



THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF THE
ADVISORY PLANNING COMMITTEE MEETING
HELD JUNE 27, 2023 AT 4:00 PM
OKANAGAN LAKE ROOM (COUNCIL CHAMBERS) CITY HALL**

PRESENT: Mayor Cumming
Jessica Kirkham
Kennedy Mund
Scott Chatterton (*Acting Chair*)
Jordan Hart
Craig Neville
Clair Ishoy
Margo Lupien
Harpreet Nahal
Kyla Gaudreau

ABSENT: Monique Hubbs-Michiel
Margo Jarman

STAFF: Roy Nuriel, Acting General Manager, Planning
Michelle Austin, Planner
Matt Faucher, Planner
Jennifer Pounder, Committee Clerk

ORDER

The meeting was called to order at 4:10 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 C. Neville:

THAT the agenda of the June 27, 2023 Advisory Planning Committee meeting be adopted.

CARRIED

ADOPTION OF THE MINUTES

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

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

CARRIED

NEW BUSINESS:

ZON00401 (811 39TH AVENUE)

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

- The application is to rezone the property from CR NORD – Country Residential to A1 – Agriculture within the ALR.
- The subject property was annexed to the City on September 16, 2011. At that time, secondary suites were not a permitted use in the Regional District of North Okanagan's (RDNO) Country Residential zone. Therefore, regardless of suites being permissible under current land use regulations in RDNO, they are not a permitted use on the subject property.
- The proposed zoning amendment provides the subject property with an appropriate City zone and eliminates challenges created by having a property within the City with a zoning designation from another jurisdiction.
- If the rezoning is successful, the applicant intends to add a secondary suite to the subject property.

There were no questions or comments from the Committee.

Moved by H. Nahal, seconded by C. Neville:

THAT the Advisory Planning Committee recommends that Council support Rezoning 00401 (ZON00401) to rezone Lot 4, Sec 2, TWP 8, ODYD, Plan 4327 Except Plans 35714 and EPP85237 (811 39th Avenue) from CR NORD – Country Residential to A1 – Agriculture within the ALR as outlined in the report titled "Rezoning Application for 811 39th Avenue" dated

June 19, 2023 and respectfully submitted by the Current Planner;

AND FURTHER, that Council direct Administration to prepare a proposed bylaw and public notice of initial readings to rezone Lot 4, Sec 2, TWP 8, ODYD, Plan 4327 Except Plans 35714 and EPP85237 (811 39th Avenue) from CR NORD – Country Residential to A1 – Agriculture within the ALR;

AND FURTHER, that Council not hold a public hearing on a proposed bylaw to rezone Lot 4, Sec 2, TWP 8, ODYD, Plan 4327 Except Plans 35714 and EPP85237 (811 39th Avenue) from CR NORD – Country Residential to A1 – Agriculture within the ALR.

CARRIED

DVP00582 (903 MT. GRIFFIN ROAD)

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

- The owner of the property is in the process of constructing a single detached house with a secondary suite. A building permit for this purpose was issued in September 2022. Retaining walls have concurrently been constructed along the east side property line and rear (south) of the house along an existing no build/no disturb covenant line. All retaining walls over 1.2m high require variance approval from Council and a building permit. Fencing has not yet been constructed.
- The applicant is requesting the following:
 - To allow the construction of buildings, structures or swimming pools on slopes >30%;
 - To increase the height of a retaining wall from 1.2m to 2.4m along 19ft of the east property line, from 1.2m to 2.4m at the west end of the retaining wall, up to 2.9m along 47ft along the covenant line adjacent to the pool, and from 1.2m to 2m along a 32ft section paralleling the covenant line;
 - To increase the combined height of a fence on top of a retaining wall from 2m to 3.5m along a 19ft section on

the east property line, from 2m to 3.6m at the west end of the retaining wall, up to 4.1m along a 47ft section paralleling the covenant line, and from 2m to 3m along a 32ft section paralleling the covenant line.

- The owner's development objectives are to create a patio area for a secondary suite and create an at-grade pool and back yard area at the rear of the house.

The following questions and comments were posed by the Committee:

- Staff confirmed that the neighbors are not in favor of this application.
- The Committee commented that this is not creating more housing. Rather, it is benefitting one family while negatively impacting the appearance of the hillside for the broader public.
- Staff confirmed that the original house designs for the Mt. Griffin Road subdivision were for two storey walk outs, with one storey from the street. However, the house designs have changed to two storeys, which requires filling the backyard level and using retaining walls. Had the original house designs been implemented, fill and retaining walls to the extent proposed would not be required.
- Staff confirmed surface treatments are recommended to blend the concrete wall with the natural surroundings.

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

THAT the Advisory Planning Committee recommends that Council support a modified version of Development Variance Permit Application 00582 (DVP00582) to vary Zoning Bylaw 5000 for Lot 24, Sec 27, TWP 9, ODYD, Plan EPP96153 (903 Mt. Griffin Road) as outlined in the report titled "Development Variance Permit Application for 903 Mt. Griffin Road" dated June 22, 2023 and respectfully submitted by the Current Planner, as follows:

a) Section 4.15.1, to allow construction of buildings, structures or swimming pools on a slope of 30% or greater;

AND FURTHER, that Council's approval of DVP00582 is subject to the following:

a) That the retaining wall and fencing locations and heights comply with an updated site, elevation and cross section plan to be attached to and form part of DVP00582; and

b) That the retaining wall complies with the Geotechnical Letter, prepared by Horizon Geotechnical Ltd., dated June 16, 2023 (Attachment 5) to be attached and form part of DVP00582.

c) That the concrete wall aesthetic be enhanced with a surface treatment that blends in with natural surroundings, to the satisfaction of Administration.

CARRIED
with H. Nahal opposed

INFORMATION ITEMS:

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

NEXT MEETING

The next meeting for the Advisory Planning Committee is set for July 18, 2023 at 4:00 p.m.

ADJOURNMENT

The meeting of the Advisory Planning Committee adjourned at 4:56pm by call of the Chair.

CERTIFIED CORRECT:


_____ Chair