



THE CORPORATION OF THE CITY OF VERNON

MEMORANDUM

TO: Will Pearce, CAO **FILE:** 6135-01

PC: Kim Flick, Director, Community Infrastructure and Development **DATE:** August 8, 2022
Kevin Poole, Director, Community Safety, Lands and Administration

FROM: Laurie Cordell, Manager, Long Range Planning and Sustainability

SUBJECT: **REGIONAL DISTRICT OF NORTH OKANAGAN GREATER VERNON TRAILS & NATURAL SPACES SERVICE CONVERSION BYLAW NO. 2810, 2022**

On July 22, 2022, Administration received an email (Attachment 1) from the Regional District of North Okanagan (RDNO) requesting "Consent of the Participants" of Greater Vernon Trails and Natural Spaces Bylaw No. 2810, 2022.

RDNO Administration provided a report (Attachment 2) to the Greater Vernon Advisory Committee that explains that this bylaw replaces the Greater Vernon Parks, Recreation and Culture Bylaw No. 1648, 2000. The report describes the changes as reducing the scope to trails and natural spaces only. The exceptions to this include Greater Vernon Athletics Park, Boys and Girls Club and Greater Vernon Community Gardens. Cultural Services are included in Bylaw No. 2785 which was adopted in November 2018.

As this Bylaw applies to Greater Vernon Trails and Natural Spaces under the authority of the RDNO, it has limited impact on the City.

RECOMMENDATION:

THAT Council endorse the consent for Greater Vernon Trails and Natural Spaces Bylaw No. 2810, 2022, as follows:

CONSENT on behalf of City of Vernon

Pursuant to the provisions of Section 346 [*Consent on behalf of municipal participating area*] of the *Local Government Act*, the Council of the **City of Vernon** does hereby consent, in writing, on behalf of the electors of **City of Vernon**, to the Board of the Regional District of North Okanagan adopting the following bylaw:

Greater Vernon Trails and Natural Spaces Service Conversion and Service Establishment Amendment Bylaw No. 2810, 2022

As described in the memorandum titled "Regional District of North Okanagan Greater Vernon Trails and Natural Spaces Service Conversion Bylaw No. 2810, 2022" dated August 8, 2022 and respectfully submitted by the Manager, Long Range Planning and Sustainability;

AND FURTHER, that Council direct Administration to forward the consent resolution to the Regional District of North Okanagan.

Respectfully submitted:

A handwritten signature in black ink, consisting of a large, stylized 'L' followed by a long horizontal line that tapers to the right.

Laurie Cordell
Manager, Long Range Planning and Sustainability

Attachment 1 – Email July 22, 2022 RDNO – Greater Vernon Trails and Natural Spaces Service
Conversion and Service Establishment Amendment Bylaw No. 2810, 2022
Attachment 2 – Report to Greater Vernon Advisory Committee July 6, 2022

Laurie Cordell

From: Janice Nicol
Sent: Friday, August 5, 2022 11:13 AM
To: Laurie Cordell
Subject: FW: GVTNS Service Amendment Bylaw - Consent Required
Attachments: 220706_RPT_GVAC_Bylaw_2810.pdf; BL_2810.pdf; Consent_EAC.DOCX;
Consent_EAB.DOCX; Consent_MUNI.docx

From: Ashley Bevan <ashley.bevan@rdno.ca>
Sent: Friday, July 22, 2022 4:26 PM
To: Janice Nicol <JNicol@vernon.ca>; Keri-Ann Austin <kaustin@coldstream.ca>; Stephanie Everitt <stephanie.everitt@rdno.ca>
Cc: Ian Wilson <ian.wilson@rdno.ca>
Subject: GVTNS Service Amendment Bylaw - Consent Required

Re: Greater Vernon Trails and Natural Spaces Service Conversion and Service Establishment Amendment Bylaw No. 2810, 2022

At the regular meeting of the Board of Directors held on July 20, 2022 the Board passed the following resolution:

That the Greater Vernon Trails and Natural Spaces Service Conversion and Service Establishment Amendment Bylaw No. 2810, 2022 be given First, Second and Third Readings; and further,

That Bylaw No. 2810 be forwarded for Consent of the Participants; and further,

That, upon receipt of the Consent of the Participants, Bylaw No. 2810 be forwarded to the Inspector of Municipalities for approval.

