



"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

THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF A REGULAR OPEN MEETING OF COUNCIL
HELD SEPTEMBER 27, 2021**

PRESENT: Mayor V. Cumming

Councillors: S. Anderson, K. Fehr, K. Gares,
B. Quiring, (A. Mund – absent)

Staff: W. Pearce, Chief Administrative Officer
P. Bridal, Deputy Chief Administrative Officer
K. Poole, Director, Community Safety, Lands and Safety
K. Austin, Manager, Legislative Services
J. Nicol, Deputy Corporate Officer
C. Poirier, Manager, Communications & Grants
D. Law, Director, Financial Services
J. Rice, Director, Operation Services
K. Flick, Director, Community Infrastructure & Development
B. Bandy, Manager, Real Estate
D. Lees, Manager, Protective Services
S. Wright, Manager, Recreation Programming
A. Watson, Manager, Transportation
D. Lind, Director, Vernon Fire Rescue Services
C. Isles, Executive Assistant, Real Estate & Corporate Services
S. Melenko, Information Tech.

Others: Media and Members of the Public

Mayor Cumming called the Regular Open meeting to order at 8:40 am.

**LAND
ACKNOWLEDGEMENT**

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

Mayor Cumming requested a motion to move to Committee of the Whole.

Mayor Cumming reconvened the Regular Open meeting at 8:43 am and requested a motion to move to In Camera.

**RESOLUTION TO
CLOSE MEETING**

Moved by Councillor Gares, seconded by Councillor Fehr:

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

- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;

- (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;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public.

CARRIED

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

PRESENT: Mayor V. Cumming

Councillors: S. Anderson, K. Fehr, K. Gares,
B. Quiring, (A. Mund – absent)

Staff: W. Pearce, Chief Administrative Officer
K. Poole, Director, Community Safety, Lands and Administration
K. Austin, Manager, Legislative Services
J. Nicol, Deputy Corporate Officer
C. Poirier, Manager, Communications and Grants
K. Flick, Director, Community Infrastructure & Development Services
J. Rice, Director, Operation Services
D. Law, Director, Financial Services
D. Lind, Director, Vernon Fire Rescue Services
S. Wright, Manager, Community Recreation
R. Manjak, Director, Human Resources
C. Broderick, Manager, Current Planning
D. Lees, Manager, Protective Services
L. Cordell, Manager, Long Range Planning & Sustainability
G. Gaucher, General Manager, Municipal Support Services RCMP
J. Perrott, Manager, Economic Development & Tourism
R. Nuriel, Economic Development Planner
T. Martens, Manager, Financial Operations
S. Knuhtsen, Manager, Building & Licensing
A. Watson, Manager, Transportation
S. Melenko, Information Tech.*

**Attended, as required*

**LAND
ACKNOWLEDGEMENT**

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

Others: Media and Members of the Public

ADOPTION OF THE AGENDA**APPROVAL OF ITEMS
LISTED ON THE
AGENDA**

Moved by Councillor Fehr, seconded by Councillor Quiring:

THAT the agenda for the September 27, 2021 Regular Open meeting of the Council of The Corporation of The City of Vernon be adopted amended to include:

1. **SEE ITEM – 6. D. (i) General Matters – Public Input –** Development Variance Application for 3004A 22nd Street (DVP00528):
 - Email dated September 27, 2021 from Gideon & Fiona Lamprecht
2. **ADD ITEM – 11. A. (xii) NEW BUSINESS – Correspondence** – Federation of Canadian Municipalities – Sustainable Communities Conference
3. **ADD ITEM – 11. A. (xiii) NEW BUSINESS – Correspondence** – Cultural Facility Loan Authorization Bylaw Consent of Participating Area.

CARRIED

ADOPTION OF MINUTES**COUNCIL MEETINGS**

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT the minutes of the Regular Meeting of Council held September 7, 2021 be adopted;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held September 7, 2021 be received.

CARRIED

BUSINESS ARISING FROM THE MINUTES

GENERAL MATTERS**PRESENTATION –
GOVERNMENT
FINANCE OFFICERS
ASSOCIATION
AWARDS (1700-01)**

Mayor Cumming presented the following awards, related to the City of Vernon's Budget for the fiscal year beginning January 1, 2021:

1. 2021 Distinguished Budget Presentation Award
2. 2021 Certificate of Recognition for Budget Preparation

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Council receives the letter dated August 30, 2021 from Michele Mark Levine, Director, Technical Services Centre, Government Finance Officers Association regarding receipt of the Distinguished Budget Presentation Award and Certificate of Recognition for information.

CARRIED**PRESENTATION – O.C.
TANNER AWARD FOR
LIFETIME
ACHIEVEMENT IN THE
HUMAN RESOURCES
INDUSTRY**

Mayor Cumming recognized Dr. Raeleen Manjak, Director, Human Resources, as the recipient of the O.C. Tanner Award for Lifetime Achievement in the Human Resources Industry.

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR
5400 OKANAGAN
AVENUE (DVP00476)**

Moved by Councillor Anderson, seconded by Councillor Gares:

THAT Council support Development Variance Permit Application (DVP00476) to vary the following section of Zoning Bylaw #5000 in order to construct a 36-unit townhouse development on Part 3.0 Acres More or Less of the Northwest ¼ of Sec. 28 shown on Plan B3911, TWN. 9 ODYD exc. Plans KAP50675 and KAP58681 (5400 Okanagan Avenue):

- a) to vary Section 9.11.6 building height from 2.5 storeys to 3 storeys to accommodate required visitor parking stalls between buildings 1, 2, 9, 10 and 11; and
- b) to vary Section 6.6.3 to reduce the minimum requirement of the number of trees per lineal metre of required landscape buffer from 1 tree per 10.0 lineal metre to 1 tree per 13.75 lineal metre;

AND FURTHER, that Council confirm its previous approval of Development Variance Permit Application DVP00382 to vary Zoning Bylaw #5000 Section 9.11.6 to reduce the minimum dwelling unit width from 6.5 m to 4.8 m and to vary the off-site works requirements of Subdivision and Development Servicing Bylaw No. 3843 (Schedule A – Level of Service) standards to Integrated Transportation Framework (ITF – Section 2-1) standards;

AND FURTHER, that Council confirm its previous approval of Development Variance Permit Application DVP00435 to vary Zoning Bylaw #5000 Section 4.16.1 to allow the construction of a building, structure or swimming on slopes of 30% or greater and to vary Section 6.5.11 to increase the maximum height of a retaining wall from 1.2 m to 3.6 m;

AND FURTHER, that Council's confirmation of its previous approval of DVP00435 is subject to the following:

- a) The applicant is to provide a geotechnical report, site plan and design drawings clearly demonstrating to the satisfaction of Administration that the proposed retaining structures can be established on the land in a manner that is safe, as well as that the construction and maintenance of the retaining structures do not impact or encroach into adjacent properties; and
- b) That a no build, no disturb covenant be registered on title to protect the manufactured slope and any supporting infrastructure (e.g., geogrid) required to establish the global stability of the retaining structures, as well as any other areas identified by the engineer responsible for the design, construction and inspection of the structures.

AND FURTHER, that Council's support of DVP00476 is subject to the following:

- a) That the design drawings, intended to illustrate the general form, character and massing of the proposed development, and noted as Attachment 1 in the report titled "Development Variance Permit Application for 5400 Okanagan Avenue" and dated August 12, 2021 by the Current Planner and the Manager, Current Planning be attached to and form part of DVP00476 as Schedule 'A';

***Public Input
DVP #00476***

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

Mayor Cumming called a first time for representation from the public in attendance who believe their interest in property is affected by Development Variance Permit #00476.

1. Ranvir Nahal, providing design and construction for developer
 - Believes proposed development will enhance the neighbourhood
 - Rezoned in 2018, could have been as many as 70 units on this property but only 36 have been proposed
 - Developer has dealt with drainage with City Staff

- Height variance is for less than 40% of the project and means a parking variance is not required
- Hillside variance concerns have valid points but hillside is at its natural grade
- Height variance for walls – recommended by Staff to keep variance to a reasonable height although there are several projects underway in the neighbourhood with substantially higher retaining walls
- There have been a number of delays, they have tried to present a variance with the least amount of variances
- Have already spent about \$75,000 in off-site works
- Has been contacted by an individual who is not able to build a new home, very concerned that there is not affordable, attainable housing.
- **Council:** What is the market value of these units if there are to be affordable? **A.** The range is between \$400,000 to \$500,000 plus GST.
- **Council:** As the retaining walls are creating the backyards, will there be a significant amount of landscaping above the retaining wall? **A.** Yes, it is intended that the landscaping will protect against falling and provide a buffer.

Mayor Cumming called a second, third and final time for representation from the public, and there being none, Mayor Cumming closed the Public Input for DVP#00476.

THE QUESTION WAS CALLED ON THE MAIN MOTION AND DECLARED CARRIED, with Mayor Cumming opposed

***Issuance of Permit
#00476***

Moved by Councillor Quiring, seconded by Councillor Anderson:

THAT the Corporate Officer be authorized to issue Development Variance Permit #00476 for Part 3.0 Acres More or Less of the Northwest ¼ of Sec. 28 shown on Plan B3911, TWN. 9 ODYD exc. Plans KAP50675 and KAP58681 (5400 Okanagan Avenue), **once all conditions of Council have been met.**

CARRIED

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR
3004A 22 STREET
(DVP00528)**

Moved by Councillor Fehr, seconded by Councillor Anderson:

THAT Council support Development Variance Permit Application DVP00528 to vary the following section of Zoning Bylaw #5000 to permit the construction of an addition to a single detached dwelling on LT 1 SEC 35 TWN 9 ODYD PLAN 41608 (3004A 22nd Street):

- a) Section 9.3.5 minimum rear yard setback requirement from 7.5m to 5m;

AND FURTHER, that Council's support of DVP00528 is subject to the following:

- a) that the site plan illustrating the general siting, form and character of the proposed addition in Attachment 2, contained in the report titled 'Development Variance Permit Application for 3004A 22nd Street', dated September 15 2021, respectfully submitted by the Current Planner, be attached to and form part of DVP00528 as 'Schedule A.

***Public Input –
DVP#00528***

The Corporate Officer advised that one written submission had been received:

- Email dated September 27, 2021 from G. & F. Lamprecht.

Mayor Cumming called a first time for representation from the public in attendance who believe their interest in property is affect by Development Variance Permit #00528.

Mayor Cumming called a second, third and final time for representation from the public, and there being none, Mayor Cumming closed the Public Input for DVP#00528.

**THE QUESTION WAS CALLED ON THE MAIN MOTION AND
DECLARED CARRIED**

***Issuance of Permit
#00528***

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT the Corporate Officer be authorized to issue Development Variance Permit #00528 for LT 1 SEC 35 TWN 9 ODYD PLAN 41608 (3004A 22nd Street), **once all conditions of Council have been met.**

CARRIED

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR #14
9750 DELCLIFFE ROAD
(DVP00530)**

Moved by Councillor Fehr, seconded by Councillor Quiring:

THAT Council support Development Variance Permit Application DVP00530 to vary the following section of Zoning Bylaw #5000 to permit the construction of an attached garage on SL 19 SEC 4 TWP 13 ODYD STRATA PLAN KAS143 (14-9750 Delcliffe Road):

- a) Section 4.16.1 no construction of a building, structure or swimming pool is permitted on slopes 30% or greater;

AND FURTHER, that Council's support of DVP00530 is subject to the following:

- a) if any tree removal is required to construct the attached garage that the applicant obtain a Tree Cutting Permit; and

- b) that the site plan illustrating the general siting of the proposed garage in Attachment 1, contained in the report titled, "Development Variance Permit Application for 14-9750 Delcliffe Road" dated September 15, 2021, respectfully submitted by the Current Planner, be attached to and form part of DVP00530 as 'Schedule A'.

***Public Input –
DVP#00530***

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

Mayor Cumming called a first time for representation from the public in attendance who believe their interest in property is affect by Development Variance Permit #00530.

Mayor Cumming called a second, third and final time for representation from the public, and there being none, Mayor Cumming closed the Public Input for DVP#00530.

THE QUESTION WAS CALLED ON THE MAIN MOTION AND DECLARED CARRIED

***Permit Issuance –
DVP#00530***

Moved by Councillor Gares, seconded by Councillor Anderson:

THAT the Corporate Officer be authorized to issue Development Variance Permit #00530 for SL 19 SEC 4 TWP 13 ODYD STRATA PLAN KAS143 (14-9750 Delcliffe Road), **once all conditions of Council have been met.**

CARRIED

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR
3305, 3307, 3309 and
3311 35th AVENUE
(DVP00538)**

Moved by Councillor Anderson, seconded by Councillor Gares:

THAT Council approve Development Variance Permit Application DVP00538 on LT 1, 2, 3 & 4, PL 3362, SEC 3, TWP 8, ODYD (3311, 3309, 3307 and 3305 35th Avenue) to allow the construction of a childcare facility by varying P1 - Parks and Open Space in Zoning Bylaw #5000 as follows:

- a) Section 12.1.5 minimum front yard setback from 6.0m to 3.82m from the existing property line and 1.0m from the future property line pending road dedication;

AND FURTHER, that Council's approval of Development Variance Permit Application DVP00538 is subject to:

- a) That a site plan generally conforming with the site plan noted as Attachment 1 in the report titled "Development Variance Permit Application for 3311, 3309, 3307 and 3305 35th Avenue", dated September 14, 2021 and respectfully submitted by the Current Planner, be attached to and form part of DVP00538 as Schedule

Public Input – DVP#00538 ‘A’.
The Corporate Officer advised that one written submissions had been received:

- Email dated September 21, 2021 from K. Aldridge

Mayor Cumming called a first time for representation from the public in attendance who believe their interest in property is affect by Development Variance Permit #00538.

Mayor Cumming called a second, third and final time for representation from the public, and there being none, Mayor Cumming closed the Public Input for DVP#00538.

THE QUESTION WAS CALLED ON THE MAIN MOTION AND DECLARED CARRIED

Permit Issuance – DVP#00538 Moved by Councillor Quiring, seconded by Councillor Gares:

THAT the Corporate Officer be authorized to issue Development Variance Permit #00538 for LT 1, 2, 3 & 4, PL 3362, SEC 3, TWP 8, ODYD (3311, 3309, 3307 and 3305 35th Avenue), **once all conditions of Council have been met.**

CARRIED

COUNCIL INQUIRIES

HOMELESS CAMP

Council expressed concern over a homeless camp just under Hwy. 97 overpass near the 27th Street on-ramp. **A. Admin.** advised that the Camp Okanagan Outreach Liaison (COOL) Team has been contacted.

RECREATIONAL VEHICLES – 25th AVENUE

Council requested a review of current traffic bylaws in response to the individuals living in recreational vehicles on City streets. A Notice of Motion will be made regarding this at the end of this meeting. It was also noted that some of the recreational vehicles do not appear safe to be operating on the road. **A. Admin** advised that outreach is being done through the COOL Team.

TRONSON ROAD AND 30th AVENUE – CUTS IN ASPHALT

Council inquired regarding a deep cut in the asphalt along Tronson Road, it could be a hazard to vehicles. It was also noted that there is also a cut in the asphalt on 30th Avenue, just north of the double round-about. An Admin. update will be provided.

LAKE ACCESS SITES

Council requested an update on the following Lake Access Sites:

- 8797 Okanagan Landing Road
- 9030 Tronson Road
- 8835 Okanagan Landing Road – boat launch.

An Admin. update will be provided.

ADMINISTRATION UPDATES**ADMINISTRATION
UPDATES
(0550-05)**

Moved by Councillor Fehr, seconded by Councillor Gares:

THAT Council receive the Administration Updates dated September 27, 2021, for information.

CARRIED

UNFINISHED BUSINESS**OFFICIAL COMMUNITY
PLAN REVIEW –
COUNCIL WORKSHOP
(6480-06)**

Moved by Councillor Gares, seconded by Councillor Anderson:

THAT Council direct Administration to schedule an Official Community Plan Workshop during the October 25, 2021 Committee of the Whole Meeting as outlined in the memorandum “Official Community Plan Review – Council Workshop” dated September 16, 2021 and respectfully submitted by the Manager, Long Range Planning and Sustainability.

CARRIED

MATTERS REFERRED

THAT Council brings forward, as public information, the following motions **declassified** from confidential to non-confidential at the September 27, 2021, In Camera meeting:

**ROAD DEDICATION
REMOVAL REQUEST –
3200 27TH STREET
(3200-20/00111.000)**

‘THAT Council receive the report titled, “Road Dedication Removal Request – 3200 27th Street”, dated September 16, 2021, submitted by the Real Estate Manager;

*AND FURTHER that Council direct Administration to **not** remove road dedication at 3200 27th Street, that was a condition of Rezoning Bylaw 4349 (Rezoning property from R2 – Residential District to C2 – Community Commercial District);*

AND FURTHER that Council direct Administration to advise the owner that an encroachment agreement with the City is required for the continued use of the City vested dedicated road;

AND FURTHER that Council declassify the resolution and remove from in camera.’

**ROAD CLOSURE,
CONSOLIDATION AND
ROAD DEDICATION ON
35TH AVENUE AT THE
RECREATION CENTRE**

‘THAT Council direct Administration to close that 792.7 m² portion of road as shown on Plan EPP114295, Attachment 2 in the report titled, “Road Closure, Consolidation and Road Dedication on 35th Avenue at the Recreation Centre (Childcare Facility)” dated September 16, 2021, from the Real Estate Manager;

**(CHILDCARE FACILITY)
(0913-20)**

AND FURTHER, that Council direct Administration to consolidate the closed road and Lots 1-4 Plan 3362, Section 3, Township 8, ODYD with Lot 1 KAP76941, Section 3, Township 8, ODYD (Recreation Centre Lands) and dedicate as road 206.7 m² on 35th Avenue, all as shown on Plan EPP114296, Attachment 3 in the report titled, "Road Closure, Consolidation and Road Dedication on 35th Avenue at the Recreation Centre (Childcare Facility)" dated September 16, 2021, from the Real Estate Manager;

AND FURTHER, that Council declassify the resolution and remove from in camera.'

**LAND LEASE – 6335
OKANAGAN LANDING
ROAD – OKANAGAN
VILLAGE HOUSING
SOCIETY
(0912-02)**

'THAT Council direct Administration to enter into a land lease with the Okanagan Village Housing Society (formerly the Vernon & District Community Land Trust Society), for the City owned land with a civic address: 6335 Okanagan Landing Road, Vernon, B.C., PID: 031-329-446, Legal: Lot A Plan EPP108039 DL 66-67 O.D.Y.D., for a term of 60 years commencing upon registration of the lease with the Land Title and Survey Authority of B.C., a basic rent of \$1, for the use of an affordable housing project, in the form of lease as attached to this memo titled, "Land Lease – 6335 Okanagan Landing Road – Okanagan Village Housing Society", dated September 24, 2021, respectfully submitted by the Real Estate Manager;

AND FURTHER, that Council declassifies the resolution and the lease and removes from In Camera.'

NEW BUSINESS**Correspondence:****LIBRARY SUNDAY
OPENINGS REQUEST
FOR FUNDING
(1700-02)**

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Council direct Administration to forward the September 10, 2021 request from Jeremy Sundin, Chief Financial Officer, Okanagan Regional Library to the Regional District of North Okanagan (Electoral Areas B & C) and District of Coldstream Council for consideration of funding this request utilizing the typical cost ratio for Greater Vernon Advisory Committee services;

AND FURTHER, that Council direct Administration to include \$18,361 as a grant to the Okanagan Regional Library, for library Sunday openings, in the 2022 financial plan.

CARRIED

**RCMP MUNICIPAL
SUPPORT SERVICES
2022 BUDGET
PRIORITIES
(7400-30)**

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT Council receive the memorandum titled “Municipal Support Services RCMP 2022 Budget Priorities” dated September 17, 2021, respectfully submitted by the General Manager, Municipal Support Services RCMP;

AND FURTHER, that Council authorize Administration to bring forward a service level increase for consideration during 2022 Budget Deliberations for the addition of an Electronic File Disclosure Clerk, a Records Reviewer and an Operations Support Clerk at an annual cost of approximately \$236,000, to be funded by taxation and in addition to the 2% tax revenue increase directed by Council at their special meeting held on June 21, 2021.

CARRIED

**ENTREPRENEUR
IMMIGRATION –
REGIONAL PILOT
UPDATE & RENEWAL
(6750-20 PNP)**

Moved by Councillor Fehr, seconded by Councillor Anderson:

THAT Council direct staff to participate in the Province of British Columbia’s Provincial Nominee Program Entrepreneur Immigration Regional Pilot Project for a three year term beginning October 2021;

AND FURTHER, that Council endorse North American Industry Classification System codes as outlined in Attachment 1 of the memo titled “Entrepreneur Immigration – Regional Pilot Update & Renewal”, dated September 15, 2021 and respectfully submitted by the Manager, Economic Development & Tourism as the desired industries sought under the Province of British Columbia’s Provincial Nominee Program Entrepreneur Immigration Regional Pilot in Vernon.

CARRIED

**HOSTING THE 2023
SOUTHERN INTERIOR
LOCAL GOVERNMENT
ASSOCIATION (SILGA)
CONVENTION
(0390)**

Moved by Councillor Anderson, seconded by Councillor Fehr:

THAT Council support hosting the 2023 Southern Interior Local Government Association (SILGA) Convention in Vernon from April 25 to 28, 2023;

AND FURTHER, that Council authorize staff support from the Economic Development and Tourism Department to provide onsite assistance at the 2022 and 2023 SILGA conferences, and to support the SILGA convention committee to assist with convention planning and community introductions.

CARRIED

**TOURISM STAFF
REQUESTS FOR
CONSIDERATION IN
THE 2022 BUDGET
(6900-01)**

Moved by Councillor Gares, seconded by Councillor Quiring:

THAT Council approve the Tourism Commission's recommendations for a Visitor Services and Community Specialist and a Digital Marketing Specialist, funded from the Municipal and Regional District Tax, as part of the 2022 Tourism budget considerations as outlined in the memorandum titled "Tourism Staff Requests for Consideration in the 2022 Budget" dated September 15, 2021 respectfully submitted by the Manager, Economic Development and Tourism;

AND FURTHER, that Council authorize Administration to establish and recruit a Visitor Services and Community Specialist and a Digital Marketing Specialist, funded from the Municipal and Regional District Tax, as part of the 2022 Tourism budget considerations, effective immediately.

CARRIED

**GOOD CITIZEN OF THE
YEAR AND FREEMAN
OF THE CITY –
BENEFITS BESTOWED
BY THE CITY, POLICY
AMENDMENT
(0110-40)**

Moved by Councillor Anderson, seconded by Mayor Cumming:

THAT Council receive the memorandum titled "Good Citizen of the Year and Freeman of the City – Benefits Bestowed by the City, Policy Amendment" dated September 10, 2021, respectfully submitted by the Manager, Legislative Services/Corporate Officer;

AND FURTHER, that Council direct Administration to amend the policy title "Good Citizen of the Year and Freeman of the City – Benefits Bestowed by the City" by replacing the "*freeman*" with the word "*freedom*" throughout the policy to be consistent with the language in the *Community Charter*.

CARRIED

**BY-ELECTION
PROCEDURES
(4200-2021)**

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Council receive the memorandum titled "By-election Procedures" dated September 17, 2021 respectfully submitted by the Manager, Legislative Services/Corporate Officer;

AND FURTHER, that pursuant to Ministerial Order No. M307 "*Elections in Special Circumstances (COVID-19) Regulation*", Council authorizes the Chief Election Officer to:

- a) Disapply Section 4 [*Special Voting Opportunities*] of the City of Vernon "Election Procedure Bylaw Number 3971, 1993";
- b) Permit mail ballot voting for eligible electors pursuant to section 110 of *the Local Government Act*; and

- c) Take oral declarations as an alternative to written declarations in the voting book pursuant to section 7(2)(b) of Ministerial Order No. M307;

AND FURTHER, that Council direct Administration to suspend enforcement of section 4 of Sign Bylaw #4489 as shown below, during the 2021 By-election campaign period November 6 to December 4, 2021, unless there are safety or liability issues apparent:

‘4. Signs Permitted in all Zones

g) Political Signs provided that such signs:

iii) are not placed on any dedicated road allowance or lands owned by any government.

CARRIED

**BY-ELECTION 2021:
APPOINTMENT OF
ELECTION OFFICERS
AND FUNDING
AUTHORIZATION
(4200-2021)**

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Council receive the memorandum titled “By-election 2021: Appointment of Election Officers and Funding Authorization” dated September 15, 2021 respectfully submitted by the Manager, Legislative Services;

AND FURTHER, that Council appoint Keri-Ann Austin as the Chief Election Officer and Janice Nicol as the Deputy Chief Election Officer in order to conduct the by-election to fill one (1) vacancy for the office of Councillor;

AND FURTHER, that Council directs the Chief Election Officer to notify the Minister of Municipal Affairs that the general voting date for the by-election will be December 4, 2021;

AND FURTHER, that Council authorize the expenditure of up to \$120,000 to conduct a by-election, funded from the Insurance Deductible Reserve.

CARRIED

**COMMITTEE
APPOINTMENTS
(0540-01)**

Moved by Councillor Fehr, seconded by Councillor Gares:

THAT Council receive the memorandum titled “Committee Appointments” dated September 22, 2021, respectfully submitted by the Manager, Legislative Services/Corporate Officer;

AND FURTHER, that Council approve the following Committee Appointments for the term ending January 2, 2022:

Arts Council of North Okanagan
Councillor Gares

Kelowna Airport Advisory Committee

Councillor Mund

Okanagan Regional Library Board

Alternate: Mayor Cumming

Regional Agriculture Advisory Committee

Councillor Gares

Alternate: Mayor Cumming

Regional District of North Okanagan Board

Councillor Gares

CARRIED**DEVELOPMENT
APPROVAL PROCESS
REVIEW PHASE 2
IMPLEMENTATION
FUNDING
(6410-01)**Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Council authorize the expenditure of up to \$393,200 for Phase 2 of the Development Approval Process Review, funded by the Development Excess Reserve, as described in the memorandum titled "Development Approval Process Review Phase 2 Implementation Funding" dated September 13, 2021 and respectfully submitted by the Manager, Building and Licensing.

CARRIED**LANDSCAPE
MAINTENANCE
CONTRACTS
(6100-14)**Moved by Councillor Fehr, seconded by Mayor Cumming:

THAT Council receive the memorandum titled "Landscape Maintenance Contracts – Update" dated September 13, 2021, respectfully submitted by the Manager, Parks and Public Space, for information.

CARRIED**FEDERATION OF
CANADIAN
MUNICIPALITIES –
SUSTAINABLE
COMMUNITIES
CONFERENCE
(0360-24)**Moved by Councillor Quiring, seconded by Councillor Gares:

THAT Council receive the memorandum titled "Federation of Canadian Municipalities – Sustainable Communities Conference", dated September 24, 2021, respectfully submitted by the Sr. Executive Assistant;

AND FURTHER, that Council approve the registration of Mayor Cumming for the virtual Sustainable Communities Conference scheduled on October 19 - 21, 2021.

CARRIED**CULTURAL FACILITY
LOAN AUTHORIZATION
BYLAW CONSENT OF
PARTICIPATING AREA
(0482-03-04)**Moved by Mayor Cumming, seconded by Councillor Quiring:

WHEREAS the Board of the Regional District of North Okanagan has resolved to direct staff to undertake an alternative approval process for the entire proposed service area being the District of Coldstream,

City of Vernon, and Electoral Areas “B” and “C” of the Regional District of North Okanagan pursuant to section 342(4) of the Local Government Act to determine the opinion of the electors with regard to adopting the Greater Vernon Multi-Purpose Cultural Facility Loan Authorization Bylaw No. 2910, 2021 to borrow up to \$25 million to facilitate a portion of the funding required for the acquisition of lands and construction of a Greater Vernon Multi-Purpose Cultural Facility;

AND WHEREAS the Board of the Regional District of the North Okanagan will, upon receiving consent on behalf of the municipal participating areas and the electoral participating areas, seek the approval of the Inspector of Municipalities and undertake an alternative approval process to receive the assent of the electors of the entire proposed service area;

BE IT RESOLVED, that pursuant to the provisions of Section 346 [*Consent on behalf of municipal participating area*] of the *Local Government Act*, the Council of the Corporation of the City of Vernon does hereby consent, in writing, on behalf of the electors of the Corporation of the City of Vernon, to the Board of the Regional District of North Okanagan adopting Greater Vernon Multi-Purpose Cultural Facility Loan Authorization Bylaw No. 2910, 2021.

CARRIED

Reports:

TAX EXEMPTION AMENDMENT BYLAW NUMBER 5870, 2021 (1970-16)

Moved by Councillor Quiring, seconded by Councillor Fehr

THAT Council receive the report titled “Tax Exemption Amendment Bylaw Number 5870, 2021” dated September 10, 2021 respectfully submitted by the Manager of Financial Operations;

AND FURTHER, that Council approve the recommendations of the Finance Committee for the Tax Exemption Amendment Bylaw Number 5870, 2021 as follows:

1. The following properties making new application be granted tax exemptions beginning in 2022 to the extent shown:
 - Kindale Developmental Association – B2814 44 Ave – 100% exemption phased in over 3 years
 - Upper Room Mission – 2708 34 St – 100% exemption phased in over 3 years
 - Vernon Elks Lodge – 3103 30 St – 100% exemption phased in over 3 years
 - Vernon Native Housing Society – 5545 27 Ave – 100% exemption phased in over 3 years

- Arts Council of the North Okanagan – A2704 Hwy 6 – 75% exemption
2. The tax exemptions for the following properties be amended beginning in 2022 to the extent shown:
- Okanagan Boys & Girls Club – 3600 33 St – amend exemption from 80% of entire property assessment to 100% of Class 6 assessment only
 - Vernon & District Association for Community Living – 4240 Alexis Park Dr – amend exemption to include 100% of the entire property and amend Schedule “AA” of City of Vernon Tax Exemption Bylaw Number 5713, 2018 to reflect the expanded area
3. The tax exemptions for the following properties be deleted beginning in 2022 for the reasons shown:
- Vernon Gospel Chapel – 4106 Pleasant Valley Rd – due to lack of submission of a renewal application as required by City of Vernon policy
 - Salvation Army – 3102 29 Ave – due to the closure of the thrift store and the listing of the property for sale
 - Vernon & District Association for Community Living – 1812 22 St – due to the sale of the property
4. That Schedule “G” (“New 2020 Properties”) of City of Vernon Tax Exemption Bylaw Number 5713, 2018 be deleted by moving the properties in that schedule to Schedule “C” (“Social Service Properties”).

CARRIED

Councillor Fehr declared a conflict of interest as his employer (Turning Points Collaborative Society) is an applicant for tax exemptions. Councillor Fehr left the meeting at 3:31 pm.

**TAX EXEMPTION
AMENDMENT BYLAW
NUMBER 5870, 2021
(1970-16)**

Moved by Councillor Gares, seconded by Councillor Quiring:

THAT Council approve the recommendations of the Finance Committee for the Tax Exemption Amendment Bylaw Number 5870, 2021 as follows:

- Turning Points Collaborative Society – 3214 35 St – 100% exemption phased in over 3 years
- Turning Points Collaborative Society – 3412 28 Ave – 100% exemption phased in over 3 years
- Turning Points Collaborative Society – 3102 37 Ave – 100% exemption phased in over 3 years

- Turning Points Collaborative Society – 2700 35 St – 100% exemption phased in over 3 years
- Turning Points Collaborative Society – 3905 30 Ave – 100% exemption phased in over 3 years
- Turning Points Collaborative Society – 3912 30 Ave – 100% exemption phased in over 3 years

AND FURTHER, that the tax exemption for the following property be deleted beginning in 2022 for the reason stated:

- Turning Points Collaborative Society – 2307 43 St – due to the sale of the property.

