



## **CORPORATION OF THE CITY OF VERNON**

### **ADVISORY PLANNING COMMITTEE**

**APRIL 25, 2023, AT 4:00 PM**

**OKANAGAN LAKE ROOM (COUNCIL CHAMBER) CITY HALL**

## **A G E N D A**

**1) CALL TO ORDER**

**2) LAND ACKNOWLEDGEMENT**

*As chair of the City of Vernon's Advisory Planning Committee (APC), 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.*

**3) ADOPTION OF AGENDA**

**4) ADOPTION OF MINUTES**

a) March 28, 2023 (Attached)

**5) NEW BUSINESS**

a) DVP00468 – 4701 PLEASANT VALLEY ROAD

b) DVP00600 – 3201 45<sup>TH</sup> AVENUE

c) ZON00396 – RESORT VILLAGES AT PREDATOR RIDGE

d) ZON00390/DVP00587 – 3501 11<sup>TH</sup> STREET

**6) INFORMATION ITEMS**

a) Staff Liaison to provide verbal update of APC related items discussed at the last Council meeting.

**7) NEXT MEETING**

The next meeting is tentatively scheduled for **May 9, 2023**.

**8) ADJOURNMENT**



THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF THE  
ADVISORY PLANNING COMMITTEE MEETING  
HELD MARCH 28, 2023  
OKANAGAN ROOM (COUNCIL CHAMBER) CITY HALL**

**PRESENT:** Monique Hubbs-Michiel  
Margo Lupien  
Scott Chatterton  
Claire Ishoy  
Jordon Hart  
Margo Jarmon  
Mayor Cumming  
Craig Neville

**ABSENT:** Jessica Kirkham  
Harpreet Nahal

**STAFF:** Cheryl Sali, Development Clerk  
Michelle Austin, Planner  
Roy Nuriel, Acting General Manager, Planning  
Ellen Croy, Manager, Transportation

**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. Jarman**, seconded by **M. Lupien**:

THAT the agenda of the March 28, 2023 meeting for Advisory Planning Committee be adopted.

**ADOPTION OF THE  
MINUTES** Moved by **M. Lupien**, seconded by **C. Neville**:

THAT the minutes for the February 14, 2023 meeting of Advisory Planning Committee be adopted.

**UNFINISHED BUSINESS:****RECONSIDERATION  
MOTION (FEBRUARY  
14, 2023)**

In consultation with the Director of Community Infrastructure & Development, Staff presented the following motion from the Advisory Planning Committee meeting on February 14, 2023 to the Committee for reconsideration:

*“THAT Staff Provide Zoning Bylaw 5000 (2003) to Council for review of “Section 7: Parking and Loading.”*

Staff explained that the rationale for reconsidering the motion is because the original direction was too broad. Staff recollected that the previous Committee discussion centered around a concern over a lack of visitor parking within developments adjacent to streets without on-street parking. Staff advised that it would be helpful if the Committee narrowed the scope of the resolution to provide additional clarity.

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

THAT Council direct Staff to review on-site visitor parking requirements for developments adjacent to streets without on-street parking under Zoning Bylaw 5000, Section 7.0 Parking and Loading.

**CARRIED**

Staff suggested that it would be fitting to rescind the February 14, 2023 motion.

Moved by **C. Neville**, seconded by **C. Ishoy**:

THAT the following motion of the February 14, 2023 Advisory Planning Committee meeting be rescinded:

*“THAT Staff Provide Zoning Bylaw 5000 (2003) to Council for review of “Section 7: Parking and Loading.”*

**CARRIED**

*E. Croy left the meeting at 4:15 p.m.*

**NEW BUSINESS:****DVP00567 (3503 27<sup>th</sup>  
STREET)****Roy Nuriel, Acting General Manager, Planning**, provided an overview of the application as follows:

- The purpose of the application is to vary sections of Zoning Bylaw 5000 for a two storey mixed use development.
- The application is to decrease the minimum front yard setback and to decrease the minimum landscape buffer on the north side yard and on the rear.

The following comments / questions were posed by members of the Committee:

- The Committee requested clarification of the 6m access easement at the rear of the property. Staff clarified that there is a plan for a lane way behind the property in the future. There is currently a covenant on title, therefore it would be a condition of this permit.
- In response to a question, Staff confirmed that the only access to the property is a right turn from 27<sup>th</sup> Street and parking is located at the rear of the building. Parking requirements for micro suites are one space per unit.
- The Committee expressed concern over the design, commenting that it does not seem to fit into the area. Staff have shared the City's design guidelines with the applicant and been working with them to improve the design. There is a trend towards building modern homes with flat roofs. Staff further confirmed that if the Committee does not approve of the design, this can be stated in the motion.
- The Committee also expressed concern that the flat roof design would retain summer heat and is not congruent with the City's Climate Action Plan.

In response to a procedural question from the Committee, staff clarified that the Committee could support the staff recommendation, as outlined within the planning report, and include further recommendations to address concerns raised about climate change and aesthetics.



The Committee discussed amending the original staff recommendation as outlined in the planning report to include the following two additional points:

1. AND FURTHER, recommends the developer assess the sustainability impact of the flat roof and have it fall more in line with sustainability requirements.
2. AND FURTHER, recommends the developer assess the exterior esthetics of the building to have them comply with the City Center Plan.

Moved by **S. Chatterton**, seconded by **C. Ishoy**, THAT:

THAT Council support Development Variance Permit application 00567 (DVP00567) to vary Zoning Bylaw 5000 on LT 1, SEC 3, TWP 8, ODYD, PL EPP51784 (3503 27<sup>th</sup> Street), as follows:

- a) Section 10.3.5 to vary the minimum front yard setback from 3.0m to 2.0m;
- b) Section 6.3.1 (Table 6.1) to vary the minimum landscape buffer on the north side yard from 2.0m to 0.0 and on the rear side from 2.0m to 0.95m;

AND FURTHER, that Council's support of DVP00567 is subject to the following:

- a) that the owner registers a Section 219 Restrictive Covenant on title of 3503 27<sup>th</sup> Street that would guarantee access to 3501 and 3505 27<sup>th</sup> Street by way of a 6.0m wide private access easement for future private laneway access; and
- b) that the site, floor, elevation and landscaping plans.

AND FURTHER, recommends the developer assess the climate impact of the flat roof and have it fall more in line with climate change requirements.

AND FURTHER, recommends the developer assess the exterior esthetics of the building to have them comply with the City Center Neighbourhood Plan.

**CARRIED**

**INFORMATION ITEMS:**

- R. Nuriel informed the Committee of recent staffing changes.
- 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 **April 12, 2023 at 4:00 p.m.**

**ADJOURNMENT**

The meeting of the Advisory Planning Committee adjourned at **4:41 p.m.** by call of the Chair.

**CERTIFIED CORRECT:**

\_\_\_\_\_ Chair



# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Matt Faucher, Current Planner

**COUNCIL MEETING:** REG  COW  I/C

**COUNCIL MEETING DATE:** TBD

**REPORT DATE:** April 17, 2023

**FILE:** 3090-20 (DVP00468)

**SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 4701 PLEASANT VALLEY ROAD**

---

## **PURPOSE:**

To review Development Variance Permit application 00468 (DVP00468) to vary sections of Zoning Bylaw 5000 to permit construction of 12 mobile home sites within Pleasant Valley Mobile Home Park located at 4701 Pleasant Valley Road.

## **RECOMMENDATION:**

THAT Council support Development Variance Permit application 00468 (DVP00468) as outlined in the report titled "Development Variance Permit Application for 4701 Pleasant Valley Road" dated April 17, 2023 and respectfully submitted by the Current Planner, to vary Zoning Bylaw 5000 on LT 1, SEC 2, TWP 8, ODYD, PL KAP83899 Except PL KAP88964 (4701 Pleasant Valley Road), 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 4.5m;
- c) Section 9.8.6 to reduce the minimum depth of a mobile home site from 25m to 18.2m; and
- d) Section 9.8.6 to increase the maximum building height from 7.6m to 8.0m;

AND FURTHER, that Council's support of DVP00468 is subject to the following:

- a) That the site plan, grading and cross-sections, slope analysis and retaining wall plans intended to illustrate the proposed mobile home sites, drive access and retaining wall heights (Attachment 1) in the report titled "Development Variance Permit Application for 4701 Pleasant Valley Road" dated April 17, 2023 and respectfully submitted by the Current Planner, be attached to and form part of DVP00468 as Schedule 'A';
- b) That the Geotechnical Feasibility Memorandum prepared by Geopacific Consultants Ltd, dated September 1, 2022 (Attachment 2), in the report titled "Development Variance Permit Application for 4701 Pleasant Valley Road" dated April 17, 2023 and respectfully submitted by the Current Planner, be attached to and form part of DVP00468 as Schedule 'B';
- c) That a restrictive covenant be registered on the subject property protecting the environmental conservation areas identified in the Ecosystem Impact Assessment (EIA) prepared by Western Water Associates Ltd, dated September 26, 2019 (Attachment 3), and include the EIA to ensure compliance with the recommendations established during and post construction;

- d) That a qualified geotechnical engineer be retained to complete a detailed geotechnical report, as well as to monitor the development of the subject property through the construction phase to ensure compliance with recommendations provided in the detailed geotechnical report;
- e) That a restrictive covenant be registered on the subject property prohibiting parking on the proposed internal access road to ensure unrestricted access for emergency services vehicles; and
- f) That issuance of DVP00468 be withheld until a Development Permit for the subject property is approved and ready to be issued.

**ALTERNATIVES & IMPLICATIONS:**

- 1. THAT Council not support Development Variance Permit application 00468 (DVP00468) as outlined in the report titled “Development Variance Permit Application for 4701 Pleasant Valley Road” dated April 17, 2023, and respectfully submitted by the Current Planner to vary Zoning Bylaw 5000 on LT 1, SEC 2, TWP 8, ODYD, PL KAP83899 Except PL KAP88964 (4701 Pleasant Valley Road).

*Note: This alternative does not support the development variance permit application and would require the applicant / owner to develop the site in compliance with Zoning Bylaw 5000.*

**ANALYSIS:**

**A. Committee Recommendations:**

At its meeting of April 25, 2023, the Advisory Planning Committee passed the following resolution:

*“As cited by the Advisory Planning Committee.”*

**B. Rationale:**

- 1. The subject property is located at 4701 Pleasant Valley Road (Figures 1 and 2). The property is approximately 66,265m<sup>2</sup> (16.37ac) in size. The surrounding area contains single detached, multi-family institutional, utilities, industrial and commercial land uses.
- 2. The purpose of the application is to review a request to vary four provisions of Zoning Bylaw 5000 in order to construct 12 additional mobile home sites on the subject property.
- 3. The subject property is zoned R7: Mobile Home Residential (Attachment 4) and is designated as Residential Low Density (RLD) in the Official Community Plan (OCP).
- 4. The subject application pertains to development regulation within Section 4.15.1 (no construction on slopes >30%), Section 6.5.11 (maximum height of a retaining wall) and Section 9.8.6 (minimum mobile home site depth and maximum building height) of Zoning Bylaw 5000 (Attachment 5).



**Figure 1 - Property Location Map**

5. The subject property contains slopes greater than 30% (Slope Analysis provided in Attachment 1) and requires a variance to proceed with the development of the site as proposed.
6. The application requests to vary Section 4.15.1 of Zoning Bylaw 5000 in order to allow the proposed structures and access road to be located on slopes exceeding 30%. Additionally, the application requests to vary Section 6.5.11 to increase the maximum allowable height of a retaining wall from 1.2m to 4.5m to support the grading required to construct the proposed mobile home sites and the internal access road.



Figure 2: Aerial Photo of Property

7. A preliminary geotechnical investigation of the subject property was conducted, which reviewed site conditions for the proposed development of the proposed 12 mobile home sites on the subject property (Attachment 2). The report notes that “Based on [a] cursory review of the site and proposed development scope, the project is expected to be possible and feasible from a geotechnical perspective.” and that “There are no immediate geotechnical concerns that would cause the overall development to be infeasible; however, some geotechnical considerations will be required for slope stability.” As such, Administration recommends requiring detailed design drawings and grading plans to be reviewed by a qualified geotechnical engineer, as well as the provision of a letter of engagement from said geotechnical engineer to review and monitor the construction of the proposed development prior to issuance of DVP00468. Additionally, a detailed geotechnical report will be required prior to the issuance of a Hillside and Environmental Development Permit.
8. Due to the topography and slope of the subject property, the application proposes to vary Section 6.5.11 of Zoning Bylaw 5000 in order to allow the construction of retaining structures to a maximum height of 4.5m to support the proposed site grading and establishment of the additional mobile home sites, as well as the internal access road. Retaining walls greater than 1.2m require engineering design and oversight/inspection of their construction. A Building Permit, including sealed schedules, would be required prior to construction.
9. As illustrated in the Technical Memorandum (Attachment 6), the Silver Star Gateway Business Park is currently being developed on the neighbouring properties to the north. The project is constructing an approved lock block retaining wall with a maximum height of 7.5m. The current application proposes retaining walls with a maximum height of 4.5m. The proposed retaining walls would include screening vegetation to be planted to soften the appearance of the wall. A landscape plan would be evaluated, and landscape securities collected as part of the Development Permit process.
10. Additionally, the application proposes to vary the minimum depth of a mobile home site in Section 9.8.6 of Zoning Bylaw 5000 from 25m to 18.2m. To minimize the impacts on the existing slope and environmentally sensitive areas within the property, the applicant is proposing to change the orientation of the mobile homes to run parallel to the internal access road. This orientation reduces the need for the traditional lot depth of 25m. The proposed mobile home sites have sufficient width to accommodate the change in orientation, and the reduced depth produces more compact mobile home sites with less site grading than required to achieve the 25m site depth.
11. Due to the topography of the site, the application proposes to include a 4.0m high basement on proposed lots 7 through 10. The addition of a basement on the proposed lots would reduce the extent of fill required



to establish the mobile home sites. In order to accommodate this design, the application requests to vary the maximum height of a building from 7.6m to 8.0m.

12. The proposal also includes three visitor parking stalls which exceed the bylaw standards established in Zoning Bylaw 5000. Additionally, to preserve the access for emergency services, Administration recommends registration of a restrictive covenant to prohibit parking along the proposed internal access road.

13. Administration supports the requested variance for the following reasons:

- a) The subject property requires a variance to the maximum 30% slope and a maximum height of a retaining wall in order to develop the subject property as proposed. The proposed site plan is configured to reduce impacts on the existing slope and illustrates plans to revegetate any disturbed areas once site grading is completed in accordance with the recommendations of the Ecosystem Impact Assessment.
- b) The applicant has obtained a Qualified Environmental Professional to review the proposed development and provided an Ecosystem Impact Assessment in support of the proposal. The report identifies two conservation areas to be protected, as well as recommendations for the construction of the mobile home sites, which will be incorporated into the required Environmental Development Permit. Administration is recommending that the two identified conservation areas be protected by covenant as a condition of Council's approval.
- c) The applicant has submitted a memorandum from a qualified geotechnical engineer assessing the feasibility of the proposed development and providing recommendations. The engineer has determined that the proposed development is feasible given the site conditions and their professional knowledge of the area. The applicant will be required to provide a detailed geotechnical report, as well as monitoring of the site during construction as a condition of the required Hillside Development Permit.
- d) A covenant would be registered on the title of the subject property prohibiting parking along the internal access road to ensure clear access for emergency services vehicles.

**C. Attachments:**

- Attachment 1 – Site plan, grading and cross-sections, slope analysis and retaining wall plans
- Attachment 2 – Geotechnical Feasibility Memorandum, prepared by Geopacific Consultants Ltd. dated September 1, 2022
- Attachment 3 – Ecosystem Impact Assessment, prepared by Western Water Associates Ltd. dated September 26, 2019
- Attachment 4 – R7: Mobile Home Residential
- Attachment 5 – Subject Regulations
- Attachment 6 – Technical Memorandum, prepared by Kerr Wood Leidal, dated March 7, 2023

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

The subject application involves the following goals/action items in Council's Strategic Plan 2019 – 2022:

- Works towards a sustainable Vernon – environmentally, ecologically and socially.

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

1. The subject property is designed as Residential Low Density in the Official Community Plan and zoned R7: Mobile Home Residential in Zoning Bylaw 5000.

2. The following provision of Zoning Bylaw 5000 is relevant to the subject application:

Section 4.15.1 No construction of a building, structure or swimming pool is permitted on slopes 30% or greater.

Section 6.5.11 Retaining walls on all residential lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2m measured from grade on the lower side and must be constructed so that multiple retaining walls are spaced to provide at least a 1.2m horizontal separation between them.

Section 9.8.6 Minimum mobile home site depth is 25.0m.

Section 9.8.6 Maximum building height is 7.6m, except is 4.5m for secondary buildings and structures.

**BUDGET/RESOURCE IMPLICATIONS:**

N/A

Prepared by:

Approved for submission to Council:

X  
Matt Faucher, CPT  
Planner

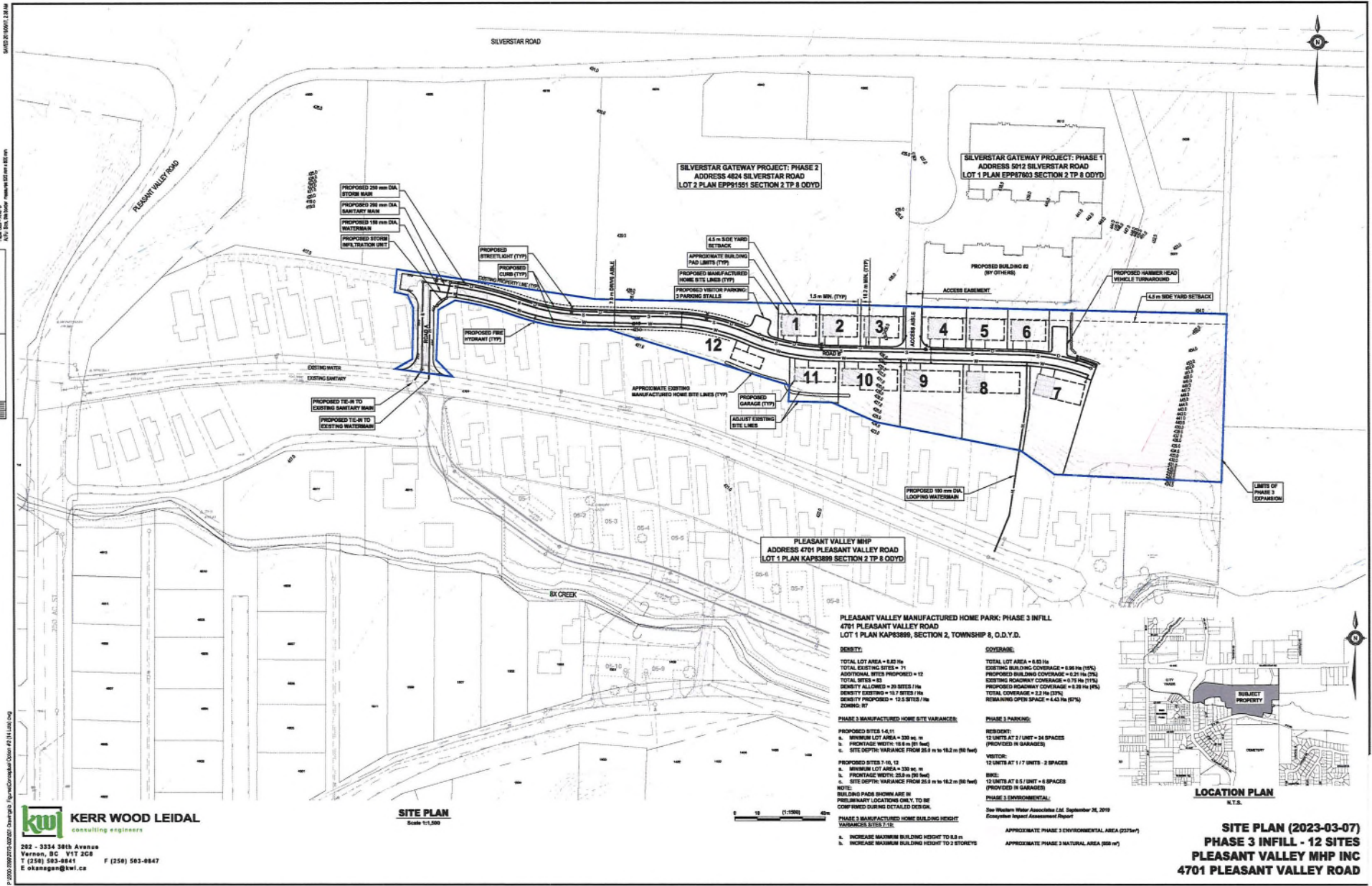
\_\_\_\_\_  
Patti Bridal, CAO

Date: \_\_\_\_\_

X  
Roy Nuriel  
Acting General Manager, Planning

**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 checked="" 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 type="checkbox"/> Economic Development & Tourism                  |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Apr 25/23) |   |  |
| <input type="checkbox"/> OTHER:                                |   |  |



**kwl KERR WOOD LEIDAL**  
consulting engineers  
282 - 3334 36th Avenue  
Vernon, BC V1T 2C8  
T (250) 563-8841 F (250) 563-8847  
E okanagan@kwl.ca

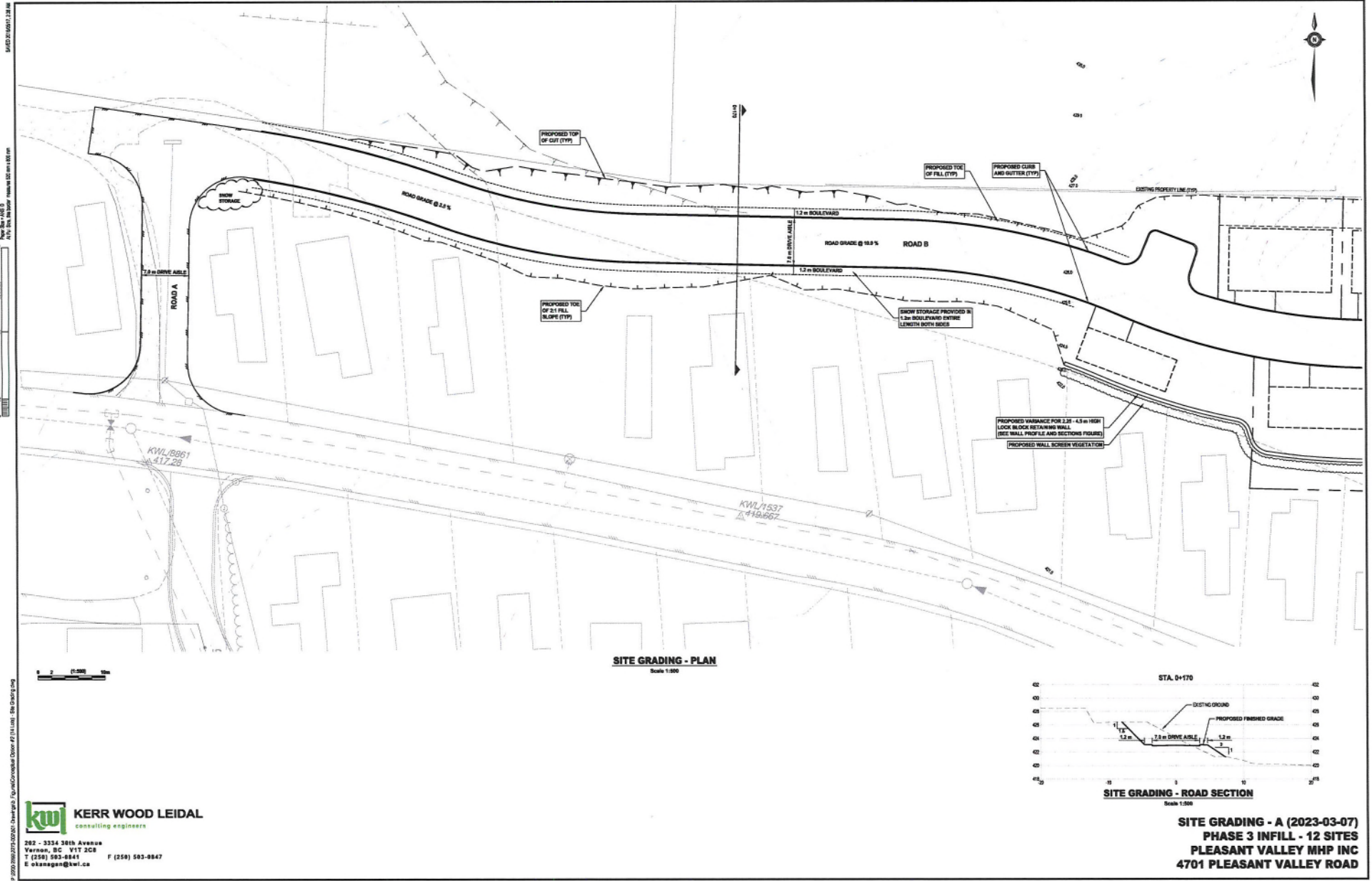
**SITE PLAN**  
Scale 1:1,500

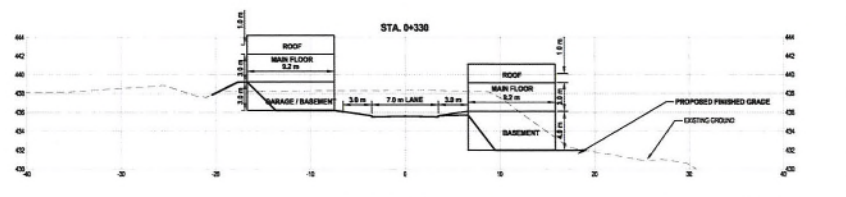
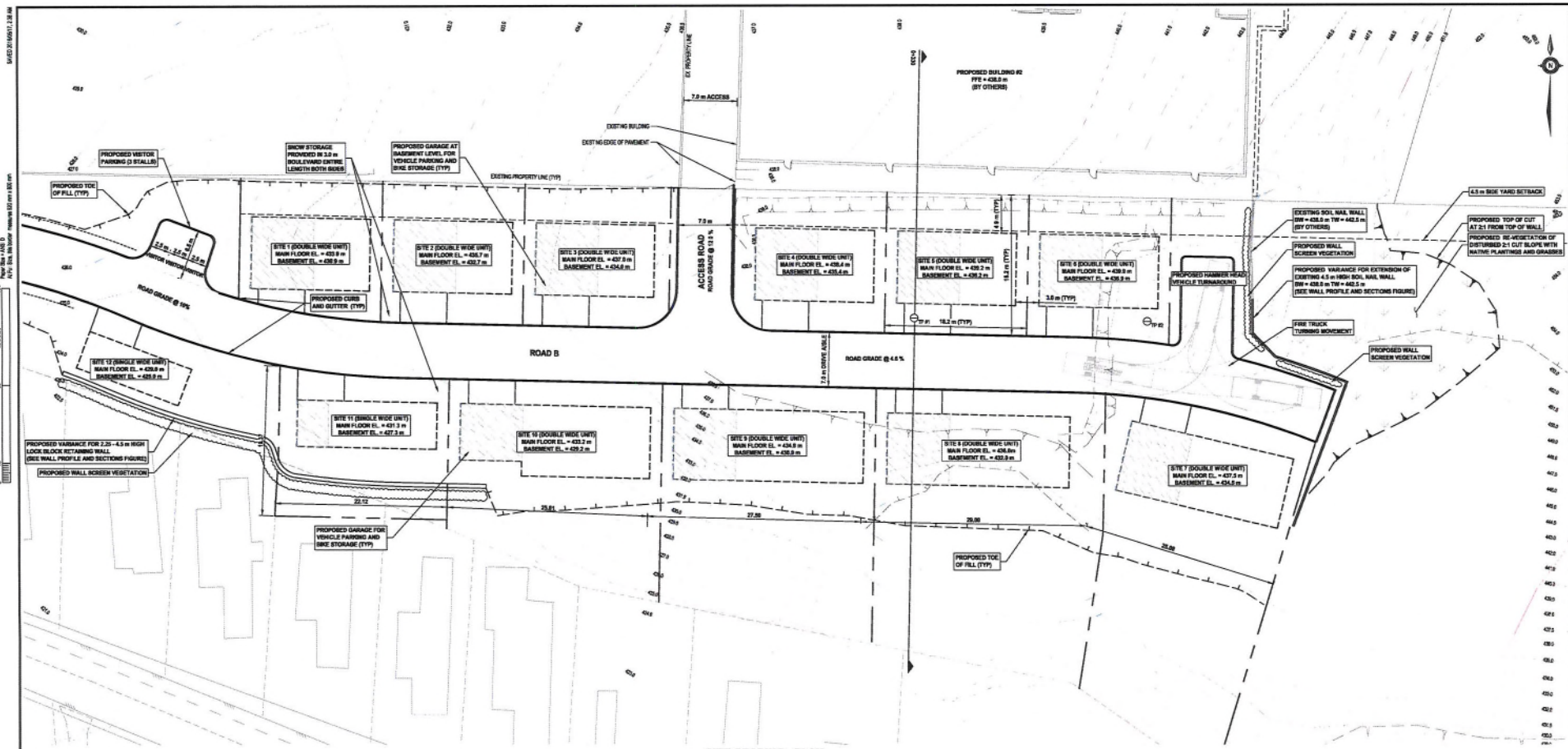
**LOCATION PLAN**  
N.T.A.

