



“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

TUESDAY, OCTOBER 12, 2021

AT 8:40 AM

*Pursuant to the Provincial Health Officer’s Order, “Gathering and Events – September 10, 2021” and the Medical Health Officer’s Order, “Mandatory Masks / Face Coverings – Interior Health COVID-19 - September 13, 2021”, **masks are mandatory for in – person attendance to Council meetings.** Please note capacity is limited and is available on a first come, first served basis. **Hand washing and/or sanitizing will also be provided.***

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**

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

- (c) labour relations or other employee relations;
- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public.

3. ADJOURN TO OPEN COUNCIL AT 1:30 PM

**LAND
ACKNOWLEDGEMENT**

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

AGENDA

B. THAT the Agenda for the October 12, 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 September 27, 2021 be adopted; **(P. 11)**

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held September 27, 2021 be received.

5. BUSINESS ARISING FROM THE MINUTES

6. GENERAL MATTERS

**PRESENTATION –
INTERIOR HEALTH
AUTHORITY – UPDATE
ON OVERDOSE
PREVENTION (0410-31)**

A. Colleen McEwan, Director Clinical Operations – Mental Health & Substance Use and Allied Health, North Okanagan and Dr. Karin Goodison, Interior Medical Health Officer will be in attendance re: Council requested update on Overdose Prevention Site.

**DELEGATION –
O’KEEFE RANCH,
REVIEW OF 2021,
PREVIEW OF 2022
(0230-20-37)
(P. 34)**

B. Bruce Cummings, President, O’Keefe Ranch and Interior Heritage Society will review O’Keefe Ranch’s 2021 Season and provide a preview of the winter season and 2022.

THAT Council receive the presentation dated October 12, 2021 from the President, O’Keefe Ranch and Interior Heritage Society for information.

7. COUNCIL INQUIRIES

8. ADMINISTRATION UPDATES

**ADMINISTRATION
UPDATES
(0550-05) (P. 62)**

A. THAT Council receive the Administration Updates dated October 12, 2021, for information.

9. UNFINISHED BUSINESS

**UBCM COMMUNITY
RESILIENCY
INVESTMENT
PROGRAM – 2021
FIRESMART
ECONOMIC RECOVERY
FUND GRANT
APPLICATION
APPROVAL (1855-20)
(P. 65)**

- A. THAT Council authorize the expenditure of up to \$89,890 for a new staff position to build local wildfire resilience in the City of Vernon, funded by the UBCM Community Resiliency Investment FireSmart Economic Recovery Fund grant program.

**3000 LAKESHORE
ROAD LAKE ACCESS
DESIGN –
TRANSPORTATION
ADVISORY
COMMITTEE (8700-02)
(P. 68)**

- B. THAT Council direct Administration to bring the proposed 3000 Lakeshore Road Lake Access Site design to the Transportation Advisory Committee for its review and comment in October 2021 as outlined in the memorandum titled “3000 Lakeshore Road Lake Access Design – Transportation Advisory Committee” dated September 30, 2021 and respectfully submitted by the Transportation Planner.

**LAKE ACCESS
CAPITAL PROJECTS
UPDATE (8700-02)
(P. 69)**

- C. THAT Council receives for information the memorandum titled “Lake Access Capital Projects Update” dated October 1, 2021 and respectfully submitted by the Transportation Planner.

**2021 SEASONAL
SECURITY SUMMARY
(4000-02)
(P. 71)**

- D. THAT Council receive the memorandum titled “2021 Seasonal Security Summary” dated October 1, 2021, respectfully submitted by the Manager, Protective Services for information.

**SILVER STAR ROAD
MULTI-USE PATH –
SCOPE CHANGE
(5410-10-Silver Star Rd)
(P. 75)**

- E. THAT Council receive the report titled “Silver Star Road Multi-Use Path – Scope Change” dated September 29, 2021 respectfully submitted by the Senior Project Manager, Infrastructure;

AND FURTHER, that Council authorize Administration to increase the scope of work on Phase 1 of the Silver Star Road Multi-Use Path project to include Silver Star Road from Pleasant Valley Road to BX Elementary funded from the approved project budget;

AND FURTHER, that Council authorize early budget approval of the Silver Star Road Multi-Use Path – Phase 2 as presented with funding in the amounts \$1,990,000 from Road Development Cost Charges and \$20,000 from the 1.9% Infrastructure Levy.