CARRIED

Councillor Fehr returned to the meeting at 3:32 pm.

NORTH OKANAGAN ARTISTS ALTERNATIVE GALLERY VERTIGO – MURAL REQUEST FOR 2800 31ST STREET (01395.000/3320-20)

Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Council approve the mural on the south wall of the building located at 2800 31st Street as proposed by North Okanagan Artists Alternative Gallery Vertigo in their request dated August 6, 2021;

AND FURTHER, that Council approve the proposed mural design as submitted by North Okanagan Artists Alternative and included as Attachment 1 in the report titled “North Okanagan Artists Alternative Gallery Vertigo – Mural Request for 2800 31st Street” dated September 13, 2021 and respectfully submitted by the Economic Development Planner.

CARRIED

THREE (3) YEAR TRANSIT EXPANSION INITIATIVE MEMORANDUM OF UNDERSTANDING (8500-08)

Moved by Councillor Fehr, seconded by Councillor Gares:

THAT Council authorize the addition of 2,600 transit hours per year for the new Local Transit Network Route #10 - Middleton Mountain starting September 2022 at a cost of \$178,270 annually, of which the City of Vernon will fund 48.92% (\$87,211 annual cost; \$29,070 2022 cost) of the operating costs;

AND FURTHER, that Council authorize the addition of 560 transit hours per year for additional Statutory Holiday Service starting September 2022 at a cost to the City of \$47,376 annually (\$15,792 2022 cost);

AND FURTHER, that Council approve that the funding of the new Route #10 – Middleton Mountain and additional Statutory Holiday service be partially funded from the Transit Expansion Reserve for three years (2022 to 2024) drawing \$108,400+/- in 2022, \$100,00 +/- in 2023 and \$75,000+/- in 2024;

AND FURTHER, that Council authorize Administration to sign the 3 Year Transit Expansion Initiatives Memorandum of Understanding, dated September 20, 2021 from BC Transit, for the addition of 2,600 transit hours for the new Local Transit Network Route #10 – Middleton Mountain and 560 transit hours for additional Statutory Holiday Service starting September 2022 as presented in the report titled “3 Year Transit Expansion Initiatives Memorandum of Understanding” dated September 20, 2021 and respectfully submitted by the Manager, Transportation;

AND FURTHER, that Council authorize the increase in transit operating expenditures substantially as presented in the report titled “3 Year Transit Expansion Initiatives Memorandum of Understanding” dated September 20, 2021 and respectfully submitted by the Manager, Transportation.

CARRIED

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR
3305, 3307, 3309 and
3311 35th AVENUE
(DVP00538)**

Moved by Mayor Cumming, seconded by Councillor Anderson:

THAT Council direct Administration to seek authorization from the Regional District of North Okanagan, for the City of Vernon to expand the exit of the subject parking lot onto 33 Street to dual lanes.

CARRIED

LEGISLATIVE MATTERS

Bylaws:

**RESCIND READINGS
• 5775**

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT Council rescind First, Second and Third Readings for Bylaw #5775, **6141 Highway 97 and 6162 Pleasant Valley Road Avenue Official Community Plan Amendment Bylaw Number 5775, 2019** – a bylaw to Redesignate the subject properties from “Community Commercial” (CCOM) to “Residential Medium Density” (RMD) AND from “Residential – Regional District of North Okanagan Electoral Areas B & C Official Community Plan” to “Residential Small Lot” (RSL).

CARRIED

**RESCIND THIRD
READING AND AMEND
• 5838**

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT Council **rescind** third reading of Bylaw #5838, **“6309, 6321 and 6335 Okanagan Landing Road Housing Agreement Bylaw Number 5838, 2020”**, a bylaw to authorize a Housing Agreement for 6309, 6321 and 6335 Okanagan Landing Road.

CARRIED

Councillor Anderson left the meeting at 3:46 pm and returned at 3:48 pm.

Moved by Councillor Fehr, seconded by Councillor Quiring:

THAT Bylaw #5838, **“6309, 6321 and 6335 Okanagan Landing Road Housing Agreement Bylaw Number 5838, 2020”** - a bylaw to authorize a Housing Agreement for 6309, 6321 and 6335 Okanagan Landing Road, be **read a third time**;

AND FURTHER, that “6309, 6321 and 6335 Okanagan Landing Road Housing Agreement Bylaw Number 5838, 2020” be amended as follows:

1. Section 1: Citation is amended to read “6335 Okanagan Landing Road Housing Agreement Bylaw Number 5838, 2020”;
2. Schedule A to Bylaw 5838 is amended to reflect updated legal description and change in the name of ‘owner’ from “Vernon and District Community Land Trust” to “Okanagan Village Housing Society”

CARRIED

Moved by Councillor Quiring, seconded by Councillor Gares:

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 **read a third time, as amended**.

CARRIED**ADOPTION**

- 5866

Moved by Councillor Fehr, seconded by Councillor Gares:

THAT Bylaw #5866 **“9228 Kokanee Road Land Use Contract LTO Registration Number P2461, Discharge Bylaw Number 5866, 2021”**, to authorize the discharge of Rezoning Bylaw No. 292, 1978 and Land Use Contract Agreement Bylaw No. 291, 1978, LTO #P2461, be **adopted**.

CARRIED

- 5871

Moved by Councillor Fehr, seconded by Councillor Gares:

THAT Bylaw #5871, **“Refuse Collection (Automated Garbage Collection) Amendment Bylaw Number 5871, 2021”** – a bylaw to amend Refuse Collection Bylaw Number 3148 to include provisions for automated garbage collection, be **adopted**.

CARRIED

- **5872** Moved by Councillor Gares, seconded by Councillor Fehr:

THAT Bylaw #5872, “**Fees and Charges (Household Refuse Carts) Amendment Bylaw Number 5872, 2021**”, a bylaw to amend Fees and Charges Bylaw Number 3909 to amend fees for cost recovery of new or damaged carts, be **adopted**.

CARRIED**FIRST & SECOND
READINGS AND
PUBLIC HEARING
DATE**

- **5867**

Moved by Councillor Quiring, seconded by Councillor Fehr:

THAT Bylaw #5867, “**2904 26th Street City of Vernon Heritage Revitalization Agreement Bylaw Number 5867, 2021**” – a bylaw, pursuant to Part 15 of the *Local Government Act*, to enter into a Heritage Revitalization Agreement with the owner of a heritage property, be **read a first and second time**;

AND FURTHER, that the Public Hearing for Bylaw #5867 be scheduled for **Monday, October 25, 2021**, at **5:30 pm**, in Council Chambers.

CARRIED**FIRST, SECOND &
THIRD READINGS**

- **5874**

Moved by Councillor Gares, seconded by Councillor Quiring:

THAT Bylaw #5874, **5545 and 5577 27th Avenue Housing Agreement Bylaw No. 5874, 2021**” – a bylaw to authorize a housing agreement, be **read a first, second and third time**.

CARRIED**COUNCIL INFORMATION UPDATES****Councillor Anderson:**

- No report

Councillor Gares:

Attended:

- RDNO
- Regional Agricultural meeting
- Library Board meeting
- Finance Committee
- Chamber of Commerce meeting.

Councillor Fehr:

Attended:

- GVAC
- Housing Advisory with Social Planning Council
- Naloxe training.

Councillor Quiring

Attended:

- Councillor Nahal's funeral service
- AGM for DVA
- DVA regular meeting
- RDNO

**NOTICE OF MOTION –
COUNCILLOR QUIRING**

Councillor Quiring gave the following Notice of Motion, to be brought forward at the Regular Meeting of October 12, 2021:

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

Mayor Victor Cumming:

Attended:

- GVAC
- Finance Committee
- OBWB annual meeting
- UBCM virtual conference
- Premier's address
- Swearing in of new executive for Greater Vernon Chamber of Commerce
- Working Group with OKIB
- RDNO
- Meeting with Mayor Garlick
- Breakfast by Councillor Mund
- Produced several videos
- Coldstream Council In Camera session.

INFORMATION ITEMS

Council received the following information items:

- A.** Minutes from the following Committee of Council:
 - (i)** Finance, July 7, 2021
- B.** Email dated September 10, 2021 from the Honourable Mitzi Dean, Minister of Children and Family Development re: Foster Family Month in October.
- C.** Letter dated September 14, 2021 from Jennifer Graham, Director of Corporate Administration, District of Coldstream re: Proposed

Active Living Centre – City of Vernon.

CLOSE

Mayor Cumming closed the Regular Open Meeting of the Council of the Corporation of the City of Vernon at 4:01 pm.

CERTIFIED CORRECT:

Mayor

Corporate Officer



O'Keefe Ranch and Interior Heritage Society

2021 Year in Review



The O'Keefe Ranch and Interior Heritage Society strives to bring ranching and farming heritage to life for our communities throughout the North Okanagan.

We are creating and maintaining a heritage offering that is interactive, dynamic and desirable while maintaining our agricultural and farming character.

Board Members

- Current Directors: Sheila Copley, Bruce Cummings, Carolyn Farris, Martin Lapp, Emily MacArthur, Dave Nicholson, Jack Schultz, and Patrick Vance.
- Sadly, we lost Mollie Bono earlier this year.
- Andrew Casson, Viola Brown and Scott Anderson are Directors appointed by Spallumcheen, OKIB and Vernon
- We are actively searching for two more people to appoint as Directors

Mollie Bono

Mollie was a very positive influence on the Ranch, instigating a Cultural Education Committee and promising to 'indigenize the Ranch'.

The Board could always expect a wise comment and perspective from Mollie.

We miss her.



Management

- The Ranch entered into an agreement with Keystone Property Management to provide a management team headed by Sherrilee Franks



Curatorial

- The Ranch entered into an agreement with Greater Vernon Museum & Archives (GVMA) to provide museological services which includes collection management and curatorial services.
- GVMA was tasked with reopening the Greenhow Museum and reorganizing the displays.

Curatorial

“Where are the Children?”

As part of Healing the Legacy of the Residential Schools, this touring exhibition explored the history and legacy of Canada’s Residential School System through Survivor stories, archival photographs, and documents, curated by Iroquois artist Jeff Thomas.

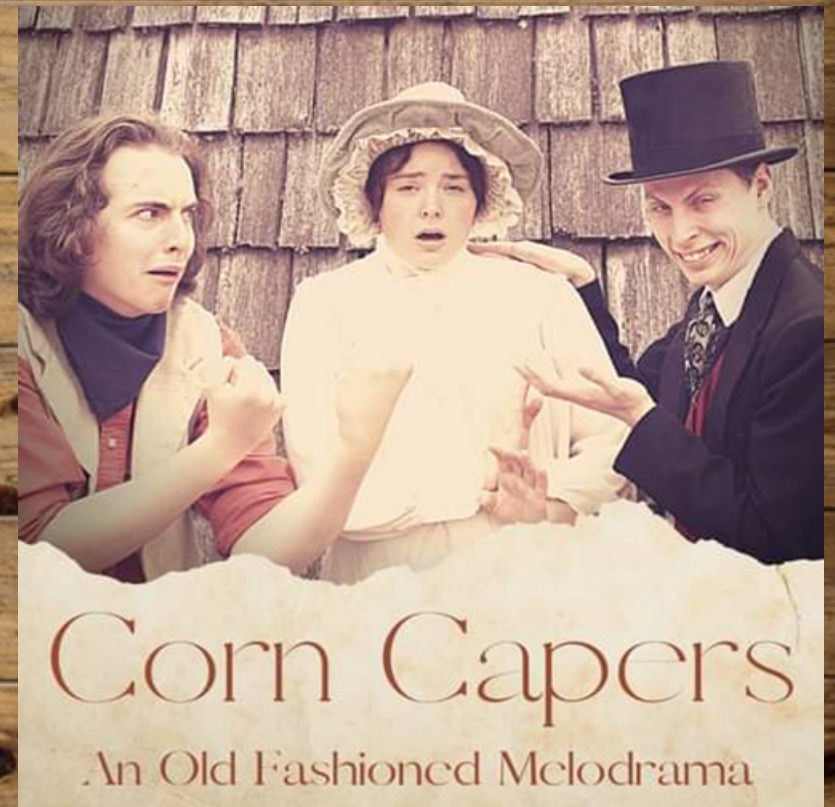
The exhibit was brought to the Ranch through the services of the GVMA and School District #22 and promoted by Keystone Management.

Food Services

- The Cattlemen's Club Restaurant closed it's doors this past winter
- Management brought in a food truck (Country Manor) to provide food services to guests
- The old dining space has been used for meetings and there are plans to use it for fundraisers
- The space is available to rent for outside users

Power House Theatre

- A key contribution to the atmosphere at the Ranch was Power House Theatre volunteers who developed characters and performances to educate while entertaining our visitors.
- The Ranch hopes to continue collaborations this winter and next season



2021 - Recovery Year from Covid

Just as Covid restrictions were being lifted:

- July brought extreme heat;
- August brought extreme smoke from forest fires;
- August also brought the threat of wildfires;
- A fourth wave of the pandemic brought renewed restrictions;
- All of these catastrophic events hindered or brought most of the planned events to a halt.

Events

A very limited number of events managed to run.

- Canada Day
- 1 Family Day
- 4 Ghost Tours
- 2 High Teas

School Program

- 12 Schools attended in the Spring
- Bookings have started for Spring 2022

Fall and Winter School Program (booking now) look like this:

- The Ranch comes to the school
- Infamous Anne the schoolteacher will be accompanied by some role play artists and possibly by some animals



Goat Yoga

- The whole season was sold out within 2 weeks of being posted
- 4 sessions took place before heat/smoke/alerts/order/health restrictions



Field of Screams

- After a 2020 hiatus due to Covid, the popular Field of Screams is planning to return this fall.
- However....they will have to contend with whatever Health Orders are in effect at the time.

Weddings

- Most of the season was sold out but most weddings were cancelled due to heat or smoke
- So far, 8 weddings are booked for 2022



Animals

- The animals continue to be a main attraction.
- But....all animals were relocated in August due to the evacuation order.
- Support from the public and individual companies has been overwhelming!



Capital Projects

- Rain Gardens were designed and installed by Cabin Resource Management and funded mainly by Okanagan Basin Water Board.
- Bathrooms in the administration building were renovated ... funded mainly by the BC Gaming Commission and the BC Arts Council

Glamping

A dedicated group of volunteers has been working to introduce Glamorous Camping to the Ranch.

Weather and delayed supplies have hampered efforts to start in the Spring, then the Summer, and now the Fall.

It will happen!



Footbridge Replacement

- The bridge to the Schubert House was originally donated by Gorman Brothers but has been subsiding into the creek for years creating a water flow issue.
- This will be replaced soon with support from the Township of Spallumcheen through grants and advice, and donations from M& K Ready Mix.
- The work will be done mainly by volunteers but designs and specifications are done by engineers.

Lost Events

Events Planned but cancelled due to heat, smoke, evacuation alerts or evacuation orders or re-introduced Covid restrictions:

- Second Family Day
- Melodrama
- Fashion Show
- More Goat Yogas
- More High Teas
- Line Dancing Lessons



Fire Evacuation

- The Ranch briefly served as a safe haven for evacuees and evacuated animals but ...
- The Ranch was put on evacuation alert, then evacuation order, then back on evacuation alert.
- It was an enormous task to do the evacuation. This was accomplished by hundreds of hours put in by volunteers, Ranch management & staff and GVMA staff.

2022 Events

After two years of disappointment for reasons out of our control we remain optimistic that *NEXT* year will be different and we'll punt it out of the park!



2021 Fall & Winter Season

- The Ranch is open on weekends in September and October with a corn maze and other family events.
- Special events in December are being planned (tentatively)
 - a Victorian Christmas
 - 'A Christmas Carol'
 - a Christmas Light Show



2022 Financial Outlook

- The 2020 Financial review engagement revealed no problems and another review engagement for 2021 will soon be underway.
- The Board is planning repayment of the debt to Vernon beginning this year.
- The Ranch needs to have a recovery year!
- The Board recently held a strategic planning session and is developing the budget for 2022.

Volunteers

Volunteers are the lifeblood of the Ranch. Because of volunteerism we have:

- A Board of Directors
- Lawns and Gardens
- Sanitizing, cleaning
- Decorations
- Events
- In short...Everything! Thanks to all who volunteer.



Heritage BC gave
special recognition to:

Sharon Gardner who exemplifies
the dedication and enthusiasm
that a volunteer can give to
support long term commitment.

Gabriel Newman who developed
the 'Loneliest Interpreter' series



Lease with City of Vernon

- The 30-year lease between the Society and the City expires in 2027.
- The approaching deadline is affecting long-term planning.
- Work continues on finding alternate revenue streams.
- We are aware that the Regional District of the North Okanagan is considering involvement again with Ranch funding. The Board is prepared to contribute to

THANK YOU TO OUR SPONSORS!



ADMINISTRATION UPDATES
October 12, 2021 REGULAR COUNCIL MEETING

File: 0550-05

CORPORATE SERVICES

Recreational Vehicles on 25th Avenue

Bylaw Compliance connected with the RCMP regarding possible safety inspections of recreational vehicles that frequently travel and park along 25 Avenue to ensure the vehicles are mechanically safe to operate on public roadways. The RCMP indicated that the request could be accommodated in mid-October and would also include the attendance and expertise of Commercial Vehicle Safety and Enforcement (CVSE).

COMMUNITY INFRASTRUCTURE AND DEVELOPMENT SERVICES

Land Use Contracts

Provincial legislation will terminate Land Use Contracts as of June 30, 2024. Administration is preparing a report outlining the implications for Council's consideration at its Regular Meeting of December 13, 2021.

Neuron Mobility Electric Kick Scooters Minimum Rider Age

At its Regular Meeting of September 7, 2021, Council enquired as to whether Neuron Mobility would consider lowering the minimum rider age for their electric kick scooters from 18 to 16 years old. Neuron undertook a due diligence investigation and concluded that this was feasible. Effective October 1, 2021 the minimum age is 16 years old. The app and other media information has been changed to reflect this and the stickers on the scooters have been replaced during inspections and battery maintenance activities.

OPERATION SERVICES

Parks

31st Avenue/29th Street Parking Lot

The parking lot on 31st Avenue and 29th Street will be receiving its annual maintenance near the end of October. Since the hydro lines have been removed this year, Administration will be altering the concrete parking barriers to optimize parking at this location to obtain an additional 20 parking stalls.

Public Works

Fortis Gas Road Crossings

At the Regular Meeting of September 27, 2021, Council inquired about the poor condition of two utility pavement cuts across Tronson Road (7400 block) and 29th Street north of 39th Avenue. Administration determined that both pavement cuts were the result of Fortis Gas utility installations. Administration advised Fortis Gas that both trenches needed to be paved immediately and that future utility pavement cuts must be properly maintained, signed and paved as quickly as possible. Both locations have now been paved.

Infrastructure

BX Creek Sediment Pond

In November 2020, Council endorsed an application to the UBCM Community Emergency Preparedness Fund structural flood mitigation funding stream for \$747,000.00 for the BX Sedimentation Pond Project. In September 2021, the City was notified that the grant application has been approved. The sedimentation pond in Upper BX Creek is a crucial step in moving the City towards a more flood resilient community.

Any additional project expenditures to support the completion of the BX Sedimentation Pond beyond the \$747,000.00 received in grant funding will come from the Council approved 2019 Capital Project #2019-2. The City and RDNO have also completed a purchase and sale agreement for the portion of the project within the BX Dog Park. The project is planned for construction in summer 2022.

RECREATION SERVICES

Aquatic Centre Air Handling Unit

The project to install the new Air Handling Unit in the Leisure Pool of the Aquatic Centre is now completed. The contractor responsible for the project installed the customized exterior louver for the new unit and has completed the balancing of the system. Maintenance staff have been oriented on the operation of the unit and are making minor adjustments as needed to fine tune the system. Staff and the public report a greatly improved comfort level in the Leisure Pool area.



Priest Valley Refrigeration Plant Upgrade

The Priest Valley Refrigeration Plant upgrade is nearing completion with a temporary Master Control Unit (MCU) in place. As previously reported to Council the permanent MCU was delayed by COVID supply chain issues and will need to be installed next summer. Using the temporary MCU, the plant was able to be started up with the two new chillers and three new compressors and ice was installed in the Priest Valley Arena allowing users to take to the ice on September 27. Insulation for the new chillers is currently being installed and will be completed shortly.





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:** 1855-20

PC: **DATE:** September 21, 2021

FROM: David Lind, Director Fire Rescue Services

SUBJECT: **UBCM COMMUNITY RESILIENCY INVESTMENT PROGRAM - 2021 FIRESMART ECONOMIC RECOVERY FUND GRANT APPLICATION APPROVAL**

At its Regular Meeting of March 8, 2021, Council authorized the City's application to the Union of BC Municipalities (UBCM) Community Resiliency Investment Program - 2021 FireSmart Economic Recovery Fund program through the following resolution:

THAT Council authorize Administration to apply for a \$89,890 grant from the "UBCM Community Resiliency Investment Program - 2021 FireSmart Economic Recovery Fund", as attached to the Report of the same title, dated February 25, 2021 and respectfully submitted by the Director, Fire & Rescue Services;

AND FURTHER, that Council authorize the Administration to assume overall grant management.

On June 4, 2021, Administration was informed by UBCM, in confidence that the City has been successful in its grant application for the total of \$89,890 to support immediate job creation in order to build local wildfire resilience in the City of Vernon.

RECOMMENDATION:

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.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'D. Lind'.

David Lind
Director, Fire Rescue Services

Attachments:

1. UBCM Approval Letter



June 4, 2021

Will Pearce, CAO
City of Vernon
3400 - 30th Street
Vernon, BC V1T 5E6

Re: 2021 CRI FireSmart Economic Recovery Fund – CONFIDENTIAL Approval Agreement and Terms & Conditions of Funding

Dear Mr. Pearce,

Thank you for submitting an application under the Community Resiliency Investment program for the 2021 FireSmart Economic Recovery Fund.

I am pleased to inform you **in confidence** that the Evaluation Committee recommended your project, *New FireSmart Coordinator Employee*, for funding. A grant in the amount of \$89,890.00 has now been approved.

As outlined in the Program & Application Guide, grant payments will be issued when the approved project is complete and UBCM has received and approved the required final report and financial summary. However, under this funding stream only, approved applicants may request an initial payment of no more than 25% of the approved grant after the signed approval agreement has been returned to UBCM. Please email cri@ubcm.ca with a request to receive an initial payment.

The Ministry of Forests, Lands, Natural Resource Operations and Rural Development has provided funding for this program and the general Terms & Conditions are attached. In addition, and in order to satisfy the terms of the contribution agreement, the following requirements must be met in order to be eligible for grant payment:

- (1) This approval agreement is required to be signed by the CAO or designate and returned to UBCM within 30 days of receipt of this letter;
- (2) To provide the Province of BC with the opportunity to make announcements of funding approvals under this program, please keep information regarding this funding approval in confidence until June 30, 2021;
- (3) The funding is to be used solely for the purpose of the above named project and for the expenses itemized in your approved application;
- (4) All expenditures must meet funding requirements and eligibility as defined in the Program & Application Guide (Sections 5 and 6);
- (5) All project activities must be completed within one year and no later than June 3, 2022;

The Community Resiliency Investment program is funded by the Province of BC

On behalf of the Evaluation Committee, I would like to congratulate you for responding to this opportunity to reduce the risk and impact of wildfires in your community.

If you have any questions, please contact Local Government Program Services at 250 356-2947 or cri@ubcm.ca.

Sincerely,




Peter Ronald, Program Officer

Encls.

cc: *David Lind, Fire Chief, City of Vernon*
Michael Aldred, Wildfire Prevention Officer, Kamloops Fire Centre

Approval Agreement (to be signed by the CAO, Band Manager, or designate)

I, WILLIAM PEARCE, have read and agree to the general Terms & Conditions and the requirements for funding under the 2021 FireSmart Economic Recovery Fund.



Signature CAO

JUNE 7, 2021

Date

Please return a scanned copy of the signed Approval Agreement to cri@ubcm.ca



THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Will Pearce, CAO **FILE:** 8700-02

PC: Kim Flick, Director, Community Infrastructure and Development **DATE:** September 30, 2021
Keri-Ann Austin, Manager, Legislative Services

FROM: Ellen Croy, Transportation Planner

SUBJECT: 3000 LAKESHORE ROAD LAKE ACCESS DESIGN – TRANSPORTATION ADVISORY COMMITTEE

Administration has prepared a design for the 3000 Lakeshore Road Lake Access (Site #22) and is intending to construct the project in 2022. Due to the variety of transportation elements within the design (active transportation, transit, accessible parking, and vehicular movements), it is recommended that Administration review the proposed design with the Transportation Advisory Committee (TAC). As per the TAC Terms of Reference, a Council resolution is required to bring items to the committee for review. As such, it is recommended that Council direct Administration to bring the design to TAC for its review and comment in October 2021.

RECOMMENDATION:

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.

Respectfully submitted:

Oct 4 2021 12 01 PM

X

Ellen Croy



Ellen Croy

DocuSign

G:\8300-8799 TRANSPORTATION\8700 WATER\02 Lake Accesses\RPTS & RESOLUTIONS\210930_MEMO_3000 Lakeshore Road Lake Access Design - Transportation Advisory Committee.doc



THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Will Pearce, CAO **FILE:** 8700-02

PC: Kim Flick, Director, Community Infrastructure and Development **DATE:** October 1, 2021
Keri-Ann Austin, Manager, Legislative Services

FROM: Ellen Croy, Transportation Planner

SUBJECT: LAKE ACCESS CAPITAL PROJECTS UPDATE

Administration reports that the following lake access projects have been awarded for construction this fall:

- Lake Access Site #1, 9030 Tronson Road (starting October 6, 2021)
- Lake Access Site #11, 8130 Tronson Road, Phase 1 – Shoreline Restoration (starting October 4, 2021)

The following lake accesses are planned to be constructed in 2022 (subject to receiving acceptable tenders and environmental permitting):

- Lake Access Site #22, 3000 Lakeshore Road (beside Kin Beach Park)
- Lake Access Site #25, 8797 Okanagan Landing Road

As the boat launches are on the lake bed of Okanagan Lake, there is additional complexity involved in environmental permitting. Due to apparent staff shortages at the Province, it is unknown when the boat launch environmental permitting will be considered. As such, Administration cannot confirm that two of the City's existing boat launches can be replaced in 2022 as previously planned:

- Lake Access Site #11, 8130 Tronson Road, Phase 2 – Boat Launch Replacement
- Lake Access Site #26, 8835 Okanagan Landing Road – Boat Launch Replacement

The Lake Access Site #11, 8130 Tronson Road boat launch is still operational and can remain open in the foreseeable future. The Site #26, 8835 Okanagan Landing Road boat launch is still closed as of April 2021 due to safety and operational hazards. Administration recommends that this boat launch remain closed until it can be replaced.

Table 1 provides a summary of the lake access capital projects, and Figure 1 shows a map of the lake access sites.

Table 1: Lake Access Capital Project Progress

| Lake Access Site | Address | Construction Start Date |
|-----------------------------------|-------------------|--------------------------------|
| Site #1 | 9030 Tronson Road | October 6, 2021 |
| Site #11 Shoreline Restoration | 8130 Tronson Road | October 4, 2021 |

| | | |
|-------------------------|----------------------------|--------------|
| Site #11 Boat Launch | 8130 Tronson Road | Unknown |
| Site #22 | 3000 Lakeshore Road | Spring 2022* |
| Site #25 | 8797 Okanagan Landing Road | Spring 2022* |
| Site #26 Boat Launch | 8835 Okanagan Landing Road | Unknown |

*Subject to receiving acceptable tenders and environmental permitting.



Figure 1: Lake Access Capital Project Sites

RECOMMENDATION:

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

Respectfully submitted:

Oct 5 2021 2:15 PM

X  
Ellen Croy 



THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Will Pearce, CAO

FILE: 4000-02

DATE: October 1, 2021

FROM: Darren Lees, Manager Protective Services

SUBJECT: 2021 SEASONAL SECURITY SUMMARY

Based on a recommendation from the Activate Safety Task Force, Council approved a seasonal overnight security presence in the downtown Vernon business improvement areas (BIA) beginning in 2020 (Attachment 1 – Map of BIA). A Service Level Adjustment (SLA) to continue the downtown seasonal security contract in 2021 was endorsed by Council during 2020 budget discussions.

The security service operated 7 days per week from 11 P.M. to 7 A.M. in a marked security vehicle to maintain a visible security presence during the overnight hours with a primary duty to observe, record, and report occurrences within the downtown core business improvement areas.

Recorded observations on both City property and private property included individuals with temporary shelters, individuals gathered on sidewalks, in lanes, parking lots, alcoves, parks and around the east and west downtown public washrooms. In many cases, individuals were not in contravention of a municipal bylaw or provincial statute but were noted by the security officer.

An analysis of the recorded observations by the security service between May 1 to September 30, 2021, revealed that all observations involved street entrenched individuals. 62% of the security service observations were made on City streets, lanes, downtown parks, bus exchange and public washrooms, while the other 38% were made on private property where individuals were observed in private alcoves, doorways and private parking areas accessed off a lane (Attachment 2 – Seasonal Security Summary).

Further analysis revealed that 45% of security service observations occurred in the BIA 1 while the other 55% of observations occurred in the BIA 2. The increase in observations in BIA 2 may be attributed to the fact that the majority of resources commonly accessed by street entrenched persons, including the Primary Care Clinic, Gateway Shelter, and the Upper Room Mission, are located in this area. 59% of all recorded observations were between 11 P.M. and 2 A.M.

Where necessary, security officers reported overnight issues to RCMP, Vernon Fire Rescue Services, BC Ambulance, City Operations and Bylaw Compliance for follow up. Calls for Service to the RCMP were addressed on a priority basis and included calls for

suspicious person, mischief, alcohol, unsecure premise, attempted arson and a break and enter attempt into a recreational vehicle. The security service also reported an early morning fire in a lane directly behind a business which was quickly addressed by Vernon Fire Rescue Services. Security officers also contacted City Operations to attend a broken water main. No immediate concerns were reported to Bylaw Compliance or BC Ambulance. Over the duration of the contract, 6 occurrences were reported to the RCMP, 1 occurrence to Fire Rescue Services, 1 occurrence to City Operations (Attachment 2 – Seasonal Security Summary).

The Executive Director of the Downtown Vernon Association (DVA) was contacted for comment regarding the 2021 Seasonal Security Service and advised that the DVA had not received any direct feedback from downtown business owners in regards to the service. The DVA supports the presence of a marked security patrol in the BIA through the overnight hours.

