

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

**March 27, 2023, 1:30 p.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

J. Nicol, Deputy Corporate Officer  
D. Law, Director, Financial Services  
J. Rice, Director, Operation Services  
D. Lind, Chief, Fire Rescue Services  
B. Bandy, Manager, Real Estate  
C. Isles, Deputy Corporate Officer  
C. Ovens, General Manager, Public Works  
C. Poirier, Manager, Communication and Grants  
C. Broderick, Manager, Current Planning  
E. Croy, Manager, Transportation  
J. Winquist, Communications Officer  
M. Austin, Current Planner  
R. Nuriel, Acting Manager, Planning  
S. Melenko, Information Tech I  
T. Martens, Manager, Financial Planning & Reporting  
D. Devries, Transportation Planner  
A. Martselos, Information Tech I  
R. Zubick, Community Policing Coordinator

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**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 Fehr

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 10:08 am and requested a motion to move to In Camera.

2.a Resolution to Close Meeting

**Moved by:** Councillor Guy

**Seconded by:** Councillor Durning

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

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

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

(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*;

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public.

**CARRIED**

**3. RECONVENE TO OPEN COUNCIL AT 1:30 PM**

Mayor Cumming called the Regular Open meeting back to order at 1:33 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 Gares  
**Seconded by:** Councillor Quiring

THAT the Agenda for the March 27, 2023, Regular Open Meeting of Council be adopted as circulated.

**CARRIED**

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

**Moved by:** Councillor Gares  
**Seconded by:** Councillor Guy

THAT the minutes of the Regular meeting of Council held March 13, 2023, be adopted;

AND FURTHER, that the minutes of the Public Hearing held March 13, 2023, be adopted;

AND FURTHER, that the minutes of the Special Committee of the Whole Meeting of Council held March 7 and the Committee of the Whole meeting of Council held March 13, 2023, be received.

**CARRIED**

**4. BUSINESS ARISING FROM THE MINUTES**

**5. GENERAL MATTERS**

5.a Development Variance Permit (DVP00580) - 7373 Brooks Lane

**Moved by:** Councillor Quiring  
**Seconded by:** Councillor Durning

THAT Council support Development Variance Permit 00580 (DVP00580) to vary Zoning Bylaw 5000 for Common Property Strata Plan KAS3991 (7373 Brooks Lane) as outlined in the report titled "Development Variance Permit Application for 7373 Brooks Lane" dated March 15, 2023 and respectfully submitted by the Current Planner, as follows:

1. Section 6.5.1.i, increasing the height of a fence within a front yard, from 1.2m (4ft) to 1.93m (6.3ft);

AND FURTHER, that Council's support of DVP00580 is subject to the following:

- a. That the fencing complies with the site plan (Attachment 1) and fencing design (Attachment 2), to be attached to and form part of DVP00580;
- b. That Fire Rescue Services be provided with emergency access to the main gate; and
- c. That the main gate be a slide gate and not swing open into the public right of way.

**CARRIED**

5.a.1 Public Input - DVP00580

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

Mayor Cumming called a first time for representation from the public in attendance who believed their interest in property was affected by Development Variance Permit 00580.

Mayor Cumming called a second time for representation from the public, and there being none, Mayor Cumming called a third and final time for representation from the public, and there being none, closed the Public Input for DVP00580.

THE QUESTIONS WAS CALLED ON THE MAIN MOTION AND DECLARED CARRIED

5.a.2 Permit Issuance - DVP00580

**Moved by:** Councillor Durning  
**Seconded by:** Councillor Gares

THAT the Corporate Officer be authorized to issue Development Variance Permit DVP00580 for Common Property Strata Plan KAS3991 (7373 Brooks Lane), to vary fence height within a front yard area, once all conditions of Council are satisfied.

**CARRIED**

5.b Development Variance Permit (DVP00591) - 2206 32 Street

**Moved by:** Councillor Durning  
**Seconded by:** Councillor Fehr

THAT Council support Development Variance Permit Application 00591 (DVP00591) to vary Zoning Bylaw 5000 for Lot 11 and Lot 12, Blk 2, DL 73, ODYD, Plan 225 (2206 32nd Street) as outlined in the report titled "Development Variance Permit Application for 2206 32nd Street" dated March 15, 2023 and respectfully submitted by the Current Planner, as follows:

