



# THE CORPORATION OF THE CITY OF VERNON

## A G E N D A

### REGULAR OPEN MEETING OF COUNCIL

### CITY HALL COUNCIL CHAMBER

FEBRUARY 28, 2022

AT 8:40 AM

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

*All Council meetings will be conducted under the provisions of the Provincial Health Officer's Orders:*

- *Face Coverings (COVID-19) – December 3, 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. A hand-washing and/or sanitizing station will 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

- 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.

#### 2. MOVE TO COMMITTEE OF THE WHOLE

#### 3. RECONVENE REGULAR MEETING AND RESOLUTION TO CLOSE MEETING

- A. BE IT RESOLVED that the meeting be closed to the public in accordance with Section 90 of the *Community Charter* as follows:

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

#### LAND ACKNOWLEDGEMENT

(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

**4. RECONVENE OPEN COUNCIL MEETING 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 February 28, 2022, Regular Open Meeting of Council be adopted as circulated.

**5. ADOPTION OF MINUTES AND RECEIPT OF COMMITTEE OF THE WHOLE**

**MINUTES  
(P. 9, 23)**

A. THAT the minutes of the Regular Meeting of Council held February 14, 2022 be adopted;

AND FURTHER, that the minutes of the Public Hearing held February 14, 2022 be adopted;

AND FURTHER, that the minutes of the Committee of the Whole Meeting of Council held February 14, 2022 be received.

**6. BUSINESS ARISING FROM THE MINUTES**

**7. GENERAL MATTERS**

**DELEGATION – NORTH  
OKANAGAN CYCLING  
SOCIETY – YOUTH  
PROGRAMS AND  
DEVELOPMENT  
COMMITTEE  
(6520-25)  
(P. 25, 26, 113, 164)**

A. Nicole Robert, Ed Jule and members of the Youth Programs and Development Committee, North Okanagan Cycling Society, will present to Council regarding a mountain bike skills area as part of the Kin Race Track Development Plans.

**8. COUNCIL INQUIRIES**

**9. ADMINISTRATION UPDATES**

**ADMINISTRATION  
UPDATES  
(0550-05)  
(P. 176)**

A. THAT Council receive the Administration Updates dated February 28, 2022, for information.

## 10. UNFINISHED BUSINESS

**WASTE COLLECTION  
SERVICES –  
ORGANICS  
PROCESSING  
(5360-05)  
(P. 178)**

- A. THAT Council receive the memorandum titled “Waste Collection Services – Organics Processing”, dated February 22, 2022, respectfully submitted by the Manager, Roads, Drainage and Airport for information.

**2022 SPRING  
SWEEPING - UPDATE  
(5400-14)  
(P. 179)**

- B. THAT Council receive the memorandum titled “2022 Spring Sweeping – Update” dated February 16, 2022 respectfully submitted by the General Manager, Public Works for information.

**KIN RACE TRACK  
ATHLETIC PARK TEST  
FIT REVIEW  
(6520-32)  
(P. 183)**

- C. THAT Council confirms the inclusion of *(to be cited by Council)* in the Kin Race Track Athletic Park and directs Administration to proceed to develop a concept plan for public engagement to be presented to Council for its consideration at its Regular Meeting of April 25, 2022 as outlined in the memorandum titled “Kin Race Track Athletic Park Test Fit Review” dated February 17, 2022 and respectfully submitted by the Manager of Long Range Planning and Sustainability.

**RETAIL CANNABIS  
BUFFER  
AMENDMENTS  
(4330-01)  
(P. 187)**

- D. **Option 1 (exclude the primary and secondary BIAs from the 500m buffer regulation):**

THAT Council support the proposed amendment to Zoning Bylaw 5000 to incorporate a proximity buffer prohibition on Retail Cannabis Stores and exclude the primary and secondary Business Improvement Areas from the 500m buffer regulation as contained in Attachment 1 of the memorandum titled “Retail Cannabis Buffer Amendments” dated February 17, 2022, and respectfully submitted by the Current Planner.

**Option 2 (the 500m buffer regulation applies throughout the City including both the primary and secondary BIAs):**

THAT Council rescind the following resolution from the January 24, 2022 Regular Meeting:

*THAT Council direct Administration to bring forward the following amendment bylaws for Council’s consideration at the February 14, 2022 Regular Meeting of Council as outlined in the report titled “Retail Cannabis Licensing Regulations and Sensitive Uses” dated January 11, 2022 and respectfully submitted by the Current Planner:*

- a) *Amend Zoning Bylaw #5000 to include a 500m proximity buffer prohibition on retail cannabis stores from other retail cannabis stores (not to apply in Business Improvement Areas 1 and 2) and a 250m proximity buffer prohibition from K to 12 schools;*
- b) *Amend Delegation of Authority Bylaw #5727 to include the delegation of Council's authority to make recommendations and comments on provincial applications for a retail cannabis store licence in response to referrals provided by the Liquor and Cannabis Regulation Branch; and*
- c) *Amend Business Licence Bylaw #5480 to include a lapse provision for applications that are not active for a period of twenty-four months;*