Recommendation:

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

Respectfully submitted:

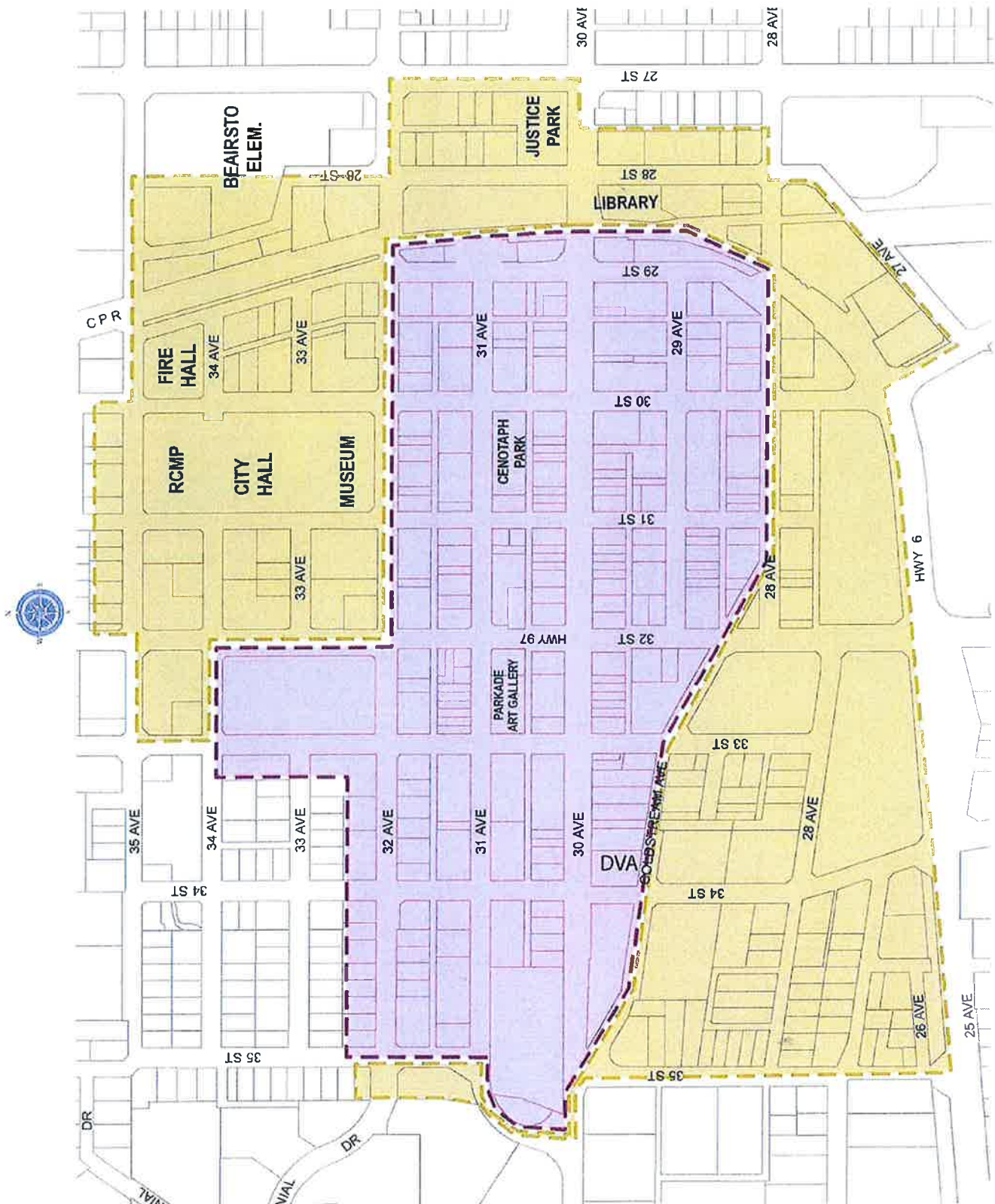


Darren Lees
Manager, Protective Services

ATTACHMENTS:

1. Map of City of Vernon Business Improvement Area (Attachment 1)
2. Seasonal Security Summary Table (Attachment 2)

Downtown Vernon Business Improvement Area Map



The purple represents the primary area and the green the secondary area within the BIA.

Attachment # 2

| Seasonal Security Summary - May 1, 2021 to September 30, 2021 | | | | | | | |
|---|---------------|------------------|-------------------|----------|-----------------|--------------------------------|-------------|
| | Observations | | Calls for Service | | | | |
| Month | City Property | Private Property | RCMP | VFRS | City Operations | Bylaw Compliance/ BC Ambulance | Total Files |
| May | 173 | 126 | 2 | 1 | 1 | 0 | 299 |
| June | 205 | 171 | 2 | 0 | 0 | 0 | 376 |
| July | 263 | 180 | 1 | 0 | 0 | 0 | 443 |
| August | 231 | 113 | 0 | 0 | 0 | 0 | 344 |
| September | 208 | 81 | 1 | 0 | 0 | 0 | 289 |
| Total Files | 1080 | 671 | 6 | 1 | 1 | 0 | 1751 |
| Total File % | 62% | 38% | | | | | 100 |

Observations - City Property; includes City streets, lanes, downtown parks, bus exchange and public washrooms

Observations – Private Property; includes private alcoves, doorways, private parking lots and parking areas accessed from a lane

*** Calls for Service to the RCMP, Vernon Fire Rescue, City Operations, Bylaw Compliance and BC Ambulance have been included in Observations (7 Calls for Service - City Property, 1 Call for Service, Attempt break and enter into a recreational vehicle – Private Property).**

Calls for Service RCMP; suspicious person, mischief, alcohol, unsecure premise, attempted arson and an attempt break and enter to a vehicle.

Calls for Service Vernon Fire Rescue Services (VFRS); Fire in lane behind business

Calls to City Operations; Broken water main

Calls for Service Bylaw Compliance; No reported concerns

Calls for Service BC Ambulance; No reported concerns



INTERNAL MEMORANDUM

TO: Will Pearce, CAO

FILE: 5410-10-Silver
Star Rd

PC: Mark Dowhaniuk, Manager, Infrastructure
James Rice, Director, Operations

DATE: September 29,
2021

FROM: Richard Bedard, Senior Project Manager

SUBJECT: SILVER STAR ROAD MULTI-USE PATH –SCOPE CHANGE

Construction of the Silver Star Road Multi - Use Path was planned in two phases (Figure 1). Phase 1 of the project extends from BX Elementary to Blackcomb Way and is scheduled to start construction this year. Phase 2 of the project extends from PV Road to BX Elementary and was scheduled for construction in 2022. Tender pricing for Phase 1 was received in September and was below the project team's estimated project cost and approved budget. The City also recently received confirmation that the application for Phase 1 construction is supported for cost-shared grant funding of \$500,000.



Figure 1: Project Overview with Phases

The total available approved funding for Phase 1 of the project including capital funding and the recently awarded grant funding is \$3.9 M. The estimated cost to complete the current work for the Phase 1 project based on the tender price is \$2.9 M. Administration is requesting Council authorization to expand the scope of the Phase 1 project into the Phase 2 area south of BX Elementary to make use of the current \$1.0 M projected unexpended budget in Phase 1. With the expanded scope the project team would look to construct the multi-use path from

Pleasant Valley Road to just west of L and A Road and complete ditching and drainage work south of the BX School to just north of L and A Road in preparation for the Phase 2 work. This would allow the City to complete this work while leveraging competitive construction rates and advancing the project schedule as much as possible in preparation for the Phase 2 work. Should Council authorize this adjustment to the scope of work, the 2022 Infrastructure Program would include a project in the Financial Plan to complete the remainder of Phase 2 at an adjusted budget that reflects the work that would be completed as part of the Phase 1 project. The remainder of Phase 2, which would include the L and A Road Intersection, realignment of Silver Star Road and the addition of the multi-use path would be tendered as a separate project in 2022. Administration would also request early budget approval for the Phase 2 funding as shown in the attached 2022 project sheet.

RECOMMENDATION:

"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.

Oct 5 2021 2:40 PM

X  

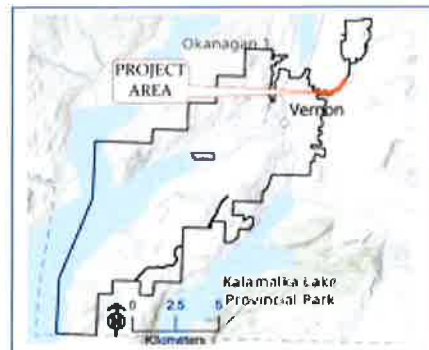

Richard Bedard
Senior Project Manager

Attachment: Attachment 1 - Proposed 2022 Project Sheet - Silver Star Road Multi-Use Path – Phase 2

Attachment 1 :Proposed 2022 Project Sheet – Silver Star Road Multi-Use Path – Phase 2

SILVER STAR ROAD MULTI-USE PATH – PHASE 2

PROJECT #2022-05



Total Capital Costs: \$ 2,010,000

Operation and Maintenance Estimated Yearly Costs: \$ 4,500

Project Summary

This project funding will supplement the 2021 funding and the grant funding received for the Phase 1 project to construct the remaining components of the multiuse path on Silver Star Road from Pleasant Valley Road to Blackcomb Way.

This second phase will provide the final MUP connection between BX Elementary School and Pleasant Valley Road and will tie into Phase 1 of the 2021 Silver Star Road Multiuse path as well as the 2020 Pleasant Valley Road MUP project (from Silver Star Road / 48th Avenue to BX Creek).

This project will involve road realignment, slight reconfiguration of the intersection at L & A Road, including a left turn bay on Silver Star Road, construction of a separated MUP with associated ditching and storm piping, relocating catch basins and hydro poles.



THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Mayor & Council

FILE: 0590-05 Ogopogo

PC: Kevin Poole

DATE: October 5, 2021

FROM: Will Pearce, CAO

SUBJECT: ASSIGNMENT OF RIGHTS IN THE LITERARY AND ARTISTIC WORK ENTITLED "OGOPOGO"

Early in 2021 Council directed Administration to assign the copyright in the unpublished literary and artistic work entitled "Ogopogo" to the Okanagan Nation Alliance. Initially thought to be a straight forward assignment, the path soon became quite convoluted, including a trademark challenge from a third party, challenges to the original assignment of 1956, a wide sweeping story in the British news service "The Guardian" and numerous COVID and emergency delays.

The City's solicitor has now completed the journey and Administration respectfully requests Council's authorization by resolution to execute the Copyright Assignment Agreement as attached.

RECOMMENDATION:

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 CAO.

Respectfully submitted:


Will Pearce, CAO

Attachment 1: Copyright Assignment Agreement

COPYRIGHT ASSIGNMENT AGREEMENT

THIS COPYRIGHT ASSIGNMENT AGREEMENT (the "**Agreement**") made this _____ day of August 2021.

BETWEEN:

THE CORPORATION OF THE CITY OF VERNON, a municipal corporation incorporated under the laws of the Province of British Columbia
(hereinafter called the "**City**")

OF THE FIRST PART

AND:

OKANAGAN NATION ALLIANCE, a society incorporated under the laws of British Columbia on March 25, 1997 under incorporation number S0036642 with a registered office address of #101-3535 Old Okanagan HWY, Westbank, British Columbia
(hereinafter called "**Okanagan Nation Alliance**")

OF THE SECOND PART

RECITALS:

- A. **WHEREAS** copyright in the unpublished literary and artistic work entitled "Ogopogo" (the "**Work**") , including but not limited to the work first registered under Serial No. 102327 in the Register of the Copyright Office of Canada in the name of Arthur Gilbert Seabrook ("**Seabrook**") of the City of Vernon, British Columbia on June 9, 1953 .
- B. **AND WHEREAS** on July 23, 1956 Seabrook assigned to the City of Vernon his copyright in the Work, which assignment was registered in the Copyright Office of Canada on September 14, 1956 under registration number 21709.
- C. **AND WHEREAS** Seabrook died on November 28, 2010.
- D. **AND WHEREAS** on March 22, 2021 the council of the City of Vernon resolved to assign its rights in the Work to the Okanagan Nation Alliance.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the premises and other good and valuable consideration, (the sufficiency and receipt of which are hereby specifically acknowledged), the parties covenant and agree as follows:

- 1. The City warrants that pursuant to an Assignment Agreement entered into with Seabrook dated July 23, 1956, the City became the owner of all of Seabrook's copyright, title, interest, and property in the Work together with all profit, benefit, and advantage that may arise from printing, reprinting, or selling said copyrights.
- 2. The City does hereby, in consideration of the sum of one dollar (\$1.00) assign and transfer to the Okanagan Nation Alliance all copyright, title, interest, and property in the Work, together with the right and title to any derivative works arising in any way from the Work, and any trademark rights arising from the commercial or non-commercial use of the foregoing copyrighted protected works or derivatives thereof and any goodwill related thereto, without reservation or exclusion, together

3. The City agrees that the Okanagan Nation Alliance shall from here on own the said copyright in the Work to benefit and dispose of these rights in its sole discretion.
4. The Parties agree that this Agreement shall be binding upon their legal successors and assigns.
5. If the Okanagan Nation Alliance determines that it wishes to register this assignment, the City agrees to sign all necessary papers to procure registration of, or as is further necessary, to effect the assignment under this Agreement. The City further agrees to provide all such additional documentation and assistance as may be requested by the Okanagan Nation Alliance to protect or enforce its rights, title, and interests assigned under this Agreement.

THE CITY OF VERNON, by its
authorized signatories:

Name

Position

Name

Position

Executive Director
Position



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Laurie Cordell
Manager, Long Range Planning
and Sustainability

COUNCIL MEETING: REG ☒ COW ☐ I/C ☐
COUNCIL MEETING DATE: October 12, 2021
REPORT DATE: September 28, 2021
FILE: 6135-03

SUBJECT: SKATING RINK RECOMMENDATIONS

PURPOSE:

To provide additional information and recommendations regarding synthetic or temporary refrigerated ice surfaces, as per Council direction.

RECOMMENDATION:

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.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council direct Administration to pursue design, costing and funding for the installation of a synthetic ice surface on the Kin Race Track Lands as outlined in the report titled "Skating Rink Recommendations" dated September 28, 2021 and respectfully submitted by the Manager, Long Range Planning and Sustainability.

Note: This option would begin the process of setting up a short-term artificial ice rink within the future park, near or on the future location. This would fill a need in advance of the permanent construction of an outdoor skating rink at Kin Race Track. This would be an opportunity for testing the artificial surface and if it is successful, there would be the possibility of relocation at that time.

ANALYSIS:

A. Committee Recommendations:

N/A

B. Rationale:

1. At its Regular Meeting of May 10, 2021, Council passed a resolution directing Administration to provide additional information and recommendations regarding synthetic or temporary refrigerated ice surfaces. Administration has been considering placement locations and implementation.
2. In addition, at its Regular Meeting of September 7, 2021, Council passed a resolution authorizing the expenditure of funds for Kin Race Track planning and supporting a timeline that anticipates construction beginning in September 2022. The prioritization of this park development will take substantial resources and could accommodate the construction of a permanent new outdoor ice surface (trail and/or rink). Administration is fully subscribed currently with the construction of the Civic Memorial Park, the new Marshall Field playground and other parks and projects that have current budget approval. The

construction of this surface, with other features at the Kin Race Track site, would be a cost and staff effective approach. As a conceptual plan is anticipated late in 2021/early 2022, it would be possible to see how the ice surface will integrate with the park. The location of the ice surface would be somewhat dictated by the proximity to Kal Tire Place to utilize the existing ice making infrastructure. It may be possible to prioritize its construction in the first phase of development.

3. If prioritizing the construction of a permanent rink through the Kin Race Track planning is not supported at this time, another approach that could be considered would be to locate an artificial or synthetic ice surface at the Kin Race Track lands. It could be located just west of the walking track adjacent to Kal Tire Place North. The site is relatively flat and would require minimal preparation. It would allow users to anticipate the future skating rink and start to show the kind of uses the site will have in the future. The ball diamonds are under utilized and their removal will be considered in the planning process for the site. Cost will vary widely based on size, configuration and site preparation. As an example, the cost for a 85 foot by 100 foot surface is estimated between \$250,000 and \$300,000. There is no Council approval of funding at this time.
4. The rink would be surrounded by construction for some time and this may take away from the experience of skating. Should the surface still be in good condition when it is time to construct the park, it could be considered for re-purposing elsewhere (such as Polson Park). In addition, it may be possible to make a synthetic skating trail on the existing race track. This may interfere more with the park construction but would be an interesting trial of a skating trail. Final costing would depend on the alignment of the surface (rink or trail) and the amount of site preparation required. A source of funds would need to be allocated if this project is moved forward.
5. After further consideration and review, temporary refrigerated ice surfaces are not recommended. There are a few key reasons for this. First, the locations which would be best for the surfaces are not near the needed staffing or equipment. Second, equipment storage would need to be constructed for the temporary ice making supplies and there would need to be a summer storage location developed, which is not currently available. The setup at Predator Ridge, which is the local example of this technology, is more controlled and serves a much smaller population base. Temporary rinks would require the addition of staffing and the purchase of equipment and construction of equipment shelters and storage locations, which would increase the cost significantly.

C. Attachments:

N/A

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

The subject skating rink is not related to any items in Council's Strategic Plan 2019 – 2022.

E. Relevant Policy/Bylaws/Resolutions:

1. At its Regular Meeting of May 10, 2021 Council passed the following resolution:

THAT Council direct Administration to provide more information on the selected option(s) for an outdoor skating rink as outlined in the report titled "Skating Rink Options for Consideration" dated April 28, 2021 and respectfully submitted by the Manager, Long Range Planning and Sustainability as follows:

- *Synthetic Ice Surface as shown on Attachment 3 of above-noted report.*

AND

THAT Council direct Administration to provide more information on temporary refrigerated ice surfaces in a variety of sizes, as outlined in the report titled "Skating Rink Options for Consideration" dated April 28, 2021 and respectfully submitted by the Manager, Long Range Planning and Sustainability.

2. At its Regular Meeting of January 11, 2021 Council passed the following resolution:

THAT Council direct Administration to identify a location (preferably Polson Park) with available utilities for a permanent seasonal skating rink and report back to Council with a location and realistic (accurate) cost no later than the end of April 2021;

AND FURTHER, that Council direct Administration to include in the estimate for the permanent rink, both the capital and maintenance costs for natural and artificial ice;

AND FURTHER, that Council direct Administration to include in the estimate for the permanent rink basic lighting services and holiday lighting services;

AND FURTHER, that Administration identify a source(s) of funding for the project.

BUDGET/RESOURCE IMPLICATIONS:

Unknown at this time.

Prepared by:

Oct 5 2021 2:04 PM

Approved for submission to Council:

X

Laurie Cordell



Laurie Cordell

DocuSign

Laurie Cordell
Manager, Long Range Planning and
Sustainability

Will Pearce, CAO

Date: 05-OCTOBER-2021

X

Signer 2

Kim Flick
Director, Community Infrastructure and Development

REVIEWED WITH

- | | | |
|---|--|---|
| <input 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 type="checkbox"/> Long Range Planning & Sustainability |
| <input type="checkbox"/> Real Estate | <input checked="" 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: | | |



THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Will Pearce, CAO **FILE:** 7842-01

PC: Kevin Poole, Director, Lands, Safe Communities and Administration **DATE:** September 30, 2021
Doug Ross, Director, Recreation Services

FROM: Leah Walker, Manager, Customer Service - Recreation Services

SUBJECT: KAL TIRE PLACE CONCESSION EQUIPMENT REPAIR/REPLACEMENT

Concessions at Kal Tire Place re-opened in September of 2021, 18 months after the declaration of the state of emergency by the Province due to COVID-19 and the subsequent closure of Recreation facilities.

During the extended closure of the concessions, equipment was turned off at the power source in order to be more energy efficient and reduce utility costs. When the start-up of equipment was attempted, some items failed to power back up. The service contractor has indicated that most of the equipment is original from when the facility first opened in 2001 and was at, or near, end of useful life. The failure to re-start is believed to be due to a combination of the length of time the equipment was out of service and the age of the equipment.

At this time, without the equipment being operational, the storage of food and menu options that can be offered to customers is limited. With supply chains for parts and replacement equipment being affected by COVID-19, it will be some time before the concessions are fully operational. The list below indicates the age, the cost and estimated time to repair, and the cost and estimated time to replace the equipment:

| Piece of Equipment | Age of Equipment | Cost to repair (Parts and Labour) | Estimated Time to repair | Cost to replace (Delivery Included) | Estimated Time to Replace |
|--------------------------------|------------------|-----------------------------------|--|-------------------------------------|---------------------------|
| Griddle – Penalty Box | 20 Years Old | \$1,521.45 | Part is currently unavailable; no ETA provided | \$7,272.80 | 6 weeks |
| Drawer Freezer – Penalty Box | 20 Years Old | \$3,756.90 | Part is currently unavailable; no ETA provided | \$5,200.90 | 13 weeks |
| Standing Freezer – Penalty Box | 20 Years Old | \$356.48 | Within 2 weeks | \$7,241.44 | 13 weeks |

| | | | | | |
|---|-----------------|----------|----------------|------------|----------|
| Standing Freezer – Lower Storage Room | 20 Years Old | \$356.48 | Within 2 weeks | \$7,241.44 | 13 weeks |
|---|-----------------|----------|----------------|------------|----------|

Given the age of the equipment and the anticipated delay in receiving parts, Administration is recommending that the Griddle and the Drawer Freezer be replaced and the standing freezers be repaired. Contingency and GST have been included in the recommendation cost.

RECOMMENDATION:

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 Service.

Respectfully Submitted:

Leah Walker



INTERNAL M E M O R A N D U M

TO: Will Pearce, CAO **FILE:** 1280-01

PC: Keri-Ann Austin, Corporate Officer **DATE:** September 16, 2021
Debra Law, Director, Financial Services

FROM: Richard Strobel, Manager, Fleet Services

SUBJECT: ***2022 FLEET VEHICLE AND EQUIPMENT REPLACEMENT***

Administration has proposed replacing the following vehicles as part of the 2022 Operations budget submission to Council, funded from the Vehicle and Equipment Replacement Reserve:

- Unit #002 - 1.5 tonne pick-up truck with sanders and plows (\$160k)
- Unit #009 - 1.5 tonne pick-up truck with sanders and plows (\$160k)
- Unit #072 - tree chipper (\$55k)
- Unit #086 - ½ ton pick-up truck (\$60k)
- Unit #111 - mechanical road sweeper (\$430k)
- **Total estimated cost is \$865k**

The projected balance for the Vehicle and Equipment Replacement Reserve for December, 2021 is \$1,252,364. All of the vehicles listed have reached the end of their expected life cycle consistent with the Fleet Vehicle and Equipment Replacement Strategy. Due to supply chain issues including a worldwide semi-conductor shortage, manufacturers are experiencing long delays in completing and delivering vehicle and equipment orders. Waiting for budget approval later this year to begin the procurement process may delay the receipt of some of these vehicles well into 2023 and could result in higher costs. Administration is recommending that Council provide early budget approval for all of the vehicles listed so that the procurement process can begin immediately.

RECOMMENDATION:

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.

X  


Richard Strobel, Manager, Fleet Services.

INTERNAL M E M O R A N D U M

TO: Will Pearce, CAO **FILE:** 1280-01

PC: James Rice, Director, Operations **DATE:** September 20, 2021
Debra Law, Director, Financial Services

FROM: Richard Strobel, Manager, Fleet Services

SUBJECT: ***PROCUREMENT OF ONE FULL SIZE 100% ELECTRIC VAN***

The City of Vernon is committed to reducing greenhouse gas emissions. A large portion of the City's greenhouse gas emissions are from vehicle use, second only to recreation infrastructure. In order to meet the City's current and anticipated targets for emissions, the City is working to reduce fleet emissions. To this end, at its Regular Meeting of September 4, 2018, Council adopted the Climate Action Revolving Fund Policy (Attachment 1) and approved the first two projects to receive funding (the electric bike fleet and the pilot organics diversion bins). Administration continues to identify opportunities to reduce corporate emissions, which has led to this application to cover the additional cost for an electric vehicle.

As part of the 2021 Fleet Capital replacement budget unit #095, a 2007 Ford Ranger pickup truck was scheduled to be replaced by an electric car or SUV. During the evaluation process it was determined that a service van would be a better choice for the individual who is the primary operator of this vehicle. The current vehicle is used primarily as a service vehicle by one of the Utilities Department electricians.

In the spring of 2021, Ford announced plans to release a full-size electric transit van. Fleet Services delayed the procurement of the replacement vehicle for unit #095 pending the release of pricing and the delivery schedule for the electric van. On September 13, 2021, Ford released the Canadian pricing structure with an estimated availability date of February, 2022.

The 2021 approved budget to replace unit #095 with an electric car/SUV was \$40k and was to be funded from the Vehicle and Equipment Replacement Reserve. To replace unit #095 with a gasoline service van, the estimated cost is \$58k. The purchase price of the electric transit van is estimated at \$82k. There are no rebates or incentives available at this time for this type and value of electric vehicle.

The total life cycle cost of a gasoline service van over a 10 year period including fuel, maintenance, insurance, and disposal value is estimated at \$108k. The total life cycle cost of an electric van over the same time period is estimated at \$120k. The electric van would reduce fuel consumption by an estimated 16,800 litres, equivalent to 38,640 kg of CO₂, over a 10 year period. This is detailed in the application (Attachment 2)

The City has three 100% electric cars, one 100% electric UTV and six electric bicycles. Fleet Services have struggled to incorporate electric vehicle technology into the fleet due to our type of use which is predominately pickup trucks, vans and heavy-duty vehicles. In this case, the electric van provides an opportunity to “right size” the vehicle it will replace, resulting in a vehicle that best meets the needs of the employee to perform their duties and a significantly reduced carbon footprint. The electric van option does result in an estimated \$42k increase in purchase cost over the previously approved electric vehicle.

The Climate Action Revolving Fund has seen limited uptake for projects. Reviewing the Climate Action Revolving Fund and its effectiveness has been identified in the Climate Action Plan, but this review is not yet underway. One barrier that has been identified is the repayment of the fund. While this is still under investigation, Administration is requesting that this requirement be waived for this project as it will make it more financially viable.

The balance in the Climate Action Revolving Fund is \$1,199,601.

Recommendation:

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.

Oct 6 2021 9:07 AM

X  



Richard Strobel, Manager, Fleet Services

Attachment 1 – Climate Action Revolving Fund Policy

Attachment 2 - Application to the Climate Action Revolving Fund



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

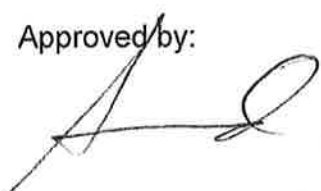
Corporate Policy Manual

| | | |
|--------------|--------------------------------------|--|
| Section: | | |
| Sub-Section: | | |
| Title: | Climate Action Revolving Fund Policy | |

RELATED POLICIES

| Number | Title |
|--------|-------|
| | |
| | |

APPROVALS

| POLICY APPROVED BY: | AMENDMENT APPROVAL: | SECTION AMENDED |
|---|---|-----------------|
| Approved by:  Mayor: "Akbal Mund" Date: September 4, 2018 | | |
| | Amendment Approved by: Mayor: Date: | |

POLICY

Recognizing the City of Vernon's desire to reduce greenhouse gas emissions and provide guidance on funds designated for climate action, the Climate Action Revolving Fund Policy guides the use of the City's carbon tax reserve fund. The City's carbon tax reserve fund, hence forward to be acknowledged as the Climate Action Revolving Fund, will provide direct benefits to Vernon through greenhouse gas emissions reduction, tax payer cost savings and reinvestment for future emissions reduction through a revolving fund structure.

DEFINITIONS

Greenhouse gas emissions (GHGe), are emissions of gases to the atmosphere that could absorb infrared radiation, thereby trapping and holding heat in the atmosphere, characterized and defined by the *British Columbia Best Practices Methodology for Quantifying Greenhouse Gas Emissions* (as amended from time to time).

Climate Action Revolving Fund, the "**fund**", shall comprise of moneys set aside through the carbon tax reserve fund (a combination of Climate Action Revenue Incentive Program grants received and corporate contributions for climate action to date), revolving portions of monetary savings generated by future energy saving corporate projects, applicable future grants and contributions towards climate action, and deposit interests earned on its year-end balance.

GUIDELINES

1. The **fund** will finance projects that can clearly demonstrate measurable corporate or community GHG emissions reduction.
2. Priority to **fund** access will be provided to projects with the greatest GHG emissions reductions and projects that would otherwise not be funded without financial support through the **fund**.
3. Corporate projects should provide a positive return on investment based on sound business case proposals. The **fund** will be used to top up the additional budget required to provide additional GHG emissions efficiency opportunities. For example, when a facility has already designated funds for lifecycle replacement of industry standard equipment, the fund may be accessed to offset the additional costs associated with upgrading the equipment to higher efficiency or renewable fuel switching standards that would otherwise not be funded without additional financial support. Where no existing funding exists, the **fund** can be accessed to provide the necessary budget required for the proposed GHG emissions efficiency opportunities.

4. A portion of the monetary savings generated by corporate projects would be returned to the City's operating budget (50%), directly providing cost savings to current taxpayers. The other portion of savings (50%) would be reinvested into the **fund** towards future qualifying projects, until such time the original amount drawn from the **fund** for said project is paid for. This creates a revolving **fund** that provides the community with long term climate action opportunities and direct cost savings to current and future taxpayers (Figure 1).

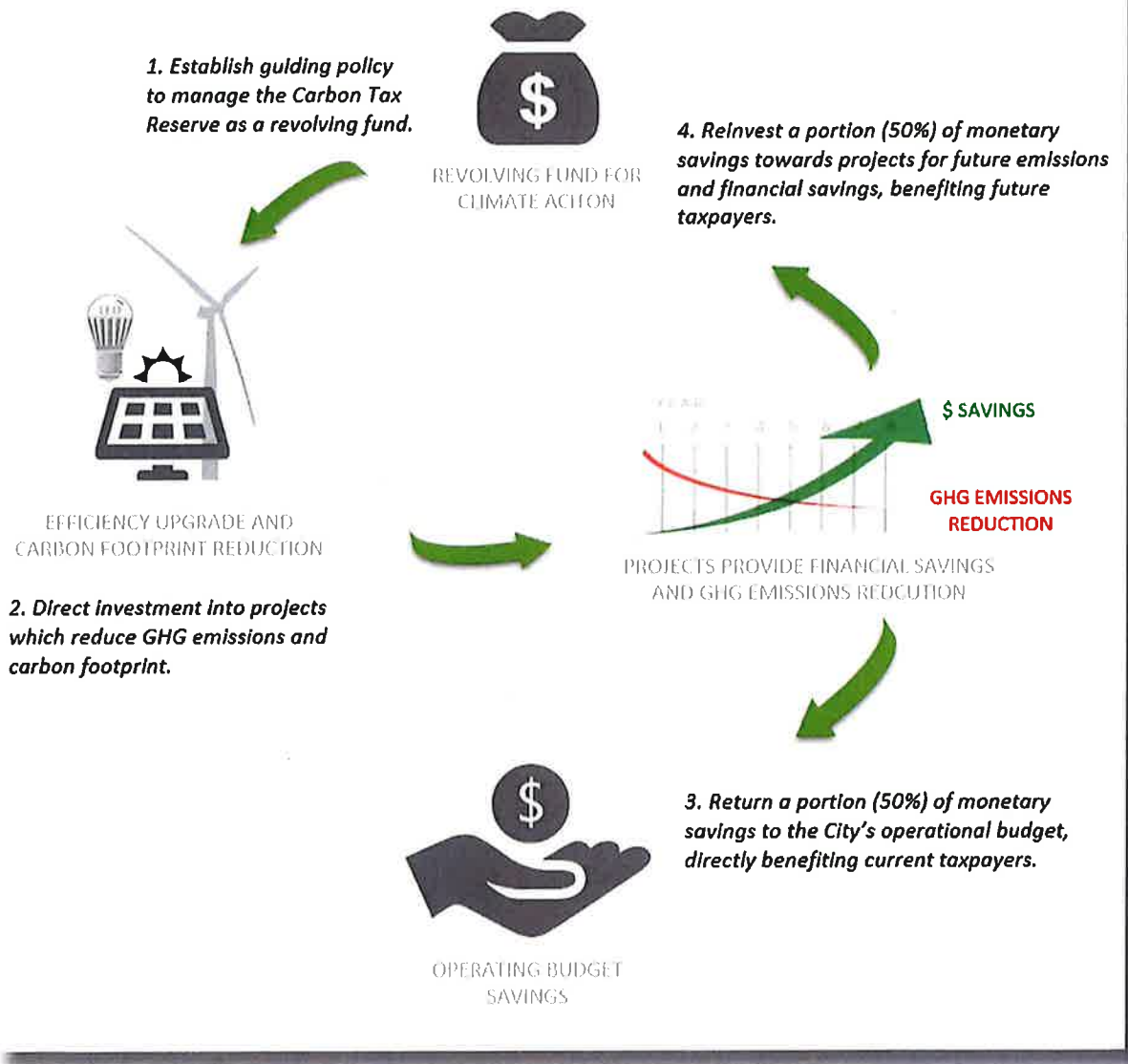


Figure 1. Climate Action Revolving Fund Framework.

