephone: (250) 545-1361
Fax: (250) 545-4048
E - m a i l: admin@ci

SCHEDULE "C"

THE CORPORATION OF THE CITY OF VERNON

MINUTES OF A "INSERT COMMITTEE NAME" MEETING

HELD "INSERT DATE" AT "INSERT LOCATION"

PRESENT:

Staff:

Other:

CERTIFIED CORRECT:

Chairperson:



THE CORPORATION OF THE CITY OF VERNON

3400 – 30th Street, Vernon, B.C. V1T 5E6
Telephone: (250) 545-1361 Fax: (250) 545-4048

website: www.vernon.ca

Corporate Policy

Section:	Human Resources	
Sub-Section:		
Title:	Bullying and Harassment	

RELATED POLICIES

Number	Title
	Replaced Harassment Policy

APPROVALS

POLICY APPROVAL:	AMENDMENT APPROVAL:	SECTION AMENDED
Approved by: Mayor: "Akbal Mund" Date: December 14, 2015	Amendment Approved by: Mayor: "Akbal Mund" Date: December 18, 2015	Amended due to compliance Workers Compensation Bill 14

POLICY

The policy of the City of Vernon is to provide and maintain a workplace that is free from discrimination, bullying and harassment, not only in relation to the specific conduct prohibited by the British Columbia (BC) Human Rights Code, but regarding any form of personal bullying harassment which may reasonably cause embarrassment, insecurity, discomfort, offence or humiliation to another person or group.

The City of Vernon is committed to a professional working environment where employees, contractors, elected officials, committee volunteers, and students working on behalf of the City or present within the City's facilities and programs, are treated with respect and dignity.

This Policy will apply to the resolution of all internal informal or formal complaints brought forward or filed pursuant to this Policy.

The procedures set out within this Policy will also apply to any and all City of Vernon investigations conducted in response to external discrimination/harassment/bullying complaints filed with WorkSafe BC, the Human Rights Tribunal or otherwise.

DEFINITIONS

Parties

Parties are the Complainant(s) and Respondent(s) directly involved in a Complaint and may include: employees (unionized and excluded), contractors, elected officials, committee volunteers, and students.

Complainant(s)

Complainant(s) are those individuals making a Complaint and seeking recourse in relation to this Policy.

Respondent(s)

Respondent(s) are those individuals alleged to have violated this Policy.

Bystanders

Bystanders are third parties who have witnessed behaviour that, in their view, potentially constitutes a violation of this Policy. Bystanders should report their concerns in accordance with Step 2 of the informal processes set out below.

Bystanders are not Parties to a Complaint. However, they may be interviewed as witnesses in the event there is a formal investigation into their concerns.

Witnesses

Witnesses are individuals who have direct knowledge of or involvement in any matter or incident that potentially relates to a Complaint brought forward or filed pursuant to this Policy.

Complaint

A concern or Complaint regarding any of the potential behaviour as defined below that requires a solution that is brought forward for the purposes of obtaining a resolution.

Prohibited Grounds

Conduct or commentary that is based, in whole or part, on any of the following 13 grounds: race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age or unrelated criminal conviction.

Respectful Conduct

Respectful workplace conduct incorporates courtesy, civility, consideration, and compassion. It is an approach which actively respects individuals by avoiding unnecessary behaviours which would reasonably be considered to have a negative impact on others. It involves taking responsibility for one's behaviour/conduct in the workplace.

A workplace disagreement or difference of opinion is not by definition disrespectful. The manner in which a disagreement is described, discussed or resolved will determine whether or not the conduct is respectful.

Examples of Respectful vs. Disrespectful Behavior

Violations of this Policy will be determined on an objective and case-by-case basis, having regard to the overall circumstances of each Complaint, including the particular timing and context of the event(s) in question. This commonly will be determined after receiving information from the Parties and Witnesses. However, for illustrative purposes only, some examples of respectful versus disrespectful behaviour could include the following:

- Quiet and calm communication which focuses on the issues rather than personal characteristics of the individuals involved vs. loud, profane, name-calling, and abusive language that may also focus on personal characteristics.
- Expressing and resolving disagreement in a calm and professional manner vs. insulting or belittling others through personal attacks, sarcasm or through non-verbal behaviour that may include repetitive eye-rolling, loud sighing, disrespectful

facial expressions, shunning, stone walling discussions, walking out of discussions prematurely, or making physical or psychological threats.

- Addressing issues and concerns regarding work performance or misconduct in a confidential, discreet manner through responsible managers vs. engaging in gossip, rumours, speculation or criticism of an individual to others or discussing issues in front of individuals who do not need to be a part of the discussion.
- Sharing information required to deliver services effectively vs. repeatedly ignoring questions or requests for information or deliberately failing to provide necessary/helpful information.
- Responding to on-call pages in a timely fashion vs. not being accessible or responding to pages when on-call.
- Written communication made in a respectful professional manner vs. unprofessional comments made about colleagues or co-workers.

Discrimination

Discrimination is adverse differential treatment of an individual or group, whether intended or not, on the basis of race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age or unrelated criminal conviction. Discrimination of this nature imposes burdens or obligations on an individual or group that serves no work-related function. It is important to note that such conduct is not only a breach of this Policy; it may also be a breach of the BC Human Rights Code.

Discriminatory Harassment

Discriminatory harassment is a form of discrimination and is also contrary to the BC Human Rights Code. Discriminatory harassment is abusive, unfair, offensive, or demeaning treatment of or disrespectful/disruptive conduct towards a person or group of persons related to their race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age or unrelated criminal conviction that a reasonable person would know or ought to know or would:

- have the effect of interfering with an individual's work or participation in work related activities; or
- create an intimidating, hostile or offensive environment for work or participation in a work-related activity.

Examples of Discriminatory Harassment:

- Teasing, joking, taunting, insulting or criticizing a person, directly or indirectly, verbally or in writing, based on his or her prohibited grounds (e.g. race, gender, age). This may include commentary regarding their ability to communicate clearly, physical appearance, work style, and level of intelligence.

Sexual Harassment

Sexual harassment is disrespectful/disruptive conduct of a sexual nature made by a person who knows or ought to reasonably know that such conduct or comment is unwanted or unwelcome; or an expressed or implied promise of a reward for complying with a request of a sexual nature; or an expressed or implied threat of reprisal for refusal to comply with such a request; or disrespectful/disruptive conduct of a sexual nature which is intended or reasonably would be known to create an intimidating, hostile or offensive environment.

Examples of Sexual Harassment include:

- verbal abuse or threats of a sexual nature;
- unwelcome remarks, jokes, innuendoes or taunting of a sexual nature;
- displaying of pornographic or other offensive pictures;
- unwelcome and/or repeated sexual invitations or requests;
- leering or other inappropriate sexually oriented gestures;
- unnecessary physical contact such as: touching, patting or pinching;
- sexual assault (this may also be a criminal matter);
- negative comments that are gender-based, and
- repeated behavior that a person has objections to and is known or should reasonably be known to the offender as being unwelcome.

Personal Harassment

Personal harassment is any behavior, including disrespectful/disruptive conduct by a person directed against another person that a reasonable person would know or ought to know would cause offence, humiliation or intimidation, where the conduct is not carried out in good faith and serves no legitimate work-related purpose.

Examples of Personal Harassment:

- swearing, yelling, or making derogatory gestures or comments to or about another individual;
- engaging in embarrassing practical jokes, ridicule, or malicious gossip;
- verbal or physical threats or physical assault.

Bullying

Bullying is any repeated or systematic physical, verbal or psychological behaviour including disrespectful/disruptive behavior, which would be seen by a reasonable person as intending to belittle, intimidate, coerce or isolate another person.

Note: Personal harassment and/or bullying does not include social banter in the workplace that is objectively viewed as acceptable in tone and content. Nor does it include actions occasioned through the good faith management of the employment relationship, including decisions related to hiring, selection, performance evaluations, and progressive corrective discipline, provided that such decisions are made and implemented in a manner that is respectful of those involved.

<https://www.worksafebc.com/en/health-safety/hazards-exposures/bullying-harassment>

Methods of Communication

Inappropriate communication that may violate this Policy may be transmitted in person, on the phone, and in writing, through email, texts, Facebook, Twitter and other social media messaging, and otherwise. Potential violations may consist of inappropriate communication made to a person and/or communication made about a person to others.

Fairness

Parties, Bystanders, and Witnesses have a right to fair treatment in the consideration and adjudication of complaints and concerns under this policy. Fair treatment includes the right to:

- bring forward their concerns pursuant to processes within the Policy within a timely manner;
- being informed in a timely manner of Complaints made against them;
- an impartial and objective consideration and evaluation of the circumstances, through informal or formal intervention;
- confidentiality to the extent possible in the circumstances, including the avoidance of gossip, rumours and speculation by Party(ies), Witness(es) or others within the City;
- protection to any Party(ies) or Witness(es) from retaliation for participation in processes under this Policy
- being effectively informed of the outcome of any formal intervention;
- union representation for unionized staff; and
- other representation, for excluded staff.

Confidentiality

All Bystanders, Witnesses, and Parties involved in a Complaint or in the informal/formal resolution of a Complaint, are expected to keep matters related to a Complaint confidential. This includes managers and supervisors who are privy to the Complaint or Complaint resolution process.

An established breach of confidentiality regarding a Complaint or Complaint resolution process shall be considered an independent violation of the Policy (regardless of the merits or conclusions regarding the Complaint) and may result in discipline.

Any allegation or Complaint under this Policy will be considered personal information supplied in confidence for the purpose of Section 22(2) (f) of the *Freedom of Information and Protection Privacy Act*. The names of those involved in the Complaint shall not be disclosed to any person except where necessary for the purpose of fairly investigating and determining the outcome of the complaint.

The substance of investigative reports and the substance of meetings held by those in authority to make decisions in relation to a Complaint, regardless of whether it is substantiated, will be protected from disclosure to third parties in accordance with Section 19 of the *Freedom of Information and Protection Privacy Act*.

Complaint Resolution

Complainants are encouraged to resolve Complaints/concerns with others as soon as they arise using the informal process set out below, unless it is clearly inappropriate in all of the circumstances.

