



THE CORPORATION OF THE CITY OF VERNON

MINUTES OF THE ADVISORY PLANNING COMMITTEE MEETING HELD JULY 18, 2023 AT 4:00 PM OKANAGAN LAKE ROOM, CITY HALL

PRESENT: Scott Chatterton, Vice Chair (*Acting Chair*)
Jessica Kirkham
Kennedy Mund
Craig Neville
Margo Lupien
Harpreet Nahal
Kyla Gaudreau
Councillor Mund

ABSENT: Mayor Cumming
Claire Ishoy
Monique Hubbs-Michiel, Chair

GUESTS: Phillip Wambold, Prime Building Design
Dora Anderson, MQN
Donovan Imbeau, Woodstyle Homes Ltd.

STAFF: Roy Nuriel, Acting General Manager, Planning (4:34 pm)
Craig Broderick, Approving Officer (4:34 pm)
Michelle Austin, Planner – Staff Liaison
Michael Olubiyi, Planner
Teresa Campbell, Environmental Planning Assistant
Danielle DeVries, Transportation Planner
Jade Adams-Longworth, Secretary I – Corporate Services

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 Margo Lupien, seconded by Jessica Kirkham:

THAT the agenda of the July 18, 2023 Advisory Planning Committee meeting be adopted as amended.

CARRIED.

ADOPTION OF THE MINUTES

Moved by Margo Jarman, seconded by Harpreet Nahal:

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

CARRIED

NEW BUSINESS:

STAFFING CHANGES

The Staff Liaison updated the Committee on staffing changes, the following was noted:

- Teresa Campbell is joining the team in the role of Environmental Planning Assistant.
- Michael Olubiyi is leaving the team for a new role in another municipality. Sentiments and best wishes were given.

DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 8354 OKANAGAN LANDING ROAD (DVP00596)

A Planner, provided an overview of the application as follows:

- This application seeks to allow construction of a retaining wall on $\geq 30\%$ and to increase the height of a retaining wall supporting the inside curve of the driveway from 1.2m to 2.3m.
- The applicant wants to subdivide the property into two lots and add another semi-detached building in the future.
- Some land alterations have already occurred.
- Three (3) preliminary geotechnical documents have been provided, but it was noted that further investigation is needed.
 - Recommendation to Council includes a condition for a final geotechnical investigation and a landslide assurance.
- Outstanding soil permit, waiting on issuance.
- Questions were answered in regards to the retaining wall and the following was noted:
 - The wall will be designed with natural stone-like texture, and not a flat cement wall.
 - The wall will be about 12m from the public road.
 - There is potential for landscaping.
- Clarification was given on the slope of the driveway and implications to the provision of emergency services and fire access.
 - Access for any emergency access road way is a maximum 15% grade, preference for maximum of 12% grade based on the Fire Engines ability to operate.
- Clarification was given that only one semi-detached building is proposed at this time.

Moved by Margo Lupien, seconded by Jessica Kirkham:

THAT the Advisory Planning Committee recommends that Council support Development Variance Permit Application 00596 (DVP00596) to vary Zoning Bylaw 5000 for Lot 4, DL 6, ODYD, Plan KAP69591 (8354 Okanagan Landing Road) as outlined in the report titled "Development Variance Permit Application for 8354 Okanagan Landing Road" dated July 12, 2023 and respectfully submitted by the Planner, as follows:

- a) Section 4.15.1, to allow construction of a semi-detached building and retaining wall on a slope of 30% or greater on Proposed Lot A; and
- b) Section 6.5.11, to increase height of a retaining wall supporting the inside curve of the driveway from 1.2m to 2.3m as shown in an orange bold line on Drawing 01, Retaining Wall Design Memo, prepared by Tetra Tech Canada Inc., dated March 3, 2023 (Attachment 4);

AND FURTHER, that Council's support of DVP00596 is subject to the following:

- a) That the development generally complies with the site and topography plan, prepared by Russell Shortt Land Surveyors, dated November 15, 2022 (Attachment 1) to be attached to and form part of DVP00596;
- b) That the development complies with the Retaining Wall Design Memo, prepared by Tetra Tech Canada Inc., dated March 3, 2023 (Attachment 4) to be attached and form part of DVP00596;
- c) That the development complies with the Letter of Assurance, provided by Tetra Tech Canada Inc., dated February 17, 2023 (Attachment 6) to be attached and form part of DVP00596;
- d) That the development complies with the Preliminary Geotechnical Report, prepared by Tetra Tech Canada Inc., dated December 9, 2022 (Attachment 5) to be attached and form part of DVP00596;
- e) That, prior to the issuance of DVP00596, a Final Geotechnical Assessment Report and Landslide Assurance Statement be provided stating that the land may be used safely for the use intended;
- f) That a Permit is ready for issuance in accordance with Soil Removal and Deposition Bylaw 5259; and
- g) That the verti-blocks used to construct the retaining wall resemble coloured textured stone (Attachment 4 – Drawing 01).