5. Proposed projects are evaluated by Council based on the Climate Action Revolving Fund Policy and, where applicable, reviewed by a designated task force/working group/committee of Council. A Climate Action Revolving Fund Project Proposal Questionnaire will be used to assist project proposal evaluations.



Climate Action Revolving Fund - Project Proposal Questionnaire

The Climate Action Revolving Fund and Policy will provide direct benefits to Vernon through greenhouse gas emissions reduction, tax payer cost savings, and reinvestment for future remissions reduction through a revolving fund structure. Please reference the Climate Action Revolving Fund Policy for guidelines associated with the fund.

* 1. Please provide your contact information:

Name

Richard Strobel

Department

Fleet Services

Division

Operations

Email Address

rstrobel@vernon.ca

Phone Number

250-550-3605

* 2. Please select the scope of your project

Corporate Project

Corporate Climate Action Projects

Applications are evaluated on how the proposed projects support or improve the City's climate action and greenhouse gas (GHG) emissions reduction goals. Priority to fund access will be provided to projects with the greatest GHG emissions reductions and projects that would otherwise not be funded without financial support through the fund.

Corporate projects should provide positive return of investment based on a sound business case for the proposal. The fund would be used to top up the additional budget required to reach additional GHG emissions efficiency opportunities. For example, when a facility has already designated funds for the lifecycle replacement of industry standard light fixtures, the fund may be accessed to offset the additional costs associated with upgrading the fixtures to higher efficiency standards that would otherwise not be funded without additional financial support.

- * 3. Briefly described your proposed project and how it would provide GHG emissions reduction within the City's corporate operations.

Procurement of a 100% electric full size van to replace a gasoline powered pickup.

Greenhouse Gas Reductions Details

- * 4. Would the project provide a one-time reduction or GHGe reductions on a regular basis?

- ☐ One time GHGe reduction
- ☒ Ongoing GHGe reduction
- ☐ Other (please specify)

5. What is the anticipated GHGe Reduction? Please provide your answer in tCO2 emissions equivalent according to the standards recognized by the *British Columbia Best Practices Methodology for Quantifying Greenhouse Gas Emissions*. Please note if the reductions identified is a one time or annual GHGe reduction.

38,640 kg of CO2 over a 10 year lifecycle.

* 6. Additional details regarding the described corporate project:

What is the anticipated total cost of this initiative:

\$82,000 plus GST

What is the existing budget dedicated towards this initiative:

\$40,000

How much funding is being requested from the Climate Action Revolving Fund:

\$42,000

What is the anticipated time it would take for the Return of Investment to reach 100%:

How long will it take for the project to repay the fund provided that 50% of the annual cost savings is re-contributed back into the revolving fund:

Repayment makes this vehicle option less desirable.

What is the anticipated timeline of the project:

Availability and delivery is expected February 2022.

7. Please provide any additional details regarding how your project would benefit the City of Vernon's climate action initiatives and commitments:

By replacing a gasoline engine pickup truck with the right size electric trades van we will reduce GHG's and improve staff efficiency.

Community Climate Action Projects

Applications are evaluated on how the proposed projects support or improve the City's climate action and greenhouse gas (GHG) emissions reduction goals. Priority to fund access will be provided to projects with the greatest GHG emissions reductions and projects that would otherwise not be funded without financial support through the fund.

* 8. Briefly describe your proposed project and how it would provide community GHG emissions reductions:

N/A

Greenhouse Gas Reductions Details

* 9. Would the project provide a one-time reduction or GHGe reductions on a regular basis?

☐ One time GHGe reduction

☐ Ongoing GHGe reduction

☐ Other (please specify)

10. What is the anticipated GHGe Reduction? Please provide your answer in tCO₂ emissions equivalent in according to the standards recognized by the *British Columbia Best Practices Methodology for Quantifying Greenhouse Gas Emissions*. Please note if the reductions identified is a one time or annual GHGe reduction.

11. Additional details regarding the described community project:

What is the anticipated total cost of this initiative:

What is the existing budget dedicated towards this initiative, if any:

How much funding is being requested from the Climate Action Revolving Fund:

Can the project generate credible carbon offset credits as recognized by the province of BC:

If so, how many credits would the project generate:

How do you plan to validate these credits:

What is the anticipated timeline of the project:

12. Please provide any additional details regarding how your project would benefit the City of Vernon's climate action initiatives and commitments:



Thank you for your interest in the Climate Action Revolving Fund.
Please allow some time for staff to summarize your proposal and get back to you with additional details. If you have any additional questions in the meantime, please contact Jing Niu, jniu@vernon.ca or 250-550-3243.



THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Will Pearce, CAO **FILE:** 1970-13:99

PC: Mayor and Council **DATE:** September 29, 2021
Debra Law, Director, Financial Services

FROM: Terry Martens, Manager, Financial Operations

SUBJECT: DOWNTOWN VERNON ASSOCIATION 2020 FINANCIAL STATEMENTS

The Downtown Vernon Association (DVA) submitted their 2020 Audited Financial Statements (Attachment 1) and Schedules C (Attachment 2 and 3) for Bylaw 5584 (Primary BIA) and Bylaw 5585 (Secondary BIA) to the City of Vernon on September 29, 2021.

As per Bylaw Numbers 5584 and 5585, Section 6, the audited financial statements have been prepared in accordance with generally accepted accounting principles and have received a favourable opinion from their auditors, MNP, LLP.

The DVA have also included signed Schedules C for both Bylaw Numbers 5584 and 5585 in the required format.

As per the bylaws, submission of these documents in the prescribed form allows for payment of the second instalment of the 2021 Business Improvement Area (BIA) levies totalling \$210,915. The first instalment of \$210,915 was paid on February 18, 2021. The total 2021 BIA levies payable is \$421,830.

RECOMMENDATION:

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.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. Martens'.

Attachment 1 – DVA 2020 Financial Statements
2 – Schedule C, Bylaw 5584 (Primary BIA)
3 – Schedule C, Bylaw 5585 (Secondary BIA)

Downtown Vernon Association
Financial Statements
December 31, 2020

Downtown Vernon Association

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For the year ended December 31, 2020

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Management's Responsibility

To the Members of Downtown Vernon Association:

Management is responsible for the preparation and presentation of the accompanying financial statements, including responsibility for significant accounting judgments and estimates in accordance with Canadian accounting standards for not-for-profit organizations. This responsibility includes selecting appropriate accounting principles and methods, and making decisions affecting the measurement of transactions in which objective judgment is required.

In discharging its responsibilities for the integrity and fairness of the financial statements, management designs and maintains the necessary accounting systems and related internal controls to provide reasonable assurance that transactions are authorized, assets are safeguarded and financial records are properly maintained to provide reliable information for the preparation of financial statements.

The Board of Directors is composed primarily of Directors who are neither management nor employees of the Association. The Board is responsible for overseeing management in the performance of its financial reporting responsibilities, and for approving the financial information included in the annual report. The Board fulfils these responsibilities by reviewing the financial information prepared by management and discussing relevant matters with management and external auditors. The Committee is also responsible for recommending the appointment of the Association's external auditors.

MNP LLP is appointed by the members to audit the financial statements and report directly to them; their report follows. The external auditors have full and free access to, and meet periodically and separately with, both the Committee and management to discuss their audit findings.

May 18, 2021



Executive Director

Independent Auditor's Report

To the Members of Downtown Vernon Association:

Report on the Audit of the Financial Statements

Opinion

We have audited the financial statements of Downtown Vernon Association (the "Association"), which comprise the statement of financial position as at December 31, 2020, and the statements of operations, changes in net assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Association as at December 31, 2020, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Association in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Association's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Association or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Association's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Association's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.

- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Association's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Association to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Vernon, British Columbia

May 18, 2021

MNP LLP

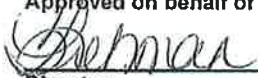
Chartered Professional Accountants

Downtown Vernon Association
Statement of Financial Position

As at December 31, 2020

| | 2020 | 2019 |
|--|----------------|---------|
| Assets | | |
| Current | | |
| Cash (Note 3) | 350,547 | 165,205 |
| Accounts receivable | 25,517 | 3,210 |
| Prepaid expenses and deposits | 6,323 | 4,050 |
| | 382,387 | 172,465 |
| Capital assets (Note 4) | 24,534 | 31,263 |
| | 406,921 | 203,728 |
| Liabilities | | |
| Current | | |
| Accounts payable and accrued liabilities | 47,831 | 42,889 |
| Government remittances payable | 6,443 | 4,801 |
| Deferred contributions (Note 5) | 14,050 | - |
| | 68,324 | 47,690 |
| Long-term debt (Note 6) | 30,000 | - |
| | 98,324 | 47,690 |
| Commitments (Note 7) | | |
| Significant event (Note 8) | | |
| Net Assets | | |
| Invested in capital assets | 24,534 | 31,263 |
| Unrestricted | 284,063 | 124,775 |
| | 308,597 | 156,038 |
| | 406,921 | 203,728 |

Approved on behalf of the Board


Director


Director

The accompanying notes are an integral part of these financial statements

Downtown Vernon Association

Statement of Operations

For the year ended December 31, 2020

| | 2020 | 2019 |
|--|----------------|----------|
| Revenue | | |
| Business Improvement Area | 406,778 | 392,265 |
| Local government | 64,700 | 69,939 |
| Vendor and event | 13,405 | 74,783 |
| Interest | 361 | 619 |
| | 485,244 | 537,606 |
| Program Costs | | |
| Business Improvement Area (Note 9) | 131,027 | 139,768 |
| Events (Note 10) | 24,980 | 91,983 |
| | 156,007 | 231,751 |
| | 329,237 | 305,855 |
| Expenses | | |
| Salaries and benefits (Note 11) | 119,513 | 236,349 |
| Rent (Note 11) | 18,539 | 20,787 |
| Professional fees | 9,433 | 8,342 |
| Office supplies | 7,972 | 11,833 |
| Repairs and maintenance | 6,469 | 7,247 |
| Insurance | 4,049 | 3,974 |
| Utilities | 2,906 | 3,104 |
| Membership fees | 2,719 | 3,391 |
| Equipment rentals | 2,416 | 3,389 |
| Telephone | 2,066 | 1,948 |
| Parking | 1,765 | 2,250 |
| Meetings and conventions | 937 | 6,035 |
| Security | 632 | 433 |
| Bank charges and interest | 532 | 122 |
| Bad debts | - | 641 |
| Amortization | 6,730 | 6,263 |
| | 186,678 | 316,108 |
| Excess (deficiency) of revenue over expenses before other items | 142,559 | (10,253) |
| Other items | | |
| Loss on disposal of capital assets | - | (85) |
| Government assistance (Note 11) | 10,000 | - |
| | 10,000 | (85) |
| Excess (deficiency) of revenue over expenses | 152,559 | (10,338) |

The accompanying notes are an integral part of these financial statements

Downtown Vernon Association Statement of Changes in Net Assets

For the year ended December 31, 2020

| | <i>Invested in capital assets</i> | <i>Unrestricted</i> | <i>2020</i> | <i>2019</i> |
|--|---------------------------------------|---------------------|-------------|-------------|
| Net assets, beginning of year | 31,264 | 124,774 | 156,038 | 166,376 |
| Excess (deficiency) of revenue over expenses | - | 152,559 | 152,559 | (10,338) |
| Amortization | (6,730) | 6,730 | - | - |
| Net assets, end of year | 24,534 | 284,063 | 308,597 | 156,038 |

The accompanying notes are an integral part of these financial statements

Downtown Vernon Association Statement of Cash Flows

For the year ended December 31, 2020

| | 2020 | 2019 |
|---|----------------|----------------|
| Cash provided by (used for) the following activities | | |
| Operating | | |
| Cash received from government funding | 485,528 | 462,204 |
| Cash receipts from other sources | 5,326 | 62,332 |
| Cash paid to suppliers | (55,592) | (44,399) |
| Cash paid for program and event costs | (156,007) | (231,751) |
| Cash paid for salaries and benefits | (133,742) | (236,349) |
| Cash paid for interest | (532) | (122) |
| Interest received | 361 | 619 |
| | 145,342 | 12,534 |
| Financing | | |
| Advances of long-term debt | 40,000 | - |
| Investing | | |
| Purchase of capital assets | - | (15,560) |
| Increase (decrease) in cash resources | 185,342 | (3,026) |
| Cash resources, beginning of year | 165,205 | 168,231 |
| Cash resources, end of year | 350,547 | 165,205 |

The accompanying notes are an integral part of these financial statements

1. Incorporation and nature of the association

Downtown Vernon Association (the "Association") was incorporated under the Society Act of British Columbia on March 22, 1993. It is a not-for-profit organization, and thus, is exempt from income taxes under paragraph 149(1)(l) of the Income Tax Act ("the Act").

The mandate of the Association is to provide programs and services important to the economic viability and vitality of downtown Vernon, British Columbia, and to promote downtown Vernon as a unique and dynamic destination for entertainment, goods and services.

2. Significant accounting policies

The financial statements have been prepared in accordance with Canadian accounting standards for not-for-profit organizations using the following significant accounting policies:

Cash and cash equivalents

Cash and cash equivalents include balances held with financial institutions and petty cash. Cash subject to restrictions that prevent its use for current purposes is included in restricted cash.

Capital assets

Purchased capital assets are recorded at cost. Contributed capital assets are recorded at fair value at the date of contribution if fair value can be reasonably determined.

Amortization is provided using rates intended to amortize the cost of assets over their estimated useful lives.

| | Method | Rate |
|------------------------|-------------------|-------------|
| Computer equipment | declining balance | 55 % |
| Furniture and fixtures | declining balance | 20 % |
| Leasehold improvements | straight-line | 10 years |
| Signs | declining balance | 20 % |

Revenue recognition

The Association follows the deferral method of accounting for contributions. Restricted contributions, if any, are recognized as revenue in the year in which the related expenses are incurred. Unrestricted contributions are recognized as revenue when received or receivable if the amount can be reasonably estimated and collection is reasonably assured.

Contributed services

Contributed services are recognized in the financial statements when their fair value can be reasonably determined and they are used in the normal course of the Association's operations and would otherwise have been purchased.

The work of the Association is dependent on the voluntary services of many members. Because of the difficulty of compiling these hours and the fact that these services are not otherwise purchased, the fair value of contributed services can not be reliably determined and are not recognized in the financial statements.

Measurement uncertainty (use of estimates)

The preparation of financial statements in conformity with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period.

Accounts receivable are stated after evaluation as to their collectability and an appropriate allowance for doubtful accounts is provided where considered necessary. Amortization is based on estimated useful lives of capital assets.

These estimates and assumptions are reviewed periodically and, as adjustments become necessary they are reported in the statement of operations in the periods in which they become known.

Downtown Vernon Association
Notes to the Financial Statements
For the year ended December 31, 2020

Financial instruments

The Association recognizes its financial instruments when the Association becomes party to the contractual provisions of the financial instrument. All financial instruments are initially recorded at their fair value, including financial assets and liabilities originated and issued in a related party transaction with management.

At initial recognition, the Association may irrevocably elect to subsequently measure any financial instrument at fair value. The Association has not made such an election during the year.

Transaction costs and financing fees directly attributable to the origination, acquisition, issuance or assumption of financial instruments subsequently measured at fair value are immediately recognized in the statement of operations. Conversely, transaction costs and financing fees are added to the carrying amount for those financial instruments subsequently measured at cost or amortized cost.

Financial asset impairment

The Association assesses impairment of all of its financial assets measured at cost or amortized cost. Management considers whether the issuer is having significant financial difficulty or whether there has been a breach in contract, such as a default or delinquency in payments, in determining whether objective evidence of impairment exists. When there is an indication of impairment, the Association determines whether it has resulted in a significant adverse change in the expected timing or amount of future cash flows during the year. If so, the Association reduces the carrying amount of any impaired financial assets to the highest of: the present value of cash flows expected to be generated by holding the assets; the amount that could be realized by selling the assets; and the amount expected to be realized by exercising any rights to collateral held against those assets. Any impairment, which is not considered temporary, is included in current year statement of operations.

The Association reverses impairment losses on financial assets when there is a decrease in impairment and the decrease can be objectively related to an event occurring after the impairment loss was recognized. The amount of the reversal is recognized in the statement of operations in the year the reversal occurs.

Income taxes

The Association is registered under the Income Tax Act (the "Act") subsection 149(1)(l) and as such is exempt from income taxes. In order to maintain its status as registered under the Act, the Association must meet certain requirements within the Act. In the opinion of management, these requirements have been met.

Government assistance

Government assistance is recognized when there is reasonable assurance that the Association has complied and will continue to comply with all conditions of the assistance.

Government assistance toward current expenses is recognized in income for the period as a reduction in the related expenses. Government assistance towards expenses of future accounting periods is deferred and recognized in revenue as related expenses are incurred.

3. Cash

| | 2020 | 2019 |
|-----------------|----------------|-------------|
| Cash | 336,497 | 165,205 |
| Restricted cash | 14,050 | - |
| | 350,547 | 165,205 |

Restricted cash is externally restricted for specific purposes as set out in the terms of the City of Vernon security camera grant agreement.

Downtown Vernon Association
Notes to the Financial Statements
For the year ended December 31, 2020

4. Capital assets

| | Cost | Accumulated amortization | 2020 Net book value | 2019 Net book value |
|------------------------|---------------|-------------------------------------|------------------------------------|------------------------------------|
| Computer equipment | 7,369 | 6,024 | 1,345 | 2,988 |
| Furniture and fixtures | 19,312 | 12,477 | 6,835 | 8,544 |
| Leasehold improvements | 11,380 | 3,983 | 7,397 | 8,535 |
| Signs | 12,440 | 3,483 | 8,957 | 11,196 |
| | 50,501 | 25,967 | 24,534 | 31,263 |

5. Deferred contributions

Deferred contributions consist of unspent contributions externally restricted for spending on specific events and purposes. Recognition of these amounts as revenue is deferred to periods when the specified expenditures are made. Changes in the deferred contribution balance are as follows:

| | 2020 | 2019 |
|-----------------------------------|---------------|-------------|
| Balance, beginning of year | - | - |
| Contributions received | 22,000 | - |
| Revenue recognized | (7,950) | - |
| Balance, end of year | 14,050 | - |

6. Long-term debt

| | 2020 | 2019 |
|--|-------------|-------------|
| During the year, the Association applied for, and received funding from, the federal government's Canada Emergency Business Account program. The purpose of this loan is to help Canadian small businesses alleviate any liquidity issues caused by the COVID-19 pandemic. The Association received a \$40,000 loan from Valley First Credit Union that is guaranteed by the federal government. This loan is interest free until December 31, 2022. As part of the agreement, \$10,000 of the loan is forgivable if it is repaid before December 31, 2022. If the amount is not repaid at this time, the loan will be subject to renegotiation with Valley First Credit Union and will no longer be guaranteed by the federal government. | 30,000 | - |

Downtown Vernon Association
Notes to the Financial Statements
For the year ended December 31, 2020

7. Commitments

The Association has a lease for a photocopier with monthly payments of \$151 until September 2025.

The Association has committed \$5,000 annually towards the maintenance of the murals in downtown Vernon. This commitment is in perpetuity until either the Downtown Vernon Association or the Business Improvement Area levy cease to exist.

The Association has signed a lease with Sun Valley Mall to rent space at \$1,950 per month until December 2021.

The Association has signed an agreement with Vernon & District Association for Community Living to perform groundskeeping maintenance in the downtown Vernon area at \$26,880 for the 6 month contract commencing April 2021 until October 2021.

The Association has signed an agreement with the City of Vernon to pay 10 cents per transaction for park-by-phone charges. The agreement is in effect until May 2021.

8. Significant event

The recent outbreak of the coronavirus, also known as "COVID-19", has spread across the globe and is impacting worldwide economic activity. Conditions surrounding the coronavirus continue to rapidly evolve and government authorities have implemented emergency measures to mitigate the spread of the virus. The outbreak and the related mitigation measures may have an adverse impact on the global economic conditions as well as on the Association's business activities. The extent to which the coronavirus may impact the Association's business activities will depend on future developments, such as the ultimate geographic spread of the disease, the duration of the outbreak, and the effectiveness of actions taken in Canada and other countries to contain and treat the disease. These events are highly uncertain and as such the Association cannot determine if there will be any financial impact at this time.

Events since the onset of the pandemic have been cancelled due to Provincial restrictions and safety guidelines. The Association has reduced expenses and staffing in order to conserve capital during the indeterminate period until events, which are one of the main revenue generating activities, can resume.

9. Business Improvement Area

| | 2020 | 2019 |
|----------------------------------|----------------|-------------|
| Maintenance and landscaping | 51,857 | 48,106 |
| Advertising | 31,172 | 38,853 |
| Street and safety programs | 13,833 | 14,550 |
| Internal communication | 12,212 | 811 |
| Park by phone | 9,295 | 6,715 |
| Mural program | 5,000 | 5,165 |
| Mural development | 1,590 | - |
| Volunteer recognition and reward | 1,398 | - |
| Networking | 1,345 | 3,953 |
| Signage and banners | 1,190 | 139 |
| Recognition and rewards | 838 | 2,305 |
| Meals and entertainment | 657 | 798 |
| Conferences | 356 | 4,607 |
| Commissions | 234 | - |
| New projects and programs | 26 | 753 |
| Opioid project | 24 | 9,914 |
| Communication and newsletter | - | 3,099 |
| | 131,027 | 139,768 |

Downtown Vernon Association
Notes to the Financial Statements
For the year ended December 31, 2020

10. Events

| | 2020 | 2019 |
|--|---------------|---------------|
| Chili Cookoff | 1,240 | 2,468 |
| Civic Sounds | - | 18,967 |
| Festival of Christmas Traditions | - | 13,542 |
| Jammin' In Justice/Tuesdays In The Trees | - | 3,827 |
| Open With Care | 8,496 | - |
| Other Event Support | 1,369 | 1,753 |
| Shop Local | 4,680 | 6,530 |
| Sunshine Festival | - | 29,762 |
| Treat Trail | - | 2,067 |
| Unwined | 4,226 | 6,128 |
| Winter Carnival | - | 164 |
| Xmas Promotion | 4,969 | 6,775 |
| | 24,980 | 91,983 |

11. Government Assistance

During the year, the Association recognized \$75,553 in Canada Emergency Wage Subsidy ("CEWS") and \$3,325 in Temporary Wage Subsidy ("TWS") as a reduction in salaries and benefits expense, and \$14,229 in accounts receivable. CEWS and TWS, introduced in response to the COVID-19 pandemic, provide eligible employers with a subsidy to cover a portion of wage costs paid to eligible employees during prescribed claim periods. There are no unfulfilled conditions related to amounts recognized. However, amounts claimed under these programs are subject to validation and detailed verification by the Federal Government.

During the year, the Association recognized the forgivable portion of \$10,000 on the non-interest bearing repayable portion of the Canada Emergency Business Account ("CEBA") as other income. If the Company does not meet the conditions for forgiveness the full balance will be repayable. CEBA, introduced in response to the COVID-19 pandemic, provides funds to cover eligible non-deferrable expenditures by way of a non-interest bearing loan which is partially forgivable if the repaid by the imposed deadline. For further details on the CEBA loan see Note 6.

During the year, the Association recognized \$4,044 in Canada Emergency Rent Subsidy ("CERS") as a reduction in rent expense. CERS, introduced in response to the COVID-19 pandemic, provides funds to cover a portion of commercial rent or property expenses during a prescribed claim periods. There are no unfulfilled conditions related to amounts recognized. However, amounts claimed under these programs are subject to validation and detailed verification by the Federal Government.

12. Financial instruments

The Association, as part of its operations, carries a number of financial instruments. It is management's opinion that the Association is not exposed to significant interest, currency, credit, liquidity or other price risks arising from these financial instruments except as otherwise disclosed.

13. Economic dependence

The Association's primary source of revenue is the Business Improvement Area revenue from the City of Vernon. The bylaw for funding has been established until 2027. The Association's ability to continue viable operations is dependent upon maintaining this funding.



Schedule "C"

Bylaw 5584 (Primary BIA)

STATEMENT OF ACCOUNT

Year Ending December 31, 2020

| | <u>Budget</u> | <u>Actual</u> |
|--|---------------|-------------------------|
| Staff | \$158,695 | \$ 81,269 |
| Office | \$48,416 | \$ 21,493 |
| Advertising, Special Events, Promotion | \$98,753 | \$ 38,184 |
| Parking Awareness Program | \$ 8,160 | \$ 6,321 |
| Streetscape Improvements | \$45,968 | \$90,560 |
| Research | \$3,400 | \$0 |
| Miscellaneous | \$0 | \$0 |
| Total: | | <u>\$237,827</u> |
| 2020 Primary BIA Levy | | \$276,609 |
| Other Funding Sources | | \$ 53,357 |

Chair of the DVA Board of Directors:
Shanna Rowney

DVA Executive Director:
Susan Lehman

Date: September 21, 2021



Schedule "C"

Bylaw 5585 (Secondary BIA)

STATEMENT OF ACCOUNT

Year Ending December 31, 2020

| | <u>Budget</u> | <u>Actual</u> |
|--|---------------|-------------------------|
| Staff | \$74,680 | \$38,244 |
| Office | \$22,784 | \$21,493 |
| Advertising, Special Events, Promotion | \$46,473 | \$17,968 |
| Parking Awareness Program | \$3,840 | \$2,974 |
| Streetscape Improvements | \$21,632 | \$28,979 |
| Research | \$1,600 | \$ 0 |
| Miscellaneous | \$ 0 | \$ 0 |
| Total: | | <u>\$109,658</u> |
| 2020 Secondary BIA Levy | | \$130,169 |
| Other Funding Sources | | \$ 25,109 |

Chair of the DVA Board of Directors:
Shanna Rowney

DVA Executive Director:
Susan Lehman

Date: September 21, 2021



THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Will Pearce, CAO **FILE:** 1660-20

PC: Kevin Poole, Director, Community Safety Lands & Administration **DATE:** September 28, 2021
Brett Bandy, Manager, Real Estate

FROM: Debra Law, Director, Financial Services

SUBJECT: CBW DEVELOPMENT CORP. SHAREHOLDER MEETING

The City of Vernon is the sole shareholder of CBW Development Corp. (the "Company").

In order to maintain the Company as a corporation, the shareholders are required to file an annual report with the Corporate Registry.

The annual report includes information about the corporation's financial status and board of directors.

Since the last shareholder's meeting on November 23, 2020, the Company has had no financial transactions. As reported at the last meeting, the Company has no assets, liabilities or net equity.

The current board of directors are: Will Pearce, Brett Bandy and Debra Law. Administration recommends maintaining all of the directors until the next shareholder's meeting.

In order to file the annual report with the Corporate Registry, the following resolution is recommended. (Attachment 1 is Council's resolution in the format required to file an annual report with the Corporate Registry.)

RECOMMENDATION:

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.

Respectfully submitted:

A handwritten signature in cursive script, appearing to read "Law", written in black ink.

Attachment

ATTACHMENT 1

CONSENT UNANIMOUS RESOLUTION OF THE SHAREHOLDER OF

CBW DEVELOPMENT CORP. (the “Company”)

The undersigned, being the sole shareholder of the Company entitled to vote at an annual general meeting of the Company, hereby consents to the following resolutions:

RESOLVED, as a resolution of the sole shareholder of 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 is 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.

THE CITY OF VERNON, being the sole shareholder of the Company, hereby consents to the foregoing resolutions.

THE CITY OF VERNON, by its authorized signatories dated the 12th day of October, 2021.

Mayor

Corporate Officer



THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Will Pearce, CAO **FILE:** 1660-20

PC: Kevin, Poole, Director, Community Safety Lands & Administration **DATE:** September 29, 2021
Brett Bandy, Manager, Real Estate

FROM: Debra Law, Director, Financial Services

SUBJECT: HESPERIA DEVELOPMENT CORPORATION SHAREHOLDER MEETING

The City of Vernon is the sole shareholder of Hesperia Development Corporation (the "Company").

In order to maintain the Company as a corporation, the shareholders are required to file an annual report with the Corporate Registry.

The annual report includes information about the corporation's financial status and board of directors.

Since the last shareholder's meeting on November 23, 2020, the Company has had no financial transactions. As reported at the last meeting, the Company has no assets, liabilities or net equity.

The current board of directors are: Will Pearce, Brett Bandy and Debra Law. Administration recommends maintaining Will Pearce, Brett Bandy and Debra Law as directors until the next shareholder's meeting.

In order to file the annual report with the Corporate Registry, the following resolution is recommended. (Attachment 1 is Council's resolution in the format required to file an annual report with the Corporate Registry.)

RECOMMENDATION:

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.

Respectfully submitted:

A handwritten signature in cursive script, appearing to read 'Law', written in black ink.

Attachment

ATTACHMENT 1

CONSENT UNANIMOUS RESOLUTION OF THE SOLE SHAREHOLDER OF HESPERIA DEVELOPMENT CORPORATION (the “Company”)

The undersigned, being the sole shareholder of the Company entitled to vote at an annual general meeting of the Company, hereby consents to the following resolutions:

RESOLVED, as a resolution of the sole shareholder of 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 is 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.

The CITY OF VERNON, being the sole shareholder of the Company, hereby consents to the foregoing resolutions.

THE CITY OF VERNON, by its authorized signatories dated 12th day of October, 2021.

Mayor

Corporate Officer



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:** 1850-01
PC: Debra Law, Director, Finance **DATE:** September 24, 2021
FROM: Terry Martens, Manager, Financial Operations
SUBJECT: 2022 VERNON WINTER CARNIVAL SOCIETY – REQUEST FOR FUNDING

Attached is a letter from the Vernon Winter Carnival Society requesting continued financial support for the 2022 Winter Carnival. Regular annual funding in the amount of \$10,000 is included as a separate grant line item in the City's Financial Plan. This provision has been included in the draft 2022-2026 Financial Plan and is proposed to be tax funded.

Recommendation:

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.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. Martens'.

Terry Martens,
Manager, Financial Operations

Attachments:

1. Letter - Vernon Winter Carnival Society funding request



Sept 20, 2021

Vernon City Council

Request for Continued Funding from Vernon Winter Carnival Society

To Your Worship and members of Council,

On behalf of Vernon Winter Carnival Society, I am writing to request the continuation of funding from the City of Vernon to assist in the 62nd Annual Vernon Winter Carnival.

