

**THE CORPORATION OF THE CITY OF VERNON
MINUTES OF THE REGULAR MEETING OF COUNCIL**

**October 7, 2024, 8:40 a.m.
CITY HALL COUNCIL CHAMBER
3400 30 Street
Vernon B.C.**

Mayor and Council
Members Present:

Mayor V. Cumming

T. Durning
K. Fehr
K. Gares
B. Guy
A. Mund
B. Quiring

Administration
Present:

P. Bridal, Chief Administrative Officer

K. Poole, Director, Corporate Administration
J. Rice, Director, Operation Services
D. Lind, Chief, Fire Rescue Services
B. Derrick, Manager, Engineering Development Services
C. Isles, Deputy Corporate Officer
C. Ovens, General Manager, Public Works
D. Pridham, Manager, Recreation Operations
G. Lefebvre, Manager, Aquatics
J. Winqvist, Acting Manager, Communications and Grants
M. Faucher, Acting Manager, Long Range Planning and Sustainability
M. Austin, Senior Planner
R. Nuriel, General Manager, City Planning
S. Wright, Manager, Community Recreation
J. Blood, Director, Recreation Services
T. Barton, Director, Planning and Community Services
E. Hamming, Director, Financial Services
S. Wood, Corporate Officer
L. Korolchuk, Manager, Current Planning
C. Wiltsie, Environmental Planning Assistant

1. CALL REGULAR MEETING TO ORDER

Mayor Cumming called the meeting to order at 8:42 am.

1.a Land Acknowledgement

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

1.b Move to Committee of the Whole

Moved by: Councillor Durning

Seconded by: Councillor Guy

THAT Council move to the Committee of the Whole meeting.

CARRIED

2. RECONVENE REGULAR MEETING AND RESOLUTION TO CLOSE MEETING

Mayor Cumming reconvened the Regular Open Meeting at 10:59 am and requested a motion to move to In Camera.

2.a Resolution to Close Meeting

Moved by: Councillor Gares

Seconded by: Councillor Quiring

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

(c) labour relations or other employee relations;

(e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;
and

(g) litigation or potential litigation affecting the municipality.

CARRIED

3. RECONVENE TO OPEN COUNCIL AT 1:30 PM

Mayor Cumming reconvened the Regular Open meeting at 11:35 am and recessed until 1:30 pm.

3.a Land Acknowledgement

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

3.b Agenda

Moved by: Councillor Durning
Seconded by: Councillor Guy

THAT the Agenda for the October 7, 2024 Regular Open Meeting of Council be amended as follows:

- The Addition of Item 11.a.1 Legislative Matters - Adoption of Bylaw 6009, 2024: Overlay Drive Through and Minor Fuel Stations for Existing Operational Businesses; and
- The Addition of Public Hearing Item 2.c Representation from the Public - Email dated October 5, 2024 from C. Marsh.

CARRIED

3.c Adoption of Minutes and Receipt of Committee of the Whole

Moved by: Councillor Fehr
Seconded by: Councillor Guy

THAT the minutes of the Regular meeting of Council held September 23, 2024 be adopted;

AND FURTHER, that the minutes of the Public Hearing held September 23, 2024 be adopted;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held September 23, 2024 be received.

CARRIED

4. BUSINESS ARISING FROM THE MINUTES

5. GENERAL MATTERS

6. COUNCIL INQUIRIES

7. ADMINISTRATION UPDATES

Moved by: Councillor Guy
Seconded by: Councillor Fehr

THAT Council receive the Administration Updates dated October 7, 2024 for information.

CARRIED

8. UNFINISHED BUSINESS

8.a Proposed Vernon Girls Trumpet Band Memorial Stone (5280-03)

Moved by: Councillor Mund
Seconded by: Councillor Gares

THAT Council support the request from the Vernon Girls Trumpet Band (VGTB) for the placement of a memorial stone within Civic Memorial Park, as outlined in the report titled "Proposed Vernon Girls Trumpet Band Memorial Stone" dated September 23, 2024 and respectfully submitted by the Environmental Planning Assistant;

AND FURTHER, that an agreement outlining the roles and responsibilities of the VGTB and the City of Vernon regarding potential damage, long-term maintenance, and the lifespan of the memorial stone be established and signed at the Chief Administrative Officer's discretion before installation of the stone;

AND FURTHER that the annual maintenance and future costs associated with the memorial stone be included in the Parks Department's annual operating budget.