1. Vary Table 6.1, minimum landscape buffer schedule for the RM1 zone, for the side yards from "Level 1 (1.5m)" to "0m with a fence"; and
2. Vary Table 6.1, minimum landscape buffer schedule for the RM1 zone, for the rear yard from "Level 2 (1.5m with a fence)" to "0m without a fence";

AND FURTHER, that Council's support of DVP00591 is subject to the following conditions:

- a. That a minimum of eight trees and 40 shrubs be planted on the subject property, some of which must be planted between the side lot lines and proposed parking stalls;
- b. That a detailed landscape plan, including an estimate for works to be completed, be provided to the satisfaction of Administration;
- c. That security in the amount of 125% of the landscape estimate be provided to the City to be held until the works are complete and a satisfactory landscaping inspection has been completed by Administration;
- d. That any existing trees on the subject property be retained; and
- e. That any existing trees within the proposed road dedication be retained, unless deemed hazardous or required for removal by the City of Vernon or the Ministry of Transportation and Infrastructure.

**CARRIED**

5.b.1 Public Input - DVP00591

The Corporate Officer advised that two written submissions had been received.

- Email dated March 26, 2023 from T. Heisterkamp
- Email dated March 26, 2023 from C. Svenson

Mayor Cumming called a first time for representation from the public in attendance who believed their interest in property was affected by Development Variance Permit 00591.

**William Munton**

- concerned with parking

**Jason Shortt**

- representing the applicant, available to answer any questions

Mayor Cumming called a second time for representation from the public, and there being none, Mayor Cumming called a third and final time for representation from the public, and there being none, closed the Public Input for DVP00591.

THE QUESTIONS WAS CALLED ON THE MAIN MOTION AND DECLARED CARRIED

5.b.2 Permit Issuance - DVP00591

**Moved by:** Councillor Quiring

**Seconded by:** Councillor Gares

THAT the Corporate Officer be authorized to issue Development Variance Permit DVP00591 for Lot 11 and Lot 12, Blk 2, DL 73, ODYD, Plan 225 (2206 32nd Street), to vary landscape requirements, once all conditions of Council are satisfied and Bylaw 5954, "2206 32 Street Rezoning Amendment Bylaw 5954, 2023", is adopted.

**CARRIED**

**6. COUNCIL INQUIRIES**

Building Step code

Council inquired regarding on update on the feasibility of accelerating the building step code. Administration advised that it is under review and an admin update will be provided.

World Environment Day

Council inquired regarding any plans to celebrate world environment day on June 5, 2023. An Admin. update will be provided.

Secondary Suites

Council inquired regarding the public engagement on secondary suites. An Admin. update will be provided.

Housing Accelerator Fund

Council inquired regarding the housing accelerator fund and if staff will be participating in the webinars being hosted by the Canada Mortgage and Housing

Corporation. Administration advised they are aware of the webinars and a grant review meeting has been scheduled.

Deer Park Improvements

Council inquired regarding the status of Deer Park improvements. An Admin. update will be provided.

Lane Access

Council inquired regarding laneway access at 1704 39th Avenue. An Admin. update will be provided.

**7. ADMINISTRATION UPDATES**

**Moved by:** Councillor Quiring

**Seconded by:** Councillor Guy

THAT Council receive the Administration Updates dated March 27, 2023, for information.

**CARRIED**

**Moved by:** Mayor Cumming

**Seconded by:** Councillor Durning

THAT Council direct Administration to investigate how other communities are handling the safety, cost and process of requiring installation of Electric Vehicle charging stations in residential dwellings.

**CARRIED**

**8. UNFINISHED BUSINESS**

8.a O'Keefe Ranch Presentation (1700-02)

**Moved by:** Councillor Gares

**Seconded by:** Councillor Quiring

THAT Council receive the memorandum titled "O'Keefe Ranch Presentation", dated March 14, 2023 and respectfully submitted by the Manager, Financial Planning and Reporting;

AND FURTHER that Council directs Administration to determine the cost of a building condition assessment for the April 11, 2023 meeting.

AND FURTHER that Council direct Administration to write off the outstanding loan payable by O'Keefe Ranch & Interior Heritage Society for \$70,000 by utilizing the existing allowance for doubtful accounts.

AND FURTHER that Council direct Administration to write off the outstanding insurance cost balance payable by the O'Keefe Ranch &

Interior Heritage Society for \$112,653 funded by the 2022 Prior Year Uncommitted Unexpended Balance.

AND FURTHER that Council approve additional 2023 operational funding for O'Keefe Ranch & Interior Heritage Society for \$100,000 funded by the 2022 Prior Year Uncommitted Unexpended Balance.

