



"To deliver effective and efficient local government services that benefit our citizens, our businesses, our environment and our future"

THE CORPORATION OF THE CITY OF VERNON

A G E N D A

REGULAR OPEN MEETING OF COUNCIL

CITY HALL COUNCIL CHAMBER

February 8, 2021

AT 8:40 AM

*Pursuant to Provincial Health Officer's Order, "Gathering and Events – January 8, 2021", members of the public are **prohibited** from attending Council meetings in-person until such time as the order "Gathering and Events – January 8, 2021" is rescinded or amended;*

Council meetings are live-streamed and video-recorded and may be accessed at <https://www.vernon.ca/council-video>. Recordings are made available on the City of Vernon website by noon on the day following the meeting.

1. **CALL REGULAR MEETING TO ORDER AND MOVE TO COMMITTEE OF THE WHOLE**
2. **RESOLUTION TO CLOSE MEETING**
 - A. BE IT RESOLVED 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.

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

AGENDA

- A. THAT the Agenda for the February 8, 2021, Regular Open Meeting of Council be adopted as circulated.
4. **ADOPTION OF MINUTES AND RECEIPT OF COMMITTEE OF THE WHOLE**

MINUTES

- A. THAT the minutes of the Regular Meeting of Council held January 25, 2021 be adopted; **(P. 8)**

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held January 25, 2021 be received.

5. BUSINESS ARISING FROM THE MINUTES

6. GENERAL MATTERS

**PRESENTATION –
RCMP QUARTERLY
REPORT (7400-30)
(P. 18)**

- A. THAT Council receive the presentation entitled “RCMP 4th Quarter Report (October to December, 2020)” as provided by Supt. Shawna Baher, OIC, RCMP at the February 8, 2021 Regular Council Meeting.

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR LOT
5, PLAN KAS2084, DL
297 O.D.Y.D (5 – 80
KESTREL PLACE)
(DVP00503)
(P. 37)**

- B. THAT Council support development variance permit application DVP00503 to vary the following sections of Zoning Bylaw #5000 to accommodate a single family dwelling at LT 5 PL KAS2084 DL 297 ODYD (5 – 80 Kestrel Place):

- a) Section 9.5.5 by reducing the front yard setback from 3.5m to 0.45m, reducing the side yard setback from 1.5m to 0.9m and reducing the flanking street side yard setback from 3.5m to 1.5m, and;
- b) Section 4.13.2 to allow for development within 15m of High-Water Mark of Okanagan Lake;

AND FURTHER, that Council's support of DVP00503 is subject to the following:

- a) that the applicant provides confirmation of Strata (KAS2084) support for the proposed development pertaining to the variances requested;
- b) that the building siting and footprint must adhere to the site plan by Dean Thomas Design Group dated October 28, 2020, which will be attached to and form part of DVP00503;
- c) that the Environmental Assessment by Ecoscape Environmental Consultants Ltd. dated December 2020 be attached to and form part of DVP00503; and
- d) that the applicant demonstrates the requirements of the provincial Riparian Areas Protection Regulation (RAPR) have been met and that a complete and accepted RAPR Assessment, detailed landscaping plan including all required compensation works, be provided and form part of

the associated Development Permit DP000878 (Environmental).

**Public Input – DVP
#00503**

- (i) Public Input (written submissions only) on Development Variance Permit #00503 to vary sections of Zoning Bylaw #5000 for Lot 5, Plan KAS2084, DL 297, O.D.Y.D (5 – 80 Kestrel Place).

**Issuance of Permit - DVP
#00503**

- (ii) THAT the Corporate Officer be authorized to issue Development Variance Permit #00503, to reduce the minimum front yard setback, minimum side yard setback, reduce the flanking street side yard setback and to allow for development within 15m of the High-Water Mark of Okanagan Lake, for Lot 5, Plan KAS2084, DL 297, O.D.Y.D (5 – 80 Kestrel Place), once all conditions of Council are satisfied.

7. COUNCIL INQUIRIES

8. ADMINISTRATION UPDATES

**ADMINISTRATION
UPDATES (0550-05)
(P. 75)**

- A. THAT Council receive the Administration Updates dated February 8, 2021, for information.

9. UNFINISHED BUSINESS

**10. MATTERS REFERRED: COMMITTEE OF THE WHOLE AND
IN CAMERA**

11. NEW BUSINESS

A. Correspondence:

**SILGA – ANNUAL
GENERAL MEETING
AND REQUEST FOR
RESOLUTIONS
(0360-20-25)
(P. 78)**

- (i) THAT Council receive for information the memo entitled “SILGA Annual General Meeting and Request for Resolutions”, dated February 1, 2021 from the Senior Executive Assistant.

**2020 PLANNING AND
BUILDING FOURTH
QUARTER AND YEAR
END STATISTICS
SUMMARY (6970-20)
(P. 84)**

- (ii) THAT Council receive the memorandum titled “2020 Planning and Building Fourth Quarter and Year End Statistics Summary” dated January 27, 2021 from the Manager, Economic Development and Tourism and Current Planning Assistant, for information.

**ORGANICS
INFRASTRUCTURE AND
COLLECTION
PROGRAM
APPLICATION (5280-03)
(P. 90)**

- (iii) THAT Council receive the memorandum titled “Organics Infrastructure and Collection Program Application” dated January 27, 2021 from the Manager, Long Range Planning and Sustainability and the Acting Manager, Roads, Drainage and Airports;

AND FURTHER, that Council confirms it is in the final steps of due diligence to confirm if household organics collection is feasible for Vernon;

AND FURTHER, that Council endorse an application to the CleanBC Organics Infrastructure and Collection Program for funding to support the implementation of a household organics collection program;

AND FURTHER, that Council confirms that should Council choose to move forward with the household organics collection program, the City commits to fund 1/3 of the project (up to a maximum of \$475,000) through the Climate Action Revolving Fund;

AND FURTHER, that Council directs Administration to advise program administrators of the CleanBC Organics Infrastructure and Collection Program by May 1, 2021 of Council’s decision to implement a household organics collection program in the City of Vernon.

**DISTRIBUTION OF
CHARITABLE FUNDS –
2021 KINDNESS
METERS DONATIONS
(4000-01-2021)
(P. 112)**

- (iv) THAT Council directs Administration to forward the proceeds in the amount of \$386.16 obtained from the Kindness Meter program for the calendar year 2020 to _____ (to be cited by Council)

**2022 – 2026 FINANCIAL
PLAN SCHEDULE
(1700-02)
(P. 114)**

- (v) THAT Council approve the 2022-2026 Financial Plan timeline as set forth in the memo from the Director, Financial Services dated January 29, 2021 titled “2022-2026 Financial Plan Timeline”;

AND FURTHER, that Council approve a Special Meeting of Council held at Lakers Clubhouse on Monday, June 21, 2021 to review the progress of the 2019-2022 Strategic Plan and review the issues influencing the 2022-2026 Financial Plan;

AND FURTHER, that Council approve Special Meetings of Council to be held on November 29 and 30, 2021 to deliberate the 2022-2026 Proposed Financial Plan.

**GEESE CULL (6100-14)
(P. 117)**

- (vi) THAT Council receive the Internal Memorandum titled 'Geese Cull' dated February 2, 2021 from the Acting Director, Operation Services;

AND FURTHER, that Council direct Administration to proceed with the geese cull with an authorized budget of up to \$40,000 including contingencies, with the source of funds being the Casino Reserve.

**OKANAGAN FLOODING
AND THE REVIEW OF
OKANAGAN LAKE
REGULATION SYSTEM
(0360-20-26)
(P. 121)**

- (vii) THAT Council authorize the Mayor to execute a Letter of Support to the Okanagan Basin Water Board in support of a review and update of the Okanagan Lake Regulation System (OLRS) as detailed in the Memorandum from the Executive Director, Okanagan Basin Water Board, dated December 15, 2020.

B. Reports:

**STRATA CONVERSION
APPLICATION FOR 5545
27TH AVENUE
(SUB00788)
(P. 126)**

- (i) THAT Council approve the strata conversion application for Lot 1, Plan 5914, DL 66, ODYD (5545 27th Avenue), subject to the following conditions:

- a) That Council waive the Section B conditions within Council's policy titled "Strata Conversion Applications";
- b) That a covenant be registered on the titles of all strata units that maintain the use of the building as affordable rental housing; and
- c) That Council's approval period is to expire one year from the date of Council's consideration.

**ZONING TEXT
AMENDMENT TO P1
(PARKS AND OPEN
SPACE) (ZON00364)
(P. 152)**

- (ii) THAT Council support an amendment to Zoning Bylaw #5000 by adding "educational services, public" as a Secondary Use in P1 (Parks and Open Space), as described in the report titled "Zoning Text Amendment to P1 (Parks and Open Space) " dated January 27, 2021 by the Long Range Planner;

AND FURTHER, that Council waive the Public Hearing for the proposed zoning text amendment bylaw in accordance with Section 464(2) of the *Local Government Act*;

AND FURTHER, that completion of a lease agreement with School District #22 for use of the clubhouse at MacDonald Park be subject to the receipt of a fire safety plan from School District #22 to the satisfaction of the City of Vernon Fire Chief.

12. LEGISLATIVE MATTERS

Bylaws

FIRST & SECOND READINGS AND WAIVING OF PUBLIC HEARING

- 5849

- (i) THAT Bylaw #5849, **“Zoning Text (P1 Educational Services, Public) Amendment Bylaw Number 5849, 2021”** – a bylaw to add ‘educational services, public’ as a Secondary Use in the P1: Parks and Open Space zone, be **read a first and second time**;

AND FURTHER, that the Public Hearing for Bylaw #5849, **“Zoning Text (P1 Educational Services, Public) Amendment Bylaw Number 5849, 2021”** be **waived** pursuant to Section 467, *Local Government Act*. **(P. 162)**

13. COUNCIL INFORMATION UPDATES

A. Mayor and Councillors Reports.

NOTICE OF MOTION – HOLIDAY LIGHTING – COUNCILLOR ANDERSON (5410-10 Hwy 97)

- B. THAT Council direct Administration to propose plans to enhance holiday lighting along Highway 97 between 34 Avenue and 25 Avenue between December 1 and January 30;

AND FURTHER, that Administration identify a source of funding for the proposed enhanced holiday lighting;

AND FURTHER, that Council direct Administration to deliver the proposal no later than August 15, 2021.

14. INFORMATION ITEMS

A. Minutes from the following Committees of Council:

- (i) Advisory Planning, November 10, 2020 **(P. 165)**
- (ii) Tourism Commission, December 16, 2020 **(P. 169)**
- (iii) Advisory Planning, January 12, 2021 **(P. 176)**

- B. Letter dated January 21, 2021 from Mayor Lisa Helps, City of Victoria, re: Universal No-Cost Access to all prescription contraception. **(P. 180)**

- C. Email dated January 29, 2021 from Thomas Guerrero, Executive Director, Patient and Client Relations, Ministry of Health, re: Universal access to free prescription contraception in B.C. **(P. 181)**

- D. Letter dated February 2, 2021 from Mayor Fred Haynes, District of Saanich, re: Actions to Address the Overdose Crisis **(P. 184)**

- E. Letter dated February 2, 2021 from Minister of Health, Adrian Dix, re: Places of Worship. **(P. 193)**

- F. Letter dated February 2, 2021 from Mayor Richard Stewart, City of Coquitlam, re: BC Hydro and Power Authority – 2020 Street Lighting Rate Application. **(P. 195)**

15. CLOSE OF MEETING

THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF A REGULAR OPEN MEETING OF COUNCIL
HELD JANUARY 25, 2021**

PRESENT: Mayor V. Cumming

Councillors: S. Anderson, K. Gares,
B. Quiring (8:41 am), A. Mund, D. Nahal (8:41 am), (K. Fehr - absent)

Staff: W. Pearce, Chief Administrative Officer
P. Bridal, DCAO, Director, Corporate Services
K. Austin, Manager, Legislative Services
J. Nicol, Deputy Corporate Officer
D. Law, Director, Financial Services
T. Martens, Manager, Financial Operations
K. Flick, Director, Community Infrastructure and Development
D. Lind, Director, Vernon Fire Rescue Services
C. Poirier, Manager, Communications & Grants
C. Ovens, Director, Operation Services
S. Melenko, Information Technician I

Mayor Cumming called the Regular Open meeting to order at 8:40 am and requested a motion to move to Committee of the Whole.

Mayor Cumming reconvened the Regular Open meeting at 9:08 am and requested a motion to move to In Camera.

**RESOLUTION TO
CLOSE MEETING**

Moved by Councillor Gares, seconded by Councillor Quiring:

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

- (1)(c) labour relations or other employee relations;
- (1)(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;
- (2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED

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

PRESENT: Mayor V. Cumming

Councillors: S. Anderson, K. Gares, A. Mund,
B. Quiring, D. Nahal (1:34 pm) K. Fehr

Staff: W. Pearce, Chief Administrative Officer
P. Bridal, Deputy CAO, Director, Corporate Services
K. Austin, Manager, Legislative Services
J. Nicol, Deputy Corporate Officer
C. Poirier, Manager, Communications and Grants
D. Law, Director, Financial Services
K. Flick, Director, Community Infrastructure & Development Services
K. Poole, Manager, Economic Development & Tourism
T. Silverthorn, Tourism Coordinator*
C. Broderick, Manager Current Planning*
C. Ovens, Director, Operation Services*
D. Ross, Director, Recreation Services*
E. Croy, Transportation Planner*
A. Watson, Manager, Transportation*
S. Melenko, Information Tech.*

**Attended, as required*

ADOPTION OF THE AGENDA

The CAO congratulated Kevin Poole as he has accepted the position of Director, Community Safety, Lands and Administration.

APPROVAL OF ITEMS LISTED ON THE AGENDA

Moved by Councillor Mund, seconded by Councillor Gares:

THAT the agenda for the January 25, 2021, Regular Open meeting of the Council of The Corporation of The City of Vernon be adopted.

CARRIED

ADOPTION OF MINUTES

COUNCIL MEETINGS

Moved by Councillor Fehr, seconded by Councillor Mund:

THAT the minutes of the Regular Meeting of Council held January 11, 2021 be adopted;

AND FURTHER, that minutes of the Public Hearing held December 14, 2020 and January 11, 2021 be adopted;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held January 11, 2021 be received.

CARRIED

BUSINESS ARISING FROM THE MINUTES**GENERAL MATTERS****PRESENTATION –
TOURISM
COMMISSION ANNUAL
UPDATE (0540)**

Claus Larsen, Chairperson, Tourism Commission presented the Annual Update to Council as per Section 7.4 of Tourism Commission Bylaw #5683.

The following points were reviewed:

- Challenging year with COVID-19, tourism had to save and maintain what had been achieved to date
 - Unknown area for tourism, Tourism Commission has led the way, thank you to everyone on the City's tourism team
- Overview of 2018 – 2022 Tourism Business Strategic Plan Goals
 - Increase tourism-driven economic benefits to Vernon
 - Increase Vernon's market share of travelers
 - Improve Vernon Net Promoter Score/Tourism Sentiment Index
 - Increase stakeholder rating
- Successes - Hotel Tax (MRDT) reviewed
- Challenges – COVID-19
 - Received \$50,000 from provincial government as aid
 - Created a Recovery Marketing Strategy with input from the Tourism Commission
- Moving Forward – Objectives and Strategy
 - Draft 2021 Tactical Marketing Plan.
 - Suggestions – announce the connectivity to the rail trail via the hotels and establish an interactive digital map.

Moved by Councillor Quiring, seconded by Councillor Nahal:

THAT Council receives the Tourism Commission Annual Update report to Council as provided by Claus Larsen, Chairperson, at the January 25, 2021 Regular meeting of Council.

CARRIED

COUNCIL INQUIRIES**SEWER ON EASTSIDE
ROAD**

Council inquired regarding a concern from a resident on Eastside Road. They are being charged the lower sewer flat rate and the meter was not read. Request a credit from the City as they used very little sewer. Resident was informed that there would be no reduction as the resident has paid the lowest amount. Administration requested the details and will bring forward an Update.

**RECORDING OF
COUNCIL'S VOTE IN
LETTERS**

Council inquired regarding the letter pertaining to the 'places of worship' and 'that it reflected who had voted against the motion. Council requested that in the future, letters sent as result of resolutions do not

include the vote in favour or against the resolution, just whether it was carried or not.

Moved by Councillor Quiring, seconded by Councillor Anderson:

THAT Council direct Administration, when sending correspondence containing resolutions of Council, that the vote is not indicated in the correspondence;

AND FURTHER, that correspondence be limited to contain the resolution of Council without additional verbiage.

CARRIED

Councillor Fehr left the meeting at 2:54 pm.

ADMINISTRATION UPDATES

ADMINISTRATION UPDATES (0550-05)

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council receive the Administration Updates dated January 25, 2021, for information.

CARRIED

Councillor Fehr returned at 2:56 pm.

UNFINISHED BUSINESS

REZONING AMENDMENT BYLAW #5782 AND VARIANCE EXTENSION REQUEST (ZON00337/DVP00463)

Moved by Councillor Mund, seconded by Councillor Fehr:

THAT Council approve the extension of the processing timeline for "967 Mt. Beaven Place Rezoning Amendment Bylaw Number 5782, 2019" to January 13, 2022;

AND FURTHER, that Council approve the extension of the processing timeline for Development Variance Permit application (DVP00463) to January 13, 2022.

CARRIED

REZONING AMENDMENT BYLAW #5789 EXTENSION REQUEST (ZON00333)

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Council approve the extension of the processing timeline for "3202 16th Avenue and 1504 32nd Street Rezoning Amendment Bylaw Number 5789, 2019" to January 13, 2022.

CARRIED

**REZONING
AMENDMENT
BYLAW #5790
EXTENSION
REQUEST
(ZON00342)**

Moved by Councillor Mund, seconded by Councillor Fehr:

THAT Council approve the extension of the processing timeline for "5577 27th Avenue Rezoning Amendment Bylaw Number 5790, 2019" to January 13, 2022.

CARRIED

MATTERS REFERRED

THAT Council brings forward, as public information, the following motion **declassified** from confidential to non-confidential at the **January 11, 2021**, In Camera meeting:

**BOARD OF VARIANCE
APPOINTMENT (0540)**

'THAT Council re-appoint Harpreet Nahal to the Board of Variance for a term expiring January 2024 and request that Administration re-advertise for the remaining four positions beginning in January 2021.'

NEW BUSINESS

Correspondence:

**RECREATION
SERVICES – 2020
FOURTH QUARTER
REPORT (7700-01)**

Moved by Councillor Gares, seconded by Councillor Quiring:

THAT Council receive the memorandum titled "Recreation Services – 2020 Fourth Quarter Report" and he accompanying PowerPoint presentation, dated January 15 , 2021 from the Manager, Customer Service – Recreation Services, for information.

CARRIED

**2021 TOURISM
TACTICAL MARKETING
PLAN (0540)**

Moved by Councillor Gares, seconded by Councillor Nahal:

THAT Council endorse the 2021 Tourism Tactical Marketing Plan as recommended by the Tourism Commission and attached to the memo dated January 20, 2020 from the Manager, Economic Development and Tourism;

AND FURTHER, that Council endorse an additional \$200,000 transfer from the Hotel Tax Reserve to the 2021 Tourism Operating budget as included in the 2021 Tourism Tactical Marketing Plan;

AND FURTHER, that the members of the Tourism Commission be acknowledged in the 2021 Tourism Tactical Marketing Plan.

CARRIED

**2021 – 22 FIVE YEAR
REVIEW, PROVINCIAL
POLICE SERVICE
AGREEMENT (7400-03)**

Moved by Councillor Mund, seconded by Councillor Gares:

THAT Council authorize the Mayor, on behalf of Council, to forward the three matters related to the RCMP contract policing; as presented in the Internal Memo titled *2021-22 FIVE YEAR REVIEW, PROVINCIAL POLICE SERVICE AGREEMENT (PPSA)*, dated January 20, 2021 and respectively submitted by the CAO; to UBCM as input to the Five Year Review of the 2012 Provincial Police Service Agreement.

CARRIED

Reports:

**CANNABIS BUSINESS
LICENCE APPLICATION
FOR 3315 30TH AVENUE
(4330-20, CRL00014)**

Moved by Councillor Nahal, seconded by Councillor Mund:

THAT Council provide a positive recommendation to the Liquor and Cannabis Regulation Branch (LCRB) regarding Cannabis Retail Store application (Job#002106) (CRL00014) with respect to the application to establish a Non-Medical cannabis retail sales business on LT 18-19, BLK 64, PL 327, DL 72, ODYD (3315 30th Avenue);

AND FURTHER, that the LCRB be advised that Council's support of the subject cannabis retail store application addresses the LCRB resolution criteria in the following manner:

a) The location of the proposed store:

- i. The proposed new premise at 3315 30th Avenue is within the C7 – Heritage Business District zone, and a cannabis retail store is a permitted use within this commercial zone;

b) The general impact on the community if the application is approved:

- i. Council considers that approval of a cannabis retail store at this location would have minimal impact on the community as long as all federal, provincial and municipal regulations are adhered to;

c) The public consultation process consists of stakeholder referral letters being sent to internal departments, agencies and to all businesses, property owners and occupants within 30 m of the subject property. Six responses were received, all expressing objections or concerns.

AND FURTHER, that the report from the Manager, Current Planning dated January 13, 2021 be provided to the Liquor and Cannabis Regulation Branch to document the City of Vernon's consideration of the location of the proposed cannabis retail store, the means of public

consultation and the summary of input received with respect to Cannabis Retail Store application CRL00014.

**CARRIED, with Councillors Anderson, Gares and Nahal
opposed**

**CANNABIS BUSINESS
LICENCE APPLICATION
FOR 3116 30TH AVENUE
(4330-20, CRL00015)**

Moved by Councillor Fehr, seconded by Councillor Nahal:

THAT Council provide a positive recommendation to the Liquor and Cannabis Regulation Branch (LCRB) regarding Cannabis Retail Store application (Job#002185) (CRL00015) with respect to the application to establish a Non-Medical cannabis retail sales business on LT 21-22, BLK 68, PL 327, SEC 34, TWP 9, ODYD, EXC W 6" (3116 30th Avenue);

AND FURTHER, that the LCRB be advised that Council's support of the subject cannabis retail store application addresses the LCRB resolution criteria in the following manner:

- a) The location of the proposed store:
 - i. The proposed new premise at 3116 30th Avenue is within the C7 – Heritage Business District zone, and a cannabis retail store is a permitted use within this commercial zone.
- b) The general impact on the community if the application is approved:
 - i. Council considers that approval of a cannabis retail store at this location would have minimal impact on the community as long as all federal, provincial and municipal regulations are adhered to.
- c) The public consultation process consists of stakeholder referral letters being sent to internal departments, agencies and to all businesses, property owners and occupants within 30 m of the subject property. One response was received, opposing the application.

AND FURTHER, that the report from the Manager, Current Planning dated January 13, 2021 be provided to the Liquor and Cannabis Regulation Branch to document the City of Vernon's consideration of the location of the proposed cannabis retail store, the means of public consultation and the summary of input received with respect to Cannabis Retail Store application CRL00015.

**CARRIED, with Councillors Anderson, Gares and Nahal
opposed**

Councillor Nahal left the meeting at 4:14 pm and returned at 4:16 pm.

**2021 LAKE ACCESS
SITE DEVELOPMENT
(8700-02)**

Moved by Mayor Cumming, seconded by Councillor Nahal:

THAT Council direct Administration to develop Lake Access Site #1 (9030 Tronson Road) in 2021;

AND FURTHER, that Council direct Administration to arrange a tour with Council in May 2021 of the remaining six high priority lake access sites for development consideration in 2022 and future years.

CARRIED

Councillor Anderson left the meeting at 4:28 pm.

**NORTH OKANAGAN
TRANSIT FUTURE
ACTION PLAN UPDATE
(8500-12)**

Moved by Councillor Gares, seconded by Councillor Nahal:

THAT Council approve the Terms of Reference for the North Okanagan Transit Future Action Plan as outlined in Attachment 2 of the report titled "North Okanagan Transit Future Action Plan Update" dated January 11, 2021 from the Active Transportation Coordinator;

AND FURTHER, that Council direct the Chief Administrative Officer to appoint staff to join the Project Working Group.

CARRIED

LEGISLATIVE MATTERS

Bylaws:

**ADOPTION
• 5848**

Moved by Councillor Mund, seconded by Councillor Fehr:

THAT Bylaw #5848, **Temporary Use of Propane Fire Pits (Polson Park) Bylaw Number 5848, 2020**", a bylaw to allow the temporary use of portable propane fire pits in Polson Park, be **adopted**.

CARRIED

COUNCIL INFORMATION UPDATES

Councillor Anderson returned to the meeting at 4:29 pm.

Councillor Dalvir Nahal

Attended:

- Regional District of North Okanagan
- Arts Council of North Okanagan
- Zoom call with Premier and others.

Councillor Brian Quiring:

Attended:

- Downtown Vernon Association meeting via Zoom
- Climate Action Advisory Committee
- Regional District of North Okanagan.

Councillor Kelly Fehr:

Attended:

- Greater Vernon Advisory Committee
- Age-friendly Committee
- Affordable Housing Advisory Committee.

Councillor Kari Gares:

Attended:

- Tourism Commission
- Affordable Housing Advisory Committee
- Will participate in a Panel discussion for Women's Day with Councillor Nahal.

Councillor Scott Anderson:

- Observed that temporary BC Housing site being run well.

Councillor Akbal Mund

- Please support Winter Carnival raffle tickets.

Mayor Victor Cumming:

Attended:

- Community Economic Development Initiative process has finished, have moved to monthly meetings as a working group
- Advisory Planning Committee
- Greater Vernon Advisory Committee budget meetings
- Shuswap Trail Alliance working group
- Environmental meeting with federal and provincial governments
- Tourism Commission
- Regional District of North Okanagan.

Councillor Mund left the meeting at 4:59 pm and returned to the meeting at 5:01 pm.

**NOTICE OF MOTION –
GEESE CULL -
COUNCILLOR NAHAL**

Moved by Councillor Nahal, seconded by Councillor Anderson:

THAT Council direct Administration to proceed with the permits required to initiate a "Kill" program to eliminate approximately 100 – 150 geese from the Vernon area at an estimated cost of \$41,000 with source of funds being an amended 2021 budget and subsequent tax rate;

AND FURTHER, that Council directs Administration to look into Lakeshore, Kin, Paddlewheel and Polson as the parks to initiate a

“Kill” program.

AND FURTHER, that Council directs Administration to contact neighbouring jurisdictions from Lake Country, North via letter to determine their interest in investigating a combined effort with egg addling and/or a ‘Kill’ program

CARRIED, with Mayor Cumming and Councillor Fehr opposed.

INFORMATION ITEMS

Council received the following information items:

- A. Minutes from the following Committees of Council:
 - (i) Affordable Housing Advisory, March 30, 2020
- B. Letter dated January 11, 2021 from Mayor Linda Buchanan, City of North Vancouver, re: Implementing a Province-wide Ban on Anticoagulant Rodenticides.
- C. Letter dated January 13, 2021 from Trevor Seibel, CAO, District of Coldstream, re: Recreation Services – 2021 Budget.
- D. Letter dated January 14, 2021 from Bob Fleming, Director, Electoral Area “B” and Amanda Shatzko, Director, Electoral Area “C”, Regional District North Okanagan, re: 2021 Recreation Services Budget.
- E. Email dated January 18, 2021 from Diamond Isinger, Provincial Commissioner (BC), Girl Guides of Canada, re: Guiding Lights Across BC – February 22, 2021 – Vernon.

CLOSE

Mayor Cumming closed the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 5:12 pm.

CERTIFIED CORRECT:

Mayor

Corporate Officer



VERNON NORTH OKANAGAN DETACHMENT

4th Quarter (October to December) 2020

QUARTERLY POLICING REPORT

Committed to preserve the peace, uphold the law and provide quality service in partnership with our communities.

Superintendent Shawna BAHER
Officer in Charge

POLICING ACTIVITY REPORT ~ 4th Quarter 2020

The Vernon North Okanagan Detachment continues to focus on the priorities of Enhanced Public Safety, Community Connections and Road Safety. To support our plan, we have implemented various initiatives including prolific and priority offender management, increased police visibility, and traffic enforcement. One method used to track our performance is to compare crime statistics with the same quarter from the previous year. All crime statistics for specific areas are featured at the end of the report, and are a sampling of the 15 most commonly reported crime codes that have the greatest impact on communities. The statistics reflect monthly totals for October to December 2020 with comparisons from the previous year. This report is a synopsis of some of the recent investigations conducted by the Vernon North Okanagan Detachment. It does not reflect all the tasks our police officers are working on nor does it include information that could impact ongoing police investigations.

COMMUNITY EVENTS

With the global pandemic affecting everyday activities, volunteer organizations have had to adapt in order to host fundraising events. In October, the RCMP were honored to assist with the annual United Way Drive thru Breakfast held at the Vernon Lodge. Despite a scaled down version from previous years, the event raised a record number of donations to support numerous organizations in the North Okanagan.



Although Remembrance Day events were cancelled throughout the area, the Vernon Legion was able to host a small service for veterans at the Vernon cenotaph, where a limited number of RCMP members were invited to participate. Regardless, it was observed that during the day many police officers, veterans and community members visited the cenotaphs on their own in order to pay their respects and lay wreaths.

During the holiday season, staff at the Vernon North Okanagan detachments launched a Christmas campaign to raise spirits. Employees were able to assist several families in the Vernon area and one in Enderby to sponsor with gifts and food donations. The Vernon office organized a silent auction of hand crafted goodies made by our talented staff, and hosted office pizza days throughout the month to raise funds to support those in need this holiday season.

VERNON/COLDSTREAM

OPERATIONS

The table below highlights the total number of calls for service with Criminal Code offences and property crime extracted for the 4th quarter as well as the cumulative number since January 1, 2020 to the end of the year.

Category	Vernon		Coldstream		Vernon Rural	
	Q4	YTD	Q4	YTD	Q4	YTD
Calls for Service	4,188	19,339	436	1,741	345	1,750
Criminal Code	1,263	5,715	66	339	116	424
Property Offences	744	3,401	68	224	42	236

The below table shows the total charges forwarded to Vernon Crown Counsel, the total prisoners held in the Vernon cell block, and the total interventions by the Vernon North Okanagan Police Dog Service. The Vernon North Okanagan continues to track files associated to the street entrenched population; "SEPTA" is an acronym for 'Street Entrenched Policing Target Analysis' type files.

Category	Vernon/Coldstream	
	Q4	YTD
Charges Forwarded	401	1,951
Prisoners	323	1,486
PDS Interventions	17	58
SEPTA Files	248	1,388

Recognizing that Calls for Service encompass both calls from the public which frontline officers are dispatched to as well as the self-generated work completed by the officers in support of enhanced public safety initiatives, Superintendent Baher has extracted the two categories from the total calls for service. The below graph outlines the total dispatch calls and the total self-generated calls for the 4th quarter of 2020 with a comparison for the previous year for the area of Vernon/Coldstream.

4 th Quarter (Oct 1 - Dec 31)			Cumulative Total (Q1, Q2, Q3, Q4)	
2019	Dispatched Calls	5,265	Dispatched Calls	21,694
2020	Dispatched Calls	4,260	Dispatched Calls	19,730
		-19.09%		-9.05%
2019	Self Generated Calls	735	Self Generated Calls	2,687
2020	Self Generated Calls	709	Self Generated Calls	3,100
		-3.54%		+15.37%

FRONT LINE POLICING

Vernon

On October 4th, frontline officers investigated a business break and enter on 48th Avenue where a vehicle stolen from a neighbouring business was used to gain entry and remove the automated teller machine. The stolen vehicle was recovered; however, the ATM was not located and no suspects were identified.

On October 7th, frontline officers responded to a robbery at a business on 30th Avenue. Police arrested the suspect several blocks from the scene and recovered items stolen in the robbery. The 29-year-old man was held in custody and the matter is before the courts.

On October 31st, frontline officers were advised of a disturbance at a residence on Tronson Road. When police arrived and spoke with the homeowner, it was learned a Halloween party with more than 10 people in attendance was being held in contravention of the COVID Related health restrictions. The homeowner was issued a \$230 fine and the party was disbanded.

On November 6th, police officers on patrol located a vehicle stolen from a neighbouring jurisdiction. When officers attempted to conduct a traffic stop with the vehicle, it fled from police on Old Kamloops Road. Police did not pursue and located the vehicle abandoned a short distance away. The Police Dog Service was deployed to the scene and successfully tracked the suspect who was hiding in a tree. The 44-year-old man was held in custody and the matter is before the courts.

On November 8th, frontline officers conducted a traffic stop of a vehicle being operated in an erratic manner on 27th Street. The driver was arrested for impaired driving and police located items to support additional charges of possession for the purpose of trafficking and possession of a prohibited weapon. The 36-year-old male driver was held in custody until sober and released pending a future court date.

On November 9th, frontline officers responded to a robbery at a business on Middleton Way where the suspect fled with items stolen from the business. Police officers were able to track the suspect through the freshly fallen snow and placed him under arrest. The stolen items were recovered and the 35 year old man was held in custody. The matter is before the court.

On November 21st, frontline officers responded to a break and enter in progress at a business on 48th Avenue. Police located a vehicle leaving the scene and conducted a traffic stop. The vehicle had been stolen from the business and the driver fled from the vehicle on foot. After a brief foot pursuit, the 33 year old man was arrested and held in custody. The matter is before the courts.

On December 12th, a motorist briefly stopped into a business on Anderson Way and, while inside, observed their work vehicle drive from the parking lot with an unknown driver. The vehicle was recovered later in the day and the suspect was not identified.

On December 12th, frontline officers responded to a report of a robbery in Polson Park. The victim met with the suspects to purchase marijuana and was struck with an object. The suspects demanded money from the victim prior to fleeing the scene. The incident is still under investigation.

Coldstream

On October 1st, frontline officers responded to report of a man suffering life threatening injuries at a residence on Kalamalka Lake Road. The 27 year old man succumbed to his injuries and the South East District Major Crime Unit assumed conduct of the investigation.

On November 1st, frontline officers responded to a single vehicle incident in the 15000 block of Kalamalka Road where a truck had gone off road right and into a pole. A 67-year-old man failed a road side screening device, received a 90-day driving prohibition and had his vehicle impounded for 30 days. In addition, he faces criminal charges of assault and uttering threats of one witness. The matter is before the courts

On November 29th, frontline officer were advised of a man standing with a long gun staring at a business on Hwy 6. On attendance, police located an 89-year-old man in possession of a firearm and, after speaking with him, apprehended him under the Mental Health Act in order for him to be assessed by a physician. Three firearms were seized and relinquished to police.

On December 19th at approximately 11pm, RCMP Operations Communication Center received 38 prank 911 calls from a cell phone within an hour. The de-activated phone was tracked to the general area of Anjou Drive. Police conducted numerous neighbourhood enquiries waking several households. The phone in question was located in possession of a youth with and the parents confiscated the phone.

On December 23rd, police responded to a single vehicle incident on Hwy 97 at Baily Road where a car had struck the concrete barricade. The 28-year-old female driver failed a roadside alcohol-screening device and was issued a 90 day Immediate Roadside Prohibition and 30 Day Vehicle Impound.

On December 25th, police located a vehicle running with a 33 year old man slumped over the steering wheel on Kidston Road and Torrent Drive. Police observed a small quantity of suspected heroin on the passenger's seat and signs of recent drug use. The man was arrested and the drugs seized. The man was issued a 24-hour driving suspension and had his vehicle impounded.

On December 28th, police were advised a residence on Lakeview Drive was hosting visitors from out of province. Police confirmed that four occupants in the home did not reside at the residence and issued the homeowner a fine for failing to comply with the COVID-19 Related Measures Act.

GENERAL INVESTIGATION SECTION

The following is a synopsis of some of the recent investigations conducted by the General Investigation Section and does not reflect all the tasks the officers are working on, nor does it include information, which could impact ongoing police investigations.

Serious Crime Unit (SCU)

On October 1st, SCU became engaged in an investigation into a 27-year-old man who suffered life-threatening injuries at a residence on Kalamalka Lake Road. SCU assisted the South East District Major Crime Unit.

On October 21st, SCU assisted frontline officers with a suspected arson to an abandoned house on 32nd Street. The SCU investigator conducted a search of the property for potential victims with Vernon Fire Department and examined the scene for signs of arson. The cause could not be determined and no suspects identified.

In November, SCU assisted Rural General Investigation Section with a sexual assault investigation at a property on Westside Road. SCU assisted with the execution of a search warrant and exhibits seizure.

On November 26th, SCU investigated an assault that occurred in Polson Park by an unknown suspect. A number of investigational techniques were utilized and the matter is still under investigation.

On December 2nd, SCU assumed conduct of an aggravated assault investigation at a residence in Vernon. A number of witnesses were interviewed and suspects were identified. Two men, age 49 and 31, were arrested and the matter is currently before the court.

In December, SCU provided assistance to the Rural General Investigation Section with the execution of a search warrant and arrest of an individual on a rural property near Salmon Arm.

Special Victim Unit (SVU)

The Special Victim Unit investigates crimes relating to vulnerable victims. The SVU is comprised of a Corporal and two Constables who are responsible for high risk investigations relating to domestic violence, sex crimes and missing persons.

Domestic Violence Unit (DVU)

The Domestic Violence Unit provides assistance to frontline investigators in files involving high-risk violence in relationship, as well as facilitates Integrated Case Assessment Team (ICAT) meetings to support victims through the court process. During this quarter, DVU facilitated 6 ICAT meetings to support victims of domestic violence. In addition, DVU is working with Crown Counsel to have files identified as high risk, even when victim does not consent to ICAT, and is working on the bail variation process.

Sex Crimes

During this reporting period, the Sex Crimes unit provided assistance to frontline officers with sensitive investigations involving children. Sex Crimes works with the Oak Child and Youth Advocacy Centre and has utilized the Centre's PADS Dog 'Cirque' to provide comfort to the children during a traumatic time of their lives.

On October 15th, the Sex Crimes investigator interviewed a child regarding possible abuse allegations. No criminality was determined and the Ministry of Children and Family Development is engaged with the family.

On October 26th, the Sex Crimes investigator assisted frontline officers with a child interview regarding an assault allegation. MCFD is engaged and the incident is before the court.

On November 6th, the Special Victim Unit assumed conduct of an alleged attempted abduction of a child from an unknown person in a vehicle. The investigation could not prove criminal intent and suspect the vehicle stopped to allow child to cross the street as the child was in an intersection.

On December 22nd, the Sex Crimes investigator interviewed a child regarding sexual interference allegations and determined there was no evidence of criminality. MCFD is engaged with the family.

Missing Persons

The Missing Person coordinator provides support and guidance to frontline officers on high risk missing person investigations. The Corporal supervisor is responsible to monitor all missing person investigations daily for quality assurance and provide follow up action as necessary.

TARGETED POLICING

In an effort to continue to work closely with partner agencies and stakeholders, the Targeted Policing Unit met regularly with numerous partner agencies including Interagency, Community Outreach and Mentally Disordered Offenders. Unfortunately, face-to-face meetings are still on hold due to the COVID-19 pandemic.

Task Force

During this quarter, Task Force investigated a vehicle previously seized during a violent assault of a cyclist. On further examination of the vehicle, investigators located an after market compartment containing four kilograms

of methamphetamine and four ounces of cocaine. The Civil Forfeiture Unit seized the vehicle and the investigation continues to recommended charges.

Crime Reduction Unit (CRU)

The Crime Reduction Unit encompasses the plainclothes investigators in Prolific Offender Unit and the uniformed officers in Downtown Enforcement Unit. CRU performs a significant role in the bi-weekly comparative statistics meeting where emerging crime trends, hot spots of criminal activity, problem premises, priority prolific offenders and social chronic offenders are identified and tasks are assigned to various units to help reduce crime.

In November, CRU investigated a commercial break and enter where over \$11,000.00 in tools were stolen. The investigation resulted in charges being laid against a former Vernon Prolific Offender who now resides in the Kelowna policing area.

In December, CRU investigated an individual identified through police contact and liaison with partner agencies as a social chronic offender. As a result, the suspect was remanded into custody on a number of criminal charges.

CRU assisted Vancouver Police Department High Risk Offender Unit to arrest a subject wanted on a Canada Wide Warrant with connections in the Vernon area. In early December, the subject was taken into custody with the assistance of Air Services, Police Dog Service and the SED Emergency Response Team. Additionally, CRU secured additional charges on the subject's brother.

Prolific Offender

A Prolific Offender is identified as an adult or youth offender with an established pattern of persistent Criminal Code and/or Controlled Drugs and Substances Act offences; who is identified by current intelligence to be criminally active; and assessed by police and partner agencies as medium to high risk to re-offend. These offenders residing within our detachment area are capable of causing a disproportionate amount of crime in the community. At the conclusion of this reporting period, there are 19 Prolific Offenders identified for monitoring in the Vernon North Okanagan. Of those, 6 are currently in custody and 13 are not in custody. Of those, 8 reside within the City of Vernon, 1 within the outlying rural area and 4 resides outside of our jurisdiction.

Downtown Enforcement

During this reporting period, the Downtown Enforcement Unit liaised with the street entrenched population, provided referral information and conducted enforcement action that included the execution of 106 warrant of arrests. As well, the unit recommended 12 investigations to Vernon Crown Counsel for charge approval, which included 9 persons charged with failure to comply with police, or court imposed conditions.

Opioid Pilot Project

The Opioid Pilot Project commenced on December 8th, 2018. This pilot was created to improve service for people suffering from addiction issues that often lead to their involvement in crime. The Vernon North Okanagan RCMP are working with Interior Health's Mental Health and Substance Unit to streamline referrals to services, provide training to police officers, and offer Naloxone kits to those at risk. The goal is to save lives and reduce crime associated to addiction.

Month	Card given	Referral made	Kit provided
October	1	1	1
November	1	0	1
December	3	1	2
Q4 Total	5	2	4
2020 YTD Total	59	39	36

NORTH OKANAGAN RURAL

OPERATIONS

The below tables are the total number of calls for service with Criminal Code offences and property crime extracted for the 4th quarter of 2020.

Category	Armstrong		Spallumcheen		Enderby	
	Q4	YTD	Q4	YTD	Q4	YTD
Calls for Service	270	981	299	1124	456	2026
Criminal Code	70	302	74	268	140	632
Property Offences	33	142	40	129	86	272

Category	Falkland		Lumby		Westside	
	Q4	YTD	Q4	YTD	Q4	YTD
Calls for Service	113	463	258	997	162	1001
Criminal Code	15	81	64	222	59	264
Property Offences	9	39	34	85	25	80

Below is a table of the total charges forwarded to Vernon and Salmon Arm Crown Counsel, the total prisoners held in the North Okanagan cellblocks and the Police Dog Service interventions.

Category	North Okanagan	
	Q4	YTD
Charges Forwarded	137	538
Prisoners	29	112
PDS Interventions	12	42

FRONT LINE POLICING

Armstrong

On October 12th, frontline officers investigated a suspicious vehicle fire in Armstrong. No suspects were identified.

