



THE CORPORATION OF THE CITY OF VERNON

MINUTES OF THE ADVISORY PLANNING COMMITTEE MEETING HELD JUNE 13, 2023 AT 4:00 PM OKANAGAN LAKE ROOM (COUNCIL CHAMBER) CITY HALL

PRESENT: Mayor Cumming
Margo Lupien, Community at Large
Monique Hubbs-Michiel
Scott Chatterton
Jordan Hart
Kyla Gaudreau
Jessica Kirkham
Claire Ishoy
Kennedy Mund

ABSENT: Margo Jarman
Craig Neville
Harpreet Nahal

STAFF: Roy Nuriel, Acting General Manager, Planning
Danielle DeVries, Transportation Planner
Matt Faucher, Planner
Michelle Austin, Planner
Megan Fyfe, Planning Assistant

ORDER The meeting was called to order at 4:01 p.m.

LAND ACKNOWLEDGEMENT *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 THE AGENDA Moved by **M. Lupien**, seconded by **K. Gaudreau**:

THAT the agenda of the June 13, 2023 Advisory Planning Committee meeting be adopted.

CARRIED

ADOPTION OF THE MINUTES

Moved by **J. Hart**, seconded by **J. Kirkham**:

THAT the minutes of the May 24, 2023 Advisory Planning Committee meeting be adopted.

CARRIED

NEW BUSINESS:

DVP00606 (900 MT GRIFFIN ROAD)

M. Faucher, Planner, provided an overview of the application as follows:

- The application before the Committee is to vary Zoning Bylaw 5000 to authorize an existing retaining wall with a fence that was constructed without the required permits.
- The owner requires variance approval to allow the retaining wall to remain as it is located on slopes greater than 30% and greater in height than allowed under the bylaw.
- The application is to increase the maximum allowable height of a retaining wall from 1.2m to 2.19m and combined height of a retaining wall and fence from 2.0m to 3.26m to authorize a guard rail on top of the retaining wall to support the future installation of a pool.

The following questions / comments were posed by the Committee:

- Staff confirmed the future pool will be the same height as the retaining wall.
- The Committee commented they have seen similar applications where the applicant “builds first and asks permission later”. They are concerned and disappointed with this approach.

Moved by **J. Kirkham**, seconded by **S. Chatterton**:

THAT the Advisory Planning Committee recommends that Council support Development Variance Permit application 00606 (DVP00606) to vary Zoning Bylaw 5000 on LT 23, SEC 27, TWP 9, ODYD, PL EPP96153 (900 Mt Griffin Road), in the report titled “Development Variance Permit

Application for 900 Mt Griffin Road” dated May 30, 2023, and respectfully submitted by the Current Planner, as follows:

- a) Section 4.15.1 to allow the construction of buildings, structures and swimming pools on slopes greater than 30%;
- b) Section 6.5.11 to increase the maximum height of a retaining wall from 1.2m to 2.19m; and
- c) Section 6.5.12 to increase the maximum combined height of a fence on top of a retaining wall at the property line or within 1.2m of the property line from 2.0m to 3.26m;

AND FURTHER, that Council’s support of DVP00606 is subject to the following:

- a) That the site plan and cross-sections, intended to illustrate the siting and height of retaining structures and attached fence (Attachment 1), be attached to and form part of DVP00606 as Schedule ‘A’; and
- b) That the Geotechnical Memorandum, prepared by Horizon Geotechnical Ltd., dated April 24, 2023 (Attachment 2), be attached to and form part of DVP00606 as Schedule ‘B’; and
- c) That the esthetics of the existing retaining wall be improved through screening and/or planting.

DVP00608 (5975 LEFOY ROAD)

M. Faucher, Planner, provided an overview of the application as follows:

- The application before the Committee is to vary Zoning Bylaw 5000 to permit construction of a 141 unit multi-family development as follows:
 - Section 7.2.2 to reduce the minimum number of required loading spaces from 6 to 3; and
 - Section 9.12.6 to increase the maximum continuous building frontage from 40m to 98m.

The following questions / comments were posed by the Committee:

- Staff confirmed that no other building in the area has had their frontage extended to this extent.
- It was also confirmed that the builder would break up the façade by using different materials and patios.
- The Committee suggested that options be explored for access to the development from 58th Avenue at the south end and from 20th Street at the north end.