CARRIED

9. MATTERS REFERRED

10. NEW BUSINESS

10.a Recreation Services - 2024 Spring/Summer Report (7700-01)

Moved by: Councillor Guy
Seconded by: Councillor Durning

THAT Council receive for information the memorandum titled "Recreation Services - 2024 Spring/Summer Report" and the accompanying presentation, dated September 27, 2024 and respectfully submitted by the Manager, Aquatics.

CARRIED

10.b Kal Sports Bar - Application for a Structural Change (4320-20)

Councillor Quiring declared a conflict of interest as his firm, MQN Architects, conducts business with the applicant, and left the meeting at 1:56 pm.

Moved by: Councillor Mund
Seconded by: Councillor Durning

THAT Council advise the Liquor and Cannabis Regulation Branch that Council supports the application submitted by Roxboro Group Inc. for a structural change to a liquor primary licence for Kal Sports Bar located at 3004 30th Avenue (Lot 1-4, Block 68, Section 34, Township 9, ODYD,

Plan 327 & N 20 FT Lots 49 to 52 and Closed Lane Between) as outlined in the report titled “Kal Sports Bar – Application for a Structural Change” dated September 25, 2024 and respectfully submitted by the Planner II;

AND FURTHER, that the Liquor and Cannabis Regulation Branch be advised that Council is in support of the subject amendment to the liquor licence application as it addresses the Liquor and Cannabis Regulation Branch criteria in the following manner:

- Noise in the area is not expected to change due to the proposed structural change;
- Views of residents were gathered. A total of 149 property owners and occupiers, including businesses, were contacted. Advertisements requesting public input were published in the August 29 and September 5, 2024 editions of the Vernon Morning Star newspaper. One comment was received by the response deadline, voicing concerns regarding the number of parking spaces downtown;
- Kal Sports Bar is a popular establishment that has been operating in the City of Vernon for decades. The proposed structural change is not expected to negatively impact the community.

CARRIED

Councillor Quiring returned at 1:57 pm.

10.c Tree Protection Bylaw Update (5280-03)

Councillor Durning left the meeting at 2:28 pm and returned at 2:29 pm.

Moved by: Councillor Fehr

Seconded by: Councillor Durning

THAT Council receive for information the report titled “Tree Protection Bylaw Update” dated September 17, 2024 and respectfully submitted by Environmental Planning Assistant;

AND FURTHER, that Council agree in principle to the draft Tree Protection Bylaw and associated changes to the Fees and Charges Bylaw and Bylaw Enforcement Bylaw, including the introduction of a Civic Tree Reserves Fund as outlined in the report.

CARRIED

10.d Housing Needs Report - Technical Memorandum (6480-02: Housing Needs Assessment)

Moved by: Councillor Gares
Seconded by: Councillor Fehr

THAT Council receive for information the memorandum titled "Housing Needs Report – Technical Memorandum" dated September 23, 2024, and respectfully submitted by the Senior Planner;

AND FURTHER that Council direct Administration to present the Housing Needs Report to the Affordable Housing Advisory Committee.

CARRIED

10.e Application to Fly the 4-H Canada Flag (0550-01)

Moved by: Councillor Mund
Seconded by: Councillor Durning

THAT Council receive the memorandum titled "Application to Fly the 4-H Canada Flag" dated September 24, 2024 and respectfully submitted by the Manager, Legislative Services;

AND FURTHER, that Council approve flying the 4-H Canada Flag on the Community Flag Pole, as per the City's Corporate Flag Policy, on November 6, 2024.

CARRIED

10.f Official Community Plan and Rezoning Applications for 6545 Okanagan Landing Road (3340-20)

Moved by: Mayor Cumming
Seconded by: Councillor Guy

THAT Council not support Official Community Plan Application OCP00105 to redesignate Lot 1, DL 62, ODYD, Plan 9738 (6545 Okanagan Landing Road) from RLD - Residential Low Density to RHD - Residential High Density as outlined in the report titled "Official Community Plan and Zoning Amendment Applications for 6545 Okanagan Landing Road" dated September 26, 2024 and respectfully submitted by the Senior Planner, Current Planning;

AND FURTHER, that Council not support Zoning Application ZON00424 to rezone Lot 1, DL 62, ODYD, Plan 9738 (6545 Okanagan Landing Road) from AGRS - Agricultural & Rural Small Block (Non-ALR) to MSH - Medium Scale Housing.