On October 22nd, frontline officers responded to a possible impaired driver on Hwy 97A in Armstrong. Police located the vehicle and transported the driver to the Armstrong detachment to provide breath samples. The driver was released pending a future court date and is charged criminally with impaired driving and over .08mg.

Enderby

On October 25th, frontline officers located a stolen vehicle travelling on Hwy 97A south of Enderby. After the driver failed to stop, the vehicle veered off the road and into a shallow ditch. The driver was ejected from the vehicle and died on scene.

On November 26th, police responded to a two vehicle collision on Hwy 97A north of Enderby. While a vehicle was making a right hand turn, it was rear ended by a vehicle travelling in the same direction. One driver was injured and transported to hospital.

On December 4th, frontline officers located a vehicle on Enderby Grindrod Road operated by a suspended driver. The driver was issued a violation ticket for no driver's licence and their vehicle was impounded for seven days.

On December 10th, police received information of a suspicious vehicle on Canyon Road operated by a prohibited driver, and a passenger that was wanted on a Canada wide warrant. As police attempted to conduct a traffic stop, the vehicle fled. RCMP Air Services was engaged and tracked the vehicle and occupants to a residence off

Westside Road. Frontline officers established containment and the South East District Emergency response team was deployed resulting in the arrest of the two suspects.

Falkland

On October 15th, police investigated a report of suspicious persons associated to a vehicle parked on Salmon River Road. The vehicle occupants advised they were in the area to meet an individual at a nearby residence. Provincial GIS assumed conduct of the investigation.

On November 13th, frontline officers observed a stolen vehicle with no licence plate travelling south bound on Chase Falkland Road. The vehicle was later found abandoned on a rural property and it was learned the suspect broke into a garage and stole a tractor in an effort to evade police. The Police Dog Service responded and tracked the suspect through multiple fields to arrest a known prolific offender and recover the tractor. The offender remains in custody and the matter is before the courts.

Lumby

On October 22nd, a frontline officer on patrol conducted a traffic stop of a vehicle speeding in the 5400 block of Hwy 6. The vehicle was measured travelling at 133 km/hour in a posted 80 km/hour zone. The driver was issued a violation ticket for excessive speed and had their vehicle impounded for seven days.

On October 26th, frontline officers responded to a domestic dispute at a residence on Shuswap Avenue where the suspect was barricaded allegedly armed with a weapon. Frontline officers set up containment of the property and the South East Emergency Response Team was deployed. After numerous attempts to have the suspect voluntarily exit the residence, the suspect was arrested and faces numerous charges including uttering threats.

On November 8th, police received a 911 call from a homeowner advising of a break and enter in progress at a residence on Lumby Mabel Lake Road. Frontline officers responded and arrested two individuals exiting the residence. Both face numerous charges including assault, uttering threats and mischief. The matter is before the courts.

On November 19th, police investigated a report of drug trafficking at an address on Grandview Avenue. Investigators arrested three individuals and executed a search warrant on the residence, which located a mix of suspected fentanyl, methamphetamine and other evidence of drug trafficking including scales, packaging material, and score sheets. The matter is before the courts.

On November 24th, frontline officers responded to a robbery at a business on Vernon Street. The suspected entered the business armed with a weapon and demanded cash then suspect fled in a vehicle. Despite numerous patrols, the suspect was not located.

On December 29th, police responded to a report of a person missing from a residence in Lumby. The Police Dog Service were immediately deployed to search but were unable to locate the individual. The follow day, the body of the missing person was discovered and the BC Coroner's Service attended to investigate.

Spallumcheen

On November 7th, frontline officers responded to a report of an unknown vehicle driving on a rural property in Spallumcheen causing damage. Police located the vehicle abandoned after it sustained significant damage. A few hours later, frontline officers responded to a suspicious person in the area and located the suspected driver who was arrested and charged with mischief over \$5000 and flight from police. The matter is before the courts.

On November 25th, frontline officers responded to a domestic dispute at a residence on Otter Lake Cross Road. One individual was arrested and the matter is before the courts.

Westside

On October 19th, police investigated damage to numerous Canada Post mailboxes located on Westside Road. No suspects were identified.

On November 23rd, frontline officers responded to a break and enter in progress at a business on Westside Road after the property owner interrupted the suspects. A description of the vehicle which fled the scene was provided to police. Despite numerous patrols, the vehicle could not be located and no suspects were identified.

GENERAL INVESTIGATION SECTION

The following is a synopsis of some of the recent investigations conducted by the General Investigation Section and does not reflect all the tasks the officers are working on, nor does it include information which could impact ongoing police investigations.

On October 15th, Provincial GIS assumed conduct of an incident on Salmon River Road and investigators executed a search warrant on a rural property. During the execution of the search warrant, a police officer was assaulted by the suspect who was arrested and later released on conditions. The investigation is ongoing.

On November 15th, Provincial GIS assumed conduct of an assault on a rural property off Westside Road. Investigators executed a search warrant at the property and the investigation continues.

On December 10th, Provincial GIS assisted with the arrest of two high risk suspects on outstanding warrants at a residence on Westside Road.

TRAFFIC ENFORCEMENT

North Okanagan Rural

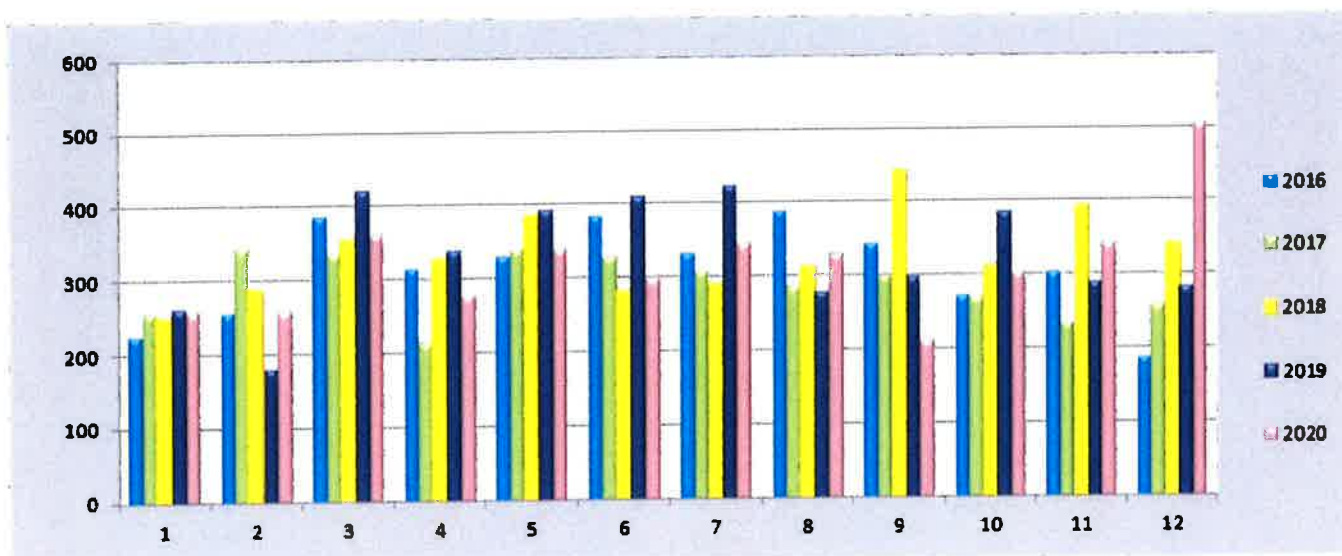
- Road Check Stops: 6
- Impaired Drivers taken off the road by way of suspension or charge: 31
- Distracted Driver Charge: 0

Area	Violation Ticket	Warning
Armstrong	53	33
Enderby	21	19
Falkland	9	4
Lumby	24	20
Spallumcheen	32	18
Westside	26	36

Vernon/Coldstream

- Road Check Stops: 12
- Impaired Drivers taken off the road by way of suspension or charge: 33
- Distracted Driver Charge: 6

Area	Violation Ticket	Warning
Vernon	576	325
Coldstream	90	125
Vernon Rural	3	2



This graph depicts the total traffic enforcement (Tickets and Warnings) results for the Vernon, Coldstream & Vernon Rural area.

FORENSIC IDENTIFICATION SECTION

The Vernon North Okanagan Forensic Identification Section is operating with two of the three members in rotation. During the 4th quarter, FIS provided investigative assistance for 35 files with a total of 47 fingerprints being identified a 1 preliminary association supplied. FIS collected 22 friction ridge impressions, 1 footwear impression, 29 DNA swabs and 2 tire impressions.

Call for Service	Vernon/Coldstream	North Rural
Break and Enter	3	1
Theft over \$5000	2	0
Theft of Vehicle	11	4
Mischief	1	0
Possession of Stolen Property	1	0
Assault	6	1
Homicide	1	0
Robbery	1	0
Drug Offences	1	1
Other offences	0	1
Total	27	8

Vernon FIS Calls for Service encompass Vernon, Vernon Rural and Coldstream.

The North Rural calls for service include Armstrong, Enderby, Falkland, Lumby & Westside.

POLICE DOG SERVICE (PDS)

The Police Dog Service consists of two police dogs and their handlers that provide service to the North Okanagan. During this quarter, PDS provided support to frontline officers and tracked numerous suspects.



PDS tracked a suspect from a stolen vehicle to a nearby residence in Enderby, located high risk missing youth with mental disabilities in a rural area of Spallumcheen, located an individual wanted on a Canada Wide warrant in Vernon, tracked and located a suspect in a vehicle theft evading police by hiding in a tree in Vernon, tracked and apprehended a prolific offender in a stolen vehicle in Spallumcheen, assisted the South East District Emergency Response Team with the arrest of two high risk offenders on Westside Road.

Over the past few months, puppy 'Nelly' underwent training to determine whether she was suitable for the police dog program. Nelly lived with a police officer from the Vernon office and participated in skills training with our two current police dogs and their handlers. We are pleased to report that Nelly has passed all her prerequisite training and has transferred to the RCMP Police Dog Service Training Centre in Innisfail, Alberta. We will miss Nelly around the office and wish her all the best in the future.



RESERVE CONSTABLE PROGRAM

Currently, there are 7 Reserve Constables who provide a variety of functions to the Vernon North Okanagan. These experienced police officers provide assistance with traffic enforcement, provide coverage for personnel shortages in front line policing and FIS, and conduct crime scene security, as required.

AREA	PATROLS	VIOLATION TICKET	WARNING
Vernon	27	174	93
Coldstream	27	75	87
Total	54	249	180

SCHOOL RESOURCE OFFICER

The new School Resource Officer commenced the role on October 14th, 2020. Constable David Brovold has entered his new role to a school year filled with many new protocols. School officials restructured classroom sizes to operate with cohorts limiting students' population density at schools. In order to make important connections, the SRO attended most of the schools in the SD 22 district to meet the principals, teachers and students. During this quarter, the SRO conducted Halloween safety talks with Kindergarten students at a number of elementary schools including BX, Okanagan Landing, Coldstream, Mission Hill, Harwood, Silver Star, and Alexis Park. There were seven social media presentations offered to grade 6/7 students at Ellison and Okanagan Landing Elementary School that focused on cyberbullying and digital citizenship. New this year, the SRO offered "It's a No" presentations, which addresses healthy relationships in the digital age. In addition to the work inside the schools, the SRO met with SD22 staff to participate in Violent Threat Risk Assessment (VTRA) meetings of high risk students, school board suspension meetings as well as lockdown drills at the various schools.

COMMUNITY POLICING

Community Safety Office

The Community Safety Office Coordinator welcomed volunteers back to the facility in October under strict COVID-19 protocols. The Coordinator conducted 9 workshops for Bearisto Elementary on drug awareness and cyber safety. When the 'Folks on Spokes' program concluded for the season, the CSO Coordinator engaged in partnership with Turning Points Collaborative Society to organize volunteers from the Shelter to assist with clean up the area around the new location three times a week. Shelter guests assist with litter pick up and, during the recent snowfalls, shovelled snow, which was well received by the neighbourhood.

Vernon RCMP Volunteers

Given the global pandemic, the 43 volunteers engaged in crime prevention programs have had to scale back their current operations. Despite these limitations, volunteers conducted 26 Speed Watch deployments, which slowed down 6447 vehicles and held 7 Distracted Driving Operations, which resulted in 26 warning letters to registered owners. The Block Watch Program added three new groups to bring the total to 90 in Vernon representing over 2000 homes and 3600+ residents.

HUMAN RESOURCES

Established Levels

Vernon North Okanagan Detachment is currently at 103 Regular Members: 56 City of Vernon; 30 Provincial; 4 City of Armstrong; 7 District of Coldstream; 4 Township of Spallumcheen, 1 Splat's in First Nation & 1 Okanagan Indian Band (OKIB).

Funded Levels

As of December 30th, 2020, the Vernon North Okanagan Detachment billed 52.79 City of Vernon; 26.61 Provincial; 3.16 City of Armstrong; 6.69 District of Coldstream; 3.6 Township of Spallumcheen, 0.95 Splat's in First Nation & 0.6 Okanagan Indian Band (OKIB).

QUARTERLY STATISTICS

The following pages contain the police statistics for the 4th quarter of 2020, October to December, with a comparison for the same month of the previous year. The activity types selected are a sampling of the 15 most commonly reported Crime Codes, which have the greatest impact on communities, and provide police with valuable insight into crime activities and trends. Currently, there are over 700 Crime/Survey Codes utilized by Canadian policing agencies in the reporting of crime to the Canadian Centre for Justice in Ottawa.

4 th Quarter Statistics – City of Vernon						
ACTIVITY TYPE	Oct 2019	Oct 2020	Nov 2019	Nov 2020	Dec 2019	Dec 2020
Total Files	1534	1506	1548	1205	1393	1218
Robbery	5	6	3	3	1	3
Assault (Includes DV)	58	31	38	34	34	35
Domestic Violence	13	7	4	13	3	9
Sex Offence	3	2	4	5	5	3
B&E Residence	11	5	7	3	5	3
B&E Commercial	15	14	12	9	10	4
Theft of Vehicle	12	8	6	11	13	13
Theft From Vehicle	78	50	84	26	51	30
Theft Over \$5000	2	3	2	1	-	2
Theft Under \$5000	90	89	118	58	78	52
Drug Offence	63	39	34	33	23	22
Liquor Offences	21	15	29	6	22	14
Impaired Driving	11	11	4	10	10	5
24 Hour Driving Suspension	3	4	5	2	3	6
Motor Vehicle Accidents	29	11	6	13	15	14

4 th Quarter Statistics – Vernon Rural						
ACTIVITY TYPE	Oct 2019	Oct 2020	Nov 2019	Nov 2020	Dec 2019	Dec 2020
Total Files	106	119	109	148	128	138
Robbery	-	-	-	-	-	-
Assault (Includes DV)	2	3	3	5	3	3
Domestic Violence	-	2	-	1	-	1
Sex Offence	-	-	-	1	1	-
B&E Residence	1	1	-	1	1	-
B&E Commercial	2	2	1	2	-	-
Theft of Vehicle	2	3	-	4	3	2
Theft From Vehicle	4	3	7	10	10	-
Theft Over \$5000	1	1	1	-	-	-
Theft Under \$5000	1	5	4	1	4	-
Drug Offence	-	-	-	-	1	-
Liquor Offences	-	-	1	1	1	-
Impaired Driving	-	-	1	-	-	-
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	6	3	2	-	2	2

4th Quarter Statistics – District of Coldstream

ACTIVITY TYPE	Oct 2019	Oct 2020	Nov 2019	Nov 2020	Dec 2019	Dec 2020
Total Files	126	116	111	95	107	92
Robbery	-	-	-	-	-	-
Assault (Includes DV)	2	2	1	2	5	1
Domestic Violence	-	2	-	1	1	1
Sex Offence	-	1	-	-	-	-
B&E Residence	1	-	-	-	1	-
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	2	-	2	-	-	1
Theft From Vehicle	1	2	3	2	3	5
Theft Over \$5000	-	-	-	1	-	-
Theft Under \$5000	1	3	1	1	1	1
Drug Offence	-	-	-	-	-	1
Liquor Offences	-	1	1	1	-	-
Impaired Driving	2	-	-	-	-	1
24 Hour Driving Suspension	-	-	-	-	-	1
Motor Vehicle Accidents	-	3	1	3	4	-

4th Quarter Statistics – City of Armstrong NR4100 and NR4101

ACTIVITY TYPE	Oct 2019	Oct 2020	Nov 2019	Nov 2020	Dec 2019	Dec 2020
Total Files	69	87	75	83	75	80
Robbery	-	-	-	-	1	-
Assault (includes DV)	1	1	1	-	-	1
Domestic Violence	2	2	2	-	-	1
Sex Offence	-	-	-	-	-	-
B&E Residence	-	-	1	1	-	-
B&E Commercial	-	1	-	-	1	-
Theft of Vehicle	-	-	-	-	-	2
Theft From Vehicle	7	2	1	2	2	1
Theft Over \$5000	-	1	-	1	1	-
Theft Under \$5000	2	-	1	2	1	1
Drug Offence	-	-	-	-	1	1
Liquor Offences	-	1	1	1	-	-
Impaired Driving	-	1	-	-	-	-
24 Hour Driving Suspension	0	1	0	-	1	-
Motor Vehicle Accidents	1	3	1	-	3	1

4th Quarter Statistics – Spallumcheen NR4200

ACTIVITY TYPE	Oct 2019	Oct 2020	Nov 2019	Nov 2020	Dec 2019	Dec 2020
Total Files	107	102	83	83	88	101
Robbery	-	-	-	-	-	-
Assault (Includes DV)	-	1	-	-	-	2
Domestic Violence	2	-	1	-	-	-
Sex Offence	-	-	-	-	-	-
B&E Residence	-	1	1	1	-	-
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	-	3	-	1	2	2
Theft From Vehicle	3	-	2	-	1	4
Theft Over \$5000	2	1	-	-	-	1
Theft Under \$5000	2	2	1	-	-	-
Drug Offence	-	-	-	-	-	-
Liquor Offences	-	-	-	-	-	-
Impaired Driving	-	2	-	1	1	-
24 Hour Driving Suspension	-	1	-	-	-	1
Motor Vehicle Accidents	8	4	8	4	8	12

4th Quarter Statistics – Spallumcheen Hwy 97/97A

ACTIVITY TYPE	Oct 2019	Oct 2020	Nov 2019	Nov 2020	Dec 2019	Dec 2020
Total Files	24	17	15	19	14	23
Impaired Driving	-	1	-	1	-	-
24 Hour Suspension	1	2	-	-	2	1
Drug Offences	-	-	-	-	-	-
Motor Vehicle Accidents	2	2	4	1	5	3
Collision over \$10000	-	-	-	-	-	-
Collision non-fatal injury	-	-	-	-	-	-
Collision Fatal	-	-	-	-	-	-
Traffic moving offences	13	7	8	9	5	13
Driving Complaints	14	2	8	2	4	7
Liquor Offences	-	-	-	-	-	-

4th Quarter Statistics – City of Enderby NR1200 and NR1201

ACTIVITY TYPE	Oct 2019	Oct 2020	Nov 2019	Nov 2020	Dec 2019	Dec 2020
Total Files	113	94	81	86	90	68
Robbery	-	-	-	1	1	-
Assault (Includes DV)	1	2	-	1	-	1
Domestic Violence	3	3	1	1	1	2
Sex Offence	-	-	-	-	-	-
B&E Residence	1	-	2	-	2	-
B&E Commercial	-	1	-	1	-	-
Theft of Vehicle	1	6	1	1	-	3
Theft From Vehicle	8	3	9	5	3	2
Theft Over \$5000	1	-	-	4	-	-
Theft Under \$5000	3	-	6	6	4	2
Drug Offence	2	-	1	1	-	-
Liquor Offences	-	2	1	2	-	3
Impaired Driving	-	-	1	-	2	1
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	-	4	-	-	2	2

4th Quarter Statistics – Enderby Rural NR1202 to NR1204

ACTIVITY TYPE	Oct 2019	Oct 2020	Nov 2019	Nov 2020	Dec 2019	Dec 2020
Total Files	67	69	60	55	61	56
Robbery	-	-	-	-	1	-
Assault (Includes DV)	-	1	-	-	1	-
Domestic Violence	1	-	-	-	2	-
Sex Offence	-	-	-	-	-	-
B&E Residence	3	-	4	-	2	-
B&E Commercial	-	-	-	1	1	-
Theft of Vehicle	-	-	2	1	-	-
Theft From Vehicle	-	-	1	-	-	-
Theft Over \$5000	2	1	-	-	1	-
Theft Under \$5000	-	1	2	-	-	2
Drug Offence	-	-	-	-	-	-
Liquor Offences	-	-	-	-	-	-
Impaired Driving	-	1	-	-	-	-
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	6	4	2	2	3	6

4th Quarter Statistics – Village of Falkland NR1300 and NR1301

ACTIVITY TYPE	Oct 2019	Oct 2020	Nov 2019	Nov 2020	Dec 2019	Dec 2020
Total Files	9	11	9	10	10	17
Robbery	-	-	-	-	-	-
Assault (Includes DV)	-	-	1	-	1	1
Domestic Violence	-	-	-	-	-	-
Sex Offence	-	-	-	-	-	-
B&E Residence	-	-	-	-	-	-
B&E Commercial	1	-	-	-	-	-
Theft of Vehicle	-	-	-	2	-	-
Theft From Vehicle	-	-	-	-	-	-
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	-	-	-	-	-	1
Drug Offence	-	-	-	-	-	-
Liquor Offences	-	-	-	-	-	-
Impaired Driving	-	-	-	-	-	-
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	-	-	-	-	1	-

4th Quarter Statistics – Falkland Rural NR1302 and NR1303

ACTIVITY TYPE	Oct 2019	Oct 2020	Nov 2019	Nov 2020	Dec 2019	Dec 2020
Total Files	59	51	37	34	26	52
Robbery	-	-	-	-	-	-
Assault (Includes DV)	1	1	-	-	2	-
Domestic Violence	2	1	1	1	1	1
Sex Offence	-	1	-	1	-	1
B&E Residence	1	-	-	1	-	-
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	-	-	1	-	-	1
Theft From Vehicle	-	-	1	-	2	1
Theft Over \$5000	-	-	1	-	-	-
Theft Under \$5000	-	1	-	-	-	1
Drug Offence	-	-	-	-	-	-
Liquor Offences	-	-	-	-	-	-
Impaired Driving	-	-	-	-	-	2
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	4	7	3	1	-	7

4th Quarter Statistics – Village of Lumby NR1400 and NR1401

ACTIVITY TYPE	Oct 2019	Oct 2020	Nov 2019	Nov 2020	Dec 2019	Dec 2020
Total Files	40	50	36	41	36	50
Robbery	-	-	-	1	-	-
Assault (Includes DV)	-	1	1	1	-	1
Domestic Violence	1	1	1	1	-	-
Sex Offence	-	-	-	-	-	-
B&E Residence	2	-	-	-	-	2
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	1	2	-	-	1	-
Theft From Vehicle	-	1	-	-	-	-
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	-	-	-	-	-	1
Drug Offence	-	-	-	1	-	-
Liquor Offences	-	-	1	-	-	-
Impaired Driving	-	1	-	1	1	-
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	2	2	-	-	-	-

4th Quarter Statistics – Lumby Rural NR1402 and NR1403

ACTIVITY TYPE	Oct 2019	Oct 2020	Nov 2019	Nov 2020	Dec 2019	Dec 2020
Total Files	35	55	29	41	44	51
Robbery	-	-	-	-	-	-
Assault (Includes DV)	1	-	-	1	1	1
Domestic Violence	-	1	-	1	-	2
Sex Offence	-	-	-	-	-	-
B&E Residence	-	-	-	1	-	-
B&E Commercial	-	-	-	1	-	-
Theft of Vehicle	-	-	-	1	-	-
Theft From Vehicle	-	1	-	1	-	-
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	-	1	1	1	1	-
Drug Offence	-	-	-	-	-	-
Liquor Offences	-	-	1	-	-	-
Impaired Driving	-	-	-	-	-	2
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	-	5	3	3	4	6

4th Quarter Statistics – OKIB NR8000, NR8001, NR8101, NR8102

ACTIVITY TYPE	Oct 2019	Oct 2020	Nov 2019	Nov 2020	Dec 2019	Dec 2020
Total Files	30	65	31	57	48	48
Robbery	-	-	-	1	-	-
Assault (Includes DV)	-	2	-	-	-	1
Domestic Violence	1	1	1	1	1	2
Sex Offence	-	-	-	-	-	-
B&E Residence	-	-	-	-	-	-
B&E Commercial	-	-	1	1	-	-
Theft of Vehicle	-	3	1	-	-	1
Theft From Vehicle	2	2	2	1	-	2
Theft Over \$5000	1	1	-	-	-	-
Theft Under \$5000	-	2	1	3	1	1
Drug Offence	-	-	-	-	-	-
Liquor Offences	-	-	-	1	-	-
Impaired Driving	-	-	-	1	-	1
24 Hour Driving Suspension	-	-	-	-	1	-
Motor Vehicle Accidents	3	6	1	1	-	1

4th Quarter Statistics – Splatsin NR8100 and NR8200

ACTIVITY TYPE	Oct 2019	Oct 2020	Nov 2019	Nov 2020	Dec 2019	Dec 2020
Total Files	34	53	36	32	27	45
Robbery	-	-	-	-	-	-
Assault (Includes DV)	3	1	2	1	-	2
Domestic Violence	-	1	-	1	-	1
Sex Offence	-	-	-	-	-	-
B&E Residence	-	-	1	-	1	-
B&E Commercial	1	-	1	-	-	-
Theft of Vehicle	-	2	1	1	-	1
Theft From Vehicle	-	3	-	-	-	-
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	-	1	1	-	-	-
Drug Offence	-	-	-	-	-	-
Liquor Offences	-	1	-	-	1	-
Impaired Driving	1	-	-	-	-	1
24 Hour Driving Suspension	-	1	-	-	-	-
Motor Vehicle Accidents	4	6	1	2	2	7



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Jing Niu, Environmental Planning
Assistant

COUNCIL MEETING: REG ☒ COW ☐ I/C ☐
COUNCIL MEETING DATE: February 8, 2021
REPORT DATE: January 27, 2021
FILE: DVP00503

SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 5 – 80 KESTREL PLACE

PURPOSE:

To review the development variance permit application to vary setbacks of Zoning Bylaw #5000 in order to accommodate a single family dwelling at 5 – 80 Kestrel Place.

RECOMMENDATION:

THAT Council support development variance permit application DVP00503 to vary the following sections of Zoning Bylaw #5000 to accommodate a single family dwelling at LT 5 PL KAS2084 DL 297 ODYD (5 – 80 Kestrel Place):

- a) Section 9.5.5 by reducing the front yard setback from 3.5m to 0.45m, reducing the side yard setback from 1.5m to 0.9m and reducing the flanking street side yard setback from 3.5m to 1.5m, and;
- b) Section 4.13.2 to allow for development within 15m of High-Water Mark of Okanagan Lake;

AND FURTHER, that Council's support of DVP00503 is subject to the following:

- a) that the applicant provides confirmation of Strata (KAS2084) support for the proposed development pertaining to the variances requested;
- b) that the building siting and footprint must adhere to the site plan by Dean Thomas Design Group dated October 28, 2020, which will be attached to and form part of DVP00503;
- c) that the Environmental Assessment by Ecoscape Environmental Consultants Ltd. dated December 2020 be attached to and form part of DVP00503; and
- d) that the applicant demonstrates the requirements of the provincial Riparian Areas Protection Regulation (RAPR) have been met and that a complete and accepted RAPR Assessment, detailed landscaping plan including all required compensation works, be provided and form part of the associated Development Permit DP000878 (Environmental).

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support development variance permit application DVP00503 to vary the following sections of Zoning Bylaw #5000 to accommodate a single family dwelling at LT 5 PL KAS2084 DL 297 ODYD (5 – 80 Kestrel Place):
 - a) Section 9.5.5 by reducing the front yard setback from 3.5m to 0.45m, reducing the side yard setback from 1.5m to 0.9m and reducing the flanking street side yard setback from 3.5m to 1.5m; and

- b) Section 4.13.2 to allow for development within 15m of High-Water Mark of Okanagan Lake.

Note: Denial of the development variance permit application would restrict the siting of any proposed structure to meet the existing provisions of Zoning Bylaw #5000. The applicant would be restricted to a building footprint of approximately 144m² and would have to revise the proposal and any future development on the subject property to meet the prevailing zoning provisions.

ANALYSIS:

A. Committee Recommendations:

At its meeting of January 12, 2021, the Advisory Planning Committee passed the following resolution:

THAT Council support development variance permit application DVP00503 to vary the following section of Zoning Bylaw #5000 to accommodate a single family dwelling at LT 5 PL KAS2084 DL 297 ODYD (5 – 80 Kestrel Place):

- a) *Section 9.5.5 by reducing the front yard setback from 3.5m to 0.45m, reducing the side yard setback from 1.5m to 0.9m and reducing flanking street side yard setback from 3.5m to 1.5m, and*
- b) *Section 4.13.2 to allow for development within 15m of High-Water Mark of Okanagan Lake;*

AND FURTHER, that Council's support of DVP00503 is subject to the following:

- a) *that the applicant provides confirmation of Strata (KAS2084) support for the proposed development pertaining to the variances requested;*
- b) *that the building siting and footprint must adhere to the site plan by Dean Thomas Design Group dated October 28, 2020, which will be attached to and form part of DVP00503;*
- c) *that the Environmental Assessment by Ecoscape Environmental Consultants Ltd. dated December 2020 be attached to and form part of DVP00503; and*
- d) *that the applicant demonstrates the requirements Provincial Riparian Areas Protection Regulation (RAPR) have been met and that a complete and accepted RAPR Assessment, detailed landscaping plan including all required compensation works, be provided and form part of the associated Development Permit DP000878 (Environmental).*

B. Rationale:

1. The subject property is an irregular shaped lakeshore strata property located within the Bella Vista West neighbourhood (Figures 1 and 2). The property is bound by Okanagan Lake to the west and a private strata road to the east. The site is currently undeveloped and is 602m² in area.

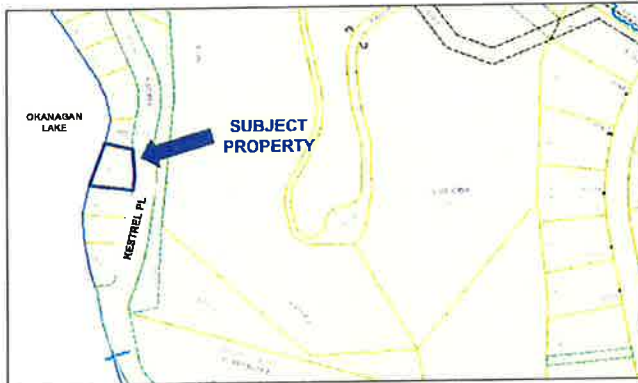


Figure 1. Property Location Map

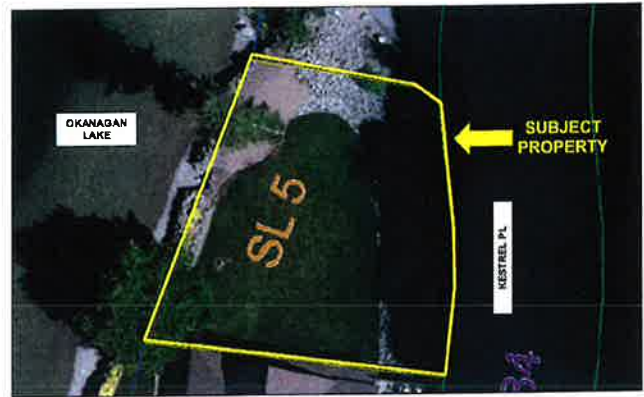


Figure 2. Aerial Location Map

2. The subject property is zoned R4 – Small Lot Residential (Attachment 1) and is subject to the development regulations contained within Section 4.13.2 of Zoning Bylaw #5000 (Attachment 2).
3. The applicant is requesting to vary the following sections of Zoning Bylaw #5000 in order to construct a single family dwelling and provide riparian compensation and landscaping:
 - a) Section 9.5.5 by reducing the front yard setback from 3.5m to 0.45m, reducing the side yard setback from 1.5m to 0.9m and reducing the flanking street side yard setback from 3.5m to 1.5m; and
 - b) Section 4.13.2 to allow for development within 15m of High-Water Mark of Okanagan Lake.
4. The subject strata lot was created and registered in 2002, prior to the adoption of the current Zoning Bylaw #5000 and the updated provincial Riparian Areas Protection Regulation in November 2019.
5. According to current zoning provisions, the developable area of the site is estimated to be approximately 144m² and is severely restricted by setbacks as illustrated by the area outlined in red within Figure 3.
6. The subject property is located entirely within the Riparian Assessment Area (within 30m of High-Water Mark) and is subject to the provincial Riparian Areas Protection Regulation (RAPR). Due to site specific constraints, an “undue hardship” as defined by RAPR exists on this property, and could potentially provide allowances for the development of up to 40% of the property with provincial approval. Since November 2019, the Province requires local government variance review prior to the submission of a formal RAPR assessment to the provincial notification system. Works in and about a watercourse or on the foreshore (e.g. retaining walls

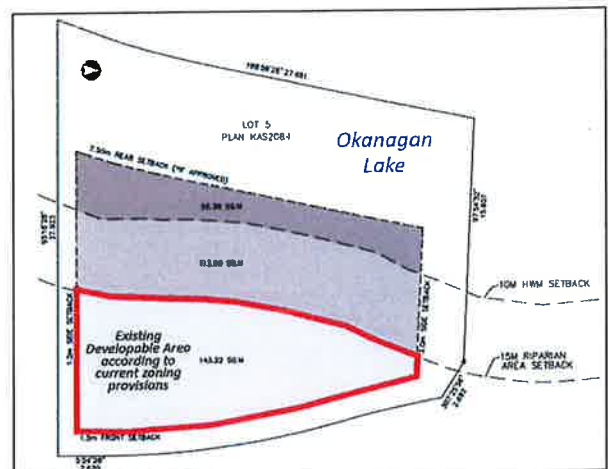


Figure 3. Existing Developable Area

for flood protection below Present Natural Boundary, etc.) would be subject to additional provincial regulations and are reviewed and authorized by the Province.

7. A preliminary environmental assessment by Ecoscape Environmental Consultants Ltd dated December 2020 has been submitted for the proposed development (Attachment 3). It has been noted that:
 - a) Little of the lakefront parcel remains in its natural riparian state, consisting mostly of lawn and rock, and existing vegetation on-site provides limited riparian function.
 - b) Up to 128m² of riparian encroachment have been identified in order to accommodate the proposed development. Based on the provisions of the Official Community Plan's Environmental Management Strategy, a combination of 3:1 habitat compensation and landscaping, sediment and erosion control, soil and plant management, and best management strategies for wildlife habitat and spill control are proposed to mitigate the potential impacts of residential development on the subject property. A total of 384m² of compensation is proposed on private property.
 - c) Despite the requests for extensive setback relaxations to facilitate RAPR *undue hardship* calculation requirements, the dwelling would not be constructed closer than 10m to the Okanagan Lake HWM, 1.53m to the side yard, or 2.29m to the flanking side yard. The building siting and footprint would adhere to the site plan as shown in Attachment 4.
 - d) The Qualified Environmental Professional anticipates that if all recommendations and mitigation measures are adhered to, the potential environmental effects of the construction will be minimal.
8. Administration supports the requested variance for the following reasons:
 - a) The subject vacant lot has an irregular configuration and limited buildable area restricted by Okanagan Lake and the private strata road. As existing setbacks would not accommodate a building footprint for a reasonable size single family dwelling, a relaxation of setbacks is warranted. The proposed siting with variances to the front, side, and flanking side yard setbacks maximizes the protection of potential riparian habitat.
 - b) The proposed development area is approximately 216m² (2,325ft²) and of reasonable size. The proposed single family dwelling is consistent with the prevailing form and character of the neighbourhood while accommodating riparian protection and enhancements.
 - c) While the proposed relaxation of the front yard setback is from 3.5m to 0.45m, the effective setback from the edge of the strata road to the structure will be between approximately 2.2m to 4.1m. Landscaping would separate the proposed dwelling from the street and the applicant has demonstrated that sightline requirements for safe access per the Transportation Association of Canada have been met. Furthermore, should the Province support the proposed development, the applicant would provide confirmation of Strata (KAS2084) support for the proposed development as a condition of Development Variance Permit issuance.
 - d) The proposed compensation and enhancement planting will result in an improvement and gain in riparian habitat.
 - e) Final issuance of Development Variance Permit and Development Permit would be conditional upon provincial approval.
9. In order to protect the public, Council members, and staff, the City has implemented strict physical distancing measures in all City facilities, which follow the guidelines and Orders of the Provincial Health Officer (PHO).

Until further notice, to support these measures, Council has directed Administration to receive public input development variance permit applications in written form only, until physical distancing requirements have been lifted by the PHO.

Only those written submissions (or emails to phhearings@vernon.ca) received prior to the Public Input Session shall be distributed to Council.

As part of the notification process, 53 letters were sent to neighbouring residents, tenants and property owners. At the time of report writing, no written submissions had been received. As input is received, it is placed on the City of Vernon website Development Variance Permits – Public Input as well as in a binder at the front counter of the Community Services Building.

C. Attachments:

- Attachment 1 – Zoning Bylaw #5000” Section 9.5, R4 – Small Lot Residential zoning district
- Attachment 2 – Zoning Bylaw #5000: Section 4.13 Riparian Setback
- Attachment 3 – Excerpts from Environmental Assessment by Ecoscape Environmental Consultants Ltd, December 2020
- Attachment 4 – Site plan by Dean Thomas Design Group dated October 28, 2020

D. Council’s Strategic Plan 2019 – 2022 Goals/Action Items:

The subject application involves the following goals/action items in Council’s Strategic Plan 2019 - 2022:

➤ N/A

E. Relevant Policy/Bylaws/Resolutions:

1. The Official Community Plan (OCP) designates the property as Residential – Low Density and identifies guidelines within the Environmental Management Area Strategy for which development within the Riparian Assessment Area are subject to.
2. The property is zoned R4 – Small Lot Residential, which confirms with the OCP land use designation. The proposed development variance permit application is to vary the following section of Zoning Bylaw #5000:
 - Sec.4.13.2 No development shall take place within 15m of the High-Water Mark of Okanagan Lake.
 - Sec.9.5.5 Development Regulations
 - Minimum front yard is 3.5m.
 - Minimum side yard is 1.2m for a 1 to 1.5 storey portion of a building and 1.5m for a 2 or 2.5 storey portion of a building, except it is 3.5m from a flanking street. Where there is no direct vehicular access to the rear yard or an attached garage or carport, one side yard shall be at least 3.0m.
3. The *Local Government Act* provides Council with the authority to vary local bylaws based on specific considerations. The granting of such variances does not set precedence within the community for future variances to be based upon, as each variance application must be evaluated on its own merit and potential implications to the whole community and the specific neighbourhood.

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Feb 2 2021 9:08 AM

Approved for submission to Council:

X



Jing Niu

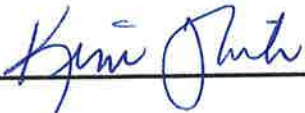
DocuSign

Will Pearce, CAO

Date: 02. FEB 2021

Jing Niu
Environmental Planning Assistant

X



Signer 2

Kim Flick
Director, Community Infrastructure & Planning

REVIEWED WITH

- | | | |
|--|---|--|
| <input 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 checked="" type="checkbox"/> Long Range Planning & Sustainability |
| <input type="checkbox"/> Real Estate | <input type="checkbox"/> Facilities | <input checked="" 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 12/21) | | |
| <input type="checkbox"/> OTHER: | | |

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9.5 R4 : Small Lot Residential

9.5.1 Purpose

The purpose is to provide a **zone** for **single detached housing**, and compatible uses, on smaller urban serviced **lots**. The R4c sub-zoning district allows for **care centre, major** as an additional use. The R4h sub-zoning district allows for **home based business, major** as an additional use. (Bylaw 5467)

9.5.2 Primary Uses

- **care centre, major** (*use is only permitted with the R4c sub-zoning district*)
- **single detached housing**

9.5.3 Secondary Uses

- **boarding rooms**
- **bed and breakfast homes** (in single detached housing only) (Bylaw 5498)
- **care centres, minor**
- **home based businesses, minor**
- **home based businesses, major** (*use is only permitted with the R4h sub-zoning district*)
- **secondary suites** (in single detached housing only)

9.5.4 Subdivision Regulations

- Minimum **lot width** is 10.0m, except it is 14.0m for a **corner lot**.
- Minimum **lot area** is 320m², or 10,000m² if not serviced by a **community sewer system**.

9.5.5 Development Regulations

- Maximum **site coverage** is 40% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 50%.
- Maximum **height** is the lesser of 10.0m or 2.5 **storeys**, except it is 4.5m for **secondary buildings** and **structures**.
- Minimum **front yard** is 3.5m.
- Minimum **side yard** is 1.2m for a 1 or 1.5 **storey** portion of a **building** and 1.5m for a 2 or 2.5 **storey** portion of a **building**, except it is 3.5m from a **flanking street**. Where there is no direct vehicular access to the **rear yard** or to an attached garage or **carport**, one **side yard** shall be at least 3.0m.
- For **party wall semi-detached housing** one **side yard**, not **flanking a street**, may be reduced to 0.0m. There shall be no windows or doors on the side of the **dwelling** without the **side yard**.
- Minimum **rear yard** is 6.0m for a 1 or 1.5 **storey** portion of a **building** and 7.5m for a 2 or 2.5 **storey** portion of a **building**, except it is 1.0m for **secondary buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5m provided that one **side yard** shall have a minimum width of 4.5m.
- The maximum **height** of any vertical wall element facing a **front, flanking or rear yard** (including **walkout basements**) is the lesser of 6.5m or 2.5 **storeys**, above which the **building** must be **set back** at least 1.2m.

9.5.6 Other Regulations

- There shall be no more than one **single detached house** per lot.
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- One garage or **carport**, or the location for one, shall be provided on the **lot**.
- For strata developments, common recreation buildings, facilities and amenities may be included in the strata plan. Recreational buildings shall be treated as **secondary buildings** for the purpose of determining the **height** and **setbacks** of the **building** as specified in each **zone**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development**, **yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- As per Section 4.10.2 - All **buildings** and **structures**, **excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".
(Bylaw 5440)

4.11 Rooftop Screening

- 4.11.1 Rooftop mechanical and electrical equipment in **zones** other than **agricultural zones** shall be screened from view from a public **street** or **adjacent lots** at grade.

4.12 Utility Cabinets

- 4.12.1 Utility cabinets for the provision of telephone, power, cable television or other **utility services**, when located outside a statutory right-of-way, shall comply with the following:
- a cabinet less than 1.8m in **height** with no horizontal dimension exceeding 1.0m need not comply with any **yard** requirements in any **zone**;
 - a cabinet less than 1.8m in **height** with a horizontal dimension between 1.0m and 2.0m must be set back at least 1.0m from a **lot line**; and,
 - a cabinet greater than 1.8m in **height** or with a horizontal dimension exceeding 2.0m shall comply with the setbacks for **secondary structures** in that **zone**.