**SITE PLAN (2023-03-07)**  
**PHASE 3 INFILL - 12 SITES**  
**PLEASANT VALLEY MHP INC**  
**4701 PLEASANT VALLEY ROAD**

Attachment 1

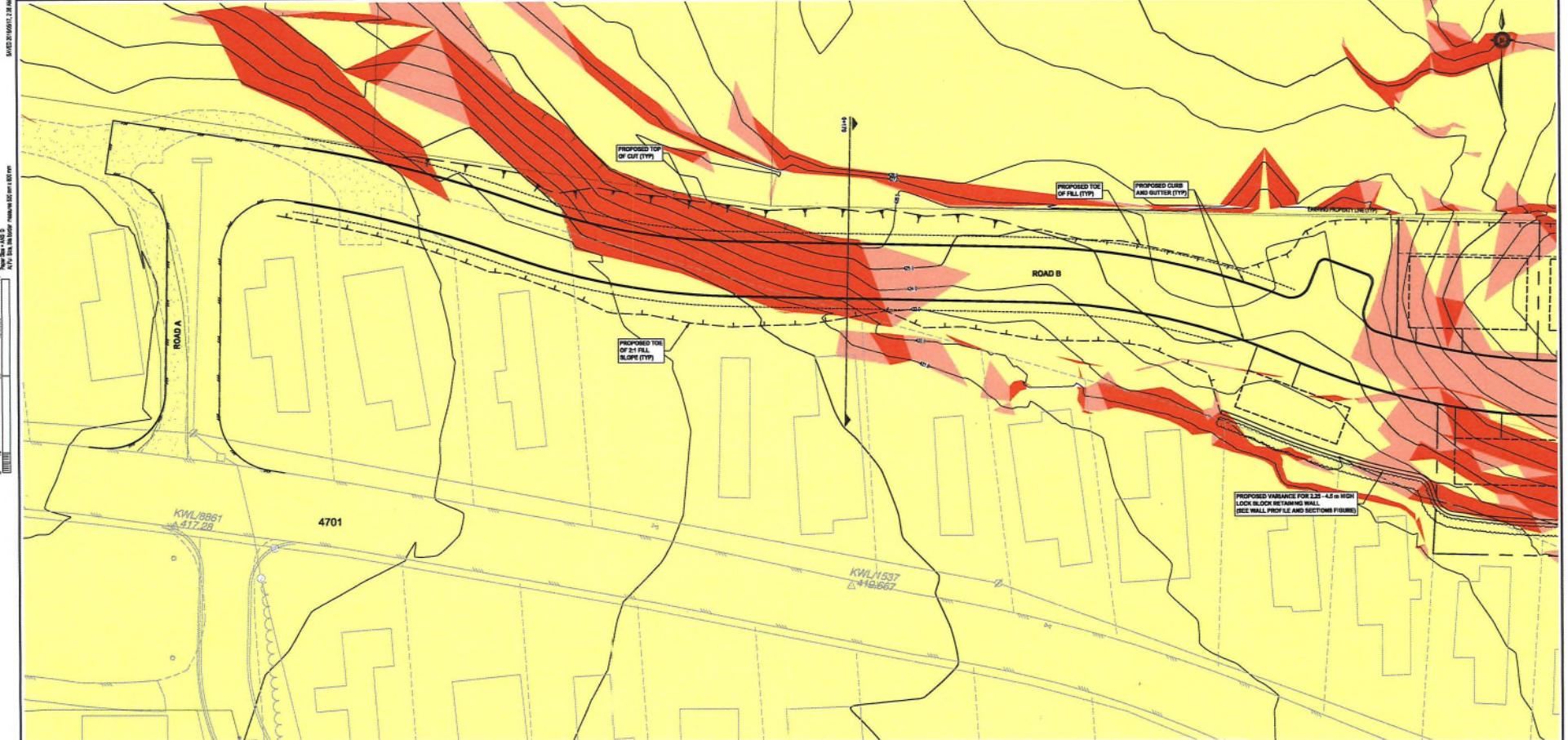






**kwl KERR WOOD LEIDAL**  
consulting engineers  
282 - 3314 38th Avenue  
Vernon, BC V1T 2C8  
T (250) 583-8841 F (250) 583-8847  
E okanagan@kwl.ca





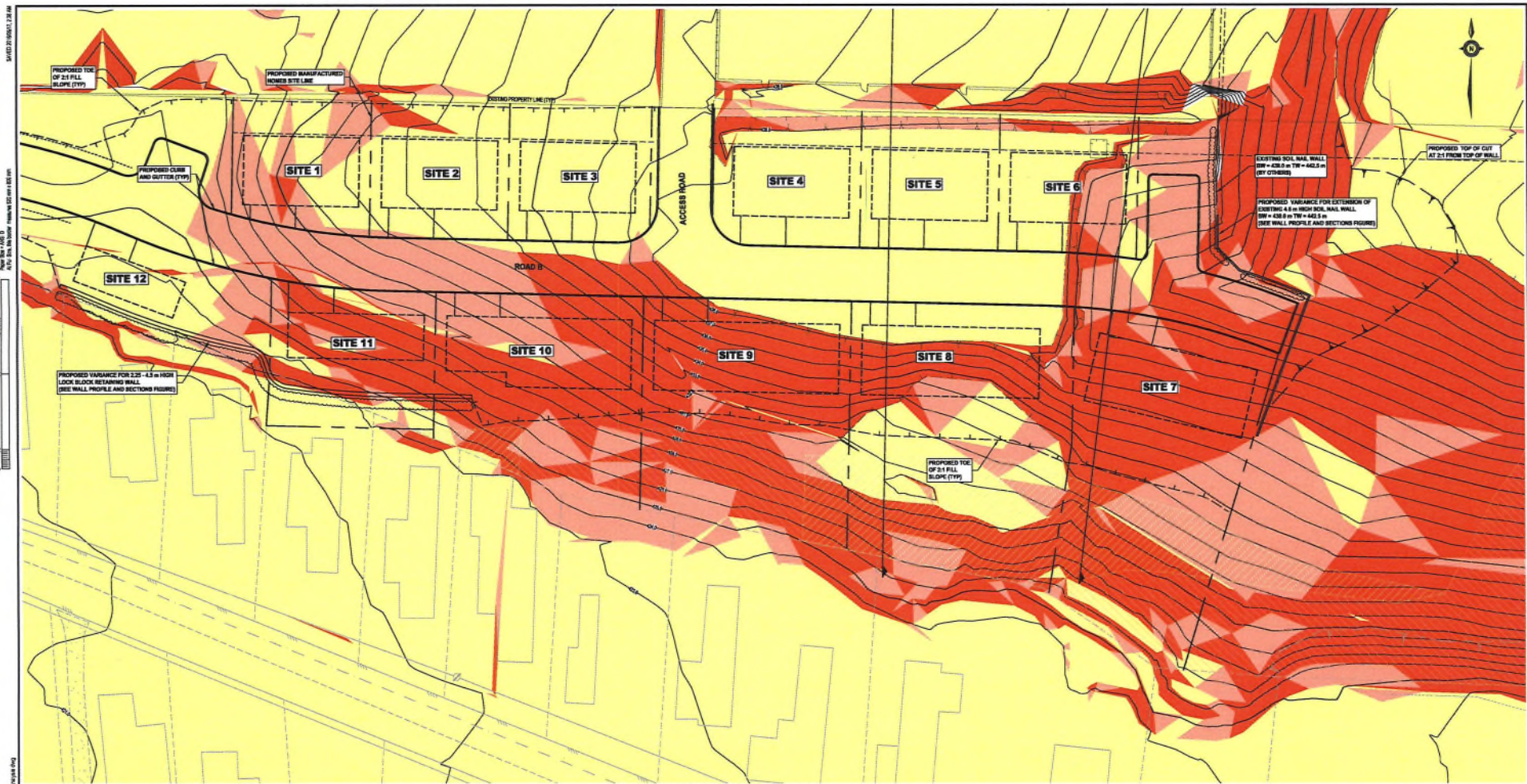
**SLOPE ANALYSIS - PLAN**  
Scale 1:500

SURFACE SLOPE DATA		
NUMBER	SLOPE	COLOUR
1	0% - 30%	Yellow
2	30% - 40%	Orange
3	40% - 200%	Red

**KWL** KERR WOOD LEIDAL  
consulting engineers  
302 - 3324 38th Avenue  
Vernon, BC V1T 2G8  
T (250) 583-8841 F (250) 583-8847  
E okanagan@kwl.ca

**SLOPE ANALYSIS - A (2023-03-07)**  
PHASE 3 INFILL - 12 SITES  
PLEASANT VALLEY MHP INC  
4701 PLEASANT VALLEY ROAD





**SLOPE ANALYSIS - PLAN**  
Scale 1:500

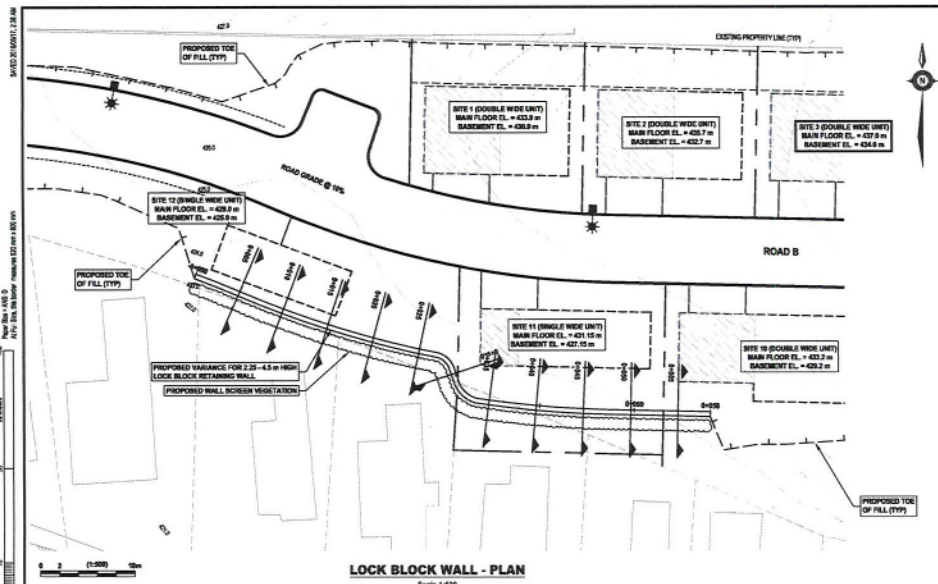
APPROXIMATE PHASE 3 ENVIRONMENTAL  
APPROXIMATE PHASE 3 NATURAL

SURFACE SLOPE DATA		
NUMBER	SLOPE	COLOR
1	0% - 30%	Light Yellow
2	30% - 40%	Light Red
3	40% - 100%	Dark Red

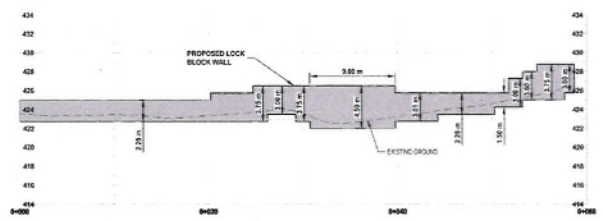
**SLOPE ANALYSIS - B (2023-03-07)**  
**PHASE 3 INFILL - 12 SITES**  
**PLEASANT VALLEY MHP INC**  
**4701 PLEASANT VALLEY ROAD**

**KW** **KERR WOOD LEIDAL**  
consulting engineers

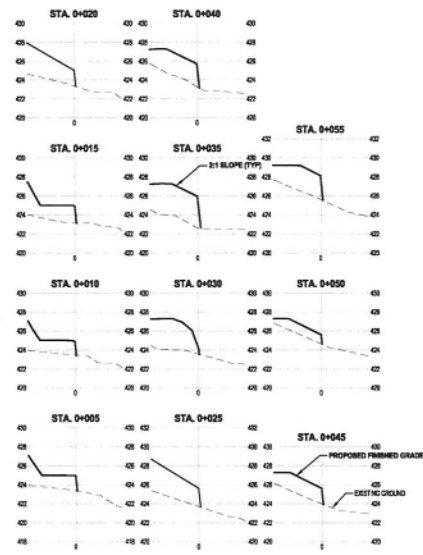
202 - 3334 20th Avenue  
Vernon, BC V1T 2C8  
T (250) 553-8841 F (250) 553-8847  
E okanagan@kwl.ca



**LOCK BLOCK WALL - PLAN**  
Scale 1:500



**LOCK BLOCK WALL - PROFILE**  
Scale 1:200



**LOCK BLOCK WALL - SECTIONS**  
Scale 1:500

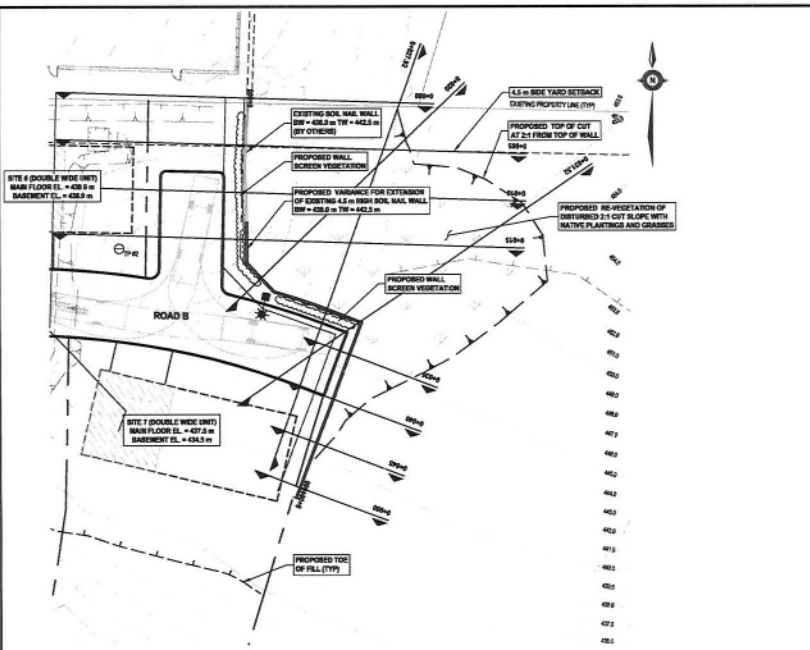


**KERR WOOD LEIDAL**  
consulting engineers  
282 - 3314 39th Avenue  
Vernon, BC V1T 2C8  
T (250) 593-8841 F (250) 593-8847  
E okanagan@kwle.ca

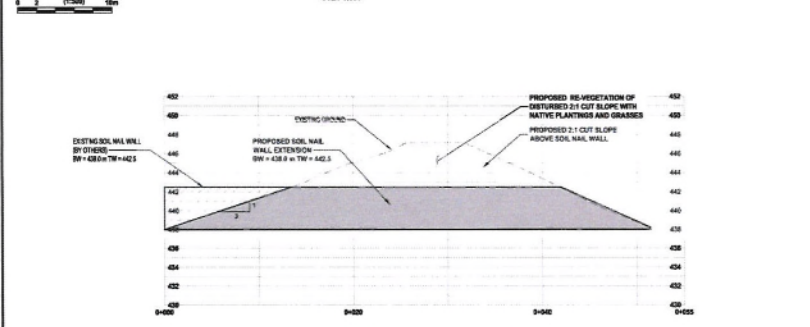
**LOCK BLOCK WALL VARIANCE (2023-03-07)**  
**PHASE 3 INFILL - 12 SITES**  
**PLEASANT VALLEY MHP INC**  
**4701 PLEASANT VALLEY ROAD**



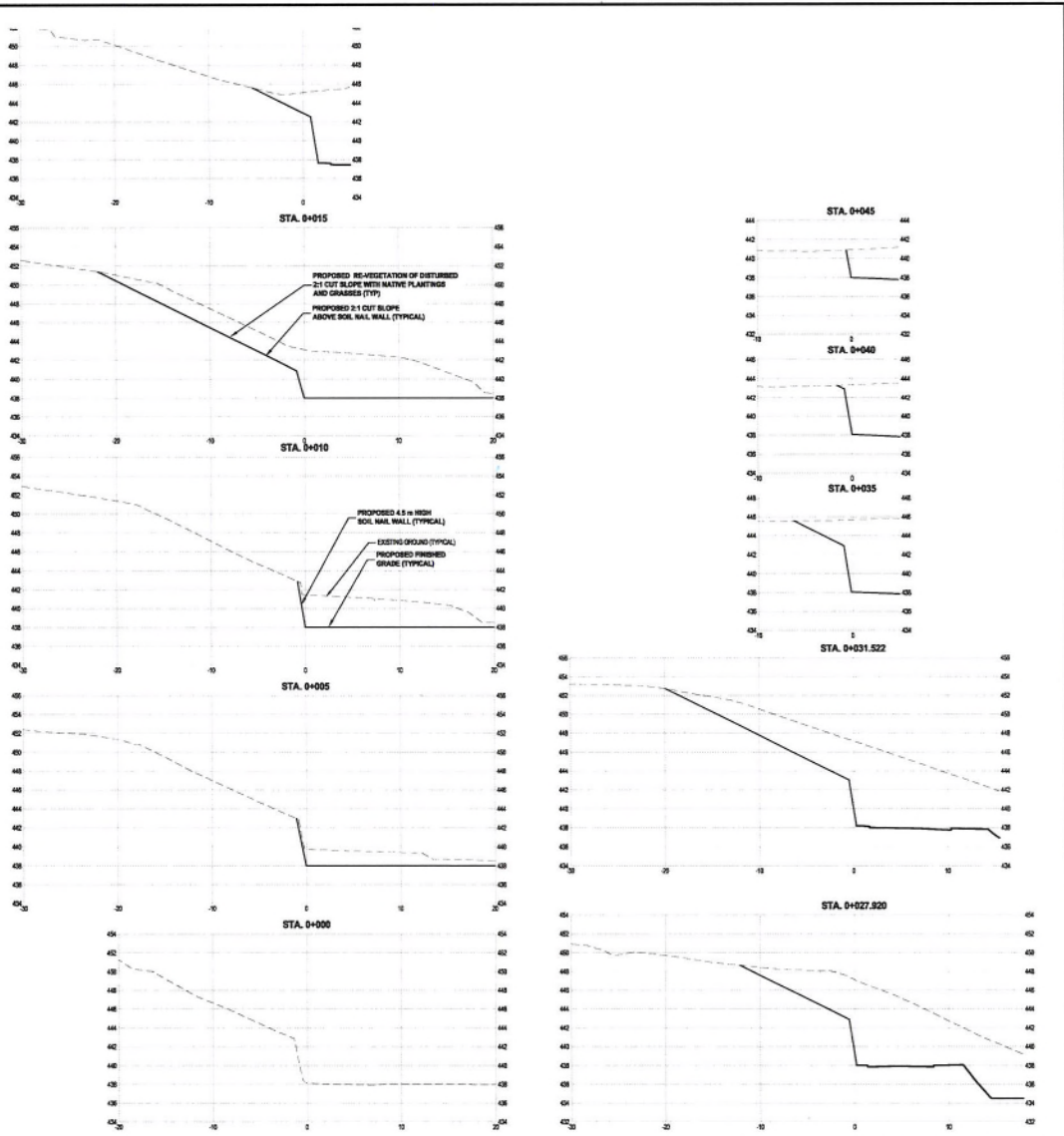
Project No. 2022-03-07  
 Date: 2023-03-07  
 Scale: 1:500  
 Drawing No. SW-12-01  
 Drawing Title: SOIL NAIL WALL VARIANCE (2023-03-07)  
 Client: PLEASANT VALLEY MHP INC  
 Project: PHASE 3 INFILL - 12 SITES  
 Location: 4701 PLEASANT VALLEY ROAD  
 Drawing No. SW-12-01  
 Drawing Title: SOIL NAIL WALL VARIANCE (2023-03-07)  
 Client: PLEASANT VALLEY MHP INC  
 Project: PHASE 3 INFILL - 12 SITES  
 Location: 4701 PLEASANT VALLEY ROAD



**SOIL NAIL WALL - PLAN**  
Scale 1:500



**SOIL NAIL WALL - PROFILE**  
Scale 1:500



**SOIL NAIL WALL VARIANCE (2023-03-07)  
PHASE 3 INFILL - 12 SITES  
PLEASANT VALLEY MHP INC  
4701 PLEASANT VALLEY ROAD**


**KERR WOOD LEIDAL**  
 consulting engineers  
 282 - 3334 39th Avenue  
 Vernon, BC V1T 2C8  
 T (250) 593-8841 F (250) 593-8847  
 E okanagan@kwl.ca

**GOPACIFIC CONSULTANTS LTD.**

1340 St. Paul St., Kelowna, BC V1Y 2E1  
 Phone: 250-801-8536  
 Cell: 250-464-0011 Email: park@geopacific.ca

**TECHNICAL  
MEMORANDUM**

<b>CLIENT:</b>	Pleasant Valley MHP Inc.	<b>FILE NO.:</b>	21587
<b>PROJECT:</b>	Mobile Home Park Expansion	<b>DATE:</b>	01/09/2022
<b>ADDRESS:</b>	4701 Pleasant Valley Road, Vernon, BC		

**Purpose:** Development Feasibility Review – *Revision 2*

**Observations:** GeoPacific was onsite with Bill Smith on 07/07/2022 for a site meeting for review of the proposed development scope and site topography.

The proposed development site is located on or below the slope north of the existing Pleasant Valley Mobile Home Park, adjacent to and south of the north property line. The slope descends from north to south and generally runs south west, along the north property line. The slope is up to 15 m tall, generally increasing in height from west to east, and approaches a grade as steep as 1H:1V in localized areas.

We understand the proposed development consists of up to 22 more mobile home lots with up to 200 m of new road developed across two phases. The first phase is to include 12 units at the east half of the proposed development area. It is understood the units will be accessed by the existing internal roads within the park. Secondary access will be provided from the new laneway that runs through the Silver Star Gateway commercial development off of Silver Star Road. It is understood that grading changes will be required to allow for suitably sized flat mobile home pads with minor permanent cuts, fill slopes up to ~5.0 m tall, and possibly retaining walls.

The proposed development area is generally located on the side of a hill with variable grades. Lots at the east end of the site are generally on a flat platform above the crest of the slope, lots within the middle of the site are generally on a sidehill, and lots to the west of the site are generally below the slope, away from the toe.

Based on our experience in the area, and on the neighbouring site to the north the subsurface soil conditions are expected to consist of fill soils over loose to compact sands and gravels, followed by stiff clay dominant soils, which are then underlain by dense glacial till at depth. It is possible that the hillside is partially overlain by deleterious pre-existing fill soils to a limited depth as observed on the neighbouring site nearby.

**Conclusions & Recommendations:** Based on cursory review of the site and proposed development scope, the project is expected to be possible and feasible from a geotechnical perspective. There are no immediate geotechnical concerns that would cause the overall development to be infeasible; however, some geotechnical considerations will be required for slope stability.

A site-specific geotechnical investigation is required prior to finalization of geotechnical comments or design development. Test pits should be advanced throughout the development area through any surficial fill to determine the depth of the underlying competent stratum and its parameters. GeoPacific can provide a budget proposal for the detailed geotechnical investigation upon request. The investigation would be followed by a detailed geotechnical report making assessments and recommendations for design and construction of the development. The geotechnical report should be supplemented by a slope stability analysis to confirm the proposed slope conditions are stable with respect to seismic and static conditions in compliance with the EGBC Legislated Landslide Assessment Guidelines.


Due to the sloping nature of the site and the need for grading changes, a detailed grading plan for the proposed condition should be prepared by a qualified professional civil engineer. This grading plan should be forwarded to GeoPacific for review and incorporation into slope stability analysis and geotechnical report. GeoPacific recommends that for *conceptual/preliminary* grading plan preparation, the civil grading designer consider fill slopes not exceeding 2H:1V and permanent cut slopes not exceeding 3H:1V. Slope angles to be confirmed upon subsurface investigation and slope stability assessment. *Steeper cut and fill slopes can be considered on a case-by-case basis and could require stabilization measures such as rip rap facing.* It is anticipated that retaining walls can be used to achieve any grade changes that exceed the noted slope angles. GeoPacific can provide design for mechanically stabilized earth retaining walls upon request.

Preliminarily, living structures placed below existing slopes should be setback from the toe of the slope such that they are above a 2.5H:1V line drawn down from the crest of the adjacent slope. Setbacks must be confirmed based on the subsurface geotechnical investigation and detailed slope assessment.

**Summary of Recommended Next Steps:**

- Preliminary grading plan prepared by civil engineer (Others)
- Test pit investigation (GeoPacific)
- Slope stability analysis based on civil grading plan (GeoPacific)
- Detailed geotechnical report (GeoPacific)

Sincerely,  
GeoPacific Consultants Ltd.

  
Wyatt Park, B.A.Sc., P.Eng.,  
Project Engineer

SEP 01 2022

Permit to Practice EGBC  
1000782



# Pleasant Valley Manufactured Home Community Ecosystem Impact Assessment

*Prepared for:*

Bill and Lilly Smith

*Prepared by:*

Western Water Associates Ltd.  
106 – 5145 26<sup>th</sup> St  
Vernon, BC  
V1T-8G4



September 26, 2019

WWAL Project 19-080-01VR

September 26, 2019

Bill and Lilly

Via Email: [billandlilly@shaw.ca](mailto:billandlilly@shaw.ca)

**Re: Pleasant Valley Manufactured Home Community Ecosystem Impact Assessment**

Western Water Associates Ltd. (WWAL) is pleased to provide this Ecosystem Impact Assessment (EIA) for Bill and Lilly Smith to support the Pleasant Valley Manufactured Home Community Development Permit to the City of Vernon.

This EIA provides an assessment of the onsite environmental values, determines the potential for adverse effects to environmental values as a result of development, and develops value-specific mitigation and compensation measures to avoid or limit adverse effects to the vegetation, wildlife and ecosystems present on the site.

Please address any questions about the following EIA to the undersigned,

**WESTERN WATER ASSOCIATES LTD.**



**Trina Koch B.Sc. R.P.Bio.**  
**Senior Biologist**

**Reviewed by**

**Douglas Geller, M.Sc., P.Geo.**  
**Senior Hydrogeologist and President**

**TABLE OF CONTENTS**

**1. BACKGROUND ..... 3**

**2. REGULATORY REQUIREMENTS..... 3**

**3. MUNICIPAL PROPERTY DESIGNATIONS ..... 4**

**4. METHODS USED TO DETERMINE IMPACTS..... 4**

**5. PROPOSED 15-LOT DEVELOPMENT ..... 5**

**6. ENVIRONMENTAL ASSESSMENT..... 6**

**6.1 VEGETATION ..... 6**

**6.1.1 VEGETATION SPECIES AT RISK ..... 7**

**6.1 ECOSYSTEMS ..... 7**

**6.1.1 BIOGEOCLIMATIC ZONE ..... 7**

**6.1.2 ECOLOGICAL COMMUNITIES AT RISK..... 7**

**6.2 WILDLIFE..... 8**

**6.2.1 WILDLIFE SPECIES AT RISK..... 8**

**7. POTENTIAL ENVIRONMENTAL IMPACTS ..... 9**

**8. PROPOSED MITIGATION ..... 9**

**8.1 SITE DEVELOPMENT AND MANAGEMENT ..... 10**

**8.2 ENVIRONMENTAL RESOURCES ..... 10**

**8.2.1 BEFORE CONSTRUCTION..... 10**

**8.2.2 DURING CONSTRUCTION ..... 11**

**8.2.3 AFTER CONSTRUCTION..... 11**

**9. CONCLUSIONS ..... 11**

**List of Tables**

Table 1. Native Vegetation Species per Lot Observed per Lot ..... 6

Table 2. Non-Native Vegetation Species Observed per Lot ..... 7

Table 3. Observed Ecological Communities at Risk per Lot ..... 8

**List of Figures (Appendix A)**

Figure 1      Project Location

Figure 2      14-Lot Site Plan used during the Field Assessment

Figure 3      Revised 15-Lot Site Plan with ESAs

Figure 4      Subject Property Zoning

Figure 5      Environmental Management Area Ranking

Figure 6      Option 2 Site Plan with Biophysical Features

Figure 7      Option 3 Site Plan with Mitigation and Compensation Features

**List of Appendices**

Appendix A    Figures

Appendix B    Photographs

Appendix C    Site Plans: Option 1, Option 2 and Option 3

Appendix D    Wildlife Species at Risk with the Potential to Inhabit the Subject Property

Appendix E    Wildlife Perimeter Fencing Detail



## 1. BACKGROUND

The proposed Pleasant Valley Manufactured Home Community development is located south of Silver Star Road at 4701 Pleasant Valley Road Vernon, BC (subject property). Because the proposed development is located within the City of Vernon's (COV's) Cities Neighborhood District (DD2), an Ecosystem Impact Assessment (EIA) must be prepared by a QEP under the COV's Cities Environmental Management Areas Strategy (EMAS) in support of a development permit (COV 2012).

According to the EMAS, the EIA must include figures showing lot layout, infrastructure siting, roads, lot access, percentage of impervious coverage and building pads. Additionally, it must describe site conditions before and after development disturbance and use the following procedure for analyzing impacts and determining suitable mitigation:

- Explain methods used to determine impacts;
- Outline the short and long term as well as direct and secondary impacts;
- Evaluate if the potential impacts can be prevented, mitigated or compensated and identify opportunities for alternative layout or design. Avoidance is the first objective;
- Consider the ability for the site to be used outside of features and buffers;
- Consider the type of development and the sensitivity of the site;
- Landscape fragmentation, connectivity, distribution; and
- Identify buffers and setbacks using BMPs or, if not possible, provide an alternative.

This EIA addresses the above noted EMAS requirements and protocol. Figures are attached as Appendix A, Photographs as Appendix B, Option 1, Option 2 and Option 3 Site Plans as Appendix C, a table of wildlife species at risk as Appendix D and Perimeter Acreage Fencing Detail as Appendix E.

## 2. REGULATORY REQUIREMENTS

The following regulatory requirements have been considered in the development of this EIA:

- *City of Vernon Zoning Bylaw #5000, 2003*
- *City of Vernon OCP Bylaw #5470, 2013*
- *B.C. Environmental Management Act*
- *B.C. Water Sustainability Act*
- *B.C. Wildlife Act*
- *BC Weed Control Act*
- *Canada Fisheries Act (Riparian Area Regulation)*
- *Canada Migratory Birds Convention Act*
- *Canada Species at Risk Act*
- *Canada Wildlife Act*

### 3. MUNICIPAL PROPERTY DESIGNATIONS

Development within the subject property is limited under the following municipal designations:

#### 1. Zoning: R7 - Mobile Home Residential Bylaw

The entire subject property is zoned as R7 - Mobile Home Residential (Figure 3). R7 zoning allows manufactured homes on individual manufactured home sites in a manufactured home community setting (COV 2003).

#### 2. Official Community Plan (OCP): Residential-Low Density

Residential low density areas support single family detached, semi-detached, duplex and row housing at a density of 30 units/ha (12 units/acre). Manufactured home communities are recognized as an attainable form of housing in this area (COV 2013).

#### 3. Environmental Management Areas Strategy: Cities Neighborhood District DD2

Environmental management strategies in DD2 include wildlife habitat and corridor conservation; gully protection; lake shore and wetland enhancement and protection; moderate sensitivity ecosystem management; moderate slope protection and management of the interface between residential, agricultural and park lands. Environmental mitigation in DD2 should include riparian area protection, enhancement and reclamation; stormwater management; landscaping and tree protection and the creation and maintenance of parks and green space (COV 2012).

#### 4. Environmental Management Area Polygons: Moderate Sensitivity

Much of the subject property is located in a 'Moderate Sensitivity' EMA polygon as shown in Figure 4. A narrow strip of the property's northern extent is located within a Low Sensitivity EMA. Moderate sensitivity polygons limit development based on property specific conditions and the presence or absence of key natural and habitat features. Low Sensitivity polygons require the lowest level of conservation and protection planning, but require property specific environmental information to contribute to the development process (COV 2012).

### 4. METHODS USED TO DETERMINE IMPACTS

WWAL completed a background assessment of the property, which involved investigating Sensitivities Ecosystem Inventory (SEI) Mapping (ENV 2019c), Conservation Data Centre (CDC) Species at Risk mapping (ENV 2019b) and ecological characteristics of the Dry Interior Douglas Fir Biogeoclimatic Zone (IDF xh1) (FLNRORD 2009).

Using SEI and CDC maps as the source, we created base maps of the subject property, including a map of the proposed lot design and a Google Earth orthophoto (Google Earth 2016) for use in the field and met with the client on site to discuss the development plan.

Completed a site investigation of the property on July 23, 2019 to assess biophysical conditions within the development footprint following Resource Inventory Standards Committee Standards for assessing terrestrial and aquatic ecosystems (ILMB 2017). Completed inventories of native and invasive plants, wildlife habitat and wildlife sign or sighting. Assessed surrounding land use, obvious danger trees and noted



signs of previous disturbance. Collected GPS measurements of notable features using a Magellan eXplorist 510 handheld device, took multiple photographs of each lot using a Samsung Galaxy S7 cell phone and documented inventory results and other comments in a field notebook. Identified areas on each lot that were previously disturbed, infested with invasive weeds or otherwise ideal for a manufactured home site location and noted the locations on a field map.

Compared our results with SEI and CDC species at risk and ecosystem at risk mapping, tabulated wildlife, vegetation and ecosystem survey results and investigated the status, habitat and connectivity requirements of identified native species. Identified two Environmentally Sensitive Areas (ESAs) along the southern boundary of the property where development should be limited. Considered all of the data, mapped the ESAs within the property and the ecosystems at risk within each lot. Figures were derived from Google Earth (Google Earth 2016), City of Vernon Mapping (COV 2019), and iMapBC (ENV 2019c).

Met with the Developer, Mr. Bill Smith and the Engineer, Mr. Bruce VanCalsteren of Kerr Wood Leidal (KWL) on August 21, 2019 to discuss alternative design options that restrict manufactured home site placement and road development within the ESAs. Mr. Smith informed WWAL that the original site plan (Option 1), which had not been previously seen by WWAL, included 21 lots but was revised to include only 14 lots in the interest of preserving the natural features of the property (Option 2). Mr. Smith agreed that development should be limited within the ESAs and directed Mr. VanCalsteren to proceed with designing a third version of the site plan. On August 27, 2019, Mr. VanCalsteren provided WWAL with a modified 15-Lot Site Plan (Option 3) that restricts manufactured home site construction to outside the ESAs and includes the ESA 1 and ESA 2 polygons.

The 21-Lot Site Plan (Option 1: May 21, 2019), 14-lot Site Plan (Option 2: May 21, 2019) used during the field assessment) and the revised 15-Lot Site Plan (Option 3: August 27, 2019), which limits development within the ESAs, are included as Appendix C.

## 5. PROPOSED 15-LOT DEVELOPMENT

The proposed 15-Lot manufactured home community extension development comprises an area of approximately 1.3 hectares and is located on a south-facing slope, south of Silver Star Road in Vernon, BC (Appendix A: Figure 1). Its southern boundary meets the toe of a forested slope bordering the existing portion of the Pleasant Valley Manufactured Home Community (Appendix A: Figure 2). A narrow natural gas line right of way (ROW) is located from Silver Star Road to the northeastern corner of the development. The proposed development's northern boundary borders agricultural fields and its western boundary borders undeveloped land designated for future development .

The development layout includes fifteen lots (L1-L15) divided by an access road into upper and lower lot rows (Appendix C: Option 3). The access road extends westward from an existing residential access road within the Pleasant Valley Manufactured Home Community (Appendix A: Figure 6). The proposed lots range in size between 200 m<sup>2</sup> and 1500 m<sup>2</sup> with the widest lots to the west and the narrower lots within the centre of the upper row. The lot design (i.e. Option 3) has been revised from two previous design options to limit development within ESA 1 and ESA 2 and incorporate a public trail. ESA 1 is about 2,400 m<sup>2</sup> and located within southeast corner of the subject property including portions of L9-L12. ESA 1 is about 900 m<sup>2</sup> and covers about one third of L14 (Appendix A: Figure 3).

Placement of the road and manufactured home sites has been carefully considered to utilize the flattest portion of the steep lots, avoid the ESAs and utilize previously cleared and weed-infested areas. The percentage impervious coverage of the proposed development, including the manufactured home sites and roads is 25%.

## 6. ENVIRONMENTAL ASSESSMENT

On July 23, 2019 WWAL's Senior Biologist, Trina Koch R.P.Bio., and Junior Biologist Gina Le Bel B.Sc., B.I.T., completed a site investigation of the property to assess biophysical conditions. In this section we provide a summary of biophysical conditions in each of the lots identified in the I4 Lot Site Plan (Appendix C: Option 2) Key environmental assessment features consist of vegetation, ecosystems and wildlife.