For 61 years Vernon Winter Carnival has been a tradition in our city. Since its inception in 1961, The City of Vernon has been an integral part of the success of the Festival and the Society. Although we are still facing the challenges of COVID-19, Vernon Winter Carnival is proud to continue to be a leader in community spirit, despite the pandemic. In 2021, we were able to work within the PHO restrictions and under the guidance of Interior Health, host a modified festival with mainly drive thru and virtual events. We are confident that 2022 will allow us to return to in person events, inclusive to our entire community, but we are prepared for the unexpected and are committed to adapt and adjust as needed to ensure the Spirit of Carnival lives on.

We are extremely grateful for the funding received from The City of Vernon each year in the amount of \$10,000 and we hope you will continue to see the benefits in supporting this Festival and Organization. We look forward to continuing our partnership to host a Winter Festival that encourages community engagement and showcases our beautiful winter playground to the world.

Sincerely,

A handwritten signature in black ink, appearing to read "Vicki Proulx".

Vicki Proulx
Executive Director
Vernon Winter Carnival Society



3401 35th Ave Vernon BC V1T 2T5
Tel. 250.545.2236
info@vernonwintercarnival.com
vernonwintercarnival.com



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:** 0230-20-37 (2021)
PC: Debra Law, Director, Financial Services **DATE:** October 4, 2021
FROM: Aaron Stuart, Manager Financial Planning and Reporting
SUBJECT: PROPOSED O'KEEFE RANCH GRANT SERVICE

During the Regular meeting of Council on September 28, 2020, Council carried a notice of motion brought forward from Councillor Anderson as follows:

"THAT the 2021 City grant to O'Keefe Ranch be increased to \$125,000;

AND FURTHER, that the members of Council who attend the Regional District of North Okanagan introduce and support a request for a reasonable financial contribution from the Regional District of the North Okanagan."

On Wednesday September 29, 2021 the City received correspondence from the Regional District of the North Okanagan (RDNO) Administration. This correspondence included a letter to member municipalities and electoral areas (Attachment 1); and a report to the Board of Directors about the creation of a service establishing bylaw with a draft bylaw for an annual grant to support the O'Keefe Ranch and Interior Heritage Society's (the Society) operations (Attachment 2).

Administration has reviewed the report and determined the following items Council has the discretion to propose changes to the draft service establishing bylaw:

- Maximum amount of the annual grant
- Cost apportionment
- Withdrawal provision timeframe
- Payment through Tax Requisition or through separate payment based on agreement
- \$5,000 administrative overhead

The draft bylaw is proposing a maximum grant amount of \$130,000. This would result in a maximum grant of \$125,000 for the Society, and \$5,000 to RDNO for administrative overhead. The actual amount of the grant would be set during RDNO's annual budget deliberations and could be less than this amount, but not more. Administration recommends an annual grant to the Society of at least \$125,000.

The draft bylaw is proposing a cost apportionment based on the converted value of land and improvements for regional hospital district purposes of the service area. This is

consistent with other agreements the City has, or has had, with RDNO. Administration supports this apportionment.

The Local Government Act allows for establishing bylaws to include terms and conditions for service withdrawal by those participating in the service. RDNO is recommending including a withdrawal option where participants may:

“...withdraw from the service at the end of the calendar year by giving notice in writing at least six (6) months prior to the end of the calendar year.”

Most of the agreements between the City, RDNO and other participants have stated a one year notice; however Administration does support a six (6) month notice period.

Grant payment can be either through the annual tax requisition the City pays to RDNO, or through a separate payment throughout the year.

- **Tax requisition** – Under this method, the City would no longer budget for the Society’s grant, and there would be an increase in RDNO’s requisition to the City
- **Separate payment** – The City would continue to budget for the grant expense, and issue payment to RDNO at some point throughout the year

Administration recommends payment to be done through the RDNO’s annual tax requisition to the City.

Administration recommends Council propose removing the administrative overhead amount from the draft bylaw. Including this service on RDNO’s annual tax requisitions, or invoicing participating members for their applicable contributions is not a significant endeavour.

In the final paragraph of the Tax Requisition Options section of the RDNO report, it is stated that if a grant amount is set which is less than what is being proposed, “presumably the City of Vernon would need to decide whether it will top up the RDNO’s grant to a level to match its historical funding levels.” Administration would point out that if Council wishes to issue payment to the Society outside of RDNO’s proposed service bylaw, at whatever level, that is solely Council’s decision. By supporting this bylaw, Council is not required to “top up” the grant to any historical amount.

RECOMMENDATION:

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.

Respectfully submitted:

Aaron Stuart
Manager, Financial Planning and Reporting



Attachments:

1. RDNO letter proposed grant service
2. RDNO report and draft bylaw



REGIONAL DISTRICT NORTH OKANAGAN

MEMBER MUNICIPALITIES:

CITY OF ARMSTRONG

CITY OF ENDERBY

DISTRICT OF COLDSTREAM

VILLAGE OF LUMBY

CITY OF VERNON

TOWNSHIP OF SPALLUMCHEEN

ELECTORAL AREAS:

"B" – SWAN LAKE

"C" – BX DISTRICT

"D" – LUMBY (RURAL)

"E" – CHERRYVILLE

"F" – ENDERBY (RURAL)

OFFICE OF: CORPORATE SERVICES

OUR FILE No.: 3900.2911

September 29, 2021

Nicole Cressman, Corporate Officer
City of Armstrong
3570 Bridge Street, Box 40
Armstrong, BC V0E1B0
ncressman@cityofarmstrong.bc.ca

Jennifer Graham, Director of Corporate Admin.
District of Coldstream
9901 Kalamalka Road
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jgraham@coldstream.ca

Tate Bengtson, Chief Administrative Officer
City of Enderby
619 Cliff Avenue
Enderby, BC V0E 1V0
tbengtson@cityofenderby.com

Melanie Wenzoski, Manager of Corporate Services
Village of Lumby
1775 Glencaird Street, PO Box 430
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Cindy Graves, Corporate Officer
Township of Spallumcheen
4144 Spallumcheen Way
Spallumcheen, BC V0E 1B6
cindy.graves@spallumcheentwp.bc.ca

Keri-Ann Austin, Corporate Officer
City of Vernon
3400 30th Street
Vernon, BC V1T 5E6
kaustin@vernon.ca

Leah Mellott, General Manager, Electoral Area Administration
Regional District of North Okanagan
9848 Aberdeen Road
Coldstream, BC V1B 2K9
leah.mellott@rdno.ca

Re: Draft O'Keefe Ranch Grant Service Establishment Bylaw No. 2911, 2021

The Board of Directors at their September 22, 2021 regular meeting passed the following resolution:

*That the draft O'Keefe Ranch Grant Service Establishment Bylaw No. 2911, 2021 be referred to member municipalities and electoral areas for consideration of joining the proposed service; and further,
That each participant be requested to consent to the withdrawal provisions within the draft bylaw in accordance with Section 340(3) of the Local Government Act.*

Enclosed with this letter is the staff report that accompanied Draft *O'Keefe Ranch Grant Service Establishment Bylaw No. 2911, 2021* on the Board of Directors agenda. The RDNO is requesting that each member municipality and electoral area review the draft service establishment bylaw, including the withdrawal provisions, and confirm if they wish to participate in this proposed service and if so, provide consent with respect to the withdrawal provisions in accordance with Section 340(3) of the *Local Government Act*.

The attached report and draft bylaw refer to a total tax requisition maximum of \$130,000; however, at the September 22, 2021 meeting, the Board of Directors discussed a range of \$130,000 to \$155,000 in order to provide a grant to the society of either \$125,000 or \$150,000, plus an allowance for administrative overhead.

The table below shows the tax impact for each jurisdiction (if all jurisdictions participate) with the two potential tax requisition limits, for comparative purposes, discussed at the Board of Directors meeting. The percentage split among jurisdictions is based on the 2021 Revised Roll (converted land and improvements) as provided by the BC Assessment Authority.

| Jurisdiction | Tax Impact | Tax Impact | % Split |
|------------------|------------------|------------------|---------------|
| Armstrong | 5,953 | 7,097 | 4.6% |
| Enderby | 3,080 | 3,672 | 2.4% |
| Vernon | 68,509 | 81,684 | 52.7% |
| Coldstream | 16,744 | 19,964 | 12.9% |
| Spallumcheen | 7,412 | 8,837 | 5.7% |
| Lumby | 2,329 | 2,777 | 1.8% |
| Electoral Area B | 7,852 | 9,361 | 6.0% |
| Electoral Area C | 7,619 | 9,085 | 5.8% |
| Electoral Area D | 3,352 | 3,997 | 2.6% |
| Electoral Area E | 1,062 | 1,267 | 0.8% |
| Electoral Area F | 6,088 | 7,259 | 4.7% |
| Total | \$130,000 | \$155,000 | 100.0% |

The \$130,000 tax requisition limit equates to a tax rate of \$0.0055 per \$1000 of taxable land and improvements, or \$2.57 for the average residential property assessed at approximately \$470,000.

A tax requisition limit of \$155,000 equates to a tax rate of \$0.0065 per \$1000 of taxable land and improvements, or \$3.06 for the average residential property.

The Board also discussed that a Historic O'Keefe Ranch Society representative could be available for Councils and the Electoral Area Advisory Committee, if desired, to answer questions regarding the funding request that is associated with the proposed service and draft bylaw.

Following consideration by all of the partner jurisdictions, the RDNO will prepare a final draft of the establishment bylaw for three readings by the Board of Directors. After three readings of the bylaw, it will once again be forwarded to all participating jurisdictions for participant approval.

Yours truly,



Ashley Bevan
Deputy Corporate Officer



Stephen Banmen, MBA
General Manager, Finance

/ab

Enc. Draft Bylaw 2911
Staff report dated September 22, 2021



STAFF REPORT

TO: Board of Directors
FROM: Finance Department
SUBJECT: Proposed O'Keefe Ranch Grant Service

File No: 3900.2911
Date: September 22, 2021

RECOMMENDATION:

That the draft O'Keefe Ranch Grant Service Establishment Bylaw No. 2911, 2021 be referred to member municipalities and electoral areas for consideration of joining the proposed service; and further,

That each participant be requested to consent to the withdrawal provisions within the draft bylaw in accordance with Section 340(3) of the *Local Government Act*.

SUMMARY:

At the October 21, 2020 Board of Directors meeting, the Board adopted the following resolution:

"That staff be directed to undertake a feasibility review for establishing a grant-in-aid service for the Historic O'Keefe Ranch Society."

Staff have drafted an establishment bylaw for consideration by all member municipalities and electoral areas to solicit interest in participating in the proposed service.

The service would provide an annual grant to the Historic O'Keefe Ranch Society to support with the operations of the Ranch. The actual grant would be set by the Board during budget deliberations, subject to the maximum tax requisition set in the bylaw.

The draft bylaw includes service withdrawal provisions, and as such and in accordance with Section 340(3) of the *Local Government Act* (LGA), each participant must also consent to the withdrawal provisions prior to the bylaw being forwarded to each participant for approval.

Following referral to the member municipalities and electoral areas, the bylaw will be brought back to the Board for three readings and then forwarded to the participating jurisdictions for approval by each of the participants. After participating area approval, the bylaw will be forwarded to the Province for Inspector approval and then to the Board for adoption.

BACKGROUND:

O'Keefe Ranch Service Establishment Bylaw No. 1996, 2004 was adopted in March 2005 with the City of Armstrong, City of Vernon, District of Coldstream and all five Electoral Areas as participants in the

service. The purpose of the service was planning, implementation, operation and maintenance of facilities and programs at the O'Keefe Ranch. Cost Recovery for the service was through requisition, fees and charges and revenues received by way of agreement, enterprise, gift, grant or otherwise. The maximum amount was not more than \$109,230 or \$0.0222 per \$1,000 on the net taxable value of land and improvements within the service area.

The bylaw was amended in 2007 by removing Electoral Areas "B" and "D" as participants; shortly after, the bylaw was repealed by Bylaw No. 2266, 2007 in March 2008 and the service dissolved.

DISCUSSION:

There are numerous provisions within the LGA with respect to establishing new services and the approval of the associated establishment bylaws. Depending upon the circumstances, different processes may be undertaken. In this particular case, the approval process is somewhat simplified in that assent of the electors by referendum or approval of the electors by alternative approval process is not required.

In accordance with Section 346 of the LGA, each municipal council may give municipal participating area approval by consenting on behalf of its electors to the adoption of the proposed bylaw. In addition in accordance with Section 347 of the LGA, since the proposed service provides a grant to support heritage conservation, it is among a small group of services that can be approved by consent of the electoral area director, as long as the service is established without borrowing and includes the whole electoral area.

For services related to heritage conservation, a maximum tax requisition is not required within the establishment bylaw. However, the proposed bylaw includes a maximum tax requisition to alleviate any concerns by smaller jurisdictions that the annual budget will increase dramatically over time despite their opposition.

Furthermore, to alleviate any concerns by all potential participants regarding their inability to leave the service in the future, the proposed bylaw includes withdrawal provisions to allow any participant to leave the service at the end of a calendar year by providing at least six months' written notice.

Currently, the Historic O'Keefe Ranch Society receives grant funding from the City of Vernon. The table below presents the funding level provided by the City over the past five years.

| Year | Amount |
|------|-----------|
| 2021 | \$125,000 |
| 2020 | \$100,000 |
| 2019 | \$100,000 |
| 2018 | \$100,000 |
| 2017 | \$150,000 |

In addition, the City provided \$40,000 for a consultant to prepare a business plan during 2017 and 2018.

TAX REQUISITION OPTIONS:

Based on historical funding levels, the City of Vernon's stated desire to be part of the proposed grant service and a provision for administrative overhead, the maximum tax requisition amount included within

the proposed bylaw is \$130,000. It should be noted that the maximum tax requisition will grow over time with new growth and development in the service area's tax base, as well as the general increase in property assessments.

As an alternative, the Board may wish to set a higher or a lower amount in the proposed bylaw. If a higher amount is set, this does not necessarily tie the actual grant amount to that level – the actual grant amount to the Society would be set during budget deliberations. If a lower amount is set, presumably the City of Vernon would need to decide whether it will top up the RDNO's grant to a level to match its historical funding levels.

FINANCIAL/BUDGETARY CONSIDERATIONS:

If the participating areas provide their approval and the process does not incur any setbacks, it is anticipated that the bylaw would be in effect for the 2022 fiscal year and included within the 2022 Financial Plan. Based on the 2021 assessment roll and if all of the member municipalities and electoral areas approved their participation within the service, the proportional split would be as follows.

| Jurisdiction | Tax Impact | % Split |
|---------------------|-------------------|----------------|
| Armstrong | 5,953 | 4.6% |
| Enderby | 3,080 | 2.4% |
| Vernon | 68,509 | 52.7% |
| Coldstream | 16,744 | 12.9% |
| Spallumcheen | 7,412 | 5.7% |
| Lumby | 2,329 | 1.8% |
| Electoral Area B | 7,852 | 6.0% |
| Electoral Area C | 7,619 | 5.8% |
| Electoral Area D | 3,352 | 2.6% |
| Electoral Area E | 1,062 | 0.8% |
| Electoral Area F | 6,088 | 4.7% |
| Total | \$130,000 | 100.0% |

To raise \$130,000, the tax rate equates to \$0.00547 per \$1,000 of taxable land and improvements. This equates to \$2.57 per year for the average residential property assessed at approximately \$470,000.

LEGAL/STATUTORY AUTHORITY:

The LGA gives regional districts authority to establish services, including a grant-in-aid service to apply to:

- The entire region (all electoral areas and municipalities), or
- All electoral areas (no municipalities), or
- Some electoral areas and some municipalities (e.g., a sub-regional service), or
- Portions of one or more electoral areas, or
- Any combination of electoral areas (or portions thereof) and/or municipalities.

LEGAL/STATUTORY PROCEDURAL REQUIREMENTS:

Except for a few limited cases, an establishing bylaw must be adopted to create a new service. Some of the exceptions include general administration, electoral area administration and feasibility studies for proposed services. Depending upon the type of service and the scope of the service there can be different options to approve the establishing bylaw.

The three options to obtain approval by the participating areas include:

1. Assent of the electors (i.e. referendum)
2. Approval by alternative approval process
3. Consent on behalf of the municipal/electoral participating area
 - a. Municipal consent provided by a Council resolution
 - b. Electoral area consent provided by the Electoral Area Director

Each of the options includes various legislative requirements, restrictions and alternatives.

The procedural process for the proposed bylaw is as follows:

1. Draft the framework of a proposed establishing bylaw
2. Determine the participating areas
3. Receive consent regarding the withdrawal provisions
4. Prepare the service establishment bylaw
5. Three readings by the Board of Directors
6. Participating area approval
7. Inspector of Municipalities approval
8. Adoption by the Board of Directors

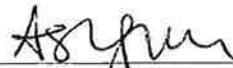
Attachment 'A' – Draft O'Keefe Ranch Grant Service Establishment Bylaw 2911

Submitted by:



Stephen Banmen
General Manager, Finance

Reviewed and endorsed by:



Ashley Bevan
Deputy Corporate Officer

Approved for Inclusion:



David Sewell
Chief Administrative Officer

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2911

A bylaw to establish a grant-in-aid service for the purpose of supporting the operations of the Historic O'Keefe Ranch Society

WHEREAS the *Local Government Act (Act)* provides that the Board of the Regional District of North Okanagan may, by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the regional district;

AND WHEREAS the Board wishes to establish a grant-in-aid service for the purposes of supporting the Historic O'Keefe Ranch Society;

AND WHEREAS participating area approval has been received in accordance with section 346 [consent on behalf of municipal participating area] and section 347 [consent on behalf of electoral participating area] of the *Act*;

NOW THEREFORE the Board of the Regional District of North Okanagan in an open meeting assembled, hereby **ENACTS AS FOLLOWS**:

CITATION

1. This Bylaw may be cited as "*O'Keefe Ranch Grant Service Establishment Bylaw No. 2911, 2021*".

ESTABLISHMENT AND DESCRIPTION OF SERVICE

2. The Regional District is authorized to establish a service for the purpose of the provision of a grant-in-aid to support the operations of the Historic O'Keefe Ranch Society.

SERVICE AREA BOUNDARIES

3. The boundaries of the service area include the entire boundaries of:
 - XXX

PARTICIPANTS

4. The participants of this service are:
 - XXX

COST RECOVERY

5. The annual cost of providing the service outlined in this Bylaw shall be recovered by one or more of the following:
 - a. requisition of money under sections 385 [Requisition of funds from municipalities] and 387 [Requisition of funds for electoral areas] of the *Act* to be collected by a property value tax to be levied on land and improvements for regional hospital district purposes and collected under sections 386 [Collection in municipalities] and 388 [Collection in electoral areas] of the *Act*.

b. revenue received by way of agreement, enterprise, gift, grant or otherwise.

6. The maximum amount that may be requisitioned annually for the service shall not exceed the greater of \$130,000 or \$0.0055 per \$1,000 of net taxable value of land and improvements included in the service area.

COST APPORTIONMENT

7. The annual cost of this service shall be apportioned amongst the participants on the basis of the converted value of land and improvements for regional hospital district purposes of the service area.

VOTING

8. In relation to resolutions and bylaws respecting the administration and operation of the service, including bylaws regulating the service, each director who represents a participant shall be entitled to one vote.

SERVICE WITHDRAWAL

9. In addition to the withdrawal procedure under the *Local Government Act*, a participant may withdraw from the service at the end of the calendar year by giving notice in writing at least six (6) months prior to the end of the calendar year.

| | | | |
|--|------|--------|--------|
| Read a First, Second and THIRD Time | this | day of | , 2021 |
| Received participating area approval | this | day of | , 2021 |
| Approved by the Inspector of Municipalities | this | day of | , 2021 |
| ADOPTED | this | day of | , 2021 |

Chair
Kevin Acton

Deputy Corporate Officer
Ashley Bevan



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Ellen Croy
Transportation Planner

COUNCIL MEETING: REG ☒ COW ☐ I/C ☐
COUNCIL MEETING DATE: October 12, 2021
REPORT DATE: October 1, 2021
FILE: 8300-07

SUBJECT: **EXTENSION OF TEMPORARY OUTDOOR COMMERCIAL USES AND TEMPORARY LIQUOR SERVICE AREAS**

PURPOSE:

To seek Council's approval to extend pre-approval for all liquor primary and manufacturer establishments within Vernon until June 1, 2022 to align with the Liquor Control and Cannabis Regulation Branch Policy Directive No. 21-09, extend the Temporary Outdoor Commercial Use measures to October 31, 2022, and to create a permit process for outdoor commercial uses in on-street parking spaces in the Primary and Secondary Business Improvement Areas starting in 2023.

RECOMMENDATION:

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.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council receive for information the report titled "Extension of Temporary Outdoor Commercial Uses and Temporary Liquor Service Areas" dated October 1, 2021 from the Transportation Planner.

Note: This alternative would mean that no extension would be granted, and the previous approvals would expire.

ANALYSIS:

A. Committee Recommendations:

N/A

B. Rationale:

1. The City has enacted a number of temporary measures to support business recovery resulting from COVID-19 impacts until October 31, 2021. These include:
 - Pre-approval for applications for expanded service for food primary, liquor primary and manufacturer licensees, such as wineries, breweries, and distilleries, until October 31, 2021, throughout the city.
 - Temporary Outdoor Commercial Uses:
 - a) Removal of the need for a Sidewalk and Boulevard Area Use fee until October 31, 2021, in the Primary and Secondary Business Improvement Areas.
 - b) Enabling the use of one on-street parking spot for the creation of an on-street patio until October 31, 2021 (excluding the winter), in the Primary and Secondary Business Improvement Areas.
 - c) Enabling the use of up to 25% of the on-site parking requirement for the creation of or expansion of an outdoor patio until October 31, 2021, throughout the city.
2. Administration recommends making extensions to the above measures to align with the new Liquor Control and Cannabis Regulation Branch (LCRB) Policy Directive No. 21-09 (Attachment 1) and to continue supporting business recovery resulting from COVID-19 impacts, as follows:
 - Extend pre-approval for applications for expanded service for food primary, liquor primary and manufacturer licensees, such as wineries, breweries, and distilleries, to June 1, 2022, throughout the city, to align with the Liquor Control and Cannabis Regulation Branch (LCRB) Policy Directive No. 21-09 (Attachment 1). Should major changes occur to Provincial Health Orders and/or the LCRB extend its Directive No. 21-09, Administration would report back to Council with further recommendations.
 - Temporary Outdoor Commercial Uses:
 - a) Extend removal of the need for a Sidewalk and Boulevard Area Use fee until October 31, 2022, in the Primary and Secondary Business Improvement Areas.
 - b) Extend the use of one on-street parking spot for the creation of an on-street patio until October 31, 2022 (excluding the winter due to snow removal requirements), in the Primary and Secondary Business Improvement Areas.
 - c) Extend the use of up to 25% of the on-site parking requirement for the creation of or expansion of an outdoor patio until October 31, 2022, throughout the city.
3. It is also recommended that Administration implement a permit system within the Primary and Secondary Business Improvement Areas in 2023 to continue to allow businesses to use one public on-street parking space adjacent to their business for outdoor commercial uses. While in operation, the Temporary Outdoor Commercial Use program has demonstrated that allowing businesses to use public on-street parking spaces contributes to creating a more vibrant downtown core. Similar to the Sidewalk and Boulevard Area Use permits, the new permit system would require an application, a permit fee, and demonstration that certain requirements are met (e.g. insurance, accessibility, and safety measures).

C. Attachments:

Attachment 1: Liquor and Cannabis Regulation Branch Policy Directive No. 21-09

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

The subject Extension of Temporary Outdoor Commercial Uses and Temporary Liquor Service Areas involves the following goals/action items in Council's Strategic Plan 2019 – 2022:

- Increase the vibrancy of Downtown, including the provision of new amenities and events.
- Review application processes to ensure they are efficient as possible.

E. Relevant Policy/Bylaws/Resolutions:

1. At its Regular Meeting of October 26, 2020 Council passed the following resolutions:

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, 2021, 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, and 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, 2021 to October 31, 2021, without a permit and without a fee, and entering into a use agreement with guidelines;

AND FURTHER, that Council allow businesses with private off-street parking lots throughout the city to temporarily expand their commercial use outdoors on up to 25% of their required private off-street parking spaces until October 31, 2021;

AND FURTHER, that Council direct Administration to continue to consult with businesses and the Downtown Vernon Association and report back to Council in December 2020 with recommendations on potential supports for curbside pick up;

AND FURTHER, 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 October 31, 2021 in alignment with the Liquor Control and Cannabis Regulation Branch Policy Directive No. 20-26 and City requirements.

2. At its Regular Meeting of September 28, 2020 Council passed the following resolutions:

THAT Council extend permission for 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 until October 31, 2020, without a permit and without a fee, subject to entering into a use agreement and the COVID-19 Temporary Outdoor Patios and Retail Public Guidelines;

AND FURTHER, that Council extend permission for businesses with private off-street parking lots throughout the city to temporarily expand their commercial use outdoors on up to 25% of their required private off-street parking spaces until October 31, 2020, subject to the COVID-19 Temporary Outdoor Patios and Retail Private Guidelines.

3. At its Regular Meeting of May 25, 2020 Council passed the following resolutions:

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 June 1, 2020 to September 30, 2020, without a permit and without a

fee, subject to entering into a use agreement and conditions to be prepared by Administration;

AND FURTHER, that Council direct Administration to waive the requirement for a Sidewalk and Boulevard Area Use Permit within the Primary and Secondary Business Improvement Areas, until December 31, 2020, 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, subject to entering into a use agreement and conditions to be prepared by Administration;

AND FURTHER, that Council direct Administration to refund collected fees for 2020 Sidewalk and Boulevard Area Permits, totaling less than \$3,500, to be taken from the Business Licence Account;

AND FURTHER, that Council direct Administration to consult with the Downtown Vernon Association and to report back to Council in June 2020 with recommendations on the potential closure to through traffic of all or some blocks of 30' Avenue between 29th Street and 35th Street;

AND FURTHER, that Council allow businesses with private off-street parking lots throughout the city to temporarily expand their commercial use outdoors on up to 25% of their required private off-street parking spaces from June 1, 2020 to September 30, 2020, subject to conditions to be prepared by Administration;

AND FURTHER, that Council directs Administration to report back to Council with an evaluation of the use of on -street and off-street parking spaces for commercial uses by October 2020.

THAT Council provide pre-approval to all liquor primary and manufacturer establishments within Vernon who may apply for an expanded service food primary, liquor primary and manufacturer licensees (i.e., wineries, breweries, distilleries) to temporarily expand their service areas until October 31, 2020 in alignment with the Liquor Control and Cannabis Regulation Branch Policy Directive No. 20- 13 and City requirements.

4. At its Regular Meeting of May 11, 2020 Council passed the following resolutions:

THAT Council directs Administration to suspend bylaw enforcement of all on-street metered parking and two-hour parking zones in the City of Vernon, with the exception of enforcement related to safety issues, until July 1, 2020.

THAT Council receives the memorandum dated May 4, 2020 titled "Revenue Projections and Fiscal Strategy" as submitted by the Director, Financial Services;

AND FURTHER, that Council approve the 2020 cost containment and budget balancing strategy as presented in Schedule 1 attached to the subject memorandum.

BUDGET/RESOURCE IMPLICATIONS:

There will be some loss of revenue from temporarily not charging for the Sidewalk and Boulevard Area Use Permits within the Primary and Secondary Business Improvement Areas. In 2019, the Sidewalk and Boulevard Area Use Permit revenue was approximately \$3,500. Therefore, the approximate lost revenue by continuing the Temporary Outdoor Commercial Use program is \$3,500.

There is also lost revenue resulting from on-street parking spaces not generating parking fees during the season. A Hoarding Permit (a permit to reserve an on-street metered parking space) is charged at \$10 per

day, including Sundays and Holidays for having the space reserved. There are 245 days between March 1, 2022 and October 31, 2022, so this would be a lost revenue of at least \$2,450 per on-street metered parking space.

Prepared by:

Oct 7 2021 9:06 AM

X  ✓

DocuSign

Ellen Croy
Transportation Planner

Oct 7 2021 9:06 AM

X  ✓

Kim Flick

DocuSign

Kim Flick
Director, Community Infrastructure and Development

Approved for submission to Council:


Will Pearce, CAO

Date: 07. OCTOBER. 2021

REVIEWED WITH

- | | | |
|--|---|---|
| <input type="checkbox"/> Corporate Services | <input type="checkbox"/> Operations | <input type="checkbox"/> Current Planning |
| <input checked="" 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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Liquor and Cannabis Regulation Branch
POLICY DIRECTIVE
No: 21 – 09

Date: June 15, 2021

To: All Licensees
 All LCRB Staff
 All Industry Associations
 All Local governments, Indigenous Nations and Police agencies

Re: **Temporary Expanded Service Area, extension of provisions and application deadline**

Current Policy

Under the Liquor Control and Licensing Regulation (LCLR), s.109.1, the General Manager (GM) of the Liquor and Cannabis Regulation Branch (LCRB) may issue a Temporary Expanded Service Area (TESA) authorization to Food Primary (FP), Liquor Primary (LP), and Manufacturer licensees.

Under LCLR, s. 109.5, the TESA provisions in the LCLR will be repealed on October 31, 2021.

See [Policy Directive 20-26](#) for further information.

New Policy

To support the delivery of the Minister of Public Safety and Solicitor General's [mandate commitment](#) to make TESA authorizations permanent, the LCLR has been amended.

The TESA provisions in the LCLR will now expire on **June 01, 2022**. This will enable the GM to extend existing TESA authorizations from October 31, 2021 to June 01, 2022.

The LCRB will be providing additional information to licensees, local governments and Indigenous Nations on the process for extending existing TESA authorizations.

The GM will also not be able to accept new TESA applications after **October 31, 2021**. This means that licensees who want to apply for a new TESA authorization need to submit an application to the LCRB by October 31, 2021. Applications can be submitted

by visiting the [liquor and cannabis licensing portal](#).

Approved TESAs must remain in compliance with local bylaws and requirements and all other requirements relating to TESA authorizations remain the same. If the local authority bylaws or requirements change and prevent the operation of TESAs in that jurisdiction, the local authority should advise the LCRB.

Explanation

The LCLR has been amended to support the implementation of the Minister of Public Safety and Solicitor General's mandate letter commitment to make temporarily expanded service areas permanent.

These amendments will support local governments and Indigenous Nations by providing additional time to review applications where required for permanent expansions to licensed service areas, and also to update any associated policies or requirements. It will also support licensees by providing additional time to apply for a permanent expansion to their service area, and mitigate risks of disruption in the use of the expanded area during the application process.

Further Information

Further information regarding liquor and cannabis regulation and licensing in British Columbia is available on the LCRB website at <http://www.gov.bc.ca/liquorregulationandlicensing>

If you have any questions regarding these changes, please contact the LCRB toll free in Canada at 1-866-209-2111 or 250 952-5787 if calling from the Victoria area.

Disclaimer

This communication is intended to be used only for general informational purposes and may not apply to all situations. This communication does not constitute legal advice nor is it a comprehensive statement of the legal obligations that arise under the *Liquor Control and Licensing Act*, regulations, or any other applicable laws. When interpreting and applying the information contained in this communication, you are encouraged to seek specific advice from your professional advisors as appropriate in the circumstances.