4.13 Riparian Assessment Areas

- 4.13.1 Vernon's Official Community Plan (OCP) establishes Development Permit Areas (DPAs) for all areas within the City of Vernon. Vernon's Environmental Management Areas (EMA) Strategy regulates the riparian portion of Development Permitting for all areas, as provided by the OCP. Riparian permitting in the EMA Strategy addresses the siting of buildings and structures in relation to streams and ravines by development permit in accordance with site specific riparian assessments. *(Bylaw 5369)*



- 4.13.2 No **development** shall take place within 15m of the **High Water Mark** of Okanagan Lake. *(Bylaw 5369) (Bylaw 5440)*

4.14 Minimum Building Width

- 4.14.1 The minimum horizontal width of any detached primary **building** shall be 7.0m in all residential zones, except in the R7 Mobile Home Residential zone and RST1 Residential Single and Two Family Zone which may have a minimum building unit width of 5.0m on single family lots up to 9.4m wide and two family lots up to 16.4 m wide. *(Bylaw 5397)*

LOT 5 80 KESTREL PLACE, VERNON, BC

Environmental Assessment

PLAN KAS2084 LOT 5 DISTRICT LOT 297

PID: 024-273-678

Prepared For:

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December 2020

File No. 19-3156



TABLE OF CONTENTS

1.0	Introduction	- 2 -
2.0	Proposed Works	- 2 -
3.0	Information Sources.....	- 2 -
4.0	Environmental Setting.....	- 3 -
4.1	Terrestrial Conditions.....	- 3 -
4.1.1	<i>Vegetation.....</i>	- 3 -
4.2	Wildlife	- 4 -
4.2.1	<i>Species at Risk</i>	- 5 -
4.3	Aquatic Conditions	- 6 -
5.0	Riparian Setback Assessment	- 8 -
6.0	Impact Assessment	- 8 -
7.0	Mitigation Measures	- 11 -
7.1	General.....	- 11 -
7.2	Best Management Practices	- 11 -
7.3	Work Timing Windows.....	- 12 -
7.3.1	<i>Avian Nesting Periods</i>	- 12 -
7.4	Clearing and Grubbing	- 12 -
7.5	Erosion and Sediment Control	- 13 -
7.6	Turbid Water Management	- 14 -
7.7	Spills	- 15 -
7.8	Foreshore Use	- 15 -
7.9	Site Cleanup	- 16 -
7.10	Habitat Restoration.....	- 16 -
7.10.1	<i>Invasive Species Management.....</i>	- 17 -
7.11	Environmental Monitoring.....	- 18 -
7.12	Bonding	- 18 -
8.0	Conclusion	- 19 -
9.0	Closure	- 19 -
10.0	References.....	- 20 -

FIGURES

FIGURE 1	Site Location and Fisheries Information
FIGURE 2	Riparian Areas Regulation Assessment

APPENDICES

APPENDIX A.....	Site Plan Provided by: Dean Thomas Design Group
APPENDIX B.....	Dock Section 11 Permit
APPENDIX C.....	Site Photos
APPENDIX D.....	Landscape Plan Provided By: Bench
APPENDIX E	Bonding Estimate Provided By: Bench

1.0 INTRODUCTION

Ecoscape Environmental Consultants Ltd. (Ecoscape) was retained by Mr. Brad Tetreau of Rockwood Custom Homes (client) to complete an Environmental Assessment for a proposed single-family home development at 5-80 Kestrel Place, Vernon, BC (subject property). The subject property is legally described as Lot 5, Plan KAS2084, District Lot 297, Osoyoos Division of Yale Land District (**Figure 1**). The subject property is zoned as Small Lot Residential (R4) along the eastern shoreline of Okanagan Lake. The subject property occurs within the Hillside Residential and Agricultural Environmental Development District 3 (DD3) as per the City of Vernon (COV) Official Community Plan (OCP) (Bylaw 5470, 2013). In addition, the subject property is situated within a High Conservation Value area as depicted on Map 14 of the Environmental Management Areas Strategy, which is a part of the OCP and accounted for in the development permit process for DPA 3.

The purpose of this report is to address the COV Development Permit guidelines for developments in DPA 3, specify an appropriate Streamside Protection and Enhancement Area (SPEA) or riparian buffer, identify potential environmental impacts of the proposed work, and describe the current conditions of the subject property. This report also provides an assessment of potential terrestrial and aquatic resource values, the potential for rare and/or endangered species and habitats, and subsequently provides mitigation measures to protect and enhance the natural integrity of existing ecological lakeside communities.

2.0 PROPOSED WORKS

The proposed development includes the construction of a single-family dwelling, with a covered rear crushed gravel sitting pad equating to a total development area of 215.8 m², and restoration landscaping. The proposed sitting pad and house are partially situated within the Streamside Protection and Enhancement Area (SPEA) because of the property alignment. The proposed development requires a variance for setbacks and will be adjusted based on the outcomes of that process, if required. The site plan is provided in **Appendix A**. If any works are to be conducted with the foreshore structures that encroach on the high-water mark (HWM) of Okanagan Lake (343 m above sea level), it will likely require a *Water Sustainability Act* Section 11 permit prior to construction. A Section 11 permit has been issued for the construction of a dock at the subject property and has been provided in **Appendix B**. Dock permits are not typically released if there are concerns with Crown Lands and we are assuming that all concerns as it relates to Present Natural Boundary were resolved with the issuance of this permit.

3.0 INFORMATION SOURCES

The following databases were queried on September 2, 2020 to find relevant information on the subject property and surrounding lands:

- BC Conservation Data Centre (CDC);
- BC Habitat Wizard;
- Foreshore Inventory and Mapping of Okanagan Lake 2016 update; and,
- Species at Risk Act Public Registry.

4.0 ENVIRONMENTAL SETTING

4.1 Terrestrial Conditions

A site visit was conducted on September 3, 2020 by Leanne McDonald, B.Sc., B.I.T., A.Ag., Natural Resource Biologist with Ecoscape. The subject property occurs within a residential area and is bordered by Okanagan Lake to the west, Kestrel Place to the east, and neighboring residential properties to the north and south. The subject property occurs within the Okanagan variant Very Dry Hot subzone of the Interior Douglas-fir biogeoclimatic zone (IDF_{xh1}). The IDF_{xh1} is the driest variant of the Interior Douglas-fir zone and is characterized by a long growing season with warm dry summers, but the region commonly experiences summer moisture deficits. The subzone occupies the lower elevations of the southern Okanagan valley, Similkameen valley, along the Thompson river from northeast of Kamloops west to the Fraser River valley and its tributaries in the Lytton-Lillooet region. Winters are cool with low to moderate snowfall. The IDF_{xh1} is dominated by mixed open forests of Douglas-fir and Ponderosa pine with an understory typically comprised of pinegrass, red-stemmed feathermoss, and birch-leaved spirea (Hope et al., 1991).

The subject property is situated within an urban developed area and is bounded to the north and east by a riprap landscaped slope, a neighbouring property to the south and Okanagan Lake to the west. Site photos are included in **Appendix C**.

4.1.1 Vegetation

The property is highly disturbed and primarily comprised of ornamental species and a sod lawn. Native vegetation is limited to one Interior Douglas-fir (*Pseudotsuga menziesii*) and one Common Snowberry (*Symphoricarpos albus*). Exotic vegetation included Tree of Heaven (*Ailanthus altissima*), Prickly Sowthistle (*Sonchus asper*) and Virginia Creeper (*Parthenocissus quinquefolia*).

The BC Conservation Data Centre (CDC) was accessed on August 31, 2020 and reviewed for at-risk ecological communities that occur within a 1.0 km radius of the subject property. The search results are included in **Table 1**.

TABLE 1. CDC listed at-risk ecological community occurrences within 1 km of the subject property (CDC, 2020).

Common Name	Scientific Name	BC List ¹	Occurrence ID	Distance
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Black Cottonwood – Douglas-fir / Common Snowberry – Red-osier Dogwood	<i>Populus trichocarpa</i> – <i>Pseudeotsuga menziesii</i> / <i>Symphoricarpos albus</i> – <i>Cornus sericea</i>	Red	10481	Approximately 790 m southeast of the subject property.
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¹ **Yellow:** Not considered at risk. **Blue:** Of special concern. **Red:** Endangered or threatened. **Various:** May be one of multiple potential listings, depending upon more detailed taxonomic classification.

4.2 Wildlife

Due to the scope of this assessment, a detailed wildlife assessment of the project area was not conducted. Incidental bird species observations are summarized in **Table 2**. The majority of the birds observed were at the rock outcrop to the east of Kestrel Place and the upland area beyond. The native vegetation on the subject property may provide foraging, perching and/or nesting habitat for birds and small mammals.

TABLE 2. Bird species observed within the subject property (CDC, 2020).

Family	Scientific Name	Common Name	BC List ¹	MBCA species ²	SARA Schedule 1 ³
<i>Bombycillidae</i>	<i>Bombycilla cedrorum</i>	Cedar Waxwing	Yellow	Yes	NAR
<i>Corvidae</i>	<i>Cyanocitta stelleri</i>	Steller's Jay	Yellow	No	NAR
<i>Emberizidae</i>	<i>Junco hyemalis</i>	Dark-eyed Junco	Yellow	Yes	NAR
<i>Emberizidae</i>	<i>Pipilo maculatis</i>	Spotted Towhee	Yellow	Yes	NAR
<i>Fringillidae</i>	<i>Spinus pinus</i>	Pine Siskin	Yellow	Yes	NAR
<i>Parulidae</i>	<i>Setophaga coronata</i>	Yellow-rumped Warbler	Yellow	Yes	NAR
<i>Picidae</i>	<i>Colaptes auratus</i>	Northern Flicker	Yellow	Yes	NAR
<i>Picidae</i>	<i>Picoides pubescens</i>	Downy Woodpecker	Yellow	Yes	NAR
<i>Sittidae</i>	<i>Siita carolinensis</i>	White-breasted Nuthatch	Yellow	Yes	NAR
<i>Thraupidae</i>	<i>Piranga ludoviciana</i>	Western Tanager	Yellow	Yes	NAR

¹ **Yellow:** Not considered at risk. **Blue:** Of special concern. **Red:** Endangered or threatened. **Various:** May be one of multiple potential listings, depending upon more detailed taxonomic classification.

² **Migratory Birds Convention Act (MBCA):** whether a species is protected under the MBCA.

³ **NAR = Not at Risk:** A wildlife species that has been evaluated and found to be not at risk of extinction given the current circumstances. **SC = Special Concern:** A wildlife species that may become threatened or endangered because of a combination of biological characteristics and identified threats. **E = Endangered:** A wildlife species facing imminent extirpation or extinction. **T = Threatened:** A wildlife species that is likely to become endangered if nothing is done to reverse the factors leading to its extirpation or extinction. **DD = Data Deficient:** A category that applies when the available information is insufficient (a) to resolve a wildlife species' eligibility for assessment or (b) to permit an assessment of the wildlife species' risk of extinction.

4.2.1 Species at Risk

The CDC was accessed and reviewed for species-at-risk, wildlife species inventory (WSI), and critical habitat occurrences within a 1.0 km radius of the subject property. Species-at-risk results are provided in **Table 3**. In addition, the subject property is overlain by a masked CDC occurrence record. Ecoscape did not obtain details about the masked occurrence record from the CDC. Critical habitat occurrences are provided in **Table 4**.

TABLE 3. CDC listed at-risk species occurrences within 1 km of the subject property (CDC, 2020).

Common Name	Scientific Name	BC List ¹	SARA Schedule 1 ²	Occurrence ID	Distance	Critical Habitat	Likelihood
American Badger, <i>jeffersonii</i> subspecies	<i>Taxidea taxus jeffersonii</i>	Red	Endangered	10214	Record overlays the subject property	Non-forested grassland and shrubland ecosystems, however their range is between 16 to 64 km ² and can therefore migrate through a range of habitats ³	Low
Great Basin Gophersnake	<i>Pituophis catenifer deserticola</i>	Blue	Threatened	WSI-Incidental	Approximately 700 m northeast of the subject property	Rock outcrops, talus slopes, shrub-steppe, grassland, riparian, and open Ponderosa pine and Douglas fir forests ⁴	Moderate
Western Yellow-Bellied Racer	<i>Coluber constrictor mormon</i>	Blue	Special Concern	WSI-Incidental	Two sightings approximately 450 m and 460 m northeast of the subject property.	Ponderosa Pine and Bunchgrass habitats during active season and they overwinter in communal rock dens or rodent burrows. ⁵	Moderate

¹ **Yellow:** Not considered at risk. **Blue:** Of special concern. **Red:** Endangered or threatened.

² **NAR = Not at Risk:** A wildlife species that has been evaluated and found to be not at risk of extinction given the current circumstances. **SC = Special Concern:** A wildlife species that may become threatened or endangered because of a combination of biological characteristics and identified threats. **E = Endangered:** A wildlife species facing imminent extirpation or extinction. **T = Threatened:** A wildlife species that is likely to become endangered if nothing is done to reverse the factors leading to its extirpation or extinction. **DD = Data Deficient:** A category that applies when the available information is insufficient (a) to resolve a wildlife species' eligibility for assessment or (b) to permit an assessment of the wildlife species' risk of extinction.

³ COSEWIC, 2012.

⁴ Environment and Climate Change Canada, 2019.

⁵ COSEWIC, 2015.

TABLE 4. Critical habitat occurrences within 1 km of the project area (CDC, 2020).

Common Name	Scientific Name	BC List ¹	SARA Schedule 1	Critical Habitat ID	Critical Habitat Status	Distance	Critical Habitat
Desert Nightsnake	<i>Hypsiglena chlorophaea</i>	Red	Endangered	110311	Final	10 km grid square overlapping the subject property.	Rock outcrops, talus slopes, shrub-steppe, grassland, riparian, and open Ponderosa pine and Douglas fir forests ²
Great Basin Gophersnake	<i>Pituophis catenifer deserticola</i>	Blue	Threatened	110426	Final	10 km grid square overlapping the subject property.	See Table 3.
Western Rattlesnake	<i>Crotalus oreganus</i>	Blue	Threatened	110196	Final	10 km grid square overlapping the subject property.	Rock outcrops, talus slopes, shrub-steppe, grassland, riparian, and open Ponderosa pine and Douglas fir forests ²

¹ **Yellow:** Not considered at risk. **Blue:** Of special concern. **Red:** Endangered or threatened.

² Environment and Climate Change Canada, 2019.

4.3 Aquatic Conditions

The subject property occurs along Segment 150 of the Okanagan Foreshore Inventory and Mapping (FIM). It is described as 100% single-family land use. The shore type was described as 100% gravel. The nearshore substrates were composed of 5% sand, 80% gravel, 5% cobble, 5% boulder and 5% bedrock. The foreshore vegetation was classified as landscaped with sparse (<10%) coverage of tall shrubs (2-10 m), sparse (<10%) tree cover and a patchy distribution. Aquatic vegetation was comprised of 5% emergent and 5% floating grasses. Foreshore modifications were abundant throughout the segment, including a dock density of 21.65 docks per km, a groyne density of 0.80 per km, 90% of the segment has retaining walls, and there was 1 boat launch documented. The condition of the foreshore of the property is consistent with adjacent properties to the north and south and generally consistent with the FIM. The Aquatic Habitat Index (AHI) current rating was low, potential was moderate and the juvenile rearing potential was low (Schleppe, 2010).

The foreshore along the subject property is located within an Okanagan Large Lakes Foreshore Protocol No Colour Zone for Freshwater Mussels and Foreshore Plants (BC MFLNRORD, 2018). The

Provincial No Colour Zone indicates that the habitat has not been assessed for Rocky Mountain Ridged Mussel and for foreshore plant SAR presence as of 2017 (BC MFLNRORD, 2018 A). No foreshore plant SAR or mussel shells were observed at the subject property during the site assessment, including those of Rocky Mountain ridged mussels (*Gonidea angulata*) (RMRM). However, a non-detection of RMRM does not imply there are no mussels present at the site and formal mussel surveys were not completed to determine presence.

Kokanee (*Oncorhynchus nerka*) are the fish species of primary concern with respect to shoreline development and aquatic habitat alteration along Okanagan Lake. A review of Kokanee shore spawning zoning information for Okanagan Lake revealed that the subject property is located within a Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) No Colour Zone for shore spawning Kokanee. While shore spawning Kokanee have not previously been documented within the vicinity of the subject property, substrates may provide suitable spawning, foraging and general living habitat for a number of fish species. **Table 5** provides a list of species documented to occur in Okanagan Lake.

TABLE 5. Species of fish found in Okanagan Lake (MECCS, 2020)

Common Name	Scientific Name
Brook Trout	<i>Salvelinus fontinalis</i>
Bull Trout	<i>Salvelinus confluentus</i>
Burbot	<i>Lota lota</i>
Carp	<i>Cyprinus carpio</i>
Chiselmouth	<i>Acrocheilus alutaceus</i>
Kokanee	<i>Oncorhynchus nerka</i>
Lake Trout	<i>Salvelinus namaycush</i>
Lake Whitefish	<i>Coregonus clupeaformis</i>
Largescale Sucker	<i>Catostomus macrocheilus</i>
Leopard Dace	<i>Rhinichthys falcatus</i>
Longnose Dace	<i>Rhinichthys cataractae</i>
Longnose Sucker	<i>Catostomus</i>
Mountain Whitefish	<i>Prosopium williamsoni</i>
Northern Pikeminnow	<i>Ptychocheilus oregonensis</i>
Peamouth Chub	<i>Mylocheilus caurinus</i>
Prickly Sculpin	<i>Cottus asper</i>
Pumpkinseed	<i>Lepomis gibbosus</i>
Pygmy Whitefish	<i>Prosopium coulterii</i>
Rainbow Trout	<i>Oncorhynchus mykiss</i>
Redside Shiner	<i>Richardsonius balteatus</i>
Smallmouth Bass	<i>Micropterus dolomieu</i>
Slimy Sculpin	<i>Cottus cognatus</i>
Yellow Perch	<i>Perca flavescens</i>
Rocky Mountain (Western) Ridged Mussel	<i>Gonidea angulata</i>
Western Floater Mussel	<i>Anodonta kennerlyi</i>
Winged Floater Mussel	<i>Anodonta nuttalliana</i>

5.0 RIPARIAN SETBACK ASSESSMENT

Riparian setback requirements for the subject property are regulated under the Provincial *Riparian Areas Protection Regulation* (RAPR) and the COV OCP (Bylaw 5470, 2013). As per RAPR, the setback determination is based on the high-water mark (HWM). The recommended HWM for Okanagan Lake is 343 m above sea level.

As per the RAPR, the provincial recommended HWM has been used to determine the appropriate riparian setbacks from Okanagan Lake. Riparian setbacks are based on Zones of Sensitivity (ZOS) for the following three different factors:

- Litter fall and insect drop (15 meters);
- Large woody debris, bank, and channel stability (15 meters); and
- Shade (30 meters due south).

The SPEA is then determined from the ZOS with the greatest setback area. The provincial RAPR results in a 15 m setback from the HWM of Okanagan Lake at the subject property. **Figure 2** illustrates the various setbacks from Okanagan Lake and the resultant 414 m² SPEA, which encompasses a portion of the proposed development.

Based on discussions with COV staff, Rockwood Custom Homes is looking to pursue a variance to the R4 Zoning Bylaw (Bylaw 5000, 2003) setbacks. The bylaw includes a front yard setback of 3.5 m (Section 9.5.5), a rear yard setback of 15 m from the HWM of Okanagan Lake (Section 4.13.2), and a side yard setback of 1.5 m, except it is 3.5 m from a flanking street (Section 9.5.5). Considering the RAPR setback of 15 m, this would leave a small development footprint. Therefore, the proposed variance to the bylaw include a rear yard setback of 0 m, a north side yard setback of 1.5 m, a south side yard setback of 0.90 m and a front yard setback of 0.45 m from the closest portion of the dwelling to the property line (setback will vary between 0.45 – 2.10 m from the property line) in order to construct a development. This proposed variance will be up to the discretion of COV Council.

The provincial guidance document makes provision for QEPs to adjust the riparian area boundary in site specific cases. Historically, under the previous regulation (*Riparian Areas Regulation*; RAR) allowed for a flex on setbacks of up to 15 m but no less than 10 m. Therefore, considering the level of disturbance to the riparian and foreshore area, size of the lot and the local bylaw constraints, Ecoscape proposes that a setback of 10 m from the HWM of Okanagan Lake be utilized.

Given that the riparian and foreshore area within the subject property are disturbed, and the proposed encroachment into the SPEA is limited, it is anticipated that impacts to existing riparian habitat will be negligible, provided that the proposed development does not encroach beyond the 10 m setback. It should be noted that Ecoscape has not considered potential Crown Land encroachments in this assessment.

5.1 Undue Hardship Developable Area

The RAR Variance Protocol, issued in January 2009, is used to inform Local governments, developers, and Qualified Environmental Professionals (QEPs) on how SPEA variances should be managed. The methodology outlined in the protocol and Section 11 of the RAPR Regulation (2019) was used to determine whether there is an undue hardship associated with this property.

Ecoscape acknowledges that the methods for determination of Undue Hardship are complicated and require proponents to work with local government to balance other legally required setbacks with setbacks from Okanagan Lake. This plan has been under development prior to the change in regulation and has been adapted several times, while the new regulation and how to appropriately implement it have occurred. Ecoscape staff have taken appropriate training for this regulation, but we acknowledge that Undue Hardship as defined by the Act and the technical guidance provided by the Province is complicated. As a result, our interpretation provided herein is based upon our best understanding of the regulation considering recent developments identified the week of October 26, 2020. At this time, it is likely that any development on this property will require a variance to proceed. Identification of the specific area of development and the footprint are needed. The Province has indicated that local government variances must be obtained prior to submission of a report to the Riparian Areas Regulation Notification System (RARNS). This report is intended to facilitate a Council decision on a variance that is necessary for development to proceed, as we understand.

Before the application of the RAPR setbacks, the developable area of the property, considering local government setbacks, is 541 m² of the total property area of 602 m² (**Figure 2**). The developable area is constrained by the proposed variance to the COV Zoning Bylaw, including a rear yard setback of 0 m, a north side yard setback of 1.5 m, a south side yard setback of 0.90 m and a front yard setback of 0.45 m from the closest portion of the dwelling to the property line (setback will vary between 0.45 – 2.10 m from the property line).

An undue hardship will only be considered where the development footprint is 40% or less of the site, which is the case for the subject property as human disturbance is greater than 70% of the subject property (RAPR, 2019). After applying the RAPR setbacks, the largest portion of developable area outside of the SPEA is 135.7 m². According to this methodology, it is apparent that there is no option to undertake a development of this size appropriate for the zoning if an undue hardship of the SPEA variance is not granted. The allowable footprint is 216.4 m², and the proposed development footprint is 215.8 m². The allowable variance/encroachment area into the SPEA is then 80.7 m² and the proposed development encroachment would only be 80.2 m². An Undue hardship as defined by the RAPR regulation exists on the property, and options for development are very limited if an allowable SPEA variance is not considered in order to address the hardship.

6.0 IMPACT ASSESSMENT

The proposed development includes the construction of a single-family dwelling, with a covered rear crushed gravel sitting pad equating to a total development area of 215.8 m², and restoration landscaping. Ecoscape anticipates that if all recommendations and mitigation measures within this report are adhered to, the potential environmental effects of the construction on the local flora and fauna will be minimized. However, if proper mitigation measures are not adhered to during construction on the subject property, the following environmental issues may occur:

- Potential to directly or indirectly impact wildlife and wildlife habitat during construction, including disruption of migration, breeding, or other behavior as a result of construction noise, impacts to air quality, and other alterations to existing wildlife habitat and cover. This includes mammals, herptiles and avian species that could potentially be foraging or nesting in the area;
- Potential for the release of fine sediments into natural areas through erosive processes during construction activities;
- Potential to encounter water during excavations which may result in the release of turbid water to the lake;
- Potential further encroachment into the SPEA could occur if the 10 m setback is not clearly delineated in the field by the land surveyor and contractors prior to initiating construction activities;
- Improper handling and disposal of construction materials and debris could result in the addition of deleterious substances to Okanagan Lake and subsequent negative impacts to fish, wildlife, associated habitat, and surface water quality;
- Improper fuel storage and/or poorly maintained equipment used during construction could create spill potential that could negatively impact fish, wildlife, and associated habitats;
- Potential for the release of other deleterious substances (e.g., fuel, oil, hydraulic fluid, construction materials, debris) to the environment as a result of improper storage, equipment re-fueling, and/or poorly maintained equipment; and,
- Potential to introduce or facilitate the spread of invasive and noxious plant species resulting from ground disturbance and seed dispersal.

Section 7.0 below provides specific recommendations to mitigate these potential impacts. As already indicated, adverse impacts associated with construction activities will be minimized provided that the mitigation measures proposed are implemented. Our assessment does not consider the cumulative effects of the proposed development on a larger shoreline area or the cumulative impacts originating from shoreline developments across the lake as a whole or within a specific municipality.

7.0 MITIGATION MEASURES

Ecoscape provides the following mitigation measures to minimize the risks of impacts to wildlife and associated habitats during proposed works. This document will be made available to the contractor prior to initiating the works and it should be kept onsite during works. This demonstrates that the contractor is aware of the mitigation measures and that they are being followed.

7.1 General

- Prior to any site disturbance, the 10 m setback must be clearly marked/staked in the field by the surveyor or other suitable means to prevent any further encroachment within the SPEA. The setback boundary must then be delineated using orange snow fence (or similar), which will also help prevent any construction debris from entering the SPEA and the lake;
- The appropriate Development Permits and approvals must be obtained from the COV prior to demolition and construction activities within the subject property. The Development Permit must be kept onsite at all times.; and,
- All potential wildlife attractants, including food, beverages, and other strong smelling or perfumed materials must be removed from the site daily.

7.2 Best Management Practices

Ecoscape provides the following general mitigation strategies for the proposed works, based on the existing ecosystems. In addition to the recommendations provided herein, the proponent can find additional information on provincial Best Management Practices (BMPs) online at:

<https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/laws-policies-standards-guidance/best-management-practices>

- All works should generally conform to the Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in BC (Polster et al., 2014) and companion documents:
 - Guidelines for Raptor Conservation during Urban & Rural Land Development in BC (2013)
 - Guidelines for Reptile and Amphibian Conservation during Urban & Rural Land Development in BC (2014)

7.3 Work Timing Windows

7.3.1 Avian Nesting Periods

Avian nesting periods should be considered to protect nesting birds within and adjacent to the proposed work area.

- Section 6 of the Federal *Migratory Birds Convention Regulation* protects both the nests and eggs of migratory birds. The project area falls within the Canadian Avian Nesting Zone A1 (MECCS, 2020). The general avian nesting period for migratory birds within this zone is **March 26th to August 9th**. Section 34 of the Provincial *Wildlife Act* protects all birds and their eggs, and Section 34(c) protects their nests while they are occupied by a bird or egg. The project area falls within the Northern Okanagan Basin ecodistrict. The avian nesting period for all birds within this ecodistrict is **February 18th to September 12th** (Birds Canada, 2020);
- If vegetation clearing activities are required during the identified avian nesting period, pre-clearing nesting surveys may be required by an Environmental Monitor (EM) to identify active nests;
- If active nests are found within the clearing limits, a buffer will be established around the nest until such time that the EM can determine that nest has become inactive. The size of the buffer will depend on the species and nature of the surrounding habitat. Buffer sizes will generally follow provincial BMP guidelines or other accepted protocol (e.g., Environment Canada). In general, a minimum 20 m buffer will be established around songbird nests or other non-sensitive (i.e., not at risk) species;
- Clearing and other construction activities must be conducted within 72 hours following the completion of the pre-clearing nesting surveys. If works are not conducted in that time, the nesting surveys are considered to have expired and a follow-up survey will be completed to ensure that no new nests have been constructed; and,
- The nests of Bald Eagle, Golden Eagle, Peregrine falcon, Gyrfalcon, Osprey and Burrowing Owl are protected year-round whether they are active or not as per Section 34(b) of the *Wildlife Act*. Best management practices relating to raptors and their nests can be found in Guidelines for Raptor Conservation during Urban and Rural Land Development in BC (2013).

7.4 Clearing and Grubbing

- Native vegetation, including trees, shrubs, and groundcover, must be retained as much as possible to mitigate the establishment of additional invasive plant species; and,

- In the event that land and/or natural vegetation is disturbed or damaged beyond the development footprint area, these areas should be restored and/or replanted with plant material native to the area under the direction of the EM.

7.5 Erosion and Sediment Control

This section addresses minimizing the potential for the introduction of deleterious substances to Okanagan Lake and the SPEA. The following recommendations must be adhered to throughout all stages of demolition and construction:

- The release of silt, sediment, sediment-laden water, raw concrete, concrete leachate, or any other deleterious substances into any drainage or areas of high environmental value must be prevented at all times;
- Silt fence must be installed between the proposed works and Okanagan Lake to mitigate the risks to aquatic resources associated with runoff and sediment transport. It is recommended that silt fence is installed just outside of the 10 m setback to prevent any debris/deleterious substances from entering the steep slope and the lake;
- Silt fencing must be installed as directed by the EM in a field-fit manner, as required. ***Silt fence must be staked into the ground and trenched a minimum of 15 cm to prevent flow underneath the fence and must remain taut to prevent material from moving over the fence. Silt fencing should contain sufficient storage capacity to collect runoff and sediment deposition during storm events.*** Silt fencing will be monitored on a regular basis and any damages or areas where the integrity and function of the fencing has been compromised should be repaired or replaced promptly. Silt fence must remain in place where required until the completion of the project;
- All construction debris must be kept outside of the SPEA and steep slopes and should be removed from the property on a regular basis;
- Stockpiling of fill material within the SPEA must not occur without consent from the environmental monitor (EM). Any fill material, if required for construction, must be located outside of the SPEA beyond the silt fence;
- Ensure that onsite machinery is in good operating condition, clean, and free of leaks, excess oil or grease. No equipment refueling can take place within 30 m of Okanagan Lake;
- Erosion and sediment control (ESC) should incorporate the measures described below to mitigate risks during construction works. The plan is generally based upon provincial BMPs and other specifications and includes the following principles:

- Construction works should be conducted during periods of warm, dry weather with no forecasted precipitation;
 - Construction works should be scheduled to reduce the overall amount of time soils are exposed;
 - Natural drainage patterns should be maintained where possible;
 - Existing native vegetation should be retained where possible; and,
 - Stormwater and sediment-laden runoff should be directed away from exposed soils within the construction area.
- Exposed soils along slopes should be stabilized and covered where appropriate using geotextile fabric, polyethylene sheeting, tarps, or other suitable materials to reduce the potential for erosion resulting from rainfall, seepage, or other unexpected causes; and,
 - Adjacent roadways should be kept clean and free of fine materials. Sediment accumulation upon the road surfaces must be removed and disposed of appropriately.

7.6 Turbid Water Management

If water is encountered during excavations dewatering may be required. Options for turbid water management include the following;

- Discharging water in small quantities to well-vegetated areas of the site to allow for infiltration and reduction of runoff potential;
- Discharging to local stormwater will only be an option if prior approval is gained from the COV;
- Discharge to Okanagan Lake may be an option provided that water discharged is within the allowable limits for turbidity under the ambient water quality guidelines for turbidity, suspended and benthic sediments; see below (BC MoE, 2019). Any water discharged to Okanagan Lake must be approved by the EM prior to discharge and the EM would need to be onsite full time.

Turbidity levels under the Ministry of Environment guidelines for fish and aquatic habitats (BC MoE, 2019) are as follows:

- During clear flow periods, induced turbidity should not exceed 8 NTU above background levels at any given time and no more than an average of 2 NTU above background levels over a 30-day period; and,
- During turbid flow periods, induced turbidity should not exceed background levels by more than 5 NTU at any time when background turbidity is between 8 and 50 NTU. When

background exceeds 50 NTU, turbidity should not be increased by more than 10% of the measured background level at any one time.

7.7 Spills

Spills of deleterious substances can be prevented through awareness of the potential for negative impact on aquatic habitats and with responsible housekeeping practices onsite. Maintenance of a clean site and the proper use, storage and disposal of deleterious liquids and their containers are important to mitigate the potentially harmful effects of spills and/or leaks.

- Ensure equipment and machinery are in good operating condition, free of leaks, excess oil, and grease. Equipment needs to be pressure/steam-washed prior to use within close proximity of a watercourse;
- Spills occurring on dry land will be contained, scraped and disposed of appropriately. Contaminated material will be stored on tarps and covered to prevent mobilization and will be disposed of in accordance with the Environmental Management Act;
- Copies of contact phone numbers for notification of all of the required authorities in the event of a spill/emergency response should be posted and clearly visible at the site; and,
- Spill containment kits must be kept readily available onsite during construction in case of the accidental release of a deleterious substance to the environment. Any spills of a toxic substance should be immediately reported to the Emergency Management BC 24-hour hotline at **1-800-663-3456**, as well as Ecoscape at **1-250-491-7337**.

7.8 Foreshore Use

The following recommendations must be adhered to in order to prevent additional foreshore disturbance and to enhance the ecological integrity of the subject property:

- No beach grooming, addition of sand, removal or alteration of cobbles/boulders, dredging or removal of riparian vegetation is to occur at any time. There must be no disturbance to substrates occurring along the foreshore of the subject property;
- No works are to occur below the 343 m elevation (HWM) of Okanagan Lake without having a provincial *Water Sustainability Act* Section 11 application submitted, approved and in the possession of the property owner and contractor; and,
- The construction of permanent structures such as patios, boardwalks, boat houses, hot tubs, pools, etc. are not permitted within the SPEA.

7.9 Site Cleanup

Upon substantial completion of construction activities:

- Silt fencing, snow fence and other temporary mitigation features must be removed if the risk of surface erosion and sediment transport has been adequately mitigated with other permanent measures; and,
- All equipment, supplies, waste, and other materials must be removed from the site.

7.10 Habitat Restoration

A formal landscape plan has been prepared for the subject property by Bench (**Appendix D**). Habitat restoration is required to address the DD3 requirements of the COV and RAPR for development occurring within the SPEA. The formal landscape plan has been reviewed and approved by Ecoscape and will need to be reviewed by the COV prior to implementation. The total area within the SPEA that will be disturbed by the proposed housing development is 80.2 m² and the total riparian encroachment was estimated to be 128 m² by Bench. Using a 2:1 replacement ratio would result in a total restoration area of 256 m² and Bench is proposing to restore a total area of 283 m² on the subject property. If a 3:1 replacement ratio is required (384 m² total restoration area), the additional 101 m² would require offsite compensation. The 101 m² restoration area would take place at 80 Kestrel Place Lots 6, 7, and/or 8 via a *Land Title Act* Section 219 covenant secured to the title(s) to ensure that the required restoration required of the development permit is completed. The additional 101 m² restoration area (if required) would be incorporated into the existing landscaping plan on these properties (Lot 6, 7, and/or 8). In addition, a SPEA restoration area of 4.7 m² has been delineated and displayed on **Figure 2**. Ecoscape recommends native tall and low shrubs and grass plantings to prevent invasive species from becoming established in this area.

- Planting must occur in spring between April and June or fall between September and October when temperatures are cooler and many plants are dormant, to ensure greater planting success;
- Trees are to be planted at a density of 7 m², tall shrubs every 3 m², and low shrubs every 1.0 m²;
- Plants should be installed in groups or clusters and make use of suitable micro-climates, such as moisture-receiving areas, coarse woody debris, and remnant patches of natural areas. This will help prevent plant mortality by limiting competition with invasive species. Planting should not be completed in an evenly distributed, grid-like pattern;
- Plantings should target depressions to capture local moisture from rain or runoff. Woody debris/wood fiber mulch spread around the base of plantings may help to deter establishment of and competition from invasive plant species;

- Flagging of native plants will be helpful for future monitoring purposes; flagging must not be tied around the main stem such that girdling of the plant will occur as it grows;
- Seed and plant material must be sourced from within the southern interior to avoid complications associated with transplanting coastal species or northern species into dry southern interior conditions;
- To promote germination and establishment of vegetation, temporary irrigation should be supplied for at least the first two growing seasons. If no irrigation is proposed for restoration areas, it is recommended that regular maintenance is conducted to improve planting survival. This may include: additional fertilizing, routine watering and/or replanting, and the removal of invasive species. Poor growth, elevated erosion problems, and/or animal intrusion should be mitigated to promote plant growth; and,
- The contractor completing the restoration works should inspect plants monthly during the growing season, replacing any dead or diseased plants.

All disturbed soils must be restored with native Grade A grass seed free of invasive species to minimize establishment of invasive plant species, erosion, and to restore the area to early successional conditions.

- Grass seed mixes must be approved by the EM before purchase and use. Restoration grass mixes cannot include species considered invasive within BC;
- All seed mixes will be submitted to a certified seed testing laboratory for germination and purity analysis. Seed analysis certificates are to be provided prior to purchase;
- Grass seed should be broadcast and hand-raked into the soil. For steep slopes or large areas, hydroseed may be used; and,
- Grass seed mixes should be suitable for the environmental conditions (urban with a western frontage of Okanagan Lake). These conditions may be given to a seed provider to determine the most appropriate species to provide.

7.10.1 Invasive Species Management

Ongoing invasive species control through mechanical means (i.e., hand pulling and mowing) will be required within any areas with exposed/disturbed soils within the subject property.

- Any contractor working within the property must ensure that all equipment and vehicles are washed and free of weed seeds prior to mobilization and de-mobilization. Vehicles and equipment should not be stored, parked, or staged within weed infested areas if possible. Contractor clothing should also be inspected daily for signs of weed seeds. If found, weed seeds should be disposed of in a contained refuse bin for offsite disposal;
- Care must be taken to ensure that invasive species removal does not impact existing or planted native tree and shrub species; and,

- Invasive plant species must be disposed of in a landfill; however, invasive species material must not be composted in the yard waste section of the landfill. Invasive plant species must not be transported to or deposited in other natural areas.

7.11 Environmental Monitoring

An environmental monitor (EM) should be retained to document compliance with proposed mitigation measures and to provide guidance during construction works. In the event that greater disturbance occurs due to unforeseen circumstances, the EM should recommend further measures to protect/restore the natural integrity of the site. The EM should be an appropriately Qualified Environmental Professional (QEP).

The EM's duties and schedule will include, as a minimum, the following:

- A pre-construction meeting prior to the implementation of works. During this visit, best management practices and erosion and sediment control measures will be reviewed;
- Visits should be conducted during construction and will target higher-risk activities. The EM should be notified prior to high-risk activities so they can schedule site visits accordingly;
- EM reports will be generated for each visit and submitted to the client; and,
- Following completion of the project, a substantial completion report will be prepared.

7.12 Bonding

Performance bonding may be required by COV to ensure that the recommended mitigation measures are adhered to and any restoration is completed as required. Bonding in the amount of 125% of the estimated value of the prescribed works (i.e. monitoring, erosion and sediment control) and is generally required to ensure faithful performance and that all mitigation measures are completed and function as intended. Security deposits shall remain in effect until the COV has been notified, in writing by the EM that the objectives have been met and substantial completion of the restoration works has been achieved.

Bench provided a bonding estimate for habitat restoration works (not inclusive of proposed development) including erosion and sediment control, plant materials, topsoil and mulch, and irrigation to be approximately \$13,209.00, not including GST. The bonding is estimated to be \$16,511.25 (125% of cost), as shown in **Appendix E**. In addition, Ecoscape has estimated that the environmental monitoring and reporting (over the maintenance phase only) would be \$2,000, not including GST, resulting in a bonding amount of \$2,500. Therefore, the total bonding amount is estimated to be **\$19,011.25** including estimates for other aspects of the bond previously submitted.

8.0 CONCLUSION

This report pertains to existing and potential site conditions at the subject property with respect to riparian and upland habitats in relation to the proposed development. As per the requirements of the COV, this report identifies potential environmental impacts and appropriate mitigation measures to protect the natural integrity of both terrestrial and aquatic communities. Provided that mitigation measures within this report are adhered to, impacts to the aquatic and terrestrial communities should be avoided.

9.0 CLOSURE

This report has been prepared for the exclusive use of Mr. Brad Tetreau of Rockwood Custom Homes. Ecoscape has prepared this assessment with the understanding that all available information on the present and proposed condition of the site has been disclosed. The client has acknowledged that in order for Ecoscape to properly provide its professional service, Ecoscape is relying upon full disclosure and accuracy of this information.

If you have any questions or comments, please contact the undersigned at your convenience.

Respectfully Submitted,

ECOSCAPE Environmental Consultants Ltd.

Prepared by:



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FIGURE 1
Site Location and Fisheries Information

Project: Riparian Areas Regulation Assessment
Location: City of Vernon
Project No.: 19-3156
Prepared for: Rockwood Custom Homes
Prepared by: Ecoscape Environmental Consultants Ltd.
Josh Castanier, GIS Technician
Coordinate System: NAD83-UTM Zone 11
Imagery: ESR: World Imagery
Field Visit: September 3, 2020
Map Date: October 29, 2020

LEGEND

- Regional Location of Subject Property
- Wildlife Species Inventory (Survey)
- Wildlife Species Inventory (Incidental)
- Subject Property
- Cadastre
- Okanagan Critical Habitat [Species at Risk]
- BC Conservation Data Center [CDC] Polygons*
- Streams
- Historical Kokanee Spawning Records
- Okanagan Large Lakes Foreshore Protocol
- Kokanee Spawning Black Zone
- Kokanee Spawning Red Zone
- Kokanee Spawning Yellow Zone
- Mussel Red Zone
- Mussel Yellow Zone
- Foreshore Plants Black Zone
- Foreshore Plants Red Zone
- Foreshore Plants Yellow Zone

*A large Okanagan Critical Habitat polygon covers the entire map and subject property area representing the following wildlife species but is not shown on this figure:

- Western Rattlesnake (*Crotalus oregonus*)
- Desert Nightsnake (*Hypsiglena chlorophrya*)
- Great Basin Gophersnake (*Pituophis catenifer deserticola*)

*A large BC Conservation Center [CDC] polygon covers the entire map and subject property area representing the following wildlife species but is not shown on this figure:

- American Badger (*Taxidea taxus*)

Regional Location of Subject Property



DISCLAIMER
The data displayed is for conceptual purposes only and should not be interpreted as a legal survey or for legal purposes. If discrepancies are found between the data portrayed in this report and that of a legal survey, the legal survey will supersede any data presented herein.