**DEFEATED (2 to 5)**

OPPOSED: Mayor Cumming, Councillor Durning, Councillor Fehr,  
Councillor Guy, Councillor Mund

**Moved by:** Councillor Quiring

**Seconded by:** Councillor Gares

THAT Council receive the memorandum titled "O'Keefe Ranch Presentation", dated March 14, 2023 and respectfully submitted by the Manager, Financial Planning and Reporting;

AND FURTHER that Council directs Administration to determine the cost of a high level building report and asset management plan which would include a historical value assessment;

AND FURTHER that Council approve additional funding for O'Keefe Ranch & Interior Heritage Society for \$100,000, funded by the 2022 Prior Year Uncommitted Unexpended Balance.

**CARRIED (6 to 1)**

OPPOSED: Councillor Fehr

8.b Proposed Amendments to Fees and Charges Bylaw 3909 for Land Use Applications (3900-02)

**Moved by:** Councillor Quiring

**Seconded by:** Councillor Durning

THAT Council support amendments to Bylaw 3909 (Fees and Charges) as identified on Attachment 1 in the memorandum titled "Proposed Amendments to Fees and Charges Bylaw 3909 for Land Use Applications" dated March 15, 2023 and respectfully submitted by the Director, Community Infrastructure and Development.

**DEFEATED (2 to 5)**

OPPOSED: Mayor Cumming, Councillor Durning, Councillor Gares,  
Councillor Mund, Councillor Quiring



**Moved by:** Councillor Quiring  
**Seconded by:** Councillor Durning

THAT Council support amendments to Bylaw 3909 (Fees and Charges) as identified on Attachment 1 in the memorandum titled "Proposed Amendments to Fees and Charges Bylaw 3909 for Land Use Applications" dated March 15, 2023 and respectfully submitted by the Director, Community Infrastructure and Development, with the exception of the Heritage Alteration increases in 2024 and 2025.

**CARRIED**

## **9. MATTERS REFERRED**

Councilor Quiring left the meeting at 3:20pm

DECLASSIFIED MOTION(S) FROM THE IN CAMERA MEETING HELD March 27, 2023:

### **Vernon Fire Rescue Services Staffing Recommendation to Council (7380-00)**

'THAT Council, pursuant to the Council adopted Vernon Fire Rescue Services Eight (8) Year Strategic Plan, authorize the expenditure of up to \$460,000 in 2023 to fund four (4) firefighter positions for the one (1) year period (June 1, 2023 – May 31, 2024), funded from the 2022 unexpended uncommitted balance;

AND FURTHER, that Council commit to funding the four (4) new firefighters from taxation for the 2024 budget as of June 1, 2024 at the approximate cost of \$240,000, with full funding in the 2025 budget of approximately an additional \$260,000;

AND FURTHER, that this resolution be declassified and removed from in-camera.'

### **Tourism Commission Membership (0540-20)**

'THAT Council rescind the December 13, 2021 appointments of Vicki Proulx, Sports and Events representative and Clinton Bialas, Restaurant Sector representative to the Tourism Commission;

AND FURTHER, that Council direct Administration to advertise the two vacant positions for Sports and Events Sector and Restaurant Sector representatives;

AND FURTHER, that Council direct Administration to send a letter of appreciation under the Mayor's signature to Vicki Proulx and Clinton Bialas, thanking them for their contributions to the Tourism Commission; AND FURTHER, that this resolution be declassified and removed from in-camera.'

DECLASSIFIED MOTION(S) FROM THE IN CAMERA MEETING HELD March 13, 2023:

**Climate Action Advisory Committee - Application for Membership (0540-20)**

'THAT Council appoints Casey Bain as a Youth Representative to the Climate Action Advisory Committee for a two year period, expiring January 2025;

AND FURTHER, that Council declassify and remove from In Camera the appointed member to the Climate Action Advisory Committee once Casey Bain has been notified of the appointment'

**10. NEW BUSINESS**

10.a Gun and Gang Violence Prevention Strategy (7400-05)

Councilor Quiring returned at 3:23 pm.

**Moved by:** Councillor Durning

**Seconded by:** Councillor Fehr

THAT Council endorse the Vernon Gun & Gang Violence Prevention Strategy as attached to the memorandum titled "Gun and Gang Violence Prevention Strategy", dated March 17, 2023, and respectfully submitted by the Director, Community Safety, Lands and Administration;

AND FURTHER, that Council direct Administration to submit a second grant application to the Building Safer Communities Fund based on the recommended initiatives contained within the Vernon Gun & Gang Violence Prevention Strategy for federal fiscal years 2023-24, 2024-25 and 2025-26;

AND FURTHER, that if the grant application is successful, Council authorize Administration to assume overall grant management.