### 6.1 Vegetation

WWAL documented eighteen native and nine non-native vegetation species within the subject property (Tables 1 and 2). Overall, the wide eastern lots (L13 and L14) and upper row of narrow lots (L1-L6) were previously disturbed and more weed-infested than the lower lots (L8-L12) and the northeastern lot (L7). Of the native species, ponderosa pine (*Pinus ponderosa*) and pine grass (*Calamagrosis rubescens*) were most abundant and present on nine of the fourteen sites. Bluebunch wheat grass (*Pseudoroegneria spicata*), smooth sumac (*Rhus glabra*) and Saskatoon berry (*Amelanchier alnifolia*) often establish on very dry, south-facing slopes and were observed growing on L7, L8 and L9. L1 to L6 were uniformly disturbed with the area dominated by introduced purple clover (*Trifolium purpurem*) and noxious hoary alyssum (*Berteroa incana*). L14 and to a lesser degree, L13 were sparsely vegetated with native trees and shrubs and dominated by agronomic species like invasive smooth brome grass (*Bromus inermis*).

**Table 1. Native Vegetation Species per Lot Observed per Lot**

Common Name	Scientific Name	Lots
Balsam Poplar	<i>Populus balsamifera</i>	5
Bluebunch wheat grass	<i>Pseudoroegneria spicata</i>	7, 8, 9, 10
Choke Cherry	<i>Prunus virginiana</i>	13
Common Snowberry	<i>Symphoricarpos albus</i>	8, 9, 10, 13
Creeping Sage	<i>Salvia sonomensis</i>	8, 9
Douglas Fir	<i>Pseudotsuga menziesii</i>	1, 13
Fir	<i>Abies spp.</i>	8, 9
Oregon Ash	<i>Fraxinus latifolia</i>	8, 9
Oregon Grape	<i>Mahonia aquifolium</i>	8, 9, 10
Pin Cherry	<i>Prunus pensylvanica</i>	10, 14
Pine Grass	<i>Calamagrosis rubescens</i>	1, 2, 7, 8, 9, 10, 11, 12, 13, 14
Ponderosa Pine	<i>Pinus Ponderosa</i>	1, 2, 7, 8, 9, 10, 11, 12, 13
Prickly Rose	<i>Rosa acicularis</i>	9
Red Osier Dogwood	<i>Cornus sericea</i>	7, 8, 9
Saskatoon Berry	<i>Amelanchier alnifolia</i>	7, 8, 9, 13
Silky Lupine	<i>Lupinus sericeus</i>	1, 10, 14
Smooth sumac	<i>Rhus glabra</i>	7, 8, 9, 12
Yellow Lupine	<i>Lupinus spp.</i>	1, 10, 12, 14



A ponderosa pine in the centre of Lot 13 was identified as danger tree due to dead limbs, 25% lean and danger top. It was wrapped in flagging, and noted as ‘Danger’ (Appendix A:Figure 6, Appendix B: Photograph 17).

Although non-native vegetation species were more abundant in the upper lots, noxious wild mustard, introduced purple clover and noxious hoary alyssum were also present in L8 and L9. The most non-native vegetation species were found in L1 (Table 2, Appendix: Figure 6).

**Table 2. Non-Native Vegetation Species Observed per Lot**

Common Name	Scientific Name	*Status	Lots
Crab Apple	<i>Malus sylvestris</i>	Introduced	10
Goatsbeard	<i>Tragopogon dubious</i>	Nuisance	1, 2, 3, 4, 5, 6, 9, 10
Grape Vine	<i>Vitis</i> spp.	Introduced	1
Hoary Alyssum	<i>Berteroa incana</i>	Noxious	1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12
Manitoba Maple	<i>Acer negundo</i>	Invasive	12
Purple Clover	<i>Trifolium purpureum</i>	Introduced	1, 2, 3, 4, 5, 6, 7, 8, 9
Scotch Thistle	<i>Onopordum acanthium</i>	Noxious	13
Smooth Brome Grass	<i>Bromus inermus</i>	Invasive	1, 2, 3, 12, 13, 14
Wild Mustard	<i>Brassica kaber</i>	Noxious	7, 8, 9

\***Introduced:** A non-native species, **Invasive:** An invasive species is a non-native species (including seeds, eggs, spores, or other propagules) whose introduction causes or is likely to cause economic harm, environmental harm, or harm to human health. The term "invasive" is used for the most aggressive species. These species grow and reproduce rapidly, causing major disturbance to the areas in which they are present. **Noxious:** Harmful to the environment or wildlife.

**6.1.1 Vegetation Species at Risk**

Although the CDC maps the blue-listed cut-leaved water-parsnip (*Berula erecta*) and red-listed Engelmann’s knotweed (*Polygonus engelmannii*) within a 5 km radius of the proposed development, neither of these species were observed on the subject property. Of the two species, Engelmann’s knotweed has the highest likelihood of growing within subject property as cut-leaved water parsnip characteristically grows very near freshwater bodies.

**6.1 Ecosystems**

**6.1.1 Biogeoclimatic Zone**

The subject property is located within the dry Interior Douglas Fir (IDF xh1) Biogeoclimatic Zone (MFLNRO 2009). Vegetation in the undisturbed portions of the property include species typical to the driest parts of the zone with the exception of those near the toe of slope, which are typical of wetter zonal areas.

**6.1.2 Ecological Communities at Risk**

Ecological communities at risk observed onsite include three red-listed communities and two blue-listed communities (Appendix A: Figure 6). The blue-listed ‘Douglas fir - Ponderosa Pine / Bluebunch Wheatgrass – Pinegrass’ Ecological Community was the most common and was observed and was present on 9 of the 14 lots as shown in Figure 6. Others, like the red-listed ‘Douglas-fir / Common Snowberry – Saskatoon’ was only observed on Lot 13. Table 3 provides a summary of in which lots the Ecological Communities at risk were observed.



**Table 3. Observed Ecological Communities at Risk per Lot**

Ecological Community	Provincial Rank	Lots
Ponderosa Pine / Smooth Sumac	red	7, 8, 9, 12
Douglas-fir / Common Snowberry – Saskatoon	red	8, 9, 13
Ponderosa Pine / Common Snowberry / Bluegrasses <sup>1</sup>	red	8, 9, 10
Douglas-fir / Common Snowberry – Saskatoon	red	13
Douglas fir - Ponderosa Pine / Bluebunch Wheatgrass – Pinegrass	blue	1, 2, 7, 8, 9, 10, 11, 12, 13
Douglas-fir / Bluebunch Wheatgrass – Pinegrass	blue	1 and 13

Although the provincially red-listed<sup>1</sup> ‘Black Cottonwood/Common Snowberry – Roses’, blue-listed<sup>2</sup> ‘Hard-Stemmed Bulrush Deep Marsh’ and blue-listed ‘Common Cattail Marsh’ ecological communities are mapped within a 5 km radius of the proposed development (ENV 2019b), they are not located within the subject property.

## 6.2 Wildlife

The many animal trails and sign attest to the ease in which large and small animals move through the property. Connectivity to water, cover, prey and browse for wildlife is of high value, especially along the lower row of lots. The following species or their tracks, calls or scat were observed during the field investigation:

- Ungulate (*Odocoileus spp.*) – tracks along south facing slope of L7 (likely mule deer);
- Red-tailed hawk (*Buteo jamaicensis*) – active hunting above lots L1 and L14;
- Multitude of songbirds - observed flying, and or inhabiting cavities in trees on lots L7-L13;
- Black capped chickadee (*Poecile atricapillus*) were observed within L8 pecking at the bark of a mature Ponderosa pine.
- American black bear (*Ursus americanus*) – scat along footpath/wildlife trail in the gully along the eastern property boundary. Other mammals are likely to use this trail as well.

Mammals with the potential to inhabit or pass through the subject property include the blue-listed grizzly bear (*Ursus arctos*), fringed myotis (*Myotis thysanodes*), western harvest mouse (*Reithrodontomys megalotis*), wolverine (*Gulo gulo*) and the red-listed American badger and Preble’s shrew (*Sorex preblei*). Other native species with the potential to inhabit the subject property include the white headed woodpecker (*Picoides albolarvatus*), common garter snake (*Thamnophis sirtalis*), mule deer (*Odocoileus hemionus*), coyote (*Canis latrans*) and porcupine (*Erethizan dorsatum*) (Lloyd et al. 1990).

### 6.2.1 Wildlife Species at Risk

Thirty-eight species at risk with the potential to inhabit the subject property are listed in Appendix D. These include one amphibian, sixteen bird, six insect, eleven mammal and four reptilian species.

Of the sixteen bird species at risk, nine are song birds, protected under the *Migratory Bird Protection Act* and six are environmentally-significant raptors. The rodent and small mammals inhabiting the surrounding grasslands, proximity to Upper BX Creek and mature stands of ponderosa pine and Douglas fir create ideal habitat for these raptors and song birds. Red-listed avian species with the potential to inhabit the subject property include the barn owl (*Tyto alba*), burrowing owl (*Athene cunicularia*), grasshopper sparrow

<sup>1</sup> BC Red-listed: Any species or ecosystem that is at risk of being lost (extirpated, endangered or threatened)

<sup>2</sup> BC Blue-listed: Any species or ecosystem that is of special concern

(*Ammodramus savannarum*), sandhill skipper (*Polites sabuleti*), Swainson's hawk (*Buteo swainsoni*), and yellow breasted chat (*Icteria virens*) (ENV 2019b).

Amphibians and reptiles that potentially inhabit or move through the subject property include the following five blue-listed species: great basin spadefoot (*Spea intermontana*), western skink (*Eumeces skiltonianus*), western rattlesnake (*Crotalus viridis*), North American racer (*Coluber constrictor*) and gopher snake (*Pituophis catenifer*). The snake species, in particular, prefer south-facing, grassland slopes and dry ponderosa pine and Douglas fir forests (Lloyd et al. 1990).

Of the eleven mammalian species at risk listed in Appendix D, only the Preble's shrew (*Sorex preblei*) and American badger (*Taxidea taxus*) are red-listed. The American badger is the only species at risk mapped by the Conservation Data Centre (CDC) as inhabiting the subject property (ENV 2019b). This badger is a carnivore that prefers grasslands and shrublands with little groundcover and lives in burrows. It mates mid- to late summer and has one litter averaging three juveniles born in early spring. The young leave the family group in Fall. Density averages one per 2.3 km<sup>2</sup> in open country. Although American badger or their dens were not observed within the subject property during the field assessment, there is potential for damage to occur to unidentified dens as a result of excavation during road and manufactured home site development.

Two masked species at risk are mapped within two kilometres of the subject property. These species were identified by the CDC as snakes that inhabit rocky outcrops (CDC 2019). Since rocky outcrops are not located within the subject property, these two snake species are not likely to be impacted by the proposed development.

## 7. POTENTIAL ENVIRONMENTAL IMPACTS

Potential impacts of development are either long or short term and direct or secondary. They include the following:

- Removal of existing wildlife habitat (long term, direct).
- Destruction of migratory bird habitat (short term, direct).
- Destruction of native vegetation (short term, direct).
- Increased infestation of invasive weeds (short term, secondary).
- Reduction in habitat quality and connectivity (short term, direct).
- Reduced wildlife corridor quality (short term, secondary).
- Harm to wildlife moving through the property (short term, secondary).
- Leaks and spills fouling soils, groundwater or BX Creek (short term, direct)
- Harm to species at risk (short term, secondary).
- Harm to ecosystems at risk (short term, secondary).
- Loud noise disrupting wildlife (short term, direct).

## 8. PROPOSED MITIGATION

The following mitigation and composition strategies follow guidance provided in Guidelines for Amphibian and Reptile Conservation during Urban and Rural Land Development in British Columbia (MWLAP 2014), Guidelines for Raptor Conservation during Urban and Rural and Development in British Columbia (ENV 2013)



and *Develop with Care Thompson Okanagan Region* (ENV 2014) and *Environmental Areas Strategy* (COV 2012). Mitigation strategies are separated into those related to site development and management and those that are environmentally-related, as required by the Environmental Area Strategy, Terms of Reference for Professional Reporting (COV 2012).

## **8.1 Site Development and Management**

Due to high ecological habitat in southern portions of the subject property, ESA1 and ES2 conservation areas have been incorporated into a 15-Lot Site Plan (Appendix A: Figure 7, Appendix C: Option 3). Land clearing, planting of non-native species and temporary or permanent building placement should not occur in either ESA.

Establish a nature trail from Silver Star Road, through the Gas Line ROW and down through the gully to Upper BX Creek and the Pleasant Valley Manufactured Home Park Access Road as shown in Appendix A: Figure 7. Clear the grassy area along the ROW for the footpath but use the existing footpath/wildlife trail through the gully so that native vegetation is not cleared for pathway creation.

Place manufactured home sites in areas of sufficient grade and outside of ESA 1 and ESA 2, as shown in Appendix C: Option 3.

Reduce fuel loads for wildfire management by trimming lower dead branches while maintaining green shrubby vegetation.

Minimize lighting in the developed manufactured home community as it can alter the day/night cycle of some wildlife and their feeding and hunting cycles;

Only allow perimeter fencing that is easily crossed by bear, deer and smaller mammals (Appendix E).

Provide residents with information on the wildlife, plant and ecological communities within the subject property and the trail access to Upper BX Creek east of the subject property. Direct residents to use native and xeriscape plants in small garden areas situated outside of ESA 1 and ESA2.

## **8.2 Environmental Resources**

### **8.2.1 Before Construction**

Develop a plan that identifies potential spills and ways to mitigate or avoid them. Train workers in spill prevention and emergency response. Avoid the use of pesticides, fertilizers, and road salt.

Retain a QEP to look for American badger dens before excavation occurs in grassy, open areas. The QEP will report species at risk to the CDC.

Remove danger trees.

Retain a QEP to complete a nesting survey should be completed before healthy trees are cleared. If a raptor nest is discovered, a minimum buffer of undisturbed vegetation should be maintained as per Table 6 in *Guidelines for Raptor Conservation* (ENV 2013).

Place a temporary construction fence along the northern boundaries of ESA 1 and ESA2 to ensure that machinery, vehicles and large equipment can not access the conservation areas (Appendix A: Figure 7).

Clean machinery to restrict the spread of invasive plant species.

### 8.2.2 During Construction

Complete clearing and grubbing for road works between August 30 and March 31 to avoid working within the Migratory Bird Breeding Bird Window (March 31-August 30).

Do not remove any tree with a Swainson's hawk, bald eagle (*Haliaeetus leucocephalus*), golden eagle (*Aquila chrysaetos*), peregrine falcon (*Falco peregrinus*), gyrfalcon (*Falco rusticolus*), osprey (*Pandion haliaetus*) or burrowing owl (*Athene cunicularia*) nest, whether the nest is active or not.

Limit removal of mature Douglas fir and ponderosa pine, with the exception of danger trees. The number and species of mature trees requiring removal for road and manufactured home site clearing should be noted by a QEP and replaced at a 1:1 ratio in open areas currently infested with invasive weeds

Contain contaminants with appropriate stormwater and wastewater management. Respond quickly when a spill occurs and report the spill to the Provincial Emergency Program (1-800-663-3456), then suitably dispose of spill materials and contaminated soils, water and other materials as required under the *Environmental Management Act*.

### 8.2.3 After Construction

Remove all temporary fencing, construction debris and garbage from the site.

Replant mature trees at a 1:1 ratio. Optimal planting locations are shown in Appendix A: Figure 7.

Continue invasive plant removal on an annual basis throughout the subject property.

Seed disturbed areas with a native seed mix of blue bunch wheatgrass and pine grass.

Secure all household garbage to prevent access by wildlife (e.g. bear, racoon).

## 9. CONCLUSIONS

WWAL completed an EIA for Bill and Lilly Smith. Field investigation and background study identified two conservation areas, identified as ESA 1 and ESA 2. As a result of these findings, Mr. Smith modified the a 14-Lot Site Plan (Appendix C: Option2) to a 15-Lot Site Plan, which avoids areas of the highest ecological value (Appendix C- Option 3). Mitigation includes restriction clearing in ESA 1 and 2, QEP monitoring, establishing a nature trail, reseeding invasive weed infestations with a native grass seed mix and compensation planting of ponderosa pine and Douglas fir. If proposed mitigation strategies in this report are followed, impacts of developing the subject property into the proposed 15-Lot Manufactured home community will be minimized.



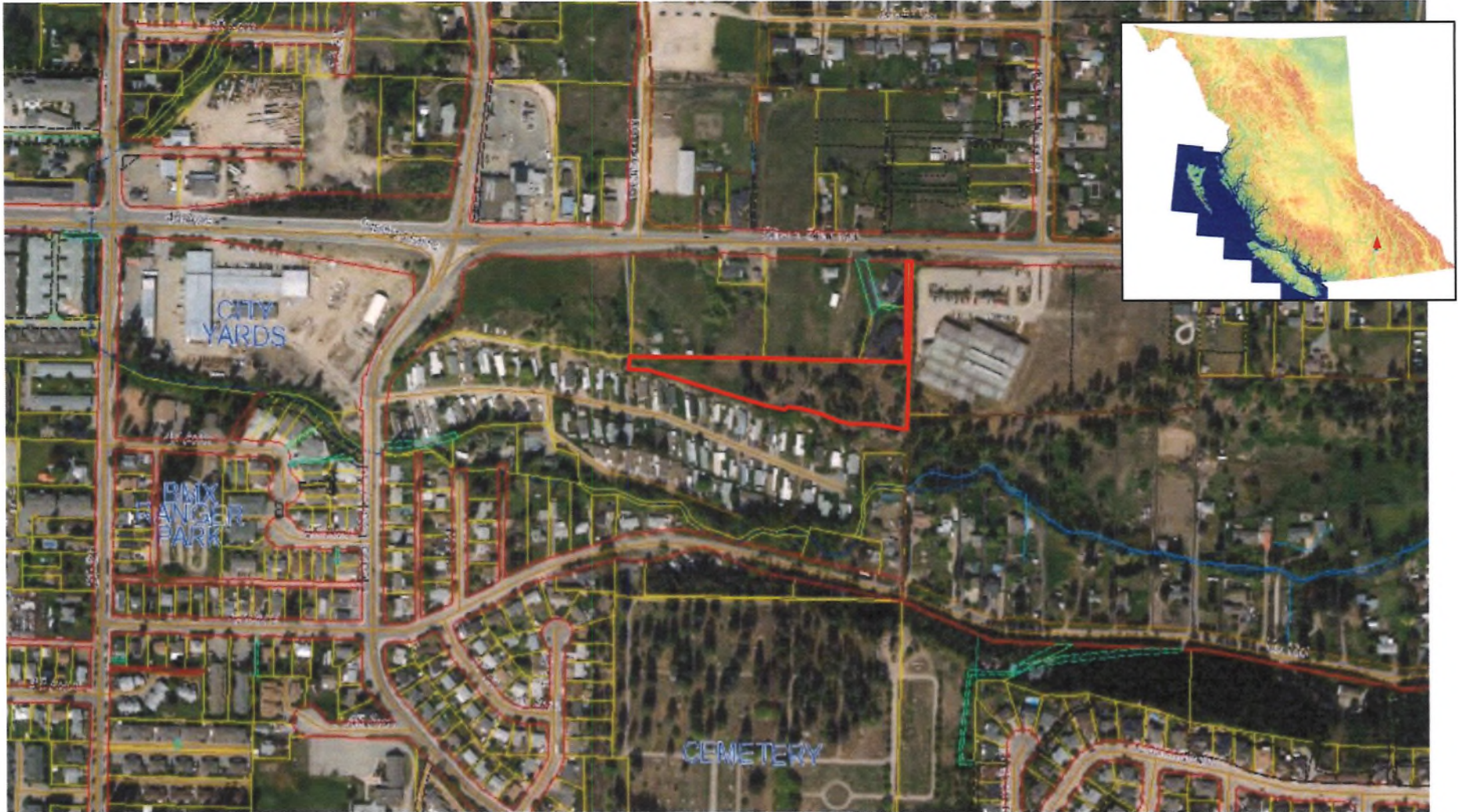
## REFERENCES

- BC Ministry of Environment and Climate Change (ENV). 2019a. BC Species and Ecosystems Explorer. Accessed August 10, 2019. <http://a100.gov.bc.ca/pub/eswp/>
- BC Ministry of Environment and Climate Change (ENV). 2019b. Conservation Data Centre iMap. Accessed August 10, 2019. <http://a100.gov.bc.ca/pub/eswp>
- BC Ministry of Environment and Climate Change (ENV). 2019c. iMapBC. <https://www2.gov.bc.ca/gov/content/data/geographic-data-services/web-based-mapping/imapbc>
- BC Ministry of Environment (ENV) 2013. Guidelines for Raptor Conservation during Urban and Rural Land Development in British Columbia. A companion document to *Develop with Care 2012*.
- BC Ministry of Environment (ENV). 2014. Develop with Care. Thompson Okanagan Region. <https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/best-management-practices/develop-with-care/dwc-section-5-7-to-region.pdf>
- BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) 2009. Biogeoclimatic Zone Mapping <https://www.for.gov.bc.ca/hre/becweb/>
- BC Ministry of Water, Land and Air Protection (MWLAP) 2004. Best Management Practices for Amphibians and Reptiles in Urban and Rural Environments in British Columbia.
- City of Vernon (CoV). 2012. Environmental Management Areas Strategy. [https://www.vernon.ca/sites/default/files/docs/bylaws/OCP/environmental\\_mgmt\\_strategy.pdf](https://www.vernon.ca/sites/default/files/docs/bylaws/OCP/environmental_mgmt_strategy.pdf)
- City of Vernon (COV). 2019. Mapping. North Okanagan Map. <https://www.vernon.ca/government-services/maps-gis/north-okanagan-map>
- City of Vernon (COV). 2013. Official Community Plan. Bylaw #5470. Residential. <https://www.vernon.ca/sites/default/files/docs/bylaws/OCP/7residential.pdf>
- City of Vernon (COV). 2003. Zoning Bylaw #5000, 2003. R7 Zoning. <https://www.vernon.ca/government-services/bylaws/0908-r7-mobile-home-residential>
- Conservation Data Centre. (CDC) 2019. Email from Jacqueline Clare, M.Sc. BC Conservation Data Centre Conservation Mapping Lead, to Gina Le Bel, WWAL Junior Biologist, received August 2, 2019 5:28 PM. Google Earth. 2016. Google Earth Pro Imagery. Image Landsat / Copernicus.
- Integrated Land Management Bureau. 2017. Resources Information Standards Committee. <https://www.for.gov.bc.ca/hts/risc/about.htm>
- Lloyd et al. 1990. A Guide to Site Identification and Interpretation for the Kamloops Forest Region. Prepared for the BC Ministry of Forest and Range. <https://www.for.gov.bc.ca/hfd/pubs/Docs/Lmh/Lmh23.htm>
- Regional District of North Okanagan (RDNO). 2019. City of Vernon GIS Mapping. <http://64.114.25.193/Html5Viewer/index.html?viewer=NorthOkanaganMap>

## **APPENDIX A**

### Figures





© Corporation of the City of Vernon & Regional District of North Okanagan

1: 5,233



Pleasant Valley Manufactured Home Community EIA

TITLE  
Figure 1: Subject Property

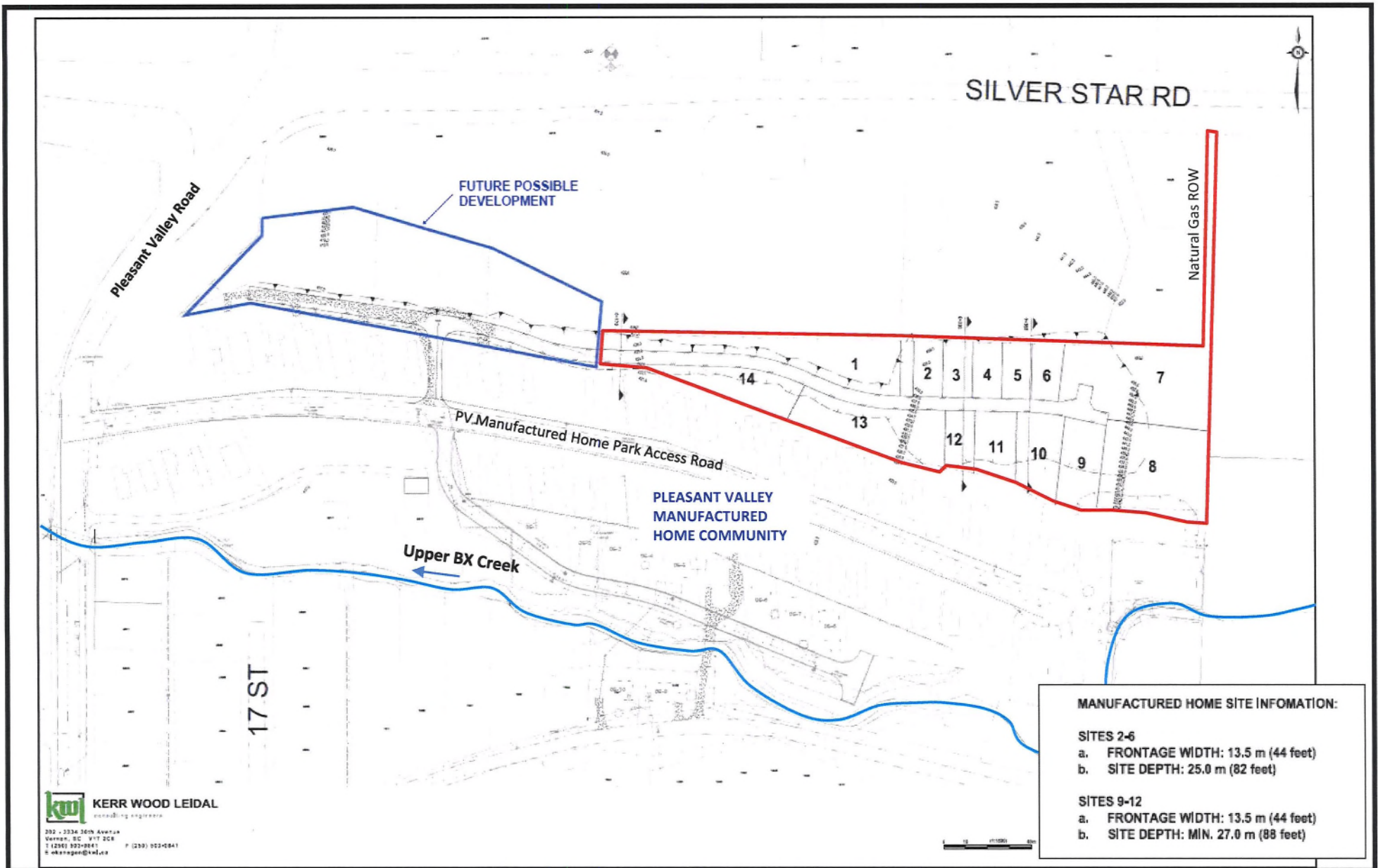


DRAWN	GL
CHECKED	TK
REVIEWED	DG

DATE	August 2019
PV Road Mobile Home Park EIA	

PROJECT NO.	19-080-01VR
TOPOGRAPHY	
SOURCE	City of Vernon Mapping





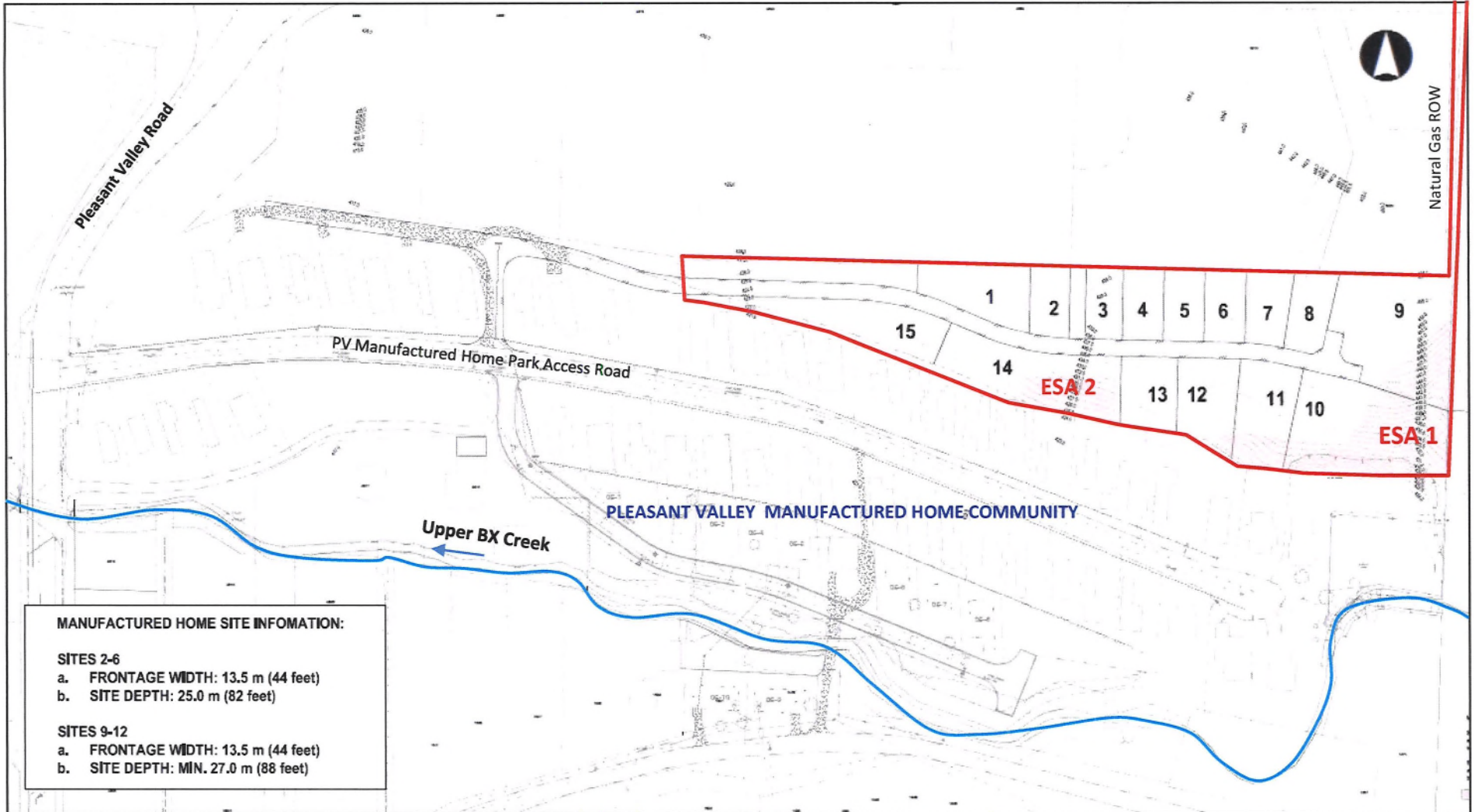
Pleasant Valley Manufactured Home Community EIA

TITLE Figure 2: 14-Lot Site Plan Used for Field Assessment

DRAWN	GL	DATE	August 2019	PROJECT NO.	19-080-01VR
CHECKED	TK	OPTION 2		TOPOGRAPY	
REVIEWED	DG			SOURCE: KWL Conceptual Drawing 2019	