FIGURE 2
Riparian Areas Regulation Assessment

Project: Riparian Areas Regulation Assessment
 Location: City of Vernon
 Project No.: 19-3156
 Prepared for: Rockwood Custom Homes
 Prepared by: Ecoscape Environmental Consultants Ltd.
 Josh Castanier, GIS Technician
 Coordinate System: NAD83-UTM Zone 11
 Imagery: ESRI World Imagery
 Site Visit: September 3, 2020
 Map Date: October 29, 2020

LEGEND

- Proposed Development
- Buildable Area (Municipal Setbacks)
- Development Area Outside SPEA
- SPEA Encroachment Area
- Streamside Protection and Enhancement Area (SPEA)
- SPEA Enhancement Restoration Area
- Subject Property
- Cadastre
- Property Setbacks
- Approximate High Water Level (343.0 m.a.s.l.)
- 30 m Riparian Areas Regulation Assessment Area
- 10 m Setback
- Zone of Sensitivity - Large Woody Debris (15 m)
- Zone of Sensitivity - Litterfall (15 m)
- Zone of Sensitivity - Shade (30 m due south)

Hardship Area Calculation (Brownfield)	
Total Property Area =	602m ²
Total Buildable Area (Municipal Setbacks) =	541m ²
Development Area (Outside of SPEA) =	135.7m ²
Total Proposed Development Area =	215.8m ²
Allowable Footprint (40% of Buildable Area (Municipal Setbacks)) =	216.4m ²
Allowable Variance Area/Encroachment into SPEA =	80.7m ²
SPEA Enhancement Restoration Area =	4.7m ²

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 The data displayed is for conceptual purposes only and should not be interpreted as a legal survey or for legal purposes. If discrepancies are found between the data portrayed in this report and that of a legal survey, the legal survey will supersede any data presented herein.





Photo 1. View of subject property looking north from the southern boundary. Photo taken September 3, 2020.



Photo 2. View of subject property looking south from the northern boundary. Photo taken September 3, 2020.



Photo 3. View of subject property looking east from the western boundary. Photo taken September 3, 2020.



Photo 4. View of subject property looking west from the eastern boundary. Photo taken September 3, 2020.



Photo 5. View of existing landscaped riprap along western boundary. Photo taken September 3, 2020.



Photo 6. View of foreshore area of the subject property. Photo taken September 3, 2020.



Photo 7. View of existing firepit. Photo taken September 3, 2020.



Photo 8. View of rock outcrop to the east of Kestrel Place. Photo taken September 3, 2020.



EROSION CONTROL:
PRIOR TO COMMENCING ANY WORK, THE OWNER SHALL INSTALL Silt FENCING IN THE LOCATION DIRECTED BY THE PROJECT ENVIRONMENTAL MONITOR. THIS HELPS ENSURE THE RELEASE OF THE SITE SEDIMENTS OR OTHER SUBSTANCES IDENTIFIED TO THE ENVIRONMENT DO NOT MIGRATE TO SENSITIVE AREAS OF THE SITE.

ENVIRONMENTAL MONITORING:
ECOSCAPE ENVIRONMENTAL CONSULTANTS HAS BEEN RETAINED TO BE QUALIFIED ENVIRONMENTAL PROFESSIONAL AND TO FUNCTION AS THE SITE INSPECTOR AS IT RELATES TO THE ENVIRONMENT DURING CONSTRUCTION.

ON-SITE TOPSOIL REUSE:
THE EXISTING ON-SITE TOPSOIL SHALL BE STRIPPED, STOCKPAILED AND REINSTALLED WITHIN THE BIRAPAN PLANT LOT AT A MINIMUM DEPTH OF 5 CM.

PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS DURING CONSTRUCTION IN THE LATEST EDITION OF THE CANADIAN LANDSCAPE STANDARDS PUBLISHED BY C.L.N.A. AND C.L.A. AS WELL AS THE CANADIAN STANDARDS OF VERMONT.

NATIVE TREES: SHRUBS, GRASSES AND PERENNIALS ARE TO BE PROTECTED PLANTED WITHIN THE BIRAPAN COMPENSATION AREA AS SHOWN ON THE LOT 5 - BIRAPAN PLANTING PLAN DURING THE SPRING AND/OR FALL PLANTING PERIODS. ALL TREES TO BE REMOVED SHALL BE CUT BACK TO 100 CM ABOVE THE BASE OF THE TRUNK AND LEAVE THE REMAINDER OF THE TRUNK TO ROT IN PLACE. ALL TREES TO BE REMOVED SHALL BE CUT BACK TO 100 CM ABOVE THE BASE OF THE TRUNK AND LEAVE THE REMAINDER OF THE TRUNK TO ROT IN PLACE. THE ESTABLISHMENT AND MAINTENANCE OF CONTINUOUS BIRAPAN PLANTS SHALL BE DUE TO TWICE THE FOOTCANDLE SIZE TO ALLOW FOR ADDITIONAL GROWING MEDIUM TO HELP WITH

5. NATIVE SEEDING (WRABIAN MEADOW AREA):
SEEDING IN WRABIAN MEADOW AREA SHALL BROADCAST SEEDED AND MEET THE SEED SPECIFICATION OUTLINED IN THE ENVIRONMENT MANAGEMENT PLAN PREPARED BY ECOSPHERE ENVIRONMENTAL CONSULTANTS. SEEDING SHALL BE COMPLETED BY THE END OF FEBRUARY AND SHALL BE FINISHED BY MARCH TO MAY. FALL, OCTOBER TO NOVEMBER) TO ALLOW FOR ESTABLISHMENT AND LIMIT THE AMOUNT OF WATES USED.

6. ESTABLISHMENT IRRIGATION SYSTEM:
A FULLY AUTOMATED IRRIGATION SYSTEM SHALL BE INSTALLED AND OPERATIONAL THROUGH THE THREE (3) YEAR MAINTENANCE PERIOD. THE ESTABLISHMENT OF THE PLANTS IN THE WRABIAN AREA THE SYSTEM SHALL CONFORM TO THE CITY OF LOS ANGELES' IRRIGATION REQUIREMENTS.

7. THREE (3) YEAR MAINTENANCE REQUIREMENTS:
THE FOLLOWING THREE (3) YEAR MAINTENANCE REQUIREMENTS SHALL BE FOLLOWED TO ENSURE SURVIVAL AND ESTABLISHMENT OF A WET-HEID HILLSIDE RESTORATION AREA.

1. ESTABLISHMENT IRRIGATION SYSTEM OPERATING EVERY SECOND DAY FOR ONE (1) HOUR FROM JUNE TO OCTOBER AND ONCE A WEEK FROM NOVEMBER TO FEBRUARY.

2. WEEDING OF THE ENTIRE WRABIAN AREA ONCE IN THE SPRING AND ONCE IN THE FALL TO CONTROL WEEDS PRIOR TO SEEDS.

3. PERIODIC SURVEY OF THE WRABIAN AREA TO EVALUATE THE PROGRESS OF THE PLANT ESTABLISHMENT AND WEED CONTROL.

4. WEED MANAGEMENT OF PLANT MATERIALS IF SURVIVAL RATE OF PLANTS IS BELOW 80%.

5. FINISHING AT THE END OF THE THREE (3) YEAR PERIOD TO ENSURE REQUIREMENTS HAVE BEEN MET.

DECIDUOUS TREE TO BEARBN

BRADIAN ENCLOSUREMENT AREA: 128 m²

COMPENSATION TO BE ADDED: LOTS 6, 7 & 10: 104m²

PROJECT

KESTRAL PLACE RESIDENCES
VERNON, BC
SHELDON AND CLAIRE MARCOTTE



BENCH



14-1363 Water Street, Kelowna BC V1Y 1J7 | 250.860.6771

L-0



EXISTING CONF EVERGREEN TREE TO REMAIN

EXISTING DECIDUOUS TREE TO REMAIN

PROPOSED NATIVE CONF EVERGREEN TREE

PROPOSED NATIVE DECIDUOUS TREE

PROPOSED ORNAMENTAL DECIDUOUS TREE

LARGE & MEDIUM NATIVE SHRUB SIBIRIAN PLANTING AREA

MEDIUM & SMALL NATIVE SHRUB SIBIRIAN PLANTING AREA

MEADOW SIBIRIAN PLANTING AREA

ORNAMENTAL PLANTING AREA

COMPACTED AGGREGATE

UNIT PAVERS

ROCK MULCH

LOWER FLOOR BUILDING ENTRY / EXIT

MAIN FLOOR BUILDING ENTRY / EXIT

VEHICULAR GARAGE ENTRY / EXIT

TREES				
Qty	Botanical Name	Common Name	Size/Spacing	Root
1	<i>Amelanchier alnifolia</i>	Serviceberry	12m Ht. 10m Spacing	BA3
1	<i>Prunella virginiana</i>	Interior Douglas H.	12m Ht.	BA3
SHRUBS				
Qty	Botanical Name	Common Name	Size/Spacing	Root
15	<i>Arctostaphylos uva-ursi</i>	Kinnikinnick	40" Dm/ 25m O.C.	Portland
15	<i>Ribes cereum</i>	Rose Curr dogwood	40" Dm/ 25m O.C.	Portland
15	<i>Malvastrum coccineum</i>	Coralia grape	40" Dm/ 25m O.C.	Portland
15	<i>Ribes rubrum</i>	Reddish curr	40" Dm/ 25m O.C.	Portland
15	<i>Symphoricarpos alpeis</i>	Common snowberry	40" Dm/ 25m O.C.	Portland
PERENNIALS				
Qty	Botanical Name	Common Name	Size/Spacing	Root
24	<i>Asclepias tuberosa</i>	Yucca	24" Ht.	Phug
24	<i>Asclepias tuberosa</i>	Black-eyed Susan	24" Ht.	Phug
24	<i>Asclepias tuberosa</i>	Black-eyed Susan	24" Ht.	Phug
GRASSES				
Qty	Botanical Name	Common Name	Size/Spacing	Root
48	<i>Desmodium illinoense</i>	Pronghorn	48" Ht.	Phug
24	<i>Psychotria virginiana</i>	Black-cherry anemone	36" Ht.	Phug



KESTRAL PLACE RESIDENCES
VERNON, BC
SHELDON AND CLAIRE MARCOTTE



NORTH



L-1	1.7%
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A1.1

ADMINISTRATION UPDATES
February 8, 2021 REGULAR COUNCIL MEETING

File: 0550-05

FINANCIAL SERVICES

Residential Sewer Low Flat Rate Charge

Residential sewer charges have two components – a sewer infrastructure base fee which is a fixed charge and includes the first 20 cubic meters of water consumption per quarter; and a consumption-based sewer charge which is variable and is charged for water consumption greater than 20 cubic meters. The quarterly consumption-based sewer charge for all four quarters of a given calendar year is based on the water consumption recorded during the 1st quarter. This is beneficial for the resident since there would ideally be no outdoor water consumption during that period. This practice is dictated by the City's Sewer User Rates Bylaw No. 5400. For new homes or new connections where the water meter is installed subsequent to the 1st quarter, the residential sewer low flat rate charge of \$72.23 is levied for each billing quarter for the remainder of that year until the 1st quarter of the following year when actual water consumption is recorded and the sewer charge is calculated for that year. Due to varied water consumption patterns between households, the low flat rate charge could be either higher or lower than what the consumption-based sewer charge would have been had there been consumption during the 1st quarter. These charges are in addition to the quarterly sewer base fee of \$50.20 which includes the sewer volume charge up to 20 cubic meters of water.

For the property subject to the inquiry received by Council, the water source for this home is Okanagan Lake. Sewer was recently connected to the home and a water meter was installed in July 2020 to facilitate calculation of consumption-based sewer starting with the 1st quarter of 2021. For comparative purposes, if the sewer charge was able to be calculated based on the 3rd quarter water consumption, the consumption-based sewer charge would have been \$31.90 plus the base fee of \$50.20 for a total of \$82.10 as opposed to the flat rate of \$56.53 which was prorated due to the new connection plus the base fee of \$50.20 for a total of \$106.73. If the sewer charge was able to be calculated based on the 4th quarter water consumption, the consumption-based sewer charge would have been \$1.91 plus the base fee of \$50.20 for a total of \$52.11 as opposed to the flat rate of \$72.23 plus the base fee of \$50.20 for a total of \$122.43. Beginning in 2021, if water consumption during the 1st quarter is between zero and 20 cubic meters, only the sewer base fee of \$50.20 will be charged each quarter for the remainder of the year. No consumption-based charges will apply.

RECREATION SERVICES

Child Care Facility Projects

The Lakers Child Care Facility and Recreation Complex Child Care Facility were combined into one project for the RFP for Design and Prime Consulting Services for Construction. The RFP received 13 proposal submissions, and after thorough review, the contract for Design and Prime Consulting Services was awarded to Stantec of Kamloops on January 25, 2021.

Stantec and the Child Care Project team had their first introductory meeting on Wednesday, February 3, 2021 reviewing the locations and design goals. The design stage is expected to be completed by the end of May, with the resulting Construction RFP scheduled to be out in

June. In addition to the design component moving forward, both child care sites are currently undergoing environmental, geotechnical and site surveys.

COMMUNITY INFRASTRUCTURE AND DEVELOPMENT SERVICES

Development Approval Process Review

The development approval process review is well underway. Interviews with staff and stakeholders are complete and the survey of municipalities is about to begin. The survey will provide context and comparators of the City's planning and building permit approval process. Work is also underway to redesign the application forms to make them more user friendly and contemporary.

Outdoor Skating Rink

Administration is reviewing the Council request to identify potential locations and costing for an outdoor skating rink and will bring a report back by the April 2021 deadline. This report will include an evaluation of potential sites, costing of options, alternatives and a suggested engagement process.

Department of National Defense Washroom Upgrades

This project has been awarded and work is currently underway. The project is anticipated to be complete by the end of April.

New Park at the Site of the Former Civic Arena

A request for proposals for Park Design & Prime Consulting Services was issued on January 15, 2021 and is scheduled to close on February 11. There has been strong interest and several bids are anticipated. A contract is expected to be awarded by the end of February. A report on the project, containing the final conceptual design and request for endorsement, will be brought forward to Council in late spring 2021.

Canadian Lakeview Estates Park

This project is underway with initial clearing and grubbing completed. The tennis/pickleball court revitalization, entrance reconfiguration and playground contracts are expected to be awarded in late Spring 2021.

Marshall Field Playground

Administration is anticipating putting out a design build call to playground suppliers in the spring of 2021. It is anticipated that the Marshall Field Playground will be bundled with the other playgrounds that will be tendered in 2021, such as Deer Park and Pottery Ravine.

Kin Race Track Planning

Geotechnical assessment for both the Kin Race Track planning and the Active Living Centre are currently underway. Administration anticipates continuing background information collection over the spring with more active planning to begin in the fall of 2021.

Whitecourt Place to Foothills Drive

Detailed design of this connection is underway. Design will include stairs at this location. Construction of the stairs is being bundled with other projects that include stairway design.

Polson Park Master Plan

Administration will be bringing forward a report on Polson Park at the February 22, 2021 meeting. This report will highlight the process for addressing hydrology concerns, implications for park operations and request support for a grant opportunity to support design solutions for water management in the park.

OPERATION SERVICES**Downtown Washrooms**

Administration is currently compiling information in regard to the operational costs, vandalism occurrences and the net result for the requested downtown washroom report. Unfortunately, this information was not readily logged in the past and is now being composed. Administration will have the information and subsequent report for Council's review at the February 22, 2021 meeting.



THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Will Pearce, Chief Administrative Officer **FILE:** 0360-20-25
PC: Patricia Bridal, Director of Corporate Services, **DATE:** February 1, 2021
Deputy Chief Administrative Officer
FROM: Maria Doyle, Sr. Exec. Assistant
SUBJECT: SILGA ANNUAL GENERAL MEETING AND REQUEST FOR RESOLUTIONS

The Southern Interior Local Government Association (SILGA) Annual General Meeting and Convention is scheduled to be held on April 28, 2021.

SILGA represents the various municipalities and regional districts in the BC Southern Interior.

SILGA has invited local governments to submit resolutions to be considered at the Annual Meeting. Deadline for submission is February 26, 2021. Resolutions must be endorsed by the sponsoring municipal council. Latest date for Vernon Council is the Regular meeting of February 22, 2021. Should a resolution be endorsed at the SILGA Annual General Meeting, the resolution is submitted to UBCM for consideration at the 2021 Annual General Meeting.

As a lead up to the April AGM, SILGA is pleased to offer the following education sessions for the Speaker Series. You can register for one, several or all the sessions. (Registration for these sessions will open shortly). The Speaker Series will be held from 12 noon on each date for one hour.

February 17 North Shore Neighbourhood Plan and Integrated Community Planning –
Jason Locke, City of Kamloops, Planner

February 24 Mental Health & Stress from COVID-19 on Communities – UBCM President
Brian Frenkel

March 3 Communications Panel on Connectivity

March 10 Double Trouble Crisis

March 17 Community-Engaged Research in the Time of COVID-19,
Dr. Will Garrett-Petts, TRU Professor

March 24 Perpetual Pivot: How the Best Leaders Adapt to Chaos, Dr. Mark DeVolder

March 31 Honourable Ravi Kahlon, Minister of Jobs, Economic Recovery
 & Innovation

April 7 The Role of Universities in Regional Recovery, Dr. Brett Fairbairn,
 TRU President

RECOMMENDATION:

THAT Council receive for information the memo entitled "SILGA Annual General Meeting and Request for Resolutions", dated February 1, 2021, from the Senior Executive Assistant.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "M. Doyle", is written over the text "Respectfully submitted,".

Attachment



[Link to UBCM Resolutions Database](#) [2019 SILGA Resolutions voted](#)

Resolutions

All 2021 SILGA resolutions will be debated at the 2021 SILGA AGM. The SILGA board hopes to be able to debate in person; if not, a virtual platform will be set up and enough time will be set aside to properly debate the resolutions. Resolution deadline for 2021 is February 26th.

The full listing of 2020 UBCM resolutions will be available shortly on the UBCM website.

For information on how to properly write a resolution please click on the link:

[UBCM Resolution Procedures](#)

Resolutions not received by February 26th will be considered late resolutions and must go through the following procedures to be considered at the AGM.

Late Resolutions

- (1) Late resolutions may only be introduced if received by the Resolutions Committee Chair at least twenty-four (24) hours prior to the commencement of an Annual Meeting, providing that enough copies are supplied in order that they may be circulated to all Member Representatives at the Meeting Registration Desk at the time of registration and provided that a resolution to allow its debate receives an affirmative vote of three-fifths (60%) of the Member Representatives in attendance at the meeting;
- (2) Late resolutions will be reviewed by the Resolutions Committee prior to the Meeting and only those of a subject matter which could not have been submitted by the normal deadline date outlined in section 10.4 will be considered.

Please click here for the AGM rules and procedures handbook.





Resolutions Procedures

The main forum for UBCM policy-making is the annual resolutions cycle. It provides an opportunity for local governments of all sizes and from all areas of the province to express concerns, share their experiences and take a united position.

Submitting Resolutions

Members are urged to submit resolutions first to Area Associations for consideration. Resolutions endorsed at Area Association annual meetings are submitted automatically to UBCM for consideration and do not need to be re-submitted to UBCM by the sponsor.

Please contact your Area Association for resolution submission procedures at the regional level.

Both UBCM and its member local governments have observed that submitting resolutions first to Area Associations results in better quality resolutions overall. If absolutely necessary, however, local governments may submit council- or board-endorsed resolutions directly to UBCM prior to June 30, each year.

Details on submission of resolutions, including late resolutions, are included in the Procedures for Submitting Resolutions linked below.

Procedures for Submitting Resolutions to UBCM

Drafting Resolutions

Staff and elected officials are strongly encouraged to follow the writing guidelines set out by UBCM. A clear, concise resolution is easier to understand, and this increases the likelihood that the membership will grant it their endorsement. Further, clear resolutions will prompt more direct responses from the provincial or federal government, or relevant organization.

Writing Guidelines for Resolutions

Use the sample resolution for formatting guidelines.

Organization of Resolutions

Following the June 30 deadline, the Resolutions Committee meets to review, organize and make recommendations on all resolutions. Resolutions are organized in three sections, described below.

Section A resolutions address priority issues relevant to all local governments.

Section B is divided into three parts:

Part 1: Resolutions that support established UBCM policy

Part 2: Resolutions on new issues or issues considered previously but not endorsed, within the jurisdiction of local government

Part 3: Resolutions on new issues or issues considered previously but not endorsed, outside the jurisdiction of local government

Section C contains resolutions that are referred to similar resolutions in the Resolutions Book; to policy papers, reports, or special sessions at Convention; or to Area Associations.

Order of Consideration

Section A and B resolutions are introduced for debate in the order in which they appear in the Resolutions Book.

Selected Section B resolutions are considered as a block. Any voting delegate may withdraw a resolution from a block to speak in opposition or propose an amendment.

Section C resolutions are not admitted for debate.

Analysis of late resolutions—those received after June 30—is undertaken in the Resolutions Committee's "Report on Resolutions Received After the Deadline." This report may be considered after Section A has been debated, but not before the time printed in the Convention program. Historically, this report has been presented to the membership on the last day of Convention, at the beginning of the final policy session.

For detailed information on the consideration of resolutions, see Handling of Resolutions at Convention.

Contact

For any questions or concerns about the resolutions process please contact:

Jamee Justason
Resolutions & Policy Analyst
jjustason@ubcm.ca
604-270-8226 ext. 100

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- Twitter: @ubcm

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SILGA

2021 January
Newsletter



Skating outdoors in Clearwater

SILGA SPEAKER SERIES

Mark your calendars! As a lead up to the April AGM, SILGA is pleased to announce the following educational sessions for their Speaker Series. You can register for one, several or all the sessions. Another notice will go out when registration opens.

- Feb 17th** **North Shore Neighbourhood Plan and Integrated Community Planning** - Jason Locke, City of Kamloops planner
- Feb 24th** **Mental Health and Stress from COVID-19 on Communities**
UBCM President Brian Frenkel
- March 3rd** **Communications Panel on Connectivity**
- March 10th** **Double Trouble Crises**
Dr. Albert de Villiers, Interior Health Chief Medical Health Officer
- March 17th** **Community-Engaged Research in the Time of COVID-19**
Dr. Will Garrett-Petts, TRU Professor
- March 24th** **Perpetual Pivot: How the Best Leaders Adapt to Chaos**
Dr. Mark DeVolder
- March 31st** **Honourable Ravi Kahlon, Minister of Jobs, Economic Recovery and Innovation**
- April 7th** **The Role of Universities in Regional Recovery**
Dr. Brett Fairbairn, TRU President

SILGA Deadlines/AGM information

February 1 st	Community Excellence Awards
February 17 th	Speaker Series starts
February 26 th	Nominations for SILGA Board
February 26 th	Resolutions for AGM
April 28 th	SILGA AGM (all day)

Late Resolutions: Please note that at the 2021 SILGA AGM only emergent resolutions of a regional nature as determined by the Resolutions Committee will be accepted for debate and that a rationale must be included in the submission as to why the resolution is emergent.

New City Hall to be built in West Kelowna

Built beside the aquatic centre, the new city hall will also house the Okanagan Regional Library.



The Southern Interior Development Initiative Trust completed a needs assessment in 2020 which explored the region's economic development needs and opportunities and consulted with stakeholders on how SIDIT can best contribute. Click to access their [2020 Needs Assessment](#).

Southern Interior
DEVELOPMENT INITIATIVE TRUST

SILGA Nomination and Election procedures

Voting will take place in the week prior to the AGM and the results will be announced during the AGM. If you are considering running for the SILGA board, ensure your nomination is received by February 26th as no nominations will be accepted from the floor.



THE CORPORATION OF THE CITY OF VERNON

INTERNAL MEMORANDUM

TO: Will Pearce, CAO **FILE:** 6970-20
PC: Kim Flick, Director, Community Infrastructure and Development **DATE:** January 27, 2021
FROM: Kevin Poole, Manager, Economic Development and Tourism
Carie Liefke, Current Planning Assistant
SUBJECT: 2020 PLANNING AND BUILDING FOURTH QUARTER AND YEAR END STATISTICS SUMMARY

The following provides Council with a summary of the planning and building applications processed by the Community Infrastructure and Development Services Division for the fourth quarter (Q4) of 2020 and 2020 year end. The figures highlight building permits by type and value, applications by type and volume, a summary of Development Cost Charges (DCCs) along with revenue received to October 2020 from the Municipal Regional District Tax (MRDT). Data from previous years have been included for comparison purposes.

Figure 1 provides an overview of the values and types of building permits issued in 2020. Total building permit values reached \$103.5M, which is down 18.2% over 2019. Although not included in the figure below, it should be noted that while there were significant fluctuations in building permit activity during the early stages of the pandemic, from May 1 to December 31, building permits recovered and were only down 1.4% (\$68.5M versus \$69.5M) when compared to 2019. The overall decrease in permit value was largely attributed to a decrease in new multi-family construction where the building permit value fell by \$23.6M (46%).

In terms of building permits issued, a total of 370 were issued in 2020 which is similar to the 371 issued in 2019. The five-year average (2016 – 2020) for the number of building permits is 395.

Single family development (new and modifications) accounted for \$43.4M and multi-family development (new and modifications) accounting for \$39.8M in building permit value. Residential construction resulted in 80% of the 2020 permit value whereas it was 77% in 2019. Commercial development accounted for 12.6% of the 2020 permit value compared to 19.5% in 2019.

Figure 1: Year End Building Permit Issuance Summary (2016 – 2020)

Type of Application	2016		2017		2018		2019		2020	
	#	Value	#	Value	#	Value	#	Value	#	Value
Single Family Dwelling										
New	117	\$45,438,723	159	\$64,732,314	119	\$50,572,600	96	\$39,177,152	75	\$37,813,514
Addition/Reno/Upgrade/Suite	90	\$4,184,437	83	\$4,558,309	67	\$3,943,562	90	\$4,945,157	100	\$5,605,150
Multi-Family Dwelling										
New	28	\$25,169,457	45	\$35,664,098	51	\$61,883,624	47	\$51,871,780	32	\$28,296,635
Addition/Reno/Upgrade	4	\$1,243,186	4	\$362,000	6	\$750,800	2	\$1,615,000	3	\$11,531,360
Commercial										
New	3	\$19,387,000	2	\$798,000	3	\$2,495,000	2	\$10,543,000	2	\$2,530,000
Addition/Reno/Upgrade	62	\$7,057,634	52	\$10,733,348	50	\$9,701,895	56	\$14,050,485	46	\$10,458,169
Industrial										
New	1	\$160,000	0	\$0	2	\$1,540,000	3	\$2,450,000	2	\$3,550,000
Addition/Reno/Upgrade	2	\$180,000	0	\$0	2	\$18,000	1	\$9,500	3	\$185,000
Institutional										
New	2	\$19,300,000	1	\$11,500,000	2	\$4,113,000	0	\$0	0	\$0
Addition/Reno/Upgrade	7	\$578,000	3	\$75,000	7	\$10,796,500	3	\$248,000	3	\$485,000
Other										
Total Other	78	\$3,420,249	84	\$1,689,778	98	\$3,061,438	71	\$1,623,273	104	\$3,054,439
Total # of BPs	394		433		407		371		370	
Total Value of BPs		\$126,118,685		\$130,112,847		\$148,876,420		\$126,533,347		\$103,509,267

Figure 2 provides an overview of applications and building permit values for Q4 of 2020. 2020 Q4 remained busy with 90 permits issued including ten multi-family permits (\$13.5M) and 43 permits issued for single family projects (\$10.0M).

Figure 2: Building Permit Issuance Summary – Q4 Only

	2016		2017		2018		2019		2020	
	Q4 #	Q4 Value	Q4 #	Q4 Value	Q4 #	Q4 Value	Q4 #	Q4 Value	Q4 #	Q4 Value
Single Family Dwelling										
New	31	\$12,506,988	41	\$15,244,633	19	\$9,210,800	27	\$12,561,000	18	\$9,113,400
Addition/Reno/Upgrade/Suite	26	\$1,612,596	14	\$689,437	13	\$652,151	17	\$2,037,550	25	\$857,767
Multi-Family Dwelling										
New	6	\$3,940,000	21	\$21,145,500	10	\$13,707,060	13	\$9,791,000	9	\$5,522,921
Addition/Reno/Upgrade	1	\$97,500	0	\$0	1	\$50,000		\$0	1	\$8,000,000
Commercial										
New	0	\$0	0	\$0	1	\$1,250,000	1	\$9,353,000	0	\$0
Addition/Reno/Upgrade	6	\$308,000	11	\$1,745,250	15	\$3,600,420	14	\$4,308,485	13	\$1,402,200
Industrial										
New	0	\$0	0	\$0	0	\$0		\$0	1	\$300,000
Addition/Reno/Upgrade	0	\$0	0	\$0	0	\$0		\$0	0	\$0
Institutional										
New	0	\$0	0	\$0	1	\$1,600,000		\$0	0	\$0
Addition/Reno/Upgrade	1	\$500,000	0	\$0	2	\$719,000	1	\$98,000	0	\$0
Other										
Total Other	18	\$394,867	19	\$419,400	21	\$1,245,750	20	\$285,373	23	\$1,899,540
Total # of BPs	89		106		83		93		90	
Total Value of BPs		\$19,359,950		\$39,244,221		\$32,035,181		\$38,434,408		\$27,095,828

Figure 1: Year End Building Permit Issuance Summary (2016 – 2020)

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New	2	\$19,300,000	1	\$11,500,000	2	\$4,113,000	0	\$0	0	\$0
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Total Other	78	\$3,420,249	84	\$1,689,778	98	\$3,061,438	71	\$1,623,273	104	\$3,054,439
Total # of BPs	394		433		407		371		370	
Total Value of BPs		\$126,118,685		\$130,112,847		\$148,876,420		\$126,533,347		\$103,509,267

Figure 2 provides an overview of applications and building permit values for Q4 of 2020. 2020 Q4 remained busy with 90 permits issued including ten multi-family permits (\$13.5M) and 43 permits issued for single family projects (\$10.0M).

Figure 2: Building Permit Issuance Summary – Q4 Only

	2016		2017		2018		2019		2020	
	Q4 #	Q4 Value	Q4 #	Q4 Value	Q4 #	Q4 Value	Q4 #	Q4 Value	Q4 #	Q4 Value
Single Family Dwelling										
New	31	\$12,506,988	41	\$15,244,633	19	\$9,210,800	27	\$12,561,000	18	\$9,113,400
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Addition/Reno/Upgrade	1	\$97,500	0	\$0	1	\$50,000		\$0	1	\$8,000,000
Commercial										
New	0	\$0	0	\$0	1	\$1,250,000	1	\$9,353,000	0	\$0
Addition/Reno/Upgrade	6	\$308,000	11	\$1,745,250	15	\$3,600,420	14	\$4,308,485	13	\$1,402,200
Industrial										
New	0	\$0	0	\$0	0	\$0		\$0	1	\$300,000
Addition/Reno/Upgrade	0	\$0	0	\$0	0	\$0		\$0	0	\$0
Institutional										
New	0	\$0	0	\$0	1	\$1,600,000		\$0	0	\$0
Addition/Reno/Upgrade	1	\$500,000	0	\$0	2	\$719,000	1	\$98,000	0	\$0
Other										
Total Other	18	\$394,867	19	\$419,400	21	\$1,245,750	20	\$285,373	23	\$1,899,540
Total # of BPs	89		106		83		93		90	
Total Value of BPs		\$19,359,950		\$39,244,221		\$32,035,181		\$38,434,408		\$27,095,828

Figure 3 highlights the number of applications received in Q4 and by year end. 2020 was the second busiest of the previous five years, with 1,049 applications received.

Figure 3: Application Summary – Q4 and Year End

	2016		2017		2018		2019		2020	
	Q4	Year End	Q4	Year End	Q4	Year End	Q4	Year End	Q4	Year End
Land Use Applications	42	177	37	193	38	201	42	190	55	209
Building Permits	89	394	106	433	83	407	93	371	90	370
Miscellaneous Applications	103	441	81	444	107	438	94	474	124	470
TOTAL	234	1012	224	1070	228	1046	229	1035	269	1049

Figure 4 provides a breakdown of the types of land use applications received for Q4 and year end. There was a 31% increase in land use application in Q4 of 2020 compared to Q4 of 2019 (55 compared to 42). Overall for the year, there was a 10% increase in the number of land use applications received (209 compared to 190).

Figure 4: Land Use Application Summary – Q4 and Year End

Type of Application	2016		2017		2018		2019		2020	
	Q4	Year End	Q4	Year End	Q4	Year End	Q4	Year End	Q4	Year End
ALR Exclusion	0	0	1	3	0	0	0	1	0	1
Boundary Extension	0	0	0	0	0	0	0	0	0	0
Board of Variance	0	4	1	6	1	2	0	0	2	6
Cannabis Retail Licensing	n/a	n/a	n/a	n/a	n/a	n/a	0	21	0	0
Development Permit	13	48	11	64	10	49	13	47	14	51
Development Variance Permit	14	47	4	28	6	28	9	22	13	46
Heritage Revitalization / Alteration	0	0	2	4	0	0	1	5	1	9
Liquor Licensing	0	2	2	9	3	20	2	18	3	10
LUC Amendment / Discharge	1	1	1	1	0	1	0	1	1	3
OCP Amendment	1	5	0	1	3	7	0	3	2	3
Revitalization Tax Exemption	0	3	1	1	0	2	0	5	2	3
Rezoning	3	17	3	14	5	34	4	20	3	18
Subdivision	5	30	5	37	5	28	8	22	8	26
Tree Removal Permit	5	20	6	25	5	30	5	25	6	33
Total Applications	42	177	37	193	38	201	42	190	55	209

Figure 5 provides a breakdown of the miscellaneous applications received in Q4 and by year end. Miscellaneous applications were similar to 2019, with 470 applications compared to 474. It should be noted, that there has been a significant increase in property information requests, up 31.6% year over year and 135.7% since 2016. Property information requests are generally stimulated by homes sales, which are reflected in overall resale activity.

Figure 5: Miscellaneous Application Summary – Q4 and Year End

Type of Application	2016		2017		2018		2019		2020	
	Q4	Year End	Q4	Year End	Q4	Year End	Q4	Year End	Q4	Year End
External Referrals	2	5	0	6	2	6	0	5	1	4
Hoarding	20	99	25	105	28	101	21	86	29	83
Moving Permit	0	0	0	0	1	1	0	0	0	0
Property Info Request	31	115	23	158	44	166	43	206	70	271
Sidewalk / Blvd Area use	0	3	0	1	0	0	1	2	0	0
Sign Permit	50	219	33	174	32	164	29	175	24	112
TOTAL Applications	103	441	81	444	107	438	94	474	124	470

Figure 6 provides a summary of the DCCs received over the past three years (2018-2020) with a quarterly breakdown for 2020; these figures include Coldstream Sewer DCCs.

Note that each year's DCC values reflect the development that was approved that year and the DCC rate applicable at that time. New park, trail and natural space development cost charges (City of Vernon Bylaw #5680 and Regional District of North Okanagan Bylaw #2789) were adopted in August 2019, and in May 2020 development cost charges were amended (City of Vernon Bylaw #5233).

DCCs collected in 2020 were similar to that collected in 2018 with only a 2.5% decrease. DCCs in 2019 were 99% higher than 2020 and 2018, largely due to the issuance of building permits for the three rental apartment buildings for Creekview Heights on Deleenheer Road (216 units) in 2019.

Figure 6: Development Cost Charges – Q4 and Year End

Type of DCC	2018	2019	2020				
	Year End	Year End	Q1	Q2	Q3	Q4	YTD
Sanitary Disposal	\$ 278,738	\$ 393,090	\$116,065	\$ 2,1248	\$ 12,929	\$ (1,187)	\$ 149,055
Sanitary Collection	\$ 183,994	\$ 209,148	\$ 62,861	\$146,422	\$ 42,508	\$109,502	\$ 361,293
Sanitary Treatment	\$ 140,138	\$ 197,232	\$ 57,684	\$ 33,661	\$ 12,697	\$ 22,649	\$ 126,691
Water Facilities	\$ 481,633	\$ 645,658	\$138,708	\$129,588	\$ 45,940	\$ 79,116	\$ 393,351
Transportation	\$ 864,306	\$3,022,155	\$512,780	\$207,421	\$215,536	\$233,737	\$1,169,473
Stormwater	\$ 119,222	\$ 108,322	\$ 38,208	\$ 85,458	\$ 23,851	\$ 65,611	\$ 213,128
Parks & Open Space (CoV, 2019)	n/a	\$ 13,225	\$129,226	\$147,360	\$ 42,593	\$ 62,800	\$ 381,979
Parks & Open Space (RDNO)	\$1,059,353	\$1,472,767	\$ 88,308	\$ 96,472	\$ 24,385	\$ 46,298	\$ 255,463
Total Value of DCCs	\$3,127,384	\$6,061,597	\$1,143,840	\$867,630	\$420,439	\$618,526	\$3,050,433

The Tourism sector has been significantly impacted by the pandemic and associated travel restrictions. (Figure 7). Room revenue and resulting Municipal Regional District Tax (MRDT) received up until October 2020 are down 28.6% compared to the same period last year. In discussions with accommodators, the spring was incredibly challenging, while the summer and fall were fairly strong considering the circumstances. The activity was inconsistent with some accommodation providers doing well and others poorly. Since additional travel advisories were re-introduced in November 2020, Administration is anticipating drastically reduced MRDT revenue through the winter.

It should be noted that on April 1, 2020, the Province of BC announced that effective March 23, 2020, businesses were able to defer their provincial sales tax remittance, including the MRDT on accommodation, until September 30, 2020. As a result, the MRDT data for February through September 2020 does not reflect monthly actuals of accommodators in Vernon.

The figure below does not include the funds collected from Online Accommodation Platforms (OAP), which began in October 2018. OAP revenue accounted for an additional \$15,758 in MRDT from October to December 2018 and \$84,425 in MRDT in 2019. This equates to an additional \$525,267 in room revenue for the last three months of 2018 and \$3.02 million in room revenue for 2019.

To date, OAP to Q3 of 2020 received totals \$60,244. This is down 11.8% compared to the \$68,306 in OAP revenue received up until Q3 of 2019.

It will likely be well into the third quarter of 2021 before the accommodator markets settle down with recovery comparable to 2019 tourism revenues not estimated to occur until 2024.

Figure 7: Municipal Regional District Tax

Month	2018 Room Revenue (Million)	2018 2% MRDT	2019 Room Revenue (Million)	2019 3% MRDT*	2020 Room Revenue (Million)	2020 3%MRDT*	YTD % Change Room Revenue
January	\$1.42	\$ 39,259	\$1.39	\$ 38,231	\$1.48	\$ 40,976	7.2%
February	\$2.13	\$ 59,773	\$1.87	\$ 51,772	\$0.38**	\$ 10,755**	-79.2%**
March	\$2.20	\$ 61,597	\$2.47	\$ 68,477	\$0.17**	\$ 4,714**	-93.1%**
April	\$2.26	\$ 63,211	\$2.21	\$ 61,209	\$0.06**	\$ 1,689**	-97.2%**
May	\$3.45	\$ 96,600	\$3.43	\$ 95,555	\$1.95**	\$ 54,678**	-42.8%**
June	\$4.51	\$125,757	\$5.12	\$142,709	\$0.84**	\$ 23,471**	-83.6%**
July	\$5.62	\$156,731	\$4.75	\$132,306	\$2.21**	\$ 61,824**	-53.3%**
August	\$4.85	\$135,348	\$4.98	\$138,860	\$8.48**	\$237,314**	70.9%**
September	\$3.89	\$108,478	\$3.93	\$109,519	\$3.74**	\$103,974**	-5.1%**
October	\$2.28	\$ 63,207	\$2.44	\$ 67,648	\$2.33	\$ 64,707	-4.3%
November	\$1.95	\$ 53,951	\$2.16	\$ 59,794			
December	\$2.04	\$ 55,252	\$2.05	\$ 56,878			
	\$36.6M	\$1,019,137	\$36.8M	\$1,022,958	\$21.64M	\$604,102	-28.6%

* Although a 3% MRDT is collected, the City of Vernon receives 2.8% of the tax with the remaining 0.2% going to the provincial Tourism Events Program.

** As noted above, figures for February to September 2020 reflect actual MRDT received by the City of Vernon during those months. However, as accommodators were not required to submit PST and MRDT to the Province of BC until September 30, 2020, the figures do not accurately reflect actual monthly room revenue collected during that time period.

The Community Infrastructure and Development Services Division intends to bring forward the quarterly and year end data for 2021 at the following Council meeting dates:

Quarter 1 → April 26, 2021

Quarter 2 → July 19, 2021

Quarter 3 → October 25, 2021

Quarter 4 and Year End → February 2022

Recommendation:

THAT Council receive the memorandum titled "2020 Planning and Building Fourth Quarter and Year End Statistics Summary" dated January 27, 2021 from the Manager, Economic Development and Tourism and Current Planning Assistant, for information.

Respectfully submitted by:

Feb 2 2021 11:20 AM

X

Kevin Poole

DocuSign

Kevin Poole
Manager, Economic Development and Tourism

X

Carie Liefke

DocuSign

Carie Liefke
Current Planning Assistant



THE CORPORATION OF THE CITY OF VERNON

INTERNAL MEMORANDUM

TO: Will Pearce, Chief Administrative Officer **FILE:** 5280-03

PC: Kim Flick, Director, Community Infrastructure and Development **DATE:** January 27, 2021

FROM: Laurie Cordell, Manager, Long Range Planning and Sustainability
Ian Adkins, Acting Manager, Roads, Drainage and Airports

SUBJECT: ORGANICS INFRASTRUCTURE AND COLLECTION PROGRAM APPLICATION

This memorandum is to request a resolution of support for an application to the provincial CleanBC Organics Infrastructure and Collection Program. This is a time sensitive grant opportunity that funds up to 2/3 of the cost of organics diversion program infrastructure and implementation.

The Council Strategic Plan 2019-2022 provides direction to investigate methods to increase recycling and alternatives to recycling, including an organics diversion plan. The draft Climate Action Plan sets targets to eliminate greenhouse gas emissions by 2050. Striving to implement these policies, Council has directed Administration to include a household organics collection program in an upcoming request for proposals (RFP) for refuse collection. Administration is conducting this process through an initial expression of interest (EOI) to determine interested parties followed immediately by an RFP. This is expected to be complete in late March, with information for Council's consideration for a decision on organics programming in April.

The Organics Infrastructure and Collection Program opportunity (Attachment 1) has been under consideration by Administration for some time. Administration has concerns about the timing of the grant in relation to Council's decision on organics collection, however, the consulting team has advised that it is unlikely that the grant will be offered next year. This grant could support both the cost of organics carts (approximately \$935,000) and initial program communications and support (approximately \$240,000) and a contingency (approximately 235,000). Total program costs would be 1,410,00. Having 2/3 of these costs covered by a grant would significantly reduce the cost of implementing an organics diversion program. The grant funds must be spent by 2024, which would provide more than adequate time for project implementation should Council opt to pursue the organics diversion program. Due to these factors, Administration has prepared, and submitted, an application for the February 2, 2021 deadline, with the understanding that should Council choose not to endorse the proposed resolution, the application would be withdrawn.

This application requires a specific resolution that commits the City to the project and the City portion of the expenditures, as well as identifying the source of program funding, should the grant be received. This resolution is to be provided within two weeks of the grant deadline. Should Council determine that pursuing household collection is not feasible for the City, Administration would reach out to the province to withdraw the application.

When funding a program such as organics diversion, many municipalities purchase carts up front and invoice the cost as a one time utility charge. In addition, additional program costs would be integrated into the standard waste collection fee. The Climate Action Revolving Fund would be a suitable source of funds for this upfront purchase. It would then be reimbursed as the carts are invoiced to residents. This grant opportunity will significantly reduce the cost to residents and increase the feasibility of starting an organics diversion program.