Without limiting its application, the informal resolution process is commonly used in circumstances where the alleged concern/conduct appears to be: (a) non-repetitive (a 'one-off' discussion/interaction); and (b) relatively minor in severity or seriousness, considering its content, potential impact on the individual and/or the safety/health of the overall organization.

Although the Complainant(s) may indicate that he/she prefers the informal process, the City of Vernon may at any time exercise its discretion to initiate a formal process based upon its overall review of the circumstances.

PROCEDURES

Informal Processes

Step 1 – Resolution (Informal Conversation)

Wherever reasonable, the Complainant(s) should address the person with whom he/she is having difficulty (the Respondent(s) in a direct and discreet (confidential) manner as soon as possible following the incident.

If the Complainant(s) is not comfortable taking this step, or if the Complainant(s) has done so without success, then the Complainant(s) should proceed to the next step.

Step 2 – Resolution (Manager/Designate Involvement)

The Complainant(s) or Bystander(s) should approach his/her manager or director with his/her concerns including particular examples of inappropriate statements or verbal or non-verbal behaviours by the Respondent(s), dates, times, witnesses, and as much detail as possible. This should be done as soon as reasonably possible following the incident/behaviours. The manager or director should contact Human Resources.

If the Complainant(s) or Bystander(s) is uncomfortable approaching any of these individuals, or if the individuals are the Respondent(s) or if the individuals are perceived by the Complainant(s) to be part of the problem, then the Complainant(s) or Bystander(s) can speak to Human Resources.

Human Resources will review the concern and where appropriate should directly or indirectly facilitate a resolution in a manner that it considers most effective and reasonable considering all of the circumstances.

Interventions by managers or directors, Human Resources in Step 2 may include one or more of the following possibilities (or other similar interventions):

- meeting separately with each person involved in the concern to discuss and investigate the situation;
- meeting together with the persons involved to facilitate a discussion aimed at understanding and resolving the issue in a practical, non-punitive manner or mediating a solution that works for all Parties;
- coaching one or more of the Parties (verbally or in writing) on workplace expectations regarding appropriate workplace behavior or performance;
- recommending or applying progressive discipline when warranted i.e. based on the findings and severity of the misconduct found;
- engaging the support of Human Resources to assist with Step 2 processes, or
- engaging an external third party facilitator or mediator to work with the Parties and others involved to achieve a confidential, practical and mutually agreeable

resolution to outstanding concerns without making findings against any Parties (Mediation).

The above noted intervention/preliminary investigation should be completed on or before 30 days after the final interview. The time-lines will be reasonably extended at the request of the lead investigator based on a number of factors, including extenuating circumstances or complexities surrounding a particular investigation/intervention.

If, at the outset of or at any time during the Step 2 process, the individual who receives the reported Complaint/concern concludes that, given the severity of the behaviours alleged in the Complaint, including their potential physical or psychological impact on the Complainant(s) or other employees at the City of Vernon, a formal investigation is warranted, then the matter should be immediately referred to Step 3 of the Policy for investigation and resolution.

Formal Processes

Step 3 – Investigation

The formal process involves an objective investigation of a written Complaint/concern that has been brought forward to Human Resources, the Complaint.

Once the Complaint has been received by the immediate supervisor, manager, or Human Resources representative; the Complainant(s) will be asked to complete a formal Complaint form. This form seeks the following details:

- Complainant(s) name and position;
- name and position(s) of the Respondent(s);
- address or location where the incident occurred;
- detailed summary of all of the specific incidents or examples of behavior that have led to the filing of the Complaint;
- date(s) and time of each incident;
- names of the individual(s) alleged to have engaged in the unacceptable conduct;
- details of the Complaint(s) – that is, the specifics of what was said or done to the Complainant(s) to have triggered the Complaint;
- identity of any potential witnesses;
- impact of the behaviour on the Complainant(s); and
- steps taken, though Steps 1 or 2 of the Policy, to address the Complaint and the outcome of those processes.

The Complainant(s) must sign and date the Complaint and send to the designated individuals set out above by either:

- envelope marked **Confidential**; or

- scanning the signed complaint and sending it via email indicating **Confidential**.

The filing of a formal Complaint does not mean that a formal investigation will automatically be conducted. The manner in which a Complaint is resolved will be determined by the City, following consultation with the Parties, and will depend on a number of factors, including the nature, extent and severity of allegations brought forward by the Complainant(s) and the history of circumstances leading up to the filing of the formal Complaint.

Following this review, the individual(s) who receives the Complaint may take one of the following steps:

- refer the matter back to Step 2 to resolve the matter through informal processes;
or
- assign an internal or external Investigator to conduct a formal investigation of the Complaint.

Appointment of Investigator

Factors that the City will consider in determining whether to retain an internal or external investigator may include: the overall complexity of the facts/law related to the Complaint; the Parties to the Complaint, the anticipated length of time necessary to conduct the investigation; the potential severity of the outcome(s) of the investigation in relation to the Respondent(s) should the Complaint be substantiated; and any other relevant circumstances.

Internal investigators shall have sufficient prior experience and/or training in conducting workplace investigations and shall have no previous involvement in the facts/circumstances giving rise to the Complaint.

External investigators shall be appointed by the Director, Human Resources, in consultation with the Chief Administrative Officer (CAO) and at his/her discretion.

Time Limits

The time limit for making a formal complaint is within six (6) months from the date of the last incident. This is consistent with the time limits noted in the BC Human Rights Code.

Interim Measures

It may be necessary to take interim measures, such as transfers/leaves/restrictions on contact or communication while a Complaint is being investigated. Such measures will be precautionary, not disciplinary.

Mediation during the Formal Process

Where appropriate, mediation is available to Parties to try to resolve the Complaint at any point during the process. Any ongoing investigation will be suspended during mediation and will resume if mediation is unsuccessful.

Unless explicitly agreed to by the Parties in writing, the investigator shall not act as the mediator and shall have no communication with the mediator regarding the Complaint at any time.

Withdrawal of a Formal Complaint

At any time during the course of an investigation of a formal Complaint, the Complainant(s) may choose to withdraw his or her Complaint without penalty so long as the Complaint was filed in good faith. In such circumstances, there should be no indication of the complaint in the personnel files of the Complainant(s) or Respondent(s).

The Investigation Process and Role of the Investigator

The investigator will take a reasonable amount of time to conduct the investigation to interview the Parties and relevant Witnesses and obtain and review any potentially relevant documents.

The investigator will prepare a report of investigation outlining his/her findings and conclusions and submit the report to the relevant Human Resources Representative.

The findings and conclusions may relate to both the conduct at issue and the medical/emotional/financial impact of the conduct on those involved.

The investigator may include recommendations in the report of investigation, where applicable and if requested by the City.

The City will advise both the Complainant(s) and Respondent(s) of the findings and conclusions of the investigation and any recommendations related to their conduct, through a written summary of the report. Other Parties involved in the complaint (Witnesses and others) will be advised that the investigation has been concluded (without being provided any further information).

Appeals

Within 15 days of receiving a summary of the report of investigation, either Party(ies) may file an appeal with the City.

The appeal shall be based upon and restricted to, specific concerns related to the investigative process. The appeal shall not constitute an avenue in which to re-investigate the Complaint.

The CAO shall review the report of investigation to evaluate the fairness of the process and has sole discretion to take further action based upon his/her review.

The decision of the CAO is final.

Complaints involving City's Chief Administrative Officer, the Mayor or Members of City Council

External Investigator

Complaints brought under this policy against the Chief Administrative Officer, the Mayor or Members of City Council shall be presented to an external investigator with expertise regarding matters covered under this policy.

The external investigator will be retained by and will report directly to the Mayor and Chief Administrative Officer in cases involving the Members of Council. In cases involving the Mayor, the external investigator will be retained by and will report directly to the Chief Administrative Officer. In cases involving the Chief Administrative Officer, the external investigator will be retained by and will report directly to the Mayor.

Outcomes

General Outcomes

Once the appeal period has expired or the appeal has been concluded, the City will inform the Complainant(s) and Respondent(s) of its final implementation plan based upon the report of investigation.

Part of the implementation plan may include processes similar to those set out in Step 2, in order to help rebuild/repair the relationships.

Outcomes that may be included in the implementation plans include one or more of the following:

- oral and/or written apology from the parties;
- adjustments to the workplace environment;
- coaching of expectations – verbal or in writing;
- medical assessment referrals;
- training;
- transfers to a different department; and/or

- institution of formal discipline and disciplinary processes, up to and including suspension/removal from premises for contractors, visitors and volunteers; and
- mediation.

Discipline in accordance with Corporate Policy may arise if such action is warranted based on the severity of the findings/conclusions of the investigation.

The Complainant(s) and Respondent(s) will only receive information relevant to their role in the final implementation plan; they will not be privy to recommendations related to the other Party(ies).

Outcomes

City management will determine and implement specific consequences and remedies that are reflective of and relevant to the investigative findings/conclusions within a reasonable period of time after receipt of the report of investigation.

Any Party(ies) who disagrees with the nature/extent of action or disciplinary action imposed by the City as a result of the investigation should access the usual grievance/appeal process set out in the relevant collective agreements and City of Vernon policies.

Other Important Points

Malicious/Vexatious/Frivolous Complaints of Misuse of the Policy

In circumstances where a Complaint is found to have been made in bad faith or determined to be vexatious, frivolous or a general misuse of the Policy, the Complainant(s) may face similar outcomes as a Respondent(s) as set out above (ie. Interventions ranging from coaching to formal disciplinary intervention).

This section of the Policy may apply to filed Complaints as well as any circumstances in which individuals repeatedly threaten to file Complaints against others in order to achieve similar ends.

A Complaint, or threatened Complaint, will be deemed to have been made in bad faith when, considering all of the circumstances surrounding the complaint including its timing and context, the Complaint was found to have been made solely in an attempt to:

- influence or overturn decisions related to the Complainant's employment;
- intimidate, threaten or cause trouble to the Respondent(s);
- create a hostile or intimidating workplace environment for others, including the Respondent(s); or

- create a potential personal benefit or entitlement to the Complainant(s).

Misuse of the Policy may include unreasonable, repetitive filing of Complaints or concerns that are consistently found to be unsubstantiated.

