



# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Danielle DeVries  
Transportation Planner

**COUNCIL MEETING:** REG  COW  I/C   
**COUNCIL MEETING DATE:** March 13, 2023  
**REPORT DATE:** February 27, 2023  
**FILE:** 6450 (Projects/Drive Throughs)

**SUBJECT: ZONING BYLAW 5000 AMENDMENTS – DRIVE-THROUGH USES**

---

## **PURPOSE:**

To propose text amendments to Zoning Bylaw 5000 to prohibit drive-through uses in the City Centre Neighbourhood and update the vehicular-oriented uses regulations.

## **RECOMMENDATION:**

THAT Council support the preparation of text amendments to Zoning Bylaw 5000 to prohibit drive-through uses in the City Centre Neighbourhood as outlined in the report titled “Zoning Bylaw 5000 Amendments – Drive-Through Uses” dated February 27, 2023 and respectfully submitted by the Transportation Planner;

AND FURTHER, that Council support the preparation of text amendments to Zoning Bylaw 5000 to revise the Specific Use Regulations for ‘Vehicular-oriented Uses’ to improve traffic flow where ‘drive-through services’ and ‘drive-through vehicle services’ may still be permitted.

## **ALTERNATIVES & IMPLICATIONS:**

1. THAT Council support the preparation of text amendments to Zoning Bylaw 5000 to prohibit drive-through uses in all commercial and comprehensive development zoning districts as outlined in the report titled “Zoning Bylaw 5000 Amendments – Drive-Through Uses” dated February 27, 2023 and respectfully submitted by the Transportation Planner;

AND FURTHER, that Council support the preparation of amendments to Zoning Bylaw 5000 to revise the Specific Use Regulations for ‘Vehicular-oriented Uses’ to reflect this change and improve traffic flow where ‘drive-through vehicle services’ would still be permitted in the I1 – Light Industrial Zoning District.

*Note: This would mean that “drive-through services” would be prohibited for new developments in the entire city. “Drive-through vehicle services” would still be permitted in the I1 – Light Industrial zoning district. Existing businesses could continue to operate until redeveloped or lapse of use for more than six months.*

2. THAT Council receive the report titled “Zoning Bylaw 5000 Amendments – Drive-Through Uses” dated February 27, 2023 and respectfully submitted by the Transportation Planner.

*Note: This would result in no changes to Zoning Bylaw 5000. Drive-through uses would still be permitted across the city. The policies to ban drive-through uses in the Official Community Plan (OCP) will not be upheld. Developers will still be able to develop drive-through uses that do not meet transportation best-practice for queuing and traffic flow.*

**ANALYSIS:**

**A. Committee Recommendations:**

At its meeting of February 14, 2023, the Advisory Planning Committee passed the following resolution:

*THAT Council direct Administration to prepare amendments to Zoning Bylaw 5000 to remove 'drive-through services' and 'drive-through vehicle services' as permitted uses within the City Centre Neighbourhood Plan Area as outlined in the report titled "Zoning Bylaw 5000 Amendments – Drive-Through Uses" dated November 29, 2022 and respectfully submitted by the Transportation Planner;*

*AND FURTHER, that Council direct Administration to prepare amendments to Zoning Bylaw 5000 to revise the specific use regulations for 'vehicular oriented uses' to improve traffic flow where 'drive-through services' and 'drive-through vehicle services' may still be permitted;*

*AND FURTHER, that Council direct Staff to review city-wide implementation in the near future.*

At its meeting of February 16, 2023, the Economic Development Advisory Committee passed the following resolution:

*THAT Council direct Administration to prepare amendments to Zoning Bylaw 5000 to remove 'drive-through services' and 'drive-through vehicle services' as permitted uses within the City Centre Neighbourhood Plan Area as outlined in the report titled "Zoning Bylaw 5000 Amendments – Drive-Through Uses" dated November 29, 2022 and respectfully submitted by the Transportation Planner;*

*AND FURTHER, that Council direct Administration to prepare amendments to Zoning Bylaw 5000 to revise the specific use regulations for 'vehicular oriented uses' to improve traffic flow where 'drive-through services' and 'drive-through vehicle services' may still be permitted.*

At its meeting of February 22, 2023, the Climate Action Advisory Committee passed the following resolution:

*THAT Council direct Administration to prepare amendments to Zoning Bylaw 5000 to remove 'drive-through services' and 'drive-through vehicle services' as permitted uses within the City Centre Neighbourhood Plan Area as outlined in the report titled "Zoning Bylaw 5000 Amendments – Drive-Through Uses" dated November 29, 2022 and respectfully submitted by the Transportation Planner;*

*AND FURTHER, that Council direct Administration to prepare amendments to Zoning Bylaw 5000 to revise the specific use regulations for 'vehicular oriented uses' to improve traffic flow where 'drive-through services' and 'drive-through vehicle services' may still be permitted;*

*AND FURTHER, that Council direct Staff to prepare a report on the impacts of expanding that city-wide.*

At its meeting of February 23, 2023, the Transportation Advisory Committee did not pass a resolution after its consideration of the staff report.

**B. Rationale:**

1. At its Regular Meeting of December 12, 2022, Administration brought forward a report seeking Council's direction to amend Zoning Bylaw 5000 to prohibit drive throughs in the City Centre (Attachment 1). Council directed Administration to refer the report to the Advisory Planning Committee, Economic

Development Advisory Committee, Climate Action Advisory Committee, and Transportation Advisory Committee.

2. The Council committee resolutions are provided in Section A, above, and details on their discussions are provided in Attachment 2. All four committees discussed how it would be most proactive to prohibit drive-through uses city-wide within the climate action and livable city lenses. Two of the three committees that supported prohibiting drive throughs within the City Centre Neighbourhood also added a resolution requesting that Council direct Administration to review prohibiting drive-through uses city-wide in the near future (the Advisory Planning Committee and the Climate Action Advisory Committee). There were some individuals on the committees who favoured drive-throughs for business investment and accessibility. Overall, there was general consensus that prohibiting drive-throughs is the right thing to do for Vernon's future.
3. Prohibiting drive-through uses in the City Center Neighbourhood Area is already supported in City plans:
  - a. The [City Centre Neighbourhood Plan](#), which is supplementary to the Official Community Plan, states that drive throughs should be prohibited in the City Centre Neighbourhood.
  - b. The [Climate Action Plan](#) envisions that active transportation is the first choice to move around Vernon. Efficient public transit is the second choice. Finally, electric vehicles (EVs) are a positive alternative when a personal vehicle is the only viable option.
4. It is noted that converting to EVs alone will not meet Vernon's greenhouse gas (GHG) emission reduction targets, and that we are still many years away from the majority of vehicles in the city becoming electric.
  - a. The Climate Action Plan only gets the City to two thirds of the goal. The other third needs to be solved through innovations and behaviour change. This means that even if 100% of the cars on the road are electrified on time, there are still over 100,000 tonnes of carbon emissions annually that need to be dealt with through other initiatives. Some projections show that in the future when all vehicle trips are made by EVs, there would still need to be a 20% reduction in EV trips (replaced by active transportation and transit) to meet climate action goals ([Eno Centre for Transportation](#), 2022). This is due to the improvements of designing smaller, tree-lined active transportation spaces compared to large, paved roads, and the carbon costs of building and delivering large vehicles compared to smaller e-bikes and e-scooters. Therefore, the community must shift to choosing active modes (walk, bike, small wheels) and transit first.
  - b. Further, the Climate Action Plan assumes that all cars on the road will be electric by 2050. This is 10 years after the Province has mandated all new car sales to be zero emissions ([BC Zero-Emission Vehicles Act](#), 2019). However, over 50% of cars on the road in Vernon are over 10-years old ([ICBC open data](#), 2021). Therefore, it is assumed that all fuel-powered vehicles will not be off the roads by 2050, and continuing to build drive-through uses would mean over thirty years of fuel-powered vehicles idling in more queues.
  - c. The majority of families in Vernon cannot afford an EV, even with the [Provincial](#) and [Federal](#) rebate incentives. Vernon's median income is \$73,500 per year ([Statistics Canada](#), 2021). With rising housing and food costs, it is estimated that families need to make at least \$100,000 per year to afford one EV ([Greater Toronto and Hamilton Area](#), 2017; [Ekos](#), 2021). Two-thirds of households in Vernon fall below this income bracket and need alternative options like efficient active transportation and transit infrastructure to get around. These modes are not facilitated by drive-through uses.
5. Ultimately, prioritizing active transportation and transit over personal vehicles, regardless of their fuel type, is very important in improving the livability of Vernon moving forward. Continuing to prioritize auto-centric uses, including allowing new drive-through uses, can lead to reduced physical activity, increased stress on the healthcare system (e.g. through road collisions and disease due to reduced physical