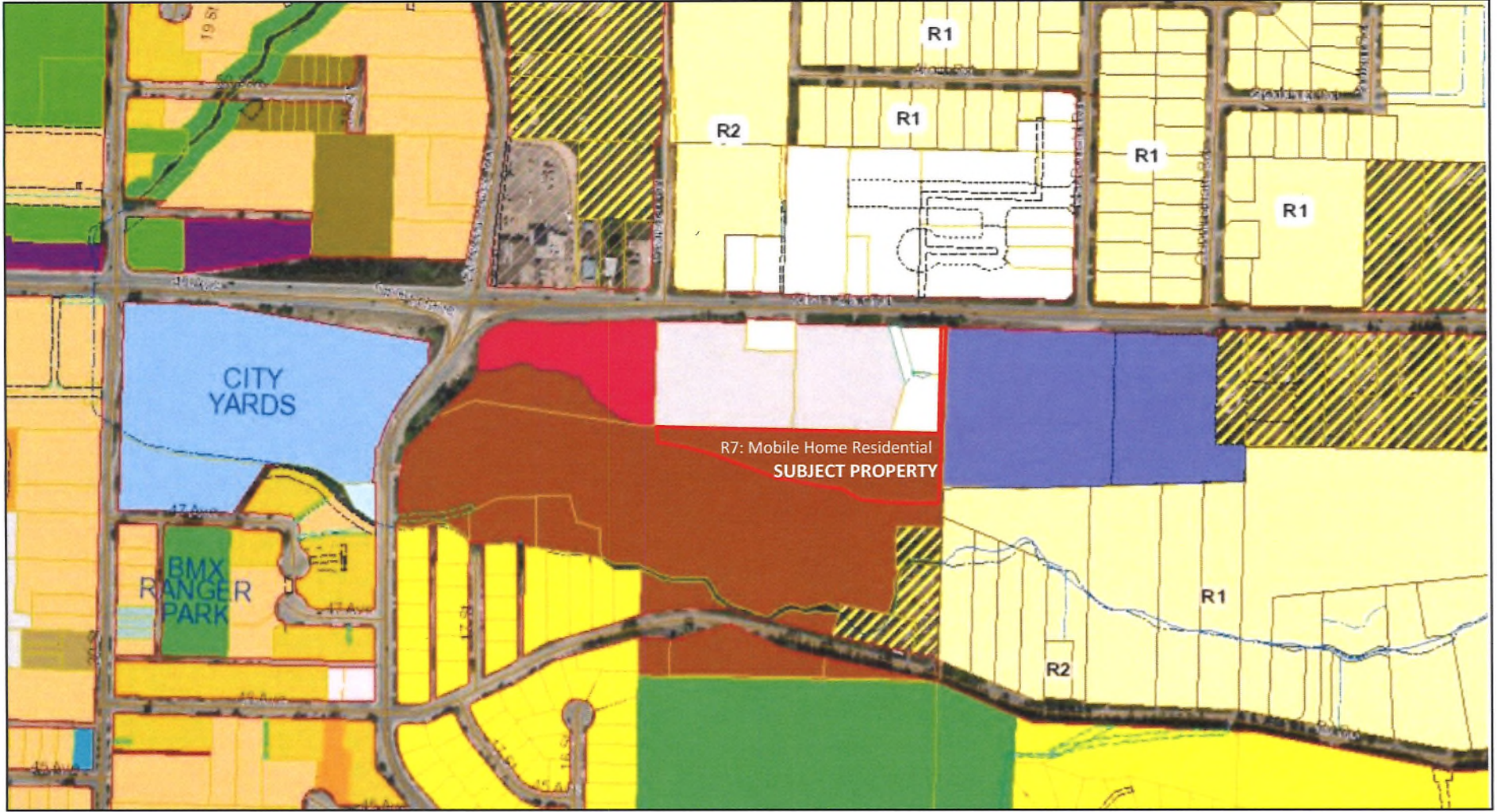
**MANUFACTURED HOME SITE INFORMATION:**

**SITES 2-6**  
 a. FRONTAGE WIDTH: 13.5 m (44 feet)  
 b. SITE DEPTH: 25.0 m (82 feet)

**SITES 9-12**  
 a. FRONTAGE WIDTH: 13.5 m (44 feet)  
 b. SITE DEPTH: MIN. 27.0 m (88 feet)

Pleasant Valley Manufactured Home Community EIA 	TITLE <b>Figure 3: Revised 15-Lot Site Plan with ESAs</b>		
	DRAWN: GL CHECKED: TK REVIEWED: DG	DATE: August 2019  OPTION 3	PROJECT NO. 19-080-01VR TOPOGRAPHY SOURCE: KWL Conceptual Drawing 2019





0 0 0 0 Miles

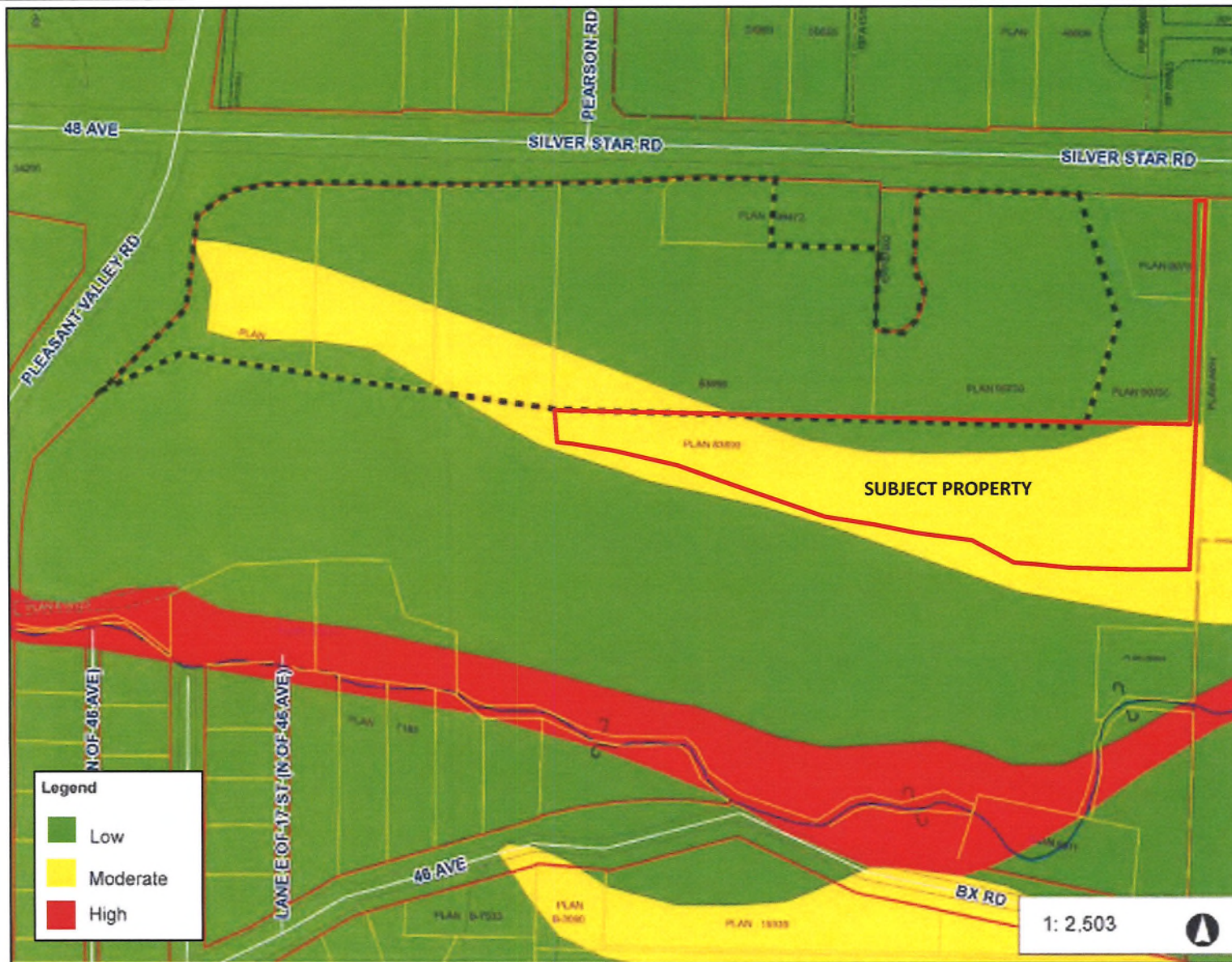
© Corporation of the City of Vernon & Regional District of North Okanagan

1:5,233



	<b>Pleasant Valley Manufactured Home Community EIA</b>		<b>Figure 4: Site Zoning</b>	
	DRAWN: GL CHECKED: TK REVIEWED: DG	DATE: August 2019	PROJECT NO.: 19-080-01VR TOPOGRAPHY: City of Vernon Mapping	
	PV Road Mobile Home Park EIA		SOURCE: City of Vernon Mapping	





Pleasant Valley Manufactured Home Community EIA



TITLE

Figure 5: Environmental Management Area Ranking

DRAWN GL  
 CHECKED TK  
 REVIEWED DG

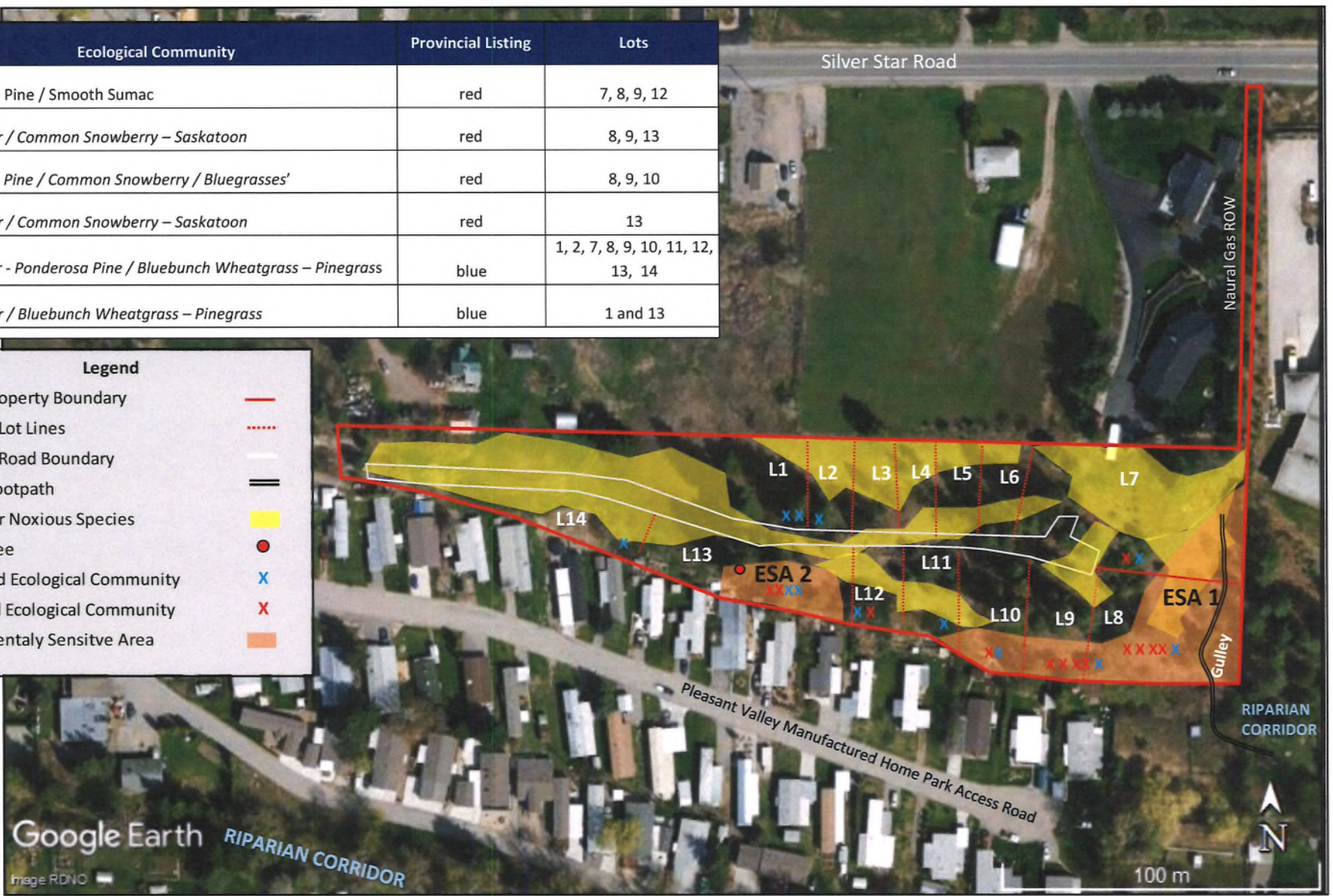
DATE August 2019  
 PV Road Mobile Home Park EIA

PROJECT NO. 19-080-01VR  
 TOPOGRAPHY  
 SOURCE: City of Vernon Mapping



Ecological Community	Provincial Listing	Lots
Ponderosa Pine / Smooth Sumac	red	7, 8, 9, 12
Douglas-fir / Common Snowberry – Saskatoon	red	8, 9, 13
Ponderosa Pine / Common Snowberry / Bluegrasses'	red	8, 9, 10
Douglas-fir / Common Snowberry – Saskatoon	red	13
Douglas fir - Ponderosa Pine / Bluebunch Wheatgrass – Pinegrass	blue	1, 2, 7, 8, 9, 10, 11, 12, 13, 14
Douglas-fir / Bluebunch Wheatgrass – Pinegrass	blue	1 and 13

Legend	
Subject Property Boundary	—
Proposed Lot Lines	⋯
Proposed Road Boundary	—
Existing Footpath	—
Invasive or Noxious Species	■
Danger Tree	●
Blue-listed Ecological Community	X
Red-listed Ecological Community	X
Environmentally Sensitive Area	■



Pleasant Valley Manufactured Home Community EIA

TITLE  
Figure 6: 14-Lot Site Plan with ESA Polygons, Suggested Building Pad Locations and Ecological Communities



DRAWN	GL	DATE	August 2019	PROJECT NO.	19-080-01VR
CHECKED	TK			DWG. NO.	n/a
REVIEWED	DG		PV Road Mobile Home Park EIA	SOURCE	Google Earth 2019





Pleasant Valley Manufactured Home Community EIA



TITLE  
Figure 7: 15-Lot Site Plan with ESA Polygons, Ponderosa Pine Planting Areas and Proposed Gully Trail

DRAWN	GL	DATE	August 2019	PROJECT NO.	19-080-01VR
CHECKED	TK			DWG. NO.	n/a
REVIEWED	DG		PV Road Mobile Home Park EIA	SOURCE	Google Earth 2019

## **APPENDIX B**

### Photographs



Photograph 1. Lot 1: Ponderosa Pine and pine grass (July 23, 2019)



Photograph 2. Lot 2: Ponderosa pine and invasive hoary alyssum (July 23, 2019)





Photograph 3. Lot 3: Invasive hoary alyssum and purple clover (July 23, 2019)



Photograph 4. Lot 4: Invasive hoary alyssum and purple clover (July 23, 2019)





Photograph 5. Lot 5: Invasive hoary alyssum, purple clover and balsam poplar  
(July 23, 2019)



Photograph 6. Lot 6: Invasive hoary alyssum, purple clover and grasses  
(July 23, 2019)





Photograph 7. Lot 7: Mature ponderosa pine (July 23, 2019)



Photograph 8. Lot 7: Clearing between ponderosa pine (July 23, 2019)





Photograph 9. Lot 7: Sumac on the grassy slope (July 23, 2019)



Photograph 10. Lot 8: Ponderosa pine and bunchgrass on steep slope (July 23, 2019)





Photograph 11. Lot 9: Ponderosa pine and bunchgrass (July 23, 2019)



Photograph 12. Lot 10: Common snowberry, bunchgrass and ponderosa pine (July 23, 2019)





Photograph 13. Lot 11: Ponderosa pine (July 23, 2019)



Photograph 14. Lot 12: Invasive woolly mullein, native Douglas fir and choke cherry (July 23, 2019)





Photograph 15. Lot 13: Ponderosa pine, bunchgrass and brome grass (July 23, 2019)



Photograph 16. Lot 14: Previously cleared area surrounded by ponderosa pine (July 23, 2019)





Photograph 17. Lot 14: Dead-standing ponderosa pine (July 23, 2019)

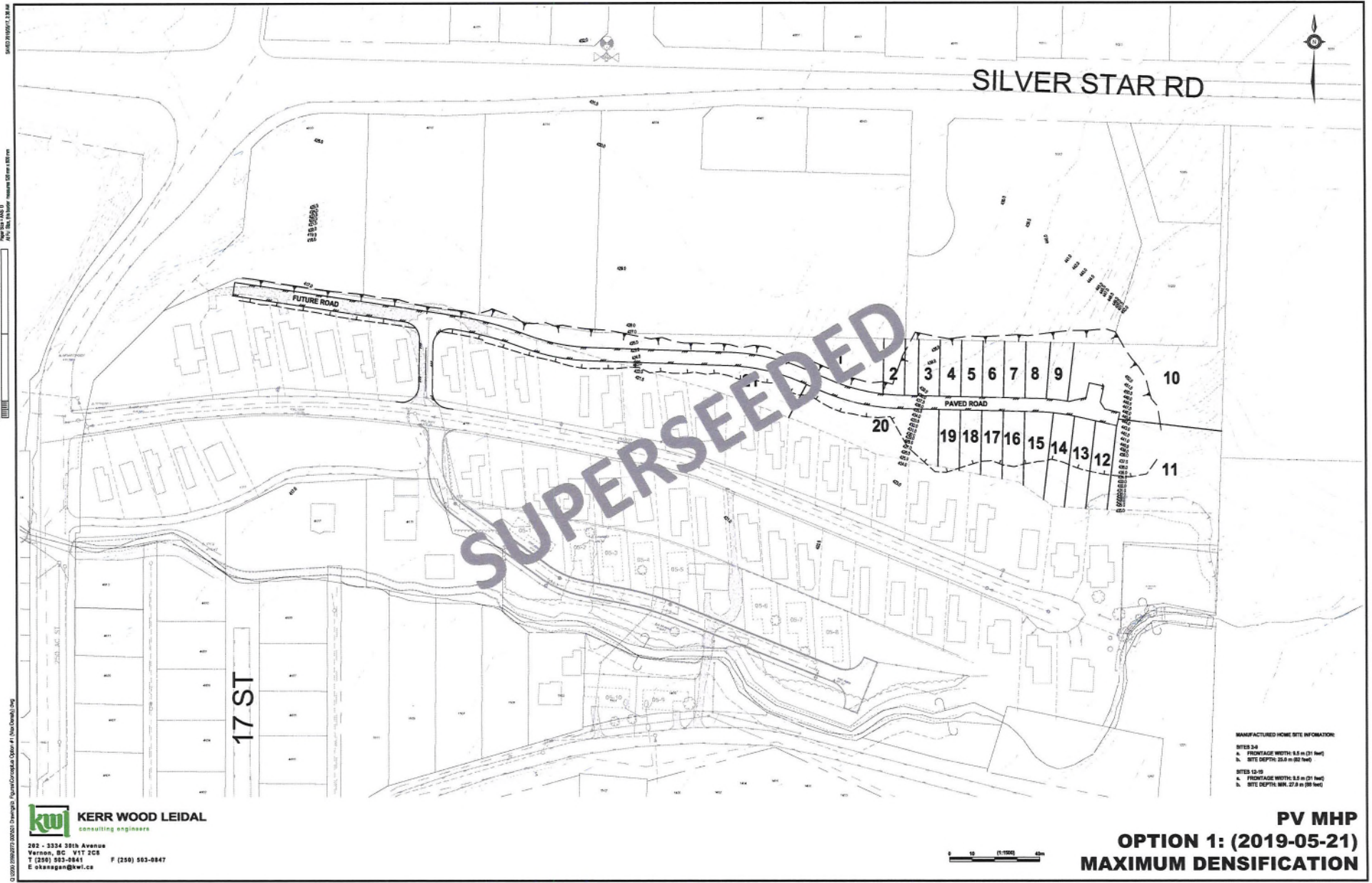


Photograph 18. Northern view of the gas line right of way (July 23, 2019)





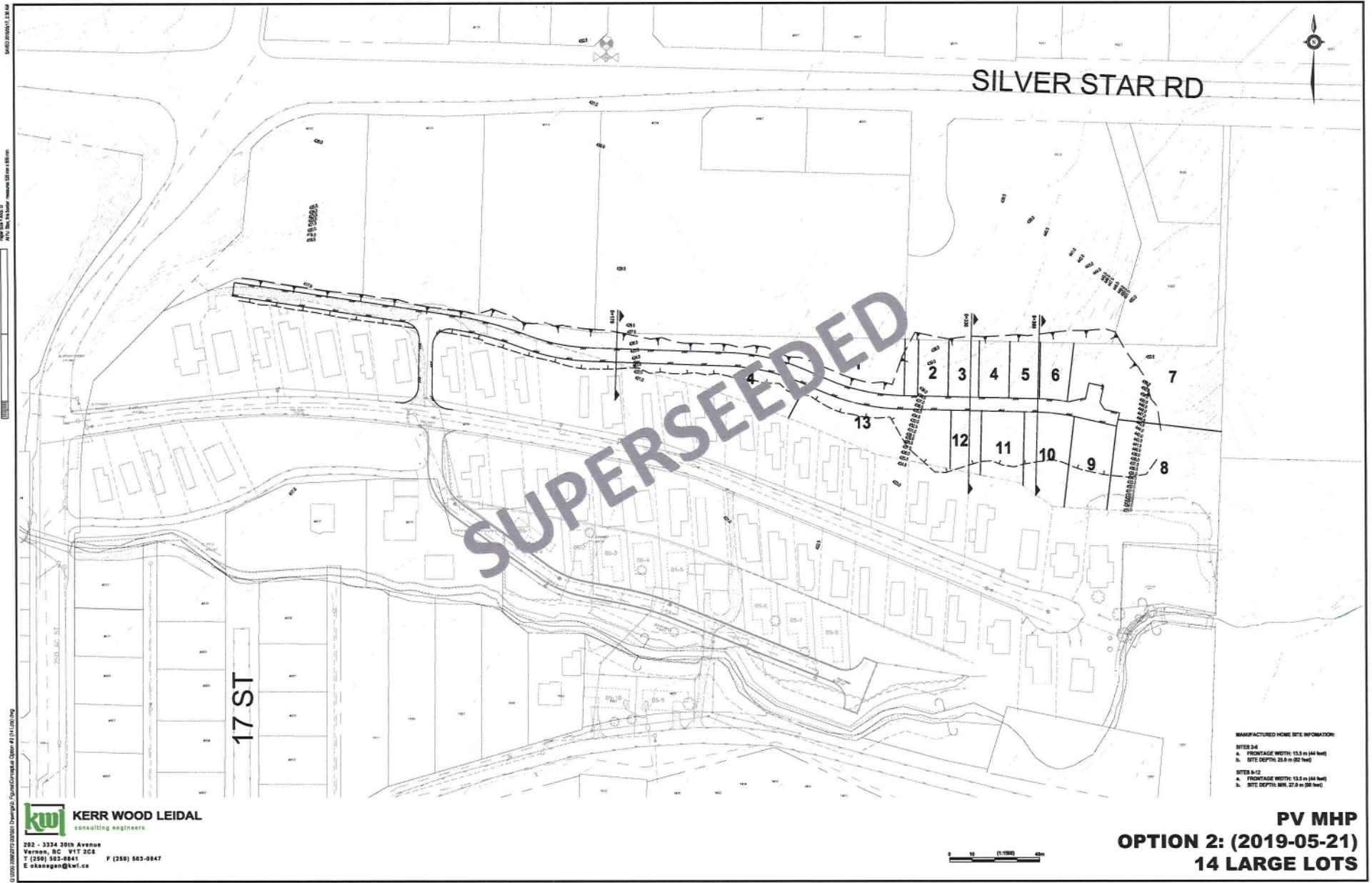
**APPENDIX C**  
Lot Site Plans : Option I-3

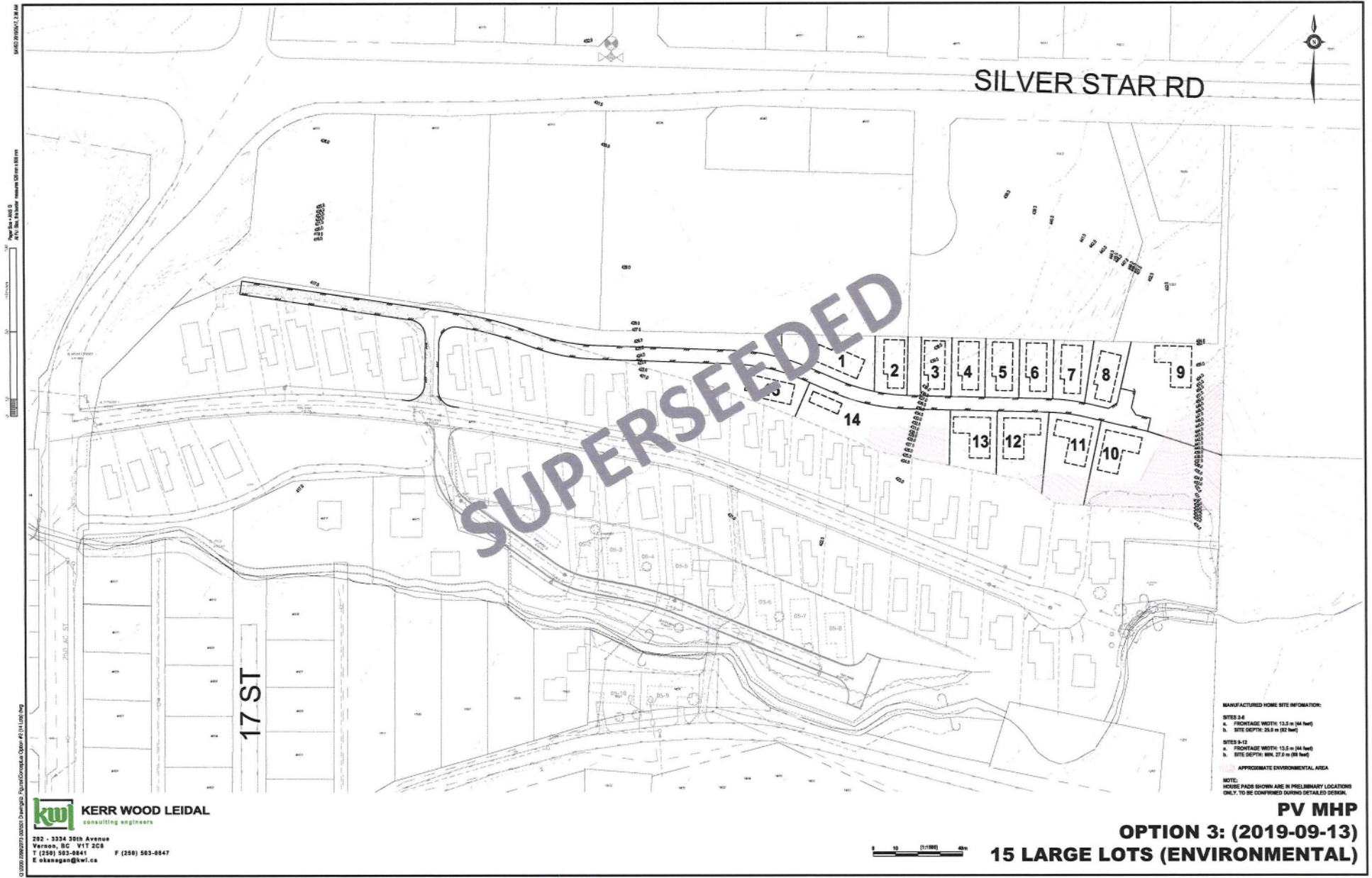


**KWL** KERR WOOD LEIDAL  
 consulting engineers  
 282 - 3234 38th Avenue  
 Vernon, BC V1T 2C8  
 T (250) 553-2841 F (250) 553-2847  
 E vks@kwl.ca











## **APPENDIX D**

### **Wildlife Species at Risk with the Potential to Inhabit the Subject Property**

## APPENDIX D: Species at Risk with the Potential to Inhabit the Subject Property

English Name	Scientific Name	COSEWIC	BC List	SARA	Class (English)
Great Basin Spadefoot	<i>Spea intermontana</i>	T (Apr 2007)	Blue	1-T (Jun 2003)	amphibians
American Bittern	<i>Botaurus lentiginosus</i>		Blue		birds
Barn Owl	<i>Tyto alba</i>	T (Nov 2010)	Red	1-T (Jun 2018)	birds
Barn Swallow	<i>Hirundo rustica</i>	T (May 2011)	Blue	1-T (Nov 2017)	birds
Bobolink	<i>Dolichonyx oryzivorus</i>	T (Apr 2010)	Blue	1-T (Nov 2017)	birds
Burrowing Owl	<i>Athene cunicularia</i>	E (Apr 2017)	Red	1-E (Jun 2003)	birds
Grasshopper Sparrow	<i>Ammodramus savannarum</i>		Red		birds
Great Blue Heron, <i>herodias</i> subspecies	<i>Ardea herodias</i>		Blue		birds
Horned Lark, <i>merrilli</i> subspecies	<i>Eremophila alpestris merrilli</i>		Blue		birds
Lark Sparrow	<i>Chondestes grammacus</i>		Blue		birds
Lewis's Woodpecker	<i>Melanerpes lewis</i>	T (Apr 2010)	Blue	1-T (Jul 2012)	birds
Long-billed Curlew	<i>Numenius americanus</i>	SC (May 2011)	Blue	1-SC (Jan 2005)	birds
Olive-sided Flycatcher	<i>Contopus cooperi</i>	SC (May 2018)	Blue	1-T (Feb 2010)	birds
Short-eared Owl	<i>Asio flammeus</i>	SC (Mar 2008)	Blue	1-SC (Jul 2012)	birds
Swainson's Hawk	<i>Buteo swainsoni</i>		Red		birds
Western Screech-Owl, <i>macfarlanei</i> subspecies	<i>Megascops kennicottii macfarlanei</i>	T (May 2012)	Blue	1-T	birds
Yellow-breasted Chat	<i>Icteria virens</i>	E (Nov 2011)	Red	1-E (Jun 2003)	birds
Checkered Skipper	<i>Pyrgus communis</i>		Blue		insects
Emma's Dancer	<i>Argia emma</i>		Blue		insects
Immaculate Green Hairstreak	<i>Callophrys affinis</i>		Blue		insects
Monarch	<i>Danaus plexippus</i>	E (Nov 2016)	Blue	1-SC (Jun 2003)	insects
Nevada Skipper	<i>Hesperia nevada</i>		Blue		insects
Sandhill Skipper	<i>Polites sabuleti</i>		Red		insects
American Badger	<i>Taxidea taxus</i>	E (Nov 2012)	Red	1-E (Jun 2018)	mammals
Columbia Plateau Pocket Mouse	<i>Perognathus parvus</i>		Blue		mammals
Fisher	<i>Pekania pennanti</i>		Blue		mammals
Fringed Myotis	<i>Myotis thysanodes</i>	DD (May 2004)	Blue	3 (Mar 2005)	mammals
Northern Bog Lemming, <i>artemisiae</i> subspecies	<i>Synaptomys borealis artemisiae</i>		Blue		mammals
Preble's Shrew	<i>Sorex preblei</i>		Red		mammals
Spotted Bat	<i>Euderma maculatum</i>	SC (Nov 2014)	Blue	1-SC (Jul 2005)	mammals
Townsend's Big-eared Bat	<i>Corynorhinus townsendii</i>		Blue		mammals
Western Harvest Mouse	<i>Reithrodontomys megalotis</i>	SC (Apr 2007)	Blue	2009)	mammals
Western Small-footed Myotis	<i>Myotis ciliolabrum</i>		Blue		mammals
Wolverine, <i>luscus</i> subspecies	<i>Gulo gulo luscus</i>	SC (May 2014)	Blue	1-SC (Jun 2018)	mammals
Gopher Snake, <i>deserticola</i> subspecies	<i>Pituophis catenifer deserticola</i>	T (Apr 2013)	Blue	1-T (Jan 2005)	reptiles
North American Racer	<i>Coluber constrictor</i>	T (Nov 2015)	Blue	1-SC (Aug 2006)	reptiles
Western Rattlesnake	<i>Crotalus oreganus</i>	T (May 2015)	Blue	1-T (Jul 2005)	reptiles
Western Skink	<i>Plestiodon skiltonianus</i>	SC (Nov 2014)	Blue	1-SC (Jan 2005)	reptiles



## **APPENDIX E**

### Wildlife Perimeter Fencing



# Friendly Designs

## APPENDIX E: Wildlife Perimeter Fencing

### The ideal wildlife friendly fence

should (1) allow relatively free passage for animals to jump over and crawl under, and (2) be highly visible for both ungulates and birds. You can combine or tailor many of the ideas presented here



Fences should be low enough for adult animals to jump, preferably 40" or less, and the top two wires should be no less than 12" apart. Deer and elk easily tangle their back legs if the top wires are closer together. The bottom wire or rail should be high enough for pronghorn, calves and fawns to crawl under, at least 18" from the ground. Increasing visibility using a top rail, high-visibility wire, or high-tensile electric wire,



can help ungulates and birds, such as hawks, owls and swans, better navigate fences.

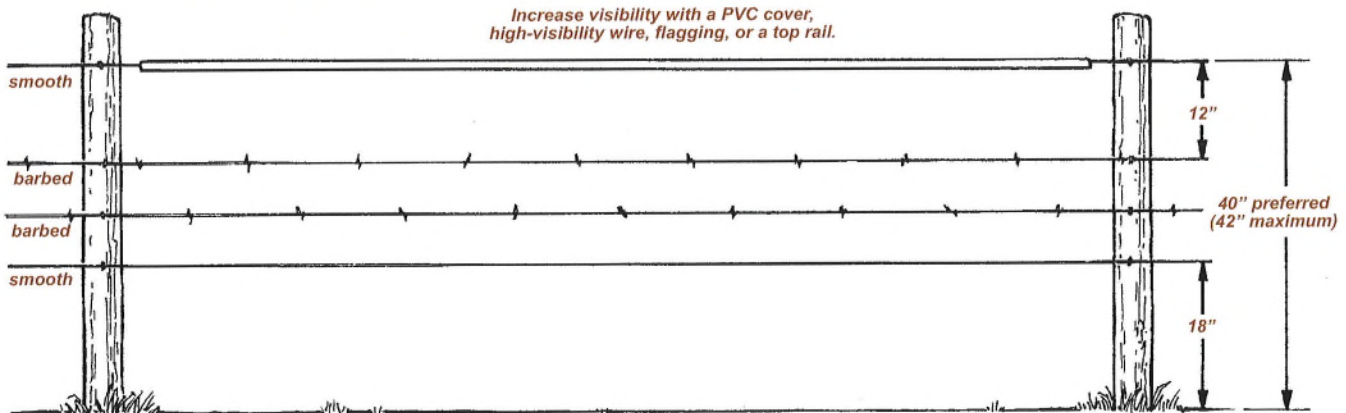
### Wildlife Friendly Ideal

Wildlife friendly fences should be low enough for adult animals to jump, high enough for animals to crawl under, and minimize the chance of tangling. Montana Fish, Wildlife and Parks (FWP) recommends:

- A top wire or rail preferably no more than 40" above the ground, and absolutely no more than 42";
- At least 12" between the top two wires;
- At least 18" between the bottom wire or rail and the ground;
- Smooth wire or rail for the top, smooth wire on bottom.
- No vertical stays;
- Posts at 16.5-foot intervals;
- Gates, drop-downs, or other passages where wildlife concentrate and cross.