In circumstances where a Complaint has been found to be malicious, vexatious or a misuse of the Policy, the Respondent(s) may be awarded the same remedies as those available to Complainant(s) as set out above (interventions ranging from an apology to compensation for established losses).

Unsubstantiated Complaints

If the investigator finds insufficient evidence to support the Complainant's allegations and finds that there has been no misuse of the Policy or bad faith in filing the Complaint, no action will be taken in relation to the complaint. There will be no record of the Complaint on the Respondent's file.

Consequences of Retaliation

Any established retaliation against any Party(ies), Bystander(s) or Witness(es) involved in an informal or formal resolution process shall be considered an independent violation of the Policy (regardless of the merits or outcome of the initial concern or Complaint) and shall result in discipline commensurate with the severity of the conduct.

Multiple Proceedings

This Policy is in addition to and not in substitution for any rights an individual may have to pursue action, whether under collective agreements, policies including any applicable legislation, including human rights legislation.

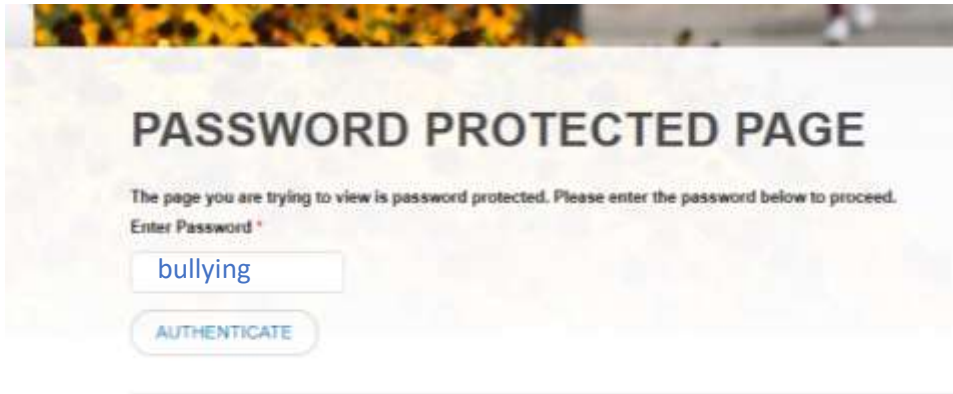
If at any time a staff member elects to initiate other legal proceedings or if the staff member takes any steps outside of those contemplated in this policy, the City may discontinue any procedures taken under this policy as a result of the Complaint (depending on a consideration of all of the circumstances).

Potentially criminal behaviour such as an assault, significant threats, or attempts at extortion shall be directly referred to the RCMP by the City upon receipt of a Complaint of this nature.

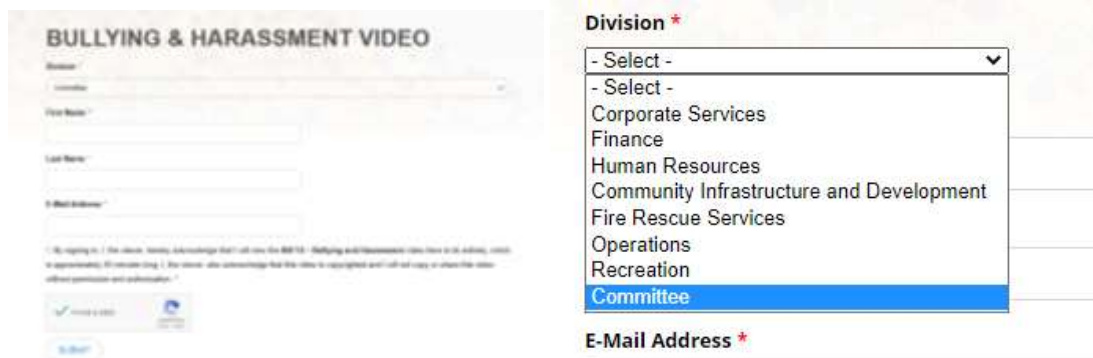
Bullying & Harassment Video

Instructions for Committee Members

1. In your web browser, please go to the link:
<https://www.vernon.ca/bullying-and-harassment>
2. Please sign in (using the information below)



3. When you reach a webpage, that looks like the one below, for your Division please select 'Committee'



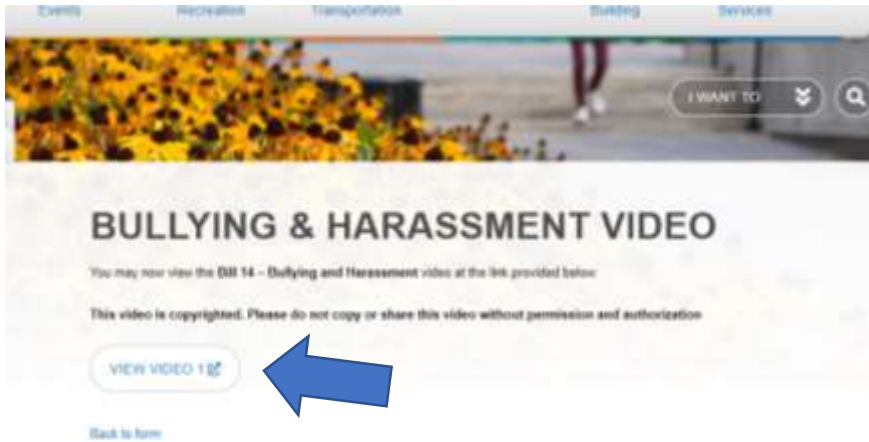
Please fill out all of the required fields. Make sure to read and 'tick' this box!

Disclaimer *

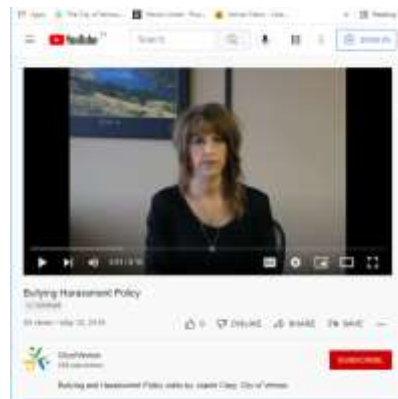
By signing in, I, the viewer, hereby acknowledge that I will view the **Bill 14 - Bullying and Harassment** video here in its entirety, which is approximately 20 minutes long. I, the viewer, also acknowledge that this video is copyrighted and I will not copy or share this video without permission and authorization.

4. Once the online form is filled out, click 'Submit'

5. Your next screen should look like the one below. Please click the link to the video:



6. You will be taken to another webpage on the web-platform of YouTube. It should look like the image below. Please make sure that you watch the entire video.



7. Once the video ends, you are all done!

*Thank you for volunteering as a Committee Member.
Thank you for taking the time to watch the Bullying and Harassment Video Today.*



THE CORPORATION OF THE CITY OF VERNON

3400 – 30th Street, Vernon, B.C. V1T 5E6

Telephone: (250) 545-1361 Fax: (250) 545-4048

website: www.vernon.ca

Administrative Policy

Section:	Human Resources	
Sub-Section:		
Title:	Fit for Work Policy	

RELATED POLICIES

Number	Title
	Bullying and Harassment
	Code of Conduct
	Code of Ethics
	Stay at Work/Return to Work Program
	Replaced No Alcohol/Drug Influence Permit

APPROVALS

POLICY APPROVAL:	AMENDMENT APPROVAL:	SECTION AMENDED
Approved by: <i>Will Pearce</i>	Amendment Approved by:	ORIGINAL POLICY
City Administrator:	City Administrator:	
Date:	Date:	

March 20, 2019

I. PURPOSE AND SCOPE

The City of Vernon is committed to providing a safe and healthy workplace for all individuals covered by this Fit for Work Policy (the "Policy"). A safe and healthy workplace is possible only when all individuals can perform their job duties in a safe, healthy, effective, and satisfactory manner, and remain able to do so throughout the entire time they are working. One component of providing a safe and healthy workplace is ensuring that the workplace remains free from the adverse effects of drugs and alcohol.

This Policy applies to all employees, contractors, volunteers, and students working on behalf of the City or who are present within the City's facilities and programs. The Policy applies to all situations in which individuals covered by the Policy are having observable difficulty performing their duties in an effective manner as a result of an emotional, mental or physical condition that may adversely impact or threaten the health, safety or security of themselves, their co-workers, the workplace or the environment. The portion of this Policy dealing with 'Alcohol and Drugs' (Part IV) also applies to elected officials of the City.

The Policy is designed to meet the requirements of British Columbia's *Human Rights Code*, *Workers Compensation Act* and *Occupational Health and Safety Regulation*. This Policy is not intended to limit any rights or remedies available to the City of Vernon under the law.

The City will review this Policy where circumstances warrant it or at least every 2 (two) years.