activity), sustained or increased maintenance and replacement of the road network, inefficient use of land, an inequitable built environment that caters to moderate to high income households that can afford vehicles, increased transportation cost burden, reduced sense of community through fewer opportunities to interact with neighbours, and reduced road safety with higher risk of active transportation user deaths ([Vision Zero](#); [The Centre for Active Transportation](#)). It is well known that transportation is the leading contributor of greenhouse gas emissions, and if the City is serious about acting on climate change, then plans and policies have to put active transportation and transit first.

6. The queuing space required for the safe and efficient traffic flow of a drive through is an uneconomical use of the commercial land available in Vernon. If the regulations are updated to reflect best practice, then a new drive-through restaurant would need over 250 m<sup>2</sup> of pavement just for cars to wait. This is enough space for two more small business units in that same area.
  - a. Best practice in transportation indicates that food drive-throughs need at least six inbound queuing spaces ([ITE](#), 1995) and higher-traffic coffee drive-throughs need at least 11 inbound queuing spaces ([ITE](#), 2009). In total, each drive-through restaurant would need a minimum of 14 queuing spaces.
  - b. Empty paved space also contributes to the urban heat island effect and increases impermeable surfaces ([Health Canada](#), 2020). The Climate Action Plan calls for action to address this by implementing “policy and bylaw changes to increase natural assets, green infrastructure, and permeable areas”. The space required for queuing could thus be better used by landscaping and functional greenspace for outdoor use by the businesses and their patrons.
7. The theory of induced-demand is widely accepted in transportation, in other words, the idea that “if you build it, they will come” ([Planetizen](#), 2023). This means that the way the City chooses to build infrastructure and guide development has an impact on the community’s travel choices. For example, building the rail trail and other multi-use paths throughout the city has empirically led to more active transportation users. In the same way, building auto-centric uses, like wider roads, more parking, and more drive-throughs, makes it easier to drive and generates more driving trips.
8. Drive-throughs are a viable business model and development will continue to seek this model as long as it is permitted. However, there are other business models that are successful including dine-in, walk-up, and app-generated services. Community or sustainable economic development principles aim to balance three areas to achieve sustainability: social, economic, and environmental ([Mensah](#), 2019). Moreover, the Climate Action Plan calls for action to “integrate climate change considerations into economic development planning and decisions”.

In the case of drive-through uses, the overall social (e.g. health), economic (e.g. local businesses), and environmental benefits outweigh the financial benefits to a small group of drive-through businesses. Further, all existing drive-through businesses can continue operating until lapse of use for more than six months. Moreover, any development applications with drive throughs that are submitted before the Zoning Bylaw amendments are adopted will be accepted (subject to meeting City requirements).

9. Administration recommends that the Zoning Bylaw be updated to prohibit drive throughs in the City Centre Neighbourhood to align with City plans and to clarify the vehicular-oriented use regulations for how drive-through uses should be developed where they remain permitted (Attachment 3). The proposed amendments include updates to the site size and coverage to align with the zoning districts where drive-through uses occur; clarifications on the site circulation and types of queuing spaces to improve traffic flow and prevent site layouts that will not function well; and updates on the number of queuing spaces required based on best practice.

**C. Attachments:**

Attachment 1 – “Zoning Bylaw 5000 Amendments – Drive-Through Uses” report dated November 29, 2022  
Attachment 2 – Summaries of Committee discussions  
Attachment 3 – Proposed Zoning Bylaw 5000 Amendments – Drive-Through Uses

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

The subject Zoning Bylaw 5000 Amendments – Drive-Through Uses involves the following goals/action items in Council’s Strategic Plan 2019 – 2022:

- Promote transit oriented mixed-use development
- Work towards a sustainable Vernon – environmentally, economically and socially
- Encourage sustainable infrastructure, agriculture and landscaping

**E. Relevant Policy/Bylaws/Resolutions:**

1. At its Regular Meeting of December 12, 2022, Council passed the following resolution:

*THAT Council direct Administration to refer the report titled "Zoning Bylaw 5000 Amendments – Drive-Through Uses" dated November 29, 2022 and respectfully submitted by the Transportation Planner to the Transportation Advisory Committee, Climate Action Advisory Committee, Economic Development Advisory Committee, and Advisory Planning Committee for their input.*

2. At its Regular Meeting of May 9, 2011, Council passed the following resolution:

*THAT Council direct staff to draft an OCP amendment bylaw to add the “City Centre Neighbourhood Plan” as a supplemental plan to “Official Community Plan Bylaw Number 5151, 2008” (OCP);*

*AND FURTHER, that Council support associated changes to the OCP that reflect the addition of the City Centre Neighbourhood Plan;*

*AND FURTHER, that Council support the replacement of the existing “City of Vernon Façade Design and Colour Guidelines” with the proposed City Centre Neighbourhood Plan Design Guidelines and policies;*

*AND FURTHER, that Council amend the OCP “Plan Vernon” Map 1 – Land Use Map to redesignate lands in and adjacent to the City Centre District to reflect the policies and direction provided in City Centre Neighbourhood Plan.*

3. Official Community Plan guiding principles:

- Foster prosperity for people, business, and government;
- Create a culture of sustainability;
- Create strong, compact and complete neighbourhoods;
- Provide alternative transportation; and
- Revitalize the Downtown.

4. Official Community Plan polices:

- 5.2 – Perform a review of Zoning Bylaw 5000 to ensure consistency with the Official Community Plan and supplementary plans.