The resolution below reflects where the City is in its decision making around household organics collection, but provides some level of confidence that should Council decide to pursue this option, the City will have the ability to fund the program.

RECOMMENDATION:

THAT Council receive the memorandum titled "Organics Infrastructure and Collection Program Application" dated January 27, 2021 from the Manager, Long Range Planning and Sustainability and the Acting Manager, Roads, Drainage and Airports;

AND FURTHER, that Council confirms it is in the final steps of due diligence to confirm if household organics collection is feasible for Vernon;

AND FURTHER, that Council endorse an application to the CleanBC Organics Infrastructure and Collection Program for funding to support the implementation of a household organics collection program;

AND FURTHER, that Council confirms that should Council choose to move forward with the household organics collection program, the City commits to fund 1/3 of the project (up to a maximum of \$475,000) through the Climate Action Revolving Fund;

AND FURTHER, that Council directs Administration to advise program administrators of the CleanBC Organics Infrastructure and Collection Program by May 1, 2021 of Council's decision to implement a household organics collection program in the City of Vernon.


Respectfully submitted:

Feb 2 2021 10:47 AM


X 
Laurie Cordell
Laurie Cordell DocuSign

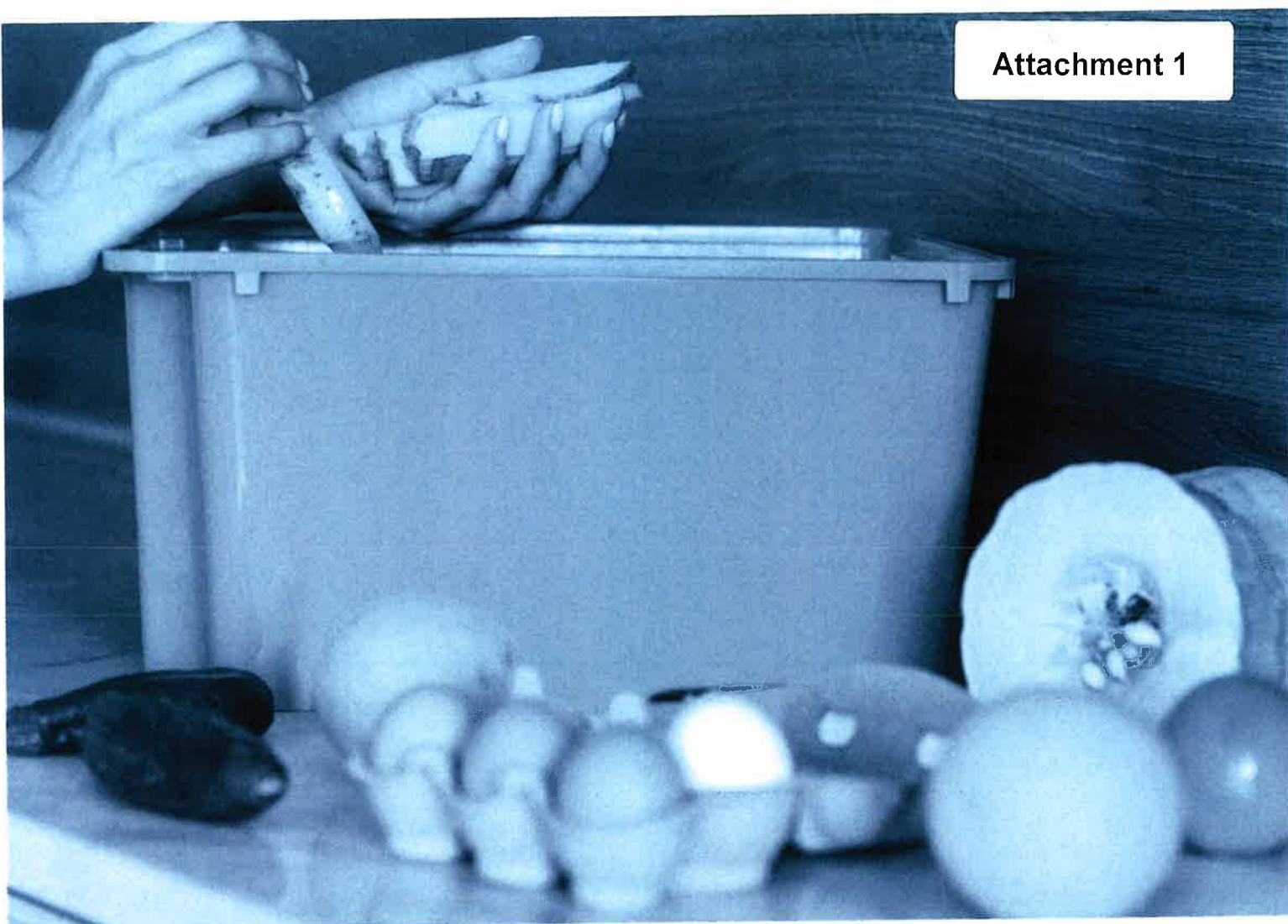
Laurie Cordell
Manager, Long Range Planning and Sustainability

Feb 2 2021 11:41 AM


X 
Ian Adkins
Ian Adkins DocuSign

Ian Adkins
Acting Manager, Roads, Drainage and Airports

Attachment 1: CleanBC Organics Infrastructure and Collection Program Guide



CleanBC Organic Infrastructure and Collection Program

PROGRAM GUIDE

Ministry of Environment and Climate Change Strategy



BRITISH
COLUMBIA

Table of Content

3	1.1.....Purpose
3	2.1.....Eligible Applicants
4	2.1.1..... Partnerships and Partnering
5	2.2.....Amount of Shared Cost Arrangements
6	2.3.....Eligible Project Criteria
7	2.3.1..... Eligible Project Categories
7	2.3.2..... Environmental Management Act
7	2.4.....Eligible Project Costs
8	2.5.....Ineligible Project Costs
9	2.6.....Ineligible Projects
10	3.1.....Application Limit
10	3.2.....Application Intake and Deadline Dates
10	3.3.....Application Guidelines
11	3.4.....Supporting Documentation
11	3.4.1..... Council / Board / Band Council or Other Appropriate Governing Body Resolution
12	3.4.2..... Detailed Timeline
12	3.4.3..... Detailed Cost Estimate
12	3.4.4..... B.C. Biogas & Composting Facility GHG Calculation Tool
13	3.4.5..... Licenses, Permits, and/or Approvals (If Applicable)
13	3.4.6..... Proof of Permission to use Site (i.e. Ownership, License, Lease, etc.) (Organic Processing Infrastructure Stream only)
13	3.4.7..... Evidence of Secured Funds
13	3.4.7.1..... Local Government Applicants
14	3.4.7.2..... Indigenous Applicants
15	3.4.7.3..... Letters of Support
15	3.4.7.4..... Other
15	3.5.....How to Apply
15	3.5.1..... Step 1: Register for Business BCeID
16	3.5.2..... Step 3: Complete Online Application Form Within the LGIS
16	3.5.3..... Step 4: Submit Supporting Documentation
16	3.5.4..... Step 5: Submit Application
17	3.6.....Application Selection Criteria and Assessment
17	4.1.....Terms and Conditions
18	4.2.....Transfers Between Projects
18	4.3.....Reporting Requirements
18	4.4.....Signage
18	4.5.....Payment of Shared Cost Arrangements
19	4.6.....Procurement
19	4.7.....Claim Period and Expiry of Shared Cost Arrangements
19	4.8.....Events and Communications
20	5.1.....Ministry of Environment and Climate Change Strategy (ENV)
20	5.2.....Ministry of Municipal Affairs and Housing (MAH)
20	5.2.1..... LGIS Systems Contact

1. Program Overview

1.1. Purpose

The CleanBC Organic Infrastructure and Collection Program (OICP) was developed to reduce greenhouse gas (GHG) emissions, by diverting increased amounts of organic waste from material that is currently being sent to landfills.

The OICP will support communities throughout BC, by investing up to \$25.7 million in new, or expanded, organic waste processing infrastructure, and residential organic waste collection programs. The Province will contribute of up to two-thirds of eligible project costs, to facilitate the diversion and processing of organic waste.

Under the OICP, eligible applicants, such as eligible Indigenous governing bodies, regional districts and municipalities, will be able to apply for funding through two distinct project streams:

1. **Organic Processing Infrastructure:** Funding under this stream will support eligible applicants with the building of new, or the expansion of existing, organic waste processing infrastructure that will result in increased processing capacity.
2. **Residential Curbside Collection:** Funding under this stream will support eligible applicants in the development of new, or the expansion of existing, residential organic waste curbside collection programs that result in an increased amount of organic waste diverted from landfills. Under this stream, funding will be provided for program materials, such as: the purchasing of curbside and/or kitchen collection bins, development of communication and educational outreach packages and/or programs, and the initial distribution of funded materials to residents.

2. Eligibility Criteria

2.1. Eligible Applicants

An eligible applicant must be one of the following:

- » A regional district,
- » Greater Vancouver Sewerage and Drainage District,
- » A municipality, including City of Vancouver,
- » An Indigenous governing body, as defined in the *Declaration on the Rights of Indigenous Peoples Act*.

2.1.1. Partnerships and Partnering

Eligible applicants may enter into partnership agreements with other local governments to support project delivery.

Partnering, as defined as arrangements where a local government delivers organic infrastructure or collection services through a partnering agreement under section 274 of the *Local Government Act* or section 21 of the *Community Charter*, or an Indigenous governing body delivers services through contract with an Indigenous development corporation, local government, for profit corporation or other entity, is also permitted under this funding program. Applicants may enter into partnering agreements with Indigenous development corporations and for-profit entities, as long as the applicant receives significant and intended material benefit(s) from the project for the duration of the funding agreement and the partnering agreements comply with all applicable legislation and regulations.

If the applicant is successful and receives funding, the applicant will be held as ultimately responsible for the project deliverables and long-term delivery of the project. Recipients may be required to return funding if projects are not completed or the infrastructure is not retained in service by the intended recipient until at least 2034, if claimed costs are found to be ineligible, or in other situations where the funding agreement is not complied with.

Demonstration of significant and intended material benefits to the applicant will vary depending on the regional context. Examples therefore include, but are not limited to:

- The applicant will own the equipment or facilities and contracts for their improvement; and construction and/or operation of the facility could proceed via a partnering agreement.
- The applicant will fund a for-profit entity through a partnering agreement to undertake their project that will be owned and operated by the for-profit entity, where the for-profit entity will provide organic waste processing services to the applicant at minimum 30% below market rate, and have designated access to a minimum 75% of funded capacity for the duration of the funding agreement.

If organics services are being delivered for an eligible applicant by other persons, the applicant must enter into a partnering agreement in compliance with the *Local Government Act* or *Community Charter*, prior to the start of the project.

Neither partnerships nor partnering are requirements of this program. Applicants with partners and/or partnerships remain fully accountable and liable for the project.

2.2. Amount of Shared Cost Arrangements

The Province will contribute up to two-thirds of eligible costs to successful applicants. Recipients will be responsible for funding the remainder of their eligible costs. Amounts not funded through the OICP may be funded directly by the recipient, or from other funding sources. The recipient will be responsible for securing all funding not provided by the OICP.

Shared Cost Arrangements will be awarded up to a maximum of \$25,700,000 for all Shared Cost Arrangements and be distributed across the two funding streams based on the number of applicants, and evaluation during the Province's technical review process.

All ineligible project's costs, and any cost overruns are the responsibility of the recipient. Recipients may use funding from other federal or provincial programs as a contribution towards their one-third share on their projects. However, the source of these funds must be indicated on the application form and a statement to indicate if the funding is required for the project to be successful. The disclosure of other funding sources must be provided by the recipient up to the completion of the project.

The applicant must demonstrate that their share of funding has been, or is being secured, and that a plan is in place to cover any cost overruns beyond budgeted contingencies. Further, the application must demonstrate that funds have been committed to operate and maintain the project until at least 2034.

Combined funding sources from other programs (federal and/or provincial) cannot exceed 100% of the eligible project costs. Preference may be given to projects that require the OICP funding to make the project viable. Applicants may be required to identify the minimum provincial contribution that will allow the project to move forward. Consideration will be given to applications of any value provided they meet the OICP eligibility project criteria.

Applicants may use internal funding sources to meet their contribution. This may include monies from the Gas Tax Agreement Community Works Fund, local sources (e.g., borrowing, reserve funds), and Small Community and Regional District Unconditional Grant Programs. It is the responsibility of the successful applicant to comply with fund stacking rules of other federal and/or provincial programs.

2.3. Eligible Project Criteria

Projects must meet all applicable criteria under their respective funding stream to be considered eligible for funding under the OICP:

Funding Stream	Criteria Requirement
Organic Processing Infrastructure	<ul style="list-style-type: none"> • Must divert organic waste from landfills to an organic processing facility. • Must result in quantifiable GHG emission reductions from organic waste. • Must create additional organic waste processing capacity in BC, through the construction of new, or the expansion of existing, facilities. • Must process organic waste for beneficial re-use. • Must be located in BC. • Must have secured site location. • Must have Council / Board / Band Council or other appropriate governing body resolution. • Must align with applicable regional Solid Waste Management Plan. • Must commit to one-third of eligible project costs. • Must commit to having construction completed and systems operational by March 31, 2024. • Must commit to being operational until at least March 31, 2034. • Must commit to reporting on GHG emission reductions until at least March 31, 2034. • Must comply with all applicable federal, provincial, and municipal laws. • If the project involves a partnership agreement between the applicant and a for-profit entity, the applicant must receive significant and intended material benefit(s) of the funding.
Residential Curbside Collection	<ul style="list-style-type: none"> • Must result in an increased quantity of organic waste diverted from landfills. • Must create new, or expanding of existing, residential organic curbside collection programs to include collection of additional types of organic materials or expanding the service area of residential curbside collection services. • Must result in quantifiable GHG emission reductions from organic wastes. • Must collect only residential organic waste. • Must divert organic waste to an organic processing facility that is currently operational or planned to be operational by the time the collection program commences. • Diverted organic waste must be processed for beneficial re-use. • Must be located in BC. • Must have Council / Board / Band Council or other appropriate governing body resolution. • Must align with applicable regional Solid Waste Management Plan. • Must commit to one-third of eligible project costs. • Must commit to having programs operational by March 31, 2024. • Must commit to being operational until at least March 31, 2034. • Must commit to reporting on GHG emission reductions until at least March 31, 2034. • Must comply with all applicable federal, provincial, and municipal laws. • If the project involves a partnership agreement between the applicant and a for-profit entity, the applicant must receive significant and intended material benefit(s) of the funding.

2.3.1. Eligible Project Categories

Examples of eligible projects include, but are not limited to:

Organic Processing Infrastructure Stream:

Organics processing infrastructure which may include:

- Composting facilities, including new, or the expansion of existing, facilities that will result in increased processing capacity.
- Anaerobic Digesters, including new, or the expansion of existing, facilities that will result in increased processing capacity.

Residential Curbside Collection Stream:

Residential Curbside Collection Programs which may include:

- » Purchasing of curbside bins used for collection;
- » Purchasing of kitchen bins used in households;
- » Development of communication and educational outreach packages and/or programs that facilitate success of the proposed curbside collection program; and,
- » The initial distribution of anticipated funded program materials, listed above, to residents.

2.3.2. Environmental Management Act

All successful OICP projects, including projects on federal land, will be required to comply with the *Environmental Management Act*.

2.4. Eligible Project Costs

Eligible costs will be all costs that are considered by the Province to be direct and necessary for the successful implementation of the project, including:

- a. Management and professional service costs, such as accounting, communications, audit charges, GHG emission reduction and cost-per-tonne estimate verification, and results monitoring, measuring and reporting.
- b. Material and supplies costs.
- c. Printing, production and distribution costs.
- d. Equipment and capital assets purchase or rental, except vehicles.
- e. Contractors required to perform activities related to the project components.

- f. Any GST/HST that is not reimbursable by CRA, and any PST not reimbursable by the Province.
- g. Administrative and overhead administration costs, which includes incremental human resource costs, including salaries and benefits.
- h. Initial distribution costs of funded curbside collection program materials, such as collection bins, and communication and educational outreach packages and/or programs to residents.
- i. Other costs that, in the opinion of the Province, are direct and necessary for the successful implementation of a project and have been approved by the Province in writing prior to being incurred.

2.5. Ineligible Project Costs

Ineligible project costs and any cost overruns of the proposed budget are the responsibility of the applicant and are not considered as part of their contribution towards eligible project costs. In addition, the following are considered ineligible project costs:

- a. Costs incurred prior to contract being signed with Province for funding.
- b. Amounts previously reimbursed under other federal and/or provincial funding programs.
- c. Costs incurred for withdrawn or cancelled project components.
- d. Land acquisition, leasing land, buildings and other facilities, leasing equipment other than equipment directly related to the construction of a project, real estate fees and related costs.
- e. Financing charges, legal fees, and loan interest payments, including those related to easements (e.g. surveys).
- f. PST and GST/HST, for which the recipient is eligible for a rebate and any other cost eligible for rebates.
- g. Any good or service received as a donation or in-kind contribution.
- h. Insurance.
- i. Professional membership dues or licenses.
- j. Depreciation / amortization expenses.
- k. Office rent, maintenance expenses, and utilities.
- l. Business meeting expenses.

- m. Travel costs.
- n. Vehicle rental, purchasing, operation, maintenance, and repair costs.
- o. Facility and/or residential organic curbside collection program operational, maintenance and/or repair costs.
- p. Feasibility studies and pilot projects.
- q. Eligible costs incurred after March 31, 2024.

2.6. Ineligible Projects

A project will be deemed ineligible if one or more of the following applies:

- a. The applicant does not meet one of the criteria for eligible applicants (section 2.1).
- b. The project does not meet all the eligible project criteria under its respective funding stream (section 2.3).
- c. Funding is requested for costs that are deemed entirely ineligible.
- d. Funding is requested for infrastructure that does not directly result in the increase of organic waste processing capacity and/or the collection of residential organic waste. This includes, but is not limited to, waste transfer stations, waste hauling vehicles, and municipal wastewater treatment systems.
- e. Funding is requested for the residential organic curbside collection stream that does not directly result in an increase in organic waste diversion or is deemed solely for educational or promotional materials.
- f. Funding is in whole or part to be used towards feasibility studies and pilot projects.
- g. The proposed project is deemed by the Province to be routine operations, maintenance or repair.
- h. The Province does not consider the project to have a reasonable plan for completion of construction and beginning of operations by to March 31, 2024.
- i. The Province does not consider the project to have a reasonable plan for operations until at least March 31, 2034.
- j. The proposed project is deemed by the Province to not be in compliance with the *Environmental Management Act*.
- k. The project does not otherwise meet the mandatory requirements as outlined in the Program Guide.

3. Application Process

3.1. Application Limit

Each applicant must submit one application for each proposed project. An applicant may apply under both funding streams and may submit multiple projects. The applicant should be prepared to proceed with all projects for which applications are submitted. If an applicant submits multiple projects, the applicant can request that proposed projects be considered collectively in a “fund all-or-none” scenario if there are critical interdependencies.

3.2. Application Intake and Deadline Dates

The application period for the following streams are:

- Application submission period for the **Organic Processing Infrastructure Stream** is between **November 10, 2020** and **February 4, 2021** [4:00pm PST].
- Application submission period for the **Residential Organic Curbside Collection Stream** is between **November 10, 2020** and **February 2, 2021** [4:00pm PST].

All application forms and supporting documentation, unless approved by the Ministry of Environment and Climate Change Strategy (ENV), must be submitted on the Local Government Information System (LGIS) and received by the deadlines indicated above.

3.3. Application Guidelines

For each project submission an applicant must submit a completed application form, and mandatory supporting documentation, through the LGIS. Applicants are responsible for ensuring that complete, and accurate information, is submitted. Applications with incomplete information may not be considered.

Applicants should be aware that information collected is subject to the *Freedom of Information and Protection of Privacy Act*. The information being collected is for the purpose of administering the OICP, and will be used for the purpose of evaluating eligibility and project ranking under the OICP. Any questions about the collection, use or disclosure of this information should be directed to the contacts at the end of this guide.

If it is not possible to complete the application form electronically, or if you have questions about the materials required, please contact the ENV program staff by referring to the contact information within section 5.1.

If you experience technical difficulties using the LGIS, or require guidance please contact the Ministry of Municipal Housing and Affairs (MAH) by referring to the contact information within section 5.2.

3.4. Supporting Documentation

In addition to the completed application form, applicants must include the following mandatory documents in their application submission through the LGIS:

- Council / Board / Band Council or other appropriate governing body resolution;
- Detailed project timeline;
- Detailed cost estimate;
- B.C. Biogas & Composting Facility GHG Calculation Tool; <https://www2.gov.bc.ca/gov/content/environment/waste-management/food-and-organic-waste/organic-waste-diversion/cleanbc-organic-infrastructure-and-collection-program>
- Licenses, permits, and or/ approvals (if applicable);
- Proof of applicant's permission to use site (i.e. ownership, license, lease, etc.) (*Organic Processing Infrastructure Stream only*); and
- Evidence of secured funding for applicant's portion of project finances.

Applicants will also be prompted to submit the following optional documents in their application submission through the LGIS:

- » Letters of support.

The applicant will be prompted for required documents through the online application process. More information on each of the supporting documents is provided in the sections that follow.

Applications will be assessed based on the information provided. Insufficient information may negatively impact the assessment of the application.

3.4.1. Council / Board / Band Council or Other Appropriate Governing Body Resolution

A resolution, or adopted bylaw, endorsing the project **and** committing to funding the applicant's share of costs, must be approved by the appropriate authorized governing body, such as, a council, board or band council. This resolution, or adopted bylaw, must be submitted at the time of application submission. If this deadline is not possible due to infrequent council, board or band council meetings, then the applicant must submit the resolution within two weeks of the application deadline date, or by a date otherwise approved by ENV. Please indicate on the application form when submission of the resolution, or adopted bylaw, will be expected to occur.

Note that the resolution, or the adopted bylaw, **must** commit the applicant to contributing its one-third share of the eligible costs, and ineligible costs and overages related to the project. It must also identify the source of the applicant's share of the project costs.

Projects not supported by an appropriate resolution, or adopted bylaw, submitted within the allowed timeframe, will not be considered.

Detailed Timeline

There is no template provided for the detailed timeline. The timeline should include, as applicable, time allocated for consultation, design, obtaining permitting and approvals, construction, procurement, operation date and program reporting. The timeline should also provide a schedule for adopting any bylaws required to bring the project into operation (e.g. service bylaws). The timeline should correspond closely to the detailed cost estimate to illustrate the planned timing of spending.

3.4.2. Detailed Cost Estimate

A detailed cost estimate should be completed using the template provided. Detailed costs estimates must include but are not limited to: a breakdown of overall project costs (i.e. planning, design, construction, procurement of bins, administrative cost, staffing, other), and an itemized description including the cost per unit of measure and number of units for eligible and ineligible costs. Within the template, applicants are to identify which costs are eligible and which are ineligible, and to state what class or confidence level the estimates are (e.g., class B or the level of confidence of the proposed cost estimate). Detailed cost estimates must include a date and explanation of any assumptions made. As much as possible, the cost estimate should use similar breakdowns to the timeline so that the two documents will help ENV program staff forecast project spending.

If the proposed project is part of a larger project, the detailed cost estimate should only include the costs for the project being applied for. If a project can be broken into phases, a separate detailed cost estimate may be submitted for each phase being applied for. Phases should be indicated on the timelines.

IMPORTANT: It is necessary to provide up-to-date, detailed, and complete cost estimates. Cost estimates should identify and account for inflation, increasing construction costs and possible delays in start and completion dates. Some factors that may delay construction include: the timing of the Shared Cost Arrangement's announcement date, public consent, weather and construction seasons, delays in an environmental assessment process (if applicable), right of way negotiations, regulatory applications, etc.

3.4.3. B.C. Biogas & Composting Facility GHG Calculation Tool

A completed copy of the B.C. Biogas & Composting Facility GHG Calculation Tool (GHG Tool), showing GHG emission reductions from project completion until at least March 31, 2034, must be submitted as part of the application. The GHG Tool will be used to indicate if quantifiable GHG emission reductions will be realised from this project from the inputs requested in the tool. Refer to the website <https://www2.gov.bc.ca/gov/content/environment/waste-management/food-and-organic-waste/organic-waste-diversion/cleanbc-organic-infrastructure-and-collection-program> to address any questions specific to the GHG Tool.

Licenses, Permits, and/or Approvals *(If Applicable)*

All applicants are required to investigate and submit a list of municipal, provincial, and/or federal authorizations such as licenses, permits and approvals which are required for the project to proceed, and they must advise on the status of any that have been applied for.

If licenses, permits and/or approvals have already been obtained, copies may be requested to be submitted as part of the application assessment process.

3.4.4. Proof of Permission to use Site (i.e. Ownership, License, Lease, etc.) *(Organic Processing Infrastructure Stream only)*

Applicants must submit proof of site ownership and details of the ownership type.

A copy of the land title is considered the most suitable proof of site ownership. Land titles can be obtained through the Land Title and Survey Authority of British Columbia, <https://ltsa.ca/property-information/search-title>.

If the land is owned by a party other than the applicant, then a copy of the lease, or licence, should be uploaded. The term of the lease, and/or licence, must be indicated and be at least until March 31, 2034.

3.4.5. Evidence of Secured Funds

Evidence that the applicant's full share of funding has been or will be secured is required. This evidence may be in the form of staff reports and/or resolutions of board/council directing the use of reserve funds, recent bank statements showing that the amount is on hand, or a line of credit letter of approval (for non-local government entities).

Further details on appropriate evidence of secured funds is provided by applicant type below.

3.4.5.1. Local Government Applicants

If a local government applicant has accumulated funds in a statutory reserve to finance a share of project costs, they should submit evidence of these funds at application date, and supporting information, directing and authorizing, the use of the reserve funds for the project.

If a local government intends to borrow a share of the project costs, a council resolution approving the initiative and directing staff to prepare a bylaw to authorize the borrowing of funds, needs to be submitted with the application. This request ensures that the board, or council, of a local government is aware of the need to borrow, and has expressed its initial approval of that borrowing.

If the local government intends to borrow funds under the authority of a short-term capital borrowing bylaw, a certified copy of the bylaw, along with the approval of the Inspector of Municipalities, will be required prior to grant funds being released to the local government.

If the local government intends to borrow funds under the authority of a loan authorization bylaw for long-term borrowing ("loan authorization bylaw"), a certificate of approval of the Inspector of Municipalities, issued under section 760 of the *Local Government Act*, will be required prior to grant funds being released to the local government.

Section 24(7) of the *Environmental Management Act* may allow for a loan authorization bylaw to be adopted for the purpose of implementing a Solid Waste Management Plan without obtaining the approval of electors (municipalities), or participating area approval (regional districts). ENV's 2016 publication titled, *A Guide for Solid Waste Management Planning*, <https://www2.gov.bc.ca/assets/gov/environment/waste-management/garbage/swmp.pdf> provides that local governments may borrow money without the approval of electors for the purpose of implementation of an approved Solid Waste Management Plan provided that:

- a. The capital projects being borrowed for are identified in the plan;
- b. The capital costs related to these projects are identified in the plan;
- c. The plan has been approved by the Minister; and,
- d. The plan is current.

Local governments who will have their one-third share of funding provided from the party, with whom they have a partnership agreement, should provide a recent bank statement from that party showing the amount is on hand, or a line of credit letter of approval. In addition, the letter of support from this party must indicate that they commit to providing this funding.

A financial analysis may be completed as part of the application review. This will include a review of information submitted within the application, and in addition, for local governments, a review of the periodic financial information available to MAH. This periodic financial reporting information is available on MAH files, and thus, does not need to be submitted with an application.

3.4.5.2. Indigenous Applicants

The Indigenous applicant must demonstrate that their share of funding has been, or is being secured, and that a plan is in place to cover any overruns beyond budgeted contingencies.

3.4.6. Optional Supporting Documentation

3.4.6.1. Letters of Support

Letters of support should reference the project name, the date, applicant's name, and nature of support. Letters of support are optional and must be submitted at the time of application submission, through the LGIS. No template will be provided.

3.4.6.2. Other

Applicants may choose to submit additional documentation to further demonstrate their project's ability to meet the selection criteria. Some examples of supporting documentation include, but are not limited to, the following:

- Demonstration of how this project incorporates into the region's Solid Waste Management Plan;
- Engineering feasibility study of options along with detailed cost estimates and design criteria, with sufficient details to fully describe the project;
- Applicable information from project consultation (Indigenous communities, Stakeholders, and Public); and,
- An Asset Management Plan and/or policy which details long term sustainable management (see <https://www.assetmanagementbc.ca>).

3.5. How to Apply

3.5.1. Step 1: Register for Business BCeID

All applicants will require a Business BCeID to apply for funding. **Applicants should complete their registration for a Business BCeID as soon as possible, as it can take up to three weeks to obtain.**

New users are encouraged to start the process of requesting a Business BCeID as early as possible. If you do not know if your organization has a Business BCeID, there is a business directory in the link provided below, where you can search for your business name and, if it exists, you can view who the account administrator is.

For more information on obtaining a Business BCeID, please visit:

https://www.bceid.ca/register/business/getting_started/getting_started.aspx

3.5.2. Step 2: Request Access to the LGIS

Once a Business BCeID is obtained, the next step is to request access to the LGIS.

To obtain access to the LGIS, visit: <https://www.localgovernmentinformationsystem.gov.bc.ca/LGIS/>

- Complete and submit the Request Access form.
- This process requires verification; it is not instant. **The LGIS set up can take up to 5 business days**; please note that requests submitted close to the application deadline may take longer to process and will be processed in the order in which they are received.
- MAH will notify you once the LGIS access has been granted.

If your access to the LGIS is already in place for the organization wishing to apply, then use the same link as above to create, complete and submit your application.

For detailed step by step instructions of how to navigate in the LGIS to create, save and submit the application form, please go to the LGIS Learning Training Centre, by visiting: <https://usertraining.localgovernmentinformationsystem.gov.bc.ca/LGISTraining/videos.htm>

3.5.3. Step 3: Complete Online Application Form Within the LGIS

The application form can be accessed under the "Conditional Grants" menu in the LGIS. Select "Applications", and then click, "Create New Application". Select the program from the drop-down menu, and click, "Create". Once an application is submitted it is no longer editable.

3.5.4. Step 4: Submit Supporting Documentation

The applicant will be prompted for supporting documents, listed in section 3.4, throughout the online application process.

3.5.5. Step 5: Submit Application

Review the application to ensure that all information is complete, correct, and that all mandatory documents are uploaded. A statement by a Financial Approver and Project Manager certifying that the information contained in the application is correct, and complete, will be required as part of the online application submission.

3.6. Application Selection Criteria and Assessment

Proposed projects will be evaluated and/or ranked based on their contributions towards:

- Reducing GHG emissions from organic waste within the Province;
- Reducing organic waste being sent to landfill; and,
- Increasing the beneficial re-use of organic waste material.

In addition to the above, projects may also be evaluated and/or ranked based on the following:

- Value for money;
- Contribution to community objectives and basis on community need for services;
- Comprehensiveness of project scope, design and budget;
- Ability to deliver the project to a high standard;
- Long-term sustainability, including operational viability, asset management for sustainable service delivery, and considerations of climate change impacts;
- Working with and support from local governments, Indigenous communities and the public;
- Best environmental management practices;
- Ability to enhance and protect public and environmental health;
- If applicant is partnering with a for-profit entity, the significant and intended material benefit being received by the applicant;
- Other funding sources; and
- Regional distribution of projects.

Projects will be assessed on how they meet these criteria. Those applications that can effectively demonstrate how they are able to meet the selection criteria will have the greatest opportunity in being considered for approval. Please provide enough information to enable a proper assessment of your project.

4. Approval and Payments

4.1. Terms and Conditions

If approved, applicants will receive a Shared Cost Arrangement that sets out the terms and conditions of the funding. This will confirm all parties' understanding of the project and the maximum funding amount to which the applicant is entitled. Conditions may be attached to projects in order to ensure that the program's goals and objectives are met, and that the *Environmental Management Act* applies to protect the environment. The conditions in the Shared Cost Arrangement will need to be met in order to receive reimbursement from the Province. Non-compliance with Shared Cost Arrangements may trigger the need to reimburse funding to the Province.

4.2. Transfers Between Projects

Shared Cost Arrangements are project-specific and may not be transferred from an approved application to a new proposal. Any diversion from the project description, as provided by either the initial terms of reference, a consultant's proposal or a detailed work program, may be considered only with approval from ENV. Any project scope change must produce similar results to that for which the Shared Cost Arrangement was approved.

4.3. Reporting Requirements

Successful applicants will be required to meet program stipulations and/or program monitoring requirements. Reporting requirements will be detailed in the Shared Cost Arrangement. Reporting requirements for this program may include, but are not limited to, monthly budget forecast reports, quarterly periodic progress reports, and a final portfolio report. These reports are intended to provide the Province with regular updates on budget forecasting, timelines, percentage completion, and milestones. Reports must be completed and submitted in the format, specified by ENV, in the Shared Cost Arrangement.

4.4. Signage

Recipients will be required to provide and install signage in accordance with the terms of the Shared Cost Arrangement. The successful applicant is responsible for paying the cost and installation of such signage. The expense is deemed to be an eligible cost. The design, wording and specifications of such signage require ENV approval.

Payment of Shared Cost Arrangements

To request payment under the Shared Cost Arrangements, applicants must complete, sign and submit claims for eligible costs within the LGIS. A detailed cost summary for all work undertaken to complete the project must be submitted with the claim form. Should the summary show unreasonable or ineligible costs, claims may be denied or reduced.

The total amount payable will not exceed either the amount noted in the Shared Cost Arrangement, or the approved percentage of the actual cost, whichever is less. If it is found that the amount of any claims made and paid out, which are not in accordance with the Shared Cost Arrangement, then the amount of the overpayment may be deducted on the next claim payment(s). If the final payment has been made before the overpayment is corrected, then the recipient will need to repay the overpayment to the Province. A final report detailing project performance must be completed and submitted with the final claim upon project completion. Ten percent of the project funding will be withheld until the project is deemed complete and all final reports have been submitted.

4.5. Procurement

It is expected that all contracts for works associated with a project will be awarded in a way that is fair, transparent, competitive, and consistent with value for money principles, or in a manner otherwise acceptable to the Province, and if applicable, in accordance with the Canadian Free Trade Agreement and international trade agreements.

All contracts for works associated with the project must be publicly tendered, unless otherwise approved by the Province. The Province reserves the right to review the applicant's procurement and tendering policies and practices relating to the contracts at any time from the date of approval of the project. Conditions will be set out within the successful applicants Shared Cost Arrangement.

If the Province determines that a contract is awarded by the successful applicant in a manner that does not align with the conditions within the Share Cost Arrangement, the Province may deem the costs associated with the contract to be ineligible.

4.6. Claim Period and Expiry of Shared Cost Arrangements

The claim period for the project and the expiry date for the funding will be set out in the Shared Cost Arrangement between the Province and the successful applicant. Requests for an extension of this claim period will only be considered where there are unforeseen, or extenuating circumstances. Such requests will not be considered if received after the end of the claim period. In any event, no claims for payment received after March 31, 2024, will be approved for payment.

4.7. Events and Communications

ENV appreciates at least 15 working days notice of any scheduled communications materials or public events relating to your project. Please keep the ENV informed of all upcoming opportunities.

5. Contact Information

5.1. Ministry of Environment and Climate Change Strategy (ENV)

For program and project questions please contact staff at the Ministry of Environment and Climate Change Strategy at:

Ministry of Environment and Climate Change Strategy
Environmental Protection Division
PO Box 9312 STN PROV GOVT
Victoria, BC V8W 9M1

Email: organicsfund@gov.bc.ca

Website: <https://www2.gov.bc.ca/gov/content/environment/waste-management/food-and-organic-waste/organic-waste-diversion/cleanbc-organic-infrastructure-and-collection-program>

5.2. Ministry of Municipal Affairs and Housing (MAH)

5.2.1. LGIS Systems Contact

For LGIS system questions please contact the Ministry of Municipal Affairs and Housing at:

Ministry of Municipal Affairs and Housing
Phone: 250-387-4060
Email: infra@gov.bc.ca



THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Will Pearce, CAO **FILE:** 4000-01-2021
PC: Debra Law, Director, Financial Services **DATE:** January 19, 2021
Patti Bridal, Director Corporate Services
FROM: Cindy Barker, Specialist, Financial Services
SUBJECT: DISTRIBUTION OF CHARITABLE FUNDS - 2021 KINDNESS METERS DONATIONS

Council approved the installation of Kindness Meters in the downtown area at their regular meeting of June 13, 2016. Council resolved to provide funds collected by the Kindness Meters to organizations providing assistance and food services to those in need in the community. Listed below are a number of service providers who deliver a range of services to individuals, groups and families in need. The list is lengthy, but not exhaustive. Council may choose to provide all funds contributed by the public into the Kindness Meters to one service provider for the 2021 funds, or may wish to add or remove service providers as they see fit.

Kindness meter donations have been distributed to the following organizations:

- In 2019, the Vernon Community Dental Access Centre received a total donation of \$711.10.
- In 2018, the North Okanagan Youth and Family Services received a total donation of \$672.47.
- In 2017, the Upper Room Mission received a total donation of \$1,798.68.
- In 2016, the Salvation Army Food Bank received a total donation of \$1,863.82.

2020 revenues from the Kindness meters were \$386.16.

For Council consideration for the distribution of the Kindness Meter funds, the following assistance services include, but are not limited to:

- Vernon & District Hospice Society – Provides quality end of life care services, including grief and bereavement programs;
- Turning Points Collaborative Society – Housing, employment services, shelter and addictions recovery services;

- Archway Society for Domestic Peace – Temporary housing for Women and children fleeing abusive relationships;
- Vernon Native Housing Society- Housing Society for Aboriginal and Non-Aboriginal individuals and families.
- Kindale Development Association – Also known as “Under One Roof” provides a broad range of programs and services to persons with developmental and other disabilities.
- People Place Society – Provides Social Service agencies a safe location to offer counselling and support services to persons who require help, especially for those with low income.

RECOMMENDATION:

THAT Council directs Administration to forward the proceeds in the amount of \$386.16 obtained from the Kindness Meter program for the calendar year 2020 to:
 _____ (to be cited by Council).

Respectfully submitted:

Cindy Barker

Digitally signed by: Cindy Barker
 DN: CN = Cindy Barker email =
 CBarker@vernon.ca O = City of
 Vernon
 Date: 2021.02.01 12:57:10 -08'00'

Cindy Barker, Specialist Financial Services



THE CORPORATION OF THE CITY OF VERNON

INTERNAL MEMORANDUM

TO: Will Pearce, CAO **FILE:** 1700-02

PC: Directors **DATE:** January 29, 2021
Manager, Communications and Grants
Manager, Financial Planning and Reporting

FROM: Debra Law, Director, Financial Services

SUBJECT: 2022-2026 Financial Plan Schedule

The Proposed Financial Plan Schedule (Attachment 1) is similar to the schedule from the past few years. The proposed schedule will result in an adopted Financial Plan bylaw that is reflective of Council's direction provided during its 2019-2022 Strategic Plan review in June, and will provide for timely adoption of the 2022-2026 Financial Plan bylaw at the beginning of 2022.

Each year, a Special Regular meeting is held with Council to provide a 2019-2022 Strategic Plan update and to present current issues influencing the next year's Financial Plan. Administration is recommending this meeting be held on Monday, June 21, 2021 at Laker's Clubhouse.

Last year, due to the onset of COVID-19, Council decided to forgo a website survey of citizens. For this year, Administration recommends conducting a website survey of citizens in June 2021. The results of the survey will be presented to Council at the July 19, 2021 regular meeting.

Starting in July 2021, Directors and Managers will be tasked to prepare their respective budgets by updating the 2022 – 2026 cost centres in the City's budgeting software (Questica). Directors and Managers also update the Highlights of the current year (2020), the Outlook for the coming year (2022) and explain budget changes from 2021 to 2022. Once they have completed this task, the 2022-2026 Financial Plan is reviewed by Administration, compiled and summarized for Council presentation at the first regular Council meeting in November (November 8, 2021).

Administration recommends scheduling two days for the deliberation of the Proposed Financial Plan package to Council on November 29 and 30, 2021. At least one public input session will occur during deliberations. This timeline is recommended based on the duration of last year's deliberations, plus allows for extra time if needed. This will allow for Administration to prepare for the initial three readings of the 2022-2026 Financial Plan Bylaw at the regular meeting of Council on December 13, 2021.

RECOMMENDATION:

THAT Council approve the 2022-2026 Financial Plan timeline as set forth in the memo from the Director, Financial Services dated January 29, 2021 titled 2022-2026 Financial Plan Timeline;

AND FURTHER, that Council approve a Special Meeting of Council held at Lakers Clubhouse on Monday, June 21, 2021 to review the progress of the 2019-2022 Strategic Plan and review the issues influencing the 2022-2026 Financial Plan;

AND FURTHER, that Council approve Special Meetings of Council to be held on November 29 and 30, 2021 to deliberate the 2022-2026 Proposed Financial Plan.

Respectfully submitted:

A handwritten signature in blue ink, appearing to read "Law", with a stylized flourish.

Debra Law

PROPOSED 2022-2026 FINANCIAL PLAN SCHEDULE

DATES	DESCRIPTION OF ACTIVITY
June 7 – 25	2022-2026 Financial Plan Survey of citizens
June 16 - 30	Budget process training for budget holders
June 21	Special Committee of the Whole meeting – 2019-2022 Strategic Plan Review and issues influencing the 2022-2026 Financial Plan
July 5 – August 31	2022-2026 Budget software (Questica) opened to Managers
July 5 – August 27	Manager meetings with Financial Services staff
July 19	Survey results presented to Council
August 31	Department budgets due to Financial Services, Questica closed end of day
September 1 – October 1	CAO/CFO Department Summary reviews with Directors/Managers
October 1	Last day for changes to department budgets (done by Finance staff)
October 14 – 22	Directors review of Division Summaries completed
November 8	Presentation of Proposed Financial Plan to Council
November 29 – 30	Council deliberations of Proposed Financial Plan
December 13	2022-2026 Financial Plan Bylaw – first 3 readings



THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Will Pearce, CAO

FILE: 6100-14

PC:

DATE: February 2, 2021

FROM: Chris Ovens, Acting Director, Operations Service

SUBJECT: GEESE CULL

This memo is to provide Council with further clarification regarding the direction provided to Administration on January 25, 2021. As directed Administration has initiated the permitting process. The plan and permits for a geese cull will take approximately three to four weeks to complete with the assistance of a hired qualified professional. There are three components that are required which are: the Management Plan for geese within the Vernon area only; an animal care application; and a general wildlife permit. The Management Plan will advise how Vernon is to deal with the geese during various circumstances and which techniques (non-lethal/lethal) should be used. **The plan and permits with the professional assistance will cost approximately \$7,000.**

The plan and permits are then submitted to the provincial and federal government. Administration has looked into the timeframe that both governments would need for their review. The provincial review will take approximately two months and once the province has approved the plan and permits their approval is sent to the federal government. The federal review will take approximately one month. Both the provincial and federal permitting officers are new to their respective roles and therefore the reviews may take longer. The total time frame is roughly 4 months to obtain all of the approvals that are required.