CARRIED.

Jessica Kirkham declared a conflict of interest and left the meeting at 4:25 pm.

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR
8511 OKANAGAN
LANDING ROAD
(DVP00598)**

The Environmental Planning Assistant, provided an overview of the application as follows:

- The portion of the property being discussed is on the lakeside portion – the rest of the property is undeveloped. The property is zoned as R6: Lakeshore Residential.
- The current dwelling is legal and non-conforming, with respect to siting.
- There are two (2) exterior renovations proposed within the 15m setback of the highwater mark.
 - Repair of an existing roof structure
 - Enclosing the lower patio
- Clarification was given on where the 15m HWM is, and where it falls on the site plan.
- The proposed renovations are within the existing house footprint, with a slight increase to the height of the new roof.
 - The height complies with Sec. 9.7.6 of the Zoning Bylaw.

Moved by Craig Neville, seconded by Kennedy Mund:

THAT the Advisory Planning Committee recommends that Council support Development Variance Permit Application 00598 (DVP00598) to vary Zoning Bylaw 5000 for Lot 2, DL 6, ODYD, Plan 30747, Except Plan KAP63065 (8511 Okanagan Landing Road) as outlined in the report titled "Development Variance Permit Application for 8511 Okanagan Landing Road" dated July 10, 2023 and respectfully submitted by the Environmental Planning Assistant and Planner, as follows:

- a) Section 4.13.2, to allow for repair and replacement of a roof and enclosure of a patio within the existing footprint of the single detached dwelling within 15m of the High Water Mark of Okanagan Lake;

AND FURTHER, that Council's support of DVP00598 is subject to the following:

- a) That the development generally complies with the renovation drawings prepared by MQN Interiors Ltd. dated January 27, 2023 (Attachment 2) to be attached and form part of DVP00598; and
- b) That development complies with the Riparian Areas Protection Regulation Assessment Report, prepared by Canyon Wren Consulting Inc, dated November 1, 2022 (Attachment 3) to be attached and form part of DVP00598.

CARRIED.

**REZONING AND
DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR
5311 20TH STREET
(ZON00394/DVP00597)**

Jessica Kirkham rejoined the meeting at 4:33 pm.

Roy Nuriel, Acting General Manager of Planning and Craig Broderick, Approving Officer, entered the meeting at 4:34 pm.

A Planner, provided an overview of the application as follows:

- The property currently has a single detached dwelling on it.
- It is designated under the Official Community Plan as Residential Medium Density.
- It is currently zoned A3: Rural – Small Holdings. The proposed zoning is RH2: Stacked Row Housing Residential in order to construct a 12-unit row house development.
 - Under the current A3, only single detached housing is permitted.
 - More housing options are available under the proposed RH2 zone (e.g. apartment housing, row housing, stacked row housing, group homes, care centres, and senior housing options).
- The proposed variance is to decrease the minimum side yard setback from 6m to 2m for the upper portion of each building.
- Clarification was given on the height of the proposed development and what height would be allowed if the property was rezoned to RH2.

The Committee discussed the Rezoning and Development Variance Permit application and the following was noted:

- The buildings look boxy. They would not fit in with the rest of the neighbourhood and neighbouring properties.
 - The members noted that they would not want to live in a neighbourhood like this. What would the impact be on the current neighbours?
- While the application fits with proposed zoning and the Official Community Plan, the three storey structures are large and close to the rear yards of adjacent single-family lots.
- Clarification was given on how many parking stalls are required (26 stalls) and how many are being provided, including visitor parking (26 stalls).

Craig Broderick, Approving Officer left the meeting at 4:46 pm.

- The development would cast a lot of shade on the neighbouring properties given their size and height.
 - In the winter the neighbouring properties would be shaded all day.
 - Clarification was given that a shadow analysis is required to be provided for RH zones.
 - Clarification was given on whether or not the Committee can be in support of a setback for the first and second stories but not the third. The current bylaw is height

specific, not storey specific – the property and development do fall within the remaining zoning parameters for the RH2 zone.