- 5.6 – Development in the City Centre District shall be consistent with the policies outlined in the City Centre Neighbourhood Plan.
- 6.3 – Include discussion of sustainable decision making in Council and Committees of Council to encourage consideration of social, economic and environmental factors in all discussions and resolutions.
- 8.2 – Development in the City Centre District shall be consistent with the policies outlined in the City Centre Neighbourhood Plan.
- 8.7 – The City will facilitate movement in the City Centre in the following order of priority: walking, cycling, public transit, automobiles.
- 8.8 – The City will implement street systems and pedestrian ways that provide convenient access to transit, parking and support safe and comfortable patterns of pedestrian movement. Pedestrian oriented buildings which include window display space and have interesting facades are especially important within the key pedestrian activity areas.
- 11.5 – Encourage transportation projects and initiatives that contribute to the long-term livability, vitality and viability of the City Centre, the neighbourhood centres and residential areas.
- 11.11 - Ensure that Transportation Demand Management measures and initiatives take a high priority in transportation planning. A target of 20% for walking, cycling and transit mode share has been set for 2040 to further encourage the use of alternative forms of transportation.
- 12.11 – Work towards access to sustainable energy choices, including transportation, heating and cooling of buildings and access to food and amenities, throughout the community.

5. City Centre Neighbourhood Plan policies:

- 20 – Big box retail and drive-through uses are not permitted; and
- 82 – Prohibit drive through uses, except for Lots 1-4, Block 32, at 3600-3606 27<sup>th</sup> Street.

6. Climate Action Plan Goals and Actions:

- Active transportation is the first choice to move around Vernon.
- Enable and support the enhancement of the transit network and alternative mobility options.
- Integrate climate change considerations into economic development planning and decisions.
- Identify means of improving local air quality (e.g. anti-idling bylaw, road dust mitigation).

**BUDGET/RESOURCE IMPLICATIONS:**

None.

---

Prepared by:



Danielle DeVries  
Transportation Planner

Approved for submission to Council:



Patti Bridal, CAO

Date: 03.08.2023



Kim Flick  
Director, Community Infrastructure and Development

**REVIEWED WITH**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Corporate Services     | <input type="checkbox"/> Operations           | <input checked="" type="checkbox"/> Current Planning                     |
| <input type="checkbox"/> Bylaw Compliance       | <input type="checkbox"/> Public Works/Airport | <input checked="" 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 checked="" type="checkbox"/> Transportation                       |
| <input type="checkbox"/> Financial Services     |   | <input checked="" type="checkbox"/> Economic Development & Tourism       |
| <input checked="" type="checkbox"/> COMMITTEES: |   |  |
| APC (Feb 14, 2023)                              |   |  |
| EDAC (Feb 16, 2023)                             |   |  |
| CAAC (Feb 22, 2023)                             |   |  |
| TAC (Feb 23, 2023)                              |   |  |
| <input type="checkbox"/> OTHER:                 |   |  |



## THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Danielle DeVries  
Transportation Planner

**COUNCIL MEETING:** REG  COW  I/C   
**COUNCIL MEETING DATE:** December 12, 2022  
**REPORT DATE:** November 29, 2022  
**FILE:** 6450 (Projects/Drive Throughs)

**SUBJECT: ZONING BYLAW 5000 AMENDMENTS – DRIVE-THROUGH USES**

---

### PURPOSE:

To request Council direction to amend Zoning Bylaw 5000 to remove drive-throughs as permitted uses within the City Centre Neighbourhood Plan Area to align with the Official Community Plan and Climate Action Plan.

### RECOMMENDATION:

THAT Council direct Administration to prepare amendments to Zoning Bylaw 5000 to remove 'drive-through services' and 'drive-through vehicle services' as permitted uses within the City Centre Neighbourhood Plan Area as outlined in the report titled "Zoning Bylaw 5000 Amendments – Drive-Through Uses" dated November 29, 2022 and respectfully submitted by the Transportation Planner;

AND FURTHER, that Council direct Administration to prepare amendments to Zoning Bylaw 5000 to revise the specific use regulations for 'vehicular oriented uses' to improve traffic flow where 'drive-through services' and 'drive-through vehicle services' may still be permitted;

AND FURTHER, that Council direct Administration to bring the proposed City Centre drive-through amendments to Zoning Bylaw 5000 to the Transportation Advisory Committee, Climate Action Advisory Committee, Economic Development Advisory Committee, and Advisory Planning Committee for review and comment;

AND FURTHER, that Council direct Administration to consult with the Transportation Advisory Committee, Climate Action Advisory Committee, and Economic Development Advisory Committee, Advisory Planning Committee on their input to extend drive-through prohibitions to the remainder of the city;

AND FURTHER, that Council direct Administration to provide the proposed amendments to Zoning Bylaw 5000 for Council's consideration by March 2023.

### ALTERNATIVES & IMPLICATIONS:

1. THAT Council direct Administration to prepare amendments to Zoning Bylaw 5000 to remove 'drive-through services' and 'drive-through vehicle services' as permitted uses within all commercial and mixed-use Zoning Districts as outlined in the report titled "Zoning Bylaw 5000 Amendments – Drive-Through Uses" dated November 29, 2022 and respectfully submitted by the Transportation Planner;

AND FURTHER, that Council direct Administration to prepare amendments to Zoning Bylaw 5000 to revise the specific use regulations for 'vehicular oriented uses' to reflect this change and improve traffic flow where 'drive-through vehicle services' may still be permitted in the I1 Light Industrial Zoning District;

AND FURTHER, that Council direct Administration to bring the proposed drive-through amendments to Zoning Bylaw 5000 to the Transportation Advisory Committee, Climate Action Advisory Committee,



Economic Development Advisory Committee, and Advisory Planning Committee for review and comment;

AND FURTHER, that Council direct Administration to provide the proposed amendments to Zoning Bylaw 5000 for Council's consideration by March 2023.

*Note: This would mean that Administration would bring forward proposed Zoning Bylaw 5000 amendments to prohibit drive-through uses in all commercial and mixed-use zoning districts city-wide to the four advisory committees for their review and comment. Administration would report back to Council in March 2023 with proposed amendments to Zoning Bylaw 5000 for first and second readings that reflect recommendations from the four committees.*

2. THAT Council receive the report titled "Zoning Bylaw 5000 Amendments – Drive-Through Uses" dated November 29, 2022 and respectfully submitted by the Transportation Planner.

*Note: This would result in no changes to Zoning Bylaw 5000, and drive-throughs would still be permitted across the city and within the City Centre Neighbourhood Plan Area. Zoning Bylaw 5000 would continue to contradict the City Centre Neighbourhood Plan and Official Community Plan.*

## **ANALYSIS:**

### **A. Committee Recommendations:**

N/A

### **B. Rationale:**

1. The [City Centre Neighbourhood Plan](#), which forms part of the Official Community Plan, provides policy direction for development and redevelopment within the City Centre. The plan has two policies that direct the prohibition of drive-throughs including:
  - a. Polson Gateway Character Area (20): Big box retail and drive-through uses are not permitted; and
  - b. General Policies (82): Prohibit drive through uses, except for Lots 1-4, Block 32, at 3600-3606 27<sup>th</sup> Street.

However, Administration has not been able to uphold these policies since Zoning Bylaw 5000 currently allows 'drive-through services' and 'drive-through vehicle services' as permitted uses in zoning districts within the City Centre Neighbourhood. For reference, the definitions of 'drive-through services' and 'drive-through vehicle services' are:

- a. 'drive-through services' means the business where customers order and receive services, food or other goods in their motor vehicles via one or more designated drive-through lanes or through one or more car attendant services, but does not include drive-through vehicle services.
  - b. 'drive-through vehicle services' means development providing rapid cleaning, lubrication, and maintenance or repair services to motor vehicles, where the customer typically remains within the vehicle or waits on the premises. Typical uses include but are not limited to automatic or coin operated car washes, rapid lubrication shops, or specialty repair establishments.
2. While the City Centre Neighbourhood Plan only includes policies to prohibit drive throughs in the City Centre, Council has since endorsed the [Climate Action Plan](#), which directs the City of Vernon to be a leader in climate action and develop a clean air space strategy. These policies support expanding the prohibition of drive-throughs across the entire city. Specifically, the Climate Action Plan found that transportation accounts for 63% of the community's greenhouse gas emissions, and identifies an anti-idling bylaw as a tool to improve air quality. Drive-through uses encourage vehicles to idle in the queue; therefore, banning any additional drive-through uses in the City is a step toward reduced idling and improved air quality.

