



# THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF THE  
ADVISORY PLANNING COMMITTEE MEETING  
HELD ON TUESDAY, AUGUST 17, 2021  
VIA ZOOM and IN-PERSON  
AURORA ROOM and BRIDGE ROOM  
(Located at Community Services Building - CSB)**

**PRESENT:** VOTING

Mark Longworth, Chair  
Jamie Paterson  
Don Schuster  
Phyllis Kereliuk  
Monique Hubbs-Michiel  
Lisa Briggs  
Harpreet Nahal  
Joshua Lunn

NON-VOTING

Mayor Cumming (Appointed Member)

**ABSENT:** Doug Neden  
Bill Tarr  
Larry Lundgren

**STAFF:** Craig Broderick, Manager, Current Planning  
Matt Faucher, Current Planner  
Michelle Austin, Current Planner  
Ally Campbell, Planning Assistant/Minute Taker  
Roy Nuriel, Economic Development Planner  
Shane Wright, Recreation

**ORDER** The Chair called the meeting to order at 4:03 p.m.

**LAND  
ACKNOWLEDGMENT** *As Chair of the City of Vernon's Advisory Planning Committee, 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.*

**ADOPTION OF  
AGENDA** Moved by Jamie Paterson, seconded by Phyllis Kereliuk :

Mayor Cummins Arrived At 4:06 pm

THAT the Advisory Planning Committee agenda of August 17, 2021 be adopted.

**CARRIED.**

**ADOPTION OF MINUTES**

Moved by Monique Hubbs-Michiel, seconded by Lisa Briggs:

THAT the minutes for the Advisory Planning Committee meeting of July 20, 2021 be adopted.

**CARRIED.**

**NEW BUSINESS:**

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

Craig Broderick, Manager of Current Planning and Matt Faucher, Current Planner, reviewed the Development Variance Permit Application for 5400 Okanagan Avenue. The Committee noted the following:

Harpreet Nahal, recused himself from the meeting due to conflict of interest with the Application at 4:10pm

- Concerned about the amount of Site Coverage and if it meets the bylaw, as well as the impermeability looks to be well over what is allowed, staff to verify
- Concerned about the Accessible parking requirements. Staff confirmed based on the Townhouse Use they would not require Accessible Parking
- APC Member concerned as to why we approved a possible DVP in the past with slopes greater than 30% and why we are not now? Staff advised based on the site design as proposed staff are not in support of the proposed variance to 30% slopes. Staff may support a different design if it was in general accordance with the Hillside Guidelines.

Moved by Monique Hubbs-Michiel, seconded by Joshua Lunn:

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

- a) to vary Section 9.11.6 building height from 2.5 storeys to 3 storeys to accommodate required visitor parking stalls between buildings 1, 2, 9, 10 and 11;

- b) to vary Section 6.6.3 to reduce the minimum requirement of the number of trees per lineal metre of required landscape buffer from 1 tree per 10.0 lineal metre to 1 tree per 13.75 lineal metre; and
- c) to vary Section 4.16.1 to allow construction of a building, structure and swimming pool on slopes of 30% or greater;

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

AND FURTHER, that Council confirm its previous approval of a portion of Development Variance Permit Application DVP00435 to vary Zoning Bylaw #5000 Section 6.5.11 to increase the maximum height of a retaining wall from 1.2 m to 3.6 m;

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

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

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

That the design drawings, intended to illustrate the general form, character and massing of the proposed development, and noted as Attachment 1 in the report titled "Development

Variance Permit Application for 5400 Okanagan Avenue” and dated August 12, 2021 by the Current Planner and the Manager, Current Planning be attached to and form part of DVP00476 as Schedule ‘A’.

**CARRIED.**

Harpreet Nahal, Invited back to meeting at 4:32pm

**DEVELOPMENT  
VARIANCE PERMIT  
APPLICATION FOR  
5577 27<sup>th</sup> AVENUE  
(DVP00519)**

Roy Nuriel, Economic Development Planner, reviewed Development Variance Permit Application for 5577 27<sup>th</sup> Avenue. The Committee noted the following:

- Concerns about the amount of parking being relaxed, wanted to be sure that the other phases will accommodate the parking relaxation requested in this variance. Staff confirmed it should be based on the Traffic Management Plan submitted which supported the relaxation
- Staff additionally added that the area was close to Transit. The Project is intended for low income housing and non-profit, so parking may not be needed due to fewer occupants having vehicles, or not being able to drive due to a disability
- APC member acknowledge the public benefit of this building would be beneficial to the neighbourhood
- Landscape needs to be increased, there is a lack of trees within the parking area

Moved by Jamie Paterson, seconded by Phyllis Kereliuk:

THAT Council support Development Variance Permit Application #DVP00519 to vary the following sections of Zoning Bylaw #5000 to allow for a five storey, 35-unit, non-profit rental apartment building for Vernon Native Housing Society to be constructed on Lot Pt 10, Plan B1827, DL 66, ODYD (5577 27<sup>th</sup> Avenue):

- a) to vary the minimum side yard setback on the north side of the property from 4.5m to 3.2m (Section 9.12.5);
- b) to vary the maximum side yard projections of decks on the north side of the property from 0.8m to 1.6m (Section 4.4.2);
- c) to vary the maximum building height from the lesser of 16.5m or 4.5 storeys to 16.6m and 5.0 storeys (Section 9.12.5);
- d) to vary the minimum number of required off-street parking spaces from 63 spaces to 22 spaces (Section 7.1.2, Table 7.1); and

- e) to vary the maximum number of small car parking spaces from 40% to 50% (Section 7.1.11).