II. DEFINITIONS

Alcohol	Any alcoholic beverage including, but not limited to, beer, wine or liquor
Cannabis	Cannabis includes its preparations and derivatives, including cannabis resin, dried marihuana, fresh marihuana, and marihuana in edible form
Consume	Includes to ingest (eat or drink), inhale, absorb, and/or inject
Disability	Disability includes: a) A physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness;

	<ul style="list-style-type: none">b) A condition of mental impairment or developmental disability;c) A learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;d) An injury or disability for which benefits were claimed and received under WorkSafe BC; ande) An addiction
Employee	For the purposes of this Policy, employee includes all City of Vernon employees, whether full-time, part-time, permanent or temporary
Employer	Means the City of Vernon (the "City")
Evaluator	A qualified individual and/or group performing any necessary tests, such as an Independent Medical Examination, to determine fitness for duty (examples include but are not limited to WorkSafeBC, health care practitioners, physicians, occupational therapists, etc.)
Illicit Drugs	Drugs that are illegal to manufacture, possess, sell, purchase or consume pursuant to the <i>Controlled Drugs and Substances Act</i> of Canada or any other applicable legislation in Canada
Individual	For the purposes of this Policy, Individual includes Employees, students, volunteers and third-party contractors working or volunteering for the City
Medical Cannabis	Cannabis that is obtained and consumed pursuant to an authorization granted by Health Canada and in accordance with a medical authorization and prescription provided by a licensed physician
Non-Medical Cannabis	Cannabis that can be lawfully purchased and consumed for recreational purposes
Prescription Drugs	Drugs that can only be obtained and consumed with a prescription from a physician licensed to prescribe them. Prescriptions must be made out to a specific Individual and filled by a licensed pharmacist
Non-Prescription Drugs	Drugs that can be lawfully obtained without a prescription, excluding Non-Medical Cannabis

Supervisor	A person who instructs, directs and controls Individuals in the performance of their duties, including a director, manager or a lead
Undue Hardship	<p>Each situation should be viewed as unique and assessed individually. Some factors that may be considered in assessing whether an accommodation would cause undue hardship include but are not limited to:</p> <ul style="list-style-type: none">a) The ability of the Individual to perform the essential duties of their job;b) The unique circumstances of every absence;c) The nature of the Individual's condition;d) The circumstances of the workplace, including potential impacts on employee morale and potential disruption of a collective agreement;e) Cost;f) Outside sources of funding; andg) Health and safety requirements;

III. STANDARDS AND EXPECTATIONS OF FITNESS FOR WORK

1. Employer

- a) Provide a safe and healthy workplace;
- b) Provide reasonable accommodation as required by law;
- c) Maintain the confidentiality of an Individual's medical and accommodation information in accordance with this Policy; and
- d) Ensure that Individuals and Supervisors are provided with adequate training and awareness regarding this Policy.

2. Supervisors

- a) Be aware of, understand and comply with this Policy;
- b) Be responsible for ensuring their own health and safety and the health and safety of other Individuals;

- c) Monitor the attendance, performance, and behaviour of the Individuals under their supervision;
- d) Notify Human Resources when an Individual exhibits behaviour that suggests they may not be fit for duty;
- e) Maintain the confidentiality of an Individual's medical and accommodation information in accordance with this Policy and the City's obligations under the *Freedom of Information and Protection of Privacy Act*; and
- f) Implement any reasonable accommodation deemed appropriate.

3. Individuals

- a) Read, understand and comply with this Policy;
- b) Report to work unimpaired and in an emotional, mental, and physical condition necessary to perform your job in a safe and satisfactory manner;
- c) Take responsibility to ensure your own safety and the safety of others;
- d) Communicate your need for an accommodation to the Employer;
- e) Advise a Supervisor when you are not fit for work, or of any limitations that may:
 - i. affect your ability to perform your duties to the standards required, including but not limited to, any potential impairment or unsafe side effects related to the use of Prescription Drugs, Non-Prescription Drugs, or Cannabis; or
 - ii. pose a potential safety, workplace or environmental risk;
- f) Advise a Supervisor when a co-worker is or raises suspicion that they appear to be acting in a manner that indicates they may not be fit for work as described in (e) above;
- g) Comply with treatment recommendations as prescribed by a qualified health care professional, or resulting from a fit for work evaluation;
- h) Cooperate and participate in good faith in any reasonable accommodation process; and
- i) Meet the Policy's fitness for work requirements during the entire on-call period.

4. Human Resources

- a) Coordinate and implement the Return to Work process set as part of the City's Stay at Work/Return to Work Program (SAW/RTW);
- b) Provide absent Individuals with information regarding the Stay at Work/Return to Work process, and ensure that they understand the procedures, responsibilities, and expectations;
- c) Work with Supervisors to identify accommodation to allow Individuals to return to their regular duties; and
- d) Work with Supervisors to provide returning Individuals with a Return to Work plan.

5. Unions

- a) Take an active role as partners in the accommodation process; and
- b) Support accommodation unless to do so would create undue hardship.

6. Joint Occupational Health and Safety Committee

- a) Read, understand and comply with this Policy

IV. ALCOHOL AND DRUGS

1. Impairment and Possession

All Individuals and elected officials are expected to be fit for work when they report to work and to carry out their assigned and required duties safely and acceptably, without any impairment due to the use of Alcohol, Cannabis, or other drugs, including Prescription Drugs, Non-Prescription Drugs, and Illicit Drugs.

Unless otherwise permitted by this Policy, Individuals and elected officials are strictly prohibited from using, selling, possessing, consuming or distributing Alcohol, Cannabis, or Illicit Drugs on City property and/or while they are performing paid or volunteer work for the City and/or at City sponsored workplace events.

Individuals and elected officials may, on City property, have in their possession Alcohol in its original, sealed and unopened container that is intended to be removed at the end of shift, kept in a discreet and enclosed package for the purpose of use outside of working hours. In such circumstances, this Alcohol is not to be consumed on City property. Examples may include Alcohol purchased during a lunch break to be taken home after working hours or Alcohol bought for the purpose of gifting.

2. Violations

Violations of the Policy regarding Alcohol and drugs will not be tolerated and are strictly prohibited. Individuals who are in violation of this Policy will be subject to discipline up to and including termination of employment (where applicable), or the termination of their volunteer duties or their contract for services with the City, as the case may be. Elected officials who are in violation of this portion of the Policy may be subject to sanctions imposed by Council for the City, acting within its legislative authority.

The City will facilitate the removal from its premises of any Individual or elected official it reasonably suspects is in violation of this Policy and/or is impaired by drugs or Alcohol.

3. Human Rights Code

The City acknowledges its obligations to accommodate Employees with disabilities and will also support the rehabilitation and return to work of Employees who may have substance abuse disorders in accordance with its obligations under the Human Rights Code of British Columbia. Employees who believe they may have a drug or Alcohol problem are expected to seek assistance before their job performance is affected and violations of this Policy occur. The City encourages Employees who believe they may have a drug or Alcohol problem to make use of benefits that the City makes available to them.

Any accommodation of this Policy that are required by Individuals suffering from disabilities will be considered on a case by case basis.

4. Alcohol consumption at City Sponsored Social Events or on City Property

The City is required by law to ensure the reasonable care and safety of Individuals on City property and at social events hosted by the City. For this reason, the consumption, sale, possession or distribution of Alcohol by Individuals and elected officials on City property and at City sponsored social events is strictly prohibited, except as authorized below.

Responsible consumption of Alcohol is permitted by Individuals and elected officials at City sponsored social events in accordance with the following regulations:

1. Alcohol must be served by a bartender with the "Serving it Right" certification;
2. All individuals, including elected officials, are limited to no more than two (2) Alcoholic beverages per person;

3. Consumption of alcohol is voluntary and Individuals are encouraged to behave responsibly and be in control of their own behaviour; and
4. Individuals and elected officials who consume any Alcohol are prohibited from operating a motor vehicle following the event and alternate transportation must be used, at the Employee's expense.

5. Alcohol Consumption at Social Events not hosted or sponsored by the City

The City is aware that Individuals and elected officials attend social events that are not hosted by the City but appear to be affiliated with the City because the events are specifically organized by or on behalf of City employees. The City considers the annual CUPE holiday party and the annual golf tournament to be examples of such events. Given that the City does not sponsor or host these events, it is not in a position to prohibit or control the consumption of alcohol by Individuals, elected officials or other guests. However, the City reminds Individuals and elected officials who are consuming alcohol at such events to drink responsibly and not in excess. The City also reminds Employees and elected officials of their obligations to comply with the City's Bullying and Harassment Policy and the City's Code of Conduct Policy.

The City also recommends that the organizers and hosts of these events adhere to the following "best practices" regarding the service of alcohol:

1. Prior to the event, remind all invitees that attendance is voluntary. Encourage them to drink responsibly and to be in control of their own behaviour;
2. Ensure that the venue is free of potential hazards;
3. Ensure that Alcohol is only served by licensed bartenders with the "Serving it Right" certification. The bartenders should be instructed not to serve Alcohol to anyone who appears to be intoxicated;
4. Ensure that responsible consumption of Alcohol is encouraged by providing food as well as non-alcoholic drinks;
5. Ensure that Individuals and elected officials who have consumed Alcohol are prohibited from driving a vehicle home following the event;
6. Arrange alternate transportation home for individuals who have consumed Alcohol (through the provision of taxi cabs or by organizing car-pools and designated drivers in advance);
7. Designate people to monitor consumption of Alcohol at these events and ensure that attendees are not drinking to excess;
8. Stop serving Alcohol at least one (1) hour prior to the end of the event; and
9. Contact the police if an incident occurs or if an individual disregards advice and attempts to drive in an intoxicated state.

6. Illicit Drugs and Cannabis

No Illicit Drugs may be sold, possessed, consumed or distributed at City sponsored social events or on City property. No Cannabis may be sold, possessed, consumed or distributed on City property or at City sponsored social events. Any accommodation required by Individuals suffering from disabilities will be considered on a case by case basis.

7. Prescription Drugs, Non-Prescription Drugs and Medical Cannabis

The City acknowledges that some Individuals use Prescription Drugs to manage medical conditions. The City also acknowledges that some Individuals use Medical Cannabis pursuant to an authorization granted by Health Canada and in accordance with a medical authorization provided by their treating physician. Individuals who use Prescription Drugs or who are authorized to use Medical Cannabis are required to be fit for work when they report to work and cannot be impaired by their use of Prescription Drugs or Cannabis. Impairment may consist of, without limitation, side effects that adversely affect judgment, coordination or other senses, including those that may cause drowsiness, inattentiveness or dizziness.

Individuals are expected to consult with their physicians to determine whether any Prescription or Medical Cannabis being consumed or used could have a negative impact on their ability to safely and proficiently carry out their duties. Individuals who know or ought reasonably to know that their use of Prescription Drugs or Medical Cannabis may have an adverse impact on their ability to safely or effectively perform their duties must disclose this fact to the City.

In all cases, the City may request further medical information from the Individual's treating health care practitioner(s) to substantiate an Individual's stated need to consume Prescription Drugs, Non-Prescription Drugs, or Medical Cannabis including, without limitation, confirmation that the use of the Drugs or Medical Cannabis is required to manage or treat a disability, information about dosages, frequency, manner of delivery, and whether consumption will affect the Individual's ability to safely and competently perform their duties.

Individuals who are in violation of these rules and regulations shall be subject to discipline up to and including termination of employment (or termination of their volunteer duties or their contract with the City, as the case may be). Elected officials who are in violation of these rules and regulations may be subject to sanctions imposed by Council for the City, acting within its legislative authority.