3. Beyond specific policies related to drive-throughs, the City’s high-level goals support a healthier and more compact city. Drive-through uses contradict these goals as they use large spaces for vehicle queuing and promote driving and sedentary behaviour. Specifically, the [Official Community Plan](#) includes guiding principles to:

- a. create a culture of sustainability;
- b. create strong, compact and complete neighbourhoods; and
- c. provide alternative transportation.

The Climate Action Plan focus areas envision that:

- a. Vernon is a healthy, equitable, and resilient community;
- b. Vernon is a leader in tackling Climate Change;
- c. Vernon is made of compact, complete, climate-ready neighbourhoods connected to low carbon transportation networks;
- d. Vernon has a diverse economy with businesses and industries that have embraced the opportunities of the low carbon economy and are resilient to the impacts of climate change; and
- e. Vernon is food secure and has a resilient agriculture and economy.

[Council’s Strategic Plan](#) 2019 – 2022 includes goals to:

- a. Promote transit oriented mixed use development;
- b. Work towards a sustainable Vernon – environmentally, economically, and socially; and
- c. Encourage sustainable infrastructure, agriculture and landscaping.

Each of these goals supports reducing vehicle-oriented development like drive-throughs, and instead encourages more walkable, bikeable, and transit-oriented design. In addition, transit-oriented and mixed use development have been more approachable for smaller, local businesses in other communities, rather than attracting international fast-food and beverage chains.

4. According to the 2018 study “Adoption and diffusion of zoning bylaws banning fast food drive-through services across Canadian municipalities” ([Nykiforuk et al.](#); *BMC Public Health*; 18, 137), 27 Canadian municipalities had already implemented a full or partial ban on drive-throughs by 2016, including the neighbouring Interior communities of Kelowna and Nelson. This study found municipal councils banned drive-throughs for a number of reasons relating to health, economic development, climate action, and transportation that also align with City of Vernon’s plans and priorities:

<b>Health</b>	↑ dietary choices
	↑ active lifestyle
	↓ air pollution
<b>Economic Development</b>	↑ opportunities for local, small businesses
	↑ commercial land available for redevelopment
	↓ commercial land used for vehicle queueing
<b>Climate Action</b>	↓ vehicle idling
	↑ building energy efficiency (no window opening)
<b>Transportation</b>	↑ walkability and connectivity
	↓ traffic safety concerns with queuing
	↑ aesthetic appeal of the built environment

5. A review of similar neighbouring communities to Vernon indicates that additional municipalities have since updated their regulations to either fully ban drive-throughs or partially ban them along with stronger regulations for queuing (Attachment 1). For example, Kamloops has restricted drive-throughs to highway-oriented commercial areas and increased the number of inbound car queueing spaces for food services to 10 and for high-traffic coffee shops to 20 (Vernon's Zoning Bylaw 5000 currently requires only three inbound spaces).
6. Zoning districts within the City that currently permit drive-through uses include (Attachment 2):

Zoning District	Drive-Through Services	Drive-Through Vehicle Services
C5: Community Commercial	✓	✗
C7: Heritage Business District	✓	✗
C8: Central Business District	✓	✗
C9: Regional Commercial	✓	✗
C10: Tourist Commercial	✓	✗
C10a: Tourist Commercial and Residential	✓	✗
C11: Service Commercial	✓	✓
CD1: Comprehensive Development (Anderson Way)	✓	✗
I1: Light Industrial	✗	✓

Administration recommends that Council consider prohibiting drive-through services in all zoning districts and drive-through vehicle services in all zoning districts (i.e. C11 Service Commercial), except I1 Light Industrial. Prior to considering this city-wide prohibition, Administration recommends the Council refer the report to the Transportation Advisory Committee, Climate Action Advisory Committee, Economic Development Advisory Committee, and Advisory Planning Committee for their review and comment.

7. Administration recommends that the specific use regulations for vehicle-oriented uses (e.g. number of queuing spaces required, circulation requirements, etc.) also be amended to align with best practices for any new drive-through vehicle service developments where they may still be permitted (i.e. in I1 Light Industrial zoning district).
8. Any lots that have existing drive-through services within the impacted zoning districts could continue to operate until redeveloped or lapse of the use for more than six months. The current drive-through services and drive-through vehicle services uses within the City include (Attachment 3 and 4):
  - 20 food and beverage services (i.e. fast food and coffee);
  - 6 financial services (i.e. drive-through ATM);
  - 8 car washes (i.e. coin-operated and automated);
  - 3 rapid vehicle services (i.e. oil change); and
  - 1 liquor primary service.
9. Moreover, Administration would complete processing of any drive-through service applications that are in the City's application queue until the amendments are adopted.

**C. Attachments:**

- Attachment 1 – Comparison of Drive-Through Regulations with Neighbouring Communities
- Attachment 2 – Map of Zoning Districts that Permit Drive-Throughs
- Attachment 3 – Map of Existing Drive-Through Locations
- Attachment 4 – Comparison of Zoning Districts to Drive-Through Locations

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

The subject Zoning Bylaw 5000 Amendments – Drive-Through Uses involves the following goals/action items in Council's Strategic Plan 2019 – 2022:

- Promote transit oriented mixed use development
- Work towards a sustainable Vernon – environmentally, economically and socially
- Encourage sustainable infrastructure, agriculture and landscaping

**E. Relevant Policy/Bylaws/Resolutions:**

1. At its Regular Meeting of May 9, 2011, Council passed the following resolution:

THAT Council direct staff to draft an OCP amendment bylaw to add the “*City Centre Neighbourhood Plan*” as a supplemental plan to “Official Community Plan Bylaw Number 5151, 2008” (OCP);

AND FURTHER, that Council support associated changes to the OCP that reflect the addition of the City Centre Neighbourhood Plan;

AND FURTHER, that Council support the replacement of the existing “*City of Vernon Façade Design and Colour Guidelines*” with the proposed City Centre Neighbourhood Plan Design Guidelines and policies;

AND FURTHER, that Council amend the OCP “Plan Vernon” Map 1 – Land Use Map to redesignate lands in and adjacent to the City Centre District to reflect the policies and direction provided in City Centre Neighbourhood Plan.

2. Official Community Plan guiding principles:

- Create a culture of sustainability;
- Create strong, compact and complete neighbourhoods;
- Provide alternative transportation; and
- Revitalize the Downtown.

3. Climate Action Plan Goals and Actions:

- Active transportation is the first choice to move around Vernon.
- Enable and support the enhancement of the transit network and alternative mobility options.
- Integrate climate change considerations into economic development planning and decisions.
- Identify means of improving local air quality (e.g. anti-idling bylaw, road dust mitigation).

4. Council's Strategic Plan 2019 – 2022 goals:


- Promote transit oriented mixed use development;
- Work towards a sustainable Vernon – environmentally, economically, and socially; and
- Encourage sustainable infrastructure, agriculture and landscaping.