AND FURTHER, that Council support of DVP00519 is subject to the following:

- a) That the site, floor, elevations, landscaping plans and traffic impact assessment generally noted as Attachments 2-6 contained in the report titled "Development Variance Permit and Rezoning Amendment Bylaw #5790 for 5577 27<sup>th</sup> Avenue and Housing Agreement for 5545 and 5577 27<sup>th</sup> Avenue" dated August 11, 2021 and respectfully submitted by the Economic Development Planner be attached to and form part of DVP00519 as Schedule 'A'.

AND FURTHER, that Council receive the reciprocal access agreement for parking, drive aisles, snow storage, common property and amenities across the site and between 5577 and 5545 27<sup>th</sup> Avenue;

AND FURTHER, that Council adopt "5577 27<sup>th</sup> Avenue Rezoning Amendment Bylaw Number 5790, 2019";

AND FURTHER, that Council support entering into a housing agreement pursuant to Section 4.9 of Zoning Bylaw #5000 with the Vernon Native Housing Society for two non-profit rental apartment buildings on Lot 1, Plan 5914, DL 66, ODYD (5545 27<sup>th</sup> Avenue) and Lot Pt 10, Plan B1827, DL 66, ODYD (5577 27<sup>th</sup> Avenue), subject to the following condition:

- a) That the terms and conditions of the housing agreement are those outlined in Attachment 9 contained in the report titled "Development Variance Permit and Rezoning Amendment Bylaw #5790 for 5577 27<sup>th</sup> Avenue and Housing Agreement for 5545 And 5577 27<sup>th</sup> Avenue" dated August 11, 2021 and respectfully submitted by the Economic Development Planner.

**CARRIED.**

Joshua Lunn – recused himself from the meeting due to conflict of interest with next application at 5:02pm

Harpreet Nahal left the meeting at 5:05pm

**DEVELOPMENT  
VARIANCE PERMIT  
APPLICATION FOR  
3004A 22<sup>nd</sup> STREET  
(DVP00528)**

Matt Faucher, Current Planner, reviewed Development Variance Permit Application for 3004A 20<sup>th</sup> Street. The Committee noted the following:

- No Comments from members

Moved by Monique Hubbs-Michiel, seconded by Lisa Briggs:

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

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

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

- a) the site plan illustrating the general siting, form and character of the proposed addition be attached to and form part of DVP00528.

**CARRIED.**

Joshua Lunn Returned at 5:08pm

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

Matt Faucher, Current Planner, reviewed the Development Variance Permit Application 9750 Delcliffe Road. The Committee noted the following:

- Concerned why staff are in support of this 30% sloped project and not on others. Staff advised that each application is considered based on site specific considerations and how the proposed design is in general accordance with the Hillside Guidelines.
- Concern of size of the footprint of the overall garage area

Moved by Phyllis Kereliuk, seconded by Jamie Paterson:

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

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

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

- a) the site plan illustrating the general siting of the proposed garage be attached to and form part of DVP00530; and
- b) if any tree removal is required to construct the attached garage that the applicant obtain a valid Tree Cutting Permit.

**CARRIED.**

**DEVELOPMENT  
 VARIANCE PERMIT  
 APPLICATION FOR  
 3311,3309,3307 & 3305  
 35<sup>th</sup> Avenue  
 (DVP00538)**

Michelle Austin, Current Planner, reviewed the Development Variance Permit Application 3311,3309,3307 & 3305 35<sup>th</sup> Avenue. The Committee noted the following:

- APC Member asked if a parking study was completed to consider the entire recreation site and all existing and proposed uses. Staff confirmed that the City Transportation Department did a Recreation Complex parking assessment and, based on timing of events the sharing of parking lot spaces, it was determined to work.
- APC Member asked if a proper fence would enclose the play area for the childcare facility. Staff confirmed that a 4'0" fence would surround the play area.
- APC Member asked if a cross walk is proposed across 35<sup>th</sup> Avenue to assist with drop off-pick up to the proposed childcare facility. Staff confirmed that a cross walk does not exist over 35<sup>th</sup> Avenue near the project site. A recommendation to add a crosswalk at 35th Avenue near the project site can be put forward to transportation.
- Concerns were raised about removing vehicular access from 35<sup>th</sup> Avenue and maintaining only one vehicular access (i.e. from 33<sup>rd</sup> Street). The recreation site can get congested as is and will become very congested with the addition of the childcare facility, particularly during drop off-pick up times.
- Desire not to close vehicular access to 35<sup>th</sup> Avenue and to maintain both accesses for vehicles.



Moved by Don Schuster, seconded by Lisa Briggs:

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

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

AND FURTHER that Council’s approval of Development Variance Permit Application #DVP00538 is subject to the following:

- a) the Site Plan, Revision 3, Drawing No. A100, by Stantec Architecture Ltd. illustrating the general siting of the proposed childcare facility be attached to and form part of DVP00538.

AND FURTHER the Advisory Planning Committee recommends to Council that the applicant be required to maintain vehicular access from the project site to 35th Avenue.

**CARRIED.**

**INFORMATION ITEMS**

**Housekeeping item:**

- **Lisa Briggs – Requested to speak about the new EScooter that was recently launched in the City**
- **While praise was provided for the implementation of the EScooter program, issues were noted in regards to the EScooters being parked in areas that impede accessibility routes, such as in the middle of the sidewalks and pathways. Additionally, noted concerns over the lack of riders wearing helmets and suggested implementing a different cleaning protocol to encourage helmet usage**

**NEXT MEETING**

The next meeting of the Advisory Planning Committee is tentatively scheduled for Wednesday, September 8, 2021.

**ADJOURNMENT**

The meeting of the Advisory Planning Committee adjourned at 5:47p.m.

**CERTIFIED CORRECT:**



**Chairperson**