V. DETERMINATION OF FITNESS FOR DUTY

1. DUTY TO REPORT

You must report to a Supervisor if you do not feel fit for work, or if you have reasonable suspicion to believe a co-worker, or any other Individual is not fit for work.

Being unfit for work may include, but is not limited to:

- a) Being emotionally distressed;
- b) Having a physical injury that impairs an Individual's ability to perform their regular duties; or
- c) Impairment including from Alcohol, Cannabis, Prescription or Non-Prescription Drugs.

2. DUTY TO INQUIRE

Once a Supervisor receives word or reasonably suspects that an Individual is not fit for work, they must meet with the person to determine whether or not they are actually having difficulty in performing their duties in a safe, competent and/or satisfactory manner, and if so, why. A Human Resources representative may become involved at this stage depending on the circumstances and when deemed necessary or appropriate to do so.

Based on the circumstances of each case, where it is determined that an Individual is unfit for work, a Supervisor may do any of the following, or a combination thereof:

- a) consult with the Individual's director or manager to understand the behaviour and circumstances that have raised questions about the person's fitness for work;
- b) ask the Individual to provide any relevant medical documentation;
- c) for less serious instances, direct the Individual to perform modified duties until they provide medical documentation supporting a return to regular duties. For example:
 - i. a reception employee who is visibly distressed due to a personal matter may be assigned to administrative duties that don't require dealing with the public;
- d) for more serious instances, relieve the Individual from their duties, send them home (or arrange for safe transportation if necessary) and direct them to seek medical attention where an Individual presents signs of impairment or discloses they are unable to perform their duties due to, but not limited to:
 - i. the use of Prescription or Non-Prescription Drugs, Cannabis, Alcohol and/or Illicit Drugs; or
 - ii. a physical or mental disability;

- iii. an infectious illness or disease (e.g. flu, colds, rash).
- e) place the Individual on leave until they provide sufficient medical documentation to support a safe return to work; and/or
- f) in an emergency, call 9-1-1, or for non-emergencies call an ambulance (if necessary).

This section is not intended to limit any of the procedures or processes that may be implemented in accordance with the City's Stay at Work/Return to Work Program.

3. DUTY TO PROVIDE INFORMATION AND TO COOPERATE

At any time during the application of this Policy, should the City require it, an Individual may be asked to provide detailed medical documentation such as a doctor's note outlining:

- (a) whether or not they are fit and able to perform their regular duties;
- (b) the Individual's medical restrictions or limitations affecting their ability to attend at work or perform their regular duties;
- (c) the duration of the impairment, disability or illness.

If requested, it is an implied term of the employment relationship that the Individual must cooperate with the City to obtain from their treating medical practitioner the information the City needs in order to determine any accommodation needed based on the specific medical restriction and/or limitations they have.

For example, if an Individual is impaired at work due to the effects of Medical Cannabis, the City may require the Individual to produce documentation confirming that the Individual is authorized to consume Medical Cannabis, that the use and consumption of Medical Cannabis is to treat or manage a disability, and information about dosages, frequency, manner of delivery, and whether consumption will affect the Individual's ability to safely perform their duties.

4. INDEPENDENT MEDICAL EXAMINATION ("IME")

If the information provided from the Individual's treating medical practitioner is vague, contradictory, lacking or short on the details needed to return that Individual safely to work, the City may require the Individual to attend at an independent medical evaluation ("IME") by a doctor of the City's choosing as part of the accommodation process.

5. RESULTS OF THE IME

The Individual shall be notified of the results of the IME by the evaluator. Only information necessary to facilitate the return to work will be shared with Human Resources. Once a Return to Work plan is established in accordance with the City's Stay at Work/Return to

Work Program, a human resources representative at the City will communicate with the Individual's Supervisor to inform them whether the Individual:

- a) is fit and able to return to full duties without accommodation;
- b) is not fit and able to return to work and must remain off, in which case the employee will be referred to Human Resources for a benefits discussion; or
- c) is fit and able to return to work with reasonable accommodation to meet the evaluator's recommendations.

6. DISCLOSURE OF INFORMATION

The Supervisor who receives personal information about an Individual that they may be unfit for work for any reason must not disclose what they know to any person unless:

- (a) express consent in writing to do so has been given by the Individual;
- (b) it is legally required to be disclosed;
- (c) disclosure is warranted in order to ensure the safety and security of the workplace, the Individual, or others;
- (d) to implement and manage the employment relationship and this Policy (e.g. disclosure to Human Resources in order to enable an assessment of reasonable accommodation); or
- (e) the information is otherwise authorized to be disclosed pursuant to the *Freedom of Information and Protection of Privacy Act*.

ADVISORY PLANNING COMMITTEE MEMBER LIST 2025

Mayor Victor Cumming

Councillor Akbal Mund

Claire Ishoy

Margaret Jarman

Jordan Hart

Jessica Kirkham

Michaela Gaudreau

Margo Lupien

Craig Neville

Scott Chatterton

Harpreet Nahal

Kennedy Mund



THE CORPORATION OF THE CITY OF VERNON REPORT TO ADVISORY PLANNING COMMITTEE

SUBMITTED BY: Michelle Austin, Senior Planner

APC MEETING DATE: January 14, 2025

REPORT DATE: January 9, 2025

FILE: 3360-20 (ZON00425)

SUBJECT: ZONING AMENDMENT APPLICATION FOR 3605 12 STREET

PURPOSE:

The purpose of this report is to present a Zoning Amendment application for 3605 12 Street to facilitate a multi-family housing development. The Advisory Planning Committee is requested to review, discuss, and provide a recommendation to Council.

RECOMMENDATION:

THAT the Advisory Planning Committee recommends that Council support Zoning Application ZON00425 to rezone the portion of Lot 1, Sec. 2, TP 8, ODYD, Plan KAP76994, Except Plan KAP84405 (3605 12 Street) located east of 11 Street from CMTY - Community to MUS - Multi-Unit Small Scale as outlined in the report titled "Zoning Amendment Application for 3605 12 Street" dated January 9, 2025 and respectfully submitted by the Senior Planner, Current Planning.

ALTERNATIVES & IMPLICATIONS:

1. THAT the Advisory Planning Committee recommends that Council not support Zoning Application ZON00425 to rezone the portion of Lot 1, Sec. 2, TP 8, ODYD, Plan KAP76994, Except Plan KAP84405 (3605 12 Street) located east of 11 Street from CMTY - Community to MUS - Multi-Unit Small Scale as outlined in the report titled "Zoning Amendment Application for 3605 12 Street" dated January 9, 2025 and respectfully submitted by the Senior Planner, Current Planning.

Note: This alternative does not support rezoning and would prevent the proposed development from proceeding. Without these approvals, only the north half of the property could be developed under the Multi-Unit Small Scale (MUS) zone. The south half, currently zoned as Community (CMTY), would not permit residential development, as it is intended for commercial and community uses.

ANALYSIS:

A. Overview:

1. The subject property, at 3605 12 Street, is located in an established neighbourhood of East Hill and home to the East Hill Community Church (Attachment 1). This hooked lot consists of two sections:
 - West Portion: Fronting both 11 Street and 12 Street, this area contains the church building, parking, and a pastor's residence.
 - Southeast Portion: Separated from the west by the 11 Street cul-de-sac, this section is a grassed, undeveloped area (see Figures 1 and 2).

The entire lot is 1.01 hectares, with the east portion, approximately 0.3 hectares, proposed for rezoning (Attachment 2).

- The application (Attachments 2 & 3) proposes rezoning the portion of the subject property (~ 0.3 ha) located east of 11th Street from [CMTY – Community](#) to [MUS – Multi-Unit Small Scale](#). The developer intends to consolidate the portion east of 11th Street with 3607 11th Street to the north, creating a new lot of approximately 0.5 hectares (1.3 acres). The new lot would be developed with nine semi-detached buildings, totaling 18 units, designed for residents aged 55 and older (Attachment 4). The remaining church lot would retain sufficient parking to meet its needs and comply with bylaw requirements.

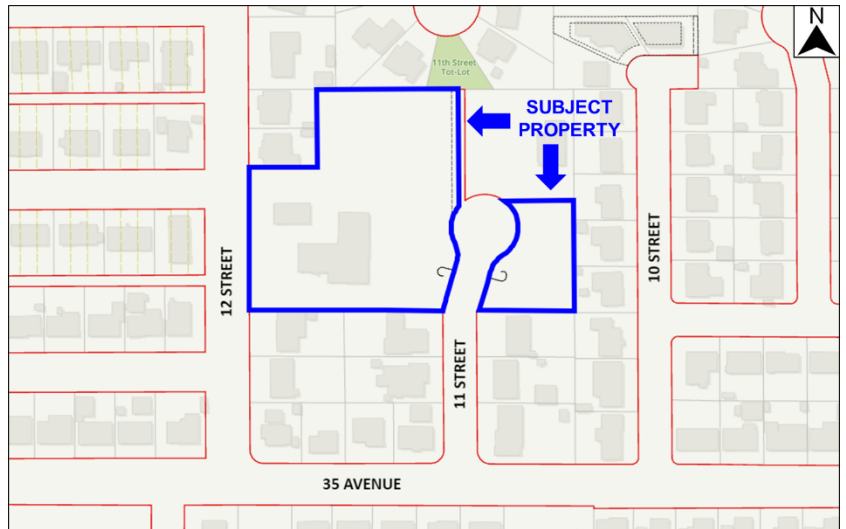


Figure 1: Property Location Map

- The Official Community Plan (OCP) designates the property as Residential Low Density (RLD) (Attachment 5). The zoning is split:
 - North Portion: Zoned [Multi-Unit Small Scale \(MUS\)](#)
 - South Portion: Zoned [Community \(CMTY\)](#) (Attachment 6 – Zoning Map).