**BUDGET/RESOURCE IMPLICATIONS:**

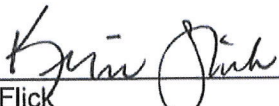
N/A

Prepared by:

Approved for submission to Council:

x   
Danielle DeVries  
Transportation Planner

  
Will Pearce, CAO  
Date: 05 Dec. 2022

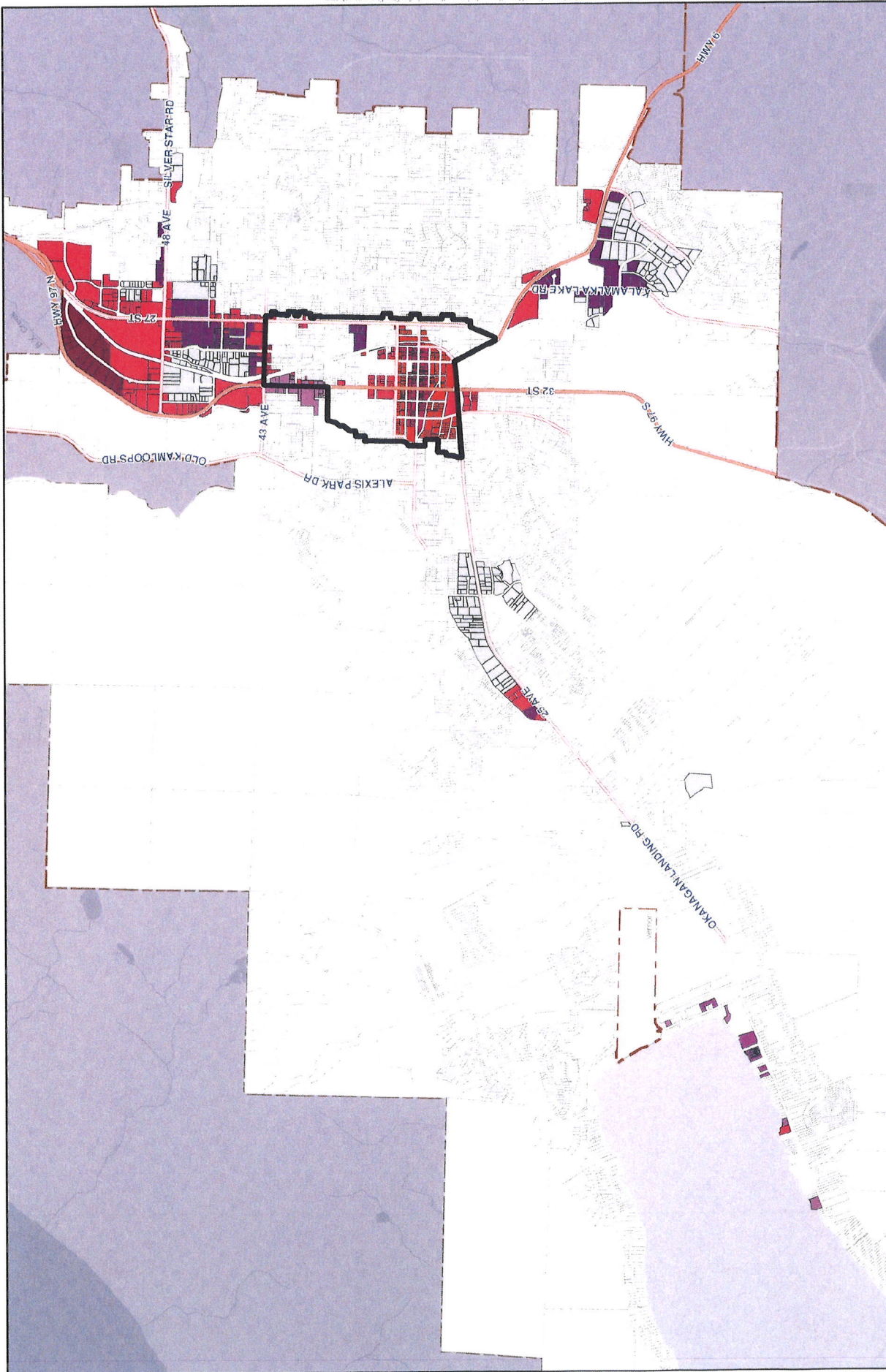
x   
Kim Flick  
Director, Community Infrastructure and Development

**REVIEWED WITH**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Corporate Services     | <input type="checkbox"/> Operations           | <input checked="" type="checkbox"/> Current Planning                     |
| <input type="checkbox"/> Bylaw Compliance       | <input type="checkbox"/> Public Works/Airport | <input checked="" 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 checked="" type="checkbox"/> Transportation                       |
| <input type="checkbox"/> Financial Services     |   | <input checked="" type="checkbox"/> Economic Development & Tourism       |
| <input type="checkbox"/> COMMITTEE:             |   |  |
| <input type="checkbox"/> OTHER:                 |   |  |

Attachment 1 - Comparison of Drive-Through Regulations with Neighbouring Communities

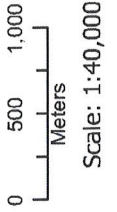
Municipality	Region	Population (2021 census)	Population Density (#/km <sup>2</sup> )	Reason for comparator	Drive-Through Uses	If permitted, which zones	Specific Regulations
Vernon	Okanagan	44,519	462	-	Regulated	many commercial, mixed-use	yes, queuing
Kamloops	Thompson	97,902	329	neighbour	Regulated	highway-oriented commercial only	yes, increased queuing
Lake Country	Okanagan	15,817	130	neighbour	Regulated	many commercial, mixed-use	yes, queuing
Kelowna	Okanagan	144,576	682	neighbour	Prohibited	Only with site-specific zoning	yes, increased queuing
West Kelowna	Okanagan	36,078	296	neighbour, similar population	Unregulated	all commercial	none
Summerland	Okanagan	12,042	163	neighbour	Unregulated	all commercial	none
Penticton	Okanagan	36,885	857	neighbour, similar population	Regulated	many commercial, mixed-use	yes, increased queuing
Nelson	Kootenay	11,106	931	neighbour	100% prohibited	none	none
Victoria	Island	91,867	4722	leader	100% prohibited	none	none
Ladysmith	Island	8,990	747	leader	100% prohibited	none	none
Central Saanich	Island	17,385	422	leader, similar density	100% prohibited	none	none
Mission	Fraser Valley	41,519	183	leader, similar population	Regulated	highway-oriented commercial only	yes, increased queuing