With the adoption of *Greater Vernon Cultural Service Establishment Bylaw No. 2785, 2018* in November 2018 after the assent of the electors was received during the referendum held in conjunction with the 2018 general local election, Bylaw No. 1648, 2000 is being amended to remove reference to cultural services. Amendments include:

- Replacing parks, recreation and culture to trails and natural spaces within the title and conversion and establishment section
- Replacing the scope of service section to only include:
 - the acquisition, improvement and maintenance of land, buildings and other facilities for trails and natural space purposes.
 - the acquisition, disposition, operation and maintenance of and borrowing for
 - trails and natural spaces; and
 - buildings, facilities, trails, and other improvements for trail and natural space purposes; and
 - borrowing that has been approved and adopted prior to June 1, 2014 in relation to this service, in regard to the acquisition or development of recreation facilities or parks. This date aligns with the borrowing bylaw for the Greater Vernon Athletics Park.
 - Exceptions to the scope of service include:
 - Greater Vernon Athletics Park
- Updating reference to the Greater Vernon Advisory Committee
- Updating references to the *Local Government Act* sections throughout.

Pursuant to Section 346 and 347 of the of the *Local Government Act* the bylaw requires the consent of the participants in the service prior to adoption. Please find attached a draft consent form for consideration of your Council or Electoral Area Director, as well as a copy of the bylaw and accompanying staff report.

In order to ensure efficient processing, Regional District staff will advance bylaws to the Inspector of Municipalities for approval thirty (30) days from the date of this letter, providing consent has been received from the participants. Please advise if you anticipate any delays in responding to the above requests.

Please contact our office if you require any further information. Thank you for your early attention to this matter.

Kind regards,
Ashley



Ashley Bevan
Deputy Corporate Officer

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REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2810

A bylaw to amend Bylaw No. 1648 by removing reference to parks, recreation and culture, and adding reference to trails and natural spaces within Greater Vernon

WHEREAS the Regional District of North Okanagan has established Bylaw No. 1648, 2000 cited as *Greater Vernon Parks, Recreation and Culture Service Conversion and Service Establishment Bylaw No. 1648, 2000*;

AND WHEREAS the Regional Board wishes to amend the *Greater Vernon Parks, Recreation and Culture Service Service Conversion and Service Establishment Bylaw No. 1648, 2000*.

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 ***“Greater Vernon Trails and Natural Spaces Service Conversion and Service Establishment Amendment Bylaw No. 2810, 2022”***.

AMENDMENTS

Greater Vernon Parks, Recreation and Culture Service Conversion and Service Establishment Bylaw No. 1648, 2000 as amended, be amended as follows:

2. Section 1 **TITLE** by deleting the text “Parks, Recreation and Culture” and replacing it with “Trails and Natural Spaces”
3. Section 2 **CONVERSION and ESTABLISHMENT** by deleting the text “*Parks, Recreation and Culture*” and replacing it with “*Trails and Natural Spaces*”.
4. Section 3 **SCOPE OF SERVICE** by deleting it in its entirety and replacing it with the following:

SCOPE OF SERVICE

3. The service established by this bylaw is limited to:

- (1) the acquisition, improvement and maintenance of land, buildings and other facilities for trails and natural space purposes.
- (2) the acquisition, disposition, operation and maintenance of and borrowing for
 - (a) trails and natural spaces; and
 - (b) buildings, facilities, trails, and other improvements for trail and natural space purposes; and
- (3) Borrowing that has been approved and adopted by way of loan authorization bylaw prior to June 1, 2014 in relation to this service, in regard to the acquisition or development of recreation facilities or parks.
- (4) Exceptions to the scope of service include:

(a) Greater Vernon Athletics Park

- 4. It is the intention of the Board not to change the scope of the service without the unanimous consent of all participants.
- 5. Section 10 **COMMITTEE** by deleting in its entirety and replacing it with the following text:
 - 10. The administration and the operation of the service shall be carried out by a committee to be known as the "Greater Vernon Advisory Committee" (the "Committee").
- 6. Update references to *Local Government Act* sections as required.