Using smooth wire – barbless wire, high-visibility tape or braid, or high-tensile electric wire – for the top and bottom strands will prevent snagging and injuries. In wildlife migration areas, drop-down fence, lay-down fence or crossings can be used for seasonal wildlife passage.

### IDEAL WILDLIFE FRIENDLY FENCE



The friendliest fences are very visible and allow wild animals to easily jump over or slip under the wires or rails.





## **Western Water Associates Ltd. Standard Report Limitations**

1. This Document has been prepared for the particular purpose outlined in the work scope that has been mutually agreed to with the Client.
2. The scope and the period of service provided by Western Water Associates Ltd are subject to restrictions and limitations outlined in subsequent numbered limitations.
3. A complete assessment of all possible conditions or circumstances that may exist at the Site or within the Study Area referenced, has not been undertaken. Therefore, if a service is not expressly indicated, it has not been provided and if a matter is not addressed, no determination has been made by Western Water Associates Ltd. in regard to it.
4. Conditions may exist which were undetectable given the limited nature of the enquiry that Western Water Associates Ltd. was retained to undertake with respect to the assignment. Variations in conditions may occur between investigatory locations, and there may be special conditions pertaining to the Site, or Study Area, which have not been revealed by the investigation and which have not therefore been taken into account in the Document. Accordingly, additional studies and actions may be required.
5. In addition, it is recognised that the passage of time affects the information and assessment provided in this Document. Western Water Associates Ltd's opinions are based upon information that existed at the time of the production of the Document. It is understood that the Services provided allowed Western Water Associates Ltd to form no more than an opinion of the actual conditions of the Site, or Study Area, at the time the site was visited and cannot be used to assess the effect of any subsequent changes in the quality of the Site, or Study Area, nor the surroundings, or any laws or regulations.
6. Any assessments made in this Document are based on the conditions indicated from published sources and the investigation described. No warranty is included, either expressed or implied, that the actual conditions will conform exactly to the assessments contained in this Document.
7. Where data supplied by the Client or other external sources, including previous site investigation data, have been used, it has been assumed that the information is correct unless otherwise stated.
8. No responsibility is accepted by Western Water Associates Ltd for incomplete or inaccurate data supplied by others.
9. The Client acknowledges that Western Water Associates Ltd may have retained sub-consultants affiliated to provide Services. Western Water Associates Ltd will be fully responsible to the Client for the Services and work done by all of its sub-consultants and subcontractors. The Client agrees that it will only assert claims against and seek to recover losses, damages or other liabilities from Western Water Associates Ltd.
10. This Document is provided for sole use by the Client and is confidential to it and its professional advisers. No responsibility whatsoever for the contents of this Document will be accepted to any person other than the Client. Any use which a third party makes of this Document, or any reliance on or decisions to be made based on it, is the responsibility of such third parties. Western Water Associates Ltd. accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this Document.



Groundwater Supply Development and Management

Source Water Assessment and Protection

Well Monitoring & Maintenance

Environmental & Water Quality Monitoring

Storm & Wastewater Disposal to Ground

Groundwater Modeling

Aquifer Test Design and Analysis

Geothermal / Geoexchange Systems

Policy and Guideline Development

Applied Research

Rural Subdivision Services

Environmental Assessment & Permitting



## 9.8 R7 : Mobile Home Residential

### 9.8.1 Purpose

The purpose is to provide a **zone** for **mobile homes** on individual **mobile home sites** in a **mobile home park** setting. The R7c sub-zoning district allows for **care centre, major** as an additional use. *(Bylaw 5467)*

### 9.8.2 Primary Uses

- **care centre, major** *(use is only permitted with the R7c sub-zoning district)*
- **mobile homes**
- **single detached housing on each separate fee simple or bareland strata lot in a mobile home subdivision**

### 9.8.3 Secondary Uses

- **boarding rooms** *(Bylaw 5440)*
- **care centres, minor**
- **home based businesses, minor**
- **office**

### 9.8.4 Subdivision Regulations for Mobile Home Parks

- Minimum **mobile home park lot width** is 50.0m
- Minimum **mobile home park lot depth** is 50.0m
- Minimum **mobile home park lot area** is 2ha (5 acres)

### 9.8.5 Development Regulations for Mobile Home Parks

- Maximum **density** is 20 units per gross hectare (8 units/gross acre).
- Minimum **mobile home park lot front yard** is 4.5m, except it is 6.0m from a public road.
- Minimum **mobile home park lot side yard** is 4.5m.
- Minimum **mobile home park lot rear yard** is 6.0m.
- Maximum **mobile home park site coverage** is 40%.

### 9.8.6 Development Regulations for individual Mobile Home Sites and Lots

For rental or phased building strata development in **mobile home parks**, the following regulations shall apply:

- Minimum **mobile home site width** is 9.5m interior **site** and 11.5m exterior **site**.
- Minimum **mobile home site depth** is 25.0m.
- Minimum **mobile home site area** is 237.5m<sup>2</sup>.
- Maximum **building height** is 7.6m, except it is 4.5m for **secondary buildings and structures**.
- Each **mobile home** shall be provided with an individual **mobile home site**, with either public or private road access.
- No **mobile home** shall be located closer than 3.0m to the back curb of a private roadway, edge of public ROW or parking area, no closer than 6.0m to another **mobile home** unless permitted by fire protection regulations, but in no case closer than 1.5m to the edge of a **mobile home site**.

For fee simple development and bareland strata subdivisions in **mobile home subdivisions**, the following regulations shall apply:

- Minimum **mobile home lot width** is 10.0m for an **interior lot** and 12.0m for an **exterior lot**.
- Minimum **mobile home lot depth** is 25.0m.
- Minimum **mobile home lot area** is 320m<sup>2</sup>, or 10,000m<sup>2</sup> if not serviced by a **community sewer system**.
- Minimum **mobile home lot front yard** is 3.5m.
- Minimum **mobile home lot side yard** is 1.2m, except it is 3.5m from a **flanking street**.
- Minimum **mobile home lot rear yard** is 6.0m.
- Maximum **mobile home site coverage** is 55%.
- Maximum **building envelope** is 275m<sup>2</sup> or maximum **site coverage** of 55%, whichever is the lesser.
- Maximum **height** is 7.6m, except it is 4.5m for **secondary buildings and structures**.

#### 9.8.7 Other Regulations

- The minimum horizontal width of 7.0m stipulated in Section 4.14.1 for detached primary **buildings** in residential zones is not applicable to the R7 Mobile Home Residential zone.
- The **office use** is limited to one **office** for the management and operation of the **mobile home park**.
- The following additions to a **mobile home site** are permitted: garages or **carports**, sun or rain shelters, porches, rooms, and storage sheds. The additions, inclusive of a **carport** or garage, shall not be larger in area than 50% of the floor area of a single section **mobile home** or 20% of the floor area of a multi-section home.
- The owner of a **mobile home park** must provide a minimum of 6% of the gross **mobile home park** area as private open space for the **use** and enjoyment of residents, except in the case of a fee simple subdivision, the **mobile home park** is exempt from private open space provision. Buffer areas, **storage compounds**, **street** and roadway rights-of-way, parking areas or required utility easements within the **mobile home park** shall not be considered as forming any portion of the recreational or open space requirement. 50% of the recreation area shall be open space in a location convenient and accessible to the tenants, ensuring that any hillside or natural **watercourse** areas to be included in the recreation area is physically accessible to the tenants and is maintained in its natural state, or authorized improved state. Outdoor recreational areas shall be **landscaped** if not left in their natural state.
- For the purpose of calculating and satisfying recreational and open space requirements, any indoor recreational space fully developed in a community or recreational centre shall be counted as triple its **gross floor area**. Any common outdoor recreational facility, such as a swimming pool, tennis court, shuffleboard, lawn bowling or putting greens, barbecue patio, etc. may be counted as double its surface area.
- One **secondary building**, compatible in finishing materials, is permitted to a maximum area of 20m<sup>2</sup> on a **mobile home site**, with a maximum **height** of 4.5m.
- One or more separate storage compounds may be provided within a **mobile home park** for the storage of boats, travel trailers, recreation **vehicles**, motor toboggans, non-licensed motor **vehicles** or other large items or equipment owned by the tenants which are not appropriate to store on a **mobile home site**. The storage compound shall be securely fenced, gated and lighted for security and shall be screened from public view by approved fencing and **landscaping**. Where such a facility is not required, the above noted apparatus is not permitted to be stored on a **mobile home site** unless stored within a permitted **secondary building**.
- No outdoor portion of a **mobile home park** shall be used for or permitted to be used for the wrecking or storage of derelict automobiles, trucks, tractors, machinery,



lumber, inflammable debris or other unused items or equipment which the owner or the approval authority considers to be a public nuisance or junk.

- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development, yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific **use** regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- As per Section 4.10.2 - All **buildings and structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".  
(Bylaw 5440)

#### 4.15 Hillside Development Areas

4.15.1 Vernon's Official Community Plan (OCP) establishes Development Permit Areas (DPAs) for all areas within the City of Vernon. Vernon's Hillside Guidelines and Regulations Policy defines hillsides and provides Goals and Objectives for development of lands on hillsides and slopes under 30%. No construction of a building, structure or swimming pool is permitted on slopes 30% or greater.

4.15.2 No subdivision of land creating lots is permitted where less than 100m<sup>2</sup> of contiguous buildable area which meets all bylaw regulations herein for each lot is provided, with the exception of boundary lot adjustments.  
*(Bylaw 5433)*



to prevent sagging and to minimize rot. Along sloping ground, the top of wood **fences** shall be horizontal with vertical drops at the posts.

6.5.6 Screening **fences** shall be opaque double-sided **construction**. Where screen **fences** are allowed or required by this Bylaw, they shall be of an opaque or a combination of opaque, translucent or lattice design.

6.5.7 No **fence** constructed at the **natural grade** in residential **zones**, shall exceed 2.0m in **height**, except where **abutting** an **agricultural** or **commercial zone** the maximum **height** is 2.4m. No fence shall have pickets or finials extending above the horizontal rail that may pose a danger to wildlife. *(Bylaw 5890)*

6.5.8 No **fence** in a **commercial** or **industrial zone** shall exceed 2.4m.

6.5.9 **Industrial zones** are to have an opaque 2.4m high **fence** along all **property lines abutting** non-industrial **zones** and around **wrecking yards** that are visible from a **street abutting** the property.

6.5.10 No barbed wire or electrified fencing shall be allowed in any **residential, commercial, public** or **industrial zones** except:

- in RR **zone** for use in **livestock** enclosures; and
- in P2 **zone** where the **site** is used for **detention and correctional services**.

Razor wire fences shall not be permitted in any zone.

6.5.11 **Retaining walls** on all residential **lots**, except those required as a condition of **subdivision** approval, must not exceed a **height** of 1.2m measured from grade on the lower side, and must be constructed so that multiple **retaining walls** are spaced to provide at least a 1.2m horizontal separation between them.

6.5.12 In the case of a **retaining wall** constructed in accordance with Section 6.5.11, the combined **height** of a **fence** on top of a **retaining wall** at the **property line** or within 1.2m of the **property line** shall not exceed 2.0m, measured from **natural grade** at the **property line** (see Diagram 6.1).

6.5.13 Notwithstanding Section 6.5.11, a **retaining wall** may be higher than 1.2m, measured from grade, where the **natural grade** of the subject property is lower than the **abutting** property (see Diagram 6.2).

6.5.14 In the case of a **retaining wall** constructed in accordance with Section 6.5.13, the maximum **height** of a **fence**, or portion of **retaining wall** extending above the **natural grade** of the **abutting** higher property, or combination thereof, shall be 2.0m, measured from the **natural grade** of the **abutting** higher property (see Diagram 6.2).

## 9.8 R7 : Mobile Home Residential

### 9.8.1 Purpose

The purpose is to provide a **zone** for **mobile homes** on individual **mobile home sites** in a **mobile home park** setting. The R7c sub-zoning district allows for **care centre, major** as an additional use. *(Bylaw 5467)*

### 9.8.2 Primary Uses

- **care centre, major** *(use is only permitted with the R7c sub-zoning district)*
- **mobile homes**
- **single detached housing on each separate fee simple or bareland strata lot in a mobile home subdivision**

### 9.8.3 Secondary Uses

- **boarding rooms** *(Bylaw 5440)*
- **care centres, minor**
- **home based businesses, minor**
- **office**

### 9.8.4 Subdivision Regulations for Mobile Home Parks

- Minimum **mobile home park lot width** is 50.0m
- Minimum **mobile home park lot depth** is 50.0m
- Minimum **mobile home park lot area** is 2ha (5 acres)

### 9.8.5 Development Regulations for Mobile Home Parks

- Maximum **density** is 20 units per gross hectare (8 units/gross acre).
- Minimum **mobile home park lot front yard** is 4.5m, except it is 6.0m from a public road.
- Minimum **mobile home park lot side yard** is 4.5m.
- Minimum **mobile home park lot rear yard** is 6.0m.
- Maximum **mobile home park site coverage** is 40%.

### 9.8.6 Development Regulations for individual Mobile Home Sites and Lots

For rental or phased building strata development in **mobile home parks**, the following regulations shall apply:

- Minimum **mobile home site width** is 9.5m interior **site** and 11.5m exterior **site**.
- Minimum **mobile home site depth** is 25.0m.
- Minimum **mobile home site area** is 237.5m<sup>2</sup>.
- Maximum **building height** is 7.6m, except it is 4.5m for **secondary buildings and structures**.
- Each **mobile home** shall be provided with an individual **mobile home site**, with either public or private road access.
- No **mobile home** shall be located closer than 3.0m to the back curb of a private roadway, edge of public ROW or parking area, no closer than 6.0m to another **mobile home** unless permitted by fire protection regulations, but in no case closer than 1.5m to the edge of a **mobile home site**.

For fee simple development and bareland strata subdivisions in **mobile home subdivisions**, the following regulations shall apply:



- Minimum **mobile home lot width** is 10.0m for an **interior lot** and 12.0m for an **exterior lot**.
- Minimum **mobile home lot depth** is 25.0m.
- Minimum **mobile home lot area** is 320m<sup>2</sup>, or 10,000m<sup>2</sup> if not serviced by a **community sewer system**.
- Minimum **mobile home lot front yard** is 3.5m.
- Minimum **mobile home lot side yard** is 1.2m, except it is 3.5m from a **flanking street**.
- Minimum **mobile home lot rear yard** is 6.0m.
- Maximum **mobile home site coverage** is 55%.
- Maximum **building envelope** is 275m<sup>2</sup> or maximum **site coverage** of 55%, whichever is the lesser.
- Maximum **height** is 7.6m, except it is 4.5m for **secondary buildings and structures**.

#### 9.8.7 Other Regulations

- The minimum horizontal width of 7.0m stipulated in Section 4.14.1 for detached primary **buildings** in residential zones is not applicable to the R7 Mobile Home Residential zone.
- The **office use** is limited to one **office** for the management and operation of the **mobile home park**.
- The following additions to a **mobile home site** are permitted: garages or **carports**, sun or rain shelters, porches, rooms, and storage sheds. The additions, inclusive of a **carport** or garage, shall not be larger in area than 50% of the floor area of a single section **mobile home** or 20% of the floor area of a multi-section home.
- The owner of a **mobile home park** must provide a minimum of 6% of the gross **mobile home park** area as private open space for the **use** and enjoyment of residents, except in the case of a fee simple subdivision, the **mobile home park** is exempt from private open space provision. Buffer areas, **storage compounds**, **street** and roadway rights-of-way, parking areas or required utility easements within the **mobile home park** shall not be considered as forming any portion of the recreational or open space requirement. 50% of the recreation area shall be open space in a location convenient and accessible to the tenants, ensuring that any hillside or natural **watercourse** areas to be included in the recreation area is physically accessible to the tenants and is maintained in its natural state, or authorized improved state. Outdoor recreational areas shall be **landscaped** if not left in their natural state.
- For the purpose of calculating and satisfying recreational and open space requirements, any indoor recreational space fully developed in a community or recreational centre shall be counted as triple its **gross floor area**. Any common outdoor recreational facility, such as a swimming pool, tennis court, shuffleboard, lawn bowling or putting greens, barbecue patio, etc. may be counted as double its surface area.
- One **secondary building**, compatible in finishing materials, is permitted to a maximum area of 20m<sup>2</sup> on a **mobile home site**, with a maximum **height** of 4.5m.
- One or more separate storage compounds may be provided within a **mobile home park** for the storage of boats, travel trailers, recreation **vehicles**, motor toboggans, non-licensed motor **vehicles** or other large items or equipment owned by the tenants which are not appropriate to store on a **mobile home site**. The storage compound shall be securely fenced, gated and lighted for security and shall be screened from public view by approved fencing and **landscaping**. Where such a facility is not required, the above noted apparatus is not permitted to be stored on a **mobile home site** unless stored within a permitted **secondary building**.
- No outdoor portion of a **mobile home park** shall be used for or permitted to be used for the wrecking or storage of derelict automobiles, trucks, tractors, machinery,

lumber, inflammable debris or other unused items or equipment which the owner or the approval authority considers to be a public nuisance or junk.

- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development, yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific **use** regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- As per Section 4.10.2 - All **buildings and structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".  
(Bylaw 5440)





Okanagan  
202 - 3334 30th Avenue  
Vernon, BC V1T 2C8  
T 250 503 0841  
F 250 503 0847

March 7, 2023

Matt Faucher, Current Planner  
Residential Development Services  
City of Vernon  
3001 32<sup>nd</sup> Avenue  
Vernon, BC V1T 2L5

Dear: Mr. Faucher:

**RE: PLEASANT VALLEY MHP INC.  
DP000841 & DVP00468 Referral Review Response – 12 Site Infill\_Rev-2  
Our File: 2273.002-300**

## Introduction

Kerr Wood Leidal Associates (KWL) has been retained by Pleasant Valley MHP Inc. (Owner) to assist with developing the Phase 3, 12 site infill, of their manufactured home park located at 4701 Pleasant Valley Road (Lot 1, Plan KAP 83899 Section 2, TP 8, ODYD). The following letter is provided in response to the City's referral letter for DP000841 and DVP00468 dated April 25, 2022 and has been revised based on City staff comments and meetings with City staff December 15<sup>th</sup>, 2022 and March 6<sup>th</sup>, 2023.

## Proposed Development

The proposed infill area is located on a treed hillside within the 6.63 hectare (ha) Pleasant Valley Road Manufactured Home Park (PV MHP) and is zoned R7: Mobile Home Residential. The additional 12 sites proposed would increase the number and density of units in the park from 71 units (10.7 units / ha) to 83 units (12.5 units / ha). This increase is within the allowable maximum density of 20 units / ha. Also, the additional 12 sites proposed would increase the existing site coverage from 1.71 ha (25%) to 2.2 ha (33%) which is within the maximum allowable coverage of 40%.

The proposed Phase 3 development will not bring the manufactured home park's density or site coverage close to the maximum allowable density for the zoning maintaining the existing feel of the park's community while providing much needed affordable housing. Efforts will be made to limit tree removals as outlined in the proposed environmental mitigation measures section below.

## Access

The primary access road to the proposed Phase 3 infill area is a curbed 7.0 m wide paved drive aisle connecting to existing roads within the park. The new road will connect to a new, second access, at the north property line which continues to Silver Star Road. The second access off Silver Star Road is provided to reduce the length of the dead-end road and give a much-needed secondary emergency egress for the entire park. The second access is a 7.0 m wide paved drive aisle on a 6.1 m wide easement in favour of Pleasant Valley MHP Inc. and has been constructed by the Silver Star Gateway project through their development to the property's north boundary. The 6.1 m easement width meets the requirements for fire truck access and is registered on address 5012 Silver Star Road (Lot 1, Plan 87603, Section 2, TP 8, ODYD). Site Servicing Figure attached shows the proposed accesses.

Prior to the City's upgrades to Pleasant Valley Road along the PV MHP frontage there was an existing gravel access to the PV MHP property north of the main access off Pleasant Valley Road. This gravel access was removed during the City's upgrades as is no longer useable.



### **Bike Parking and Storage**

Class 1 bike long-term parking and storage will be provided in the garages of the proposed 12 units. There are 40 existing garages and carports within PV MHP which provide Class 1 bike storage for a total of 52 parking and storage spaces exceeding the minimum 42 required.

### **Servicing**

Servicing will be provided by connecting to the existing sanitary, water, and shallow utilities within the park. Storm water management will be done by infiltration chambers located within the park and major overflow routing along the existing roads within the park to Pleasant Valley Road.

### **Environmental Mitigation Measures**

The proposed site grading for the infill access road and manufactured home sites has taken into consideration protection of the two Environmentally Sensitive Areas (ESAs) and two Natural areas outlined in the Environmental Assessment report *Western Water Associates Pleasant Valley Manufactured Home Community Ecosystem Impact Assessment, September 2019*. Proposed site grading does not encroach upon or disturb these areas.

Other proposed mitigative measures outlined in Western Water's report will be accommodated during detailed design. Consultation with a Qualified Environmental Professional (QEP) prior to construction will be done to look for species at risk and bird nesting trees. An environmental mitigation plan will be developed and followed during construction and post construction under the supervision of a Qualified Environmental Professional following Best Management Practices. Revegetation of the disturbed 2:1 cut slope above the proposed soil nail wall with native plantings and grasses is proposed to restore this area to its natural state.

### **Development Variances**

The following variances are requested for the 12 proposed sites in the Phase 3 infill portion of the manufactured home park only and will not apply to the remainder of the park's sites or undeveloped areas.

### **Manufactured Home Site Depths**

Two meetings were held with City planning staff on June 4 and September 25, 2019 to discuss site layouts for Phase 3. City staff expressed concerns about constructing the primary access road and home sites on steep slopes. The Owner proposes narrower sites with homes orientated parallel to the road instead of the traditional perpendicular orientation to reduce construction impacts on the steeper treed slopes. See Slope Analysis Figures A and B attached for road and site locations on the slopes.

The proposed development is in an Environmental Management Area (EMA) yellow zone which indicates moderate environmental sensitivity. An ecosystem impact assessment (EIA) performed on the subject area recommended reducing development along the southern portion of Phase 3 in two environmentally sensitive areas (ESA). See Western Water Associates Ltd. September 26, 2019 Ecosystem Impact Assessment attached. Reduction of site depths would condense the development along the north property line limiting disturbance of the ESAs and natural areas below them. Site Grading Plan Figures A and B attached show preliminary site grading and proposed retaining walls in relation to the ESAs and natural areas.

A development variance permit is required to reduce the minimum mobile home site depth from 25.0 m as required in Zoning Bylaw #5000, 2003 Section 9.8.6, to a minimum depth of 18.2 m.





March 7, 2023  
Matt Faucher

DP000841 & DVP00468 Referral Review Response – 12 Site Infill\_Rev-2

## Building Height

Sites 7 to 10 are situated above the environmentally sensitive and natural areas that are to be left undisturbed. A 4.0 m high basement is proposed for homes on these sites to reduce the extents of fill, thus, decreasing disturbance to these areas. A development variance permit is required to increase the maximum building height from the lesser of 7.6 m or 1 storey as outlined in Zoning Bylaw #5000, 2003 Section 9.8.6 to lesser of 8.0 m or 2.0 storeys.

## Hillside Development

A slope analysis of the subject property has been performed and indicates areas with slopes over 30% (see Slope Analysis Figures A and B attached). The property is within the Hillside Development Permit Area and the City's Hillside Development Guidelines state that 'hillsides are defined as land in their natural state that have a slope of 12% or greater'.

The Owner proposes to construct a road and some structures on slopes greater than 30%. However, the access road and sites have been densified on the flat ground along the north property line, as much as possible, to:

- preserve the natural vegetation in valuable environmental areas identified;
- retain undisturbed natural green space buffer between new sites and existing sites below; and
- reduce site grading requirements.

It is worth noting that this development is located on a small hillside within the City, surrounded by development and will not pose visual scarring of the hillside nor will it obstruct views from residences above or below the proposed development. An ecosystem impact assessment (EIA) was performed on the subject area and the recommendations in the report have been incorporated into the development layout. See Western Water Associates Ltd. September 26, 2019 Ecosystem Impact Assessment attached. A Geotechnical review of the area has been performed and there are no immediate concerns about the proposed development.

## Retaining Wall Height

Two retaining walls; a soil nail wall and a lock block wall, with continuous heights greater than 1.2 m are required to construct the 12 Phase 3 sites. A development variance permit is required to construct retaining walls with heights exceeding 1.2 m as outlined in Zoning Bylaw #5000, 2003 Section 6.5.1 ii) and 6.5.1 iii). It is anticipated that the maximum continuous wall height for both walls would be 4.5 m and a development variance permit is required to increase the maximum wall height to 4.5 m.

### *Silver Star Gateway Soil Anchor (Nail) Wall Extension*

The developer of Silver Star Gateway Phase 1 has constructed Building 2 at a finished floor elevation of 438.0 m. The southeast corner of the proposed building is approximately 7.0 m below the existing ground elevation of 445.0 m requiring installation of a soil anchor wall along their south property line adjacent to PV MHP.

An agreement was reached between the developer of the Silver Star Gateway property and the Owner to eliminate the wall along the property line and extend it south from the southeast corner of Building 2 at a 3:1 slope to grade into the PV MHP Phase 3 area to an elevation range of 438.0 to 439.2 m. A continuous vertical wall height of 4.5 m will be required in this area to complete the soil nail wall along the proposed hammer head vehicle turn around area and east end of access road.

This wall will be visible from homes on sites 6 to 8 only and homes on sites 7 and 8 will screen the wall from view by the rest of the park. Soil Nail Wall Variance Figure attached shows preliminary alignments, profiles, and cross-sections for the wall. Irrigated vegetation plantings at the toe of the wall will be incorporated into the grading design to provide a screen for the wall and soften its visual appearance.

KERR WOOD LEIDAL ASSOCIATES LTD.  
consulting engineers



March 7, 2023  
Matt Faucher

DP000841 & DVP00468 Referral Review Response – 12 Site Infill\_Rev-2

### *Lock Block Retaining Wall Sites 10 to 12*

Site grading is constrained by existing homes south of proposed sites 10 to 12. A 58 m long lock block retaining wall with a continuous vertical height varying from 2.0 m to a maximum 4.5 m is required to reduce the extents of the fill slope in this area. One section of the wall 9.0 m long will have a height of 4.5 m, the remainder of the wall will be less than 4.0 m high. Lock Block Wall Variance Figure attached shows preliminary alignments, profiles, and cross-sections for the wall. Irrigated vegetation plantings at the toe of the wall will be incorporated into the grading design to provide a screen for the wall and soften its visual appearance.

The City recently approved construction of a significant lock block retaining wall for the Silver Star Gateway project along PV MHP's north property line. The wall is approximately 100 m long and has an estimated height of 5.5 m for a majority of its length and a maximum height of 7.5 m. This wall is visible from the entire manufactured home park and is directly above the proposed lock block wall location. It is anticipated that the addition of the proposed lock block wall in front of it will not change the aesthetics of the north property line area. The photo below shows the wall as seen from the Pleasant Valley Park Main Road in the center of the park.



**Silver Star Gateway Lock Block Wall Along North Property Line**

Construction of a manufactured home on Site 12 will screen a portion of the east end of the Silver Star Gateway wall with the building and will break up the featureless continual appearance of the wall. The proposed lock block wall for Sites 11 and 12 will be below the height of the existing buildings and have limited visibility from the road and other sites in the park. Irrigated vegetation plantings at the toe of the wall will be incorporated into the grading design to provide a screen for the wall and soften its visual appearance.

**KERR WOOD LEIDAL ASSOCIATES LTD.**  
consulting engineers





March 7, 2023  
Matt Faucher

DP000841 & DVP00468 Referral Review Response – 12 Site Infill\_Rev-2

### Closing

We trust this letter addresses the City's DP000841 and DVP00468 referral review items and planning staff comments. If further information is needed, please contact Bruce Van Calsteren by:

Email:	bvanalsteren@kwl.ca
Office Phone:	250-503-5802
Cell Phone:	250-308-6844

Yours truly,

**KERR WOOD LEIDAL ASSOCIATES LTD.**

Bruce Van Calsteren, P.L.Eng., ASCT  
Project Manager

BVC/tdl/cjf

- Encl. Enclosure A: Site Servicing Figure  
Site Grading Figures A and B  
Lock Block Wall Variance Figure  
Soil Nail Wall Variance Figure  
Slope Analysis Figures A and B
- Enclosure B: Western Water Associates Ltd. September 26, 2019 Ecosystem Impact Assessment
- Enclosure C: Geotechnical Review Letter

**KERR WOOD LEIDAL ASSOCIATES LTD.**  
consulting engineers



# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Matt Faucher, Current Planner

**COUNCIL MEETING:** REG  COW  I/C

**COUNCIL MEETING DATE:** TBD

**REPORT DATE:** April 19, 2023

**FILE:** 3090-20 (DVP00600)

**SUBJECT:** DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 3201 45<sup>TH</sup> AVENUE

---

## **PURPOSE:**

To review Development Variance Permit application 00600 (DVP00600) to vary one provision of Zoning Bylaw 5000 to permit the construction of an industrial business park located at 3201 45<sup>th</sup> Avenue.

## **RECOMMENDATION:**

THAT Council support Development Variance Permit application 00600 (DVP00600) to vary Zoning Bylaw 5000 on LT 26, DL 38, ODYD, PL 2630 (3201 45<sup>th</sup> Avenue) as outlined in the report titled "Development Variance Permit Application for 3201 45<sup>th</sup> Avenue" dated April 19, 2023 and respectfully submitted by the Current Planner, as follows:

- a) Section 11.1.5 to reduce the rear yard setback from a flanking street from 6.0m to 0.0m;

AND FURTHER, that Council's support of DVP00600 is subject to the following:

- a) That the site plan, intended to illustrate the location of the proposed structure (Attachment 1) be attached to and form part of DVP00600 as Schedule 'A'; and
- b) Completion of SUB00845 (boundary adjustment) to create proposed Lot A (Attachment 2).

## **ALTERNATIVES & IMPLICATIONS:**

1. THAT Council not support Development Variance Permit application 00600 (DVP00600) to vary Zoning Bylaw 5000 on LT 26, DL 38, ODYD, PL 2630 (3201 45<sup>th</sup> Avenue) as outlined in the report titled "Development Variance Permit Application for 3201 45<sup>th</sup> Avenue" dated April 19, 2023 and respectfully submitted by the Current Planner.

*Note: This alternative does not support the development variance permit application and would require the applicant / owner to develop the site in compliance with Zoning Bylaw 5000.*

## **ANALYSIS:**

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

At its meeting of April 25, 2023, the Advisory Planning Committee passed the following resolution:

*"As cited by the Advisory Planning Committee."*



**B. Rationale:**

1. The proposed industrial business park consists of 15 lots (Figures 1 and 2). The subject property requesting the proposed variance is located in the southwest corner of the proposed development site with a current civic address of 3201 45<sup>th</sup> Avenue. The proposed industrial business park is approximately 61,858m<sup>2</sup> (15.29ac) in size. The surrounding area contains utilities, industrial and commercial land uses.

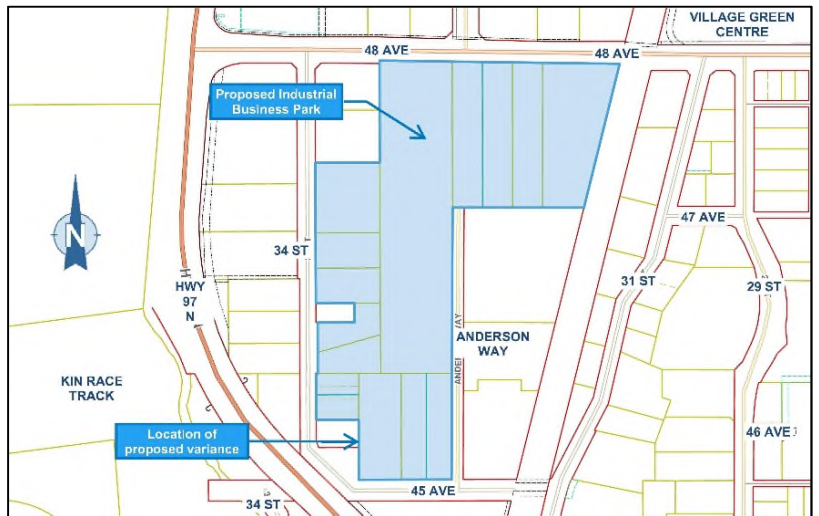
2. The purpose of the application is to review a request to vary the rear yard setback in the I1: Light Industrial Zone of Zoning Bylaw 5000 on one of 15 lots in the proposed industrial business park.