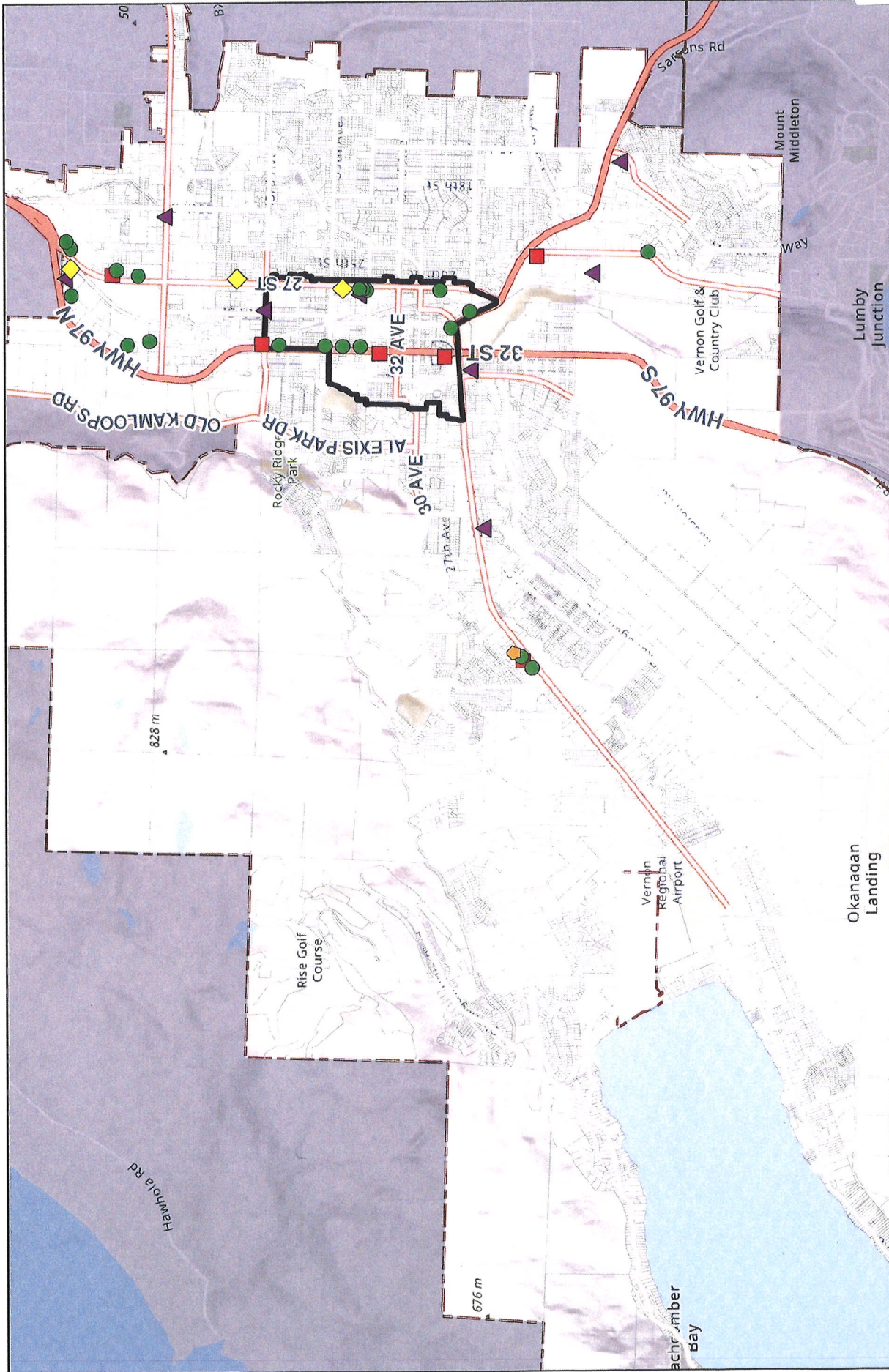


**Attachment 2 – Map of Zoning Districts that Permit Drive-Throughs**

**Legend**

- C5 COMMUNITY COMMERCIAL
- C7 HERITAGE BUSINESS DISTRICT
- C8 CENTRAL BUSINESS DISTRICT
- C9 REGIONAL COMMERCIAL
- C10 TOURIST COMMERCIAL
- C10A TOURIST COMMERCIAL & RESIDENTIAL
- C11 SERVICE COMMERCIAL
- CD1 COMPREHENSIVE DEVELOPMENT AREA 1
- I1 LIGHT INDUSTRIAL
- CITY CENTRE DISTRICT

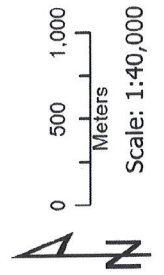




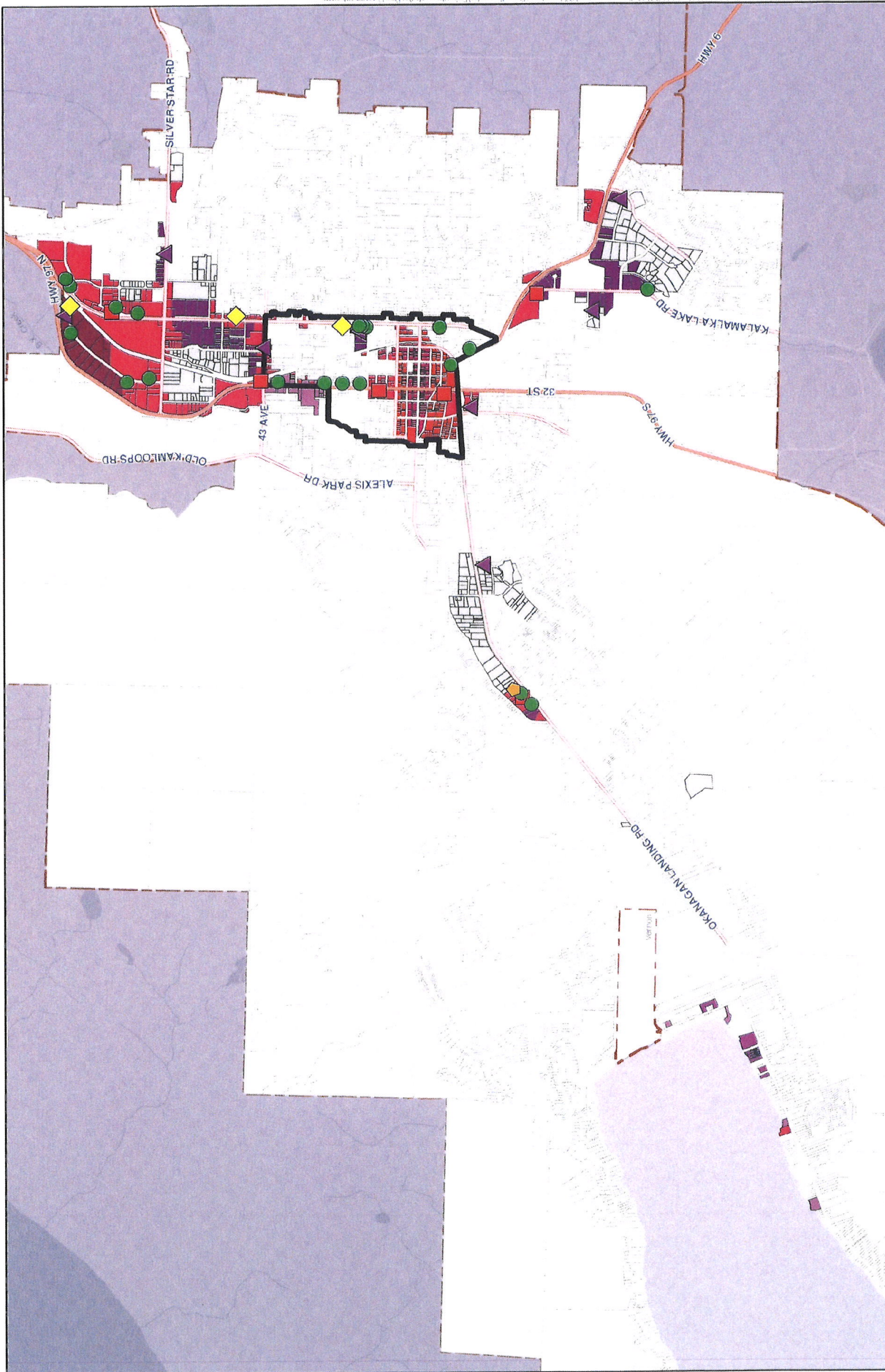
**Attachment 3 – Map of Existing Drive-Through Locations**