Read a First, Second and THIRD Time	this	20th	day of	July, 2022
Consent provided by the participants	this		day of	, 2022
Approved by the Inspector of Municipalities	this		day of	, 2022
ADOPTED	this		day of	, 2022

Chair
Kevin Acton

Deputy Corporate Officer
Ashley Bevan



STAFF REPORT

TO:	Greater Vernon Advisory Committee	File No: 3900.2810
FROM:	Parks, Recreation, and Culture	Date: July 6, 2022
SUBJECT:	Greater Vernon Trails & Natural Spaces Service Conversion and Service Establishment and Service Conversion Amendment Bylaw No. 2810, 2022	

RECOMMENDATION:

That it be recommended to the Board of Directors, the *Greater Vernon Trails and Natural Spaces Service Conversion and Service Establishment Amendment Bylaw No. 2810, 2022* be given First, Second and Third Readings; and further,

That Bylaw No. 2810 be forwarded for Consent of the Participants; and further,

That, upon receipt of the Consent of the Participants, Bylaw No. 2810 be forwarded to the Inspector of Municipalities for approval.

SUMMARY:

The Regional District currently has authority for the parks function under Bylaw No. 1648, 2000, which is currently cited as *Greater Vernon Parks, Recreation and Culture*. The proposed amendment reduces the scope of services from parks, recreation and culture in Greater Vernon to trails and natural spaces only. Exceptions to the scope of service include the Greater Vernon Athletics Park, Boys and Girls Club, and Greater Vernon Community Gardens. Cultural Services are included in Bylaw No. 2785, which was adopted in November 2018. This change aligns the Bylaw with the change in scope that was agreed to by GVAC partners in 2018.

DISCUSSION:

With the adoption of *Greater Vernon Cultural Service Establishment Bylaw No. 2785, 2018* in November 2018 after the assent of the electors was received during the referendum held in conjunction with the 2018 general local election, it is recommended that Bylaw No. 1648, 2000, be amended to remove reference to cultural services. Amendments include:

- Replacing parks, recreation and culture to trails and natural spaces within the title and conversion and establishment section
- Replacing the scope of service section to only include:
 - the acquisition, improvement and maintenance of land, buildings and other facilities for trails and natural space purposes.
 - the acquisition, disposition, operation and maintenance of and borrowing for
 - trails and natural spaces; and

- buildings, facilities, trails, and other improvements for trail and natural space purposes; and
- borrowing that has been approved and adopted prior to June 1, 2014 in relation to this service, in regard to the acquisition or development of recreation facilities or parks. This date aligns with the borrowing bylaw for the Greater Vernon Athletics Park.
- Exceptions to the scope of service include:
 - Greater Vernon Athletics Park
- Updating reference to the Greater Vernon Advisory Committee
- Updating references to the *Local Government Act* sections throughout.

LEGAL/STATUTORY PROCEDURAL REQUIREMENTS:

Statutory procedural requirements to amend the establishment bylaw would include the following:

1. First, Second and Third Readings of Bylaw No. 2810 by the Board;
2. Consent of the participants (District of Coldstream, City of Vernon, Electoral Areas "B" and "C");
3. Statutory approval by the Inspector of Municipalities;
4. Upon receiving statutory approval from the Inspector of Municipalities, Bylaw No. 2810 can be Adopted by the Board.

Attachment A Draft *Greater Vernon Trails & Natural Spaces Service Conversion and Service Establishment Amendment Bylaw No. 2810, 2022.*

Attachment B Draft Consolidated Bylaw No. 1648 (marked up)

Submitted by:



Ian Wilson
General Manager, Strategic and Community Services

Reviewed and endorsed:



Stephen Banmen
General Manager, Finance

Approved for inclusion:



David Sewell
Chief Administrative Officer

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2810

A bylaw to amend Bylaw No. 1648 by removing reference to parks, recreation and culture, and adding reference to trails and natural spaces within Greater Vernon

WHEREAS the Regional District of North Okanagan has established Bylaw No. 1648, 2000 cited as *Greater Vernon Parks, Recreation and Culture Service Conversion and Service Establishment Bylaw No. 1648, 2000*;

AND WHEREAS the Regional Board wishes to amend the *Greater Vernon Parks, Recreation and Culture Service Service Conversion and Service Establishment Bylaw No. 1648, 2000*.