3. The subject property is zoned I1: Light Industrial (Attachment 3) and is designated as Light Industrial / Service Commercial (LINDSC) in the Official Community Plan (OCP).

4. The subject application pertains to development regulation within Section 11.1.5 and proposes to reduce the rear yard setback from a flanking street from 6.0m to 0.0m.

5. As illustrated in Attachment 1, the application proposes to construct "Building A" on proposed "Lot A" (Attachment 2) with a 0.0m setback on the west lot line. SUB00845 proposes consolidating the existing 15 lots and adjusting the lot boundaries to create seven lots. Upon registration, the west lot line of the subject property would be considered the rear lot line of proposed "Lot A".

6. The I1: Light Industrial Zone allows for a 0.0m rear yard setback when the rear lot line abuts another property, provided it is not zoned residential, agricultural or institutional. However, if the property abuts a flanking street, the rear yard setback is increased to 6.0m. As illustrated in the site plan (Attachment 1), the proposed "Building A" abuts both an existing I1 zoned property as well as a flanking street (corner of 34<sup>th</sup> Street and 45<sup>th</sup> Avenue). A City sanitary lift station is located in the boulevard area of the flanking street. Proposed "Building A" is 30.48m wide with approximately 17.5m of the structure abutting 4501 34<sup>th</sup> Street, which complies with the rear yard setback regulations. However, the remaining approximately 13m of the structure abuts the flanking street (34<sup>th</sup> Street). The application proposes to vary the rear yard setback regulations from 6.0m to 0.0m for the 13m section of "Building A" that abuts 34<sup>th</sup> Street.



**Figure 1 - Property Location Map**



**Figure 2: Aerial Photo of Property**

7. Administration supports the requested variance for the following reasons:

- a) The variance requested is for an ~13m wide section of proposed “Building A” that abuts City property which contains a sanitary lift station. As such, neighbouring properties would not be negatively impacted by the proposed variance.
- b) Support of the proposed variance facilitates the redevelopment of industrial land into an operational Industrial Business Park.
- c) As a condition of Council’s approval, Administration is recommending that issuance of the Development Variance Permit be withheld until SUB00845 (boundary adjustment) is completed and registered creating proposed “Lot A”.

**C. Attachments:**

- Attachment 1 – Proposed Site Plan
- Attachment 2 – Proposed Lot Layout Plan (SUB00845)
- Attachment 3 – I1: Light Industrial Zone

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

The subject application involves the following goals/action items in Council’s Strategic Plan 2019 – 2022:

- N/A

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

1. The following provision of Zoning Bylaw 5000 is relevant to the subject application:

Section 11.1.5 Minimum rear yard setback is 0.0m, except it is 6.0m for any flanking street and where the abutting land is zoned or designated Residential, Agricultural or Institutional.

**BUDGET/RESOURCE IMPLICATIONS:**

N/A

---

Prepared by:

Approved for submission to Council:

X  
\_\_\_\_\_  
Matt Faucher, CPT  
Planner

\_\_\_\_\_  
Patti Bridal, CAO

Date: \_\_\_\_\_

X  
\_\_\_\_\_  
Roy Nuriel  
Acting General Manager, Planning



**REVIEWED WITH**

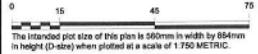
- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Corporate Services                    | <input type="checkbox"/> Operations           | <input checked="" type="checkbox"/> Current Planning                     |
| <input type="checkbox"/> Bylaw Compliance                      | <input type="checkbox"/> 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 checked="" type="checkbox"/> Engineering Development Services     |
| <input checked="" 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 type="checkbox"/> Economic Development & Tourism                  |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Apr 25/23) |   |  |
| <input type="checkbox"/> OTHER:                                |   |  |

G:\3000-3699 LAND ADMINISTRATION\3090 DEVELOPMENT VARIANCE PERMITS\20 APPLICATIONS\DVP00600\2 PROC\Rpt\230419\_mf\_APC Rpt\_DVP00600.docx

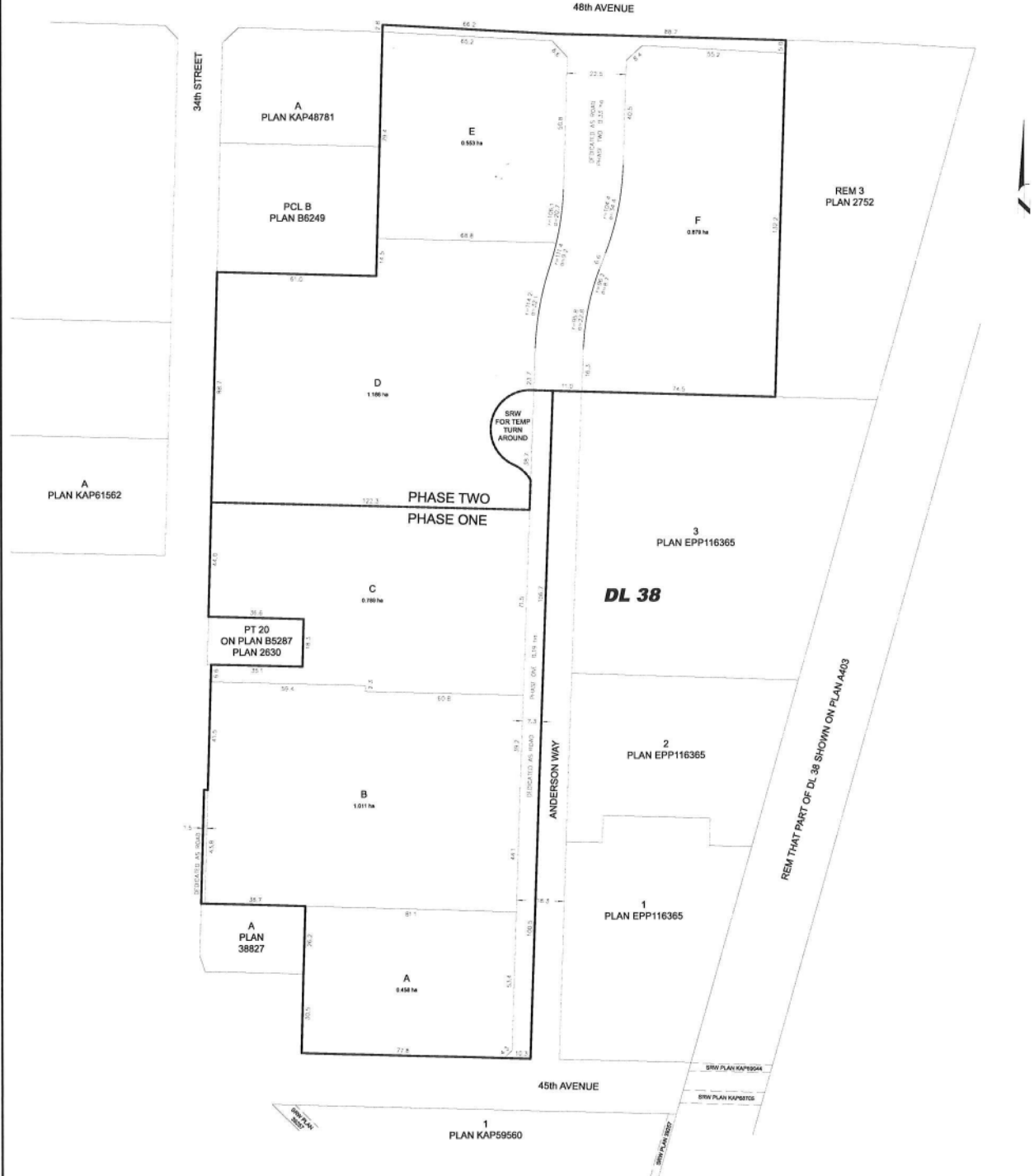




PROPOSED PLAN OF SUBDIVISION OF:  
 REM LOT 19, DL 38, ODYD, PLAN 2630;  
 THAT PART OF LOT 20 SHOWN ON PLAN B4863, DL 38, ODYD, PLAN 2630;  
 REM LOT 20, DL 38, ODYD, PLAN 2630;  
 LOT 26, DL 38, ODYD, PLAN 2630;  
 REM LOT 27, DL 38, ODYD, PLAN 2630;  
 WEST HALF OF LOT 27, DL 38, ODYD, PLAN 2630.  
 REM LOT 1, DL 38, ODYD, PLAN 2752;  
 REM EAST HALF LOT 1, DL 38, ODYD, PLAN 2752;  
 REM LOT 2, DL 38, ODYD, PLAN 2752;  
 REM LOT 2, DL 38, ODYD, PLAN 2752;  
 PARCEL A (DD 112543F AND PLAN B5566) OF LOT 1, DL 38, ODYD, PLAN 3340;  
 LOT 2, DL 38, ODYD, PLAN 3340;  
 LOT 1, DL 38, ODYD, PLAN 3355;  
 THE NORTH 26 FEET OF LOT 2, DL 38, ODYD, PLAN 3355;  
 REM LOT 2, DL 38, ODYD, PLAN 3355;  
 LOT 3, DL 38, ODYD, PLAN 3355;  
 THE NORTH 24 FEET OF LOT 4, DL 38, ODYD, PLAN 3355;  
 AND LOT 1, DL 38, ODYD, PLAN 21799.



NOTES:  
 - Dimensions shown will vary upon completion of the legal survey.  
 - Current internal lot boundaries have been excluded for clarity.



## 11.1 I1 : Light Industrial

### 11.1.1 Purpose

The purpose is to provide a **zone** for the development of light industrial uses.

### 11.1.2 Primary Uses

- animal clinic, minor (*Bylaw 5155*)
- animal clinic, major (*Bylaw 5155*)
- auctioneering establishments
- autobody repair and paint shops
- automotive and recreation vehicle services
- automotive and equipment repair shops
- brewing or distilling, class A
- brewing or distilling, class B
- bulk fuel depots
- call centres
- cannabis cultivation facilities (*Bylaw 5731*)
- cannabis processing facilities (*Bylaw 5731*)
- commercial storage
- concrete plant
- contractor services, general
- contractor services, limited
- crematorium (*Bylaw 4992*)
- custom indoor manufacturing
- drive-through vehicle services
- equipment rentals
- emergency and protective services
- fleet services
- food primary establishments
- funeral services (*Bylaw 4992*)
- gas bars
- general industrial uses
- government agencies (*Bylaw 5456*)
- group home, major on the parcel described at: Lot 1, Plan EPP94980, DL 66&71, ODYD (2307 43<sup>rd</sup> Street) (*Bylaw 5825*)
- high technology research and product design
- hostels (*Bylaw 5788*)
- household repair services
- kennels (*Bylaw 5339*)
- outdoor storage
- offices, construction and development industry
- participant recreation services, indoor
- recycling depots
- recycled materials drop-off centres
- service stations, minor
- service stations, major
- temporary shelter service, where in active use prior to July 1, 2010 (*Bylaw 5273*)
- truck and mobile home sales/rentals
- utility services, minor
- utility services, major
- vehicle and equipment services, industrial and agricultural
- warehouse sales



### 11.1.3 Secondary Uses

- **residential security/operator unit**

### 11.1.4 Subdivision Regulations

- Minimum **lot width** is 40.0m.
- Minimum **lot area** is 4000m<sup>2</sup>.

### 11.1.5 Development Regulations

- Maximum **floor space ratio** is 1.5.
- Maximum **site coverage** is 60%.
- Maximum **height** is 14.0m. Maximum **height** for **group home, major** is 18.0m, except it is 4.5m for **secondary buildings** and **secondary structures**. *(Bylaw 5825)*
- Minimum **front yard** is 7.5m.
- Minimum **side yard** is 4.5m, except it is 7.5m for any **flanking street**, and is 0.0m when **adjacent** to an **industrial** zoned property, and is 10.0m when **adjacent** to a **residential, agricultural or institutional** zoned property.
- Minimum **rear yard** is 0.0m, except it is 6.0m for any **flanking street** and where the **abutting land** is zoned or designated Residential, Agriculture or Institutional.

### 11.1.6 Other Regulations

- No **use** shall produce dust, or other emissions except standards set by provincial legislation, without written authorization from the appropriate provincial agency.
- No **use** shall produce odour, glare, or noise that creates a **nuisance**.
- Only one **residential security/operator unit** is permitted on a **site**.
- **Outdoor storage** shall be screened from view of any **street** or **lane** and from **adjacent** properties. There shall be no **outdoor storage** of toxic, noxious, explosive, odorous, or radio-active materials.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development, yards**, projections into **yards**, lighting, agricultural **setbacks**, temporary shelters, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7. *(Bylaw 5788)*
- As per Section 4.10.2 - All **buildings** and **structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B". *(Bylaw 5440)*
- A **cannabis cultivation facility** shall be located in an enclosed building with odour controls so that any odour associated with the **cannabis cultivation facility** use cannot be detected beyond the parcel line of the parcel on which the **cannabis cultivation facility** is located. *(Bylaw 5731)*



# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Michelle Austin  
Current Planner, Planning  
Roy Nuriel  
Acting General Manager, Planning

**COUNCIL MEETING:** REG  COW  I/C   
**COUNCIL MEETING DATE:** May 8, 2023  
**REPORT DATE:** April 20, 2023  
**FILE:** ZON00396 (3360-20)

**SUBJECT: ZONING APPLICATION FOR THE RESORT VILLAGES AT PREDATOR RIDGE**

---

## **PURPOSE:**

To present, for Council's consideration, an application to rezone portions of several properties from RTCA – Resort Commercial and Residential to C10A – Tourist Commercial and Residential to enable the development of the envisioned Resort Villages at the Predator Ridge neighbourhood.

## **RECOMMENDATION:**

THAT Council support Zoning Application 00396 (ZON00396) to rezone:

- Lot A, Sec 2, Twp 13, ODYD, Plan EPP75906 (45 Village Centre Place – Lodge 4);
- Lot 1, Sec 2, Twp 13, ODYD, Plan EPP122839 (85 Village Centre Place – Lodge 4);
- Lot 1, Sec 2, Twp 13, ODYD, Plan KAP72946, Except Plan 75185 (101 Village Centre Court – Village Parking Lot);
- Lot 2, Sec 2, Twp 13, ODYD, Plan KAP72946, Except Plan 73315 (200 Predator Ridge Drive – Fitness Centre);
- Lot 3, Sec 2, Twp 13, ODYD, Plan KAP72946 (100 Mashie Crescent – Sales Centre);
- Part of Lot A, Sec 2, Twp 13, ODYD, Plan KAP62817, Except Plans KAP65635, KAP72946, KAP75798, KAP81729, KAP82178, KAP84871, KAP86772, KAP87620, KAP88596, KAP90147, KAP90371, KAP92812, EPP36074, EPP40938, EPP41985, and EPP57158 (Maintenance Yard);
- Lot B, Sec 2, Twp 13, ODYD, Plan KAP65919 (201 Village Centre Court – Parcels above Peregrine Cottages);
- Part of Lot 5, Sec 2, Twp 13, ODYD, Plan KAP65635 (300 Village Centre Court – Club House);
- Part of The East ½ of Sec 3, Twp 13, ODYD (Parcel I and Parcel R – Predator Ridge Neighbourhood Plan); and
- Part of The Southwest ¼ of Sec 3, Twp 13, ODYD (Parcel O – Predator Ridge Neighbourhood Plan)

from RTCA – Resort Commercial and Residential to C10A – Tourist Commercial and Residential and to rezone Part of The Southwest ¼ of Sec 3, Twp 13, ODYD from RTCA – Resort Commercial and Residential to P5 – Private Park as shown on Attachment 4 and outlined in the report titled “Zoning Application for the Resort Villages at Predator Ridge” dated April 20, 2023 and respectfully submitted by the Current Planner and Acting General Manager;

AND FURTHER, that Council not hold a public hearing, pursuant to 464(2) of the *Local Government Act*, on a proposed bylaw to rezone:

- Lot A, Sec 2, Twp 13, ODYD, Plan EPP75906 (45 Village Centre Place – Lodge 4);
- Lot 1, Sec 2, Twp 13, ODYD, Plan EPP122839 (85 Village Centre Place – Lodge 4);
- Lot 1, Sec 2, Twp 13, ODYD, Plan KAP72946, Except Plan 75185 (101 Village Centre Court – Village Parking Lot);



- Lot 2, Sec 2, Twp 13, ODYD, Plan KAP72946, Except Plan 73315 (200 Predator Ridge Drive – Fitness Centre);
- Lot 3, Sec 2, Twp 13, ODYD, Plan KAP72946 (100 Mashie Crescent – Sales Centre);
- Part of Lot A, Sec 2, Twp 13, ODYD, Plan KAP62817, Except Plans KAP65635, KAP72946, KAP75798, KAP81729, KAP82178, KAP84871, KAP86772, KAP87620, KAP88596, KAP90147, KAP90371, KAP92812, EPP36074, EPP40938, EPP41985, and EPP57158 (Maintenance Yard);
- Lot B, Sec 2, Twp 13, ODYD, Plan KAP65919 (201 Village Centre Court – Parcels above Peregrine Cottages);
- Part of Lot 5, Sec 2, Twp 13, ODYD, Plan KAP65635 (300 Village Centre Court – Club House);
- Part of The East ½ of Sec 3, Twp 13, ODYD (Parcel I and Parcel R – Predator Ridge Neighbourhood Plan); and
- Part of The Southwest ¼ of Sec 3, Twp 13, ODYD (Parcel O – Predator Ridge Neighbourhood Plan)

from RTCA – Resort Commercial and Residential to C10A – Tourist Commercial and Residential and to rezone Part of The Southwest ¼ of Sec 3, Twp 13, ODYD from RTCA – Resort Commercial and Residential to P5 – Private Park;

AND FURTHER, that Council direct Administration to issue a public notice of initial readings and prepare a proposed bylaw to be brought forward for Council's consideration to rezone:

- Lot A, Sec 2, Twp 13, ODYD, Plan EPP75906 (45 Village Centre Place – Lodge 4);
- Lot 1, Sec 2, Twp 13, ODYD, Plan EPP122839 (85 Village Centre Place – Lodge 4);
- Lot 1, Sec 2, Twp 13, ODYD, Plan KAP72946, Except Plan 75185 (101 Village Centre Court – Village Parking Lot);
- Lot 2, Sec 2, Twp 13, ODYD, Plan KAP72946, Except Plan 73315 (200 Predator Ridge Drive – Fitness Centre);
- Lot 3, Sec 2, Twp 13, ODYD, Plan KAP72946 (100 Mashie Crescent – Sales Centre);
- Part of Lot A, Sec 2, Twp 13, ODYD, Plan KAP62817, Except Plans KAP65635, KAP72946, KAP75798, KAP81729, KAP82178, KAP84871, KAP86772, KAP87620, KAP88596, KAP90147, KAP90371, KAP92812, EPP36074, EPP40938, EPP41985, and EPP57158 (Maintenance Yard);
- Lot B, Sec 2, Twp 13, ODYD, Plan KAP65919 (201 Village Centre Court – Parcels above Peregrine Cottages);
- Part of Lot 5, Sec 2, Twp 13, ODYD, Plan KAP65635 (300 Village Centre Court – Club House);
- Part of The East ½ of Sec 3, Twp 13, ODYD (Parcel I and Parcel R – Predator Ridge Neighbourhood Plan); and
- Part of The Southwest ¼ of Sec 3, Twp 13, ODYD (Parcel O – Predator Ridge Neighbourhood Plan)

from RTCA – Resort Commercial and Residential to C10A – Tourist Commercial and Residential and to rezone Part of The Southwest ¼ of Sec 3, Twp 13, ODYD from RTCA – Resort Commercial and Residential to P5 – Private Park.

### **ALTERNATIVES & IMPLICATIONS:**

1. THAT Council support Zoning Application 00396 (ZON00396) to rezone:

- Lot A, Sec 2, Twp 13, ODYD, Plan EPP75906 (45 Village Centre Place – Lodge 4);
- Lot 1, Sec 2, Twp 13, ODYD, Plan EPP122839 (85 Village Centre Place – Lodge 4);
- Lot 1, Sec 2, Twp 13, ODYD, Plan KAP72946, Except Plan 75185 (101 Village Centre Court – Village Parking Lot);
- Lot 2, Sec 2, Twp 13, ODYD, Plan KAP72946, Except Plan 73315 (200 Predator Ridge Drive – Fitness Centre);
- Lot 3, Sec 2, Twp 13, ODYD, Plan KAP72946 (100 Mashie Crescent – Sales Centre);

- Part of Lot A, Sec 2, Twp 13, ODYD, Plan KAP62817, Except Plans KAP65635, KAP72946, KAP75798, KAP81729, KAP82178, KAP84871, KAP86772, KAP87620, KAP88596, KAP90147, KAP90371, KAP92812, EPP36074, EPP40938, EPP41985, and EPP57158 (Maintenance Yard);
- Lot B, Sec 2, Twp 13, ODYD, Plan KAP65919 (201 Village Centre Court – Parcels above Peregrine Cottages);
- Part of Lot 5, Sec 2, Twp 13, ODYD, Plan KAP65635 (300 Village Centre Court – Club House);
- Part of The East ½ of Sec 3, Twp 13, ODYD (Parcel I and Parcel R – Predator Ridge Neighbourhood Plan); and
- Part of The Southwest ¼ of Sec 3, Twp 13, ODYD (Parcel O – Predator Ridge Neighbourhood Plan)

from RTCA – Resort Commercial and Residential to C10A – Tourist Commercial and Residential and to rezone Part of The Southwest ¼ of Sec 3, Twp 13, ODYD from RTCA – Resort Commercial and Residential to P5 – Private Park as shown on Attachment 4 and outlined in the report titled “Zoning Application for the Resort Villages at Predator Ridge” dated April 20, 2023 and respectfully submitted by the Current Planner and Acting General Manager;

AND FURTHER, that Council hold a public hearing, pursuant to 464(1) of the *Local Government Act*, on a proposed bylaw to rezone:

- Lot A, Sec 2, Twp 13, ODYD, Plan EPP75906 (45 Village Centre Place – Lodge 4);
- Lot 1, Sec 2, Twp 13, ODYD, Plan EPP122839 (85 Village Centre Place – Lodge 4);
- Lot 1, Sec 2, Twp 13, ODYD, Plan KAP72946, Except Plan 75185 (101 Village Centre Court – Village Parking Lot);
- Lot 2, Sec 2, Twp 13, ODYD, Plan KAP72946, Except Plan 73315 (200 Predator Ridge Drive – Fitness Centre);
- Lot 3, Sec 2, Twp 13, ODYD, Plan KAP72946 (100 Mashie Crescent – Sales Centre);
- Part of Lot A, Sec 2, Twp 13, ODYD, Plan KAP62817, Except Plans KAP65635, KAP72946, KAP75798, KAP81729, KAP82178, KAP84871, KAP86772, KAP87620, KAP88596, KAP90147, KAP90371, KAP92812, EPP36074, EPP40938, EPP41985, and EPP57158 (Maintenance Yard);
- Lot B, Sec 2, Twp 13, ODYD, Plan KAP65919 (201 Village Centre Court – Parcels above Peregrine Cottages);
- Part of Lot 5, Sec 2, Twp 13, ODYD, Plan KAP65635 (300 Village Centre Court – Club House);
- Part of The East ½ of Sec 3, Twp 13, ODYD (Parcel I and Parcel R – Predator Ridge Neighbourhood Plan); and
- Part of The Southwest ¼ of Sec 3, Twp 13, ODYD (Parcel O – Predator Ridge Neighbourhood Plan)

from RTCA – Resort Commercial and Residential to C10A – Tourist Commercial and Residential and to rezone Part of The Southwest ¼ of Sec 3, Twp 13, ODYD from RTCA – Resort Commercial and Residential to P5 – Private Park.

*Note: This alternative allows the public to make representations to Council on the proposed bylaw.*

2. THAT Council not support Zoning Application 00396 (ZON00396) to rezone:

- Lot A, Sec 2, Twp 13, ODYD, Plan EPP75906 (45 Village Centre Place – Lodge 4);
- Lot 1, Sec 2, Twp 13, ODYD, Plan EPP122839 (85 Village Centre Place – Lodge 4);
- Lot 1, Sec 2, Twp 13, ODYD, Plan KAP72946, Except Plan 75185 (101 Village Centre Court – Village Parking Lot);



- Lot 2, Sec 2, Twp 13, ODYD, Plan KAP72946, Except Plan 73315 (200 Predator Ridge Drive – Fitness Centre);
- Lot 3, Sec 2, Twp 13, ODYD, Plan KAP72946 (100 Mashie Crescent – Sales Centre);
- Part of Lot A, Sec 2, Twp 13, ODYD, Plan KAP62817, Except Plans KAP65635, KAP72946, KAP75798, KAP81729, KAP82178, KAP84871, KAP86772, KAP87620, KAP88596, KAP90147, KAP90371, KAP92812, EPP36074, EPP40938, EPP41985, and EPP57158 (Maintenance Yard);
- Lot B, Sec 2, Twp 13, ODYD, Plan KAP65919 (201 Village Centre Court – Parcels above Peregrine Cottages);
- Part of Lot 5, Sec 2, Twp 13, ODYD, Plan KAP65635 (300 Village Centre Court – Club House);
- Part of The East ½ of Sec 3, Twp 13, ODYD (Parcel I and Parcel R – Predator Ridge Neighbourhood Plan); and
- Part of The Southwest ¼ of Sec 3, Twp 13, ODYD (Parcel O – Predator Ridge Neighbourhood Plan)

from RTCA – Resort Commercial and Residential to C10A – Tourist Commercial and Residential and to rezone Part of The Southwest ¼ of Sec 3, Twp 13, ODYD from RTCA – Resort Commercial and Residential to P5 – Private Park as shown on Attachment 4 and outlined in the report titled “Zoning Application for the Resort Villages at Predator Ridge” dated April 20, 2023 and respectfully submitted by the Current Planner and Acting General Manager.

*Note: This alternative would result in all subject lands retaining the RTCA zoning. The RTCA zoning allows for less residential and tourist density than the C10A zoning and may not yield enough density needed to support neighbourhood commercial centres.*

## **ANALYSIS:**

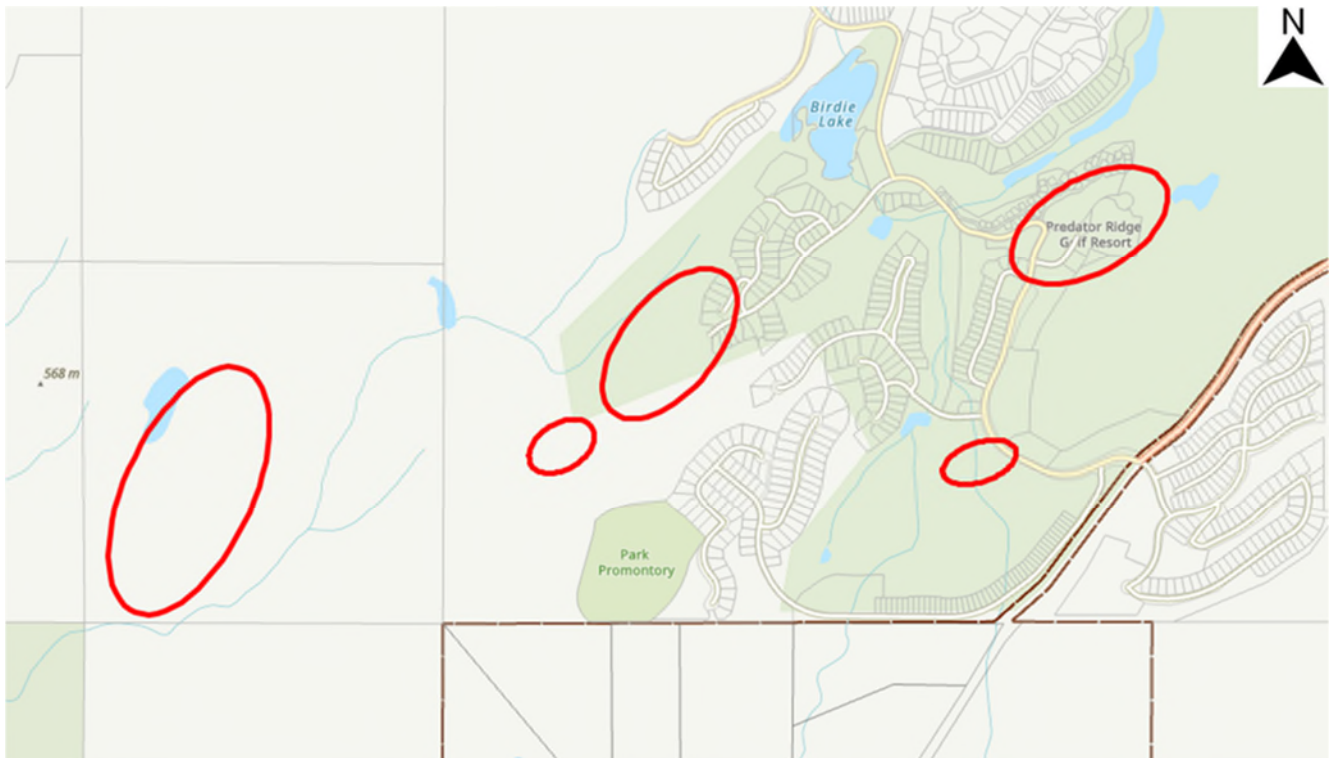
### **A. Committee Recommendations:**

At its meeting of April 25, 2023, the Advisory Planning Committee passed the following resolution:

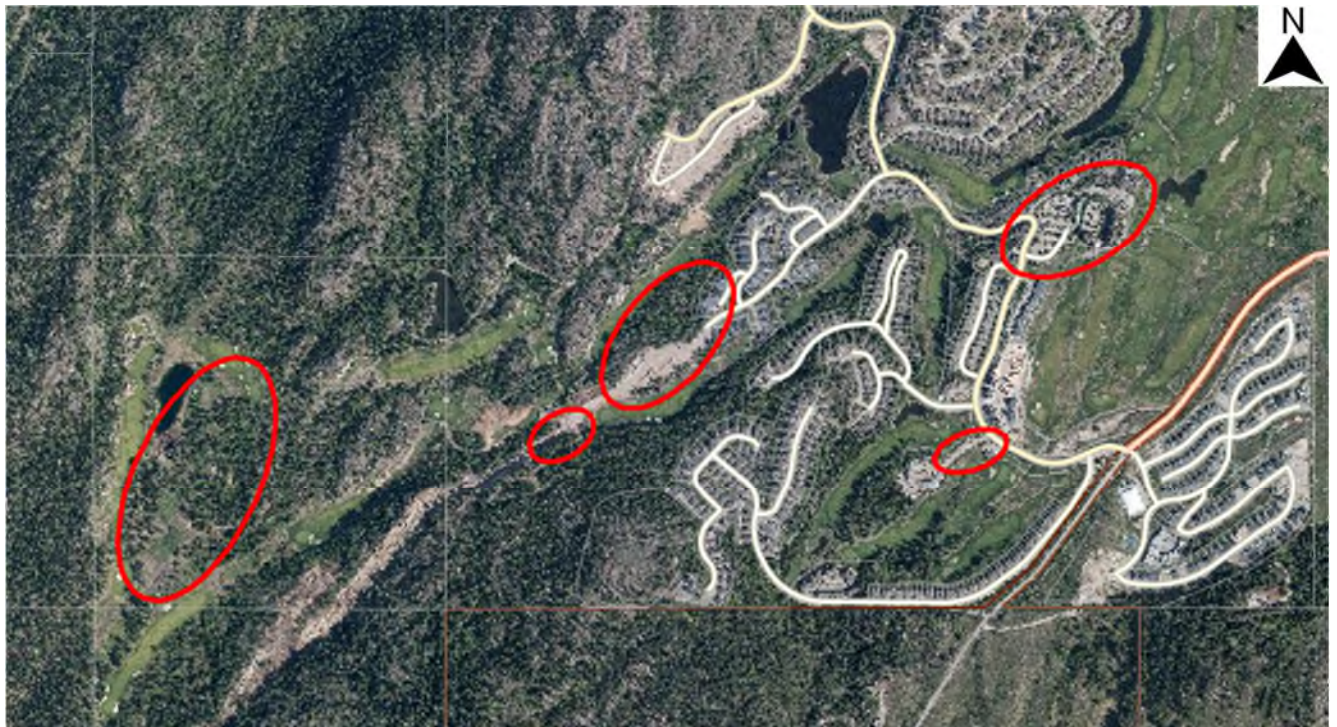
*“(to be cited by the Advisory Planning Committee).”*

### **B. Rationale:**

1. The subject lands are located at the Predator Ridge neighbourhood near the southern boundary of the City of Vernon, as generally indicated in Figures 1 and 2 by red ovals.
2. The subject lands are designated as TCOM – Tourist Commercial (Attachment 1) in the Official Community Plan (OCP) and zoned RTCA – Resort Commercial and Residential in Zoning Bylaw 5000 (Attachments 2 and 3).
3. The application is to rezone portions of several properties from RTCA to C10A (Attachment 4 and 5) to allow for the build-out of future mixed-use village areas in five locations. The application also includes rezoning a small portion of RTCA to P5 – Private Park due to the new Predator Ridge Drive collector alignment (Attachment 4). The total area that would be rezoned is estimated at 15.43ha (38.14ac). Predator Ridge is aiming for a higher density building form and a mix of supporting commercial uses and amenities consistent with a resort village for both short-term tourist and permanent residence (Attachment 6).
4. The C10A zoning is consistent with the OCP TCOM designation. This designation supports tourist-oriented uses such as hotels, restaurants and shops, as well as full and part time residential living.