ASSIGNMENT OF RIGHTS IN THE LITERARY AND ARTISTIC WORK ENTITLED “OGOPOGO” (0590-05 Ogopogo) (P. 78)

F. THAT Council authorize the Mayor and Corporate Clerk to execute the Copyright Assignment Agreement between the City of Vernon and the Okanagan Nation Alliance, as attached to the Internal Memorandum titled “Assignment of Rights in the Literary and Artistic Work Titled “Ogopogo”, dated October 5, 2021 and respectfully submitted by the Chief Administrative Officer.

SKATING RINK RECOMMENDATIONS (6135 – 03) (P. 81)

G. THAT Council direct Administration to include a permanent outdoor ice surface in the upcoming planning process for the Kin Race Track Lands and investigate the feasibility of having it constructed in the first phase of development of the future park, as outlined in the report titled “Skating Rink Recommendations” dated September 28, 2021 and respectfully submitted by the Manager, Long Range Planning and Sustainability.

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

11. NEW BUSINESS

A. Correspondence:

KAL TIRE PLACE CONCESSION EQUIPMENT REPAIR/ REPLACEMENT (7842-01) (P. 84)

(i) THAT Council authorize Administration to spend up to \$17,000, to be sourced from the Recreation Facility Operating Reserve, to repair and/or replace concession equipment as outlined in the memorandum titled “Kal Tire Place Concession Equipment Repair/Replacement” dated September 30, 2021 respectfully submitted by the Manager, Recreation Customer Services.

2022 FLEET VEHICLE AND EQUIPMENT REPLACEMENT (1280-01) (P. 86)

(ii) THAT Council receive the memorandum titled “2022 Fleet Vehicle and Equipment Replacement” dated September 16, 2021 respectfully submitted by the Manager, Fleet Services;

AND FURTHER, that Council provide early budget approval for the replacement of fleet units 002, 009, 072, 086, and 111 at a cost not to exceed \$865,000, to be funded from Vehicle and Equipment Replacement Reserve, as included in the 2022 – 2026 Financial Plan.

**PROCUREMENT OF
ONE FULL SIZE 100%
ELECTRIC VAN
(1280-01)
(P. 88)**

- (iii) THAT Council receive the Memorandum titled “Procurement of one full size 100% electric van” dated September 20, 2021 respectfully submitted by the Manager, Fleet Services;

AND FURTHER that Council authorize Administration to replace Unit # 095 with an electric transit van at a cost not to exceed \$82,000 to be funded by \$40,000 from the Vehicle and Equipment Replacement Reserve and \$42,000 from the Climate Action Revolving Fund;

AND FURTHER that Council waive the requirement within the Climate Action Revolving Fund Proposal to repay 50% of the annual cost savings to the Fund.

**DOWNTOWN VERNON
ASSOCIATION (DVA)
2020 FINANCIAL
STATEMENTS
(1970-13:99)
(P. 99)**

- (iv) THAT Council receive the Downtown Vernon Association 2020 Financial Statements as presented in the memorandum of the same title dated September 29, 2021 respectfully submitted by the Manager, Financial Operations;

AND FURTHER, that Council approve payment of the second and final instalment of the 2021 BIA tax levies for the total amount of \$210,915

**CBW DEVELOPMENT
CORPORATION
SHAREHOLDER
MEETING
(1660-20)
(P. 116)**

- (v) RESOLVED, as a resolution of the sole shareholder of CBW Development Corp. (the Company) entitled to vote at an annual general meeting, that:

- 1) WHEREAS there were no financial transactions for the Company for the fiscal year ended December 31, 2020, and there will be no financial transactions for the Company for the fiscal year ended December 31, 2021, and the Company has no assets, liabilities and equity, the appointment of auditors for the Company for the 2020 and 2021 fiscal years are waived.
- 2) October 12, 2021 is hereby selected as the annual reference date for the Company for its current annual reference period;
- 3) The number of directors of the Company is hereby fixed at three;
- 4) The following persons, each of whom has consented in writing to act as a director, are hereby elected as directors of the Company, to hold office until the next annual general meeting of the Company (or unanimous resolutions consented to in lieu of holding an annual general meeting) or until their successors are appointed:

WILL PEARCE
BRETT BANDY
DEBRA LAW

- 5) All lawful acts, contracts, proceedings, appointments and payments of money by the directors of the Company since the last annual reference date of the Company, and which have previously been disclosed to the shareholders, are hereby adopted, ratified and confirmed.