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 ***“Greater Vernon Trails and Natural Spaces Service Conversion and Service Establishment Amendment Bylaw No. 2810, 2022”***.

AMENDMENTS

Greater Vernon Parks, Recreation and Culture Service Conversion and Service Establishment Bylaw No. 1648, 2000 as amended, be amended as follows:

2. Section 1 **TITLE** by deleting the text “Parks, Recreation and Culture” and replacing it with “Trails and Natural Spaces”
3. Section 2 **CONVERSION and ESTABLISHMENT** by deleting the text “Parks, Recreation and Culture” and replacing it with “Trails and Natural Spaces”.
4. Section 3 **SCOPE OF SERVICE** by deleting it in its entirety and replacing it with the following:

SCOPE OF SERVICE

3. The service established by this bylaw is limited to:

- (1) the acquisition, improvement and maintenance of land, buildings and other facilities for trails and natural space purposes.
- (2) the acquisition, disposition, operation and maintenance of and borrowing for
 - (a) trails and natural spaces; and
 - (b) buildings, facilities, trails, and other improvements for trail and natural space purposes; and
- (3) Borrowing that has been approved and adopted by way of loan authorization bylaw prior to June 1, 2014 in relation to this service, in regard to the acquisition or development of recreation facilities or parks.

(4) Exceptions to the scope of service include:

(a) Greater Vernon Athletics Park

4. It is the intention of the Board not to change the scope of the service without the unanimous consent of all participants.

5. Section 10 **COMMITTEE** by deleting in its entirety and replacing it with the following text:

10. The administration and the operation of the service shall be carried out by a committee to be known as the "Greater Vernon Advisory Committee" (the "Committee").

6. Update references to *Local Government Act* sections as required.

Read a First, Second and THIRD Time this day of , 2022

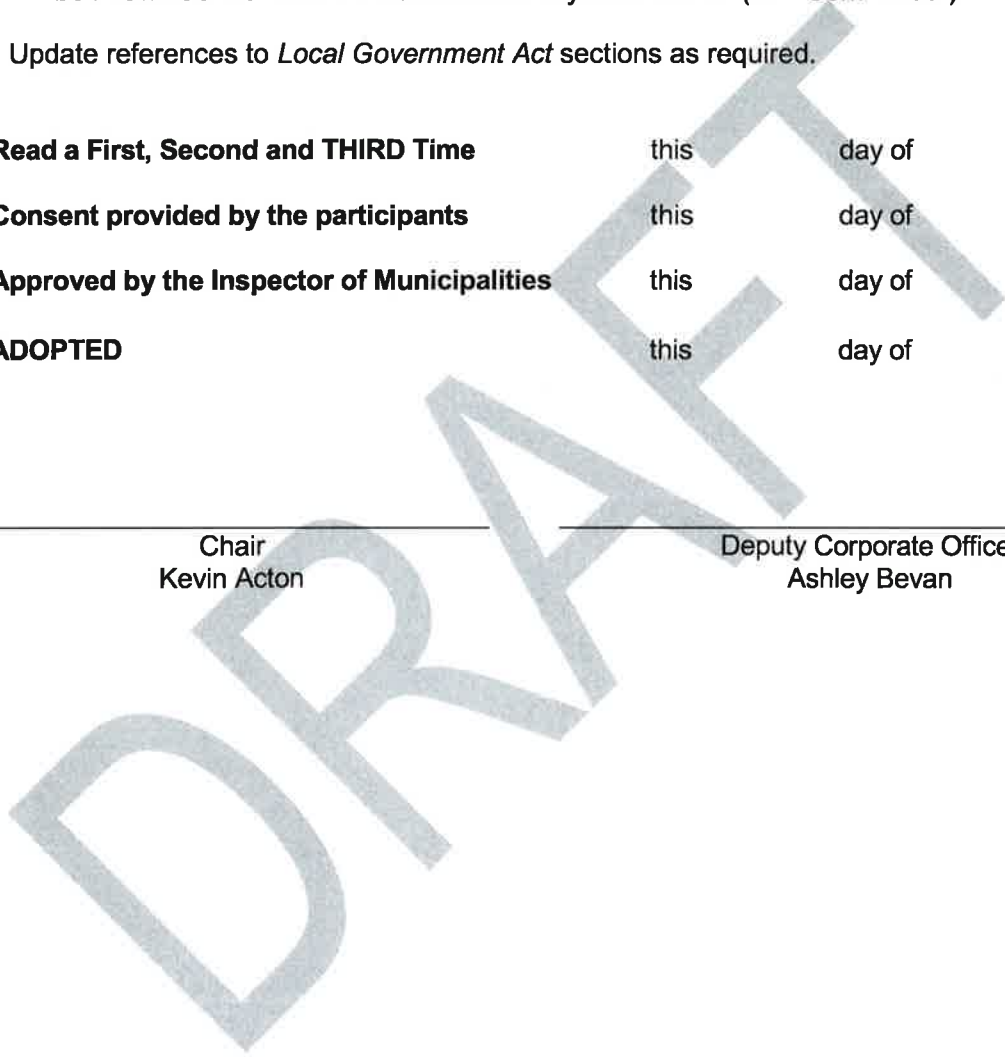
Consent provided by the participants this day of , 2022