**Figure 1: Property Location Map**



**Figure 2: Aerial View of Property**

5. Table 1 (on the following page) highlights the main differences between the RTCA zone and the proposed C10A zone. These two zones are similar in that they both provide for a mix of commercial and residential uses. The primary difference is that the C10A zone allows for higher residential and tourist accommodation densities. Unlike the RTCA zone, the C10A zone does not have a unit per lot area cap and allows for greater height.



**Current RTCA Zone**

**Proposed C10A Zone**

<b>Primary Uses</b> (this table only highlights allowed uses that differ between the two zones)	Community recreation centres Emergency protective services Exhibition and convention facilities Health services Hostels Non-accessory parking Offices	Brewing or distilling, Class A Drive-through services Duplex housing Duplex tourist housing Employee housing, self contained dwelling
<b>Secondary Uses</b> (this table only highlights allowed uses that differ between the two zones)	Brewing or distilling, Class A Gaming facilities Marinas	Bed & breakfast homes Carnival Marina equipment rentals Marina sani-dump facilities Offices Residential security/operator unit
<b>Max. FSR</b>	3.0 Commercial	2.0 commercial 5.0 apartment housing, tourist and apartment housing and hotels
<b>Max. Gross Density</b>	30 units /ha	N/A
<b>Max. Site Coverage</b>	N/A	60% 85% with impermeable surfaces
<b>Max. Height</b>	24.0m	15.0m 30.0m apartment housing, tourist and apartment housing and hotels
<b>Min. Front Yard</b>	0.0m	4.5m 0.0m ground floor commercial
<b>Min. Side Yard</b>	0.0m 2.0m flanking street 4.5m adjacent to residential, agricultural or institutional zone	3.0m 4.5m flanking street 0.0m ground floor commercial
<b>Min. Rear Yard</b>	4.0m 6.0m adjacent to residential designation or zone	3.0m 0.0m ground floor commercial 4.5m adjacent to residential designation or zone

**Table 1: Comparison of RTCA and C10A Zones**

6. The 2016 Predator Ridge Neighbourhood Plan (Attachment 7) has planned for several tourist commercial areas to serve the community, including Predator Village, Meadows Landing and Outlook Crossing. These areas are intended to create vibrant, pedestrian friendly resort commercial areas that remain active throughout the day and evening. Permitted uses include hotels, restaurants, retail spaces, cafés, commercial recreation, entertainment venues and civic gathering spaces. An allowable increase in residential and tourist density in proximity to commercial uses would increase the viability of the business ventures.
7. Administration supports the application to rezone the subject lands from RTCA to C10A for the following reasons:
  - The Regional Growth Strategy (RGS) designates the Predator Ridge Neighbourhood as a “Growth Area”, fully serviced with community water and sewer systems and can accommodate a broad range of urban land uses at urban densities.

- The proposed zone is consistent with the OCP TCOM designation. This designation supports tourist-oriented uses such as hotels, restaurants and shops, as well as full and part time residential living.
- The proposal is supported by the Predator Ridge Neighbourhood Plan.
- The proposed P5 zoning change resolves a boundary inconsistency arising from the alignment of the newly constructed portion of Predator Ridge Drive.

**C. Attachments:**

Attachment 1 – Existing Land Use Plan (OCP Map)  
Attachment 2 – Existing Zoning Plan  
Attachment 3 – RTCA Zoning Regulations  
Attachment 4 – Proposed Zoning Maps  
Attachment 5 – C10A Zoning Regulations  
Attachment 6 – Rezoning Request Rationale  
Attachment 7 – Sec 4.1 Tourist Commercial – Predator Ridge Neighbourhood Plan

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

The subject application involves the following goals/actions items in Council's Strategic Plan 2019 – 2022:

- Work towards a sustainable Vernon – environmentally, economically and socially
- Promote mixed use development
- Support economic development initiatives that attract skilled labour to the area

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

1. Regional Growth Strategy Bylaw 2500

- The subject property is located within a Growth Area.

2. Official Community Plan Bylaw 5470

- The subject lands are designated as Tourist Commercial (Section 8)
- Section 29.0 Development Permit Area #3 (Hillside Residential and Agricultural District)
- Section 29.41 – 29.123 Predator Ridge Neighbourhood Plan Area
- The subject properties are located within a Medium Environmental Management Area.
- The subject properties are located within Fire Interface Areas 2 and 3

3. Zoning Bylaw 5000

- Section 10.10a – C10A Zoning
- Section 10.13a – RTCA Zoning
- Section 4.15.1 – The subject properties contain slopes  $\geq 30\%$

4. *Local Government Act.*

- Division 3 – Public Hearings on Planning and Land Use Bylaws
- Sec 464 – Requirement for a public hearing before adopting a bylaw  
*A local government is not required to hold a public hearing on a proposed rezoning bylaw if an OCP is in effect for the area that is the subject of the zoning bylaw and the bylaw is consistent with the OCP*



**BUDGET/RESOURCE IMPLICATIONS:**

N/A

Prepared by:

Approved for submission to Council:

X  
Michelle Austin  
Current Planner, Planning

\_\_\_\_\_  
Patti Bridal, CAO

Date: \_\_\_\_\_

X  
Roy Nuriel  
Acting General Manager, Planning

**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 checked="" 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 type="checkbox"/> Transportation                                  |
| <input type="checkbox"/> Financial Services                        |   | <input type="checkbox"/> Economic Development & Tourism                  |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Apr. 25/2023)  |   |  |
| <input type="checkbox"/> OTHER: RDNO Parks, Recreation and Culture |   |  |

G:\3000-3699 LAND ADMINISTRATION\3360 ZONING AND REZONING\20 Applications\ZON00396\2 PROC\Rpt\APC Rpt\230420\_rn\_ma\_APC Rpt\_ZON00396.docx

# PREDATOR RIDGE | EXISTING LAND USE PLAN

PREDATOR RIDGE  
NEIGHBOURHOOD PLAN

## LAND USE PLAN | EXISTING

LEGEND NOVEMBER 2022

- City of Vernon Boundary
- Neighbourhood Plan Area
- Existing & Future Roads
- Existing & Future Strata Roads
- ALR Boundary
- T Parcel Designation

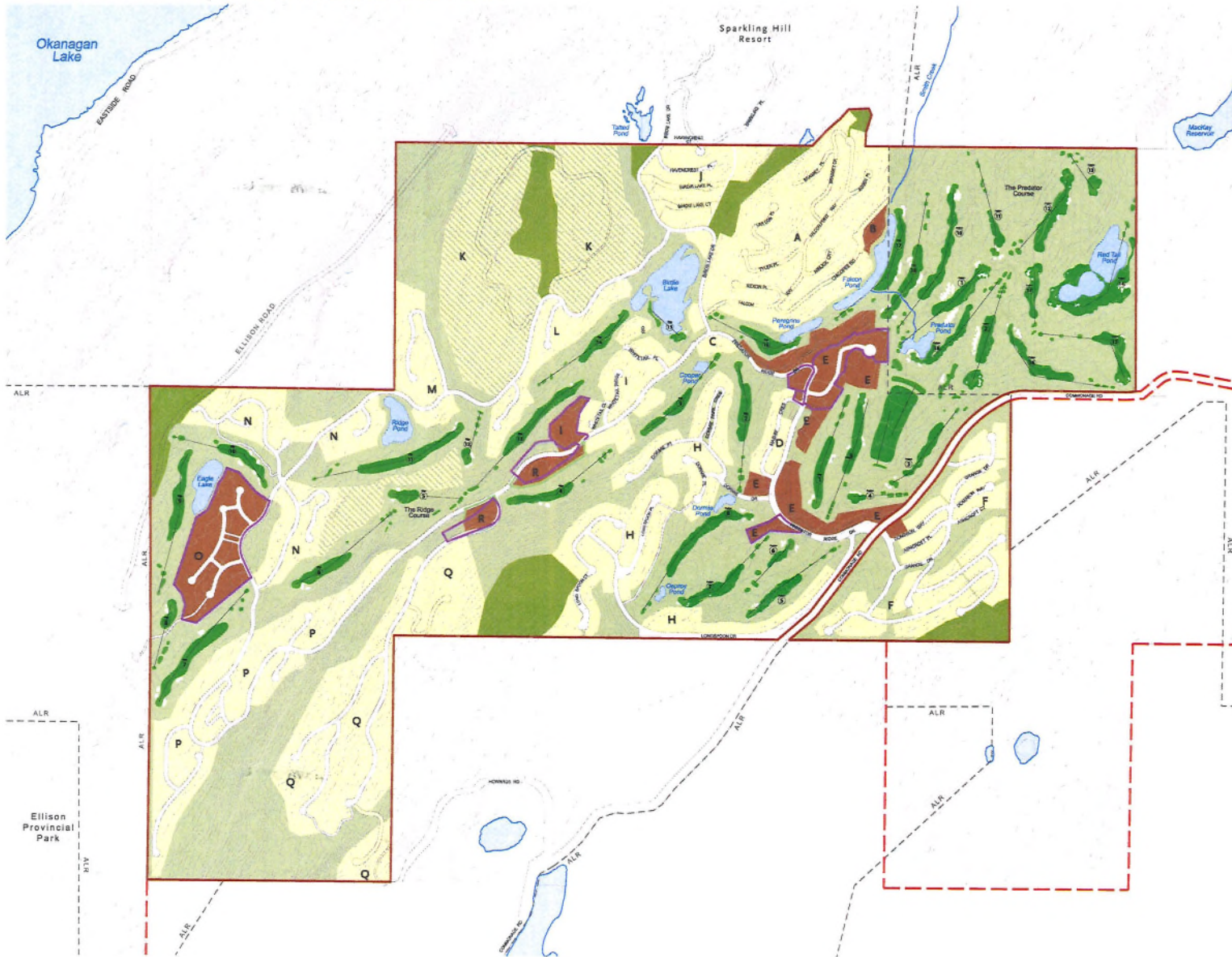
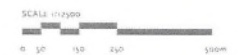
- LAND USE \***
- Tourist Commercial
  - Residential - Low Density
  - Resort Park
  - Public Park

- SPECIAL CONSERVATION DPA \*\***
- Development Permit Area (Residential - Low Density - Conservation)

*Note: All land use areas are approximate, intended for planning purposes only. All designated areas and boundaries are subject to refinement through more detailed site design and engineering at the time of subdivision.*

- \* Refer to Section 4.7 Neighbourhood Plan Land Use Summary
- \*\* Refer to Section 5.1 DPA Guidelines: Residential - Low Density - Conservation
- T Table 1 - Neighbourhood Development Summary lists the individual Parcel land use and development metrics.

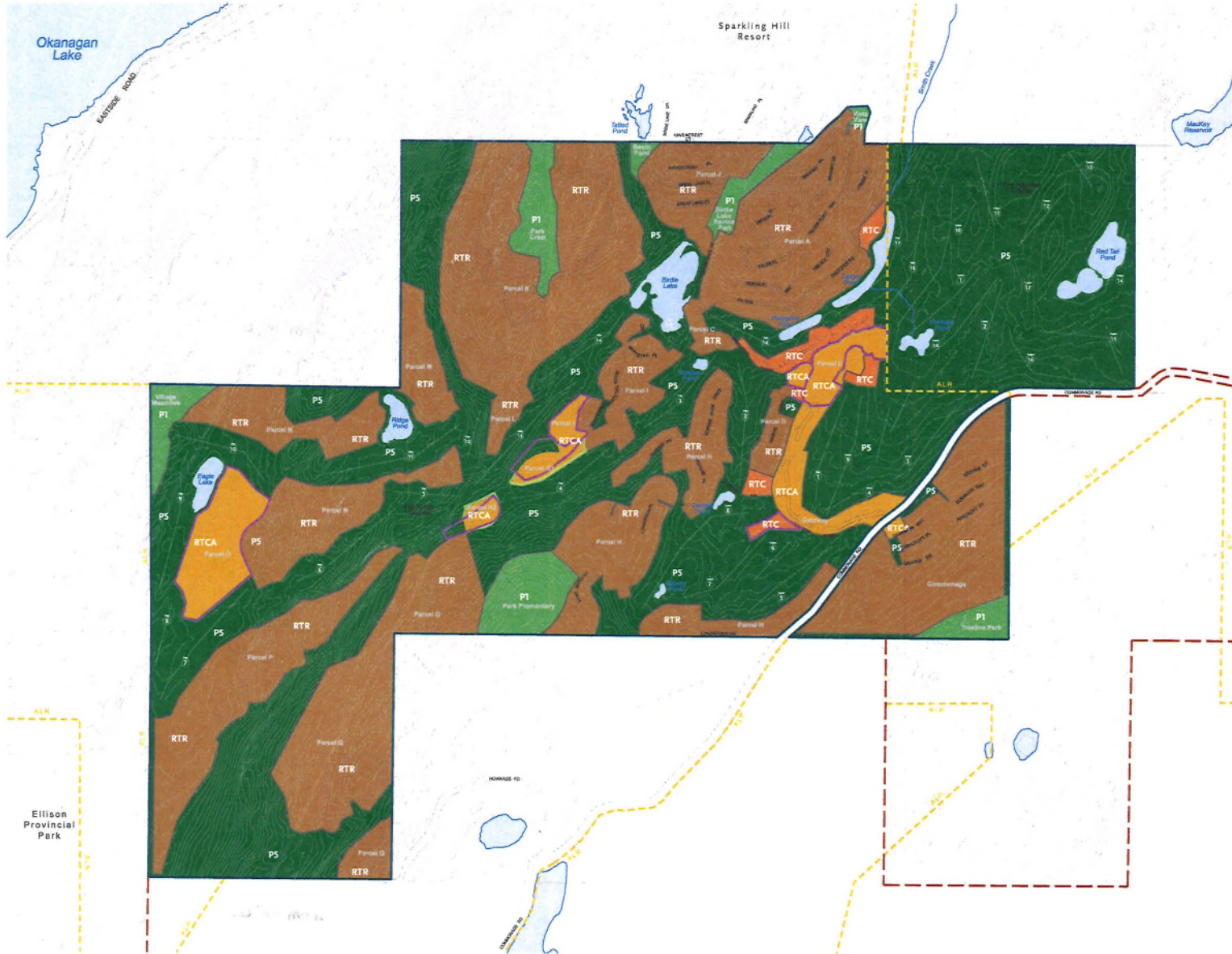
- Proposed Zoning Change Boundary | C10A
- Proposed Zoning Change Boundary | P5



Attachment 1



PREDATOR RIDGE | EXISTING ZONING PLAN



PREDATOR RIDGE  
NEIGHBOURHOOD PLAN

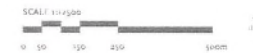
ZONING PLAN | EXISTING

LEGEND NOVEMBER 2022

- City of Vernon Boundary
- Neighbourhood Plan Area
- - - ALR Boundary
- Existing & Future Roads
- == Existing & Future Strata Roads

ZONING | EXISTING

- RTC Resort Commercial (RTC)
- RTCA Resort Commercial & Residential (RTCA)
- RTR Resort Residential (RTR)
- P1 Parks & Open Space (P1)
- PS Private Park (PS)
- Proposed Zoning Change Boundary | C10A
- Proposed Zoning Change Boundary | P5



Attachment 2

**10.13a RTCA: Resort Commercial and Residential****RTCA****10.13a.1 Purpose**

The purpose is to designate and preserve land for the **development** of destination commercial visitor accommodation in a pedestrian oriented environment providing a mixture of recreational, cultural, retail, and entertainment services, and to allow for permanent residences. *(Bylaw 5275)*

**10.13a.2 Primary Uses**

- amusement arcades, major
- artist studios
- apartment housing
- apartment hotel
- apartment housing, tourist
- business support services
- clubs, private
- community recreation centres
- cottages
- cottage tourist
- cultural exhibits, private
- emergency protective services
- exhibition and convention facilities
- financial services
- food primary establishments
- four-plex housing
- four-plex, tourist housing
- health services
- hostels
- hotels
- liquor primary establishments, major
- liquor primary establishments, minor
- non-accessory parking
- offices
- participant recreation services, indoor
- participant recreation services, outdoor
- personal services
- parks, public
- real estate sales centre
- retail stores, convenience
- retail stores, general
- retail stores, licensee
- retail street sales
- row housing



- row housing, tourist
- semi-detached housing
- semi-detached, tourist housing
- single detached housing
- single detached housing, tourist
- stacked row housing
- spectator entertainment establishments
- three-plex housing
- three-plex, tourist housing
- wineries and cideries

#### 10.13a.3 Secondary Uses

- amusement arcades, minor
- brewing or distilling, Class A
- care centre, minor
- docks, community
- docks, private
- gaming facilities \*\*
- home based businesses, minor
- marinas
- marina fuel facilities
- utilities, minor impact

\*\* refer to definition for “gaming facilities” in Section 2.3.3. for limitation on number of slot machines permitted within the City of Vernon boundaries

#### 10.13a.4 Subdivision Regulations

- Minimum **lot width** is 7.6 m.
- Minimum **lot area** is 232 m<sup>2</sup>

#### 10.13a.5 Development Regulations

- Maximum commercial **floor space ratio** is 3.0.
- Maximum gross **density** is 30.0 units/hectare (12 units/acre).
- Maximum **height** is 24.0m.
- Minimum **front yard** is 0.0m.
- Minimum **side yard** is 0.0m, except it is 2.0m for any flanking street and 4.5m when **adjacent** to a **residential, agricultural or institutional zone**.
- Minimum **rear yard** is 4.0m, except it is 6.0m where the **abutting** land is zoned or designated Residential.

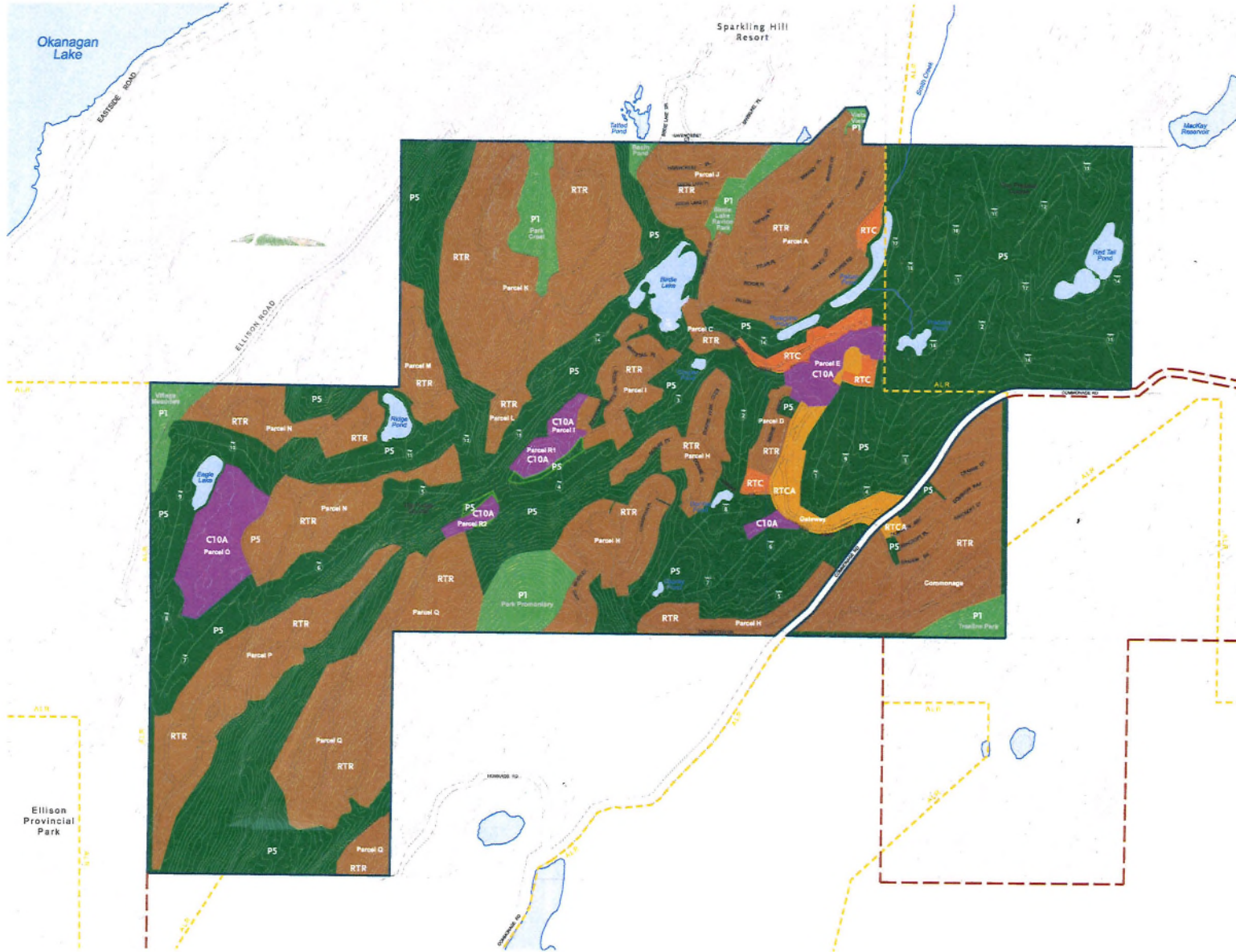
#### 10.13a.6 Other Regulations

- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development, yards**, projections into yards, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- As per Section 4.10.2 - All **buildings and structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".

*(Bylaw 5440)*



# PREDATOR RIDGE | PROPOSED C10A ZONES



PREDATOR RIDGE  
NEIGHBOURHOOD PLAN

ZONING PLAN | PROPOSED

LEGEND NOVEMBER 2022

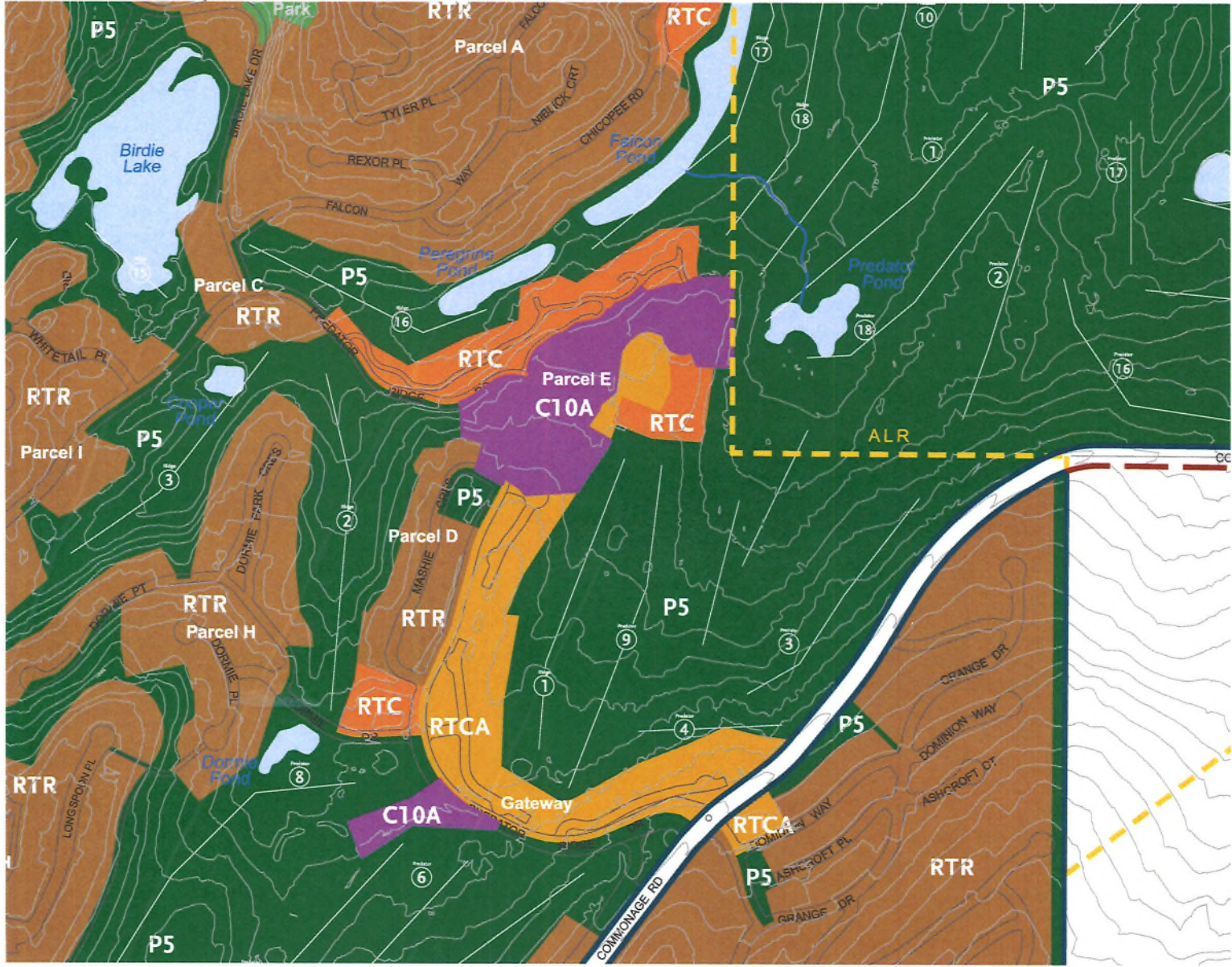
- City of Vernon Boundary
  - Neighbourhood Plan Area
  - ALR Boundary
  - Existing & Future Roads
  - Existing & Future Strata Roads
- ZONING | PROPOSED**
- Tourist Commercial & Residential (C10A)
  - Resort Commercial (RTC)
  - Resort Commercial & Residential (RTCA)
  - Resort Residential (RTR)
  - Parks & Open Space (P1)
  - Private Park (PS)
- Proposed Zoning Change Boundary | C10A
  - Proposed Zoning Change Boundary | PS



Attachment 4



PREDATOR RIDGE | PROPOSED C10A ZONE - PARCEL E



PREDATOR RIDGE  
NEIGHBOURHOOD PLAN

ZONING PLAN | PROPOSED

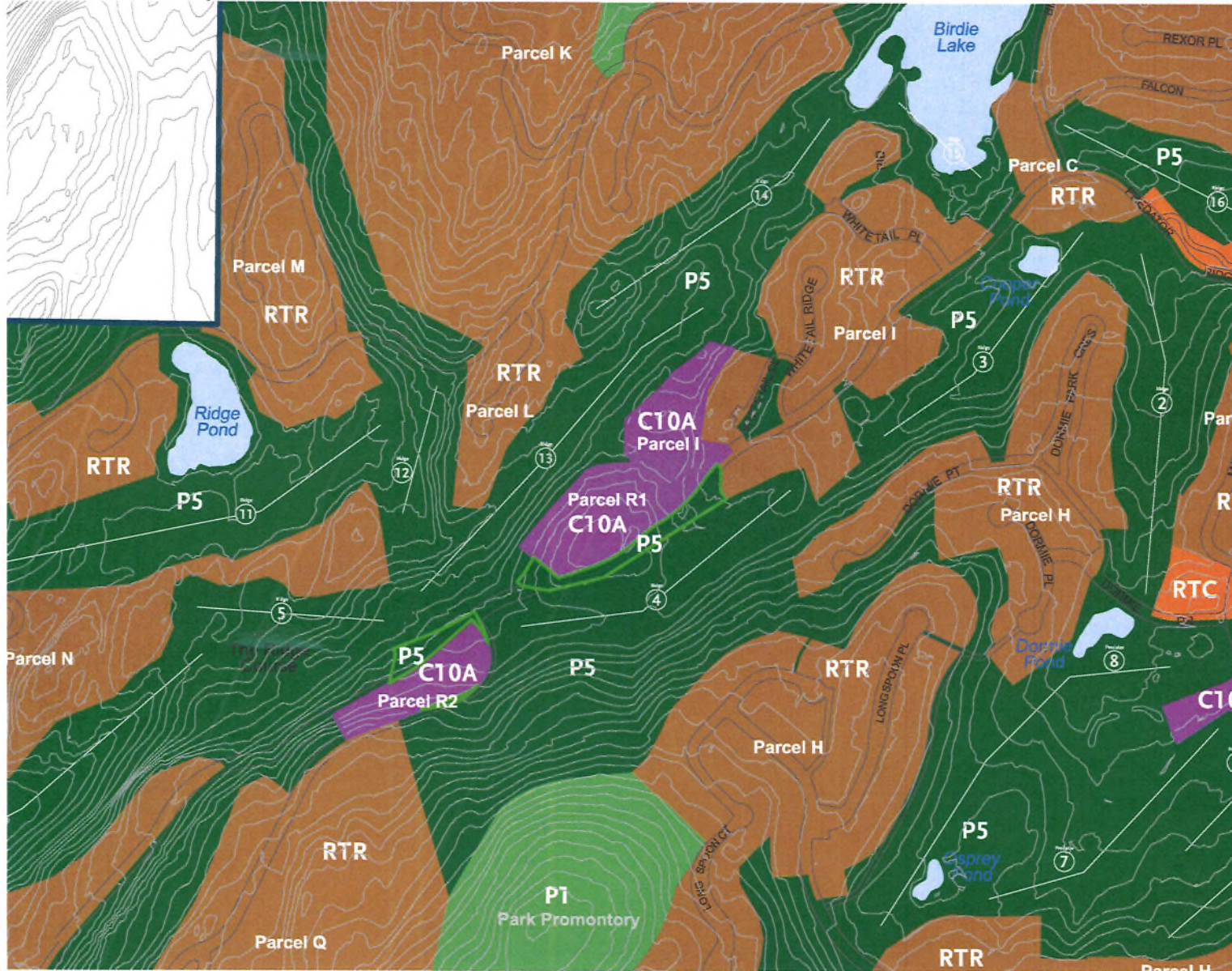
LEGEND NOVEMBER 2022

- City of Vernon Boundary
  - Neighbourhood Plan Area
  - - - ALR Boundary
  - Existing & Future Roads
  - - - Existing & Future Strata Roads
- ZONING | PROPOSED**
- Tourist Commercial & Residential (C10A)
  - Resort Commercial (RTC)
  - Resort Commercial & Residential (RTCA)
  - Resort Residential (RTR)
  - Parks & Open Space (P1)
  - Private Park (P5)
- Proposed Zoning Change Boundary | C10A
  - Proposed Zoning Change Boundary | P5