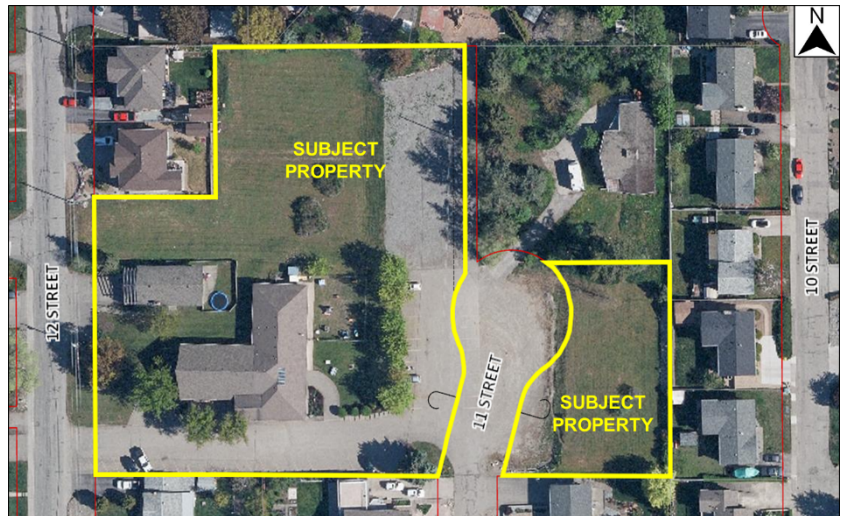


Figure 2: Aerial View of Property

B. Project Details:

- The preliminary site plan (Attachment 4) shows units arranged along a central drive aisle accessed from the end of the 11th Street south cul-de-sac. The layout features four semi-detached buildings on the west side of the drive aisle and five on the east side. Each two-storey building includes second-storey decks for private amenity space. Parking is provided with a single-car garage and a driveway space for each unit. The units are 1,700 square feet, each containing three bedrooms and two bathrooms.
- An existing pathway connects the south cul-de-sac of 11 Street to Hillcrest Park, a neighborhood playground located at 3800 11 Street (north cul-de-sac) (Attachment 1). Through the subdivision and development process, the pathway would be relocated a few metres west to align with the new lot line, dedicated to the City, and built by the developer.
- The City's Real Estate Department is preparing a road closure bylaw for the south cul-de-sac of 11 Street to accommodate the development. This would be brought to Council for consideration at a future date.
- The preliminary site plan (Attachment 4) confirms compliance with the proposed [MUS](#) zoning and parking requirements. Further refinements would occur during the development permit stage, when full architectural drawings are required. These would include a final site plan, floor plans, elevations, renderings (Attachment 7), exterior finishes, and a landscaping plan with a cost estimate and bonding.

C. Policy Analysis:

8. The current [CMTY](#) zone is intended for commercial and community uses and does not permit residential development. The proposed [MUS](#) zone permits small-scale housing up to three storeys, including single-detached, duplex, semi-detached, and townhomes. This aligns with the RLD OCP designation, which supports low-density housing such as single-detached, semi-detached, duplex, and row housing.
9. The proposed [MUS](#) zone allows for up to 31 units on the new lot; however, the developer is proposing a modest 18 units to respect the character of the established neighborhood. Building heights would be kept under 8 meters, below the maximum allowable height of 11 meters, to ensure the development integrates well with the surrounding area.
10. Table 1 below indicates the surrounding zoning, and land uses.

	Zoning	Actual Use
North	MUS – Multi-Unit Small Scale PANS – Parks and Natural Spaces	Single detached housing Neighbourhood playground/park
East	MUS – Multi-Unit Small Scale	Single detached housing
South	MUS – Multi-Unit Small Scale	Single detached housing
West	MUS – Multi-Unit Small Scale	Single detached housing

Table 1: Surrounding Properties – Zoning & Actual Use

11. As highlighted in the City’s [Housing Needs Report](#) (November 2024), a comprehensive housing network provides diverse housing types, styles, and forms across neighborhoods, ensuring households can access appropriate housing as their needs evolve. Introducing more semi-detached housing in the East Hill area would help diversify the housing stock, which is currently dominated by single-detached homes.

D. Rationale:

12. Administration supports the zoning amendment application for the following reasons:
 - Diversifying and expanding the housing stock in the East Hill neighborhood;
 - Complementing and respecting the character of the established East Hill neighborhood; and,
 - Improving pathway connections to an existing neighborhood park.

E. Attachments:

- Attachment 1 – Photos
- Attachment 2 – Rezoning Plan
- Attachment 3 – Project Rationale Letter
- Attachment 4 – Site Plan
- Attachment 5 – OCP Map
- Attachment 6 – Zoning Map
- Attachment 7 – Renderings

F. Council's Strategic Plan Alignment:

- Governance & Organizational Excellence
- Recreation, Parks & Natural Areas
- Environmental Leadership
- Livability
- Vibrancy
- Not Applicable

G. Relevant Policy/Bylaws/Resolutions:

- OCP Bylaw 5470
- Zoning Bylaw 6000

BUDGET/RESOURCE IMPLICATIONS:

N/A

FINANCIAL IMPLICATIONS:

- None
- Budget Previously Approved
- New Budget Request
(Finance Review Required)

Prepared by:

Approved for submission to APC:

X Michelle Austin
 Michelle Austin
 Senior Planner

Lydia Korolchuk
 Lydia Korolchuk, Manager
 Current Planning

Date: Jan. 9 -25

REVIEWED WITH

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Corporate Services | <input type="checkbox"/> Operations | <input checked="" type="checkbox"/> Current Planning |
| <input type="checkbox"/> Bylaw Compliance | <input type="checkbox"/> Public Works/Airport | <input type="checkbox"/> Long Range Planning & Sustainability |
| <input checked="" type="checkbox"/> Real Estate | <input type="checkbox"/> Facilities | <input type="checkbox"/> Building & Licensing |
| <input type="checkbox"/> RCMP | <input type="checkbox"/> Utilities | <input checked="" type="checkbox"/> Engineering Development Services |
| <input type="checkbox"/> Fire & Rescue Services | <input type="checkbox"/> Recreation Services | <input type="checkbox"/> Infrastructure Management |
| <input type="checkbox"/> Human Resources | <input type="checkbox"/> Parks | <input checked="" type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Jan. 14-25) | | |
| <input type="checkbox"/> OTHER: | | |



Photo 1: Pastor House and Church (from 12 St, facing east)



Photo 2: Subject Property (from church parking lot, facing east)



Photo 3: Subject Property (from 11 St south, facing north)



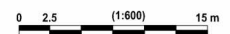
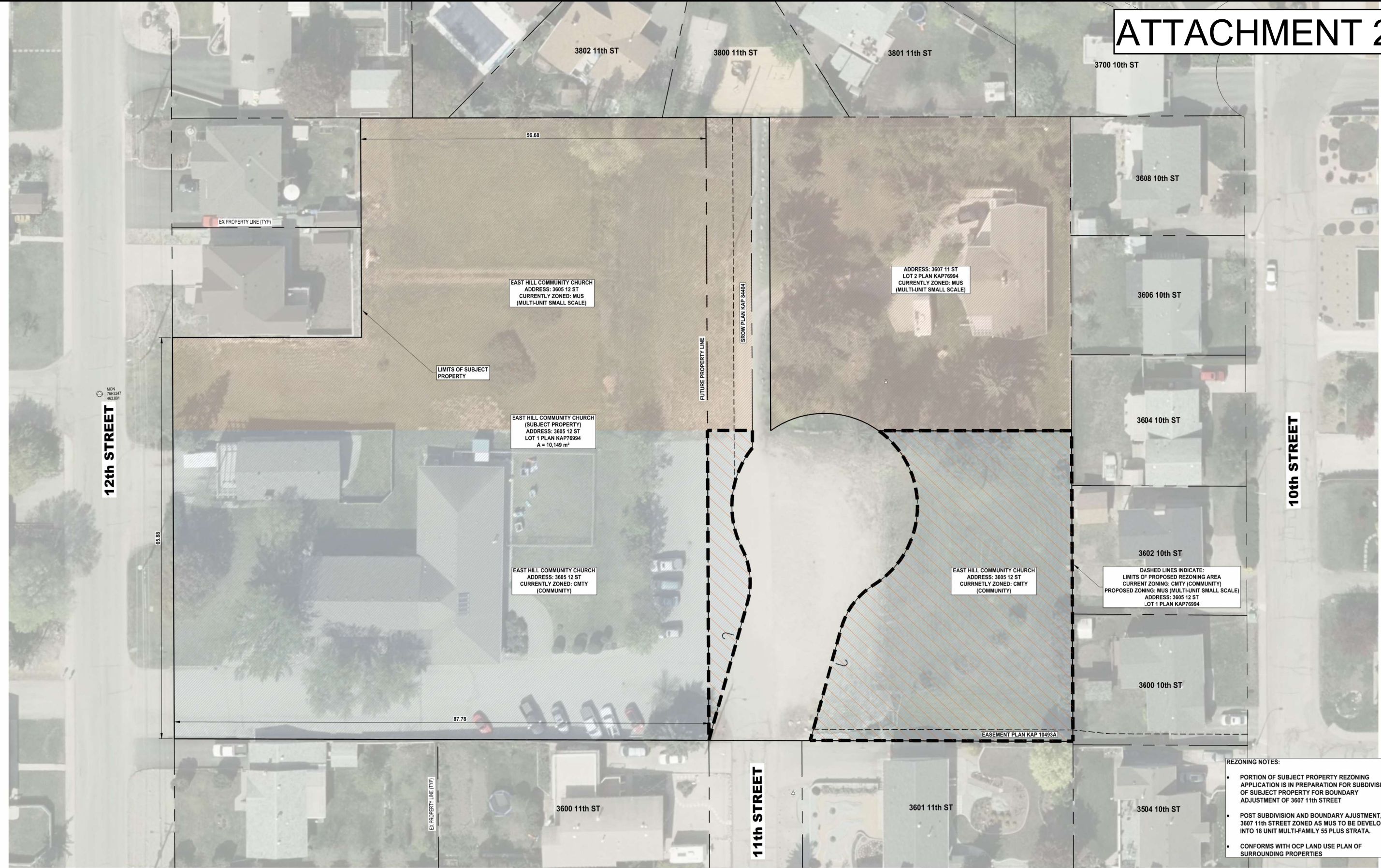
Photo 4: Hillcrest Park (from 11 St north, facing south)