**Legend**

-  Car Wash
-  Financial Service
-  Food/Beverage
-  Liquor Primary Service
-  Rapid Vehicle Services
-  CITY CENTRE DISTRICT





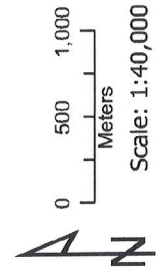


Attachment 4 - Comparison of Zoning Districts to Drive-Through Locations



Legend

- Car Wash
- Financial Services
- Food/Beverage
- Liquor Primary Service
- Rapid Vehicle Services
- C9
- C10
- C10A
- C11
- C5
- C7
- C8
- CD1
- I1
- CITY CENTRE DISTRICT



## Summaries of Committee discussions

### Advisory Planning Committee (APC)

At the February 14, 2023 meeting, the APC discussed how prohibiting drive-throughs city-wide would be most proactive so that development meets the City's vision as it continues to grow. There was some concern that it is difficult to get around without a car in the winter; however, patrons can still park and walk into a business. The committee resolved to support the recommendation and added a resolution to review implementation city-wide as soon as possible:

THAT Council direct Administration to prepare amendments to Zoning Bylaw 5000 to remove 'drive-through services' and 'drive-through vehicle services' as permitted uses within the City Centre Neighbourhood Plan Area as outlined in the report titled "Zoning Bylaw 5000 Amendments – Drive-Through Uses" dated November 29, 2022 and respectfully submitted by the Transportation Planner;

AND FURTHER, that Council direct Administration to prepare amendments to Zoning Bylaw 5000 to revise the specific use regulations for 'vehicular oriented uses' to improve traffic flow where 'drive-through services' and 'drive-through vehicle services' may still be permitted;

AND FURTHER, that Council direct Staff to review city-wide implementation in the near future.

### Economic Development Advisory Committee (EDAC)

At the February 16, 2023 meeting, the EDAC discussed how drive-throughs do not fit the character of the City Centre, that they are an inefficient use of land that could instead be developed with more density, and that businesses can adapt to other models such as ordering through apps and offering discounts for in-store pick up. There is also a positive community development and lifestyle choice from getting out of the car and connecting with neighbours in line inside a restaurant.

The committee did have concerns that it may be difficult for new businesses to compete with those that have an established drive-through or may push investment elsewhere. Overall, the committee discussed that despite businesses wanting a drive-through model to generate more income, a cleaner, more beautiful and active community is better in the long-term. The committee resolved to support the recommendation:

THAT Council direct Administration to prepare amendments to Zoning Bylaw 5000 to remove 'drive-through services' and 'drive-through vehicle services' as permitted uses within the City Centre Neighbourhood Plan Area as outlined in the report titled "Zoning Bylaw 5000 Amendments – Drive-Through Uses" dated November 29, 2022 and respectfully submitted by the Transportation Planner;

AND FURTHER, that Council direct Administration to prepare amendments to Zoning Bylaw 5000 to revise the specific use regulations for 'vehicular oriented uses' to improve traffic flow where 'drive-through services' and 'drive-through vehicle services' may still be permitted.

### **Climate Action Advisory Committee (CAAC)**

At the February 22, 2023 meeting, the CAAC discussed how prohibiting drive-throughs is a positive initiative for climate action, to improve land use, and that the alternative (city-wide) was better. There was some discussion that active transportation and transit networks need to be built out more before people will shift modes. Additionally, the committee thought the initiative would support the development of more “mom and pop” shops who cannot afford the amount of land required for a drive-through. The committee resolved to support the recommendation and added a resolution to review the city-wide impacts:

THAT Council direct Administration to prepare amendments to Zoning Bylaw 5000 to remove ‘drive-through services’ and ‘drive-through vehicle services’ as permitted uses within the City Centre Neighbourhood Plan Area as outlined in the report titled “Zoning Bylaw 5000 Amendments – Drive-Through Uses” dated November 29, 2022 and respectfully submitted by the Transportation Planner;

AND FURTHER, that Council direct Administration to prepare amendments to Zoning Bylaw 5000 to revise the specific use regulations for ‘vehicular oriented uses’ to improve traffic flow where ‘drive-through services’ and ‘drive-through vehicle services’ may still be permitted;

AND FURTHER, that Council direct Staff to prepare a report on the impacts of expanding that city-wide.

### **Transportation Advisory Committee (TAC)**

At the February 23, 2023 meeting, the TAC discussed how prohibiting drive-throughs would align with active transportation, transit, climate action, and health goals. One member stated that we are at “code red for humanity” regarding climate action and must make changes to reduce emissions immediately. The committee discussed other benefits of prohibiting drive-throughs like reducing distracted driving, improving pedestrian experiences, walkability, and livability of the city, and reducing areas where the queuing blocks sidewalks and traffic. Further, existing drive-throughs will remain for those who use them and the traffic and climate action benefits preclude adding any more to the community.

The committee discussed at length that this initiative may be harmful to businesses and dissuade investment in the community. On the contrary, one member pointed out that there are more businesses that do not have a drive-through in Vernon who are successful with other models and that building for smaller, local businesses keeps more money in the community. There was also some concern that it is difficult to get in and out of the car with small kids or family members with physical disabilities. The committee did not come to a resolution.

## Proposed Zoning Bylaw 5000 Amendments – Drive-Through Uses

### 2.0 Interpretation

### 2.3 General Definitions

**DRIVE-THROUGH SERVICES** means the **business** where customers order and receive services, food or other goods in their motor **vehicles** via one or more designated drive-through **lanes** or through one or more car attendant services, but does not include **drive-through vehicle services**.

**DRIVE-THROUGH VEHICLE SERVICES** means **development** providing rapid cleaning, lubrication, and maintenance or repair services to motor **vehicles**, where the customer typically remains within the **vehicle** or waits on the **premises**. Typical **uses** include but are not limited to automatic or coin operated car washes, rapid lubrication shops, or specialty repair establishments.

**FINANCIAL SERVICES** means the provision of financial and investment services by a bank, trust company, investment dealer, credit union, mortgage broker, insurance company or related **business**. This use does not include Insurance companies that cater to a specific sector of the commercial or industrial **business** community and do not offer personal, financial, investment or insurance services. **This does not include drive-through services relating to financial services.**

**FOOD PRIMARY ESTABLISHMENT** means a **development** where prepared food and beverages are offered for sale to the public. Typical **uses** include but are not limited to licensed restaurants, theatre restaurants, banquet facilities, cafes, delicatessens, tea rooms, coffee houses, lunch rooms, refreshment stands and take-out restaurants. A full range of appetizers and main courses must be available wherever liquor is available. This does not include **drive-through services** relating to food. These establishments may be holders of a **Food Primary License**.