Once all approvals have been obtained a qualified contractor will be hired to complete the round up of the geese. This will occur when the geese molt (lose their flight feathers) which is in June. Therefore, the round up will capture both the adult geese and their young. Most of the geese will be resident geese however the round up may include a limited number of migratory geese. The round up team will consist of 9-10 qualified personnel. Many kayaks will be covering the lake and corralling the geese into a specified area that is designated in the management plan. The area that the kayaks will cover will encompass all of the beaches including Paddlewheel, Lakeshore and Kin Beach. The geese at Polson park will not be rounded up as a lot of these geese will fly to larger bodies of water (ie Okanagan Lake) before they molt. The geese will then be corralled from the lake onto the land and into a trailer. The management plan will indicate the approximate number of geese that could be retrieved within that area, based on past year numbers (the geese management plan could propose as many as 250). **This will cost approximately \$27,000.**

The geese will be removed from site and dispatched using the protocol that was proposed and approved in the management plan. The carcasses will be disposed of at

the landfill facility. It is a federal regulation that the meat can not be distributed. The dispatch of all of the geese will take approximately the full day depending on the number of geese that is obtained. **This will cost approximately \$4,000.**

Administration has made inquiries into the feasibility of using McKay reservoir as a possible location for the hunting of geese. Initial results indicate that an amendment to the Bylaw Firearms and Weapons Bylaw #5399 to allow the discharge of firearms within city limits would be required. Regulation under the Wildlife Act would apply with the additional restrictions to limit the number of hunters allowed, type of species and so forth. Confirmation with British Columbia Conservation office would be required.

As directed the attached letter has been sent to neighbouring municipalities.


Recommendation:

THAT Council receive the Internal Memorandum titled 'Geese Cull' dated February 2, 2021 from the Acting Director, Operation Services;

AND FURTHER, that Council direct Administration to proceed with the geese cull as presented in the Internal Memorandum dated February 2, 2021, with an authorized budget of up to \$40,000 including contingencies, with the source of funds being Casino Reserve.

Submitted:

Feb 3 2021 11:59 AM

X  ✓
Chris Owens DocuSign

Chris Owens, Acting Director, Operation Services

Attachment:

(1) Mayor's letter to municipalities, Lake Country and North, dated January 29, 2021

g:\5800-6399 parks administration\new - 6130 parks operations- parks staff\06 pest management\goose control\2021\210202_geese.doc\



THE CORPORATION OF THE CITY OF VERNON

3400 - 30TH STREET VERNON, BRITISH COLUMBIA V1T 5E6

TELEPHONE (250) 545-1361 FAX (250) 545-4048

File: 6130-06

OFFICE OF THE MAYOR

January 29, 2021

City of Armstrong
Mayor and Council
3570 Bridge Street, PO BOX 40
Armstrong, BC V0E 1B0
info@cityofarmstrong.bc.ca

District of Coldstream
Mayor and Council
9901 Kalamalka Road
Coldstream, BC V1B 1L6
info@coldstream.ca

City of Enderby
Mayor and Council
619 Cliff Avenue
Enderby, BC V0E 1V1
info@cityofenderby.com

District of Lake Country
Mayor and Council
10150 Bottom Wood Road
Lake Country, BC V4V 2M1
admin@lakecountry.bc.ca

Regional District of North Okanagan
Chair and Directors
9848 Aberdeen Road
Coldstream, BC V1B 2K9
info@rdno.ca

City of Salmon Arm
Mayor and Council
500 2nd Avenue NE
Salmon Arm, BC V1E 4H2
cityhall@salmonarm.ca

District of Sicamous
Mayor and Council
446 Main Street, PO Box 219
Sicamous, BC V0E 2V0
info@sicamous.ca

Township of Spallumcheen
Mayor and Council
4144 Spallumcheen Way
Armstrong, BC V0E 1B6
mail@spallumcheentwp.bc.ca

Dear Mayors and Councillors:

RE: Goose Management

At their meeting held on January 25, 2021, the Council of the City of Vernon passed the following resolution:

"THAT Council direct Administration to proceed with the permits required to initiate a "Kill" program to eliminate approximately 100 – 150 geese from the Vernon area at an estimated cost of \$41,000 with source of funds being an amended 2021 budget and subsequent tax rate;

.../2

AND FURTHER, that Council directs Administration to look into Lakeshore, Kin, Paddlewheel and Polson as the parks to initiate a "Kill" program.

AND FURTHER, that Council directs Administration to contact neighbouring jurisdictions from Lake Country, North via letter to determine their interest in investigating a combined effort with egg addling and/or a 'Kill' program.

CARRIED"

On behalf of the City of Vernon Council, I respectfully request that this matter be brought forward for consideration at a future meeting of your respective Councils.

Sincerely,

A handwritten signature in blue ink, reading "Victor I. Cumming". The signature is fluid and cursive, with the first name "Victor" and last name "Cumming" clearly distinguishable.

Victor I. Cumming
Mayor

Copy: City of Vernon Council

M E M O R A N D U M

To: Mayor and Council, City of Vernon

From: Anna Warwick Sears, Executive Director, Okanagan Basin Water Board

Date: December 15, 2020

Subject: Okanagan flooding and the review of the Okanagan Lake Regulation System

Introduction

The OBWB is calling for the province to review how they manage Okanagan lake levels, including lake level targets, current flow management models and climate forecast methods. This review could help reduce flood risk to Okanagan communities while still protecting Okanagan fisheries and minimizing the risk of water shortages. The OBWB does not have jurisdiction over Okanagan lake level management, but we feel some urgency to have a review of the current system and operating plans, given the accelerating impacts of climate change.

This memo is an invitation for the City of Vernon to join a letter-writing effort from Okanagan communities, to get valley-wide support for a review and update of the Okanagan Lake Regulation System (OLRS) - which includes the Okanagan Lake Dam, and control structures throughout the system; as well as the OLRS operating plan. We are also asking for the management and control structures of Kalamalka Lake to be included in the review, and to be formally included as part of the OLRS.

Below, I have provided the background context, a communication plan, and information related to the review and potential update of the OLRS and its operating plan.

Background

Updating the OLRS involves considering the whole system of lakes from Kalamalka/Wood Lake to Osoyoos. The process of changing the plan for lake level operations is complicated, and it is essential that the province review and update their operations plan within the next few years. Some of the issues include:

- Protecting communities from flooding along the lakeshores and river channel could increase the risk of water shortages in dry years.
- Changes to the operation of dams could either harm or benefit sockeye, kokanee, and chinook, as well as other aquatic species, depending on what decisions are made.
- We need to understand all the relative risks, as well as other opportunities to reduce the impacts of flooding – such as opportunities to increase setbacks from the water, and restore shorelines and wetland.

We believe there is a strong need to have this review. While preparing Okanagan mainstem lakeshore flood maps (published in 2020), Northwest Hydraulic Consultants found that the frequency of flooding would be unacceptably high if the Okanagan Dam at Penticton continued to be operated in the same manner, given the expected increase in flows due to climate change. Working with the provincial dam operator, they modified the operational rules in the computer model to be more protective against

flooding. This means that floods will be higher and more frequent than given on the new maps unless changes are made. According to the consultant's report:

"Preliminary modifications to the OLRs Operating plan and guidelines were developed to mitigate projected future increases in floods. If these modifications, or similar mitigations, are not implemented, the resulting flood flows and levels of the design events are expected to be more severe than mapped."¹

The modifications to the operating rules in the flood mapping project were only done for the purpose of modelling. The old rules are still in place. In order to make changes to the rules, additional work is needed to evaluate the relative risk of drought and flooding under climate change, associated environmental impacts, and how to manage for both extremes while minimizing harm. The consultants report further states:

"Prior to implementation, any change to the operational plan is expected to require review initially with the Okanagan Nation Alliance and Canadian Okanagan Basin Technical Working Group (COBTWG) and then with a wider stakeholder group. Given the currently projected rate of change in floods due to climate change, review and subsequent implementation of revised operating rules is recommended within the next five years."²

The Okanagan Basin Water Board has just started a gap analysis, working with the provincial water manager who operates the dam in Penticton, to evaluate completed studies from recent years, and what additional studies are needed. This gap analysis should be completed by March 31, 2021.

The OBWB is specifically asking the Government of B.C. to undertake and/or fund the necessary studies identified by the gap analysis, and move forward with a review of the OLRs and its operating plan – with a goal to completing the review within the next five years.

Communication Plan

- The information in this memo will be shared with all Okanagan local governments, and the Okanagan Nation, inviting communities to prepare their own letters, and forward them to the OBWB to be sent as a package to the Minister of Forests, Lands, Natural Resource Operations and Rural Development, and the Minister of State for Lands and Natural Resource Operations.
- Please provide your letter by February 15, 2021, so it can be included in the package with letters from other communities.
- Local jurisdictions are strongly encouraged to include information that is specific to their community, such as the recovery costs from previous flooding, damage to public spaces, community values about the lakeshore, agriculture, fisheries etc.
- The letters should be addressed to Minister Katrine Conroy (Forests, Lands, Natural Resource Operations and Rural Development) and Minister of State Nathan Cullen (Lands and Natural Resource Operations). I recommend cc'ing the Minister of Public Safety; the Minister of Environment and Climate Change Strategy; the Minister of Agriculture, Food and Fisheries; the Minister of Indigenous Relations and Reconciliation; the Parliamentary Secretary for

¹ Okanagan Mainstem Floodplain Mapping (2020); Northwest Hydraulic Consultants; Chapter 7 Preliminary Recommendations: <https://www.obwb.ca/docs/2020-okanagan-floodplain-mapping-nhc-finalreport-highres-chapter7.pdf>

² Same as above.

Emergency Preparedness; and the Parliamentary Secretary for Fisheries and Aquaculture; as well as all Okanagan MLAs. Contact information for each of these addressees is attached.

- As we continue to work on this file into the coming year, the OBWB may recommend further communications to the province from Okanagan communities.

Information Related to the Review of the Okanagan Lake Regulation System

The following information is provided here as background, to inform letters from Okanagan communities to the B.C. government.

- We are asking the Government of B.C. to, in the next five years, comprehensively review and update the Okanagan Lake Regulation System (OLRS) and its operating plan to prevent damaging floods of increasing severity, while protecting Okanagan fisheries and minimizing the risk of water shortages. We are also asking for the management and control structures of Kalamalka Lake to be formally designated as part of the OLRS, and included in the review.
- The B.C. Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) manages the level of Okanagan Lake by operating the Okanagan Dam in Penticton, and other control structures that make up the OLRS, as well as the outlet of Kalamalka/Wood Lake.
- The OLRS operating plan was created in the mid-1970s and has only had minor modifications since that time. Under the current OLRS operating plan, the provincial dam operator has limited ability to manage water levels during spring freshet – and this is becoming more difficult as a result of climate change.
- Recent modelling shows that climate change is already significantly affecting the timing of inflows to the Okanagan Lake system, and causing high year-to-year variability. In recent years, we have had increased early-season snowmelt, exacerbated by heavy spring rains, followed by prolonged dry periods. These trends will continue to worsen into mid-century and beyond.
- The lakeshores of the mainstem Okanagan lakes and the Okanagan River channel have experienced flooding and high water events in three of the past four years, with particularly destructive and costly floods in 2017 and 2018.
- In 2020, the three Okanagan regional districts, and the OBWB published flood maps for the Okanagan mainstem lakes and river channel. The technical report for this effort found that as a result of climate change, floods will “exceed the capacity of existing infrastructure if operational rules are not adjusted...” **A primary recommendation of the report is that, to avoid high flood risk, the current operating rules should be comprehensively reviewed and amended within the next five years.**
- The Okanagan Nation must be a central partner in this review. The Okanagan Valley is the unceded and traditional territory of the Syilx/Okanagan People. The Okanagan Nation is the leading force behind the restoration of Okanagan salmon populations. All species of Okanagan salmon will be affected by changes in OLRS management, and any proposed changes to the OLRS and its operating plan must consider risks to salmon populations and aquatic habitats.
- The Okanagan is also at increased risk of drought from climate change, leading to potential shortages of water for agricultural irrigation and municipal water supplies, and harm to the lakeshore environments. Any proposed changes to the OLRS and its operating plan must consider drought risks as well as flood risks.

- The technical studies required for the review should be initiated as soon as possible, given that they will take time, and each year that goes by increases the risk that the Okanagan will experience another significant flood.
- The previous OLRS operating plan was developed by a joint Federal, Provincial and Local initiative, the Okanagan Basin Study (1974)³. The full review and update of the OLRS and its operating plan should be done in partnership with the Okanagan Nation, and include extensive engagement and consultation with local communities, affected sectors and stakeholders; as well as the relevant provincial and federal ministries.
- The review and update of the OLRS is a provincial responsibility; however, there are many opportunities for partnerships and collaboration moving forward.

Further Assistance

The OBWB is happy to assist any Okanagan communities with their communications to the province, and to answer any further questions. Please contact me directly at: Anna.Warwick.Sears@OBWB.ca

³ The Comprehensive Framework Plan of the Canada-British Columbia Okanagan Basin Agreement (1974): <https://www.obwb.ca/library/1974-okanagan-basin-study/>

B.C. Cabinet Contacts:

- **Honourable Katrine Conroy**; Minister of Forests, Lands; Natural Resource Operations and Rural Development (FLNR.Minister@gov.bc.ca);
- **Honourable Nathan Cullen**; Minister of State for Lands and Natural Resource Operations (nathan.cullen.MLA@leg.bc.ca);
- **Honourable Mike Farnsworth**; Minister of Public Safety and Solicitor General (PSSG.Minister@gov.bc.ca);
- **Honourable George Heyman**; Minister of Environment and Climate Change Strategy (ENV.Minister@gov.bc.ca);
- **Honourable Lana Popham**; Minister of Agriculture, Food and Fisheries (AGR.Minister@gov.bc.ca);
- **Honourable Murray Rankin**; Minister of Indigenous Relations and Reconciliation (IRR.Minister@gov.bc.ca);
- **Jennifer Rice, MLA**; Parliamentary Secretary for Emergency Preparedness (jennifer.rice.MLA@leg.bc.ca);
- **Fin Donnelly, MLA**; Parliamentary Secretary for Fisheries and Aquaculture (fin.donnelly.MLA@leg.bc.ca);
- **Kelly Greene, MLA**; Parliamentary Secretary for the Environment (kelly.greene.MLA@leg.bc.ca);

Okanagan MLAs:

- **Harwinder Sandhu, MLA**; Vernon-Monashee (harwinder.sandhu.MLA@leg.bc.ca);
- **Norm Letnick, MLA**; Kelowna-Lake Country (norm.letnick.MLA@leg.bc.ca);
- **Renee Merrifield, MLA**; Kelowna-Mission (renee.merrifield.MLA@leg.bc.ca);
- **Ben Stewart, MLA**; Kelowna West (ben.stewart.MLA@leg.bc.ca);
- **Dan Ashton, MLA**; Penticton (dan.ashton.MLA@leg.bc.ca);
- **Roly Russell, MLA**; Boundary-Similkameen (roly.russell.MLA@leg.bc.ca);



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Roy Nuriel
Economic Development Planner

COUNCIL MEETING: REG ☒ COW ☐ I/C ☐
COUNCIL MEETING DATE: February 8, 2021
REPORT DATE: January 26, 2021
FILE: SUB00788

SUBJECT: STRATA CONVERSION APPLICATION FOR 5545 27TH AVENUE

PURPOSE:

To review the strata conversion application that would allow the Vernon Native Housing Society to enter into a shared ownership agreement with BC Housing for the multi family residential building at 5545 27th Avenue.

RECOMMENDATION:

THAT Council approve the strata conversion application for Lot 1, Plan 5914, DL 66, ODYD (5545 27th Avenue), subject to the following conditions:

- a) That Council waive the Section B conditions within Council's policy titled "Strata Conversion Applications";
- b) That a covenant be registered on the titles of all strata units that maintain the use of the building as affordable rental housing; and
- c) That Council's approval period is to expire one year from the date of Council's consideration.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council approve the strata conversion application for Lot 1, Plan 5914, DL 66, ODYD (5545 27th Avenue), subject to the following conditions:
 - a) That Council waive the Section B conditions within Council's policy titled "Strata Conversion Applications"; and
 - b) That Council's approval period is to expire one year from the date of Council's consideration.

Note: This alternative provides Council's approval of the strata conversion without the condition to register a covenant on titles to maintain the existing use of the residential building as affordable rental housing. Based on the proposed ownership agreement between the Vernon Native Housing Society and BC Housing, the building would continue to be designated for affordable housing.

2. THAT Council not support the strata conversion application for Lot 1, Plan 5914, DL 66, ODYD (5545 27th Avenue)

Note: This alternative does not support the strata conversion application for the Vernon Native Housing Society building and as a result the application as submitted would not be able to proceed. This alternative may impact the feasibility of a shared ownership agreement of the building between Vernon Native Housing Society and BC Housing, as well as their future funding opportunities.

ANALYSIS:

A. Committee Recommendations:

N/A

B. Rationale:

1. The subject property is located at 5545 27th Avenue (Figures 1 and 2). The land is designated as Neighbourhood Centre within the Official Community Plan (OCP) and zoned RH1: Low-Rise Apartment Residential in Zoning Bylaw #5000. The subject property is 0.98 acre in area and contains Vernon Native Housing Society's 38 unit affordable rental housing - the Thunderbird Manor (Figure 3). The building was completed in 2020, after two years of construction with a total cost of \$11.8M. The building provides a variety of affordable rental homes that are attainable to a broad number of residents, including young families and seniors.

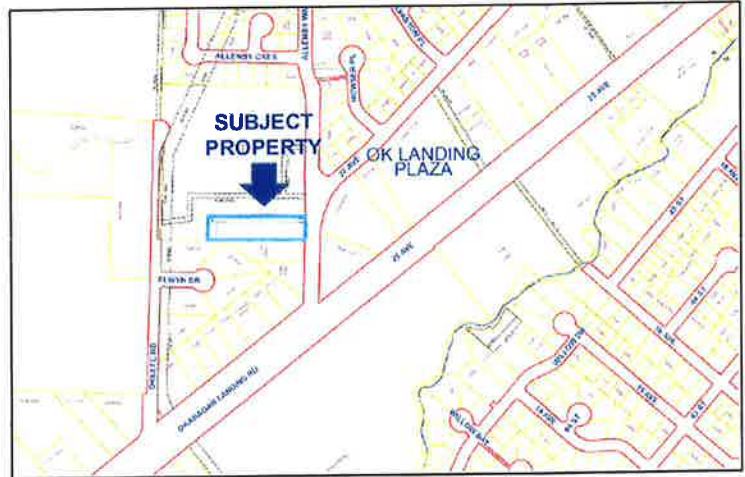


Figure 1: Property Location Map

2. Vernon Native Housing Society (VNHS), the current owner and operator of the building, submitted a strata conversion application to strata title the 38 units in the building. The strata conversion would allow VNHS to enter into an ownership agreement with BC Housing, the provincial agency for subsidized housing, and transfer the ownership of 15 units from VNHS to BC Housing (Attachments 1 - 3). As part of the agreement, VNHS will continue to operate all units in the building as affordable housing and as provided in Attachment 4, a covenant with BC Housing for the use and operation of the complex as affordable housing building has already been registered on the subject property title. As a non-profit organization, VNHS relies on government funding. The shared ownership agreement with BC Housing is required by the Province of BC and Canada Mortgage and Housing Corporation (CMHC) in order to have access to the Provincial Investment in Affordable Housing (PIAH) program, as well as to the CMHC National Housing Co-investment Fund. The PIAH and CMHC funding will support the society in their asset and loan portfolio management and in their upcoming investment in affordable housing projects in Vernon, such as the proposed second rental apartment building on the adjacent property at 5577 27th Avenue.

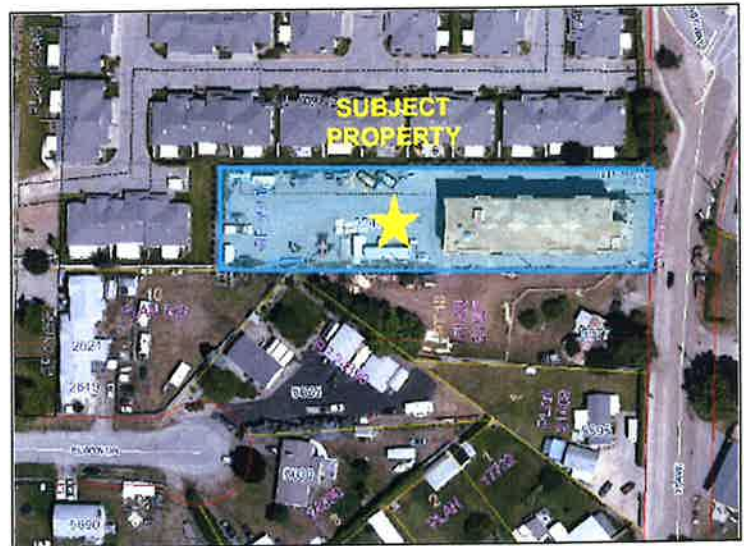


Figure 2: Aerial Photo of the Property

3. All strata conversion applications require the approval of Council under Strata Property Act Section 242 (hereafter the Act) (Attachment 5) and are subject to Council's policy titled "Strata Conversion Applications" (hereafter the Council Policy) (Attachment 6). The Act and the Council Policy (Part A.1)

require certification by an architect or engineer that the building, property and off-site works substantially comply with the current codes and bylaws. As per Attachment 7, the subject property is in compliance with the applicable bylaws and codes.



Figure 3: The Thunderbird Manor, Vernon Native Housing Society Affordable Rental Housing Building (5545 27th Avenue)

4. Part B of the Council Policy (Attachment 6), follows the Act requirements (Attachment 5) and provides five conditions in order that a residential strata conversion be approved. The intent of the Council Policy is to protect and support rental housing in Vernon, especially when the rental vacancy rate is less than 4% (as per CMHC). The rental vacancy rate for Vernon (as of the most recent survey / October 2020) is 1%. The Council Policy also requires comprehensive consultation with existing tenants, as well as a recommendation from the Affordable Housing Advisory Committee prior to Council's decision on the strata conversion application.

Based on the conditions in Part B of the Council Policy, the strata conversion would not be granted. However, the subject application by VNHS is requested in order to complete a purchase agreement with BC Housing and to allow the Society to transfer the ownership of a portion of the units from VNHS to BC Housing. Should Council approve the strata conversion, the existing use of the building will remain as affordable rental housing and VNHS will continue to operate the complex (Attachment 4). As such, Administration recommends that Council waive the conditions in Part B of the Council Policy for the subject application.

5. As described in the attached VNHS, BC Housing and CMHC letters (Attachments 1 - 3) and in the registered covenant (Attachment 4), VNHS and BC Housing will continue to maintain the building for affordable housing. Both parties have also assured that the building would remain for rental use. Administration recommends that a restrictive covenant, to secure the current use of the units in the building for affordable rental housing, be registered on the titles of all proposed strata units.
6. Administration supports the strata conversion application for the following reasons:

- a) The application submitted by Vernon Native Housing Society (VNHS) to enter into an ownership agreement with BC Housing. By transferring 15 of the units in the building to BC Housing, VNHS will be able to access BC Housing funding through the Provincial Investment in Affordable Housing Program (PIAH), as well as to the CMHC National Housing Co-investment Fund. The programs will support the society in their asset and loan portfolio management and in their upcoming investment in affordable housing projects in Vernon.
- b) VNHS will continue to operate all units in the building as affordable housing, as described in the registered covenant on the subject property title. In addition to the already registered covenant between VNHS and BC Housing, Administration recommends that a restrictive covenant to secure the current use of the units in the building for affordable rental housing be registered on the titles of all proposed strata units.
- c) The subject property was certified by an architect and is compliant with the applicable bylaws and codes, as required by the Strata Property Act and the Council Policy (Part A.1).

C. Attachments:

- Attachment 1 – Letter from Karen Gerein, Executive Director, Vernon Native Housing Society, dated January 26, 2021
- Attachment 2 – Letter from Dana Locke, Director of Regional Development, Interior Region, BC Housing, dated January 27, 2021
- Attachment 3 – Letter from Sophia Garza, Specialist, Financial Solutions, Canada Mortgage and Housing Corporation (CMHC), dated January 25, 2021
- Attachment 4 – Registered Covenant between Vernon Native Housing Society and BC Housing Management Commission for Lot 1, Plan 5914, DL 66, ODYD (5545 27th Avenue)
- Attachment 5 – Strata Property Act (Part 242 – Approval for conversion of previously occupied buildings)
- Attachment 6 – Strata Conversion Applications Corporate Policy
- Attachment 7 – Architect Certification Letter for 5545 27th Avenue Complex, dated November 30, 2020

D. Council's Strategic Plan 2019 – 2022 Goals/Action Items:

The subject strata conversion application involves the following goals/action items in Council's Strategic Plan 2019 – 2022:

- Continue to partner with BC Housing, not-for-profits and the development community on affordable housing, including the use of City-owned land.

E. Relevant Policy/Bylaws/Resolutions:

1. The subject property is designated as Neighbourhood Centre within the Official Community Plan (OCP) and zoned RH1: Low-Rise Apartment Residential in Zoning Bylaw #5000.
2. The strata conversion application is subject to "Part 242 – Approval for conversion of previously occupied buildings" of the Strata Property Act (Attachment 5).
3. The strata conversion application is subject to the "Strata Conversion Applications" Corporate Policy (Attachment 6).

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Feb 2 2021 11:53 AM

X

Roy Nuriel

DocuSign

Roy Nuriel
Economic Development Planner

Approved for submission to Council:

Will Pearce, CAO

Date:

03.FEB.2021

X

Signer 2

Kim Flick,
Director, Community Infrastructure and Development

REVIEWED WITH

- | | | |
|---|---|---|
| <input 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 type="checkbox"/> Real Estate | <input type="checkbox"/> Facilities | <input type="checkbox"/> Building & Licensing |
| <input type="checkbox"/> RCMP | <input type="checkbox"/> Utilities | <input 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 type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input type="checkbox"/> Economic Development & Tourism |
| <input type="checkbox"/> COMMITTEE: | | |
| <input type="checkbox"/> OTHER: | | |

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AND

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VERNON NATIVE HOUSING SOCIETY

#41 – 4305 19TH Avenue, Vernon, BC V1T 9X4

Tel: 250-542-2834 Fax: 250-542-4544

email: reception@vernonnativehousing.ca

January 26, 2021

City of Vernon
3400 30 St.
Vernon, BC V1T 5E6

Re: Unit stratification at 5545 27th Ave – Thunderbird Manor

To Whom It May Concern,

The development at 5545 27th Ave, owned and operated by Vernon Native Housing Society is an affordable housing project funded through both BC Housing and CMHC.

The BC Housing Funding comes through the Provincial Investment in Affordable Housing (PIAH) program (a commitment of \$355 million to create more than 2,000 affordable rental housing units in British Columbia). The funds from this program came through the Non-Profit Asset Transfer program, where BC Housing sold provincial assets operated by non-profit societies across the province in order to generate a fund to develop new affordable housing units. As the monies were generated through disposing of assets, an underlying requirement of the PIAH funding program is an ownership interest on behalf of the Provincial Rental Housing Corporation (PRHC), the land holding entity of BC Housing. As the funding only covered a portion of the project costs with the remainder covered by a mortgage debt-serviced through rents, only a portion of the units needed to be owned by BC Housing/PRHC. The team identified stratifying the units as the easiest way to create separate lots and freehold interest for BCH/PRHC ownership.

In addition to BC Housing, Vernon Native Housing secured funding through CMHC in order to increase the overall affordability of the project. One of the first projects approved by CMHC under their new funding program, National Housing Co-investment Fund, navigating the agreements and layering the requirements of two different major funders was a complex process that required more time than anticipated to complete. The funding agreements were finalized in December 2020, with security for both funders arranged. As the building achieved occupancy in May 2020, the Society made the decision to move tenants in need of affordable housing into the units prior to stratifying the units.

Please note that BC Housing and CMHC both have agreements with Vernon Native ensuring affordability. BC Housing registers a Section 219 agreement – covenanting the use as affordable housing that goes hand in hand with an operating agreement, that governs the way Vernon Native Housing Society manages all of the units. There are annual financial reviews and three-year operational audits performed in order to provide oversight and ensure concurrence with funding program objective and affordable housing use.

Sincerely,

Karen Gerein,
Executive Director

'Creating a Healthy Community Through Affordable Housing'





1701 - 4555 Kingsway
Burnaby, BC V5H 4V8
Phone: 604-433-1711
Web: www.bchousing.org

January 27th, 2021

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

To whomever it may concern,

We have been advised by Vernon Native Housing Society (VNHS) that the City of Vernon is seeking confirmation that the property at 5545 27th Avenue, Vernon, BC, V1T 7A3 is intended to be used for affordable housing post-stratification. We at British Columbia Housing Management Commission (BC Housing), can confirm that the project will be operated as outlined in the BC Housing section 219 Covenant and the Operating Agreement between VNHS and BC Housing for the VNHS owned units and as per the Operator Agreement between BC Housing and the VNHS for the BC Housing units which are owned by BC Housing's land holding entity Provincial Rental Housing Corporation (PRHC). Copies of the Operating and Operator Agreements are attached for your information.

BC Housing's Mission is to make a positive difference in people's lives and communities through safe, affordable and quality housing through the development, management, and administration of affordable housing across the Province. The affordable housing units at 5545 27th Avenue, Vernon, BC were built under the Provincial Initiative in Affordable Housing Program which, provides capital grants and ongoing financing for the delivery of affordable housing units. The building at 5545 27th Avenue will have units owned by VNHS and PRHC.

We trust the above is satisfactory. This letter is for the purpose of providing information to the City of Vernon.

Sincerely,

A handwritten signature in black ink, appearing to read "Danna Locke", written over a faint horizontal line.

Danna Locke
Director of Regional Development, Interior Region
British Columbia Housing Management Commission



January 25, 2021

City of Vernon

To whom it may concern,

We have been advised by the Vernon Native Housing Society (the "Borrower") that the City of Vernon is seeking confirmation that the property is intended to be used for affordable housing post-stratification. We confirm that ensuring that the creation and maintenance of affordable housing is key to CMHC's mandate under the Co-Investment Program under which this loan was advanced. The loan agreement and subsequent amending agreement pertaining to the loan for the project located at 5545 27th Avenue, Vernon, British Columbia V1T 7A3, between CMHC and the Borrower contain a covenant to maintain affordability. The loan is structured as a forgivable loan and forgiveness of the loan is tied to maintaining the affordability covenants for a minimum 20 year period. Should the borrower fail to meet these obligations CMHC would have the right to default the loan.

In addition, CMHC has entered into a separate contractual arrangement with the Borrower in the form of an Operating Agreement that requires the affordability covenants to survive the termination or refinancing of the loan agreement.

We trust the above is satisfactory. This letter is for the sole purpose of providing information to the City of Vernon and it not to be relied upon or shared with any third-party without the prior consent in writing of CMHC.

Sincerely,

Sophia Garza
Specialist, Financial Solutions

KAMLOOPS LAND TITLE OFFICE

LAND TITLE ACT
FORM C (Section 233) CHARGE

Nov-30-2018 15:06:56.001

CA7223773

GENERAL INSTRUMENT - PART 1 Province of British Columbia

PAGE 1 OF 12 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

Justin Park
Z243AD

Digitally signed by: Justin Park
Z243AD
CN = Justin Park Z243AD C = CA
O = Lawyer OU = Verify ID at www.
justart.com/LKUP.cfm?id=Z243AD
Date: 2018.11.30 14:53:45 -08'00'

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

Justin Park

Singleton Urquhart Reynolds Vogel LLP

1200 - 925 West Georgia Street

Vancouver

BC V6C 3L2

Phone No: 604.673.7469

File No: 25000.288

BCH File No: 94063pr7871

Document Fees: \$71.58

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID] [LEGAL DESCRIPTION]

010-239-481

LOT 1 DISTRICT LOT 66 OSOYOOS DIVISION YALE DISTRICT PLAN 5914
EXCEPT PLAN EPP81785STC? YES ☐

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Covenant

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) ☐ Filed Standard Charge Terms D.F. No.(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

VERNON NATIVE HOUSING SOCIETY (INC. NO. S0024650)

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

BRITISH COLUMBIA HOUSING MANAGEMENT COMMISSION

1701 - 4555 KINGSWAY

BURNABY

V5H 4V8

BRITISH COLUMBIA

CANADA

7. ADDITIONAL OR MODIFIED TERMS:

N/A

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

William K. Spisso

Lawyer & Notary Public

3006 - 32nd Ave.

Vernon, BC V1T 2L7

(as to both signatures)

Execution Date

Y	M	D
18	11	20

Transferor(s) Signature(s)

VERNON NATIVE HOUSING
SOCIETY, by its authorized
signatory(ies):

Print Name: Valerie Chiba

Print Name: Rick Chiba

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM D**

EXECUTIONS CONTINUED

PAGE 2 of 12 PAGES

Officer Signature(s)

CHARLOTTE K. WONG

Barrister & Solicitor

2110 Burquitlam Drive

Vancouver, BC V5P 2P1

(as to Dan Maxwell's signature)

Execution Date

Y	M	D
18	11	26
18	11	26

Transferor / Borrower / Party Signature(s)

BRITISH COLUMBIA HOUSING
MANAGEMENT COMMISSION, by its
authorized signatory(ies):

Print Name: Dan Maxwell

Print Name: Donna Evans

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**EXPRESS CHARGE TERMS
TERMS OF INSTRUMENT – PART 2**

WHEREAS:

- A. The Commission, on behalf of Her Majesty the Queen in Right of the Province of British Columbia, provides financial assistance for the purpose of housing persons with limited incomes and/or for persons with special housing requirements;
- B. PRHC, on behalf of the Commission, acquires, leases, disposes of, and otherwise deals with land which is required for the purposes set out in Paragraph A;
- C. The Transferor wishes to develop the Improvements on the Land for the Specific Purpose, and wishes to obtain the Commission's financial assistance in carrying out the Specific Purpose;
- D. The Transferor has acknowledged to the Commission that:
- (i) the Transferor is entering into this Agreement to primarily benefit aboriginal interests;
 - (ii) the Transferor will use the Property for the Specific Purpose;
 - (iii) the provision of housing, in accordance with the Specific Purpose, is in the public interest and is more important than the fact that the Property may be kept out of commerce;
 - (iv) the Transferor is willing to give to the Commission the covenants, restrictions, assurances, rights, and remedies as are agreed to by both parties to ensure that the foregoing objectives are carried out and the Property is used for the Specific Purpose; and
 - (v) the rights and remedies of the Commission hereunder or under any contract pertaining to the Property to which the Commission is a party, are fair and reasonable and ought not to be construed as containing terms which are considered a penalty or forfeiture;
- E. Section 219 of the *Land Title Act* of British Columbia provides, amongst other things, that a covenant, whether of a negative or positive nature, in respect of the use of land or the use of a building on or to be erected on land, in favour of a Crown agency, may be registered as a charge against the title to that land;
- F. PRHC and the Commission are Crown agencies pursuant to Section 10 of the *Ministry of Lands, Parks and Housing Act* of British Columbia but may on behalf of the Government of the Province of British Columbia carry out their duties and functions in their own names; and
- G. The Transferor has agreed to enter into this Agreement to ensure that the Property is used only for the Specific Purpose and that the objectives stated in paragraph D of these recitals are carried out.

BCH Section 219 Covenant – September 2016
Aboriginal Housing Initiative – Managed by AHMA

THEREFORE in consideration of the premises and of the mutual covenants contained herein, and in further consideration of the sum of \$1.00 now paid by each party to the other, the receipt and sufficiency of which each party hereby acknowledges.

SECTION 1.

INTERPRETATION

1.1 **Definitions.** In this Agreement:

- (a) “Agreement” means the General Instrument Part 1 and these Express Charge Terms under Part 2;
- (b) “Commission” means the British Columbia Housing Management Commission, or its successors in function;
- (c) “Covenant” means the Section 219 Covenant set out in Section 3 herein;
- (d) “Eligible Occupant” means an individual who meets the eligibility criteria prescribed in the Operating Agreement;
- (e) “Environmental Law” means any applicable federal, provincial, municipal or local law, statutes, ordinance, codes, by-law, regulation, rule, order, directive, decision, policy, instruction, guideline or decree regulating, relating to or imposing liability or standards of conduct concerning any environmental matter, occupational health and safety or the manufacture, processing, distribution, use, treatment, storage, disposal, packaging, transport, handling, containment, clean-up or other remediation or corrective action of Hazardous Substances including, but not limited to, matters related to air pollution, water pollution, noise control, or hazardous material and any similar, replacement, amendment or supplemental act and all regulations, orders or decrees, now or hereafter made pursuant to any of the foregoing;
- (f) “General Instrument Part 1” means Part 1 of the General Instrument as prescribed by the Land Title (Transfer Forms) Regulation, as amended;
- (g) “Hazardous Substances” collectively means, without limitation, contaminants, pollutants or other substances, products, materials or goods which are hazardous or dangerous to human, animal or plant health or life or the environment, and, in particular, includes substances, products, materials, or goods which are defined as hazardous substances or special waste in or pursuant to any law, regulation or order of any Statutory Authority;
- (h) “Improvements” means those improvements, structures, buildings, fixtures, equipment and systems which now exist, or which are constructed on the Land from time to time including heating, ventilating, air-conditioning, plumbing, electrical and mechanical systems and equipment;

BCH Section 219 Covenant – September 2016
Aboriginal Housing Initiative – Managed by AHMA

- (i) "Interest in the Property" means the Transferor's registered and beneficial right, title and estate in and to the Property;
- (j) "Land" means that certain parcel or those certain parcels of land, or any part thereof, described in Item 2 of the General Instrument Part 1;
- (k) "Landlord" means the landlord named in the Lease if the Interest in the Property is a leasehold interest;
- (l) "Lease" means the lease of the Property granted to the Transferor by the Landlord if the Interest in the Property is a leasehold interest;
- (m) "Operating Agreement" means the agreement entered into by the Transferor and the Aboriginal Housing Management Association which provides, amongst other things, for the roles and responsibilities of the Transferor with reference to the operation of the Property;
- (n) "Permitted Encumbrances" means those charges or encumbrances set forth in Schedule "A" and any other encumbrances from time to time approved in writing by the Commission;
- (o) "Person" means any association, society, corporation, individual, joint-stock company, joint venture, partnership, trustee, administrator, legal representative, unincorporated organization, or Statutory Authority;
- (p) "Personal Property" means all trade fixtures, machinery, equipment, kitchen ware, cabinetry, furniture, moveable partitions, carpets, rugs, drapes, appliances and other personal property necessary or desirable to carry out the Specific Purpose from time to time;
- (q) "PRHC" means Provincial Rental Housing Corporation, or its successors in function;
- (r) "Property" means the Land, Improvements, and Personal Property;
- (s) "Specific Purpose" means the provision of housing for Eligible Occupants on the Property;
- (t) "Statutory Authority" means any federal, provincial, regional, municipal, or other government or authorized agency, department or ministry thereof, which has jurisdiction with respect to any matter referred to in this Agreement; and
- (u) "Transferor" means the Person named in the General Instrument Part 1 as Transferor.

1.2 **Time.** Time will be of the essence of this Agreement. If either party expressly or impliedly waives this requirement, that party may reinstate it by delivering notice to the other party. If a time is specified in this Agreement for observing or performing any obligation, such time will be then local Vancouver, British Columbia time.

- 1.3 **Governing Law.** This Agreement will be governed by and construed and enforced in accordance with the laws of British Columbia, and the laws of Canada applicable therein.
- 1.4 **References.** In this Agreement, words importing the singular include the plural and vice versa, and words importing gender include all genders.
- 1.5 **Construction.** The division of this Agreement into sections and the use of headings are for convenience of reference only and are not intended to govern, limit, or aid in the construction of any provision contained in this Agreement. In all cases, the language in this Agreement will be construed simply, according to its fair meaning, and not strictly for or against either party.
- 1.6 **No Limitation.** The word “including” when following any general statement, term, or matter is not to be construed to limit such general statement, term, or matter to the specific items set forth immediately following such word or to similar items whether or not non-limiting language such as “without limitation” or “but not limited to” or words of similar import are used with reference thereto, but rather such general statement, term, or matter is to be construed to refer to all other items that could reasonably fall within the broadest possible scope of such general statement, term, or matter.
- 1.7 **Validity of Provisions.** If a Court of competent jurisdiction finds that any provision contained in this Agreement is invalid, illegal, or unenforceable, such invalidity, illegality, or unenforceability will not affect any other provision of this Agreement which will be construed as if such invalid, illegal, or unenforceable provision had never been contained therein and such other provisions will be enforceable to the fullest extent permitted at law or in equity.
- 1.8 **No Waiver.** Failure by either party to exercise any of its rights, powers or remedies hereunder, or its delay to do so, shall not constitute a waiver of those rights, powers or remedies unless such waiver is in writing. No waiver made with respect to a particular right will be deemed to be a waiver with respect to any other instance involving the exercise of the right or with respect to any other such right.
- 1.9 **Statutes.** Any reference to a statute is to such statute and to the regulations made pursuant to such statute as such statute and regulations may at any time be amended or modified and in effect, and to any statute or regulation that may be passed that have the effect of supplementing or superseding such statute or regulation.
- 1.10 **Remedies.** Each party to this Agreement, in addition to its rights under this Agreement or at law, will be entitled to all equitable remedies including specific performance, injunction and/or declaratory relief, to enforce its rights under this Agreement. No reference to nor exercise of any specific right or remedy under this Agreement or at law or in equity by either party will prejudice, limit or preclude that party from exercising any other such right or remedy. No such right or remedy will be exclusive or dependent upon any other such right or remedy, but either party, from time to time, may exercise any one or more of such rights or remedies independently, successively, or in combination. The Transferor acknowledges that specific performance, injunctive relief (mandatory or otherwise), or other equitable relief may be the only adequate remedy for a default by the Transferor under this Agreement.

1.11 **Schedules.** The following schedule is attached to and forms part of this Agreement:

Schedule "A" Permitted Encumbrances.

SECTION 2.