Original signed by
Mary Sue Maloughney,
Assistant Deputy Minister and General Manager

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5838

A Bylaw to authorize a Housing Agreement
for 6335 Okanagan Landing Road

WHEREAS pursuant to Section 905 of the *Local Government Act* (British Columbia) Vernon Council desires to enter into a Housing Agreement;

WHEREAS the owner of certain lands in the City of Vernon, desires to construct one stacked townhome building containing thirteen (13) dwelling units, each with individual entrances **6335 Okanagan Landing Road**, Vernon, B.C.;

WHEREAS the base density provision in Official Community Plan Bylaw #5470 and Zoning Bylaw #5000, allows for twelve units on the property. There is a bonus density provision in the RH1 – Low Rise Apartment zoning district based on floor space ratio provided a Housing Agreement is registered on the property title. This bonus density provision would allow for one additional dwelling unit on the subject property upon consolidation while still in compliance with density provisions on the Official Community Plan;

WHEREAS the owner has agreed to enter into a Housing Agreement providing for restrictions on the thirteen **(13) rental housing units** to be constructed on the land as more particularly set out in **Schedule 'A'** to this bylaw;

The Council of the City of Vernon, in open meeting assembled, enacts as follows:

The signatories of the City are authorized to execute and deliver a housing agreement with the owner of land legally described as Lot A, Plan EPP108039, District Lots 62, 66 and 67, ODYD (6335 Okanagan Landing Road, PID 006184-766).in the form set out as **Schedule 'A'** to this Bylaw.

1. This Bylaw may be cited as **"6335 Okanagan Landing Road Housing Agreement Bylaw Number 5838, 2020"**.

| | |
|---|--|
| READ A FIRST TIME this | 23 rd day of November, 2020. |
| READ A SECOND TIME this | 23 rd day of November, 2020. |
| READ A THIRD TIME this | 23 rd day of November, 2020. |
| THIRD READING RESCINDED this | 27 th day of September, 2021. |
| READ A THIRD TIME, AS AMENDED , this | 27 th day of September, 2021. |
| ADOPTED this day of | , 2021. |

Mayor

Corporate Officer

PART 2 – TERMS OF INSTRUMENT

HOUSING AGREEMENT
(AFFORDABLE HOUSING)

THIS AGREEMENT dated for reference _____, 2021.

BETWEEN:

OKANAGAN VILLAGE HOUSING SOCIETY (S0052650)

3105 33rd Street,

Vernon, British Columbia V1T 9P7

(the “**Owner**”)

AND

THE CITY OF VERNON

3400 - 30th Street

Vernon, British Columbia, V1T 5E6

(the “**City**”)

Background

- A. The City is the registered owner of the Lands and has leased the Lands to the Owner pursuant to a lease registered against title to the Lands under No. _____ (the “**Lease**”);
- B. Pursuant to the Lease, the Owner has a registered leasehold interest in the Lands (the “**Leasehold Interest**”);
- C. The Owner wishes to develop the Lands to construct one stacked townhome building containing thirteen dwelling units, each with individual entrances, all used to provide affordable rental housing, together with parking, landscaping, servicing and amenities (the “**Development**”);

- D. Section 219 of the *Lands Title Act* permits the registration of a covenant of a negative or positive nature in favour of the City in respect of the use of land or construction on land;
- E. Section 483 of the *Local Government Act* permits the City, by bylaw, to enter into an agreement in respect to the provision, tenure, management and operation of affordable housing; and
- F. The Owner and the City wish to enter into this Agreement to provide for affordable rental housing on the terms and conditions set out in this Agreement, which is both a covenant under Section 219 of the *Lands Title Act* and a housing agreement under Section 483 of the *Local Government Act*,

Terms of Agreement

In consideration of good and valuable consideration (the receipt and sufficiency of which is acknowledged by both parties), and in consideration for the promises exchanged below, the parties covenant and agree as follows:

DEFINITIONS AND INTERPRETATION

1. In this Agreement,
 - (a) **"Affordable Housing Unit"** means a Dwelling in a Building reserved for use as a Deep Subsidy Unit, a Market Unit, or an RGI Unit in accordance with this Agreement;
 - (b) **"Affordable Rent"** means Rent that BC Housing determines to be affordable for Residents with Deep Subsidy Income, Low Income and Moderate Income, from time to time;
 - (c) **"BC Housing"** means the British Columbia Housing Management Commission, and its successors;
 - (d) **"Building"** means a building constructed on the Lands in accordance with an approved development permit;
 - (e) **"CPI"** means the All-Items Consumer Price Index for British Columbia, published from time to time by Statistics Canada, or its successor in function;
 - (f) **"Daily Amount"** means \$100.00 per day as of January 1, 2021 adjusted thereafter by an amount determined by multiplying \$100.00 by the percentage change in the CPI from January 1, 2021 to January 1 of the year that a written notice is delivered to the Owner by the City pursuant to section 26;
 - (g) **"Deep Subsidy Income"** represents the maximum Income for eligibility to occupy a Deep Subsidy Unit, as determined by BC Housing from time to time;
 - (h) **"Deep Subsidy Unit"** means a Dwelling occupied by a Resident whose Income does not exceed Deep Subsidy Income;

- (i) **“Development”** has the meaning set out in section 1(d) above;
- (j) **“Dwelling”** means a self-contained residential dwelling in the Development;
- (k) **“Eligible Tenant”** means a Resident occupying an Affordable Housing Unit under a Tenancy Agreement, the eligibility of which Resident has been determined pursuant to section 9;
- (l) **“General Instrument”** means the Form C under the Lands Title (Transfer Forms) Regulations, as amended, and all schedules and addenda to the Form C charging the Leasehold Interest to which these express charge terms are attached;
- (m) **“Income”** means total income before tax from all sources for a Resident;
- (n) **“Lands”** means those lands and premises legally described as: Lot A, Plan EPP108039, District Lots 62, 66 and 67, ODYD (6335 Okanagan Landing Road)
- (o) **“Lease”** has the meaning set out in Recital B;
- (p) **“Leasehold Interest”** has the meaning set out in Recital C;
- (q) **“Low Income”** represents the maximum Income for eligibility to occupy a Rent-Geared-To-Income Unit, as determined by BC Housing from time to time;
- (r) **“Market Unit”** means a Dwelling occupied by a Resident whose Income does not exceed Moderate Income;
- (s) **“Moderate Income”** represents the maximum Income for eligibility to occupy a Market Unit, as determined by BC Housing from time to time;
- (t) **“Prime Rate”** means the annual rate of interest, expressed as a percentage, used as a reference rate by the Royal Bank of Canada at its main branch in Vernon, British Columbia for Canadian dollar loans and designated by the Royal Bank of Canada from time to time; and
- (u) **“Rent”** means the amount that a Resident (as a tenant) must pay to the Owner (as a landlord) monthly to occupy a Dwelling;
- (v) **“Rent-Geared-To-Income (RGI) Unit”** means a Dwelling occupied by a Resident whose Income does not exceed Low Income;
- (w) **“Resident”** means the person or persons legally entitled to reside in a Dwelling pursuant to a Tenancy Agreement; and
- (x) **“Tenancy Agreement”** means an agreement, lease, license or other right of a Resident to occupy a Dwelling.

2. In this Agreement,

- (a) any reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
 - (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
 - (c) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
 - (d) any reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
 - (e) any reference to any enactment is a reference to that enactment as consolidated revised, amended, re-enacted or replaced, unless otherwise expressly provided;
 - (f) the provisions of Section 25 of the *Interpretation Act* with respect to the calculation of time apply;
 - (g) time is of the essence of this Agreement;
 - (h) all provisions are to be interpreted as always speaking;
 - (i) any reference to a “party” is a reference to a party to this Agreement and to that party’s respective successors, assigns, trustees, administrators and receiver;
 - (j) any reference to a “day”, “month”, “quarter” or “year” is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the same case may be, unless otherwise expressly provided; and
 - (k) where the word “including” is followed by a list, the contents of the list are not intended to circumscribe the generality of the expression preceding the word “including”.
3. This Agreement, and any documents signed by the Owner contemplated by this Agreement, represents the whole agreement between the City and the Owner respecting the use and occupation of the Affordable Housing Units, and there are no warranties, representations, conditions or collateral agreements made by either party except as set out in the Agreement.
 4. If any provision of this Agreement is found to be invalid or unenforceable such provision or any part thereof will be severed from this Agreement and the resultant remainder of this Agreement will remain in full force and effect.
 5. The laws of British Columbia will apply to this Agreement and all statutes referred to in this Agreement are enactments of the Province of British Columbia. Without limiting the foregoing, in the event of any conflict between any provision of this Agreement and the *Residential Tenancy Act*, this Agreement is without effect to the extent of the conflict.

6. The Owner will do everything necessary to ensure this Agreement is registered against the Leasehold Interest in priority to all financial charges and encumbrances which may have been registered against the Leasehold Interest, excepting those specifically approved in writing by the City or in favour of the City.
7. The Owner acknowledges the City must file a notice under Section 483(5) of the *Local Government Act* against the title to the Lands.

DESIGNATION OF AFFORDABLE HOUSING UNITS

8. All Dwellings contained in the Development will be used only as Affordable Housing Units for Eligible Tenants at Affordable Rent.

ELIGIBILITY OF TENANTS

9. The Owner will determine if a prospective tenant is eligible to rent the Affordable Housing Units based on the following criteria:
 - (a) households with Moderate Incomes are eligible for housing in Market Units;
 - (b) households with Low Income are eligible for housing in RGI Units;
 - (c) households with Deep Subsidy Income are eligible for housing in Deep Subsidy Units;
 - (d) tenants are deemed residents of the Greater Vernon area having resided in the area for a minimum period of twelve months;
 - (e) Notwithstanding Section 9 (d) above, in the event an individual outside the Greater Vernon area with significant needs requires proximity to services, this will be considered to meet the eligibility requirements;
 - (f) exceptions to requirements in section 9(a), section 9(b) and section 9(c) may be made for:
 - (i) persons designated by mutual agreement between BC Housing, the City and the Owner; and
 - (ii) staff or other authorized personnel required to operate and maintain the building on the Lands, who are employees of the Owner; and
 - (g) the Owner will make all reasonable efforts to achieve the following:
 - (i) 30% of Dwellings to be Market Units for Moderate Income households;
 - (ii) 50% of Dwellings to be RGI Units for Low Income households; and
 - (iii) 20% of Dwellings to be Deep Subsidy Units for Deep Subsidy Income households.

In determining prospective tenant's eligibility, the Owner or its rental agent, so long as it acts honestly and in good faith, is entitled to rely on all information provided by the prospective tenant and the Owner will have no liability if the prospective tenant intentionally or unintentionally provides any incorrect information.

10. The Owner will periodically update the financial circumstances of the tenant once the Tenancy Agreement is signed.
11. The Owner will not rent Affordable Housing Units to any person that does not meet the tenant eligibility criteria in section 9.

USE AND OCCUPANCY OF RENTAL HOUSING UNITS

12. The Owner will not lease, rent, license or permit occupancy of an Affordable Housing Unit except as follows:
 - (a) to an Eligible Tenant;
 - (b) at Affordable Rent;
 - (c) as a permanent residence; and
 - (d) pursuant to a Tenancy Agreement.
13. The Owner will include in the Tenancy Agreement a clause that prohibits the Tenancy Agreement from being assigned and the Affordable Housing Units from being sublet.
14. The Tenancy Agreement will identify all occupants of the Affordable Housing Unit and will stipulate that anyone not identified in the Tenancy Agreement will be prohibited from residing in the Affordable Housing Unit for more than 30 consecutive days or more than 45 days total in any calendar year.
15. The Owner will deliver a certified true copy of the Tenancy Agreement to the City upon request.
16. Subject to notice requirements under the *Residential Tenancy Act*, the Owner will include in the Tenancy Agreement a clause entitling the Owner to terminate the Tenancy Agreement if one or more of the following occurs:
 - (a) the tenant is not an Eligible Tenant;
 - (b) the Affordable Housing Unit is occupied by a number of occupants that exceeds the number of individuals that the City's building inspector determines may reside in the Affordable Housing Unit given the number and size of bedrooms in the Affordable Housing Unit and in light of any relevant standards set by the City in any bylaws of the City;

- (c) the Affordable Housing Unit remains vacant for three consecutive months or longer, notwithstanding the timely payment of rent;
 - (d) the Affordable Housing Unit is sublet; or
 - (e) the Tenancy Agreement is assigned.
17. The Owner will not itself occupy any of the Affordable Housing Units.
 18. The Owner will not charge rent higher than Affordable Rent for the use of an Affordable Housing Unit.
 19. The Owner will ensure that the number of individuals who permanently reside in an Affordable Housing Unit must be equal to or less than the number of individuals the City's building inspector determines may reside in the Affordable Housing Unit given the number and size of bedrooms in the Affordable Housing Unit and in light of any relevant standards set by the City in any bylaws of the City.

MANAGEMENT AND OPERATION

20. The Owner will furnish good and efficient management and operation of the Development and the Affordable Housing Units and will permit representatives of the City to inspect the Development and the Affordable Housing Units at any reasonable time, subject to the notice provisions in the *Residential Tenancy Act*.
21. The Owner will maintain the Development and the Affordable Housing Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Lands.
22. The Owner will not assign or delegate management and operation of the Affordable Housing Units to any entity, except with the prior written consent of the City. In considering whether to provide consent, the City will be entitled to consider (without being exhaustive) whether the proposed entity is a society or a non-profit organization experienced in providing affordable housing.

CITY INQUIRIES AND INSPECTIONS

23. At the request of the City, the Owner will deliver to the City:
 - (a) such supporting documents, including a statutory declaration sworn by a tenant, as the City may reasonably require confirming that a tenant is an Eligible Tenant under this Agreement; and
 - (b) a report in writing confirming that all Affordable Housing Units that are rented at the time are being rented in accordance with this Agreement, together with such other information as may be reasonably requested by the City from time to time.

24. The Owner hereby irrevocably authorizes the City to make such inquiries as the City reasonably considers necessary in order to confirm the Owner is complying with this Agreement.
25. The Owner will permit representatives of the City to inspect the Development and the Affordable Housing Units for compliance with this Agreement at any reasonable time, subject to the notice provisions in the *Residential Tenancy Act*.

DEFAULT AND REMEDIES

26. In addition to any other remedies available to the City under this Agreement or at law or equity, if an Affordable Housing Unit is used or occupied in breach of this Agreement the Owner will pay to the City the Daily Amount for every day that the breach continues after 30 days written notice from the City to the Owner stating the particulars of the breach or, if such breach cannot, using reasonable efforts, be remedied within 30 days, such longer period as may reasonably be required to remedy such breach. The Daily Amount will be increased on January 1 of each year by an amount calculated by multiplying the Daily Amount as of the previous January 1 by the percentage increase in the CPI during the immediately preceding calendar year. The Daily Amount is due and payable immediately upon receipt by the Owner of an invoice from the City for the same.
27. The Owner acknowledges and agrees that damages are not an adequate remedy for breach of the covenants contained in this Agreement and that, in the event of any such breach, the City will be entitled to apply to a Court of competent jurisdiction for an order restraining and prohibiting the continuance of any such breach.
28. All remedies of the City will be cumulative and may be exercised by the City in any order or concurrently in case of any breach and each remedy may be exercised any number of times with respect to each breach. Waiver of or delay in the City exercising any or all remedies will not prevent the later exercise of any remedy for the same breach or any similar or different breach.

SECTION 219 COVENANT

29. To the extent of the Leasehold Interest, the Owner hereby covenants and agrees with the City, as a covenant in favour of the City pursuant to Section 219 of the *Land Title Act*, it being the intention and agreement of the Owner that the provisions in this Agreement be annexed to, and run with and be a charge upon the Leasehold Interest, that:
 - (a) the Lands will not be developed and no building or structure will be constructed or used on the Lands except to construct the Development;
 - (b) the Lands will be built and used only in strict compliance with the terms and conditions of this Agreement;
 - (c) the Lands will not be subdivided pursuant to the *Land Title Act*, the *Strata Property Act*, or by means of a leasehold subdivision, and will not be organized as "cooperative

interests” or “shared interest in land” as defined in the *Real Estate Development Marketing Act*; and

- (d) except for transfer of each Affordable Housing Unit pursuant to a Tenancy Agreement, interest in the Affordable Housing Units will not be transferred separately from each other, such that all Affordable Housing Units will be owned by the same Owner at all times.
30. As an indemnity pursuant to section 219(6) of the *Land Title Act*, to the extent of the Leasehold Interest, the Owner will indemnify and save harmless the City and each of its elected officials, officers, directors, and agents, and their respective heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, actions, loss, damage, costs and liabilities, which all or any of them will or may be liable for or suffer or incur or be put to by reason of or arising out of:
- (a) any act or omission of the Owner, or its officers, directors, agents, contractors or other persons for whom at law the Owner is responsible relating to this Agreement;
 - (b) the Owner’s construction, maintenance, ownership, lease, operation, management or financing of the Lands, the Development or any Affordable Housing Unit;
 - (c) any breach of this Agreement by the Owner; and
 - (d) the exercise by the City of any of its rights under this Agreement.
31. The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, and agents, and its and their respective heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of or which would or could not occur but for:
- (a) any act or omission of the Owner, or its officers, directors, agents, contractors or other persons for whom at law the Owner is responsible relating to this Agreement;
 - (b) the Owner’s construction, maintenance, ownership, lease, operation, management or financing of the Lands, the Development or any Affordable Housing Unit;
 - (c) any breach of this Agreement by the Owner; and
 - (d) the exercise by the City of any of its rights under this Agreement.

MISCELLANEOUS

32. The Owner acknowledges and agrees that this Agreement constitutes a covenant under Section 219 of the *Land Title Act* and a housing agreement entered into under Section 483 of the *Local Government Act* that will be registered and filed against the Leasehold Interest.

33. This Agreement does not:
- (a) affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of the Lands;
 - (b) impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement;
 - (c) affect or limit any enactment relating to the use or subdivision of the Lands; or
 - (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Lands.
34. The Owner and the City agree that:
- (a) this Agreement is entered into only for the benefit of the City;
 - (b) this Agreement is not intended to protect the interests of the Owner, any tenant, or any future owner, lessee, occupier or user of the Lands, the Development or any Affordable Housing Unit; and
 - (c) the City may at any time execute a release and discharge of this Agreement, without liability to anyone for doing so, and without obtaining the consent of the Owner.
35. Any notice, request or demand provided for in this Agreement will be in writing and sufficiently given if served personally upon the party for whom such notice was intended, or, if mailed by registered mail to the addresses set out above or to such other address as a party may notify the other in accordance with this section. All notices given by mail under this section will be deemed to be received three days following its posting, if posted at Vernon, British Columbia, provided that after the time of posting there will be any slowdown, strike or labour dispute which might affect the delivery of notice by mail, then such notice will only be effective if actually delivered. Either party may, at any time, give notice in writing to the other of any change of address and thereafter all notices will be mailed to the new address so given.
36. This Agreement will enure to the benefit of and be binding upon the parties and their respective heirs, executors, administrators, representatives, successors and assigns.
37. Each of the parties will, on demand by another party execute and deliver or cause to be executed and delivered all such further documents and instruments and do all such further acts and things as the other may reasonably require to evidence, carry out and give full effect to the terms, conditions, intent and meaning of this Agreement.
38. This Agreement runs with the Leasehold Interest.
39. The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered holder of the Leasehold Interest.

40. Nothing in this Agreement will constitute the Owner as the agent, joint venture, or partner of the City or give the Owner any authority to bind the City in any way.
41. By executing and delivering this Agreement the Owner intends to create both a contract and a deed executed and delivered under seal.

AS EVIDENCE OF THEIR AGREEMENT the parties have executed this Agreement as of the date first written above on one or more pages of the General Instrument.

Authorized Signatory
Okanagan Village Housing Society

Name (Printed) & Title

Authorized Signatory
City of Vernon

Name (Printed) & Title

Authorized Signatory
City of Vernon

Name (Printed) & Title



THE CORPORATION OF THE CITY OF VERNON

INTERNAL MEMORANDUM

TO: Will Pearce, CAO **FILE:** ZON00359

PC: Kim Flick, Director, Community Infrastructure and Development **DATE:** October 4, 2021
Keri-Ann Austin, Corporate Officer

FROM: Roy Nuriel, Economic Development Planner

SUBJECT: HOUSING AGREEMENT BYLAW FOR 6335 OKANAGAN LANDING ROAD

At its Regular Meeting of September 27, 2021, Council gave Third Reading to Bylaw #5838 as amended, 6335 Okanagan Landing Road Housing Agreement Bylaw #5838, 2020 – a bylaw to authorize a housing agreement with the Vernon Okanagan Village Housing Society.

As per Section 483 of the *Local Government Act*, a local government may only enter into a housing agreement by bylaw. As per Housing Agreement Bylaw #5838, 2020, the subject property would develop to include a stacked townhome building containing thirteen dwelling units to provide affordable rental housing by the Okanagan Village Housing Society.

RECOMMENDATION:

THAT 6335 Okanagan Landing Road Housing Agreement Bylaw #5838, 2020 be adopted.

Respectfully submitted:

Oct 5 2021 11:58 AM

X



Roy Nuriel

DocuSign

Roy Nuriel
Economic Development Planner

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5841

A bylaw to amend the City of Vernon's Official
Community Plan Bylaw Number 5470

WHEREAS the Council of The Corporation of the City of Vernon has determined to amend the "Official Community Plan Bylaw Number 5470, 2013";

AND WHEREAS all persons who might be affected by this amending 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 **"3398 Davison Road Official Community Plan Amendment Bylaw Number 5841, 2020"**.

2. That Schedule "A" of Official Community Plan Bylaw Number 5470 is hereby amended as follows:

That the following legally described lands be redesignated from **"Public Institutional"**, **"Parks & Open Space"**, **"ALR Lands"** and **"Hillside Residential"** as shown on Schedule "A" to **"Hillside Residential"** and **"Parks & Open Space"** as shown on Schedule "B" attached hereto and forming part of this bylaw.

Legal Description:

**LOT 1, EPP80986, SEC 4, TWP 8, ODYD
(3398 Davison Road)**

BYLAW 5841

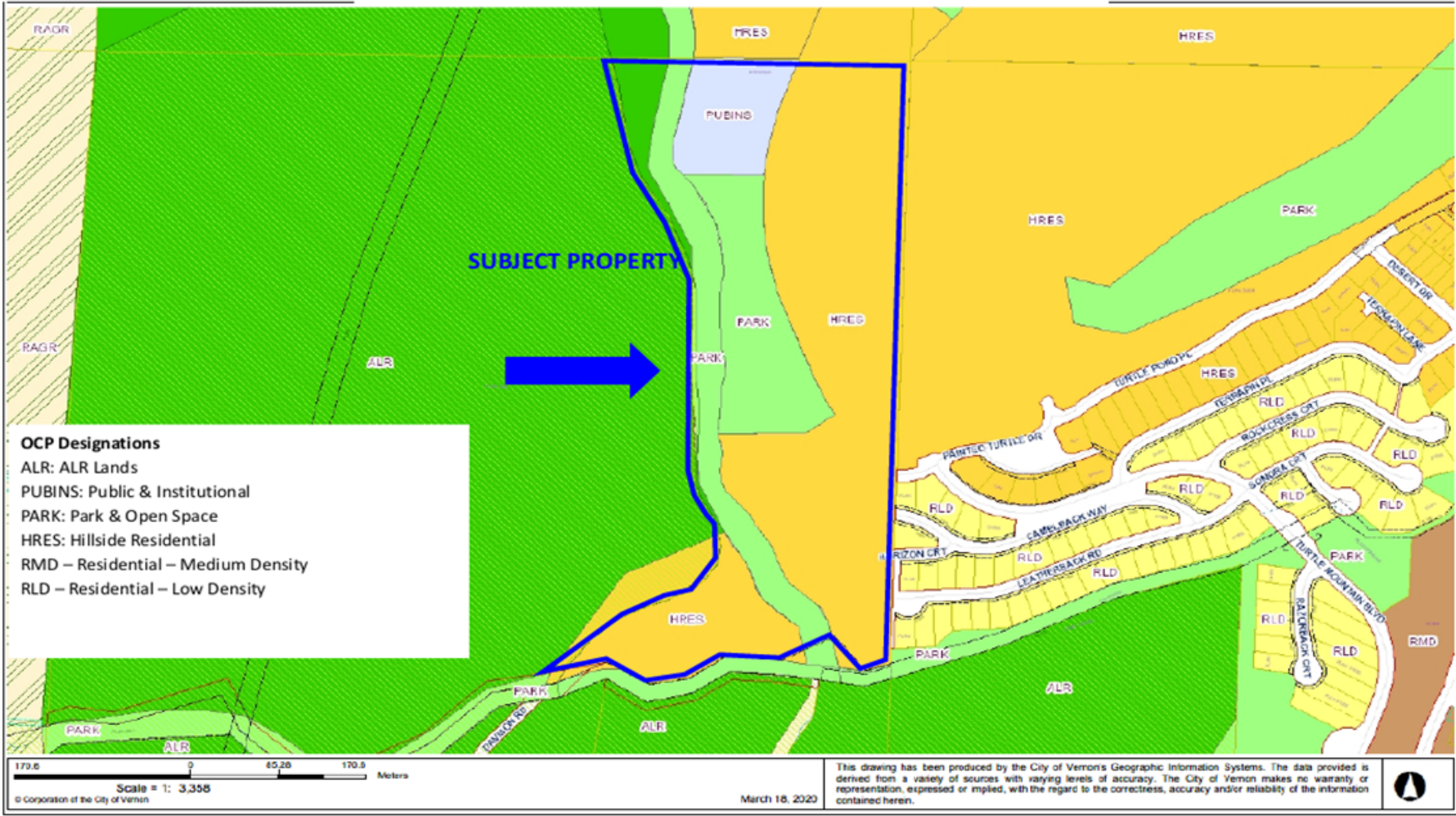
3. Official Community Plan Bylaw Number 5470 is hereby ratified and confirmed in every other respect.

| | |
|----------------------------|--|
| READ A FIRST TIME this | 23 rd day of November, 2020 |
| READ A SECOND TIME this | 23 rd day of November, 2020 |
| PUBLIC HEARING held this | 14 th day of December, 2020 |
| PUBLIC HEARING closed this | 11 th day of January, 2021 |
| READ A THIRD TIME this | 11 th day of January, 2021 |
| ADOPTED this | day of , 2021. |

Mayor

Corporate Officer

Schedule A: Existing OCP Designation







THE CORPORATION OF THE CITY OF VERNON

INTERNAL MEMORANDUM

TO: W. Pearce, CAO **FILE:** 3340-20 (OCP00084/
ZON00350)

PC: K. Flick, Director, Community Infrastructure and Development **DATE:** October 1, 2021
K. Austin, Manager, Legislative Services

FROM: L. Cordell, Manager, Long Range Planning and Sustainability

**SUBJECT: OFFICIAL COMMUNITY PLAN AMENDMENT AND REZONING AMENDMENT
BYLAWS #5841, 2020 AND #5842, 2020**

At its Regular Meeting of January 11, 2021 Council gave Third Reading to Bylaw #5841, 3398 Davison Road Official Community Plan Amendment Bylaw #5841, 2020 – a bylaw to amend the Official Community Plan from Public Institutional, ALR Lands and Hillside Residential to Hillside Residential and Parks and Open Space.

At the same meeting, Council also gave Third Reading to Bylaw #5842, 3398 Davison Road Rezoning Amendment Bylaw #5842, 2020 – a bylaw to rezone lands from AI – Agriculture within the ALR to HR1 – Hillside Residential Single and Two Family, HR2 – Hillside Residential Multi Family and P1 – Parks and Open Space.

Prior to final adoption of the rezoning bylaw, all conditions were to be completed as outlined in the following resolution:

THAT Council support the application to amend the Official Community Plan land use designation for 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' and 'Parks & Open Space' as outlined in the report titled "Official Community Plan Amendment and Rezoning Application for 3398 Davison Road" dated November 12, 2020 by the Long Range Planner;

AND FURTHER, that Council support the application to rezone the subject property from AI (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 12, 2020 by the Long Range Planner;

AND FURTHER, that Council support waiving the open house for the proposed Official Community Plan Amendment application as per the corporate OCP

Amendment Applications Policy and proceed directly to First and Second Readings and scheduling of a Public Hearing;

AND FURTHER, 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 Official Community Plan 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 12, 2020 by the Long Range Planner;*
- b) Submission of a subdivision application for the subject lands to create a park lot, which aligns with the proposed Official Community Plan amendment and conceptual plan, 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 and 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 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 12, 2020 by the Long Range Planner.

The applicant has fulfilled all conditions of the rezoning and as such, Council can consider adoption of 3398 Davison Road Official Community Plan Amendment Bylaw #5841, 2020 and 3398 Davison Road Rezoning Amendment Bylaw #5842, 2020.

RECOMMENDATION:

THAT 3398 Davison Road Official Community Plan Amendment Bylaw #5841, 2020 and 3398 Davison Road Rezoning Amendment Bylaw #5842, 2020 be adopted.

Respectfully submitted:

Oct 6 2021 4:42 PM

 X Laurie Cordell 
DocuSign

Laurie Cordell
Manager, Long Range Planning and Sustainability

G:\3000-3699 LAND ADMINISTRATION\3340 OFFICIAL COMMUNITY PLAN - AMENDMENTS\20 Applications\OCP00084\2
PROC\Rpt\211001lc_Memo_4thRdg_Adoption_OCP00084_ZON00350FINAL.doc

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5842

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;

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 **"3398 Davison Road Rezoning Amendment Bylaw Number 5842, 2020"**.

2. Pursuant to the Official Zoning Map, Schedule "A" attached to and forming part of Bylaw Number 5000, is hereby amended as follows:

- a) That the following legally described land be rezoned from **"A1 – Agriculture Within ALR"** to **"HR1 - Hillside Residential Single and Two Family"**, **"HR2 – Hillside Residential Multi Family"** and **"P1 – Parks and Open Space"**

Legal Description:

**LOT 1, PLAN EPP80986, SEC 4, TWP 8, ODYD
(3398 Davison Road)**

BYLAW 5842

PAGE 2

and by changing the Zoning Map accordingly, all in accordance with the bolded areas as shown on Schedule "A" attached to and forming part of this bylaw.