Opposed (5): Councillor Durning, Councillor Fehr, Councillor Gares, Councillor Mund, and Councillor Quiring

DEFEATED (2 to 5)

Moved by: Councillor Quiring
Seconded by: Councillor Fehr

THAT Council support, in principle, Official Community Plan Application OCP00105 to redesignate Lot 1, DL 62, ODYD, Plan 9738 (6545 Okanagan Landing Road) from RLD - Residential Low Density to RHD - Residential High Density as outlined in the report titled "Official Community Plan and Zoning Amendment Applications for 6545 Okanagan Landing Road" dated September 26, 2024 and respectfully submitted by the Senior Planner, Current Planning;

AND FURTHER, that Council support, in principle, Zoning Application ZON00424 to rezone Lot 1, DL 62, ODYD, Plan 9738 (6545 Okanagan Landing Road) from AGRS - Agricultural & Rural Small Block (Non-ALR) to MSH - Medium Scale Housing;

AND FURTHER, that Council's support of OCP00105 and ZON00424 is subject to:

1. The operator, Okanagan Village Housing Society, entering into a housing agreement with the City of Vernon, secured by bylaw and registered on title, to guarantee affordable housing;
2. The dedication of land or provision of a Statutory Right-of-Way to the City of Vernon along the south side of Vernon Creek for a future pathway;

AND FURTHER, that Council has considered appropriate consultation opportunities for OCP00105 and ZON00424 and supports the following consultation opportunities in addition to the statutory public hearing:

- a. Referral to the City of Vernon Advisory Planning Committee for review and a recommendation to Council; and
- b. Hosting of a Public Open House.

CARRIED

10.g Regional Biosolids Management Agreement Amendment (5210-01)

Moved by: Councillor Mund
Seconded by: Councillor Guy

THAT Council receive the memorandum titled "Regional Biosolids Management Agreement Amendment" dated October 7, 2024, respectfully submitted by the General Manager, Public Works;

AND FURTHER, that Council authorize the Mayor and Administration to execute the revised updated Regional Biosolids Composting Facility Joint Operating Agreement between the Cities of Vernon and Kelowna dated April 4, 2024.

CARRIED

10.h Historic O'Keefe Ranch & Interior Heritage Society Request for 2025 Operating Grant of \$150,000 (1880-03)

Moved by: Councillor Guy

Seconded by: Councillor Fehr

That Council receive the memorandum titled "Historic O'Keefe Ranch & Interior Heritage Society Request for 2025 Operating Grant of \$150,000" dated October 1, 2024 and respectfully submitted by Director, Financial Services;

AND FURTHER that Council reconfirms the resolution passed at the September 23, 2024 meeting as follows:

THAT Council deny the request from O'Keefe Ranch & Interior Heritage Society, dated August 2, 2024, for additional operational funding in the amount of \$85,000 as presented to Council during the August 12, 2024 Regular Council meeting;

AND FURTHER, advises the O'Keefe Ranch & Heritage Society that Council will honour the terms of the original lease, effective from April 1, 1997 to March 31, 2027, between the City of Vernon and O'Keefe Ranch & Interior Heritage Society in 2025, by providing an annual payment of \$10,000.

CARRIED

11. LEGISLATIVE MATTERS

11.a Bylaws for Adoption

11.a.1 Bylaw 6009 - Overlay: Drive Through and Minor Fuel Stations for Existing Operational Business

Councillor Mund declared a conflict of interest as he is the General Manager of Triple O's Restaurant, a business that is included in the Bylaw, and left the meeting at 3:17 pm.

Moved by: Councillor Durning

Seconded by: Councillor Fehr

THAT Bylaw 6009, "Zoning Text (Drive-through Services and Minor Fuel Stations) Amendment Bylaw 6009, 2024", a bylaw to authorize

the use of Drive-through Services and Minor Fuel Stations on lots with existing businesses, be adopted.

CARRIED

Councillor Mund returned at 3:18 pm.

11.b Bylaws for First, Second and Third Readings

11.b.1 Bylaw 6016 - Permissive Tax Exemption

Councillor Fehr declared a conflict of interest as he is employed by Turning Points Collaborative, who are being considered for a permissive tax exemption, and left the meeting at 3:18 pm.

Moved by: Councillor Gares

Seconded by: Councillor Guy

THAT Bylaw 6016, "City of Vernon Permissive Tax Exemption Bylaw 6016, 2024", a bylaw to exempt from taxation certain lands and improvements in the City of Vernon for the years 2025 through 2029, be read a first, second and third time.

CARRIED

Councillor Fehr returned at 3:19 pm.

11.b.2 Bylaw 6017 - Subdivision Servicing Bylaw Amendment
(Designation of Servicing Officer)

Moved by: Councillor Quiring

Seconded by: Councillor Durning

THAT Bylaw 6017, "Subdivision and Development Servicing (Designation of Servicing Officer) Amendment Bylaw 6017, 2024", a bylaw to designate and define the role of the Servicing Officer, be read a first, second and third time.