REPRESENTATIONS, WARRANTIES

AND COVENANTS OF THE TRANSFEROR

2.1 **Representations and Warranties of the Transferor.** Regardless of any independent investigations that the Commission may cause to be made, the Transferor represents and warrants to the Commission as follows:

- (a) the Transferor has sufficient power, authority and capacity to enter into this Agreement and the execution and delivery of this Agreement has been duly and validly authorized by all necessary proceedings;
- (b) the execution of this Agreement by the Transferor will not constitute a breach by the Transferor of any statute, regulation or its constating documents, or of any agreement to which it is a party, or by which it is bound;
- (c) the Transferor has good and marketable title to the Interest in the Property, free and clear of all liens, encumbrances, charges, encroachments, defects in title, equities or claims, except for Permitted Encumbrances;
- (d) to the best knowledge of the Transferor, having made due inquiries, the Property is free of Hazardous Substances and complies with all Environmental Laws, and there are no other environmental risks or liabilities in connection with the Property known to the Transferor;
- (e) the Transferor has no indebtedness to any Person or to any Statutory Authority which might by operation of law or otherwise now or hereafter constitute a lien, charge or encumbrance on the Interest in the Property, other than the Permitted Encumbrances;
- (f) the Improvements (if any) on the Land have been constructed, renovated and repaired pursuant to building permits, validly issued, and in compliance with all applicable building, zoning and other municipal by-laws and restrictions, and the Transferor has not received any notice alleging any such violation. Such Improvements do not encroach upon any lands not owned by the Transferor, or on which the Transferor does not have a leasehold interest;
- (g) the Transferor is a society duly organized, validly existing and in good standing under the laws of British Columbia;
- (h) all municipal taxes, rates, levies and assessments in respect of the Property have been paid in full, and the Transferor has no present or future obligation to pay moneys to any Statutory Authority in connection with offsite roads, services, utilities or the like;

BCH Section 219 Covenant – September 2016
Aboriginal Housing Initiative – Managed by AHMA

- (i) the Transferor is not a non-resident of Canada within the meaning of the *Income Tax Act* of Canada; and
- (j) if the Interest in the Land is a leasehold interest, the Lease is in good standing and the Transferor has observed or performed all its obligations under the Lease as required by the Lease.

2.2 **Covenants of the Transferor.** The Transferor covenants and agrees with the Commission as follows:

- (a) The representations and warranties contained in Section 2.1 will be true and correct on the date of this Agreement and will remain true and correct throughout the term of this Agreement;
- (b) the Transferor shall maintain the Property in a state of good repair and maintenance, and in particular will:
 - (i) establish maintenance procedures to maintain the value of the Property and prolong the life of the Improvements and Personal Property on the Land;
 - (ii) ensure that the necessary skills and tools are available to adequately clean and maintain the Property;
 - (iii) ensure that the Improvements on the Land comply with all municipal requirements, and applicable statutory, health and safety standards at all times;
 - (iv) ensure that any construction, renovation or repairs carried out on the Property comply with all municipal requirements and will advise the Commission in a timely manner as to the progress of such construction, renovation or repairs; and
 - (v) ensure that all applicable fire regulations are observed and that fire inspections are carried out regularly by the appropriate authorities;
- (c) the Transferor shall maintain in force adequate insurance coverage that a prudent owner of property similar to the Property would obtain, including without limitation, insurance in respect of claims for personal injury, death, property damage, and third party or public claims arising from any accident which may occur on or within the Property and such other insurance as the Commission may reasonably require from time to time;
- (d) the Transferor shall pay to the appropriate Statutory Authority, as and when due, all municipal taxes, water taxes, school taxes and any other taxes, local improvements or similar rates, levies, charges and assessments whatsoever affecting the Property and shall submit to the Commission, upon demand, proof of such payment;

- (e) the Transferor shall act reasonably and cooperate with the Commission at all times and shall provide information reasonably required by the Commission without delay;
- (f) the Transferor shall not vacate the Property or permit the Property to be used by any Person who is not entitled to use the Property;
- (g) the Transferor shall make reasonable and diligent use of the Property for the Specific Purpose;
- (h) the Transferor shall promptly observe, perform, execute and comply with all present and future laws, rules, requirements, orders, directions, ordinance and regulations of every Statutory Authority concerning the Property and further agrees at the sole cost and expense of the Transferor to do and perform all acts and things which may be required at any time hereafter by any such present or future laws, rules, requirements, orders, directions, ordinances and regulations;
- (i) if the Property now or any time hereafter comprises one or more strata lots:
 - (i) the Transferor will duly observe all of the provisions of the *Strata Property Act* R.S.B.C. 1998, c.43, as amended or as replaced and other similar statutes affecting the Property, the by-laws and the rules and regulations of the strata corporation;
 - (ii) in exercising its right to vote at any strata meetings, the Transferor shall at all times vote to ensure that the Transferor is able to continue to use the Property for the Specific Purpose and at the Commission's written request, the Transferor shall assign to and confer on PRHC its right to vote at any strata meetings; and
 - (iii) the Transferor will pay on or before the due dates thereof, the monthly maintenance fees and all assessments, contributions, or levies made against the Property by the said strata corporation; and
- (j) the Transferor shall not, without the Commission's prior written consent, transfer, mortgage, charge or otherwise encumber the Property, except by the Permitted Encumbrances.

SECTION 3.

SECTION 219 COVENANT

- 3.1 **Restriction on Use.** The Transferor hereby covenants with the Commission, pursuant to Section 219 of the *Land Title Act* of British Columbia, with the intent that this Section 219 Covenant will be registered as a charge against the Interest in the Property and the burden of which will run with the Interest in the Property, and will also bind the Transferor contractually, during such time as the Transferor has an Interest in the Property, that:

- (a) the Property will be used only for the Specific Purpose;

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 Aboriginal Housing Initiative – Managed by AHMA

- (b) the Property will be used only in accordance with the terms and conditions of the Operating Agreement in effect from time to time; and
- (c) the Interest in the Property will not be subdivided.

SECTION 4.

INDEMNITY

4.1 **Indemnity.** The Transferor will indemnify and save harmless PRHC, the Commission and the Government of the Province of British Columbia and each of their ministers, officers, directors, employees and agents, and their heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, actions, causes of action, damages, losses, deficiencies, costs, liabilities and expenses which may be made or brought against PRHC, the Commission or the Government of the Province of British Columbia, or which PRHC, the Commission or the Government of the Province of British Columbia may suffer or incur as a result of, in respect of, or arising out of:

- (a) any non-performance or non-fulfillment of any covenant on the part of the Transferor contained in this Agreement;
- (b) any misrepresentation, inaccuracy or breach of any representation or warranty made by the Transferor contained in this Agreement;
- (c) any other act or omission of the Transferor or its officers, directors, employees, agents, contractors or other persons for whom the Transferor is at law responsible; or
- (d) the Commission remedying any default by the Transferor in observing or performing its obligations under this Agreement or enforcing the obligations of the Transferor under this Agreement.

4.2 **Release.** The Transferor releases PRHC, the Commission and the Government of the Province of British Columbia, and each of their ministers, officers, directors, employees and agents and their heirs, executors, administrators, personal representatives, successors and assigns absolutely and forever, from any claims the Transferor may have against all or any of them for costs, expenses, or damages the Transferor may suffer, incur, or be put to arising out of or in connection with the terms contained in this Agreement and, from all claims arising out of advice or direction respecting the use, development, operation or lease of the Property given to the Transferor by any of them.

SECTION 5.**GENERAL PROVISIONS**

- 5.1 **Notices.** Unless otherwise specified, each notice to the Transferor must be given in writing and delivered, personally, or by courier to the Transferor as follows:

Vernon Native Housing Society
41 - 4305 19 Avenue
Vernon, BC V1T 9X4
Attention: Director

or to any other address or person that the Transferor designates.

Unless otherwise specified, each notice to the Commission must be given in writing and delivered personally or by courier to the Commission, Attention: Manager Real Estate Services, at the address shown as the registered office of the Commission in the records maintained by the British Columbia Registrar of Companies as of the date upon which the notice is sent, or to any other address or person that the Commission designates.

Any notice, if delivered personally or by courier, will be deemed to have been given when actually received.

- 5.2 **Fees.** Each of the Transferor and the Commission will pay its own legal fees.
- 5.3 **Enuring Effect.** This Agreement will enure to the benefit of and be binding upon the respective successors and permitted assigns of the Transferor and the Commission.
- 5.4 **Discharge.** The Transferor may require that the Commission execute and deliver to the Transferor a release in registrable form of the Covenant in the event that all Operating Agreements or agreements replacing the Operating Agreements are terminated, or if the terms of all Operating Agreements or agreements replacing the Operating Agreements expire.
- 5.5 **Modification or Amendment.** Except as expressly provided in this Agreement, no amendment, supplement, restatement or termination of any provision of this Agreement is binding unless it is in writing and signed by each person that is a party to this Agreement at the time of the amendment, supplement, restatement or termination.
- 5.6 **Counterparts.** This Agreement and any amendment, supplement, restatement or termination of any provision of this Agreement may be executed and delivered in any number of counterparts, each of which, when executed and delivered is an original, but all of which taken together constitute one and the same instrument.

IN WITNESS WHEREOF the parties hereto acknowledge that the parties have duly executed this Agreement by signing on the Form C and Form D, constituting pages 1 and 2 hereof.

SCHEDULE "A"**PERMITTED ENCUMBRANCES****LEGAL NOTATIONS**

None.

CHARGES & ENCUMBRANCES - EXISTING

- i) Covenant CA6832584 in favour of The Corporation of the City of Vernon, part on Plan EPP82257; and
- ii) Covenant CA7106541 in favour of the Commission.

CHARGES & ENCUMBRANCES - FUTURE

The Commission consents to the registrations of two Mortgages in favour of the Commission:

- i) in the principal amounts of \$8,033,325.00 together with an Assignment of Rents relating thereto; and
- ii) in the principal amounts of \$2,500,000.00.

This Act is current to January 20, 2021

See the [Tables of Legislative Changes](#) for this Act's legislative history, including any changes not in force.

STRATA PROPERTY ACT

[SBC 1998] CHAPTER 43

Part 14 — Land Titles

for conversion of previously occupied buildings

242 (1) For the purposes of this section, "approving authority" means

- (a) the municipal council of the municipality if the land is located in a municipality,
- (b) the regional board of the regional district if the land is located in a regional district but not in a municipality and is neither Nisga'a Lands nor treaty lands of a treaty first nation,
- (c) the Nisga'a Village Government if the land is located within Nisga'a Village Lands,
- (d) the Nisga'a Lisims Government if the land is Nisga'a Lands other than Nisga'a Village Lands, or
- (e) the governing body of the treaty first nation if the land is located within the treaty lands of that treaty first nation.

(2) If a person applying to deposit a strata plan wishes to include in the strata plan a previously occupied building, the person must submit the proposed strata plan to the approving authority.

(3) The approving authority may

- (a) approve the strata plan, or approve the strata plan subject to terms and conditions, or
- (b) refuse to approve the strata plan, or refuse to approve the strata plan until terms and conditions imposed by the approving authority are met.

(4) The decision of the approving authority under subsection (3) is final and may not be appealed.

(5) The approving authority must not approve the strata plan unless the building substantially complies with the following:

- (a) the applicable bylaws of the municipality or regional district;
- (b) applicable Nisga'a Government laws;
- (b.1) the applicable laws of the treaty first nation;

(c)the building regulations within the meaning of the *Building Act*, except, in relation to a treaty first nation that has entered into an agreement described in section 6 of that Act, to the extent that the agreement enables the treaty first nation to establish standards that are different from those established by the building regulations.

(6)In making its decision, the approving authority must consider

- (a)the priority of rental accommodation over privately owned housing in the area,
- (b)any proposals for the relocation of persons occupying a residential building,
- (c)the life expectancy of the building,
- (d)projected major increases in maintenance costs due to the condition of the building, and
- (e)any other matters that, in its opinion, are relevant.

(7)If the approving authority approves the strata plan without terms and conditions, an authorized signatory of the approving authority must endorse the plan in accordance with the regulations.

(8)If the approving authority approves the strata plan subject to terms and conditions, an authorized signatory of the approving authority must endorse the plan in accordance with the regulations once the terms and conditions have been met.

(9)The endorsement must be dated not more than 180 days before the date the strata plan is tendered for deposit.

(10)The approving authority may, by resolution, with respect to a specified type of previously occupied building,

- (a)delegate to an approving officer or other person designated in the resolution the exercise of the powers and performance of the duties of the approving authority under this section, and
- (b)impose limits or conditions on the exercise of the powers and performance of the duties delegated by the resolution.

(11)This section does not apply to a strata plan that includes a previously occupied building if the person applying to deposit the strata plan is the government or the Crown in right of Canada.



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:		
Sub-Section:		
Title:	Strata Conversion Applications	

RELATED POLICIES

Number	Title

APPROVALS

POLICY/AMENDMENT APPROVED BY:	DATE OF COUNCIL MEETING:	SECTION AMENDED
<i>"Wayne McGrath"</i> Mayor	<i>June 7, 1999</i>	ORIGINAL POLICY
<i>"Wayne Lippert"</i> Mayor	<i>November 13, 2007</i>	Part B(1) revised
<i>"Wayne Lippert"</i> Mayor	<i>September 13, 2010</i>	Part B(5) added

POLICY

It is important that tenants in larger rental projects, landlords, City Council and staff have a reasonable set of guidelines from which to deal with strata conversion applications. These guidelines are to cover those areas as required to be considered by City Council in accordance with the Strata Property Act.

DEFINITIONS

PROCEDURES

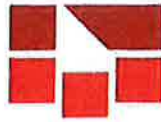
Applications submitted to City Council requesting strata plan approval related to existing buildings as provided for in the Strata Property Act or any amendments made thereto shall meet the following criteria:

A. For All Strata Conversions (Residential, Commercial or Industrial)

1. A Certificate from a professional Engineer or Architect registered in the Province of British Columbia must be provided and such Certificate must indicate that the existing building(s) and subject development substantially complies with all the current bylaws and codes that apply to the property.
2. Written consent from all utility companies that service the subject property confirming their concerns have been satisfied must be provided.
3. Security acceptable to the City must be provided by the property owner/applicant in cases where on-site improvements related to the strata conversion have not been completed prior to strata plan approval.
4. A strata conversion application fee shall be paid prior to City Council reviewing the application and a processing fee shall be submitted should Council approve the application. The rate of the fees are outlined in the current Fees and Charges Bylaw.
5. City Council's approval is for 364 days from the date of approval. One reapproval may be granted upon application for same and the approval conditions related to the re-approval may differ from the approval conditions of the original approval. Any further approvals will require that a new application be submitted accompanied with the applicable documentation, plans and fee.

B. For Residential Strata Conversions Only

1. That no approvals for residential strata conversions be granted if the residential rental vacancy rate for Vernon, as determined by the Canadian Mortgage and Housing Corporation, is less than four percent (4%), except for a detached single family dwelling unit on one (1) lot which will form part of a multi-unit (2 or more units) strata titled project. In such case there is to be a Covenant registered on the titles of all the strata lots that indicates rental of the units cannot be prohibited by the Strata Corporation and their implementation bylaws, regulations and rules.
2. The property owner/applicant must submit to the City a complete list of the names and addresses for all tenants residing in the subject residential complex so the City can survey those tenants in order to determine if they have any objection to the strata conversion application and whether there are any special considerations for them to purchase, rent or lease one of the units.
3. The property owner/applicant must submit to the City any written considerations that are being offered to the existing tenants as incentives which are intended to make it attractive for them to purchase one of the units being strata titled.
4. The existing tenants will be provided an opportunity to provide their written and verbal comments to City Council before a final decision is made.
5. The residential strata conversion application is to be referred to Council's Affordable Housing Advisory Committee, or any such committee replacing same, for their review and recommendation.



NEW TOWN

TO WHOM IT MAY CONCERN

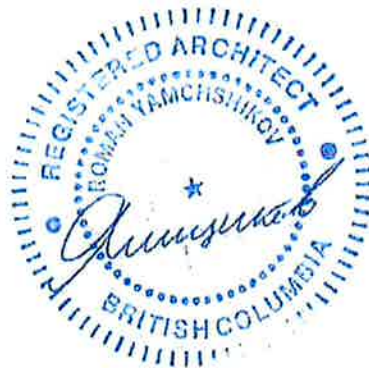
This is to confirm that the multi-family development "Thunderbird Manor", located at: 5545 – 27th Avenue, Vernon, BC, was designed and built in substantial compliance with the applicable By-Laws and Codes.

Please let us know if you have any questions,

Sincerely,

Roman Yamchshikov, Architect AIBC (Coordinating Professional for the above Project)

Nov 30, 2020



NEW TOWN ARCHITECTURE & ENGINEERING INC.

ROMAN YAMCHSHIKOV, ARCHITECT AIBC, LEED AP
KEITH FUNK, RPP, MPIBC, BA, MEDES (ARCHITECTURE)

www.newtownservices.ca

1464 St. Paul Street
Kelowna BC V1Y 2E6
Phone: 250-860-8185



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Daniel Sturgeon,
Long Range Planner

COUNCIL MEETING: REG ☒ COW ☐ I/C ☐
COUNCIL MEETING DATE: February 8, 2021
REPORT DATE: January 27, 2021
FILE: 3360-20 (ZON00364)

SUBJECT: **ZONING TEXT AMENDMENT TO P1 (PARKS AND OPEN SPACE)**

PURPOSE:

To review a rezoning text amendment which proposes to add 'educational services, public' as a permitted secondary use in the P1 Zone. This amendment would facilitate a lease to School District #22 of the 'clubhouse' at MacDonald Park for classroom education of Seaton Secondary Students and facilitate future arrangements for educational activities within municipal parks.

RECOMMENDATION:

THAT Council support an amendment to Zoning Bylaw #5000 by adding "educational services, public" as a Secondary Use in P1 (Parks and Open Space), as described in the report titled "Zoning Text Amendment to P1 (Parks and Open Space)" dated January 27, 2021 by the Long Range Planner;

AND FURTHER, that Council waive the Public Hearing for the proposed zoning text amendment bylaw in accordance with Section 464(2) of the *Local Government Act*;

AND FURTHER, that completion of a lease agreement with School District #22 for use of the clubhouse at MacDonald Park be subject to the receipt of a fire safety plan from School District #22 to the satisfaction of the City of Vernon Fire Chief.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support an amendment to Zoning Bylaw #5000 by adding "educational services, public" as a Secondary Use in P1 (Parks and Open Space) as described in the report titled "Zoning Text Amendment to P1 (Parks and Open Space)" dated January 21, 2021 by the Long Range Planner;

Note: This alternative does not support the proposed zoning bylaw text amendment. As 'educational services, public' are not a permitted use in P1 (Parks and Open Space), the use of the clubhouse by the School District and corresponding lease would not be able to proceed.

ANALYSIS:

A. Committee Recommendations:

At its meeting of January 26, 2021, the Advisory Planning Committee passed the following resolution:

THAT the Advisory Planning Committee recommends that Council support an amendment to Zoning Bylaw #5000 by adding "educational services, public" as a Secondary Use in the P1 (Parks and Open Space) Zone, as described in the report titled "Rezoning Text Amendment to the P1 (Parks and Open Space) Zone" dated January 21, 2021 by the Long Range Planner;

AND FURTHER, that the Advisory Planning Committee recommends that Council waive the Public Hearing for the proposed zoning text amendment bylaw in accordance with Section 464(2) of the Local Government Act;

AND FURTHER, that the Advisory Planning Committee recommends that Council require that completion of a lease agreement with School District #22 for use of the clubhouse at MacDonald Park be subject to the receipt of a fire safety plan from School District #22 to the satisfaction of the City of Vernon Fire Chief.

B. Rationale:

1. The subject property is McDonald Park, a 6.4 acre (2.6 hectare) municipal property located at the southwest corner of 43 Avenue and 27 Street. The location is shown in Figure 1 and also in Attachment 1.
2. North and east of the subject site, across 43 Avenue and 27 Street respectively, are commercial land uses. West are single family homes. Immediately south is Seaton Secondary School.
3. The subject site is designated 'Park' in the Official Community Plan and is zoned P1 (Parks and Open Space) in Zoning Bylaw #5000.
4. Macdonald Park contains open fields, tennis courts, a basketball court and two buildings. The single storey building is used for storage. The second building, known as 'the Clubhouse', is a 2-storey structure containing washrooms, changerooms, concession and storage areas on the first floor. The second floor contains a large multi-purpose room, washrooms and small kitchen (Figure 2).
5. The second storey of the Clubhouse was constructed and jointly funded by the Vernon Soccer Association (VSA) and the Greater Vernon Parks and Recreation District (GVPRD) (while the former parks operating function was in place). Following completion of construction in 2001, VSA entered into a 20-year use agreement with the Regional District of North Okanagan. The agreement was assigned to the City in 2014 when local parks were transferred to the City. VSA surrendered the use agreement in October 2019. The second floor of the building has been unused since.
6. School District #22 proposes to lease the second storey of the Clubhouse to supplement classroom



Figure 1: Location



Figure 2: MacDonald Park Clubhouse

education space at Seaton Secondary. Council approved a lease agreement, in principle, at its In-Camera Meeting of October 26, 2020 as detailed in the declassified motion in Section "E" of this report.

7. School District #22 and City of Vernon have a longstanding informal agreement which facilitates the use of MacDonald Park facilities by Seaton Secondary students and staff.
8. The existing P1 zoning does not include educational services as a permitted use. The proposed lease is technically contrary to the existing P1 (Parks and Open Space) zoning district.
9. Under the previous Zoning Bylaw #2458 (repealed in 2004), MacDonald Park was zoned P2 (Park and Public Use District). The P2 zone of Zoning Bylaw #2458 listed 'Schools, public' as a permitted use. Upon adoption of Zoning Bylaw #5000, the lands became P1 (Parks and Open Space). This rendered the use of MacDonald Park for school purposes non-conforming. A similar scenario exists for Grahame Park (next to Clarence Fulton Secondary School).
10. This proposed text amendment is initiated by Administration to facilitate the lease. The zoning amendment would add 'educational services, public' to P1 as a secondary use and would apply city-wide. This additional use category is limited to educational activities and associated structures which are publicly funded. Private associations and for-profit enterprise are not included in this use. Given that parks are owned by the City, discretion is available as to which users or groups in the future may construct buildings within or use parks for formal education programs.
11. As the purpose and primary uses of P1 (Parks and Open Space) are not impacted, the proposed zoning amendment is considered by Administration to be consistent with the Official Community Plan.
12. Administration is recommending that the public hearing be waived for this zoning amendment, as there are no anticipated negative impacts and no functional changes to the operation or appearance of lands zoned P1.
13. The proposed zoning amendment was referred to various internal departments for review. The only concern raised was ensuring that a fire safety plan would be coordinated with the remainder of Seaton Secondary School fire and emergency procedures. Administration recommends that this be a condition of the lease to the School District.
14. Pursuant to Section 52(3) of the *Transportation Act*, approval of the rezoning by the provincial Ministry of Transportation is required as the proposed rezoning is within 800 metres of a controlled access Highway. A referral to the Ministry was made and no objections were raised.

C. Attachments:

- Attachment 1 – Location Map
- Attachment 2 – Existing Zoning Map
- Attachment 3 – Aerial View
- Attachment 4 - Clubhouse Photos
- Attachment 5 – P1 (Parks and Open Space) Zone (Existing).

D. Council's Strategic Plan 2019 – 2022 Goals/Action Items:

Not applicable.

E. Relevant Policy/Bylaws/Resolutions:

At its In-Camera meeting of October 26, 2020, Council passed the following *declassified* motion:

"THAT Council direct Administration to lease to School District 22 the approximately 1,700 square foot former soccer clubhouse at MacDonald Park for an initial term of five years commencing on November 1, 2020, with a gross monthly rent of \$365.67 from November 1, 2020 to February 28, 2021 and annual gross rent of \$14,564 for the balance of the initial term, SD22 will maintain \$5M in liability insurance and the lease will include two five year renewal options;"

"AND FURTHER, that Council declassify the resolution and remove from In-Camera."

The OCP has the following applicable policies related to the subject application:

18.2 Support and participate in cooperative efforts with School District #22, Okanagan College, UBCO and other education service providers in the community to expand opportunities for the residents of Vernon.

BUDGET/RESOURCE IMPLICATIONS:

As indicated in the above November 26, 2020 Council resolution.

Prepared by:

Jan 28 2021 3:35 PM

X



Daniel Sturgeon

DocuSign

Daniel Sturgeon
Long Range Planner

Approved for submission to Council:

Will Pearce, CAO

Date: 01 FEB 2021

X

Signer 2

Kim Flick
Director, Community Infrastructure and Development

REVIEWED WITH

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Corporate Services | <input type="checkbox"/> Operations | <input type="checkbox"/> Current Planning |
| <input type="checkbox"/> Bylaw Compliance | <input type="checkbox"/> Public Works/Airport | <input checked="" 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 type="checkbox"/> Engineering & Development |
| <input checked="" type="checkbox"/> Fire & Rescue Services | <input type="checkbox"/> Recreation Services | <input type="checkbox"/> Infrastructure Management |
| <input type="checkbox"/> Human Resources | <input checked="" type="checkbox"/> Parks | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Nov.9/20) | | |
| <input type="checkbox"/> OTHER: | | |

G:\3000-3699 LAND ADMINISTRATION\3360 ZONING AND REZONING\20 Applications\ZON00364\2 PROC\Rpt\210126_ds_Council report_ZON00364.docx

P156

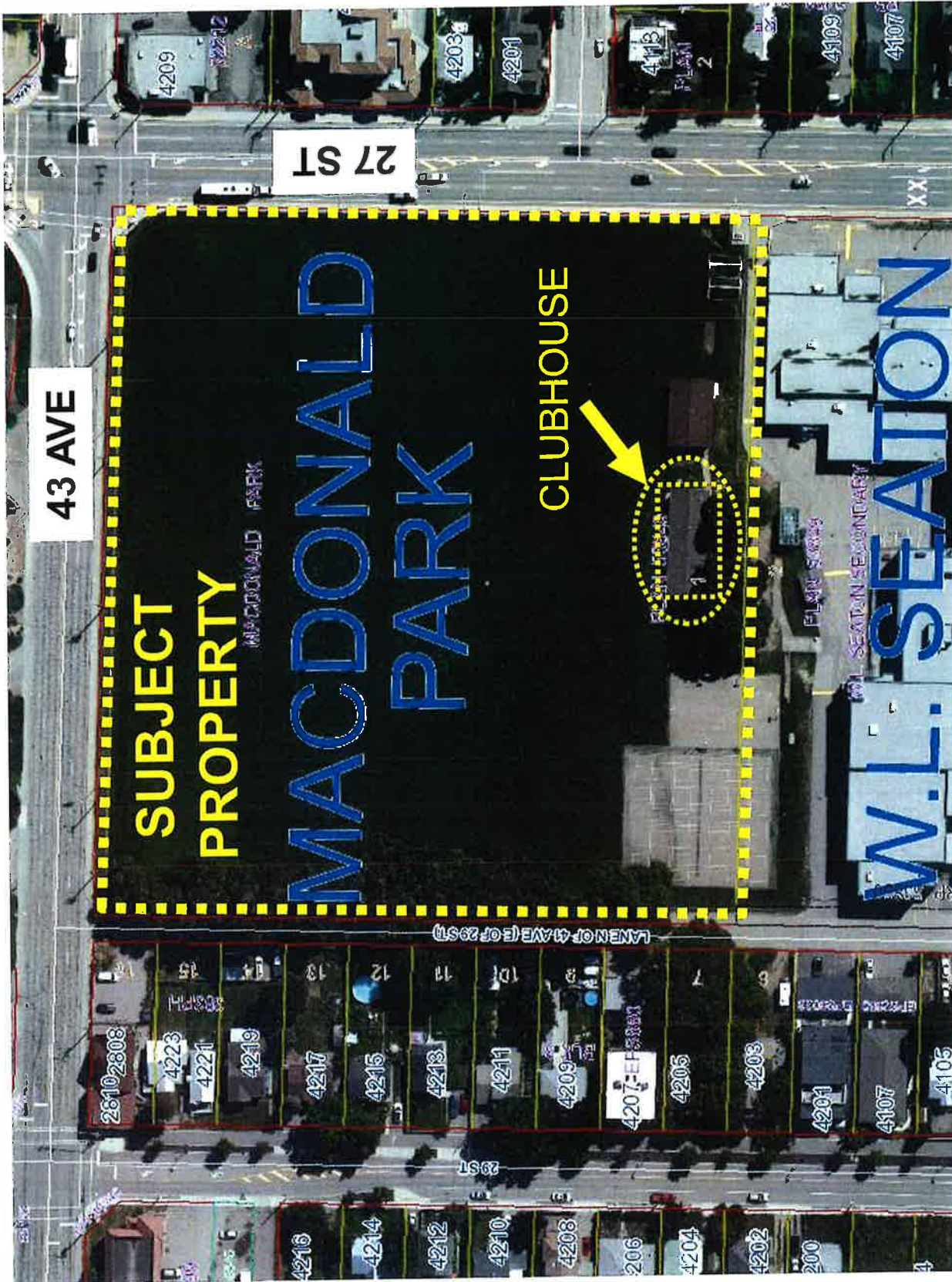




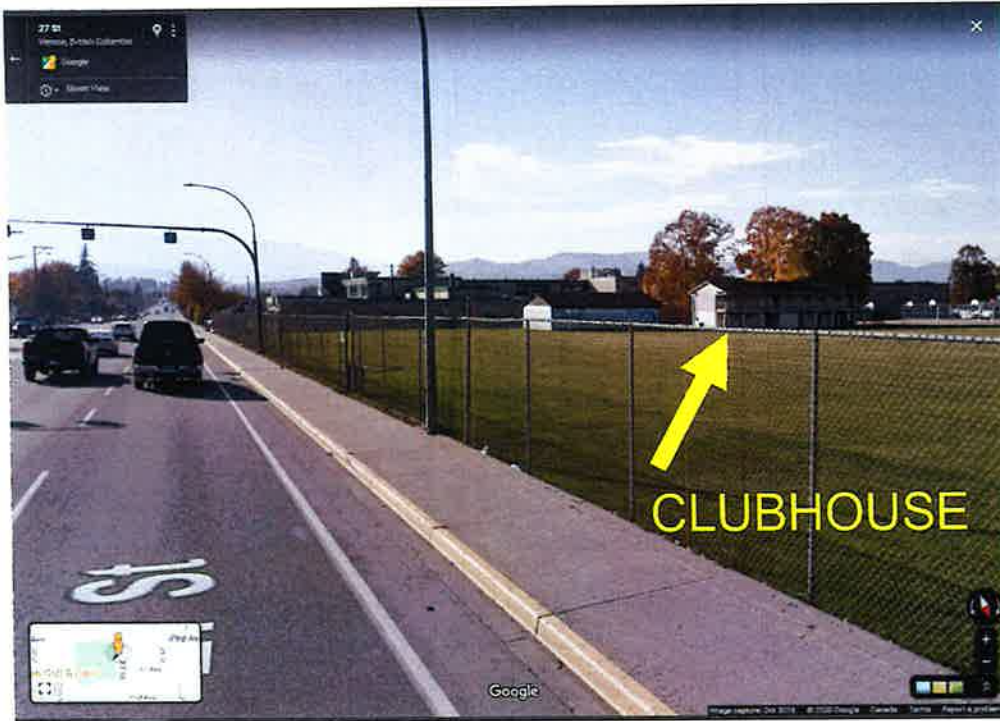
P1 – Parks and Open Space
 P3 – Private Institutional
 C5 – Community Commercial
 R1 – Estate Lot Residential
 R5 – Fourplex Housing Residential

P2 – Public Institutional
 C4 – Street Oriented Commercial
 RH1 – Low Rise Apartment Res.
 R3 – Medium Lot Residential

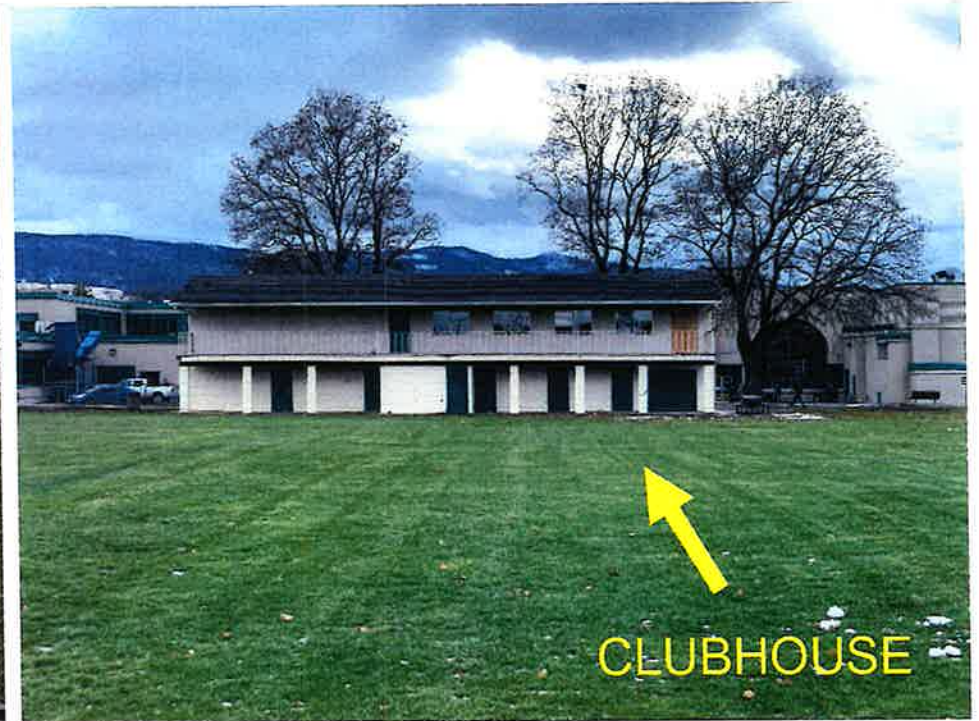
Zoning Map
ZON00364



Aerial
ZON00364



Looking south from 27th Street.



Looking south from MacDonald Park.

MacDonald Park Clubhouse Location

P1

12.1 P1 : Parks and Open Space

12.1.1 Purpose

The purpose is to provide a **zone** primarily for the preservation and enhancement of **open space**, for the protection of sensitive or endangered species habitat and identified cultural **sites**, and for limited public facilities.

12.1.2 Primary Uses

- cemeteries
- cultural exhibits, public
- docks, community
- libraries and museums, public
- marinas
- participant recreation services, indoor
- participant recreation services, outdoor
- parks, public

12.1.3 Secondary Uses

- boat launches
- boat lifts
- boating
- care centres, major
- carnival
- community recreation centres
- food primary establishments
- residential security/operator unit
- retail stores, convenience
- retail street sales
- utility services, minor impact

12.1.4 Subdivision Regulations

- Minimum lot width is N/A.
- Minimum lot area is N/A.

12.1.5 Development Regulations

- Maximum floor space ratio is 1.0.
- Maximum height is 15.0m or 4 storeys; which ever is the lesser.
- Minimum front yard is 6.0m.
- Minimum side yard is 3.0m, except it is 4.5m for any flanking street or where the abutting land is zoned or designated Residential or Agriculture.
- Minimum rear yard is 3.0m, except it is 4.5m for any flanking street or where the abutting land is zoned or designated Residential or Agriculture.

12.1.6 Other Regulations

- Only one **residential security/operator unit** is permitted on a **site**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development**, **yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- **Outdoor storage** shall be screened from view of any **street** or **lane** and from **adjacent** properties. There shall be no **outdoor storage** of toxic, noxious, explosive, or odorous materials.
- As per Section 4.10.2 - All **buildings** and **structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".
(Bylaw 5440)

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5849

A bylaw to amend the City of Vernon
Zoning Bylaw Number 5000

WHEREAS the Council of The Corporation of the City of Vernon has determined to amend the City of Vernon Zoning Bylaw Number 5000 to add “**educational services, public**” as a Secondary Use in the P1: Parks and Open Space zone within the City of Vernon;

AND WHEREAS all persons who might be affected by this amendment bylaw have, before the passage thereof, been afforded an opportunity to be heard on the matters herein before the said Council, in accordance with the provisions of Section 464 of the Local Government Act, and all amendments thereto;

NOW THEREFORE the Council of The Corporation of the City of Vernon, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the “**Zoning Text (P1 Educational Services, Public) Amendment Bylaw Number 5849, 2021**”.
2. The City of Vernon Zoning Bylaw Number 5000 be, and is hereby amended, as follows:
 - (i) **AMENDING** Section 12.1, P1 – Parks and Open Space, 12.1.3 Secondary Uses by:
 - a. **ADDING:**

‘**educational services, public**’ as shown in **red** on attached Schedule ‘A’, attached to and forming part of this bylaw; and
3. Zoning Bylaw Number 5000 is hereby ratified and confirmed in every other respect.

BYLAW NUMBER 5849

PAGE 2

READ A FIRST TIME this day of , 2021.
READ A SECOND TIME this day of , 2021.
PUBLIC HEARING WAIVED this day of , 2021.
(pursuant to Section 467 of the *Local Government Act*)
READ A THIRD TIME this day of , 2021.

Approved pursuant to section 52(3)(a) of the *Transportation Act* this _____ day of
_____, 20____

for Minister of Transportation & Infrastructure
BYLAW 5849/2020-06180

ADOPTED this day of , 2021.

Mayor

Corporate Officer

Notice of the **Waiver** of Public Hearing was advertised in the _____ and _____,
2021 issues of the *Morning Star* newspaper, circulated in the City of Vernon.

12.1 P1 : Parks and Open Space

12.1.2 Secondary Uses

- **boat launches**
- **boat lifts**
- **boating**
- **care centres, major**
- **carnival**
- **community recreation centres**
- **educational services, public**
- **food primary establishments**
- **residential security/operator unit**
- **retail stores, convenience**
- **retail street sales**
- **utility services, minor impact**
- **warehouse sales**



THE CORPORATION OF THE CITY OF VERNON

MINUTES OF ADVISORY PLANNING COMMITTEE MEETING HELD

WEDNESDAY, NOVEMBER 10, 2020

PRESENT: VOTING

Mark Longworth, Chair
Phyllis Kereliuk
Monique Hubbs-Michiel
Doug Neden
Jamie Paterson

NON-VOTING

Mayor Cumming (Alternate Appointed Member)

ABSENT: Councillor Mund (Appointed Member)

Lisa Briggs
Joshua Lunn
Harpreet Nahal
Don Schuster
Bill Tarr
Larry Lundgren

STAFF: Craig Broderick, Manager, Current Planning/Staff Liaison
Laurie Cordell, Manager, Long Range Planner
Ellen Croy, Planning Assistant
Natasha Kositsin, Legislative Secretary

ORDER

The Chair called the meeting to order at 4:04 p.m.

**ADOPTION OF
AGENDA**

Moved by Jamie Paterson, seconded by Doug Neden:

THAT the Advisory Planning Committee agenda for
November 10, 2020 be adopted.

CARRIED.

**ADOPTION OF
MINUTES**

Moved by Doug Neden, seconded by Phyllis Kereliuk:

THAT the minutes for the Advisory Planning Committee
meeting of October 27, 2020 be adopted.

CARRIED.

NEW BUSINESS:

**OFFICIAL COMMUNITY
PLAN AMENDMENT
AND REZONING
APPLICATION FOR
3398 DAVISON ROAD
(OCP00084/ZON00350)**

The Manager, Long Range Planner reviewed official community plan amendment and rezoning application for 3398 Davison Road. The Committee noted the following:

- Grey Canal trail is connected even if the picture on the map in the report shows a gap, and will connect Turtle Mountain with the Rise
- No development is planned for the other side of Tassie Creek for safety concerns
- Transportation concerns for Turtle Mountain residents and the new subdivision plan, needs more than one access to this subdivision so they are not all going through Turtle Mountain
- Mention of an old farmhouse located in the middle of the development, this will be removed
- Davison Road concerns as the road does not meet the current road standards and will cost a lot of money to upgrade, can be used for emergency vehicles for access to park

Moved by Phyllis Kereliuk, seconded by Jamie Paterson:

THAT the Advisory Planning Committee recommends that Council support the application to amend the Official Community Plan land use designation for portions of Lot 1, Plan EPP80986, Section 4, Township 8, Osoyoos Division Yale District (3398 Davison Road) from 'Public Institutional', 'Parks & Open Space', 'ALR Lands' and 'Hillside Residential' to 'Hillside Residential' to 'Parks & Open Space' as outlined in the report titled "Official Community Plan Amendment and Rezoning Application for 3398 Davison Road" dated November 6, 2020 by the Long Range Planner;

AND FURTHER, that the Advisory Planning Committee recommends that Council support the application to rezone the subject property from A1 (Agriculture in the ALR) to HR1 (Hillside Residential Single and Two Family), HR2 (Hillside Residential Multi-Family) and P1 (Parks and Opens Space), as described in the report titled "Official Community Plan Amendment and Rezoning Application for 3398 Davison

Road" dated November 6, 2020 by the Long Range Planner;

AND FURTHER, that the Advisory Planning Committee recommends that Council consider the referral process already undertaken with persons, organizations and authorities which are considered to be affected by the proposed amendment to the Official Community Plan to be appropriate and sufficient to meet the requirements of Section 475 of the *Local Government Act*;

AND FURTHER, that final adoption of the OCP amendment and rezoning bylaws be subject to the following:

- a) Completion of a purchase and sale agreement for a portion of the subject property in order to provide for additional park land as detailed in the report titled "Official Community Plan Amendment and Rezoning Application for 3398 Davison Road" dated November 6, 2020 by the Long Range Planner;
- b) Submission of a subdivision application for the subject lands to create a park lot, aligning with the proposed OCP amendment, and a remainder lot, to the satisfaction of the Approving Officer;
- c) Registration of a statutory right-of-way in favour of the City of Vernon over the Streamside Protection and Enhancement Area that is required under the Riparian Areas Protection Regulation which includes public trail access;
- d) Registration of a 'no-build' restrictive covenant on the remainder of the development lands which is to remain in place until such a time that a future subdivision application which incorporates an extension and connection of the road network and trail network across the site is completed;
- e) Registration of a restrictive covenant which prohibits any subdivision of the property until emergency egress to Davison Road is provided, and specifically limits such access to Davison Road for emergency egress only, and specifies the crossing width over Tassie Creek to be a maximum of 4.0 metres;

- f) Registration of a restrictive covenant requiring the installation of fencing or appropriate barriers along the western property line of the subject property at the subdivision stage in order to protect against trespass and interference with adjacent agricultural operations;
- g) Completion of a purchase and sale agreement for the lands described as Plan A911, Section 4 Township 8, Osoyoos Division Yale District, Parcel 1 (3301 Davison Road), in order to facilitate acquisition of a missing link in the Grey Canal Trail, as detailed in the report titled "Official Community Plan Amendment and Rezoning Application for 3398 Davison Road" dated November 6, 2020 by the Long Range Planner.

CARRIED.

The Manager, Current Planning reviewed the following APC related applications discussed at the November 9, 2020 Council meeting:

- **DVP00492 – 3204 15 Street** – issue permit once conditions are met
- **ZON00353 – 3912 and 3914 Alexis Park Drive and 3703 Turtle Mountain Boulevard** – PH set for December 14
- **ZON00359/ZON00360/ZON00361 - 6309, 6321 and 6335 Okanagan Landing Road Rezoning Amendment** – PH held and received third reading

NEXT MEETING

The next meeting of the Advisory Planning Committee is tentatively scheduled for **Tuesday, November 24, 2020.**

ADJOURNMENT

The meeting of the Advisory Planning Committee adjourned at 4:31 p.m.