- With the current site plan, the access roadway looks as if it could lead into the neighbouring property.
- When looking over the width requirement for the paving, the question was raised if more greenspace could be provided.
- While the property is a multifamily site, what has been proposed is not fitting for the property – the applicant has many other options that could be considered on this site.

Moved by Harpreet Nahal, seconded by Margo Lupien:

THAT the Advisory Planning Committee recommends that Council **not support** Zoning Application 00394 (ZON00394) to rezone to rezone Lot 1, Plan 14021, Sec 11, TWP 8, ODYD, (5311 20th Street) from A3: Rural Small Holdings to RH2: Stacked Row Housing Residential as outlined in the report titled “Rezoning and Development Variance Permit Applications for 5311 20th Street” dated July 13, 2023 and respectfully submitted by the Current Planner.

CARRIED.

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR 69
KESTREL PLACE
(DVP00599)**

A Planner, provided an overview of the application as follows:

- The variances being sought are to allow construction on slopes $\geq 30\%$, increase maximum building height, decreases side yard setbacks, and increase residential parking places.
- The property is located at the north end of Tronson Road in Canadian Lakeview Estates.

Michael Olubiyi, Planner left the meeting at 5:06 pm.

- The property has the zoning in place, as R5 – Fourplex Residential.
 - There are 17 units in total being proposed.
 - Two (2) of the units would have direct access from Kestrel Place.
 - Thirteen (13) of the units will have a private road that connects to Kestrel Place.
 - The remaining two (2) units will have direct access from Peregrine Way.
 - Each unit will have 3 bedrooms and 2.5 bathrooms.
- Clarification was given on how height is calculated from the average building grade on the lowest elevation to the top of the roof.

- Units 1-15: Meet the building height requirements of 10m, with the exception of the glass railings.
 - Units 16-17: The height of the proposed development with glass railings is 13.61m. The increase in height is based on the height of the stilts required to build the proposed development due to the natural slope of the site.
- A geotechnical assessment was done, and the report concluded that the site was safe to be built on.
 - Clarification was given on which areas were deemed the side yards, rear yards and front yards on the site plan.
 - The required parking for this development is 42 spaces, the applicant is wanting a variance to increase that to 60 spaces.
 - The site location is not conducive to active transportation.

Moved by Harpreet Nahal, seconded by Margo Lupien:

THAT the Advisory Planning Committee recommends that Council support Development Variance Permit Application 00599 (DVP00599) to vary Zoning Bylaw 5000 for Lot B, DL 297, ODYD, Plan KAP85198 (69 Kestrel Place) as outlined in the report titled "Development Variance Permit Application for 69 Kestrel Place" dated July 14, 2023 and respectfully submitted by the Planner, as follows:

- a) Section 4.15.1, to allow construction of buildings, structures or swimming pools on a slope of 30% or greater;
- b) Section 7.1.2, to increase the maximum number of residential parking spaces from 42 to 60 (from 125% to 176% of the minimum number of required parking spaces);
- c) Section 9.6.6, to increase maximum height from 10m to 10.77m for Units 1 – 7, 14 and 15;
- d) Section 9.6.6, to increase maximum height from 10m to 10.62m for Units 8 - 13;
- e) Section 9.6.6, to increase maximum height from 10m to 13.61m for Units 16 and 17;
- f) Section 9.6.6, to decrease minimum rear yard from 6m to 2.5m for a 1 or 1.5 storey portion of a building for Unit 17;
- g) Section 9.6.6, to decrease minimum rear yard from 7.5m to 2.5m for a 2 or 2.5 storey portion of a building for Unit 17; and
- h) Section 9.6.6, to decrease building setback for any vertical wall element above the lesser of 6.5m or 2.5 storeys from 1.2m to 0m for Units 1, 7, 8 and 13.

AND FURTHER, that Council's support of DVP00599 is subject to the following:

- c) That the development complies with the Geotechnical Investigation Report, prepared by Geopacific Consultants, dated December 5, 2022 (Attachment 7) to be attached to and form part of DVP00599;
- d) That the development generally complies with the Site Plan, prepared by Prime Building Design, dated April 13, 2023 (Attachment 2) to be attached to and form part of DVP00599; and
- e) That the development generally complies with the Elevation Drawings, prepared by Prime Building Design, dated February 8, 2023, February 9, 2023, February 13, 2023 and April 12, 2023 (Attachment 3) to be attached to and form part of DVP00599.

CARRIED.

INFORMATION ITEMS:

The Staff Liaison 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 tentatively scheduled for August 15, 2023.

ADJOURNMENT

The meeting of the Advisory Planning Committee adjourned at 5:26 pm.

CERTIFIED CORRECT:



Chair