AND FURTHER Council direct Administration to bring forward the following amendment bylaws for Council's consideration as outlined in the report titled "Retail Cannabis Licensing Regulations and Sensitive Uses" dated January 11, 2022 and respectfully submitted by the Current Planner:

- a) Amend Zoning Bylaw 5000 to prohibit retail cannabis stores from being located within 500m of another retail cannabis store location and further that retail cannabis stores be prohibited from being located within 250m of K to 12 schools;
- b) Amend Delegation of Authority Bylaw 5727 to include the delegation of Council's authority to Administration to make recommendations and comments on provincial applications for a retail cannabis store licence in response to referrals provided by the Liquor and Cannabis Regulation Branch; and
- c) Amend Business Licence Bylaw 5480 to include a lapse provision for applications that are not active for a period of 24 months;

AND FURTHER Council support the proposed amendment to Zoning Bylaw 5000 to incorporate a proximity buffer prohibition on Retail Cannabis Stores throughout the city as contained in Attachment 2 of the memorandum titled "Retail Cannabis Buffer Amendments" dated February 17, 2022, and respectfully submitted by the Current Planner.

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

**12. NEW BUSINESS**

**CHILD CARE SPACE  
CREATION PROJECTS  
PROGRESS -  
FEBRUARY  
(8215-05)  
(P. 199)**

A. THAT Council receive for information the memo titled “Child Care Space Creation Projects Progress – February”, dated February 18, 2022 and respectfully submitted by the Manager, Community Recreation.

**PROTECTIVE  
SERVICES 2021 YEAR  
END REPORT  
(4000-10)  
(P. 202)**

B. THAT Council receive the memorandum titled “Protective Services 2021 Year End Report”, dated February 8, 2022 respectfully submitted by the Manager, Protective Services, for information.

**FIXED, LARGE  
VOLUME NOZZLE  
PROJECT  
(7380-01)  
(P. 231)**

C. THAT Council authorize the additional funds from the Fire Equipment Reserve in an amount up to and not exceeding \$9,350 for the completion of the Fixed, Large Volume Nozzle Project, as outlined in the memorandum titled “Fixed, Large Volume Nozzle Project” dated February 15, 2022, and respectfully submitted by the Director, Fire Rescue Services.

**2021 FOURTH  
QUARTER & YEAR END  
DEVELOPMENT &  
TOURISM INDICATORS  
SUMMARY  
(6970-20)  
(P. 232)**

D. THAT Council receive for information the memorandum titled “2021 Fourth Quarter and Year End Development and Tourism Indicators Summary” dated February 16, 2022 and respectfully submitted by the Manager, Economic Development and Tourism.

**2021 FINANCIAL  
IMPACT OF COVID  
(1830-01)  
(P. 244)**

E. THAT Council direct Administration to not transfer \$249,733 to Recreation Services from the COVID Safe Restart Grant funds for a 2021 anticipated budget shortfall in Recreation Services;

AND FURTHER, that Council direct Administration to return COVID Safe Restart Grant funds to the District of Coldstream (\$56,287) and the Regional District of North Okanagan Electoral Areas B & C (\$59,087);

AND FURTHER, that Council appropriate \$96,857 for direct COVID costs in 2021, and appropriate \$1,400,248 for net revenue shortfalls related to COVID, for a total of \$1,497,105 from the Provincial Safe Restart Grant, as identified in the memorandum dated February 18, 2022 respectfully submitted by the Director, Financial Services.

**PAY BY PHONE  
TRANSACTION FEES  
(4000-02)  
(P. 246)**

F. THAT Council approve Bylaw amendments to the “Fees and Charges Bylaw Number 3909, 1993” as presented in the memorandum titled “Pay by Phone Transaction Fees”, dated January 31, 2022 and respectfully submitted by the Manager, Protective Services.

**PROPOSED  
AMENDMENTS TO  
BYLAW #3909 (FEES  
AND CHARGES)  
(3900-02 CID)  
(P. 250)**

G. THAT Council support amendments to Bylaw #3909 (Fees and Charges) as identified on Attachment 1 in the report titled “Proposed Amendments to Bylaw #3909 (Fees and Charges)” dated February 22, 2022 and respectfully submitted by the Director, Community Infrastructure and Development.

**PROPOSED  
AMENDMENTS TO  
BYLAW #3909 (FEES  
AND CHARGES)  
(3900-02 CSLA)  
(P. 255)**

H. THAT Council support amendments to Bylaw #3909 (Fees and Charges) as identified on Attachment 1 in the report titled “Proposed Amendments to Bylaw #3909 (Fees and Charges)” dated February 23, 2022 and respectfully submitted by the Manager, Real Estate.