3. Zoning Bylaw Number 5000 is hereby ratified and confirmed in every other respect.

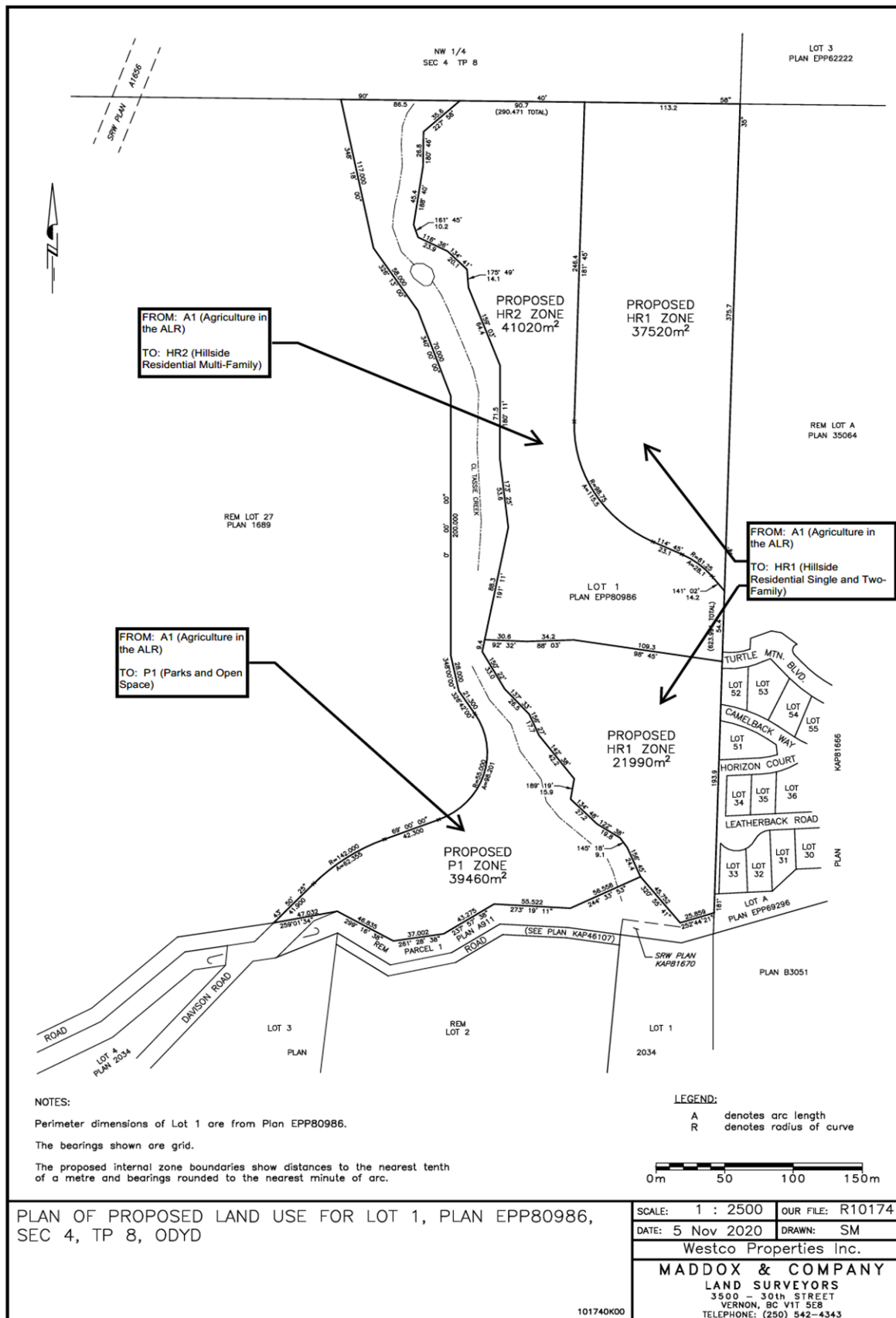
| | |
|----------------------------|--|
| READ A FIRST TIME this | 23 rd day of November, 2020 |
| READ A SECOND TIME this | 23 rd day of November, 2020 |
| PUBLIC HEARING held this | 14 th day of December, 2020 |
| PUBLIC HEARING closed this | 11 th day of January, 2021 |
| READ A THIRD TIME this | 11 th day of January, 2021 |
| ADOPTED this | day of , 2021. |

Mayor:

Corporate Officer:

SCHEDULE 'A'

Attached to and Forming Part of Bylaw 5842
 "3398 Davison Road Rezoning Amendment Bylaw Number 5842, 2020"



THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5874

A Bylaw to authorize a Housing Agreement
for 5545 and 5577 27th Avenue

WHEREAS Section 483 of the *Local Government Act* provides that Council may enter into a housing agreement with an owner which may include terms and conditions regarding the occupancy of the housing units identified in the Agreement; and

WHEREAS Council wishes to enter into such an agreement regarding the development and provision of affordable housing units on lands located within the City of Vernon;

NOW THEREFORE the Council of the City of Vernon in open meeting assembled enacts as follows:

- (a) This Bylaw may be cited as “**5545 and 5577 27th Avenue Housing Agreement Bylaw No. 5874, 2021**”.
- (b) The Council of the City hereby authorizes the Mayor and Corporate Officer to enter into an agreement with the Vernon Native Housing Society, on behalf of the City, as set out in **Schedule A**, attached hereto and forming part of this Bylaw (the “**Agreement**”).
- (c) The lands identified in the Agreement are located at 5545 and 5577 27th Avenue and are legally described as: Lot 1, Plan 5914, District Lot 66, ODYD and Lot PT 10, Plan B1827, District Lot 66, ODYD.
- (d) The Mayor and Corporate Officer are authorized to execute any documents required to give effect to the Agreement.

READ A FIRST TIME this 27th day of September, 2021.

READ A SECOND TIME this 27th day of September, 2021.

READ A THIRD TIME this 27th day of September, 2021.

ADOPTED this day of , 2021.

Mayor

Corporate Officer

SCHEDULE 'A'
Attached hereto and forming part of Bylaw Number 5874
"5545 and 5577 27th Avenue Housing Agreement Bylaw No. 5874, 2021"

THIS HOUSING-RENTAL UNITS AGREEMENT dated for reference March 15, 2021

BETWEEN

Vernon Native Housing Society, a non-profit society pursuant to the laws of British Columbia
(the "Owner")

AND

The Corporation of the City of Vernon, a municipality pursuant to the laws of British Columbia
(the "City")

WHEREAS:

- A. The Owner is the registered owner of the Land (herein defined);
- B. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of the City in respect of the use of land; and
- C. The Owner and the City wish to enter into this Agreement to provide for affordable housing, on the terms and conditions set out in this Agreement, and this Agreement is a covenant under section 219 of the *Land Title Act*.

PART I — DEFINITIONS

- 1. In this Agreement, the following words have the following meanings:
 - (a) "5545 27th Ave." means:

LOT 1 DISTRICT LOT 66 OSOYOOS DIVISION YALE DISTRICT PLAN 5914 EXCEPT PLAN
EPP81785
PID: 010-239-481
 - (b) "5577 27th Ave." means:

THAT PART LOT 10 SHOWN ON PLAN B1827 DISTRICT LOT 66 OSOYOOS DIVISION YALE
DISTRICT PLAN 509 EXCEPT PLAN 21409
PID: 012-285-749
 - (c) "Affordable Housing Unit" means all residential dwelling units located or to be located on the Land, whether those units are lots, strata lots or parcels, or parts or portions thereof, into which ownership or the right of possession or occupation of the Land may be Subdivided and includes single family detached dwellings, duplexes, townhouses, auxiliary residential dwelling units, rental apartments, and strata lots in a building strata plan;

(d) "Eligible Occupant" means:

- i. an individual having an annual income not exceeding Low to Moderate Income; or
- ii. a family having an annual income not exceeding Low to Moderate Household Income; or
- iii. a person or persons who satisfy the criteria for occupation of an Affordable Housing Unit under any Operating Agreement, notwithstanding any other requirements of this Agreement.

(e) "Income" means total income before tax from all sources;

(f) "Land" means the land described in Item 2 of the General Instrument and any part, including a building, into which said land is Subdivided;

(g) "Low to Moderate Income" means a gross household Income that does not exceed the median Income for individuals, as determined by the British Columbia Housing Management Commission, from time to time;

(h) "Low to Moderate Household Income" means:

- i. for families without children, a gross household Income that does not exceed the median Income for families without children, as determined by the British Columbia Housing Management Commission, from time to time;
- ii. for families with children, a gross household Income that does not exceed the median Income for families with children, as determined by the British Columbia Housing Management Commission, from time to time;

(i) "Operating Agreement" means a written agreement entered into between the Owner and any of the following: Aboriginal Housing Management Association, British Columbia Housing Management Commission, Canada Mortgage Housing Corporation, or any other organization or governmental body who provides financial support or assistance to the Owner (including in the form of forgivable or non-forgivable loans) for the purposes of constructing, operating, maintaining, altering, or repairing any Affordable Housing Unit; and

(j) "Subdivided" means to divide, apportion, consolidate or subdivide the Land, or the ownership or right to possession or occupation of the Land into two or more lots, strata lots, parcels, parts, portions, or shares, whether by plan, descriptive words or otherwise, under the *Land Title Act*, the *Strata Property Act*, or otherwise under any similar or successor legislation.

PART II — USE AND OCCUPANCY OF AFFORDABLE HOUSING UNITS

2. The Owner covenants with the City that an Affordable Housing Unit may only be used as a permanent residence occupied by an Eligible Occupant.

PART III — INTERPRETATION

3. In this Agreement:

- (a) reference to the singular includes a reference to the plural, and vice-versa, unless the context requires otherwise;
- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- (c) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (d) reference to any enactment includes any regulations, orders, or directives made under the authority of that enactment;
- (e) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided; and
- (f) where the word "including" is followed by a list, the contents of the list are not intended to circumscribe the generality of the expression preceding the word "including".

PART IV — MISCELLANEOUS

4. **Modification.** This Agreement may be modified or amended from time to time by bylaw duly passed by the Council of the City, if it is signed by the City and the person who is the current registered owner of the Land.
5. **Enuring Effect.** This Agreement will extend to and be binding upon and enure to the benefit of the parties hereto and their respective successors and permitted assigns.
6. **Severability.** If any provision of this Agreement is found to be invalid or unenforceable, such provision or any part thereof will be severed from this Agreement and the resultant remainder of this Agreement will remain in full force and effect.
7. **Covenant Runs with the Land.** This Agreement burdens and runs with the Land and every parcel into which it is Subdivided. All of the covenants and agreements contained in this Agreement are made by the Owner for itself, its personal administrators, successors and assigns, and all persons who, after the date of this Agreement, acquire an interest in the Land.
8. **Limitation on Owner's Obligations.** The Owner is only liable for breaches of this Agreement that occur while the Owner is registered owner of the Land.

9. **Applicable Law.** Unless the context otherwise requires, the laws of British Columbia will apply to this Agreement and all statutes referred to the herein are enactments of the Province of British Columbia.

PART V — PRIORITY

1. With respect to 5545 27th Ave.:

BRITISH COLUMBIA HOUSING MANAGEMENT COMMISSION, being the registered holder of a Mortgage registered under number CA7223774, an Assignment of Rents registered under number CA7223775, and a Mortgage registered under number CA7223776 against title to the 5545 27th Ave. HEREBY CONSENTS to the filing of this Covenant, and hereby GRANTS PRIORITY to this Covenant over its Mortgages and Assignment of Rents to the same intent and affect as if this Covenant had been registered as a charge against the title to the 5545 27th Ave. prior to the execution, delivery and registration of the said Mortgages and Assignment of Rents.

CANADA MORTGAGE AND HOUSING CORPORATION, being the registered holder of a Mortgage registered under number CA8635755 and Assignment of Rents registered under number CA8635756 against title to the 5545 27th Ave. HEREBY CONSENTS to the filing of this Covenant, and hereby GRANTS PRIORITY to this Covenant over its Mortgage and Assignment of Rents to the same intent and affect as if this Covenant had been registered as a charge against the title to the 5545 27th Ave. prior to the execution, delivery and registration of the said Mortgage and Assignment of Rents.

2. With respect to 5577 27th Ave.:

BRITISH COLUMBIA HOUSING MANAGEMENT COMMISSION, being the registered holder of a Mortgage registered under number CA7540936 as modified by CA8698708 and an Assignment of Rents registered under number CA7540937 against title to the 5577 27th Ave. HEREBY CONSENTS to the filing of this Covenant, and hereby GRANTS PRIORITY to this Covenant over its Mortgage and Assignment of Rents to the same intent and affect as if this Covenant had been registered as a charge against the title to the 5577 27th Ave. prior to the execution, delivery and registration of the said Mortgage and Assignment of Rents.



THE CORPORATION OF THE CITY OF VERNON

INTERNAL MEMORANDUM

TO: Will Pearce, CAO **FILE:** DVP00519

PC: Kim Flick, Director, Community Infrastructure and Development **DATE:** October 4, 2021
Keri-Ann Austin, Corporate Officer

FROM: Roy Nuriel, Economic Development Planner

SUBJECT: HOUSING AGREEMENT BYLAW FOR 5545 AND 5577 27TH AVENUE

At its Regular Meeting of September 27, 2021, Council gave Third Reading to 5545 and 5577 27th Avenue Housing Agreement Bylaw #5874, 2021 – a bylaw to authorize a housing agreement with the Vernon Native Housing Society.

As per Section 483 of the *Local Government Act*, a local government may only enter into a housing agreement by bylaw. As per Housing Agreement Bylaw #5874, 2021, the subject properties include two non-profit rental apartments, developed by Vernon Native Housing Society, with total of 73 units designated for low to moderate household incomes.

RECOMMENDATION:

THAT 5545 and 5577 27th Avenue Housing Agreement Bylaw #5874, 2021 be adopted.

Respectfully submitted:

Oct 5 2021 11:04 AM

X



Roy Nuriel

DocuSign

Roy Nuriel
Economic Development Planner

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5869

A bylaw to authorize closure and removal of the
dedication as highway located at
33 Street and 35 Avenue (adjacent to Vernon
Recreation Centre)

WHEREAS Section 40 of the *Community Charter* provides that Council may, by bylaw, close all or part of a highway and remove the dedication of a highway;

AND WHEREAS the Corporation of the City of Vernon deems it necessary to close and cancel the dedication of a portion highway for the purpose of disposal and consolidating with adjoining lands the following described road as shown and described as “Closed Road” on a reference plan to accompany this bylaw, certified by, Scott G. McPherson, B.C.L.S. 859, and completed on the 19th day of August, 2021, (hereinafter referred to as the “Plan”), a copy of which is attached hereto as Schedule “A”:

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 **“33 Street and 35 Avenue (adjacent to Vernon Recreation Centre) Road Closure Bylaw Number 5869, 2021”**.
2. That portion of the following described road:
Road Dedicated on Plan 3362, Section 3, Township 8, ODYD (792.7m²)
shown as **“Closed Road”** on the Plan is hereby stopped up and closed to traffic.
3. That the dedication as highway of the portion of the following described road:
Road Dedicated on Plan 3362, Section 3, Township 8, ODYD (792.7m²)
shown as **“Closed Road”** on the Plan be cancelled.

BYLAW NUMBER 5869

4. That prior to adoption of this bylaw, the Council shall cause public notice to be given by advertising once each week for two consecutive weeks in the newspaper published and circulating in the City of Vernon.
5. That the Mayor and Corporate Officer are hereby authorized to execute the necessary conveyance and plan on behalf of The Corporation of the City of Vernon, and generally to do all things necessary to carry out the purpose of this bylaw.
6. This bylaw shall take effect upon adoption thereof.

READ A FIRST TIME this day of , 2021.

READ A SECOND TIME this day of , 2021.

READ A THIRD TIME this day of , 2021.

Approved pursuant to section 41(3) of the *Community Charter* this _____ day of
_____, 20____

for Minister of Transportation & Infrastructure
BYLAW 5869 – 33rd St and 35th Ave/eDAS 2021-05239

ADVERTISED in the XX, and XX days of XXXX, 2021 issues of the Vernon Morning Star.

PUBLIC INPUT held this day of , 2021.

ADOPTED THIS day of , 2021.

Mayor

Corporate Officer

SCHEDULE 'A'

Attached hereto and forming part of Bylaw #5869

“33 Street and 35 Avenue (adjacent to Vernon Recreation Centre) Road Closure Bylaw Number 5869, 2021”

REFERENCE PLAN TO ACCOMPANY CITY OF VERNON BYLAW No. 5869 TO CLOSE AND CANCEL THE DEDICATION OF ROAD DEDICATED ON PLAN 3362, SEC 3, TP 8, QDYG

PLAN EPP114295

Pursuant to Section 120 of the Land Title Act and Section 40 of the Community Charter

BCGS 82L.024

SCALE 1 : 300



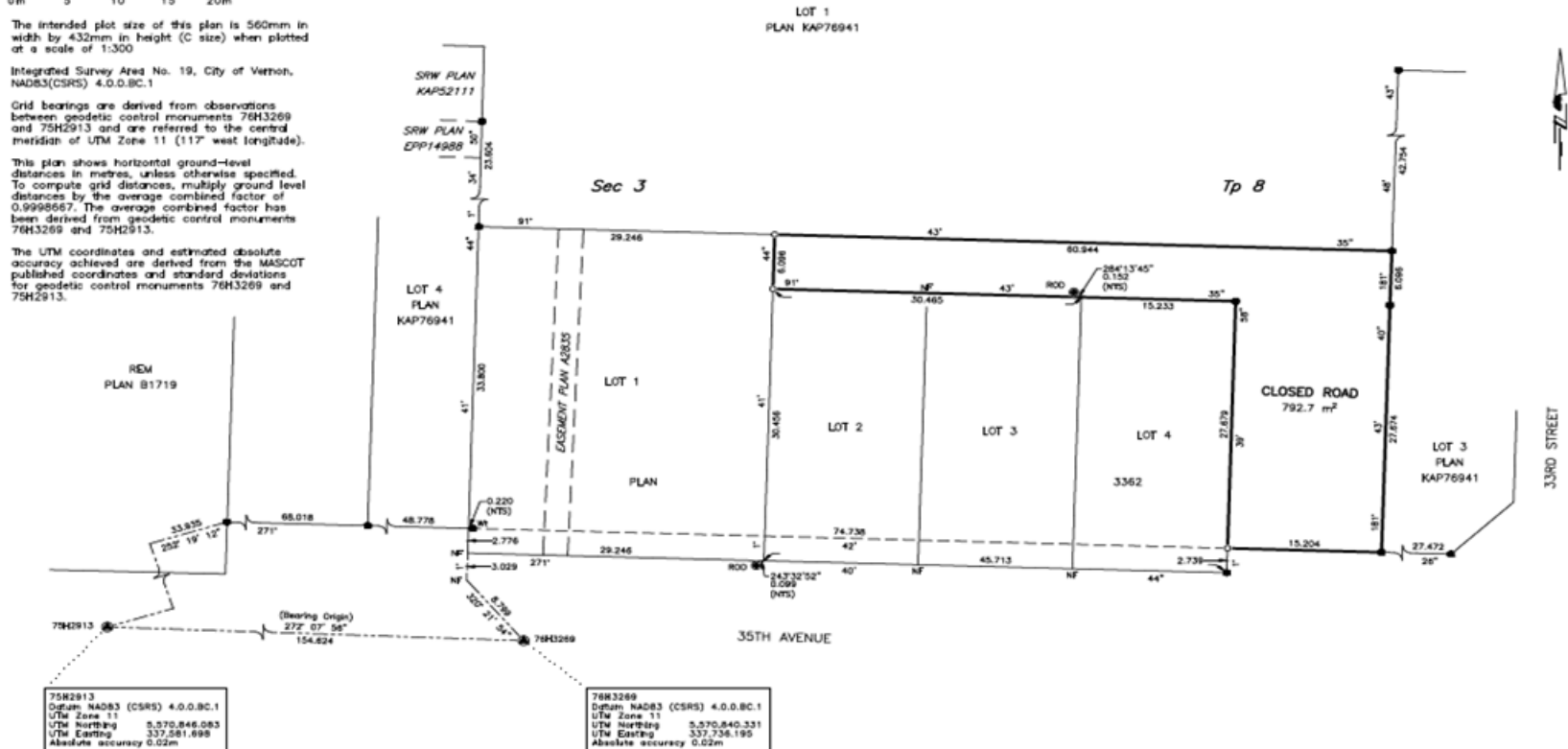
The intended plot size of this plan is 560mm in width by 432mm in height (C size) when plotted at a scale of 1:300

Integrated Survey Area No. 19, City of Vernon, NAD83(CSRS) 4.0.0.BC.1

Grid bearings are derived from observations between geodetic control monuments 76H3269 and 75H2913 and are referred to the central meridian of UTM Zone 11 (117° west longitude).

This plan shows horizontal ground-level distances in metres, unless otherwise specified. To compute grid distances, multiply ground level distances by the average combined factor of 0.9998667. The average combined factor has been derived from geodetic control monuments 76H3269 and 75H2913.

The UTM coordinates and estimated absolute accuracy achieved are derived from the MASCO published coordinates and standard deviations for geodetic control monuments 76H3269 and 75H2913.



LEGEND

- denotes standard iron post found
- denotes standard iron post placed
- denotes non-standard post found
- denotes control monument found
- NTS denotes not to scale

This plan shows one or more witness posts which are not set on the true corner(s).

This plan lies within the jurisdiction of the Approving Officer for the City of Vernon.

This plan lies within the Regional District of North Okanagan.

The field survey represented by this plan was completed on the 19th day of August, 2021.
Scott G. McPherson, BCLS 859

McPherson Maddox
Land Surveying
3500 - 30th Street
Vernon, BC V1T 5E8
Telephone: (250) 542-4343

11075GRDO

FILE: R11075

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5870

A bylaw to amend the City of Vernon “Tax Exemption Bylaw Number 5713, 2018”

WHEREAS it is the intention of the Council of the Corporation of the City of Vernon to amend the City of Vernon Tax Exemption Bylaw Number 5713, 2018.

NOW THEREFORE the Council of the Corporation of the City of Vernon, in open meeting assembled, enacts as follows:

This bylaw may be cited as the City of Vernon “**Tax Exemption Amendment Bylaw Number 5870, 2021**”.

1. Schedule “C” of the City of Vernon “Tax Exemption Bylaw Number 5713, 2018” is amended in the following manner:

A. **Amend** ‘Social Services Properties’ category to **Add** the following shown in **RED** on attached Schedule ‘1’:

- i. Kindale Developmental Association – B-2814 44 Avenue
- ii. Upper Room Mission – 2708 34 Street
- iii. Vernon Elks Lodge #45 – 3103 30 Street
- iv. Vernon Native Housing Society – 5545 27 Avenue
- v. Turning Points Collaborative Society – 3214 35 Street
- vi. Turning Points Collaborative Society – 3412 28 Avenue
- vii. Turning Points Collaborative Society – 3102 37 Avenue
- viii. Turning Points Collaborative Society – 2700 35 Street
- ix. Turning Points Collaborative Society – 3905 30 Avenue
- x. Turning Points Collaborative Society – 3912 30 Avenue
- xi. Habitat for Humanity Okanagan – 5-4100 25 Avenue
- xii. North Okanagan Valley Gleaners Society – 4405 29 Street
- xiii. Doris Linemayr/Vernon Book Volunteers Society – 35-100 Kalamalka Lake Road

B. **Amend** 'Social Services Properties' category to **Delete** the following shown in **RED** on attached Schedule '1':

- i. Governing Council of the Salvation Army in Canada – 3102 29 Avenue
- ii. N.O. Foundation for the Mentally Handicapped (Vernon & District Association for Community Living) – 1812 22 Street
- iii. Turning Points Collaborative Society – 2307 43 Street

C. **Amend** 'Social Services Properties' category to **Update** the following shown in **RED** on attached Schedule '1':

- i. N.O. Foundation for the Mentally Handicapped (Vernon & District Association for Community Living) – 4240 Alexis Park Drive - update from a partial exemption to full 100% exemption for the entire property.

2. Schedule "D" of the City of Vernon "Tax Exemption Bylaw Number 5713, 2018" is amended in the following manner:

A. **Amend** 'Cultural Services Properties' category to **Add** the following shown in **RED** on attached Schedule '2':

- i. Arts Council of the North Okanagan – A2704 Highway 6

3. Schedule "F" of the City of Vernon "Tax Exemption Bylaw Number 5713, 2018" is amended in the following manner:

A. **Amend** 'Mixed and Unique Properties' category to **Update** the following shown in **RED** on attached Schedule '3':

- i. City of Vernon – Recreation Complex (Boys and Girls Club – Centennial Building) – 3600 33 Street – update from 80% exemption of the entire property to 100% exemption for Class 6 assessment only.

4. Schedule "A" of the City of Vernon "Tax Exemption Bylaw Number 5713, 2018" is amended in the following manner:

A. **Amend** 'Places of Worship Properties' category to **Delete** the following shown in **RED** on attached Schedule '4':

i. Vernon Gospel Chapel – 4106 Pleasant Valley Road

5. Schedules "G" and "AA" of the City of Vernon "Tax Exemption Bylaw Number 5713, 2018" are **Deleted**.

6. **Amend** Schedules "A" (Places of Worship Properties), "C" (Social Services Properties), and "F" (Mixed and Unique Properties) of the City of Vernon "Tax Exemption Bylaw Number 5713, 2018" to make the following housekeeping changes shown in **RED** on attached Schedules '1', '3' and '4':

A. Remove references to past phased-in exemptions for properties where the exemption has reached the maximum permitted;

B. Amend Roll Numbers as required;

C. Change the Registered Owner from 'Vernon Women's Transition House Society' to 'Archway Society for Domestic Peace';

D. Change the Registered Owner from 'Elim Tabernacle' to 'Alexis Park Church'.

7. "Tax Exemption Bylaw Number 5713, 2018" is hereby ratified and confirmed in every other respect.

READ A FIRST TIME this day of , 2021.

READ A SECOND TIME this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

Mayor

City Clerk

Schedule 1

Attached to and forming part of
“Tax Exemption Amendment Bylaw Number 5870, 2021”

Schedule “C”

TAX EXEMPT SOCIAL SERVICES PROPERTIES 100% EXEMPTION: 2019 - 2024 TAXATION YEARS

| P.I.D. NO. | ROLL NO. | LEGAL DESCRIPTION/ CIVIC ADDRESS | REGISTERED OWNER/ LESSEE | Restrictions/Limitations |
|----------------------------|------------------------------------|---|--------------------------------------|--|
| 010-315-802 | 0F3907.004 03907.001 | Lot 1, Plan 5367 3511 – 27 th Avenue | Abbeyfield Houses of Vernon Society | except the W. 85' |
| 002-559-382 | 00090.000 | Lot 21 Block 4 Plan 327 3305 27 Street | Canadian Mental Health Association | |
| 002-435-225 | 01399.000 | LT 38-39 BLK 71 PL 327 3003 28 Avenue | Canadian Mental Health Association | 2018 – 33% Exemption 2019 – 67% Exemption 2020 – 100% Exemption |
| 025-584-669 | 01445.000 | Lot 1, Plan KAP72804 3100 – 28 th Avenue | Canadian Mental Health Association | |
| 001-660-853 | 03384.000 | LT 5 PL 4671 3405 Okanagan Ave | Canadian Mental Health Association | |
| 005-313-660 | 03821.006 | Lot B, Plan 25842 3605 – 24 th Avenue | Canadian Mental Health Association | |
| 009-739-505 | 03826.001 | LT AMD2 PI 9095 3610 25 Avenue | Canadian Mental Health Association | 2018 – 33% Exemption 2019 – 67% Exemption 2020 – 100% Exemption |
| 009-982-311 | 04230.001 | LT 2 PL 7462 SEC 3 4206 Alexis Park Dr. | Canadian Mental Health Association | |
| 018-742-122 | 04487.034 | LT 17 PL KAP52193 SEC 11 2201 53 Ave | Canadian Mental Health Association | |
| 002-319-209 | 00980.020 | Lot 2 Plan KAS405 Sec 34 3107C 31 st Avenue | Community Dental Access Centre | 2019 – 33% Exemption 2020 – 67% Exemption 2021 – 100% Exemption |
| 012-413-267 012-413-305 | 01353.000 | Lots 6 and 7, Blk 70 Plan 327 2902 – 29 th Avenue | First Nations Friendship Centre Inc. | |
| 012-413-321 012-413-372 | 01355.000 | Lots 8 and 9, Blk 70 Plan 327 2904 – 29 th Avenue | First Nations Friendship Centre Inc. | |
| 026-599-881 | 04484.005 | Lot 1 Plan KAP80438 | Good Samaritan Canada - Vernon | |

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| | | 4904 20 Street | | |
| 026-599-899 | 04484.010 | Lot 2 Plan KAP80438 4900 20 Street | Good Samaritan Canada - Vernon | 100% Exemption Only on 40 Assisted Living Units |
| 028-179-200 | 03831.101 | Lot 1 Plan KAS3786 D.L. 71 1, 4100 – 25 Avenue | Kindale Developmental Association | |
| 028-179-218 | 03831.102 | Lot 2 Plan KAS3786 D.L. 71 2, 4100 – 25 Avenue | Kindale Developmental Association | |
| 028-179-251 | 03831.106 | Lot 6 Plan KAS3786 D.L. 71 6, 4100 – 25 Avenue | Kindale Developmental Association | |
| 025-845-462 | 05482.010 | LT 4 PL KAP74893 902 35 Avenue | Kindale Developmental Association | |
| 004-794-656 | 06133.020 | Lot 9, Plan 27573 1340 Polson Drive | Kindale Developmental Association (Seaton Centre) | except Plan KAP50834 |
| 018-895-093 | 02357.005 | Lot A, Plan KAP52943 2400 46 Avenue | North Okanagan Community Life Society | |
| 004-621-042 | 02563.010 | LT 1 PL 28199 SEC 2 4102 Pleasant Valley Rd | North Okanagan Community Life Society | |
| 005-099-668 | 06049.004 | Lot 2 Plan 26573 Sec 2 3917 13 th Street | North Okanagan Community Life Society | 2019 – 33% Exemption 2020 – 67% Exemption 2021 – 100% Exemption |
| 023-021-411 | 07090.036 | LT 18 PL KAP54269 5813 Richfield Pl | North Okanagan Community Life Society | |
| 012-307-556 | 02672.001 | PL B7411 Section 2 4608 20 th Street | North Okanagan Community Life Society | 2021 – 33% Exemption 2022 – 67% Exemption 2023 – 100% Exemption |
| 008-712-867 | 01205.000 | Lot 22, Plan 223 2802 – 34 th Street | North Okanagan Neurological Association | except Plan 38812 |
| 029-933-315 | 01207.002 | LT A PL 8043 3405 28 th Avenue | North Okanagan Neurological Association (Club House) | 2018 – 33% Exemption 2019 – 67% Exemption 2020 – 100% Exemption |
| 012-440-221 012-440-230 012-440-264 012-440-281 012-440-299 012-440-302 | 00963.000 | Lot 15-20 Blk 59 Plan 327 3100 - 32 nd Ave | North Okanagan Youth & Family Services Society | |
| 011-000-147 011-000-155 | 01921.000 01922.000 | Lots 5 & 6, Plan 2488 4107 & 4109 – 27 th Street | North Okanagan Youth & Family Services Society (Mara House) | |

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| 025-181-955 | 04048.018 | Lot 1, Plan KAP70089 3003 Gateby Place | Okanagan Commemorative Pioneer Cultural Society (Columbus Court) | |
| 023-572-451 023-572-477 | 01552.105 01552.110 | Lots 1 and 2, Plan KAP57866 3400 - 3402 – 27 th Avenue | People Place Society | |
| 010-167-919 010-167-943 | 01382.000 | Lot 17 & 18, Blk 71 Plan 327 3102 – 29th Avenue | Governing Council of the Salvation Army in Canada (Salvation Army Thrift Store) | |
| 026-604-531 | 04490.010 | LT A PL KAS2975 #1 – 5400 24 St | Governing Council of the Salvation Army in Canada (24 th Street Store) | |
| 007-063-628 | 02672.002 | Lot A, Plan 22159 4607 23 Street | N.O. Foundation for the Mentally Handicapped (Vernon & District Association for Community Living – Day Program) | 61% Exemption Only 61% of building is used. The other 39% is rented to Provincial Gov't, Ministry of Conservation. |
| 003-820-882 | 03787.012 | LT A PL 30993 4217 16 Avenue | N.O. Foundation for the Mentally Handicapped (Vernon & District Association for Community Living - Hawthorn House) | |
| 012-522-562 | 03925.000 | LT 27 PL 324 3601 27 Avenue | N.O. Foundation for the Mentally Handicapped (Vernon & District Association for Community Living - ACT) | |
| 009-461-272 | 04159.021 | Lot AM 3 Plan 12167 3601 36A Street | N.O. Foundation for the Mentally Handicapped (Vernon & District Association for Community Living – Centerpoint) | |
| 011-093-510 | 04230.100 | Section 4, Plan B6920 4240 Alexis Park Drive | N.O. Foundation for the Mentally Handicapped (Vernon & District Association for Community Living - Venture Training Centre) | One (1) acre of land and all improvements located on the whole of the lands, as shown attached to this bylaw as Schedule "AA" Entire property – 100% Exemption |
| 006-359-191 | 06011.000 | LT 10 PL 24894 1812-22 Street | N.O. Foundation for the Mentally Handicapped (Vernon & District Association for Community Living – Willow House) | |
| 024-734-799 | 04048.040 | Lot A, Plan KAP66411 3505 – 30 th Avenue | Schubert Centre Society | |
| 025-832-689 | 01578.001 | LT 7 PL KAS2234 3301 24 Avenue | Turning Points Collaborative | |
| 009-941-479 | 01941.003 | Lot 3 Plan 7721 Sec 3 2500 43rd Avenue | Turning Points Collaborative | 2019 – 33% Exemption 2020 – 67% Exemption 2021 – 100% Exemption |