Approved by the Inspector of Municipalities this day of , 2022

ADOPTED this day of , 2022

Chair
Kevin Acton

Deputy Corporate Officer
Ashley Bevan



**REGIONAL DISTRICT OF NORTH OKANAGAN
BYLAW NO. 1648, 2000**

CONSOLIDATED FOR CONVENIENCE

This document is an office consolidation of the above-noted Bylaw and includes the amendments listed below. This Bylaw has been consolidated for convenience and is intended for information and reference purposes only. This document is not the official version of the Bylaw. Be advised that plans, pictures, other graphics or text in the official version may be missing or altered in this consolidated version. Where accuracy is critical, please contact the Corporate Services Department at the Regional District of North Okanagan.

AMENDMENTS

Bylaw No.	Adopted	Amendment
1893, 2003	August 3, 2024	– Amend service area to include ALL of the District of Coldstream
2491, 2011	May 18, 2011	– Amend scope of service to include Teen Junction
2632, 2014	August 20, 2014	– Amend scope of service to reduce parks function

REGIONAL DISTRICT OF NORTH OKANAGAN**BYLAW No. 1648**

A bylaw to convert the function of Community Parks and Recreational Programmes and Facilities to a service established by bylaw and to amend the service area to include only Designated Area No. 1 (City of Vernon, part of the District of Coldstream and Electoral Areas "B" and "C")

WHEREAS by Supplementary Letters Patent dated March 31, 1976 the Regional District was granted the function of Community Parks and Recreational Programmes and Facilities (Div. XXVI) within the entire Regional District;

AND WHEREAS the *Local Government Act* authorizes the Regional District Board (the "Board") to convert a function established by Supplementary Letters Patent to a service exercised under the authority of a bylaw establishing the service;

AND WHEREAS the Board wishes to convert the function of Community Parks and Recreational Programmes and Facilities (Div. XXVI) to an established service of Community Parks, Recreation and Culture;

AND WHEREAS the Board wishes to amend the service area established under the Letters Patent in order to establish a separate service area for each "Designated Area" as defined in Supplementary Letters Patent dated March 31, 1976 and the Board is considering five distinct bylaws for that purpose;

AND WHEREAS the Board wishes to amend the service area for the purpose of this Bylaw, to include only the City of Vernon, part of the District of Coldstream (Municipal Voting Division 1) and Electoral Areas "B" and "C";

AND WHEREAS the Regional District, the City of Vernon and the District of Coldstream have entered into an agreement (a copy of which is attached as Appendix A, but which does not form part of this bylaw) concerning the Parks, Recreation and Culture service;

AND WHEREAS the Board has obtained the required consent of at least 2/3 of the participants of the original function pursuant to Section ~~802(1)(b)~~ 349(1)(b) of the *Local Government Act*;

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

TITLE

1. This Bylaw may be cited as the "**Greater Vernon ~~Parks, Recreation and Culture Trails and Natural Spaces~~ Service Conversion and Service Establishment Bylaw No. 1648, 2000**"

CONVERSION and ESTABLISHMENT

2. The function of Division XXVI Community Parks and Recreational Programmes and Facilities as established by Supplementary Letters Patent dated March 31, 1976, is converted and established as the "**Greater Vernon ~~Parks, Recreation and Culture Trails and Natural Spaces~~ Service**" with the service area as described in Section 5 of this bylaw.