Photo 5: Existing pathway (from Hillcrest Park, facing south)

ATTACHMENT 2

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PLAN
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- REZONING NOTES:**
- PORTION OF SUBJECT PROPERTY REZONING APPLICATION IS IN PREPARATION FOR SUBDIVISION OF SUBJECT PROPERTY FOR BOUNDARY ADJUSTMENT OF 3607 11th STREET
 - POST SUBDIVISION AND BOUNDARY ADJUSTMENT, 3607 11th STREET ZONED AS MUS TO BE DEVELOPED INTO 18 UNIT MULTI-FAMILY 55 PLUS STRATA.
 - CONFORMS WITH OCP LAND USE PLAN OF SURROUNDING PROPERTIES



Okanagan
202 - 3334 30th Avenue
Vernon, BC V1T 2C8
T 250 503 0841
F 250 503 0847

January 8, 2025

Michelle Austin
Planning and Community Services
City of Vernon
3001 32nd Avenue
Vernon, BC V1T 2L8

Dear Ms. Austin:

**RE: CHRISTIAN REFORMED CHURCH OF VERNON Ltd.
East Hill Community Church (3605 12th Street) Rezoning Application (ZON0425_SUB00862)
Our File: 3710.005-300**

Introduction

Kerr Wood Leidal Associates (KWL) has been retained by Christian Reformed Church of Vernon Ltd. (Owner) to assist with rezoning a portion of their East Hill Community Church (EHCC) property address 3605 12th Street, legal description Lot 1, Plan 76994, SEC 2, TP 8, ODYD. The following information is provided to support the submission of the attached rezoning application.

Background

The subject property has the East Hill Community Church building and a separate private residence for their pastor. North of the church building there is a large open field, east of the building there is a children's play area and the 11th Street road dedication over a paved and gravel parking area (see attached Rezoning Site Plan). The property has frontage on 12th Street between 35th and 39th Avenues and a connection to 11th Street in the southeast corner. It currently has split zoning of Community (CMTY) and Multi Unit: Small Scale (MUS) under the new Zoning Bylaw 6000. OCP land use plan is low density residential, and the property is within the Official Community Plan Neighbourhood Development District.

The following rights-of-way are registered on Lot 1, Plan 76994:

- City of Vernon Sanitary Sewer Right-of-Way KAP10493A along the south property line east of 11th Street;
- BC Hydro Statutory Right-of-Way 20753 overhead service to Lot 2, Plan 76994 (Address 3607 11th Street);
- Telus Statutory Right-of-Way 20754 overhead service to Lot 2, Plan 76994 (Address 3607 11th Street);
- RDNO Watermain Statutory Right-of-Way LB88612 from 11th Street to north property line; and
- City of Vernon public walkway Statutory Right-of-Way LB88617 from 11th Street to north property line.

Proposed Rezoning Rationale

The proposed rezoning of the portion of the subject property as shown on the Rezoning Site Plan is in preparation for subdivision (CoV Ref# SUB00862) of the subject property to create a new parcel of land east of the church building with frontage on 11th Street. The new parcel is to be immediately sold and combined with the address 3607 11th Street property (Lot 2 Plan KAP76994) through a boundary adjustment for the development of a multi-family seniors 55 plus strata. Remaining Lot 1, Plan 76994 area containing the church building and residence zoning would remain as it currently is.



The proposed 18 unit (9 duplex) multi-family development will be a 55 plus Strata. The development provides infill of a large vacant lot in the fully developed East Hill area and increased affordable housing options for seniors. It is within a 15-minute bike and 30-minute walk to the downtown area of Vernon making active transport a viable option for residents. The 35th Ave and 12th Street bus stop is located within a two-minute walk from the proposed development providing easy access to transit options for residents.

Access will be off the north end of 11th Street. Servicing will be connected to existing storm, sanitary, water, electrical, and communication utilities in 11th Street and 35th Avenue.

The 11th Street cul-de-sac road dedication as shown on plan KAP 76994 is to be modified north of the Lot 1, Plan 76994 south property line. The following rights-of-way would also need to be modified:

- RDNO Watermain Statutory Right-of-Way LB88612; and
- City of Vernon public walkway Statutory Right-of-Way LB88617.

Zoning Analysis

Upon completion of the address 3607 11th Street property (Lot 2 Plan KAP76994) boundary adjustment the new lot area will be approximately 1.29 acres. The following summarizes how the proposed development as shown on the attached Site Layout Plan meets the requirements of the MUS zoning bylaw:

Site Density:

- Revised Lot 2 Plan KAP76994 Area = 5220 m²/, 56,187.6 sq.ft. (1.29 acre)
- Density allowed under MUS zoning = 60 units / ha (24/acre) = 31 units
- Density proposed = 18 units (9 duplex buildings)
- Existing Zoning: Community (CMTY) and Multi-Unit: Small Scale (MUS)
- Future Zoning: MUS - Multi-Unit: Small Scale

Landscaping:

- Proposed Landscaping Area = 1706 m²
- Total Landscaping Coverage % = 32.7% (min 30%)

Parking:

- Vehicle Parking = 1 per unit (18) provided in garage
- Visitor Parking = 1 stall provided on-site and 1 per unit (18) in driveway
- Accessible Parking = 1 stall provided on-site
- Class 1 bicycle parking = 5 short term provided on-site and 1 long term per unit (18) provided in garage

It is worth noting that the development site grading conforms to the existing grade of the area well and should not require any retaining walls over 1.2 m high. The proposed elevations of the buildings will keep the height of their roof lines similar to the existing house and should not impose on the view of the existing houses to the east.



January 8, 2025
CHURCHILL HEIGHTS MULTI-FAMILY DEVELOPMENT (3607 11th STREET)
East Hill Community Church (3605 12th Street) Rezoning Application (ZON0425_SUB00862)

Closing

A copy of the rezoning application, title certificate, appointment of agent, Rezoning Site Plan and proposed Site Layout Plan are attached.

We trust this meet the needs of the of the City to review the rezoning application. If further information is needed, please contact Bruce Van Calsteren by email at bvancalsteren@kwj.ca or by phone: 250-308-6844.

Yours truly,

KERR WOOD LEIDAL ASSOCIATES LTD.

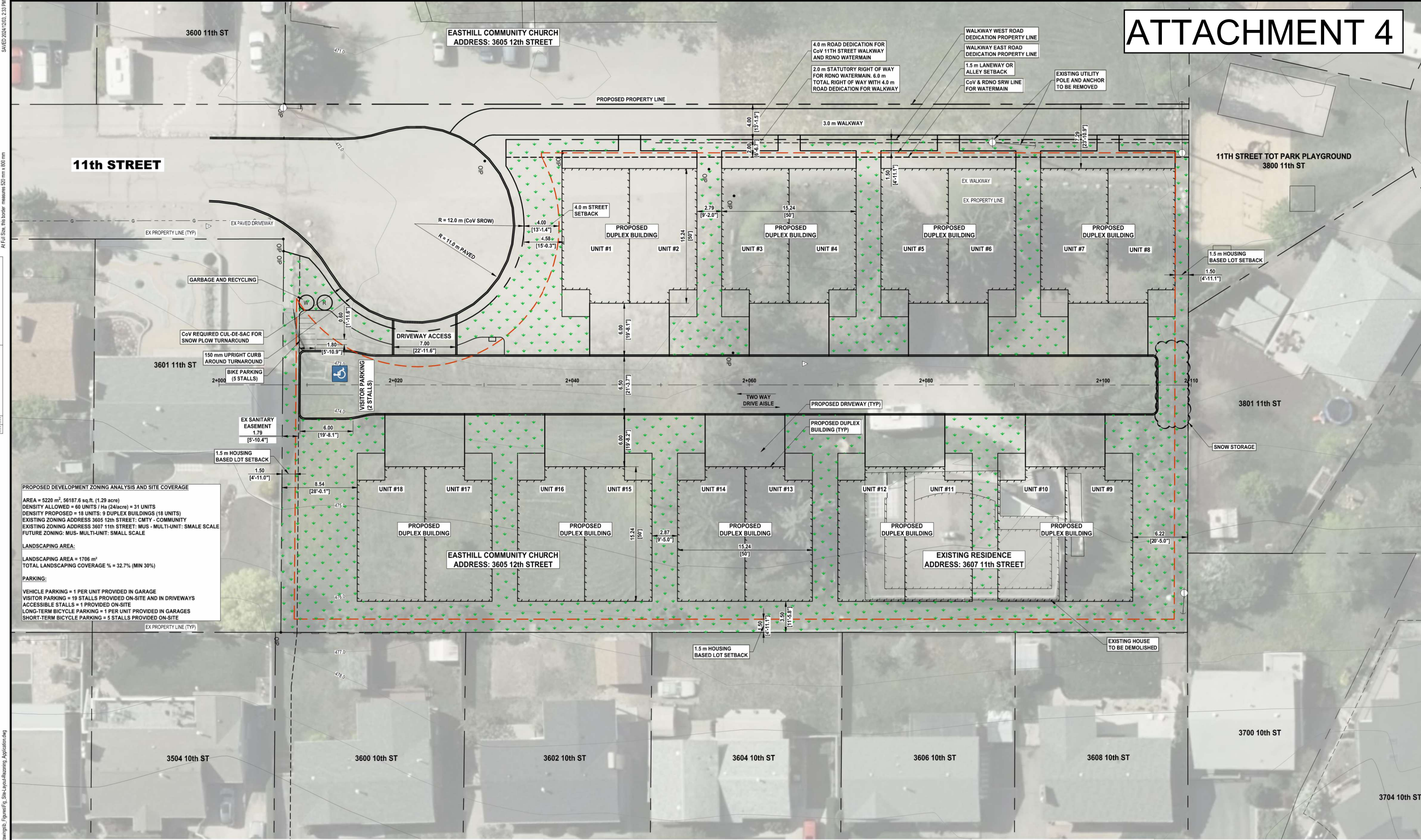
Bruce Van Calsteren, P.L.Eng., ASCT
Project Manager

BV/tdl

Encl. Rezoning Application
Title Certificate
Appointment of Agent Form
Rezoning Site Plan
Site Layout Plan