CERTIFIED CORRECT:



Chair



THE CORPORATION OF THE CITY OF VERNON

MINUTES

TOURISM COMMISSION MEETING

HELD WEDNESDAY, DECEMBER 16, 2020

VIA ZOOM

PRESENT: VOTING:

Claus Larsen, Accommodation Provider, Chair
Richard Rolke, Greater Vernon Chamber of Commerce
Kevin O'Brien, Attractions
Dauna Kennedy, Arts & Culture, Vice-Chair
Brett Woods, Biking
Councillor Dalvir Nahal (Appointed Member)
Michael Van Horne, Golf
Susan Lehman, Downtown Vernon Association
Gale Woodhouse, Arts & Culture
David Gibbs, Accommodation Provider
Matt Scheibenpflug, Accommodation Provider
Mike Fotheringham, Okanagan Indian Band
Ricardo Smith, Sports and Events
Clinton Bialas, Restaurant
Troy Hudson, Ski

ABSENT: Janna Maderyc, Accommodation Provider

NON VOTING: Ian Jenkins, Silver Star Mountain Resort
Mayor Victor Cumming
Councillor Kari Gares

STAFF: Kevin Poole, Staff Liaison, Manager, Economic Development & Tourism
Torrie Silverthorn, Tourism Coordinator
Karen Savill, Administrative Assistant, Economic Development and Tourism
Natasha Kositsin, Secretary 1, Corporate Services

ORDER

The meeting was called to order at 8:08 a.m.

TOURISM COMMISSION MINUTES – DECEMBER 16, 2020

ADOPTION OF AGENDA

Moved by Councillor Nahal, seconded by Richard Rolke:

THAT the agenda for Wednesday, December 16, 2020 Tourism Commission meeting be adopted.

CARRIED.

ADOPTION OF MINUTES

Moved by Councillor Nahal, seconded by Clint Bialas:

THAT the minutes of the Tourism Commission meeting held Wednesday, November 18, 2020 be adopted.

CARRIED.

WELCOME

The Chair welcomed Councillor Gares to the Tourism Commission as the new appointed Council member and thanked Councillor Nahal for her time and knowledge on the Commission.

UNFINISHED BUISNESS

TACTICAL MARKETING PLAN 2021 UPDATE

The Tourism Coordinator gave an update on the Tactical Marketing Plan for 2021. The following points were provided:

- The Manager Economic Development and Tourism thanked the Tourism Marketing Sub-Committee for their feedback which assisted in forming the Tactical Marketing Plan
- Provided an update to key operators on how things will be shifting in early 2021
- The Draft Tactical Marketing Plan will be sent to the Marketing Sub-Committee by the end of this week for review over the holidays
- The draft plan will be presented to the Commission at the January 20th meeting, and if approved, the plan will be presented to Council at their January 25, 2021 Regular Council meeting
- As per Tourism Commission Bylaw #5683, the Tourism Commission Chair will also provide Council with the annual review of Tourism in 2020 and plans for 2021 at their January 25, 2021 Regular Council meeting

CO-OP MARKETING PROGRAM 2021 UPDATE

The Tourism Coordinator gave an update on the Co-op Marketing Program for 2021. The following points were provided:

- We received feedback and made some minor changes

TOURISM COMMISSION MINUTES – DECEMBER 16, 2020

- We changed the intake to include two periods instead of one – the first intake period deadline will be in February and the second will be in the summer
- The application and guidelines will be posted to the website in January
- Social media communications and an e-blast will be sent out as well
- COVID-19 updates can be found on the Tourism Vernon website under Discover and then the Partners tab
- The Greater Vernon Chamber of Commerce (GVCOC) and the Downtown Vernon Association (DVA) both support and encourage shopping local with their respective campaigns
- MRDT funds are available for tourism marketing efforts within our region

STAKEHOLDER VIRTUAL OPEN HOUSE UPDATE

The Tourism Coordinator gave an update on the Stakeholder Virtual Open House. The following points were provided:

- The virtual event is slated for February 18, 2021 as a zoom webinar - will provide more details at the beginning of 2021
- A save-the-date was just sent out in the Tourism Vernon Christmas E-newsletter
- It was requested that Tourism Commission members create a candid one-minute video to reflect on how COVID-19 affected their business in 2020 and highlight the challenges they overcame
- The Tourism Coordinator will contact Davison Orchards and other key stakeholders and will create a 15-minute video montage to be presented at the Virtual Open House .
- Stakeholders are curious as to what highs and lows other tourism businesses faced in 2020
- Destination BC and the Thompson Okanagan Tourism Association (TOTA) have confirmed that they will provide guest speakers for the Stakeholders Virtual Open House

NEW BUSINESS:

ROUND TABLE DISCUSSION

Tourism Vernon

- The Manager, Economic Development and Tourism has been working with the Sports and Cultural Society of the North Okanagan (SCSNO) regarding a potential bid for an event in 2022. This may be brought forward for discussion to an In-Camera Tourism Commission meeting in January

TOURISM COMMISSION MINUTES – DECEMBER 16, 2020

- The World Travel Awards were cancelled in 2020 and haven't been rescheduled yet for 2021
- The Chair of the Tourism Commission has reached out to the TOTA for an update

Silver Star Mountain

- The Western Canada Mountain Bike Tourism Symposium is scheduled for Fall 2021 at Silver Star Mountain Resort with the possibility of a "field trip" to Predator Ridge Resort. A save-the-date has been sent out by the North Okanagan Cycling Society.
- They also shared that another Crankworx Summer event is possible for 2021, similar to the Crankworx event they held in 2020.
- Both of these events have been previously held at Whistler, but it would be easier to manage restrictions in a smaller community

Vernon Winter Carnival Society

- The Vernon Winter Carnival Society has faced challenges in organizing events this year, due to COVID restrictions
- They have been in daily contact with the Ministry and Public Health Authorities and are altering events to abide by the orders
- Events that have been approved, but have been altered to adhere to Public Health Orders, are as follows: Reverse Parade, Chili Cook Off, Scavenger Hunt, Celebration of Talent, Jam Cam and Raffle Draws
- Other events have been placed on hold until January 8 to see if restrictions will be lifted
- The DVA has previously hosted up to five events during the Carnival but have scaled down to two this year and they are: Chili Cook Off and a Scavenger Hunt
- It was suggested that the Winter Carnival Society send out a video to get the word out to the community that the Carnival is going to continue with innovative and creative COVID safe events
- It was also suggested that crowd control planning should be considered, and to create a video "walk-through" explaining what to expect at events this year
- The Commission discussed how they can support the Carnival

TOURISM COMMISSION MINUTES – DECEMBER 16, 2020

- Councillor Gares (Winter Carnival Council Representative) will contact Vicki Proulx, Executive Director to ask for a list of events that are going ahead and events that are undetermined
- Councillor Nahal made a suggestion to incorporate 'shop local' into the Carnival with an event to attract residents downtown
- The Tourism Coordinator shared that Tourism Vernon has been in touch with Vicki Proulx regularly
- Tourism Vernon is a diamond sponsor. We have our logo and messaging in the brochure including a Top 15 things to do in Vernon during Winter Carnival list
- Tourism Vernon is also sponsoring the ice playground

Tourism Vernon

- The Tourism Manager position has been posted
- There were concerns if this was a good time to be hiring
- The Manager, Economic Development and Tourism addressed concerns: After budget discussions with Council and receiving MRDT funds, we feel confident that Vernon will be in a good place and are optimistic for 2021
- Destination BC presented their 3-year plan and a key tactic will be disbursement of travelers to smaller communities
- It is expected that there will be a return to normal by Fall 2021
- Tourism in late summer early fall could be very busy with pent up demand

Arts and Culture

- The Vernon Community Arts Centre shared that they have had a 75% – 100% uptake in local shoppers at their annual Artsolutely sale this year. The shop local movement is working. They are exploring how to retain the local shopping market going forward.
- They managed to stay within the guidelines using more imagery and videos

Sovereign Lake Cross Country

- Expressed concerns regarding funds that were allocated for the Ski Nationals event that was cancelled in 2020.

TOURISM COMMISSION MINUTES – DECEMBER 16, 2020

- The Manager, Economic Development and Tourism confirmed that those funds would be rolled over and be available to support the event next year

Predator Ridge Golf & Resort

- July market has been extremely higher than previous years with August and September sales topping July's numbers
- The winter market has been booming due to travel restrictions for snowbirds
- Travelers feel safe at Predator as it is its own community with a focus on golf, wellness and biking
- Their electrostatic cleaning process instills confidence in guests

Restaurant

- Marten Brewpub has seen a tremendous increase in take-out orders since switching to Skip the Dishes
- They have had to raise their costs by 10% to offset the 25% fees that Skip the Dishes charges. Although sales are up, they are still losing 15%
- It was suggested to offer discounts for pick up orders or to search for another delivery company that offers better rates
- Summer months in 2021 are completely booked with weddings and Christmas is completely booked with parties
- A request was made for Council to provide a letter of support and to lobby senior levels of Government regarding capping delivery charges
- Okanagan Spirits is also frustrated regarding lack of Federal support to distillers providing hand sanitizer during the pandemic. The Greater Vernon Chamber of Commerce is lobbying the government on their behalf
- The Manager, Economic Development and Tourism will do some research with the Province, the restaurant industry, the Downtown Vernon Association and the Chamber of Commerce for discussion in January

City of Vernon

- Councillor Nahal mentioned that Councillor Anderson will be bringing a motion to Council in January regarding an

TOURISM COMMISSION MINUTES – DECEMBER 16, 2020

outdoor skating rink and requesting a letter of support from the Tourism Commission

- The Manager, Economic Development and Tourism will look into this for discussion at the January 20th Tourism Commission Meeting

Moved by Councillor Nahal; seconded by Claus Larsen:

THAT the Tourism Commission request a letter of support be sent to Council in support of an outdoor skating rink.

CARRIED.

DATE AND TIME OF NEXT MEETING

The next meeting of the Tourism Commission is scheduled for **Wednesday, January 20, 2021** at 8:00 a.m. via zoom.

The Tourism Commission meeting adjourned at 9:17 a.m.

CERTIFIED CORRECT:

Claus Larsen

Chair



THE CORPORATION OF THE CITY OF VERNON

MINUTES OF ADVISORY PLANNING COMMITTEE MEETING HELD

TUESDAY, JANUARY 12, 2021

PRESENT: VOTING

Mark Longworth, Chair
Phyllis Kereliuk
Monique Hubbs-Michiel
Doug Neden
Jamie Paterson
Lisa Briggs
Harpreet Nahal
Bill Tarr
Larry Lundgren

NON-VOTING

Mayor Cumming (Alternate Appointed Member)

ABSENT: Councillor Mund (Appointed Member)
Joshua Lunn
Don Schuster

STAFF: Craig Broderick, Manager, Current Planning/Staff Liaison
Jing Niu, Environmental Planning Assistant
Ellen Croy, Transportation Planner
Janice Nicol, Deputy Corporate Officer
Jade Adams-Longworth, Secretary, Corp. Services

ORDER

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

**ELECTION OF CHAIR
AND VICE CHAIR**

Nominations for the position of Advisory Planning Chair for 2021 were called for three times.

Mark Longworth was nominated.

Moved by Larry Lundgren, seconded by Doug Neden:

THAT Mark Longworth be elected Chair of the Advisory Planning Committee for 2021.

CARRIED.

Nominations for the position of Advisory Planning Vice-Chair for 2021 were called for three times.

Doug Neden was nominated.

Moved by Lisa Briggs, seconded by Larry Lundgren:

THAT Doug Neden be elected Vice-Chair of the Advisory Planning Committee for 2021.

CARRIED.

**ADOPTION OF
AGENDA**

Moved by Doug Neden, seconded by Larry Lundgren:

THAT the Advisory Planning Committee agenda for January 12, 2021 be adopted.

CARRIED.

**ADOPTION OF
MINUTES**

Moved by Phyllis Kereliuk, seconded by Monique Hubbs-Michiel:

THAT the minutes for the Advisory Planning Committee meeting of November 10, 2020 be adopted.

CARRIED.

NEW BUSINESS:

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR 5 -
80 KESTREL PLACE
(DVP00503)**

The Environmental Planning Assistant reviewed the development variance permit application for 5 – 80 Kestrel Place. The Committee noted the following:

- Concern for how bonding will be secured. Administration advised that security bonding will be part of the development permit process;
- The Committee is in support of the development if the strata members are in support. Administration advised that the adjacent neighbours would have an opportunity to provide input as part of the development permit process.

Moved by Doug Neden, seconded by Bill Tarr:

THAT Council support development variance permit application DVP00503 to vary the following section of Zoning Bylaw #5000 to accommodate a single family dwelling at LT 5 PL KAS2084 DL 297 ODYD (5 – 80 Kestrel PL):

- a) Section 9.5.5 by reducing the front yard setback from 3.5m to 0.45m, reducing the side yard setback from 1.5m to 0.9m and reducing flanking street side yard setback from 3.5m to 1.5m, and
- b) Section 4.13.2 to allow for development within 15m of High Water Mark of Okanagan Lake;

AND FURTHER, that Council's support of DVP00503 is subject to the following:

- a) that the applicant provides confirmation of Strata (KAS2084) support for the proposed development pertaining to the variances requested,
- b) that the building siting and footprint must adhere to the site plan by Dean Thomas Design Group dated October 28, 2020, which will be attached to and form part of DVP00503,
- c) that the Environmental Assessment by Ecoscape Environmental Consultants Ltd. dated December 2020 be attached to and form part of DVP00503, and
- d) that the applicant demonstrates the requirements Provincial Riparian Areas Protection Regulation (RAPR) have been met and that a complete and accepted RAPR Assessment, detailed landscaping plan including all required compensation works, be provided and form part of the associated Development Permit DP000878 (Environmental).

CARRIED.

**REVIEW OF TERMS OF
REFERENCE AND
BULLYING AND
HARASSMENT POLICY**

Committee members were asked to review the Terms of Reference and the City of Vernon Bullying and Harassment Policy and to confirm via email upon completion.

INFORMATION ITEMS:

The Manager, Current Planning reviewed the following APC related applications discussed at the November 23, 2020 Council meeting:

- **DVP00495 – 2000 33 Street** – issue permit once conditions are met
- **OCP00068/ZON00266/DVP00440 – 3903 30 Street** – Second one year extension granted to November 13, 2021
- **OCP00084/ZON00350 – 3398 Davison Road** – PH to be held on December 14, 2020

December 14, 2020 Council meeting:

- **ZON00353 – 3912 and 3914 Alexis Park Drive and 3703 Turtle Mountain Blvd** - PH held December 14, 2020 and reconvened to January 11 for more Public Input
- **OCP00084/ZON00350 – 3398 Davison Road** – PH held December 14, 2020 and reconvened to January 11 for more Public Input

January 11, 2021 Council meeting:

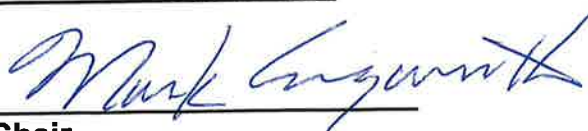
- **DVP00441 – 1999 15th Avenue** – Extension granted until January 11, 2022
- **ZON00353 – 3912, 3914 Alexis Park Drive & 3703 Turtle Mountain Boulevard Rezoning** - PH completed, received third reading
- **OCP00084/ZON00350 – 3398 Davison Road** - - PH completed, received third reading.

NEXT MEETING

The next meeting of the Advisory Planning Committee is tentatively scheduled for Tuesday, January 26, 2021.

ADJOURNMENT

The meeting of the Advisory Planning Committee adjourned at 4:24 p.m.

CERTIFIED CORRECT:

Chair

THE CITY OF VICTORIA



OFFICE OF THE MAYOR

Feb 8
INFO ITEM

January 21, 2021

The Honourable Victor Cummings
Mayor of Vernon
3400 – 30th Street
Vernon, BC V1T 5E6



Dear Mayor Cummings,

On behalf of the City of Victoria, thank you for your recent correspondence dated November 30, 2020. We appreciate your advocacy on the important matter of universal no-cost access to all prescription contraception.

You will be pleased to know that on January 23, 2020 we passed a similar Council Motion which I have included below for your information:

WHEREAS cost is a significant barrier to people accessing contraception, particularly to people with low incomes, youth, and people from marginalized communities;

AND WHEREAS providing free prescription contraception has been shown to improve health outcomes for parents and infants by reducing the risks associated with unintended pregnancy, and is likely to reduce direct medical costs on the provincial health system;

THEREFORE BE IT RESOLVED THAT the Association of Vancouver Island and Coastal Communities call on the Provincial Government to make all prescription contraception in BC available at no cost under the Medical Services Plan.

Thank you again for reaching out, I wish you all the best in 2021.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Helps'.

Lisa Helps
Victoria Mayor

From: HLTH Patient and Client Relations HLTH:EX <hlth.PatientandClientRelations@gov.bc.ca>
Sent: Friday, January 29, 2021 1:21 PM
To: Maria Doyle <MDoyle@vernon.ca>
Cc: OfficeofthePremier, Office PREM:EX <Premier@gov.bc.ca>
Subject: Ministry of Health Response - 1183531

*****Use Caution - External Email*****

1183531

His Worship Victor I. Cumming
MDoyle@vernon.ca

Dear Mayor Cumming:

Thank you for your letter sent via email of December 1, 2020 in support of universal access to free prescription contraception in British Columbia. I am responding on behalf of the Honourable John Horgan, Premier, and the Honourable Adrian Dix, Minister of Health. I apologize for the delay in communication.

The Ministry of Health (the Ministry) recognizes the right of all BC residents to make and implement informed choices about their sexual and reproductive health. In recognition of this right, the 2020 Minister of Health Mandate Letter includes a commitment to 'make prescription contraception free for all' BC residents.

The Ministry is working with internal and external partners to implement this commitment and ensure that all BC residents can equitably access and benefit from free prescription contraception; however, there is no change to current BC PharmaCare coverage at this time. In the interim, the Ministry will continue to provide BC residents coverage for select contraceptives according to each resident's PharmaCare coverage plan(s).

All BC residents have access to pharmaceutical coverage under the universal, income based. Fair PharmaCare plan. The PharmaCare formulary includes a range of contraceptives, including oral contraceptive pills, hormonal injectable contraceptives and hormonal intrauterine devices (IUDs). Fair PharmaCare provides families with coverage for eligible prescription drugs and designated medical supplies based on their net income. The lower their income, the more help they receive. British Columbians with the lowest incomes do not need to meet a deductible and receive immediate assistance. Other PharmaCare plans provide full coverage without the need to meet a deductible, for specific groups such as persons receiving provincial income assistance or for clients of the First Nations Health Authority. For more details regarding BC PharmaCare, please visit www.gov.bc.ca/pharmacare.

Additionally, Options for Sexual Health (<https://www.optionsforsexualhealth.org>) is an organization with more than 60 clinics across BC staffed by nurses, doctors and trained volunteers. They offer birth control counselling, low-cost contraceptives and supplies, among other sexual and reproductive healthcare services.

Thank you for writing to the Ministry about this important issue. I appreciate the opportunity to respond.

Sincerely,

Thomas Guerrero
Executive Director

pc: Honourable John Horgan, Premier

Improvement through every concern.



Patient and Client Relations
Corporate Issues and Client Relations
Ministry of Health

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File: 0410-31

November 30, 2020



THE CORPORATION OF THE CITY OF VERNON

3400 - 10TH STREET VERNON, BRITISH COLUMBIA V1T 5E5
TELEPHONE (250) 745-1361 FAX (250) 545-4049

OFFICE OF THE MAYOR

Premier John Horgan
Box 9041, STN PROV GOVT
Victoria, BC V8W 9E1

Selina Robinson, Minister of Finance
email: Fin.Minister@gov.bc.ca

Adrian Dix, Minister of Health
PO Box 9050 ST PROV GOVT
Victoria, BC V8W 9E2

Harwinder Sandhu, MLA Vernon-Monashee
email: harwinder.sandhu@bcndp.ca

Council, at their Regular meeting held on Tuesday, October 13, 2020, passed the following resolution:

"WHEREAS cost is a significant barrier to people accessing contraception, particularly to people with low incomes, youth, and people from marginalized communities; and

WHEREAS providing free prescription contraception has been shown to improve health outcomes for parents and infants by reducing the risks associated with unintended pregnancy, and is likely to reduce direct medical costs on the provincial health system; and

WHEREAS contraceptive methods such as condoms or vasectomies are available at low cost, no cost, or are covered by BC's Medical Services Plan, whereas all contraceptive methods for people with uterus (such as birth control pills, intrauterine devices, or hormone injections) have high up-front costs, making access to contraception unequal and gendered;

THEREFORE BE IT RESOLVED

THAT the City of Vernon write to the Provincial Minister of Finance, the Provincial Minister of Health, the Premier of BC, and the local MLA supporting universal no-cost access to all prescription contraception available in BC under the Medical Services Plan; and

THAT this letter be forwarded to all BC municipalities asking to write their support as well

CARRIED."

Thank you for your consideration.

Yours truly,


Victor I. Cumming
Mayor

Copy: Mayor & Council
W. Pearce, CAO
BC Municipalities



The Corporation of the District of Saanich | Mayor's Office

770 Vernon Avenue Victoria BC V8X 2W7 | T 250-475-5510 | F 250-475-5440 | www.saanich.ca

Sent via email

February 2, 2021

Mayors and Councils of British Columbia

Dear Mayors and Councils,

Re: Actions to Address the Overdose Crisis

I would like to draw to your attention that on January 25, 2021 Saanich Council considered a Report to Council on the overdose crisis and resolved as follows:

"That Council:

- *Direct staff to engage in discussions with local health agencies and non-profit organizations addressing the overdose crisis to discuss whether Saanich could support safe consumption sites and to explore further potential actions Saanich/local governments could take to help, and to report back to Council with options;*
- *request the Government of Canada to declare the overdose crisis a national public health emergency;*
- *reaffirm its earlier requests to senior governments on the overdose crisis and further request that the Government of Canada immediately seek input from the people most affected by the crisis and meet with provinces and territories to develop a comprehensive Pan-Canadian overdose action plan, which includes comprehensive supports and full consideration of reforms that other countries have used to significantly reduce drug-related fatalities and stigma, such as legal regulation of illicit drugs to ensure safe supply of pharmaceutical alternatives to toxic street drugs, and decriminalization for personal use;*
- *publicly voice its support to decriminalize simple drug possession; and*
- *share the report with all other municipal Councils in the Province of British Columbia, and write to all other municipal Councils in the Capital Region, and the Capital Regional District Board, requesting that they take similar action."*

A copy of the report dated January 11 and an excerpt of the January 25 meeting minutes are attached for further information.

These requests build upon the advocacy work presented by our resolutions indicated in the council report presented on September 14, 2020. Here you can find the recent reply received from the Director General, Controlled Substances Directorate of Health Canada on January 28.

Today we see lives continuing to be lost in record-breaking numbers due to the overdose crisis. British Columbia has suffered a record breaking year for lost lives due to a toxic illicit drug supply. New approaches and additional actions are needed to address this crisis.

We hope that together our continued advocacy will aid in bringing the needed resources forward.

Sincerely,

A handwritten signature in dark ink, appearing to read "F. Haynes", is written over a light blue horizontal line. To the right of the signature is a vertical line.

Fred Haynes
Mayor

Enclosures

cc: Saanich Council
Paul Thorkelsson, District of Saanich, CAO



The Corporation of the District of Saanich

Notice of Motion

To: Mayor and Council
From: Councillor Ned Taylor, Councillor Karen Harper
Date: January 11, 2021
Subject: Actions to Address the Overdose Crisis

RECOMMENDATIONS

1. That Council direct staff to engage in discussions with local health agencies and non-profit organizations addressing the overdose crisis to discuss whether Saanich could support safe consumption sites and explore further potential actions Saanich/local governments could take to help, and to report back to council with options.
2. That Council request the Government of Canada to declare the overdose crisis a national public health emergency.
3. That Council reaffirm its earlier requests to senior governments on the overdose crisis and further request that the Government of Canada immediately seek input from the people most affected by the crisis and meet with provinces and territories to develop a comprehensive pan-Canadian overdose action plan, which includes comprehensive supports and full consideration of reforms that other countries have used to significantly reduce drug-related fatalities and stigma, such as legal regulation of illicit drugs to ensure safe supply of pharmaceutical alternatives to toxic street drugs, and decriminalization for personal use.
4. That Council publicly voice its support for the Vancouver's efforts to decriminalize simple drug possession.
5. That Council share this report with all other municipal councils in the Province of British Columbia, and write to all other municipal councils in the Capital Region, and the Capital Regional District Board, requesting that they take similar action.

BACKGROUND

On September 14, 2020, Saanich Council passed a motion advocating to senior levels of government for actions to address the overdose crisis. The motion read as follows:

"That Council write to the Offices of the Prime Minister, the Premier, and the Federal and Provincial Ministers of Finance, Health, Mental Health and Addictions and Municipal Affairs and Housing, requesting they commit to providing adequate funding, new policy frameworks and legislative changes to effectively and holistically address the opioid crisis, mental health issues and their connections to homelessness in the municipalities in British Columbia and Canada

and this approach include the decriminalization of controlled substances for personal use and the provision of a safe supply of opioids."

Lives continue to be lost at record-breaking numbers due to the overdose crisis. Therefore, it is critical that Saanich Council continues to advocate to senior levels of government for actions needed to address this crisis, and explore potential actions that we could take as a municipality to help.

On Dec 21, 2020, the BC Coroner Services reported that "There have been 1,548 illicit drug deaths to date in 2020 in B.C., and the number of deaths in each health authority is at or near the highest ever monthly totals." Furthermore, the BC Coroner Services reports "153 suspected drug toxicity deaths in November 2020, an 89% increase over November 2019 (81)". BC's Chief Coroner, Lisa Lapointe, stated "Tragically, as we reach the end of 2020, our province is facing a record-breaking year for lives lost due to a toxic illicit drug supply." The Chief Coroner also speaks to the significant impacts that COVID-19 has had for those experiencing problematic substance use. She states specifically that "Ensuring access to critical harm reduction measures including naloxone, supervised consumption sites, overdose prevention sites and drug checking services are essential if we want to prevent future deaths." This full press release from the BC Coroner Services is attached to this report as Appendix A.

The recommendations in this report are actions that Saanich can take to address the overdose crisis, along with additional advocacy initiatives. These recommendations were developed with input and feedback from numerous experts and non-profit organizations in the Capital Region that are currently addressing the overdose crisis.

Safe consumption sites

Safe consumption sites are an effective measure to reduce overdoses and other harms associated with substance use.

The Canadian Institute for Substance Use Research (CISUR) Co/Lab Team recently released a bulletin (attached as Appendix B) for the purpose of sharing evidence supporting critical substance use services and supports, including treatment and harm reduction programs that meet the needs of people who use drugs. They find that "Supervised consumption sites are being implemented across Canada as one public health measure to reduce the harms associated with substance use, including overdoses and infectious diseases such as HIV/AIDS and Hepatitis C (HCV). However, politically motivated attacks on supervised consumption sites have made it difficult for some policy makers and service providers to support this evidence-based public health intervention." Further, they find that "A wealth of evidence suggests that supervised consumption sites do reduce overdoses and other substance use harms, connect people with other health services, and reduce unsafe drug use practices."

It is clear, based on the evidence available, that safe consumption sites are an effective way to reduce overdoses and other harms associated with substance use. Through land use, the District of Saanich could potentially play a supporting role in implementing safe consumption sites as one measure to address the overdose crisis. Recommendation #1 in this report seeks to engage in discussions with local health agencies and non-profit organizations, who are addressing the overdose crisis, to explore whether Saanich could help support new safe consumption sites, and whether there are any other ways that Saanich and local governments can help address the overdose crisis.

Further advocacy

Saanich Council, as noted earlier in this report, has advocated to senior levels of government on actions to address the overdose crisis. It is important to continue this advocacy to senior levels of government, considering the urgency of this crisis.

Recommendations #2 and #3 have been originally developed by Moms Stop The Harm (MSTH), which is a network of Canadian families impacted by substance-use related harms and deaths. MSTH advocates for changes to failed drug policies and also provides peer support to grieving families and those with loved ones who use or have used substances. In November, MSTH wrote to municipalities and asked them to pass a resolution (similar to recommendations #2 and #3 of this report). Their letter, and original resolution, is attached to this report as Appendices C and D.

The City of Vancouver

In November, 2020, Vancouver City Council unanimously voted in favour of a motion, which seeks to decriminalize small amounts of illegal drugs (See Appendix E). In September, 2020, Saanich Council publicly requested senior levels of government to decriminalize controlled substances to address the overdose crisis.

It is important to continue to build support for these much needed initiatives. Recommendation #4 in this report seeks to publicly express support for the City of Vancouver's efforts to decriminalize small amounts of illegal drugs.

Other municipalities

We know that when we stand together with other municipalities and regional districts, our voice and our requests to senior levels of government can be strengthened. Recommendation #6 of this report seeks to share this report and its recommendations with all other local governments in British Columbia, and to directly request that the CRD Board and municipalities within the CRD take similar action.

CONCLUSION

The overdose crisis continues to be an urgent crisis affecting people throughout the South Island, British Columbia, and Canada. In fact, well over 1,500 people have died in BC in 2020 as a result, a number that is substantially higher than deaths due to the COVID-19 Pandemic.

It is clear that new approaches and additional actions are needed to adequately address this crisis. The recommendations in this report are actions that Saanich can take to help, and have been developed in consultation with numerous non-profit organizations directly addressing the crisis, and experts with specific knowledge on these matters.

We ask that Council support the recommendations in this report, and continue to look for ways that we can help. This is a serious crisis that needs action now.

Respectfully submitted by:



Ned Taylor
Councillor



Karen Harper
Councillor

Attachments

Appendix A: https://www2.gov.bc.ca/assets/gov/birth-adoption-death-marriage-and-divorce/deaths/coroners-service/news/2020/illicit-drug_news_release.pdf

Appendix B:
https://static1.squarespace.com/static/5eb1a664ccf4c7037e8c1d72/t/5f629f75f778751e69eba58f/1600298872589/Bulletin_Safe_Consumption_Sites.pdf

Appendix C: MSTH Letter

Appendix D: MSTH Resolution

Appendix E: <https://bc.ctvnews.ca/drug-decriminalization-unanimously-endorsed-by-vancouver-city-council-1.5205625>

J. Soule, Victoria area

Actions to Address the Overdose Crisis

- There is a public health crisis; safe injection sites have the potential to save lives and could offer mental health services and social supports.
- Safe injection sites protect the community from unsafe drug usage.

J. Mahoney, Hartland Avenue

Actions to Address the Overdose Crisis

- Safe injection sites are necessary and are a vital part of harm reduction and recovery; over 50% of overdoses occur in private residences.
- It is a matter of saving lives.

C. Antrobus, Cordova Bay Road

Actions to Address the Overdose Crisis

- The overdose crisis is a provincial problem; safe injection sites saves lives.

1410-01
Council
Proceedings

The Manager, Legislative Services/Municipal Clerk advised that public input as presented by a memo dated January 25, 2021 noted all correspondence received before noon on January 25, 2021 and forms part of the public record.

MOVED by Councillor Taylor and Seconded by Councillor Harper: "That Council receive for information the correspondence for the Special Council meeting of January 25, 2021 addressing:

- **Actions to Address the Overdose Crisis; and**
- **86 Crease Avenue – Rezoning and Development Variance Permit Application."**

CARRIED

REPORTS FROM MEMBERS OF COUNCIL

2170-50
Overdose Crisis

ACTIONS TO ADDRESS THE OVERDOSE CRISIS

Report of Councillor Taylor and Councillor Harper dated January 11, 2021.

MOVED by Councillor Taylor and Seconded by Councillor Harper: "That Council:

1. **Direct staff to engage in discussions with local health agencies and non-profit organizations addressing the overdose crisis to discuss whether Saanich could support safe consumption sites and to explore further potential actions Saanich/local governments could take to help, and to report back to Council with options;**
2. **Request the Government of Canada declare the overdose crisis a national public health emergency;**
3. **Reaffirm its earlier requests to senior governments on the overdose crisis and further request that the Government of Canada immediately seek input from the people most affected by the crisis and meet with provinces and territories to develop a comprehensive Pan-Canadian overdose action plan, which includes comprehensive supports and full consideration of reforms that other countries have used to significantly reduce drug-related fatalities and stigma, such as legal regulation of illicit drugs to ensure safe supply of pharmaceutical alternatives to toxic street drugs, and decriminalization for personal use;**

4. Publicly voice its support for the City of Vancouver's efforts to decriminalize simple drug possession; and
5. Share the report with all other municipal Councils in the Province of British Columbia, and write to all other municipal Councils in the Capital Region, and the Capital Regional District Board, requesting that they take similar action."

Council discussion ensued with the following comments:

- More advocacy to senior levels of government to address the overdose crisis is needed.
- People from all walks of life are dying from overdoses on a daily basis.
- Safe consumption sites are an effective way to reduce overdoses and save lives.
- All levels of government should consider decriminalization of drugs for personal use; public safety and public health authorities are calling for decriminalization.
- We are in two public health emergencies – the Pandemic and the Opioid Crisis.
- There are economic benefits through fewer hospital and first responder costs, fewer economic losses due to lost time at work and lower costs to the court and prison systems.
- Saanich has a role to play in advocating and communicating to the community.
- Island Health Authority has advised that they are interested in having discussions with Saanich with respect to mitigating harm.
- It may be appropriate to forward the motion to the Association of Vancouver Island and Coastal Communities (AVICC) as a late resolution.
- The report builds upon the earlier work of Council.

MOVED by Councillor de Vries and Seconded by Councillor Plant: "That the motion be amended that point #4 read: "publicly voice its support to decriminalize simple drug possession"."

The Amendment was then Put and CARRIED

The Main Motion, as Amended, was then Put and CARRIED

The Main Motion, as Amended:

"That Council:

1. Direct staff to engage in discussions with local health agencies and non-profit organizations addressing the overdose crisis to discuss whether Saanich could support safe consumption sites and to explore further potential actions Saanich/local governments could take to help, and to report back to Council with options;
2. Request the Government of Canada declare the overdose crisis a national public health emergency;
3. Reaffirm its earlier requests to senior governments on the overdose crisis and further request that the Government of Canada immediately seek input from the people most affected by the crisis and meet with provinces and territories to develop a comprehensive Pan-Canadian overdose action plan, which includes comprehensive supports and full consideration of reforms that other countries have used to significantly

- reduce drug-related fatalities and stigma, such as legal regulation of illicit drugs to ensure safe supply of pharmaceutical alternatives to toxic street drugs, and decriminalization for personal use;
4. Publicly voice its support to decriminalize simple drug possession; and
 5. Share the report with all other municipal Councils in the Province of British Columbia, and write to all other municipal Councils in the Capital Region, and the Capital Regional District Board, requesting that they take similar action."

REPORTS FROM DIRECTORS

2870-30
Crease Avenue

86 CREASE AVENUE – REZONING AND DEVELOPMENT VARIANCE PERMIT APPLICATION

Supplemental report of the Director of Planning dated January 7, 2021. To rezone from the RS-6 (Single Family Dwelling) Zone to a site specific zone to permit two single family dwellings on one lot.

The Director of Planning noted that there is a typographical error on page 5 of the report under Option 1 and Option 2; the covenant to secure the size of the new building and its footprint has not been captured.

The Director of Engineering stated:

- Servicing requirements for items such as road widening for curb and gutter and drainage improvements, stormwater connection and onsite stormwater requirement are typical for rezoning applications.

In response to questions from Council, the Director of Planning stated:

- Garden suites were not permitted when the original application was submitted; the proposal is outside the scope of the Garden Suite regulations therefore a site specific zone is recommended.
- Staff are collecting comments with respect to the Garden Suite regulations and will report back to Council after one year.
- Setting precedence is not an issue as each application is considered on its own merits.
- The house on Lot A could have a gross floor area of up to 1905.1 square feet.

In response to questions from Council, the Director of Engineering stated:

- A stormwater connection is the only engineering servicing requirement for a Garden Suite.
- If Council wished to consider Option 2 at a Public Hearing, a Development Variance Permit to include variances for the total number of parking spaces, servicing levels for development, road improvements and onsite stormwater retention and treatment would be prepared.
- The cost estimates for the servicing requirements are unknown.

MOVED by Councillor Harper and Seconded by Councillor Chambers:
"That a Public Hearing be called to further consider the rezoning application and the additional engineering variances as outlined in Option 2 in the supplemental report of the Director of Planning and the Director of Engineering dated January 2, 2021 on Lot 8, Block 7, Section 24, Victoria District, Plan 877 (86 Crease Avenue)."



February 2, 2021

1186894

His Worship Victor Cumming
 Mayor of the Corporation of the City of Vernon
 3400-30th St.
 Vernon BC V1T 5E6

Via email: mayor@vernon.ca

Dear Mayor Cumming:

Thank you for your letter, dated January 21, 2021, notifying me of the motion your Council passed to support the reopening of places of worship.

By order and direction of the Provincial Health Officer, all in-person events and social gatherings have been suspended in order to significantly reduce COVID-19 transmission related to social interactions, including but not limited to those in settings of worship, as well as travel. This Provincial Health Order on *Events and Gatherings* in place until February 5, 2021, at midnight and will be reviewed again later this week.

From the earliest days of the COVID-19 pandemic, Premier Horgan, Dr. Bonnie Henry, and I have reached out to hundreds of faith leaders across British Columbia. We've had the privilege of engaging in many respectful and productive conversations with those faith leaders, asking for their thoughts, listening to their concerns, and receiving their advice.

In those conversations, we've discussed the fundamental difference in how we come together in places of worship. We recognize the critical support that communities of faith provide; we understand how essential those services can be. On the other hand, COVID-19 recognizes in-person gatherings as its greatest opportunity. These are high-risk situations, leading to widespread community transmission. Indeed, we have witnessed how this virus doesn't stop spreading at the doors of a church, a synagogue, a temple, a gurdwara, or any other important religious venue.

Over the past year, people in British Columbia have experienced huge losses – losses of our loved ones, our friends, our comforts -- and the loss of being able to come together in worship has been profound for members of congregations around BC. We know that making changes to how we gather can be painful, but we are asking everyone to do things *differently* – not forever, just for now – so that we can reach a safe point where we may all gather again, physically, with the communities that give us comfort.

...2

Because we recognize that places of worship are a haven in British Columbia and provide support for the mental health and material well-being of people in this province, what we have asked leaders of all faiths to do for now is to join us in helping us heal – to heal ourselves physically, to protect our communities, and to stay healthy.

I am inspired by the work done by faith communities of all faiths and denominations to support people in their community in this extremely challenging time. I am grateful for those that have heard our call to come together and have stepped up to support the people that they care about in their congregations, for the good of all our communities, for the good of British Columbia.

Again, thank you for your letter and for all the ways you've supported your community in healing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adrian Dix', with a stylized, cursive script.

Adrian Dix
Minister



OFFICE OF THE MAYOR
Richard Stewart

February 2, 2021

Our File: 11-5210-01/000/2021-1

Doc #: 3963676.v1

Brian Frenkel, President
UBCM
Suite 60 – 10551 Shellbridge Way
Richmond, BC V6X 2W9

Dear Brian:

RE: British Columbia Hydro and Power Authority (BC Hydro) – 2020 Street Lighting Rate Application

On November 13, 2020, the BC Utilities Commission (BCUC) received an application from BC Hydro with their requested new overhead streetlight lease rates. The rates under review by BCUC include a temporary (35 month) fee for the LED conversion program.

A relatively small number of cities have submitted intervener status with BCUC in regards to the proposed changes. As this will affect all BC municipalities, on January 19, 2021, the City of Vernon submitted a letter to the UBCM asking that you seek intervener status and represent BC's municipalities.

The City of Coquitlam, both City Council and staff, agrees with Vernon that municipalities need UBCM's involvement and support on this issue. While municipalities will see a nominal reduction in the rates after 3 years, over the next 3 years the changes will increase costs for all municipalities. For Coquitlam this increase will be in the order of \$40,000 per year. Our concern is that the current fees for ongoing maintenance and replacement of the streetlights is considerable at \$174.48 per year per light for a 100W fixture, and they want to add an additional fee of \$24.72 per year for 3 years due to the switch to LED. Yet, by their own statements, the maintenance costs are lower and the lights last longer (typically estimated at 10 years for LED versus 5 years with existing light fixtures). Furthermore, we believe the reduction in the rate for the power consumption is far below the actual power savings achieved.

We agree with Vernon that there does not seem to be any logic to the proposed new BC Hydro rates for the change to LED streetlights and respectfully request UBCM's assistance to represent all BC municipalities through intervener status with BCUC.

Sincerely,


Richard Stewart
Mayor

City of Coquitlam
3000 Guildford Way
Coquitlam, BC Canada V3B 7N2
Mayor's Office: 604-927-3001 | Fax: 604-927-3015
 | coquitlam.ca



File: 0360-20-27

THE CORPORATION OF THE CITY OF VERNON

3400 - 30TH STREET VERNON, BRITISH COLUMBIA V1T 5F6

TELEPHONE (250) 545-1361 FAX (250) 545-4048

OFFICE OF THE MAYOR

January 19, 2021

Via email: ubcm@ubcm.ca

Brian Frenkel, President
UBCM
Suite 60 – 10551 Shellbridge Way
Richmond, BC V6X 2W9

Dear Brian:

**RE: British Columbia Hydro and Power Authority (BC Hydro) – 2020
Street Lighting Rate Application**

On November 12, 2020, BC Hydro submitted a 2020 Street Lighting Rate Application to the British Columbia Utilities Commission (BCUC). In short, the application was to INCREASE the costs of street lights to local municipalities due to BC Hydro replacing existing HPS fixtures with LED luminaires. BC Hydro provided public notice December 8, 2020.

BCUC has established a regulatory timetable for input to the Commission.

BC Hydro reports to BCUC that there are approximately 90,000 street lights to replace.

The City of Vernon has made application for intervener status.

On review of current letters of comment to BCUC and intervener documents, I note there are only a small number of municipalities represented (10+/-). UBCM does not appear as either intervener or providing comment on behalf of member municipalities. This is a cost item for most municipalities. Modest municipalities like Vernon, and smaller municipalities, in particular, need UBCM support and involvement.

I want to emphasize the application is to INCREASE rates premised on changing out HPS lights to highly efficient LED luminaires. The costs to the City of Vernon alone will be in the order of \$40,000 +/- per year. This makes little sense.

The electricity cost SAVINGS to the City of Vernon, as we change luminaires from HPS to LED (1,325 City owned lights) is in the order of \$70,000 per year. The estimated cost SAVINGS for typical maintenance is \$44,000 per year. Considering actual costs of replacement, the Return on Investment (ROI) is approximately 5 years (\$44,00 + \$70,000 annual cost savings).

Page 2
January 19, 2021 Letter to B Frenkel

I am respectfully asking that UBCM become involved and represent municipal members before BCUC. Regardless of how this is framed, the application to INCREASE hydro rates to local municipalities, permitted on retrofilling LED luminaries makes no sense.

Yours truly,

A handwritten signature in black ink, appearing to read "Victor I. Cumming". The signature is fluid and cursive, with a large loop at the end.

Victor I. Cumming
Mayor

Copy: UBCM members