**HESPERIA
DEVELOPMENT
CORPORATION
SHAREHOLDER
MEETING
(1660-20)
(P. 119)**

(vi) RESOLVED, as a resolution of the sole shareholder of Hesperia Development Corporation (the Company) entitled to vote at an annual general meeting, that:

- 1) WHEREAS there were no financial transactions for the Company for the fiscal year ended December 31, 2020 and there will be no financial transactions for the Company for the fiscal year ended December 31, 2021, and the Company has no assets, liabilities and equity, the appointment of auditors for the Company for the 2020 and 2021 fiscal years are waived.
- 2) October 12, 2021 is hereby selected as the annual reference date for the Company for its current annual reference period;
- 3) The number of directors of the Company is hereby fixed at three;
- 4) The following persons, each of whom has consented in writing to act as a director, are hereby elected as directors of the Company, to hold office until the next annual general meeting of the Company (or unanimous resolutions consented to in lieu of holding an annual general meeting) or until their successors are appointed:

WILL PEARCE
BRETT BANDY
DEBRA LAW

- 5) All lawful acts, contracts, proceedings, appointments and payments of money by the directors of the Company since the last annual reference date of the Company, and which have previously been disclosed to the shareholders, are hereby adopted, ratified and confirmed.

**2022 VERNON WINTER
CARNIVAL SOCIETY –
REQUEST FOR
FUNDING
(1850-01)
(P. 122)**

- (vii) THAT Council receive for information the funding request letter from the Vernon Winter Carnival Society dated September 20, 2021;

AND FURTHER, that Council approve a \$10,000 grant to the Vernon Winter Carnival Society in the City of Vernon's 2022 – 2026 Financial Plan, funded from taxation.

**PROPOSED O'KEEFE
RANCH GRANT
SERVICE
(0230-20-37 2021)
(P. 124)**

- (viii) THAT Council support the draft O'Keefe Ranch Grant Service Establishment Bylaw No. 2911, 2021 with the following revision:

Remove the administrative overhead from the bylaw so that the amount collected from member municipalities and electoral areas is only for the grant paid to the O'Keefe Ranch and Interior Heritage Society.

AND FURTHER, that Council consent to the proposed Service Withdrawal provision as presented in the draft O'Keefe Ranch Grant Service Establishment Bylaw No. 2911, 2021, and required by Section 340 (3) of the Local Government Act.

B. Reports

**EXTENSION OF
TEMPORARY OUTDOOR
COMMERCIAL USES AND
TEMPORARY LIQUOR
SERVICE AREAS
(8300-07)
(P. 136)**

- (i) THAT Council provide pre-approval to all liquor primary and manufacturer establishments within Vernon who may apply for an expanded service area for food primary, liquor primary and manufacturer licensees (i.e. wineries, breweries, distilleries) to temporarily expand their service areas until June 1, 2022 in alignment with the Liquor Control and Cannabis Regulation Branch Policy Directive No. 21-09 and City requirements;

AND FURTHER, that Council allow businesses with private off-street parking lots throughout the city to temporarily expand their commercial use outdoors of up to 25% of their required private off-street parking spaces until October 31, 2022;

AND FURTHER, that Council direct Administration to extend the waiver of the requirement for a Sidewalk and Boulevard Area Use Permit within the Primary and Secondary Business Improvement Areas until October 31, 2022, to allow businesses to expand their commercial uses into sidewalks and boulevards, subject to leaving a minimum 2.0 m clear aisle for pedestrian circulation, without a permit and without a fee, and subject to entering into a use agreement with guidelines;

AND FURTHER, that Council allow businesses in the Primary and Secondary Business Improvement Areas to expand their commercial uses into one available public on-street parking space adjacent to their business from March 1, 2022 to October 31, 2022, without a permit and without a fee, and subject to entering into a use agreement with guidelines;

AND FURTHER, that Council direct Administration to implement a permit system starting in 2023, to allow businesses in the Primary and Secondary Business Improvement Areas to use one available public on-street parking space adjacent to their business between March 1 and October 31 each year for outdoor commercial uses, subject to a permit application, a fee, and meeting application requirements.