**CARRIED**

10.b Recreation and Parks Services - Fee Review and Assessment (7700-18)

**Moved by:** Councillor Gares

**Seconded by:** Councillor Durning

THAT Council receive for information the memorandum titled "Recreation and Parks Services - Fee Review and Assessment" dated March 17, 2023 and respectfully submitted by the Manager, Customer Service - Recreation.

**CARRIED**

10.c Downtown Vernon Association - 2023 Budget (1970-13)

**Moved by:** Councillor Quiring

**Seconded by:** Councillor Durning

THAT Council receive the Downtown Vernon Association Budget for 2023, pursuant to the requirements of "The Primary BIA Establishment Bylaw Number 5584, 2016" and "The Secondary BIA Establishment Bylaw Number 5585, 2016", as attached to the memorandum titled "Downtown Vernon Association – 2023 Budget" dated March 17, 2023, respectfully submitted by the Manager, Financial Operations;

AND FURTHER, that Council authorize administration to make payment for the initial instalment of the 2023 Business Improvement Area tax levies for the total amount of \$226,811 in accordance with Bylaws 5584 and 5585.

**CARRIED**

10.d 2023 Projected Reserve Balances (1830-02 2023)

**Moved by:** Councillor Fehr

**Seconded by:** Councillor Durning

THAT Council receive for information the memorandum titled "2023 Projected Reserve Balances" dated March 17, 2023 and respectfully submitted by the Director, Financial Services.

**CARRIED**

10.e Appointment of Corporate Officer and Deputy Corporate Officer (0530-01)

**Moved by:** Mayor Cumming

**Seconded by:** Councillor Quiring

THAT Janice Nicol be appointed the Corporate Officer for the City of Vernon effective March 27, 2023;

AND FURTHER, that Cathy Isles be appointed the Deputy Corporate Officer for the City of Vernon effective March 27, 2023.

**CARRIED**

## 11. LEGISLATIVE MATTERS

11.a Bylaws for Adoption

11.a.1 Bylaw 5943

**Moved by:** Councillor Mund

**Seconded by:** Councillor Gares

THAT Bylaw 5943, "Zoning Text (RM1 and Strata Lot Clarification) Amendment Bylaw 5943, 2023", a bylaw to remove conflicting site coverage regulations in the RM1 - Row Housing Residential zoning

district and clarify regulations for strata lots in various zoning districts with the City of Vernon, be adopted.

**CARRIED**

11.a.2 Bylaw 5946

**Moved by:** Councillor Mund  
**Seconded by:** Councillor Guy

THAT Bylaw 5946, "Fees and Charges (Annual Updates) Amendment Bylaw 5946, 2023", a bylaw to update various fees in "City of Vernon Fees and Charges Bylaw Number 3909, 1993", be adopted.

**CARRIED**

11.a.3 Bylaw 5953

**Moved by:** Councillor Mund  
**Seconded by:** Councillor Gares

THAT Bylaw 5953, "Temporary Borrowing Bylaw 5953, 2023", a bylaw authorizing and empowering Council to borrow an amount not exceeding the sum of \$121,000,000 to be used solely for the purposes set out in "Active Living Centre Loan Authorization Bylaw 5908, 2022", be adopted.

**CARRIED**

11.a.4 Bylaw 5955

**Moved by:** Councillor Mund  
**Seconded by:** Councillor Fehr

THAT Bylaw 5955, "Recreation and Parks Services (2023 Parks Fees and Charges) Amendment Bylaw 5955, 2023", a bylaw to amend "Recreation and Parks Services Fees and Charges Bylaw Number 5472, 2013", be adopted.

**CARRIED**

11.b Bylaws for First, Second and Third Readings

11.b.1 Bylaw 5947

**Moved by:** Councillor Mund  
**Seconded by:** Councillor Gares

THAT Bylaw 5947, "9769 Eastside Road Closure Bylaw 5947, 2023", a bylaw to close all or part of a highway and remove the dedication of the highway, be read a first, second and third time.

**CARRIED**

11.b.2 Bylaw 5954

**Moved by:** Councillor Mund  
**Seconded by:** Councillor Guy

THAT Bylaw 5954, "2206 32 Street Rezoning Amendment Bylaw 5954, 2023", a bylaw to rezone the subject property from "R2 - Large Lot Residential" to "RM1 - Row Housing Residential", be read a first, second and third time.