**LIQUOR PRIMARY ESTABLISHMENT, MINOR** means **development** where food and alcoholic beverages are offered for sale to the public, for consumption within the **premises** or off the **site**. Typical uses include neighbourhood pubs. The person capacity of such establishments will be 100 or less. Must hold a **Liquor Primary License** and includes off-sales as a permitted **secondary use**. **This does not include drive-through services relating to food or liquor.**

**VEHICULAR ORIENTED USE** means a **use** that predominantly caters to automotive vehicular traffic. **Vehicular-oriented uses** include but are not limited to **gas bars**, service stations, drive-ins, **drive-through services**, **drive-through vehicle services**, and similar **developments** providing drive-in services.

## 5.0 Specific Use Regulations

### 5.11 Vehicular-oriented Uses

5.11.1 **Vehicular-oriented uses** shall not adversely affect the functioning of surrounding public roadways or adversely impact on any **adjacent residential uses**.

5.11.2 The minimum **site** width for a **vehicular-oriented use** shall be 30.0m.

5.11.3 **Vehicular-oriented uses** are prohibited in the City Centre Neighbourhood Plan area.

5.11.34 **Site** area shall be provided as follows:

- the minimum **site** area for any **development** incorporating a **vehicular-oriented use** shall be 1,500m<sup>2</sup> 930m<sup>2</sup> and the maximum **site** coverage shall be 50-60%;
- two or more of these uses shall not occur on the same **site**; and
- the **site** circulation shall be clearly shown on the **site** plan and demonstrate that the parking, loading, queuing, and active transportation spaces can operate without undue interference.
- ~~the minimum **site** area for a service station shall be 1,200 m<sup>2</sup> and the maximum **site** coverage, including pump islands, shall not exceed 75%;~~
- ~~the minimum **site** area for a **drive-through vehicle service** shall be 140m<sup>2</sup> of **site** area not covered by **buildings** for each service bay.~~
- ~~where 2 or more of these **uses** are part of a mixed **use development** on the same **site**, the total **site** area requirements shall be the sum of the requirements of the **uses** computed separately, unless there is a complementary **use** of space which would warrant a reduction in **site** area requirement. (Bylaw 5339)~~

5.11.45 Queuing space shall be provided as follows:

- in-bound queuing spaces shall be located after exiting general traffic on the internal drive aisle or public highway and before the ordering point or service bay;
- the spaces oriented at the ordering point, service bay, and/or service window are independent of the queuing space requirements;
- mid-point queuing spaces shall be located between the ordering point and the service window;
- out-bound queuing spaces shall be located after the service window or bay and before re-entering general traffic on the internal drive aisle or public highway;
- for **drive-through services**, ~~such as for food and related to banking and other non-food services~~, a minimum of 3 in-bound and 2 out-bound queuing spaces shall be provided for ~~the each~~ **drive-through lane**;
- for **drive-through services** related to food and beverages, a minimum of 6 in-bound, 4 mid-point, and 2 out-bound queuing spaces shall be provided for each **drive-through lane**;
- for **drive-through vehicle services**, excluding automated car washes, a minimum of 2 in-bound and 1 out-bound queuing spaces shall be provided for each service bay;
- for automated car washes, a minimum of 4 in-bound queuing spaces and 2 out-bound queuing spaces shall be provided for each service bay;

- each queuing space shall be a minimum of 6.0m long and 3.0m wide;
- queuing **lanes** shall provide sufficient space for turning and maneuvering;
- queuing **lanes** shall incorporate a **landscape buffer** of at least 0.5m wide where the lane is directly adjacent to an on-site **parking space** or the internal drive aisle in accordance with Section 6;
- queuing spaces shall not impede access to any on-site **parking space**, active transportation connection, **accessible path of travel**, internal drive aisle, or refuse and/or recycling bins; and
- for **drive-through services** related to food and beverages, a minimum of 1 **car loading space** shall be provided after the service window and independent of the outbound queuing spaces for vehicles to wait for additional service.

5.11.56 Service stations shall adhere to the following:

- all pump islands shall be located at least 6.0m from any **property line** or parking area on the **site** or laneways intended to control traffic circulation on the **site**;
- a **canopy** over a pump island shall not extend to within 3.0m of the **property line** of the **site**;
- the **canopy** area for a service station shall not constitute part of the **site coverage**; and,
- where the **canopy** is a sign, it must comply with the provisions of *City of Vernon Sign Bylaw No. 4489*, as amended.

## 5.12—Car Washes

~~5.12.1 Car washing establishments shall provide upstream **vehicle** storage for a minimum of 4 **vehicles** per washing bay except it is a minimum of 2 **vehicles** where the washing bay is coin-operated and the **vehicle** is manually washed by an occupant of the **vehicle**.~~

~~5.12.2 Upstream storage spaces shall be a minimum of 6.0m long and 3.0m wide.~~

~~5.12.3 The minimum **site** area for a car wash shall be determined on the basis of 100m<sup>2</sup> of space not covered by **buildings** for each car wash bay.~~

## 10.7 C7 : Heritage Business District

### 10.7.2 Primary Uses

- amusement arcades, major
- animal grooming (*Bylaw 5339*)
- apartment housing
- business support services
- call centres
- care centres, major
- clubs, private
- commercial schools
- community recreation centres
- cultural exhibits, private
- cultural exhibits, public
- custom indoor manufacturing
- ~~drive-through services~~
- educational services, private
- educational services, public
- exhibition and convention facilities
- financial services
- food primary establishments
- government services
- health services
- hotels
- hotels, apartment
- libraries and museums, public
- liquor primary establishment, minor
- liquor primary establishment, major
- non-accessory parking
- offices
- parks, public
- participant recreation services, indoor
- personal services
- retail cannabis sales (*Bylaw 5731*)
- retail stores, convenience
- retail stores, general
- retail stores, licensee
- retail street sales
- second-hand dealerships
- seniors assisted housing
- seniors residential care
- seniors supportive housing
- spectator entertainment establishments
- used goods stores

## 10.8 C8 : Central Business District

### 10.8.1 Purpose

The purpose is to designate and preserve land for the **development** of a vibrant civic core with an urban population, providing a wide range of commercial, governmental and cultural services.

### 10.8.2 Primary Uses

- **amusement arcades, major**
- **animal grooming** (*Bylaw 5339*)
- **apartment housing**
- **auctioneering establishments**
- **broadcasting studios**
- **business support services**
- **call centres**
- **care centres, major**
- **clubs, private**
- **commercial schools**
- **community recreation centres**
- **cultural exhibits, private**
- **cultural exhibits, public**
- **custom indoor manufacturing**
- ~~**drive-through services**~~
- **educational services, private**
- **educational services, public**
- **emergency protective services**
- **exhibition and convention facilities**
- **financial services**
- **food primary establishments**
- **funeral services**
- **government agencies**
- **government services**
- **health services**
- **hostels** (*Bylaw 5788*)
- **hotels**
- **hotels, apartment**
- **household repair services**
- **libraries and museums, public**
- **liquor primary establishment, minor**
- **liquor primary establishment, major**
- **non-accessory parking**
- **offices**
- **participant recreation services, indoor**
- **personal services**
- **parks, public**
- **retail cannabis sales** (*Bylaw 5731*)
- **retail stores, convenience**
- **retail stores, general**
- **retail stores, licensee**
- **retail street sales**



- **second-hand dealerships**
- **seniors assisted housing**
- **seniors residential care**
- **seniors supportive housing**
- **service stations, minor**
- **spectator entertainment establishments**
- **temporary shelter services**
- **used goods stores**
- **utility services, minor impact**