CARRIED

11.c Bylaws for First and Second Readings and Set Public Hearing Date

11.c.1 Bylaw 6014 - 6092 Okanagan Landing Road Official Community
Plan Amendment

Moved by: Councillor Mund

Seconded by: Councillor Fehr

THAT Bylaw 6014, "6092 Okanagan Landing Road Official Community Plan Amendment Bylaw 6014, 2024", a bylaw to

redesignate the subject lands from "Public & Institutional" to "Residential Medium Density" be read a first and second time;

AND FURTHER, that the Public Hearing for Bylaw 6014, be scheduled for Monday, October 28, 2024, at 5:30 pm, in Council Chambers.

CARRIED

11.c.2 Bylaw 6015 - 6092 Okanagan Landing Road Zoning Amendment

Moved by: Councillor Mund

Seconded by: Councillor Fehr

THAT Bylaw 6015, "6092 Okanagan Landing Road Zoning Amendment Bylaw 6015, 2024", a bylaw to rezone the subject lands from "Community" to "Multi Unit Medium Scale" be read a first and second time;

AND FURTHER, that the Public Hearing for Bylaw 6015, be scheduled for Monday, October 28, 2024, at 5:30 pm, in Council Chambers.

CARRIED

12. COUNCIL INFORMATION UPDATES

12.a Mayor and Councillors Reports

All members in attendance provided an update on their activities and meetings attended.

12.b Notice of Motion

12.b.1 Mayor Cumming - Public Land for Attainable Income Qualified Cooperative Housing - Hesperia

Moved by: Mayor Cumming

Seconded by: Councillor Durning

WHEREAS: The City of Vernon has the opportunity to allocate 5 acres of Hesperia Land to Co-op Housing Federation of BC, to conduct a feasibility study for constructing and managing (at scale) an income qualifying Co-op Housing development focused on moderate income households; and

WHEREAS: committing the land to Co-op Housing BC would enable the City of Vernon to begin providing many additional housing units directly targeted on meeting the housing and financial needs of moderate-income households;

THEREFORE, be it resolved, that Council direct staff to research

the feasibility of this joint venture and provide options for Council's consideration.

CARRIED

12.b.2 Councillor Fehr - Union of BC Municipalities (UBCM) Resolution Format

Councillor Fehr stated that a Notice of Motion will be presented at the October 28, 2024 Regular Meeting of Council regarding the format for voting on Union of BC Municipalities resolutions during the convention.

13. INFORMATION ITEMS

13.a Correspondence

13.b Minutes from Council Committees

13.b.1 Tourism Commission - July 18, 2024

13.b.2 Climate Action Advisory Committee - July 31, 2024

14. RECESS MEETING TO 5:30 PM FOR PUBLIC HEARING

Mayor Cumming recessed the Regular meeting at 3:33 pm.

15. RECONVENE MEETING

Mayor Cumming reconvened the Regular Open Meeting at 6:21 pm.

15.a Bylaw(s) for Third Reading

15.a.1 Bylaw 6005 - Zoning Amendment for 1501 Highway 6

Moved by: Councillor Guy

Seconded by: Councillor Fehr

THAT Council defer third reading of Bylaw 6005, "Zoning Text (Drive-through Services and Minor Fuel Stations - 1501 Hwy 6) Amendment Bylaw 6005, 2024", a bylaw to authorize Drive-through Services and Minor Fuel Stations on LT 1, SEC 26, TWP 9, ODYD, PL 24027, Except PLs H14665 and KAP58251 (1501 Highway 6), pending the receipt of a completed Traffic Impact Assessment, which would require re-advertising and a new public hearing.

Opposed (4): Councillor Durning, Councillor Gares, Councillor Mund, and Councillor Quiring

DEFEATED (3 to 4)

Moved by: Councillor Quiring
Seconded by: Councillor Gares

THAT Bylaw 6005, “Zoning Text (Drive-through Services and Minor Fuel Stations - 1501 Hwy 6) Amendment Bylaw 6005, 2024”, a bylaw to authorize Drive-through Services and Minor Fuel Stations on LT 1, SEC 26, TWP 9, ODYD, PL 24027, Except PLs H14665 and KAP58251 (1501 Highway 6), be read a third time.

Opposed (2): Councillor Fehr, and Councillor Guy

CARRIED (5 to 2)

16. CLOSE OF MEETING

Moved by: Councillor Gares
Seconded by: Councillor Mund

THAT the Regular Council meeting be adjourned.

CARRIED

Amendment:

Mayor Cumming adjourned the Regular meeting at 6:50 pm.

Mayor

Corporate Officer