**CARRIED**

**12. COUNCIL INFORMATION UPDATES**

12.a Mayor and Councillors Reports

12.a.1 Councilor Durning

**Attended:**

- BC Winter Games - Thanks to Mayor, Council and Staff for success of games.
- Served breakfast to BC Winter Games athletes

12.a.2 Councilor Fehr

Acknowledge Councilor Durning for all of her work on the BC Winter Games.

**Attended:**

- North Okanagan Columbia Shuswap Hospital Board Meeting
- United Way drive through breakfast fundraiser
- Regional District of North Okanagan meeting
- Opening Ceremonies for BC Winter Games
- Served Breakfast to BC Winter Games athletes

12.a.3 Councilor Guy

**Attended:**

- Chamber of Commerce Business after 5 event at Community Futures
- Screening of the film "DamNation" for world water day
- Opening Ceremonies for BC Winter Games
- Served Breakfast to BC Winter Games athletes
- Volunteered for BC Winter Games

#### 12.a.4 Councilor Gares

Congratulations to the athletes - our zone came in 3rd with 80 medals.

##### **Attended:**

- Presented the bronze medal for women's curling
- Regional District of North Okanagan Meeting to identify priorities for regional growth
- Regional District of North Okanagan, housing campaign
- Chamber of Commerce Business after 5
- North Okanagan Columbia Shuswap Hospital Board Meeting
- Regional District of North Okanagan Meeting
- Opening Ceremonies for BC Winter Games

#### 12.a.5 Councilor Mund

Acknowledge Councilor Durning for all of her hard work on the BC Winter Games

##### **Attended:**

- Served breakfast to the BC Winter Games athletes
- Presented 2 gold medals in Archery

#### 12.a.6 Councilor Quiring

##### **Attended:**

- MQN will be hosting business security workshop at elks hall
- Film Commission Meeting
- Downtown Vernon Association monthly meeting
- Regional District of North Okanagan meeting
- Opening Ceremonies for BC Winter Games

#### 12.a.6.1 Notice of Disclosure of Contracts - Councillor Quiring

Pursuant to Section 107 of the *Community Charter*, Councillor Quiring provided the following "Notice of Disclosure of Contract":

"I hereby disclose and report that I have entered in a contract with the City of Vernon for a space allocation assessment for the Community Services Building, 3001 32 Avenue.

I have a pecuniary interest in this contract because I have been remunerated.

In the past I have not, and I will continue to refrain from: remaining in Council meeting when this matter is under consideration, participating in Council discussions, voting or attempting to influence the vote or decisions regarding this matter."

12.a.6.2 Notice of Motion for April 11, 2023

THAT Council direct Administration to investigate requiring all new single family homes to be built with solar ready infrastructure to accommodate future installation of a solar system.

12.a.7 Mayor Cumming

**Attended:**

- Met with Patrick Reilly from Okanagan Indian Band
- Funding announcement for gun and gang prevention
- Winter Carnival awards night
- Met with Tom Ouchi from Sister Cities group
- Met with Tolko regarding Duteau Plateau fire prevention
- North Okanagan Columbia Shuswap Hospital Board Meeting
- Friends of the games reception
- Beach radio interview
- CBC radio interview
- Met with Minister Popham and MLA Sandhu
- Regional District of North Okanagan Meeting
- Opening of Coldstream Station
- Opening Ceremonies for BC Winter Games
- Several Winter Games events

12.a.7.1 Notice of Motion for April 11, 2023

THAT Council directs Administration to prepare a budget and plan to have the assessment of the Eastside Road speed bumps completed in 2023 using funds from the Development Reserve.

**13. INFORMATION ITEMS**

13.a Correspondence

**Moved by:** Councillor Fehr

**Seconded by:** Councillor Gares

THAT Council authorize the Mayor to send a letter to Honourable Adrian Dix, Minister of Health, thanking him for the government's support of the B.C. Farmers' Market Nutrition Coupon Program in Vernon.

**CARRIED**

13.b Minutes from Council Committees

**14. CLOSE OF MEETING**

**Moved by:** Councillor Durning

**Seconded by:** Councillor Fehr

THAT the regular meeting of March 27, 2023 be adjourned.

**CARRIED**

Mayor Cumming adjourned the meeting at 4:13 pm.

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Mayor

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Corporate Officer