Moved by **S. Chatterton**, seconded by **J. Hart**:

THAT the Advisory Planning Committee recommends that Council support Development Variance Permit application 00608 (DVP00608) to vary Zoning Bylaw 5000, as outlined in the report titled "Development Variance Permit Application for 5975 Lefoy Road" dated June 5, 2023, and respectfully submitted by the Current Planner, on LT 4, SEC 11, TWP 8, ODYD, PL KAP68038 EXCEPT PL EPP56407 and EPP70680 (9575 Lefoy Road), as follows:

- a) Section 7.2.2 to reduce the minimum number of required loading spaces from 6 to 3; and
- b) Section 9.12.6 to increase the maximum continuous building frontage from 40m to 98m;

AND FURTHER, that Council's support of DVP00608 is subject to the following:

- a) That the site plan and architectural drawings intended to illustrate the siting and size of structures, as well as parking layout (Attachment 1), be attached to and form part of DVP00608 as Schedule 'A'; and
- b) That issuance of DVP00608 be withheld until a Development Permit for the subject property is authorized to be issued.

CARRIED

*Before the application for **ZON00393 / DVP00603 (2801 28TH STREET)** was presented, Committee members 1) J. Hart and 2) J. Kirkham declared a conflict of interest and recused themselves from the meeting room at 4:52 p.m.*

ZON00393 / DVP00603 (2801 28TH STREET)

M. Austin, Planner, provided an overview of the application as follows:

- The application before the Committee is to rezone the subject property from C4 – Street Oriented Commercial to C8 – Central Business District, and vary the following sections of Zoning Bylaw 5000:
 - Section 10.8.5 to decrease the minimum setback from 3m to 0m;
 - Section 10.8.6 to allow vehicular access to the development from a street; and
 - Section 7.0 to reduce required parking spaces from 19 to 18 for apartment housing and reduce residential visitor parking from two parking spaces to one.
- Development plans are to construct a five and a half storey mixed-use building, containing a parkade partially below grade, with office space on the main level and 14 residential units above.

The following questions / comments were posed by the Committee:

- It was confirmed that the height of the building will be similar to the surrounding buildings.
- A comment was made that there is sufficient public parking surrounding the building.
- It was also confirmed that the parking at the new building will be EV Charger ready.

Moved by **C. Ishoy**, seconded by **M. Lupien**:

THAT the Advisory Planning Committee recommends that Council support Zoning Application 00393 (ZON00393) to rezone Lot 1, Sec 34, TWP 9, ODYD, Plan KAP63494 (2801 28th Street) from C4 – Street Oriented Commercial to C8 – Central Business District as outlined in the report

titled "Zoning and Development Variance Permit Applications for 2801 28th Street" dated June 7, 2023 and respectfully submitted by the Current Planner;

AND FURTHER, that Council's support of ZON00393 is subject to the following:

- a) that a Mixed Use Development Permit is ready for issuance prior to final adoption of a bylaw to rezone the property; and
- b) that a covenant, in favour of the City of Vernon, be registered on title of the land prohibiting auctioneering establishments, drive-through services, second hand dealerships, and service stations, minor uses;

AND FURTHER, that Council hold a public hearing, pursuant to 464(1) of the Local Government Act, on a proposed bylaw to rezone Lot 1, Sec 34, TWP 9, ODYD, Plan KAP63494 (2801 28th Street) from C4 – Street Oriented Commercial to C8 – Central Business District;

AND FURTHER, that Council support Development Variance Permit Application 00603 (DVP00603) to vary Zoning Bylaw 5000 for Lot 1, Sec 34, TWP 9, ODYD, Plan KAP63494 (2801 28th Street), as follows:

- a) decreasing Section 10.8.5, minimum setback from 28th Street and 28th Avenue for the portion of the building higher than 15m, from 3m to 0m;
- b) allowing vehicular access to the development from a street, notwithstanding Section 10.8.6; and
- c) reducing Section 7.0 Parking & Loading, Table 7.1, from 19 spaces to 18 spaces for apartment housing and from two (2) spaces to one (1) space for residential visitor parking.

CARRIED

C. Ishoy left the meeting at 5:00 p.m.

Committee members J. Hart and J. Kirkham rejoined the meeting at 5:05 p.m.

**YOUTH MEMBER VOTING
PRIVILEGES**

Moved by **M. Lupien**, seconded by **C. Neville**:

THAT the Advisory Planning Committee recommends that Council amend the Advisory Planning Committee Terms of Reference to make the youth member a voting member.

CARRIED

INFORMATION ITEMS:

M. Austin provided an update of recent Council resolutions on applications and bylaws previously considered by the Advisory Planning Committee.

NEXT MEETING

The next meeting for the Advisory Planning Committee is set for June 27, 2023 at 4:00 p.m.

ADJOURNMENT

The meeting of the Advisory Planning Committee adjourned at 5:16 p.m.

CERTIFIED CORRECT:

 Chair