KERR WOOD LEIDAL ASSOCIATES LTD.
consulting engineers

ATTACHMENT 4



PROPOSED DEVELOPMENT ZONING ANALYSIS AND SITE COVERAGE
AREA = 5220 m², 56187.6 sq.ft. (1.29 acre)
DENSITY ALLOWED = 60 UNITS / Ha (24/acre) = 31 UNITS
DENSITY PROPOSED = 18 UNITS: 9 DUPLEX BUILDINGS (18 UNITS)
EXISTING ZONING ADDRESS 3605 12th STREET: CMY - COMMUNITY
EXISTING ZONING ADDRESS 3607 11th STREET: MUS - MULTI-UNIT: SMALE SCALE
FUTURE ZONING: MUS - MULTI-UNIT: SMALL SCALE

LANDSCAPING AREA:
LANDSCAPING AREA = 1706 m²
TOTAL LANDSCAPING COVERAGE % = 32.7% (MIN 30%)

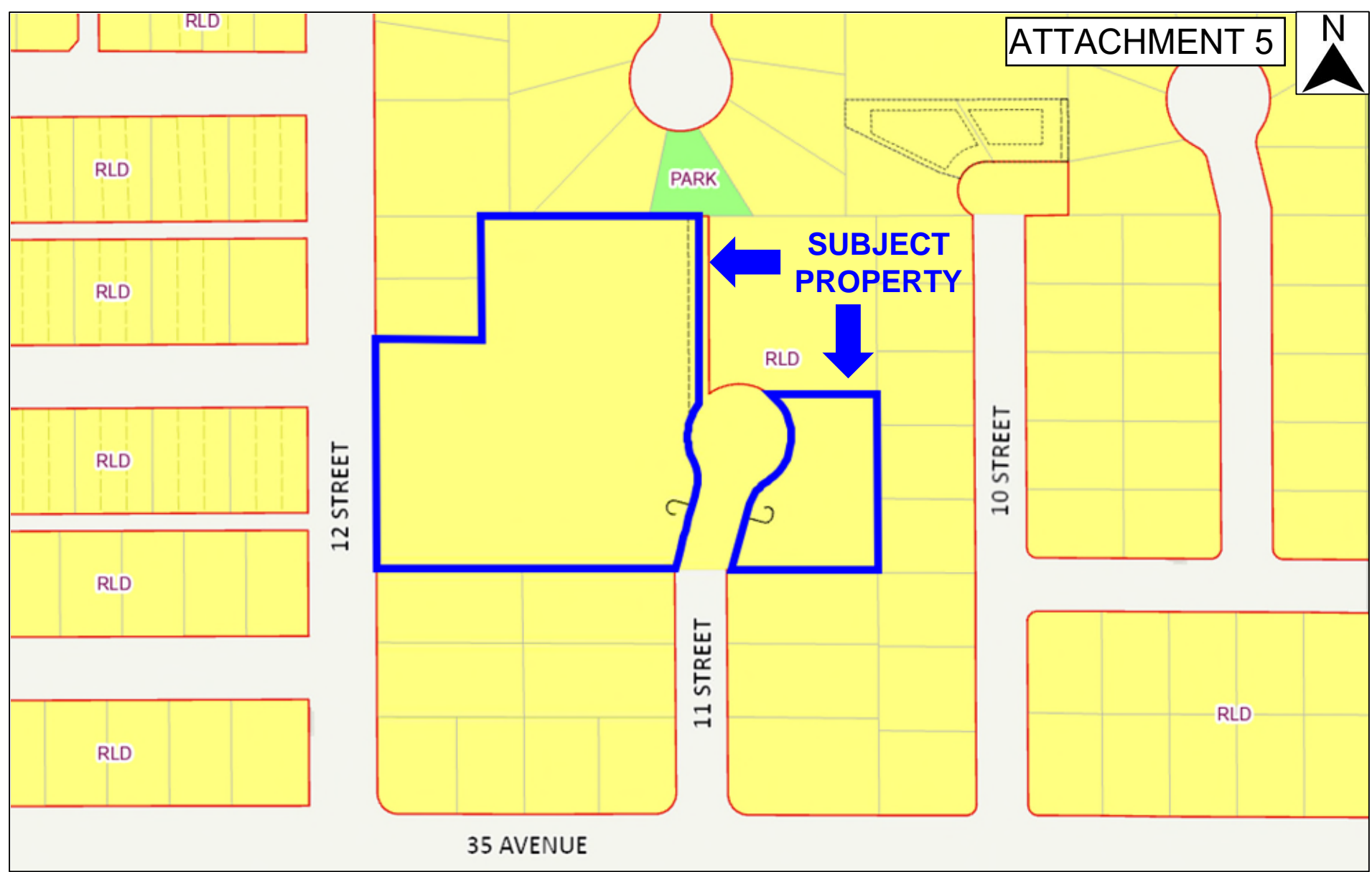
PARKING:
VEHICLE PARKING = 1 PER UNIT PROVIDED IN GARAGE
VISITOR PARKING = 19 STALLS PROVIDED ON-SITE AND IN DRIVEWAYS
ACCESSIBLE STALLS = 1 PROVIDED ON-SITE
LONG-TERM BICYCLE PARKING = 1 PER UNIT PROVIDED IN GARAGES
SHORT-TERM BICYCLE PARKING = 5 STALLS PROVIDED ON-SITE



PLAN
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CHURCHILL HEIGHTS (CoV Ref: SUB00862 & ZON00425)
ADDRESS 3607 11th STREET
SITE LAYOUT - RE-ZONING (2024-12-03)

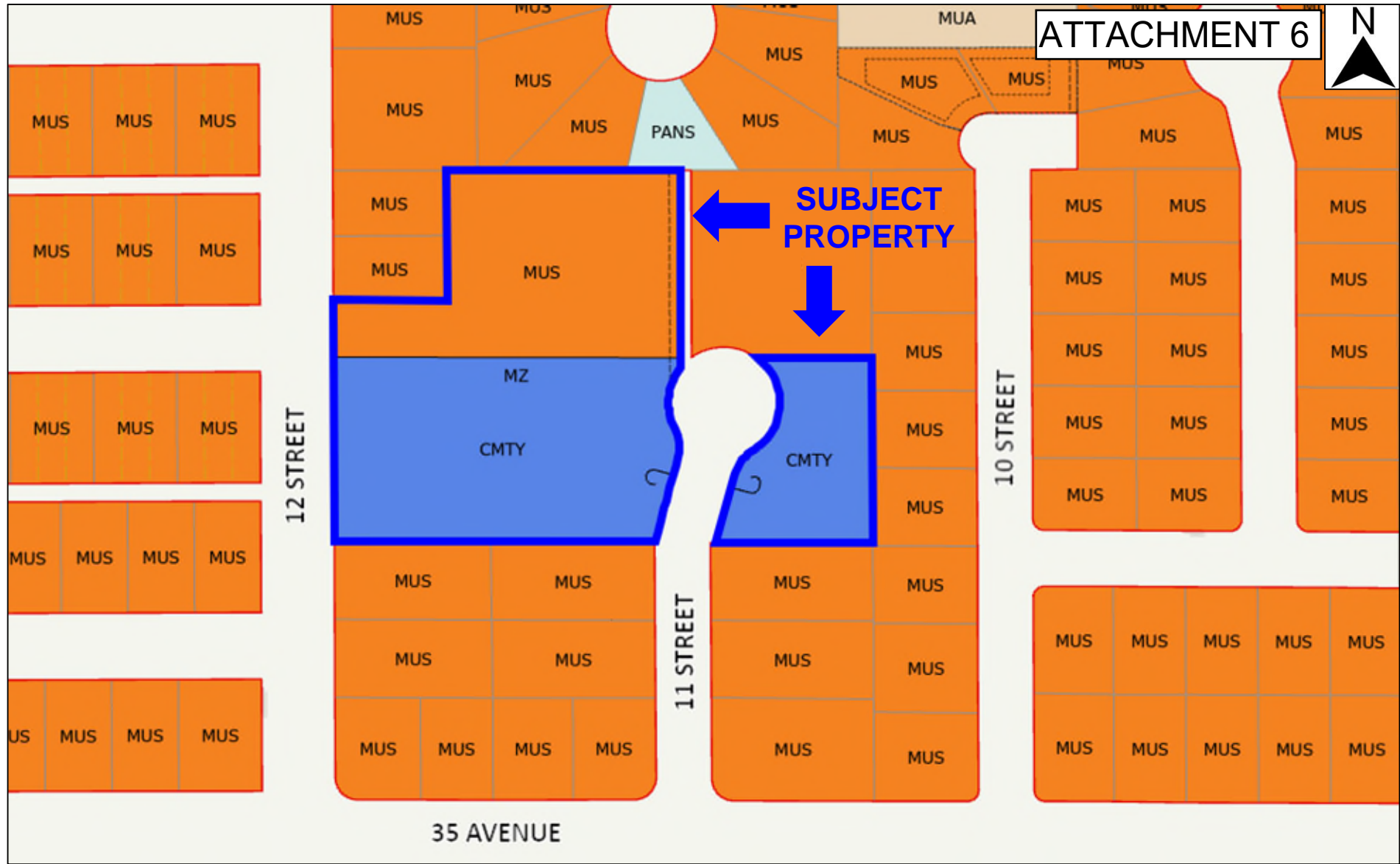






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-  RLD – Residential Low Density
-  PARK – Parks & Open Space





-  MUS – Multi-Unit: Small Scale
-  CMTY - Community
-  MUA – Multi-Unit Acreage: Small Scale
-  PANS – Parks & Natural Spaces





MQN
ARCHITECTS

RENDERING

CHURCHILL HEIGHTS DUPLEXES
PROJECT ADDRESS 3607 11 ST, VERNON, BC

DRAWING: **X301**

ISSUED FOR SI [X]
ON Date 4

PROJECT: 24950
SCALE:

DATE: 10/20/2024 10:41 AM FILE: C:\Users\mquinn\Documents\Churchill Heights Duplexes\CONTRACT_24_09_24\024_01_01.dwg DRAWN BY: Author CHECKED BY: Checker