**REZONING  
APPLICATION FOR  
8801 TAVISTOCK  
ROAD  
(ZON00380/DP000940)  
(P. 258)**

I. THAT Council support rezoning application 380 (ZON00380) to rezone Lot B, DL 298, Plan KAP91703, ODYD (8801 Tavistock Road) from RH1 – Low-Rise Residential to RM1 – Row Housing Residential in order to construct five semi-detached dwellings as outlined in the report titled “Rezoning Application for 8801 Tavistock Road” dated February 17, 2022 and respectfully submitted by the Manager, Current Planning;

AND FURTHER, that Council direct Administration to waive the Public Hearing as per Section 464(2) of the *Local Government Act* for the zoning amendment for 8801 Tavistock Road as the rezoning complies with the Official Community Plan.

**SOUTHERN INTERIOR  
LOCAL GOVERNMENT  
ASSOCIATION 2022  
CONVENTION AND  
FEDERATION  
CANADIAN  
MUNICIPALITIES  
ANNUAL  
CONFERENCE AND  
TRADE SHOW 2022 –  
COUNCIL  
ATTENDANCE  
(0530-10 2022)  
(P. 273)**

I. THAT the memorandum titled “Southern Interior Local Government Association 2022 Convention and Federation of Canadian Municipalities Annual Conference and Trade Show 2022 – Council Attendance” dated February 18, 2022 and respectfully submitted by the Manager, Legislative Services be received;

AND FURTHER, that Council approve (**to be cited by Council**) to attend the Southern Interior Local Government Association 2022 Convention, to be held in Salmon Arm, BC from April 26 to 29, 2022;

AND FURTHER, that Council approve (**to be cited by Council**) to attend the Federation of Canadian Municipalities Annual Conference and Trade Show 2022, to be held in Regina, SK, from June 2 to 5, 2022.

**SOUTHERN INTERIOR  
LOCAL GOVERNMENT  
ASSOCIATION  
RESOLUTION –  
SUSTAINABLE  
FUNDING FOR PUBLIC  
LIBRARIES  
(0360-25)**

J. THAT Council endorse the following resolution:

**WHEREAS** libraries in British Columbia are largely financed by levies paid by local governments, and where provincial library funding has remained stagnant for the past 10 years;

**AND WHEREAS** public libraries are central to communities, providing equitable access to vital resources, including internet, computers, digital library tools, and in-person services from expert staff;

**AND WHEREAS** public libraries provide British Columbians with low-barrier services, that support job seekers and small businesses, that increase literacy in communities, that advance reconciliation with Indigenous peoples, and that promote equity and inclusion;

**THEREFORE BE IT RESOLVED** that the City of Vernon urge the Government of British Columbia to provide long-term sustainable funding for public libraries in BC;

**AND BE IT FURTHER RESOLVED** that the Province ensure that BC Libraries will henceforth receive regular increases to Provincial Government funding in subsequent years.

### 13. LEGISLATIVE MATTERS

#### A. Bylaws:

**ADOPTION**  
• 5885

(i) THAT Bylaw 5885, “**Subdivision and Development Servicing (Sections 1 through 9) Amendment Bylaw 5885m 2022**”, a bylaw to adjust the minimum triggering threshold and maximum potential value for offsite works and servicing requirements, be **adopted. (P. 292)**

**FIRST, SECOND &  
THIRD READINGS**  
• 5892

(ii) THAT Bylaw 5892, “**Election Procedure (Randomized Ballots, Advance Voting, Nomination Documents) Amendment Bylaw 5892, 2022**”, a bylaw to amend the procedures and requirements of ‘Election Procedure Bylaw Number 3971, 1993’, be read a first, second and third time. **(P. 321)**

### 14. COUNCIL INFORMATION UPDATES

#### A. Mayor and Councillors Reports.

**15. INFORMATION ITEMS**

- A. Letters dated January 28, 2022 from Leslie Baird, Mayor, Village of Cumberland re: A Health Based Approach to the Substance Use Act **(P. 324)**
- B. Letter dated February 1, 2022 from Rod Crowe, Mayor, Village of Chase re: BC Wildfire Petition – District of Lillooet **(P. 327)**
- C. Letter dated February 2, 2022 from Lisa Helps, Mayor, City of Victoria re: Support for the legal challenge of the Government of Quebec – Bill 21 **(P. 329)**
- D. Letter dated February 17, 2022 from Linda Buchanan, Mayor, City of North Vancouver re: Transport Canada Augments Regulation for Micromobility Devices **(P. 333)**
- E. Minutes from the following Council Committee:
  - i) Advisory Planning, December 14, 2021 **(P. 335)**

**CLOSE**

**16. CLOSE OF MEETING**