12. LEGISLATIVE MATTERS

A. Bylaws:

ADOPTION

- 5838

(i) THAT Bylaw #5838, **“6335 Okanagan Landing Road Housing Agreement Bylaw Number 5838, 2020”** - a bylaw to authorize a Housing Agreement for 6335 Okanagan Landing Road, be **adopted**.
(P. 143)

- Memo dated October 4, 2021 from the Economic Development Planner, “Housing Agreement Bylaw for 6335 Okanagan Landing Road”, re: conditions met, consideration of adoption. (P. 155)

- 5841

(ii) THAT Bylaw #5841, **“3398 Davison Road Official Community Plan Amendment Bylaw Number 5841, 2020”**, a bylaw to amend the Official Community Plan from “Public Institutional”, “ALR Lands” and “Hillside Residential” to “Hillside Residential” and “Parks & Open Space”, be **adopted**. (P. 156)

- Memo dated October 1, 2021 from the Manager, Long Range Planning and Sustainability, “Official Community Plan Play Amendment and Rezoning Amendment Bylaws #5841, 2020 and #5842, 2020” re: conditions met, consideration of adoption. (P. 160)

- **5842** (iii) THAT Bylaw #5842, "**3398 Davison Road Rezoning Amendment Bylaw Number 5842, 2020**", a bylaw to rezone lands from "A1 – Agriculture within the ALR" to "HR1 – Hillside Residential Single and Two Family", "HR2 – Hillside Residential Multi Family" and "P1 – Parks and Open Space", be **adopted. (P. 163)**
- **5874** (iv) THAT Bylaw #5874, **5545 and 5577 27th Avenue Housing Agreement Bylaw No. 5874, 2021** – a bylaw to authorize a housing agreement, be **adopted. (P. 166)**
 - Memo dated October 4, 2021 from Roy Nuriel, Economic Development Planner, "Housing Agreement Bylaw for 5545 and 5577 27th Avenue", re: conditions met, consideration of adoption. **(P. 171)**

**FIRST, SECOND &
THIRD READINGS**

- **5869** (v) THAT Bylaw #5869, "**33 Street and 35 Avenue (adjacent to Vernon Recreation Centre) Road Closure Bylaw Number 5869, 2021**" – a bylaw close all or part of a highway and remove the dedication of the highway, be **read a first, second and third time. (P. 172)**
- **5870** (vi) THAT Bylaw #5870, "**Tax Exemption Amendment Bylaw Number 5870, 2021**" – a bylaw to amend City of Vernon Tax Exemption Bylaw Number 5713, 2018, be **read a first, second and third time. (P. 175)**
 - Memo dated September 29, 2021 from Terry Martens, Manager, Financial Operations, "Tax Exemption Amendment Bylaw Number 5870, 2021". **(P. 191)**

13. COUNCIL INFORMATION UPDATES

A. Mayor and Councillors Reports.

**NOTICE OF MOTION –
COUNCILLOR QUIRING
– TRAFFIC BYLAW
#5600 AMENDMENTS
(3900-02 Traffic)**

14. THAT Council request Administration to make amendments to Traffic Bylaw #5600 to prohibit recreational vehicles from setting up (deploying slides and jacks) on municipal roads.

15. INFORMATION ITEMS

- A. Letter dated October 5, 2021 from Honourable Josie Osborne, Minister of Municipal Affairs re: Revision of voting age for local government elections **(P. 192)**
- B. Minutes from the Joint Biosolids Advisory Committee, April 21, 2021. **(P. 194)**

CLOSE

16. CLOSE OF MEETING