SCOPE OF SERVICE

~~3. The service established by this bylaw is limited to:~~

- ~~(1) the operation of recreational programs and facilities;~~
- ~~(1) the acquisition, improvement and maintenance of land, buildings and other facilities for park and recreation purposes;~~
- ~~(2) the operation and maintenance of tertiary or regional parks that tend to draw users from outside the Service Area, including open space reserves and ecological reserves which address objectives beyond the traditional recreation park;~~
- ~~(2) **the acquisition, disposition, operation and maintenance of and borrowing for**~~
 - ~~(a) **trails and trail systems, and of sub-regional parks including but not limited to the parks identified in Schedules 1, 1A, and 1B, and**~~
 - ~~(b) **buildings, facilities, trails, trail systems and other improvements for park purposes;**~~
- ~~(3) operation and maintenance of those areas within secondary parks that contain recreational programs or services provided by the Service;~~
- ~~(3) **borrowing that has been approved and adopted prior to June 1, 2014 in relation to this service, in regard to the acquisition or development of recreation facilities or parks;**~~
- ~~(4) Cultural services and/or grants related to:~~
 - ~~(a) Museum;~~
 - ~~(b) Art Gallery;~~
 - ~~(c) Boys and Girls Club;~~
 - ~~(d) Arts Council;~~
 - ~~(e) Caetani House; and~~
 - ~~(f) Cultural grants~~
 - ~~(g) **Literacy and Youth Initiatives Society of the North Okanagan (Teen Junction)**~~

~~4. It is the intention of the Board not to change the scope of the service without the unanimous consent of all participants.~~

3. The service established by this bylaw is limited to:

- (1) the acquisition, improvement and maintenance of land, buildings and other facilities for trails and natural space purposes.
- (2) the acquisition, disposition, operation and maintenance of and borrowing for
 - (a) trails and natural spaces; and
 - (b) buildings, facilities, trails, and other improvements for trail and natural space purposes; and

(3) Borrowing that has been approved and adopted by way of load authorization bylaw prior to June 1, 2014 in relation to this service, in regard to the acquisition or development of recreation facilities or parks.

(4) Exceptions to the scope of service include:

(a) Greater Vernon Athletics Park

4. It is the intention of the Board not to change the scope of the service without the unanimous consent of all participants.

SERVICE AREA

5. The service area for the service converted and established by Section 2 is the same as the former Designated Area No. 1, consisting of all of the City of Vernon, all of Electoral Areas "B" and "C", and ~~that part of the District of Coldstream being Municipal Voting Division 1 as defined in the "District of Coldstream Local Government Elections Procedures Bylaw No. 1233, 1996"~~ **all of the District of Coldstream.**

PARTICIPATING AREAS

6. The participating areas for the service are the City of Vernon, District of Coldstream, and Electoral Areas "B" and "C".

COST RECOVERY

7. The annual cost of providing the service, including debt charges ~~on existing parks and recreational facilities within the service area,~~ shall be recovered by either or both of the following:

(1) the requisition of money under Sections ~~805 and 806~~ **385 and 387** of the *Local Government Act* to be collected as a property value tax to be levied on improvements only for regional hospital district purposes within the participating areas and collected in accordance with Sections ~~805.1 and 806.1~~ **386 and 388** of the Act;

(2) the imposition of fees and other charges.

8. The annual cost of this service shall be apportioned amongst the participants on the basis of the converted value of improvements only for hospital purposes in those areas.

MAXIMUM REQUISITION

9. The maximum amount that may be requisitioned annually for this service shall not exceed the product of a levy of \$ 1.45 for each \$1,000 of net taxable value of land and improvements in the service area.

COMMITTEE

~~10. The administration and the operation of the service shall be carried out by a committee to be known as the "Greater Vernon Parks, Recreation and Culture Committee" (the "Committee"). The Committee's powers, duties and limitations shall be established by a separate bylaw.~~