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| 012-612-375 | 03840.100 | Lot 10 Plan B4761 2307 – 43rd Street | Turning Points Collaborative | |
| 012-523-445 | 03859.000 | PL 324 DL 71 3502 27 Ave | Vernon & District Community Land Trust Society | |
| 005-632-978 | 01538.000 | LT 18 BLK 80 PL 327 3405 27 Ave | Vernon Upper Room Mission Society | |
| 023-500-174 | 01539.000 | Lot A, Plan KAP57381 3403 – 27 th Avenue | Vernon Upper Room Mission Society | |
| 026-823-284 | 03856.001 | Lot A, Plan KAP82039 3506 – 27 th Avenue | Vernon & District Hospice Society | |
| 017-472-458 | 00060.000 | Lot A, Plan KAP45772 3307 – 26 th Street | Vernon & District Association for Community Living (Group Homes) | |
| 009-511-512 | 03959.000 | Lot A, Plan 39103 2803 – 39 th Street | Vernon & District Association for Community Living (Group Homes) | |
| 027-553-230 | 03805.008 | Lot 2 Plan KAP86913 4305 19 th Avenue | Vernon Native Housing Society | |
| 011-340-177 012-828-505 012-828-521 012-828-530 | 03917.000 | Plan B4090, D.L. 71 2808 – 35 th Street | Vernon Restholm Association | Except Part of Plan 24042, and Parcel B, Plan B4090 |
| 018-476-317 | 00570.001 | Block 28, Sect 34, Plan 327 2603-26 th Street | Vernon Women's Transition House Society Archway Society for Domestic Peace | |
| 009-550-631 | 02464.000 | Lot 2, Plan 10573 3502 – 19 th Street | Vernon Women's Transition House Society (2 nd Stage) Archway Society for Domestic Peace | |
| 008-648-123 | 02270.000 | Lot 1, Plan 16425 B-2814 – 44 th Avenue | Kindale Developmental Association | Unit B Only 2022 – 33% Exemption 2023 – 67% Exemption 2024 – 100% Exemption |
| 012-584-908 | 01522.000 | Plan B6883 2708 – 34 th Street | Upper Room Mission | 2022 – 33% Exemption 2023 – 67% Exemption 2024 – 100% Exemption |
| 012-441-121 | 01016.000 | Lot 15-16, Block 60, Plan 327 3103 – 30 th Street | Vernon Elks Lodge #45 | 2022 – 33% Exemption 2023 – 67% Exemption 2024 – 100% Exemption |
| 010-239-481 | 07399.400 | Lot 1, Plan 5914 | Vernon Native Housing Society | 2022 – 33% Exemption |

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| | | 5545 – 27 th Avenue | | 2023 – 67% Exemption 2024 – 100% Exemption |
| 010-756-540 | 00872.000 | Lot 5, Plan 3695 3214 – 35 th Street | Turning Points Collaborative Society | 2022 – 33% Exemption 2023 – 67% Exemption 2024 – 100% Exemption |
| 004-042-077 | 01528.000 | Lot 8, Block 80, Plan 327 3412 – 28 th Avenue | Turning Points Collaborative Society | 2022 – 33% Exemption 2023 – 67% Exemption 2024 – 100% Exemption |
| 003-984-176 | 01849.000 | Lot 2, Block 42, Plan 327E 3102 – 37 th Avenue | Turning Points Collaborative Society | 2022 – 33% Exemption 2023 – 67% Exemption 2024 – 100% Exemption |
| 005-058-961 | 03905.001 | Lot 2, Plan 12578 2700 – 35 th Street | Turning Points Collaborative Society | 2022 – 33% Exemption 2023 – 67% Exemption 2024 – 100% Exemption |
| 027-333-558 | 03979.007 | Lot 2, Plan KAP85565 3905 – 30 th Avenue | Turning Points Collaborative Society | 2022 – 33% Exemption 2023 – 67% Exemption 2024 – 100% Exemption |
| 007-770-979 | 04009.000 | Lot 1, Plan 20644 3912 – 30 th Avenue | Turning Points Collaborative Society | 2022 – 33% Exemption 2023 – 67% Exemption 2024 – 100% Exemption |
| 028-179-242 | 03831.105 | Lot 5, Plan KAS3786 5-4100 – 25 th Avenue | Habitat for Humanity Okanagan | 100% Exemption |
| 005-327-415 | 02276.001 | Lot A, Plan 25714 4405 – 29 th Street | North Okanagan Valley Gleaners Society | 20% Exemption |
| 025-396-803 | 06164.047 | Lot 47, Plan KAS2385 35-100 – Kalamalka Lake Road | Doris Linemayr Vernon Book Volunteers Society | 100% Exemption |

Schedule 2

Attached to and forming part of
"Tax Exemption Amendment Bylaw Number 5870, 2021"

Schedule "D"

**TAX EXEMPT
CULTURAL SERVICES PROPERTIES
75% EXEMPTION: 2019 - 2024 TAXATION YEARS**

| P.I.D. NO. | ROLL NO. | LEGAL DESCRIPTION/ CIVIC ADDRESS | REGISTERED OWNER/ LESSEE | Restrictions/Limitations |
|----------------------------|------------------------|---|---|---------------------------------|
| 016-367-804 | 01826.010 | Lot A, Plan 43645 2901 – 35 th Avenue | Powerhouse Theatrical Society | |
| 001-796-518 001-795-660 | 02868.000 02869.000 | Lot 10 Block 3 Plan 384 Lot 1 Plan 35603 1705 – 32 nd Avenue | Vernon Community Music School Association | |
| | 00635.002 | Plan KAP372C A-2704 Highway 6 | Arts Council of the North Okanagan | |

Schedule 3

Attached to and forming part of
“Tax Exemption Amendment Bylaw Number 5870, 2021”

Schedule “F”

TAX EXEMPT MIXED AND UNIQUE PROPERTIES: 2019 - 2024 TAXATION YEARS

| P.I.D. NO. | ROLL NO. | LEGAL DESCRIPTION/ CIVIC ADDRESS | REGISTERED OWNER/ LESSEE | Restrictions/Limitations |
|---|--|--|--|---|
| 009-618-121 | 02366.003 | LT 4 PL 10156 SEC 3 2500 46 Avenue | Army Navy & Air Force Veterans | 100% Exemption Class 08 Only |
| 026-127-598 | 04135.010 04135.015 | Lot 1, Plan KAP76941 3400 – 39 th Avenue | City of Vernon - Recreation Complex (Vernon Curling and Athletic Club) | 100% Exemption |
| 026-127-598 | 04135.010 04135.013 | Lot 1, Plan KAP76941 3310 – 37 th Avenue | City of Vernon – Recreation Complex (Vernon Senior Citizens' Society - Halina Seniors Centre) | 100% Exemption |
| 026-127-598 | 04135.010 | Lot 1, Plan KAP76941 3600 – 33 rd Street | City of Vernon – Recreation Complex (Boys and Girls Club - Centennial Building) | 2019 – 93% Exemption 2020 – 87% Exemption 2021 – 80% Exemption 100% Exemption on Class 6 Only |
| 005-511-925 | 04486.000 | LT 2 PL 939 5104 20 St | Rita Bos (Heronry Protection Covenant KF114463) | 100% Exemption on 40% Taxes |
| 025-796-071 | 01850.002 | LT A PL KAP74360 3104 37 Avenue | Okanagan Boys and Girls Clubs (Teen Junction) | 2018 – 33% Exemption 2019 – 67% Exemption 2020 – 100% Exemption |
| 011-179-520 | 07815.000 | Plan B7940, D.L. 6 7811 & 7813 Okanagan Landing Road | Okanagan Landing & District Community Association | Encompassing the Community Hall, Heritage House, and the North Okanagan Sailing Association facilities and fencing shown outlined in black on Schedule “AB” attached. |
| N/A | 07871.000 | DL 2167 7815 Okanagan Landing Road | Okanagan Landing & District Community Association | Foreshore - Water Lease No. 334796 100% Exemption |
| 025-863-851 025-863-860 025-863-878 | 04487.047 04487.048 04487.049 | Lot 7 - 9, Plan KAS2607 107, 108, 109 - 2200 53 rd Avenue | Southland Development Corp & Urban Pacific Real Estate Corp. (Heronry - 53 Ave) | 100% Exemption |
| 008-256-993 | 02676.002 | That part of Lot 2, Plan 18333 1905 – 47 th Avenue | St. John Ambulance | 75% Exemption |

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| 009-432-663 | 02255.007 | LT 1 PL 12430 4306 25 Street | Sunnyvale Resthome Society | 33% Exemption |
| 009-432-671 | 02255.009 | LT 2 PL 12430 4308 25 Street | Sunnyvale Resthome Society | 33% Exemption |
| 004-701-071 | 02255.015 | Lot A, Plan 27754 4304 – 25 th Street | Sunnyvale Resthome Society | 33% Exemption |
| 012-443-441 | 01067.000 | Lot 17 Block 62 Plan 327 3102 – 31 st Avenue | Vernon & Area Pro Life Society | 92.5% Exemption |
| 004-741-048 | 01196.001 | Lot 1, Plan 27701 3400 Coldstream Avenue | Vernon Pensioners Accommodation Society (McCulloch Court) | 33% Exemption |

Schedule 4

Attached to and forming part of
“Tax Exemption Amendment Bylaw Number 5870, 2021”

Schedule “A”

TAX EXEMPT PLACES OF WORSHIP PROPERTIES 100% EXEMPTION: 2019 - 2024 TAXATION YEARS

| P.I.D. NO. | ROLL NO. | LEGAL DESCRIPTION/ CIVIC ADDRESS | REGISTERED OWNER/ LESSEE | Restrictions/Limitations |
|---|-----------|---|---|--|
| 006-380-808 006-380-816 006-380-824 006-380-832 006-380-859 | 05560.000 | Lots 8 to 12, Plan 23514 3906 – 35 th A Street | Elim Tabernacle (Alexis Park Church) Alexis Park Church | |
| 024-132-225 | 00093.000 | Lot 1, Plan KAP61697 3201, 3205 & 3301 – 27 TH Street | Synod Diocese of Kootenay (All Saints Anglican Church) | |
| 026-133-199 | 05480.000 | Lot 1, Plan KAP76994 3605 – 12 th Street | Christian Reformed Church of Vernon | That Part of Lot 1, Plan 17780 further described by a metes and bounds description on Schedule "I" attached hereto and forming part of this bylaw |
| 006-671-489 | 06464.000 | Lot B, Plan 22949 4300 Bella Vista Road | Church of God of Prophecy of Canada (Bella Vista Church of God) | That Part of Lot B, Plan 22949 commencing at the north easterly corner of Lot B, thence $\pm 62.79^m$ south along the easterly boundary of said Lot, thence $\pm 30.05^m$ in a south westerly direction parallel to the north westerly boundary of said Lot; thence north $\pm 62.79^m$ in a direction parallel to the easterly boundary; thence easterly ± 30.05 along the north westerly boundary of said Lot, to the point of commencement, as shown attached to this bylaw as Schedule “J” |
| 004-408-951 | 05287.003 | Lot B, Plan 29117 3412 – 15 th Avenue | Emmanuel Fellowship Baptist Church | |
| 008-257-442 | 01975.000 | Lot 1, Plan 18324 3910 – 27A Street | Faith Baptist Church Trustees | |
| 012-469-084 | 02007.000 | LT 5 BLK 3 PL 383MV 3909 28 St | Faith Baptist Church of Vernon | Lot 5, Block 3, Plan 363MV, registered in the name of Faith Baptist Church of Vernon, having and address of 3909 28 St, Vernon, British Columbia as shown attached to this bylaw as Schedule “K” |

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| 012-570-141 | 02997.000 | Lot 8, Plan B1693 1406 – 32 nd Avenue | First Baptist Church | That Part of Lot 8, Plan B1693, except Parcels B5755, 15648 and 23894, described as commencing at the north east corner of said Lot; thence south $\pm 61.47^m$ along the easterly boundary of said Lot; thence $\pm 14.02^m$ west along the south boundary of said Lot; thence north $\pm 61.47^m$ in a direction parallel to the east boundary of said Lot; thence east along the north boundary for a distance of $\pm 14.02^m$ to the point of commencement, as shown attached to this bylaw as Schedule "L" |
| 026-360-993 | 02264.007 | Lot A, Plan KAP78630 4312 – 25 th Street | Canadian Mission Board of the German Church of God of Thedominion (German Church of God) | |
| 009-453-822 | 03709.001 | Lot 1, Plan 11847 1506 – 35 th Street | The Church of Jesus Christ of Latter-day Saints in Canada | That Part of Lot 1, Plan 11847 described by a metes and bounds description as shown on Schedule "M" attached hereto and forming part of this bylaw |
| 011-342-471 | 00866.000 | Plan B661, District Lot 72 3701 – 32 nd Avenue | Knox Presbyterian Church (Vernon) Trustees (Knox Presbyterian Church) | |
| 009-640-479 | 07357.550 | Lot 3, Plan 9738 6525 Okanagan Landing Road | Living Word Lutheran Church | Lot 3, Plan 9738, except for that part commencing at the northeast corner of said Lot; thence south easterly along the easterly boundary for a distance of $\pm 48.164m$; thence south westerly in a direction perpendicular to the easterly boundary of said Lot for a distance of $\pm 42.930m$ to the westerly boundary; thence north westerly along the westerly boundary for a distance of $\pm 74.714m$ to Vernon Creek; thence north easterly for a distance of $\pm 3.499m$; thence south easterly for a distance of $\pm 49.679m$ to the point of commencement, as shown attached to this bylaw as Schedule "N" |
| 003-604-381 | 02565.020 | Lot 4, Plan 31801 4203 Pleasant Valley Road | New Apostolic Church of Canada | That Part of Lot 4, Plan 31801 commencing at the north west corner of said Lot 4, $\pm 31.05^m$ in an easterly direction along the northerly boundary of said Lot; thence $\pm 14.79^m$ in a south westerly direction along the easterly boundary of said Lot; thence $\pm 30.87^m$ in a direction parallel to the northerly direction of said Lot; thence $\pm 14.79^m$ in a northerly direction along the west boundary of |

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| | | | | said Lot to the point of commencement, as shown attached to this bylaw as Schedule "O" |
| 018-376-347 | 03714.025 | Lot 1, Plan KAP50463 3800 Commonage Crescent | North Okanagan Sikh Cultural Society of Vernon | Except that part shown attached to this bylaw as Schedule "P" |
| 004-408-942 | 05287.002 | Lot A, Plan 29117 1424 Mission Road | Jehovah's Witnesses Church OK Assembly | That Part of Lot A, Plan 29117 except for that part deemed for residential use and described by a metes and bounds description as shown on Schedule "Q" attached hereto and forming part of this bylaw |
| 004-003-861 004-003-845 | 04092.000 | Lots 35 and 36, Plan 459 3016 – 37 th Street | Priestly Society of St. Pius X (Our Lady of Peace) | |
| 008-211-795 | 06029.001 | Lot 2, Plan 18765 1204 – 30 th Avenue | Peace Lutheran Church | That Part of Rem. of Lot 2, Plan 18765 further described by a metes and bounds description on Schedule "R" attached hereto and forming part of this bylaw |
| 023-443-308 | 00844.005 | Lot A, Plan KAP57034 3303 – 32 nd Avenue | Governing Council of the Salvation Army Can West (Salvation Army Community Church) | |
| 003-002-446 | 01913.110 | Lot 8, Plan 34125 2306 – 40 th Avenue | Slavic Christians of Evangelical Faith | That Part of Lot 8, Plan 34125, commencing at the north easterly corner of Lot 8, Plan 34125 thence south along the easterly boundary of said Lot, for a distance of $\pm 99.0^m$; thence west along the southerly boundary of said Lot, for a distance of $\pm 27.17^m$; thence north in a direction parallel to the easterly boundary of said Lot for a distance of $\pm 92.84^m$; thence $\pm 28.3^m$ in an easterly direction along the arc as part of the north boundary of said Lot adjacent to 40 Avenue, to the point of commencement, as shown attached to this bylaw as Schedule "S" |
| 024-795-097 | 00517.000 | Lot A, Plan KAP66933 2607 – 27 th Street | Roman Catholic Bishop of Kamloops (St. James Roman Catholic Church) | |
| 011-025-433 | 02546.000 | Lot 2, Plan 2425 2210 – 40 th Avenue | Ukrainian Catholic Church | That Part of Lot 2, Plan 2425, except Plans 13402 and 34125, except that part described as commencing at the south west corner of Remainder of Lot 2, Plan 2425 thence $\pm 65.23^m$ north along the westerly boundary of said Lot; thence $\pm 59.19^m$ east in a direction parallel to the southerly boundary to a point on the east boundary of said Lot; thence south $\pm 65.23^m$ along the easterly boundary of said Lot; thence |

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| | | | | west for a distance of $\pm 59.19^m$ along the southerly boundary of said Lot to the point of commencement, as shown attached to this bylaw as Schedule "T" |
| 003-197-361 | 04158.100 | Lot 1, Plan 33437 3300 Alexis Park Drive | The Trustees of the Congregation of Trinity United Church | Lot 1, Plan 33437, registered in the name of the Trustees of the Congregation of Trinity United Church, having an address at 3300 Alexis Park Drive, Vernon, British Columbia (PID: 003-197-361), as shown attached to this bylaw as Schedule "U". (Bylaw 5519) |
| 016-334-345 | 01920.010 | Lot 1, Plan 43588 4105 – 27 th Street | Ukrainian Greek Orthodox Church | Commencing at the southwest corner of said Lot 1, Plan 43588; thence north along the westerly boundary (which is also the easterly boundary of 27 th Street), for a distance of $\pm 24.750^m$; thence east for a distance of $\pm 66.970^m$ in a direction parallel to the south boundary of said Lot; thence south for a distance of $\pm 24.750^m$ in a direction parallel to the west boundary of said Lot (which is also the west boundary of 26 th Street); thence west for a distance of $\pm 66.932^m$ to the point of commencement (which is also the north boundary of 41 st Avenue), as shown attached to this bylaw as Schedule "V" |
| 023-051-019 | 02245.005 | Lot 1 Plan KAP54577 4301 27 Street | Christian and Missionary Alliance (Vernon Alliance Church) | |
| 002-635-569 | 02249.000 | Plan B1146 Section 3 4305 27 Street | Christian and Missionary Alliance (Vernon Alliance Church) | |
| 024-367-648 | 02253.000 | Lot 1, Plan KAP63560 2601 – 43 rd Avenue | Christian and Missionary Alliance (Vernon Alliance Church) | |
| 002-697-556 | 06099.020 | Strata Lot 19, Plan KAS 112 #19 – 2200 – 40 th Street | Trustees Vernon Christadelphian | |
| 010-946-837 | 02402.000 | Lot 8 Plan 3020 4507 – 29 th Street | Vernon Christian Fellowship | |
| 005-079-985 | 04451.002 | Lot 1, Plan 26611 4506 – 29 th Street | Vernon Christian Fellowship | |
| 003-931-374 | 02534.007 | Lot 4, Plan 27846 4107 Pleasant Valley Road | Vernon Church of Christ | That Part of Lot 4, Plan 27846 commencing at the north west corner of Lot 4, Plan 27846; thence $\pm 19.95^m$ in a north east direction along the westerly boundary of said Lot adjacent to Pleasant Valley Road; thence in a south east direction parallel to the north easterly boundary of said Lot for a |

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| | | | | distance of $\pm 48.77^m$; thence in a north easterly direction parallel to the westerly boundary for a distance of $\pm 24.04^m$; thence southerly along the easterly boundary of said Lot for a distance of $\pm 49.06^m$; thence in a westerly direction $\pm 31.61^m$; thence north westerly for a distance of $\pm 51.97^m$ to the point of commencement, as shown attached to this bylaw as Schedule "W" |
| 023-068-175 | 03820.005 | Lot 1, Plan KAP54724 3508 – 25 th Avenue | Pentecostal Assemblies of Canada (Vernon Family Church) | |
| 008-939-594 | 07401.340 | Lot 1, Plan 14491 5871 Okanagan Landing Road | Vernon Full Gospel Tabernacle Inc. | Lot 1, Plan 14491 to the extent of 7,581 square meters, representing seven times the footprint of the building with regard to land plus the improvements, as shown attached to this bylaw as Schedule "X" |
| 004-621-077 | 02563.015 | Lot 2, Plan 28199 4106 Pleasant Valley Road | Vernon Gospel Chapel | |
| 011-379-111 | 07433.200 | Plan 1689, DL 69 4895 Bella Vista Road | Vernon Japanese Cultural Society | |
| 010-705-457 | 03725.000 | LT 6 PL 3850 3414 17 Ave | Vernon Muslim Association | Lot 6, Plan 3850 District Lot 73 ODYD Except Plan KAP81240, being registered in the name of the Vernon Muslim Association, having an address at 3414 17 Ave, Vernon, British Columbia, as shown attached to this bylaw as Schedule "Y" |



THE CORPORATION OF THE CITY OF VERNON

INTERNAL M E M O R A N D U M

TO: Will Pearce, CAO **FILE:** 1970-16
PC: Mayor and Council **DATE:** September 29, 2021
Debra Law, Director, Financial Services
FROM: Terry Martens, Manager, Financial Operations
SUBJECT: TAX EXEMPTION AMENDMENT BYLAW NUMBER 5870, 2021

During the Regular Council Meeting of September 27, 2021, Council passed a resolution for a series of additions, deletions and amendments to the tax exemption bylaw for the 2022 tax year. Tax Exemption Amendment Bylaw Number 5870, 2021 includes all of the changes approved by Council and is being presented for first three readings on October 12, 2021.

Section 6 of the proposed bylaw includes a number of housekeeping amendments which were not presented to Council on September 27, 2021. These items pertain to the following:

- Removing references to past phase-in exemptions for properties where the exemption has now reached the maximum permitted;
- Amending several roll numbers;
- Changing the registered owner names for two properties.

These housekeeping changes are shown in the schedules of the bylaw.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. Martens'.



October 5, 2021

Ref: 268249

Their Worship Mayor Victor Cumming
City of Vernon
3400 30th St
Vernon BC V1T 5E6

Dear Mayor Cumming:

Thank you for your letter of September 8, 2021, addressed to the Honourable John Horgan, Premier, and me, regarding lowering the municipal election voting age. As Minister of Municipal Affairs, I am pleased to respond on the Premier's behalf.

At the 2019 Union of BC Municipalities (UBCM) Convention, the membership endorsed a resolution calling on the Province of British Columbia to revise the voting age for local government elections to 16 years of age. The province's response to the 2019 UBCM resolution B108, reads as follows:

"Government is interested in encouraging active civic engagement among all British Columbians. Traditionally, the voting age in local and provincial elections have been the same and requires voters to be 18 years of age at the time of voting; this ensures both consistency and helps to minimize public confusion in relation to voting. Lowering the voting age for local elections would require careful consideration and analysis including considering matters such as exploring reasons of age requirements on voter eligibility, ease of administration and the implications of a divergence in the voting age for federal, provincial and local elections. Issues such as the adoption of provincial voters lists for local elections and voter identification requirements would also need to be considered. Currently, no Canadian jurisdiction permits youth to vote in regular elections. Several jurisdictions worldwide, including Austria, Argentina, and Scotland, have lowered the voting age to 16. Future work will include reviewing the experiences of these and other jurisdictions."

The province has been reviewing this matter, including undertaking policy analysis to identify the implications of such a change including the experiences of other jurisdictions that have lowered the voting age. Any change to the current voting requirements would involve further consultation with citizens, local governments and UBCM.

.../2

Their Worship Mayor Victor Cumming
Page 2

Thank you again for sharing your views with me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Josie', with a stylized flourish extending to the right.

Josie Osborne
Minister

pc: Honourable John Horgan, Premier



MINUTES OF THE JOINT BIOSOLIDS ADVISORY COMMITTEE

HELD WEDNESDAY, APRIL 21, 2021

PRESENT: VOTING – all attended via zoom

Kelowna Councillor Ryan Donn, Chair
Kelowna Councillor Gail Given
Kelowna Councillor Loyal Woodridge
Vernon Mayor Victor Cumming
Vernon Councillor Scott Anderson

ABSENT: Rod McLean, Utility Planning Manager, Kelowna
James Rice, Director, Operation Services, Vernon

STAFF: Joe Creron, Deputy City Manager, Kelowna
Jose Garcia, Biosolids Supervisor, Kelowna
Kevin Van Vliet, Utility Services Manager, Kelowna
Scott Hoekstra, Landfill and Compost Manager, Kelowna
Chris Ovens, General Manager, Public Works, Vernon
Serge Kozin, Manager, Water Reclamation Centre, Vernon
Natasha Kositsin, Legislative Secretary, Vernon

ORDER

The Chair called the meeting to order at 9:02 a.m.

**ADOPTION OF
AGENDA**

Moved by Councillor Given, seconded by Councillor Woodridge:

THAT the agenda for the Joint Biosolids Advisory Committee meeting of Wednesday, April 21, 2021 be adopted.

CARRIED.

**ADOPTION OF
MINUTES**

Moved by Councillor Given, seconded by Councillor Woodridge:

THAT the minutes for the Joint Biosolids Advisory Committee meeting of Wednesday, October 7, 2020 be adopted.

CARRIED.

UNFINISHED BUSINESS:**2020 SUMMARY**

Jose Garcia, Biosolids Supervisor provided a summary of 2020 and the following points were noted:

Ogogrow

- The Regional Compost Facility received 33,205 MT biosolids – 91% of permitted capacity
- 32,423 m3 of Ogogrow compost sold
- \$281,550 in sales revenue

2020 compared to 2019

- Received 5% more biosolids from all sources
- Individually, Kelowna had a 3.1% increase, Vernon had a 6.9% increase and Lake Country had a 13% increase in material sent to the facility
- Sold 22% less in volume
- Made 26% more in revenue
- Bulk purchase opportunity opened later and for a shorter time than in previous years
- Made it through the winter without too many issues with space
- Steady increase in volume over the last 5 years and inching closer toward our capacity at 36,400 MT biosolids

Other achievements in 2020

- Replaced biofilters
- Large scale paving repairs
- Installed new misting system as required by permit – will be operational by May 1st as required from May to October
- Procured new odour monitoring system (EnviroSuite) – to be installed in May
- Developed management and disposal plan for left-over sludge from 2019 pond-lining project
- Installed pond aerator to reduce odours
- Obtained new Volvo 110H loader
- Replaced scale hardware

2020 Financials – Operating

- Payroll \$894,684 actual (budget \$976,764 – Environmental Technician II retired mid-year 2020 – position was only replaced in March 2021)
- Expenses \$1,565,000 (budget \$1,794,695 – Feedstocks, equipment, fuel, materials and supplies, repair parts)

2020 Financials – Capital

ODOUR/LEACHATE MANAGEMENT UPDATE

- Composting Facility, Biosolids Leachate (Pond Lining and Sludge Disposal project) multi-year project (2018-2023) is in sludge disposal stage
- Roll off Front End Loader – Composting Facility, Light Duty Truck (Biosolids) and Secondary Odour Control Misting System purchases are all complete
- Pavement Repairs is in progress as a multi-year project (2020-2022)
- Exterior Biosolids Tipping Bay and Pond Pump Kiosk are carry-over projects from 2020 and are in progress
-

Jose Garcia, Biosolids Supervisor provided an update on the Odour and Leachate Management and the following points were noted:

Odour Management

- OdoWatch system are unsupported & obsolete – will be replaced with EnviroSuite system and can add more monitors in the future
- Misting system installed in late summer 2020 will be operational by May 2021 as required by permit
- Installed pond aerator in fall 2020 and is in use

Leachate

- Switched to summer water from MacKay reservoir
- Run off and leachate collection systems are working well
- Pond aerator helping reduce odours
- Sludge from pond-lining project was collected in cells and left to dry

Management and Disposal

- Required more budget
- Sampled and explored re-use and disposal options
- Offsite disposal was preferred option
- Hauling dry portion to the Vernon Landfill this week
- Moist material will be spread, turned and allowed to dry over the summer
- Anticipate we will haul more material in the fall and spring in 2022

KELOWNA AND VERNON BIOSOLIDS UPDATE

Chris Ovens, General Manager, Public Works provided an update on Vernon biosolids and Kevin Van Viet, Utility Services Manager provided an update on Kelowna biosolids. The following points were noted:

Vernon

- Digester for Okanagan Spring Brewery project is moving ahead
- Design will be sent to procurement next month
- Hoping to break ground in the fall with completion in 2022

Kelowna

- Have a preliminary design for the Digester
- Dealing with ALR is a work in progress
- Four to five years before the digester will be built looking at moving at diverting of biosolids from Kelowna to a Brenda Mines or to Princeton facility
- Long term goal is to accept enough biosolids so that all the compost produced can be sold
- Ensure sufficient capacity as region grows

REGULATORY UPDATE

Jose Garcia Biosolids Supervisor City of Kelowna provided a regulatory update and the following points were noted:

- There is no update at this time for revisions to the current Organic Matter Recycling Regulation (OMRR)
- The Ministry of Environment are continuing to review the feedback to the Intentions Paper and assessing ramifications of any proposed changes

STAFFING UPDATE

Jose Garcia, Biosolids Supervisor for the City of Kelowna provided an update on staffing and the following points were noted:

- Hired a Compost Coordinator in March 2021 who replaced the Environmental Technician II
- Key position for this facility and onsite full time
- Coordinate day to day activities
- Ensure regulatory compliance
- Oversee asset repairs and maintenance
- Promoting product
- Gives capacity to be more proactive
- Environmental Tech II came back on a casual basis during the hiring process and to help train replacement

NEW BUSINESS:**INFORMATION ITEMS:****ODOUR REPORTS**

Jose Garcia, Biosolids Supervisor for the City of Kelowna reviewed odour reports and the following points were noted:

- 18 odour reports in 2020

- Open communication - Informing and communicating with neighbours of changes to the process or projects that may cause odours, and of control measures, has played a part in the dwindling of complaints

NEXT MEETING

The next meeting is scheduled for October 6, 2021 from 10 – 11 a.m. via zoom, providing the PHO is still in effect.

ADJOURNMENT

The meeting of the Biosolids Advisory Committee adjourned at 9:51 a.m.

CERTIFIED CORRECT:

Ryan
Donn

Digitally signed
by Ryan Donn
Date: 2021.10.06
10:12:00 -07'00'

Chair