PREDATOR RIDGE | PROPOSED C10A ZONE - PARCELS R AND I



PREDATOR RIDGE  
NEIGHBOURHOOD PLAN

ZONING PLAN | PROPOSED

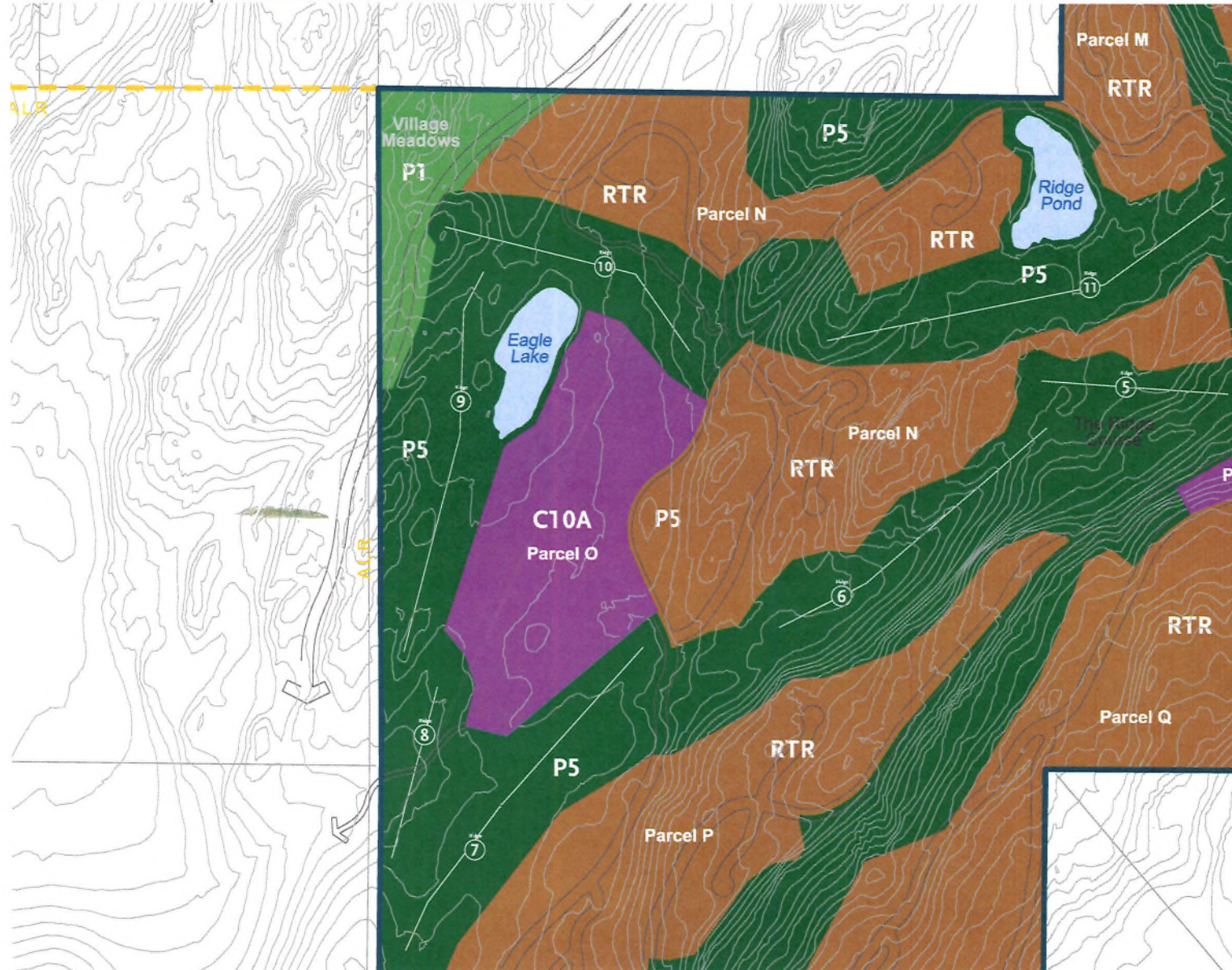
LEGEND NOVEMBER 2022

- City of Vernon Boundary
  - Neighbourhood Plan Area
  - ALR Boundary
  - Existing & Future Roads
  - Existing & Future Strata Roads
- ZONING | PROPOSED**
- Tourist Commercial & Residential (C10A)
  - Resort Commercial (RTC)
  - Resort Commercial & Residential (RTCA)
  - Resort Residential (RTR)
  - Parks & Open Space (P1)
  - Private Park (P5)
- Proposed Zoning Change Boundary | C10A
  - Proposed Zoning Change Boundary | P5





PREDATOR RIDGE | PROPOSED C10A ZONE - PARCEL O



PREDATOR RIDGE  
NEIGHBOURHOOD PLAN

ZONING PLAN | PROPOSED

LEGEND NOVEMBER 2022

- City of Vernon Boundary
- Neighbourhood Plan Area
- ALR Boundary
- Existing & Future Roads
- Existing & Future Strata Roads

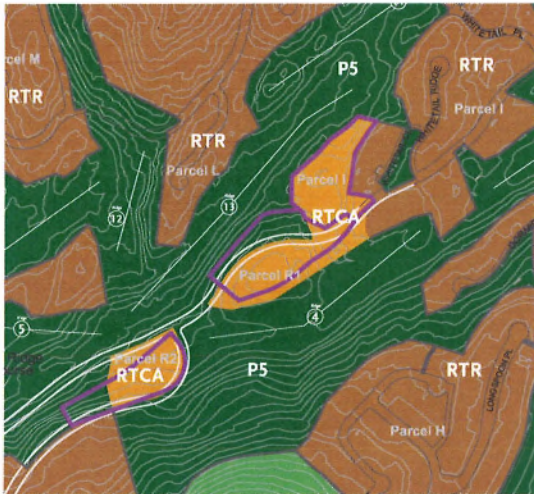
- ZONING | PROPOSED**
- Tourist Commercial & Residential (C10A)
  - Resort Commercial (RTC)
  - Resort Commercial & Residential (RTCA)
  - Resort Residential (RTR)
  - Parks & Open Space (P1)
  - Private Park (P5)
- Proposed Zoning Change Boundary | C10A
- Proposed Zoning Change Boundary | P5





# PARCEL R | ZONING BOUNDARY ADJUSTMENT

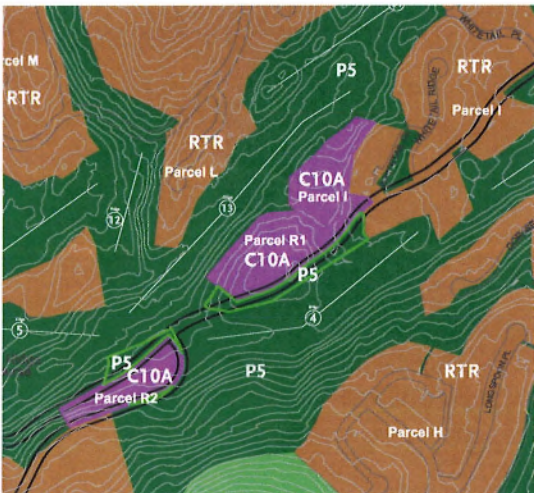
Parcel R, comprised of sub-parcels R1 and R2, is now bisected by the new Predator Ridge Drive collector alignment as part of the Outlook Neighbourhood development - this has resulted in a need to change the R1 and R2 zoning boundaries. The boundary adjustments are as follows:



## NEIGHBOURHOOD PLAN ROAD ALIGNMENT

The plan shows the Neighbourhood Plan collector alignment. Overlaid in purple linework is the proposed boundary adjustment for reference.

<b>Parcel R1</b>	
RTCA zone	1.58 ha (3.92 ac)
<b>Parcel R2</b>	
RTCA zone	0.97 ha (2.40 ac)
<b>Total RTCA land area</b>	<b>  2.55 ha (6.32 ac)</b>



## CONSTRUCTED ROAD ALIGNMENT

The plan shows the now constructed collector alignment.

<b>Parcel R1</b>	
C10A zone	1.58 ha (3.92 ac)
<b>Parcel R2</b>	
C10A zone	0.97 ha (2.40 ac)
<b>Total C10A land area</b>	<b>  2.55 ha (6.32 ac)</b>

As shown in the plans above, the total C10A areas remain the same as the currently zoned RTCA areas with the P5-Private Park areas relocated. The required boundary adjustments are a reflection of the now constructed Predator Ridge Drive, with the overall development areas not increasing.



**10.10a C10A: Tourist Commercial and Residential****C10A****10.10a.1 Purpose**

The purpose is to designate and preserve land for the **development** of destination commercial visitor accommodation and to allow for permanent residences. *(Bylaw 5275)*

**10.10a.2 Primary Uses**

- amusement arcades, major
- apartment hotel
- apartment housing, tourist
- apartment housing
- artist studios
- brewing or distilling, Class A *(Bylaw 5934)*
- business support services *(Bylaw 5934)*
- clubs, private
- convenience vehicle rentals *(Bylaw 5013)*
- cottages
- cottages, tourist
- cultural exhibits, private
- drive-through services
- duplex housing
- duplex tourist housing *(Bylaw 5325)*
- educational services, private *(Bylaw 5934)*
- employee housing, self contained dwelling *(Bylaw 5934)*
- farmers market *(Bylaw 5934)*
- financial services *(Bylaw 5934)*
- four-plex housing
- four-plex tourist housing *(Bylaw 5325)*
- hotels
- liquor primary establishment, minor
- liquor primary establishment, major
- marinas
- motels
- primary food establishments
- participant recreation services, indoor
- participant recreation services, outdoor *(Bylaw 5934)*
- personal services
- parks, public
- real estate sales centre *(Bylaw 5934)*
- retail stores, convenience
- retail stores, general
- retail stores, licensee *(Bylaw 5934)*

**SECTION 10.10A : TOURIST COMMERCIAL AND RESIDENTIAL  
C10A - 1 OF 4**

ZONING BYLAW NO. 5000 (2003)

CITY OF VERNON

- retail street sales
- row housing
- row housing, tourist (Bylaw 4883)
- semi-detached housing
- semi-detached tourist housing (Bylaw 5325)
- single detached housing
- single detached tourist housing (Bylaw 5325)
- spectator entertainment establishments (Bylaw 5934)
- stacked row housing
- three-plex housing
- three-plex tourist housing (Bylaw 5325)
- wineries and cideries (Bylaw 5934)

**10.10a.3 Secondary Uses**

- amusement arcades, minor
- bed & breakfast homes (in single detached housing or semi-detached housing or duplex housing only) (Bylaw 5498)
- care centre, minor
- carnival
- docks, community
- docks, private
- home based businesses, minor
- marina equipment rentals
- marina fuel facilities
- marina sani-dump facilities
- offices
- residential security/operator unit
- utility services, minor impact

**10.10a.4 Subdivision Regulations**

- For fee simple subdivisions the minimum lot width is 30.0m and the minimum lot area is 1800m<sup>2</sup>, except it is 10,000m<sup>2</sup> if not serviced by a **community sewer system**.
- For bare land strata subdivisions the following table applied:

Use (per unit)	Minimum Lot area		Minimum Lot Width	
	interior	corner	interior	corner
Cottages, Cottages Tourist	125m <sup>2</sup>	N/A	7.0m	7.0m

**SECTION 10.10A : TOURIST COMMERCIAL AND RESIDENTIAL  
C10A - 2 OF 4**



Single Detached Housing, Single Detached Tourist Housing	200m <sup>2</sup>	250m <sup>2</sup>	10.0m	11.3m
Duplex Housing, Duplex Tourist Housing	300m <sup>2</sup>	350m <sup>2</sup>	10.0m	11.3m
Semi-Detached Housing, Semi-Detached Tourist Housing	150m <sup>2</sup>	200m <sup>2</sup>	7.0m	8.0m
Three-Plex Housing, Three-Plex Tourist Housing	150m <sup>2</sup>	200m <sup>2</sup>	6.5m	7.5m
Four-Plex Housing, Four-Plex Tourist Housing	140m <sup>2</sup>	190m <sup>2</sup>	6.0m	7.0m
Row Housing, Row Housing Tourist, Stacked Row Housing, Stacked Row Housing Tourist	135m <sup>2</sup>	185m <sup>2</sup>	6.0m	7.0m

(Bylaw 5325)

### 10.10a.5 Development Regulations

- Maximum commercial floor space ratio is 2.0, except it is 5.0 for apartment housing, tourist and apartment housing and Hotels (Bylaw 5934)
- Maximum site coverage is 60% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 85%.
- Maximum height is 15.0m, except for apartment housing, tourist and apartment housing and Hotels where the height shall be 30.0m.
- Minimum front yard is 4.5m, except it is 0m for ground floor commercial uses. (Bylaw 5934)
- Minimum side yard is 3.0m, except it is 4.5m for any flanking street and it is 0m for ground floor commercial uses. (Bylaw 5934)
- Minimum **side yard** for shared interior **party walls** is 0.0m. (Bylaw 5325)
- Minimum rear yard is 3.0m, except it is 0m for ground floor commercial uses and 4.5m where the abutting land is zoned or designated Residential. (Bylaw 5934)

### 10.10a.6 Other Regulations

- Only one residential security/operator unit is permitted on a site.
- A minimum area of 10.0m<sup>2</sup> of private open space shall be provided per 1 bedroom dwelling, and 15.0m<sup>2</sup> of private open space shall be provided per dwelling with more than 1 bedroom. For bareland strata developments an additional 10.0m<sup>2</sup> per unit of common **open space** shall be provided in addition to the private **open space** on each lot.
- Boat storage use is only permitted on property that abuts or is within 100m of a public or private boat launch facility.
- In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 4 (secondary development, yards, projections into yards, lighting, agricultural setbacks,

## SECTION 10.10A : TOURIST COMMERCIAL AND RESIDENTIAL C10A - 3 OF 4

ZONING BYLAW NO. 5000 (2003)

CITY OF VERNON

etc.); the specific use regulations of Section 5; the landscaping and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.

- As per Section 4.10.2 - All **buildings and structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".

*(Bylaw 5440)*

**SECTION 10.10A : TOURIST COMMERCIAL AND RESIDENTIAL  
C10A - 4 OF 4**

ZONING BYLAW NO. 5000 (2003)

CITY OF VERNON



December 5th, 2022

Ms. Kim Flick, Director of Community Development  
 City of Vernon  
 3400 - 30<sup>th</sup> Street  
 Vernon, BC  
 V1T 5E6

**Re: Village Rezoning Application | C10A**

Kim,

On behalf of Predator Ridge, we are pleased to submit the following information package regarding the Predator Ridge Village Rezoning application - **C10A | Tourist Commercial and Residential** - to enable the development of the envisioned Resort Villages at Predator Ridge.

In particular, Predator Ridge aims to allow for a higher density building form and a mix of supporting uses consistent with a resort village for both short-term tourist and permanent residence that will provide significant community amenities, more single-floor living opportunities and encourage aging-in-place.

**CURRENT RTCA ZONE INHIBITS VILLAGE DEVELOPMENT**

- The Neighbourhood Plan's vision of resort villages serving as the social and commercial heart of the community is not supported by the current RTCa Zone.
- The result is that **Predator is not able to achieve its allowable yield without a higher density mixed-use residential zone.**
- Within the identified sites, the **RTCA Zone** provides for a range of **Residential forms, including:** Single-detached, Cottages, Duplex, Semi-detached, Three-plex housing, Four-plex, Rowhousing + Stacked Rowhousing, Apartment Housing and Apartment Hotel;
- The City of Vernon Official Community Plan aims to support a diversity of attainable housing (Policy 7.1b), provide housing options that enable seniors to age in place (Policy 7.10), and ensure adequate opportunities are provided for resort residential developments (Policy 7.14).
- In order to meet these stated goals, the resort will require opportunities to build apartment-form housing which offers single-level living supported by elevators and secure parking areas.
- While providing a range of village uses and amenities, the RTCa Zone, which permits apartment form housing up to seven storeys, is also limited by its low-density designation of 30 uph (12 upa).

- The City's current suite of Resort Zones are each limited to a low density designation, with a maximum density of 30 uph / 12 upa.
- As such, the current zoning in place is not sufficient to realize a vibrant pedestrian-scaled urban village.
- A gap in required village form + density is present in the current suite of resort zones.

#### **APPROACH**

Per City Staff's recommendation and an internal audit of the C10A Zone applicabilty, our approach is to utilize the existing City of Vernon C10A zone to allow for a larger range of mid-density housing and accommodation types in responding to the changing needs of the market while maintaining a resort village character and scale of development. Through this rezoning, new housing forms can provide more community amenities for daily needs, offer single-floor living opportunities and accommodate the growing demand for more attainable, compact and age-friendly homes. An increase in density through new building forms will support the existing and future services and amenities at Predator Ridge.



## REZONING REQUEST

The C10A zone is summarized in the table below - comparing the existing RTCA Zone with the **proposed C10A Zone**:

SUMMARY OVERVIEW		
Regulation	Current RTCA Zone	C10A Zone
Height	24.0m/ 7.0 Storeys	<b>Is the lesser of 15.0 m or 4 storeys except for apartment housing and tourist apartment housing where it shall be the lesser of 30.0 m / 9.0 Storeys</b>
Front Yard	0.0m	Minimum front yard is 4.5m.
Side Yard	Minimum side yard is 0.0m, except it is 2.0m for any flanking street and 4.5m when adjacent to a residential, agricultural or institutional zone.	Minimum side yard is 3.0m, except it is 4.5m for any flanking street.
Rear Yard	Minimum rear yard is 4.0m, except it is 6.0m where the abutting land is zoned or designated Residential.	Minimum rear yard is 3.0m, except it is 4.5m where the abutting land is zoned or designated Residential.
Density	30 uph or 12 upa	<b>Maximum commercial floor space ratio is 2.0, except it is 5.0 for apartment housing, and tourist apartment housing.</b>
Site Coverage	N/A	Maximum site coverage is 60% and together with driveways, parking areas and impermeable surfaces shall not exceed 85%.

## REZONING RATIONALE

To solve this form + density gap within the suite of Resort Zones, we are seeking a rezoning for all currently zoned RTCA lands at Predator Ridge to permit the build-out of a future Predator Ridge mixed-use village lands.

As more RTR zoned areas are built out, the C10A zone would address key sustainability issues of providing critical mass to support local services and transit. This long-term solution is an opportunity to rezone to allow for multi-family homes that are separate from existing and proposed ground-oriented homes at Predator Ridge, and encourages residents to remain in their homes as they age.

To facilitate resort villages serving as the social and commercial hearts of the community, Predator Ridge requires the rezone to C10A | Tourist Commercial and Residential Zone.

**Height**

Height maximum is the lesser of 15.0m or 4 storeys, except for apartment housing, and tourist apartment housing where the height shall be the lesser of 30.0m / 9.0 Storeys.

**Setbacks**

*Front Yard*

Front yard setback is 4.5m.

*Side Yard*

Side yard setbacks is 3.0m, except it is 4.5m for any flanking street.

*Rear Yard*

Rear yard setback is 3.0m, except it is 4.5m where the abutting land is zoned or designated Residential.

**Density**

Density allows for a maximum commercial floor space ratio of 2.0, except it is 5.0 for apartment housing, and tourist apartment housing.

With the proposed C10A Predator Ridge Rezoning, the City of Vernon will be able to meet the changing needs of the community at Predator Ridge by providing a greater choice of housing types which encourage aging-in-place, a diverse community, and efficient servicing.

Best regards,



Paul Fenske  
Principal



Theo Finseth  
Partner



## REZONING RATIONALE

The undeveloped area of the C10A Zone area is as follows:

- **Partially developed Parcel E - Current Golf Village | 3.06 ha (7.56 ac);**
- **Undeveloped portion of the Parent Parcel (Maintenance Yard) | 0.61 ha (1.50 ac);**
- **Undeveloped portion of Parcel R | 2.55 ha (6.32 ac);**
- **Undeveloped Parcel I | 1.29 ha (3.18 ac); and,**
- **Undeveloped Parcel O | 7.92 ha (19.58 ac).**

The total area that will be rezoned for the C10A zone is estimated at **15.43 ha (38.14 ac).**

The remainder of the undeveloped portion of Parcel R will be rezoned to P5-Private Park as follows:

- **Undeveloped portion of Parcel R | 0.82 ha (2.03 ac);**

While increasing the overall density to 2.0 FSR, and 5.0 FSR for apartment housing, and tourist apartment housing, the servicing and infrastructure requirements remain unchanged, providing benefits to both the developer and the city. The C10A Zone will allow greater flexibility for Predator Ridge to meet market demands with a medium density, more attainable product within the resort environment. Furthermore, the C10A zone will allow for low to mid-rise apartment living with elevator-serviced parkades which will allow residents to remain in their homes as they age.

The C10A Zone allows for a wider range of housing options which will contribute to the development of Predator Ridge into a safe, affordable, and welcoming place for anyone to call home.

## 4 LAND USE DESIGNATIONS

The general land use designations for the Predator Ridge Neighbourhood Plan are outlined in Schedule A. This Section describes the land use designations, their planning rationale and associated development policies to guide the development of Predator Ridge.

### 4.1 TOURIST COMMERCIAL

#### 4.1.1 Description

The Tourist Commercial designation is intended to create attractive, vibrant, pedestrian friendly resort commercial areas that remain active throughout the day and evening. To accomplish this, tourist commercial land uses include hotels, resorts, restaurants, retail spaces, cafés, commercial recreation, entertainment venues, civic gathering spaces, parks and natural areas.

The Tourist Commercial designation, as shown on Schedule A – Land Use Plan, contains approximately 4.75% or 22.82 hectares of the Neighbourhood Plan area.<sup>8</sup>

#### 4.1.2 Rationale

Four Tourist Commercial precincts are planned to serve the resort and residential land uses within the Predator Ridge Neighbourhood Plan (refer to Figure 3 – Predator Ridge Concept Plan):

#### Predator Village

Predator Village, located in the eastern portion of the Plan area, is intended to be the heart of the

---

<sup>8</sup> Note: All land use areas and percentages are approximate, intended for planning purposes only. All designated areas and boundaries are subject to refinement through more detailed site design and engineering at the time of zoning and subdivision. In cases of discrepancy, the values stated in Table 2 - Neighbourhood Development Summary will take precedence over those in the PRNP text.

community, bringing resort visitors and residents together in a vibrant social setting. Located on Predator Ridge Drive, Predator Village is wrapped by the golf course, and affords panoramic views over the Commonage. It has a mix of uses that provides commercial and recreational facilities for the local community, is the home of the Predator Ridge Golf Club, tourist accommodation, spa and resort facilities.

#### Meadows Landing

Located adjacent to Ellison Provincial Park on Predator Ridge Drive, the proposed Meadows Landing in the western portion of the Plan area offers a unique enclave of golf-front living (ground oriented and apartment forms) with supporting commercial and social amenities, affording residents the benefits of remaining within the community through different life stages.



### Outlook Crossing

Situated atop the ridge that links the Smith and Meadow watershed basins, and located at the centre of the Predator Ridge Drive loop, Outlook Crossing provides a central meeting point for the community. With sweeping vistas over both the Commonage and Lake Okanagan, the location affords a civic gathering place as well as mixed use commercial node to serve the needs of the resort and neighbourhood.

### Gateway

Located at the entrance to the resort community at Predator Ridge Drive and Commonage Road, the Gateway serves as a modest commercial space scaled to the needs of the neighbourhood with a future opportunity for limited commercial retail, offices and/or accommodation above, within The Commonage neighbourhood.

#### 4.1.3 Policies

- a. Focus higher density residential uses in Predator Village and Meadows Landing and provide multi-family residential housing opportunities in close proximity to village services.
- b. Reinforce and strengthen the viability of Predator Village by permitting mixed use buildings with commercial activities on the lower levels and residential or condominium hotel uses above. Discourage commercial development located above residential uses.
- c. Establish a retail 'Main Street' to complement the existing Clubhouse facility in Predator Village and support a range of appropriate neighbourhood retail and commercial services and amenity space.

- d. Encourage resort buildings to address the streetscape and plaza spaces to create a well defined public realm through the siting and orientation of buildings, entrances, balconies and ground level uses to frame views, define spaces and promote pedestrian activity through the introduction, for example, of outdoor cafes, general stores, restaurants and shops.
- e. Create positive, well detailed public realm spaces within the Tourist Commercial areas through the design of public squares and plazas established in conjunction with the development of the golf course and recreational pathways.
- f. Encourage the improvement of existing pedestrian connections to and within the Predator Village area in conjunction with longer-term village and resort parking.
- g. Encourage and facilitate the provision of shade and protection from the elements for pedestrians through the provision of landscape features (i.e. trees), awnings, overhangs, canopies and/or arcades over walkways.
- h. Plan for the provision of pedestrian amenities within the resort public realm such as benches, human scale lighting, street trees, garbage receptacles and bicycle racks in the Neighbourhood Centres.
- i. Establish landscape buffers that create a transition between residential and adjacent commercial buildings and parking areas through landscape design that incorporates layering of shrubs, trees, landscape structures and lower walls, as required.
- j. Parking should be provided behind buildings where possible, or screened through landscape design to establish a pedestrian friendly

environment and reduce the visual impact of parking areas.

- k. Sidewalks and parking areas are to be designed according to barrier free access standards.
- l. Employ City of Vernon Hillside Guidelines to ensure that built form responds to the complex topography and minimizes the physical, visual and environmental impact of hillside development. Built form should complement the hillside setting.
- m. Minimize the amount of streetlight and other nighttime ambient light to preserve the rural experience of the Commonage with due consideration for public safety.
- n. Promote high quality and complementary architectural form and character in keeping with the established community character – including physical designs sensitively integrated into the natural setting; human scale building massing and articulation; and materials and colour palettes inspired by the natural setting – through the administration of Development Permit requirements for form and character in commercial and multi-family developments.
- o. Limit height within Outlook Crossing to 4 Storeys.

#### 4.2 RESIDENTIAL – LOW DENSITY

##### 4.2.1 Description

Residential lands will allow Predator Ridge to develop as a resort community as well as a tourist destination. The Residential – Low Density designation is intended for detached single family dwellings and ground oriented multi-family residential homes and cottages.





PREDATOR RIDGE  
NEIGHBOURHOOD PLAN

Figure 3  
Predator Ridge Concept Plan





LEGEND

- City of Vernon Municipal Boundary
- Predator Ridge Neighbourhood Plan Area
- Resort Commercial
- Resort Residential
- Public Park
- Resort Residential Conservation DPA
- ALR Boundary



**EKISTICS**



# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Michelle Austin  
Current Planner, Planning

**COUNCIL MEETING:** REG  COW  I/C   
**COUNCIL MEETING DATE:** May 8, 2023  
**REPORT DATE:** April 20, 2023  
**FILE:** 3360-20 (ZON00390) / 3090-20 (DVP00587)

**SUBJECT: ZONING AND DEVELOPMENT VARIANCE PERMIT APPLICATIONS FOR  
3501 11<sup>TH</sup> STREET**

---

**PURPOSE:**

To present for Council's consideration zoning and development variance permit applications for the property located at 3501 11<sup>th</sup> Street in anticipation of subdivision.

**RECOMMENDATION:**

THAT Council support Zoning Application 00390 (ZON00390) to rezone Lot 1, Sec 2, TWP 8, ODYD, Plan 21198 (3501 11<sup>th</sup> Street) from R2 – Large Lot Residential to R3 – Medium Lot Residential as outlined in the report titled “Zoning and Development Variance Permit Applications for 3501 11<sup>th</sup> Street” dated April 20, 2023 and respectfully submitted by the Current Planner;

AND FURTHER, that Council not hold a public hearing, pursuant to 464(2) of *the Local Government Act*, on a proposed bylaw to rezone Lot 1, Sec 2, TWP 8, ODYD, Plan 21198 (3501 11<sup>th</sup> Street) from R2 – Large Lot Residential to R3 – Medium Lot Residential;

AND FURTHER, that Council direct Administration to issue a public notice of initial readings and prepare a proposed bylaw to be brought forward for Council's consideration to rezone Lot 1, Sec 2, TWP 8, ODYD, Plan 21198 (3501 11<sup>th</sup> Street) from R2 – Large Lot Residential to R3 – Medium Lot Residential;

AND FURTHER, that Council support Development Variance Permit Application 00587 (DVP00587) to vary Zoning Bylaw 5000 for Lot 1, Sec. 2, TP 8, ODYD, Plan 21198 (3501 11<sup>th</sup> Street) by:

- a) Varying Section 9.4.5, minimum rear yard, from 6m to 3.15m for the existing house on proposed Lot 1.

**ALTERNATIVES & IMPLICATIONS:**

1. THAT Council support Zoning Application 00390 (ZON00390) to rezone Lot 1, Sec 2, TWP 8, ODYD, Plan 21198 (3501 11<sup>th</sup> Street) from R2 – Large Lot Residential to R3 – Medium Lot Residential as outlined in the report titled “Zoning and Development Variance Permit Applications for 3501 11<sup>th</sup> Street” dated April 20, 2023 and respectfully submitted by the Current Planner;

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 2, TWP 8, ODYD, Plan 21198 (3501 11<sup>th</sup> Street) from R2 – Large Lot Residential to R3 – Medium Lot Residential;

AND FURTHER, that Council support Development Variance Permit Application 00587 (DVP00587) to vary Zoning Bylaw 5000 for Lot 1, Sec. 2, TP 8, ODYD, Plan 21198 (3501 11<sup>th</sup> Street) by:



- a) Varying Section 9.4.5, minimum rear yard, from 6m to 3.15m for the existing house on proposed Lot 1.

*Note: This alternative allows the public to make representations to Council on the proposed bylaw.*

- 2. THAT Council not support Zoning Application 00390 (ZON00390) to rezone Lot 1, Sec. 2, TP 8, ODYD, Plan 21198 (3501 11<sup>th</sup> Street) from R2 – Large Lot Residential to R3 – Medium Lot Residential as outlined in the report titled “Zoning and Development Variance Permit Applications for 3501 11<sup>th</sup> Street” dated April 20, 2023 and respectfully submitted by the Current Planner;

AND FURTHER, that Council not support Development Variance Permit Application 00587 (DVP00587) to vary Zoning Bylaw 5000 for Lot 1, Sec. 2, TP 8, ODYD, Plan 21198 (3501 11<sup>th</sup> Street), as follows:

- a) Varying Section 9.4.5, minimum rear yard, from 6m to 3.15m for the existing house located at 3501 11<sup>th</sup> Street.

*Note: This alternative does not support the rezoning and variance applications and prevents the subdivision from moving ahead as proposed. Given that the parcel provides sufficient area and width under the R2 zoning, the owner could demolish the house and apply to subdivide the lot into two lots without the need for rezoning or variance approval.*

**ANALYSIS:**

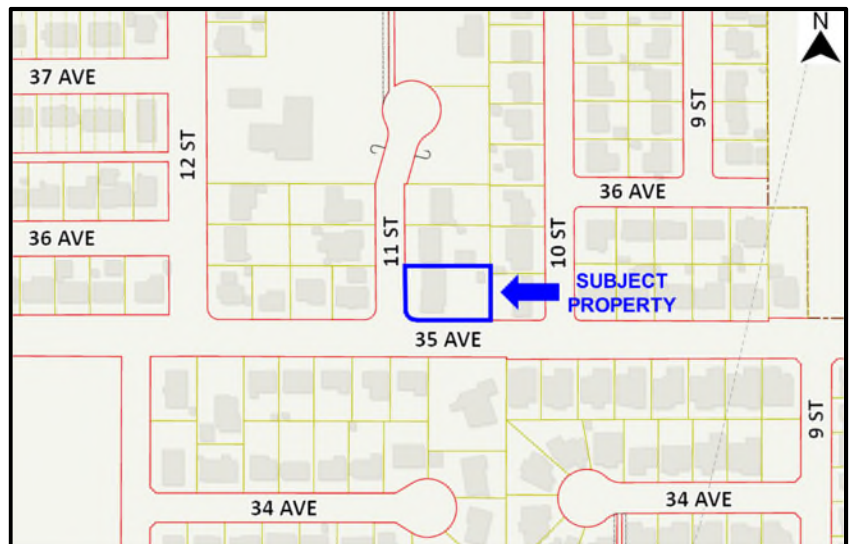
**A. Committee Recommendations:**

At its meeting of April 25, 2023, the Advisory Planning Committee passed the following resolution:

*“(to be cited by the Advisory Planning Committee).”*

**B. Rationale:**

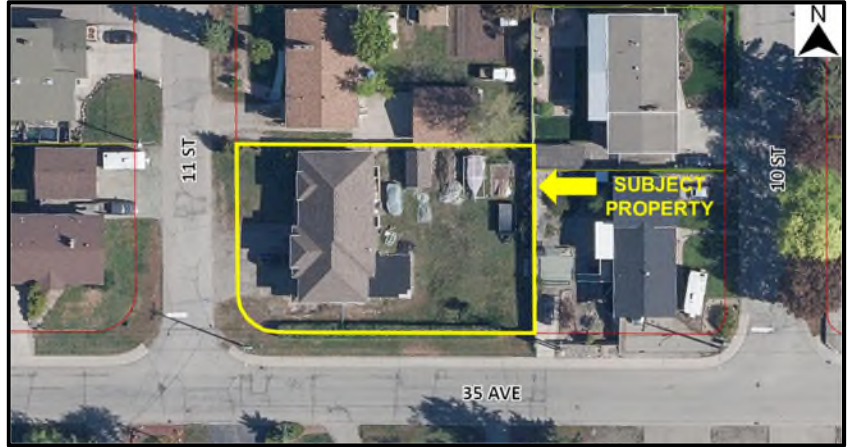
- 1. The subject property is located at 3501 11<sup>th</sup> Street (Figures 1 and 2) and has a total area of 1,241.6m<sup>2</sup>. There is currently one single detached dwelling and one accessory building located on the property (Attachment 1).
- 2. The subject property is designated as Residential Low Density (RLD) in the Official Community Plan (OCP) (Attachment 2) and zoned R2 – Large Lot Residential (Attachments 3 and 4).
- 3. The application is to rezone the property from R2 to R3 – Medium Lot Residential (Attachment 5).



**Figure 1: Property Location Map**

4. If the rezoning is successful, the applicant intends to subdivide the property into two lots with the single detached house to remain on the west lot (Proposed Lot 1) and a single detached house to be built on the east lot (Proposed Lot 2) (Attachments 6 and 7).

5. Before a subdivision can be considered, a variance would be required for the existing house to a proposed rear property line. If Council directs Administration to prepare a rezoning bylaw for initial readings, Development Variance Permit Application 00587 (DVP00587) will be brought forward concurrently for Council's consideration and public input to vary Section 9.4.5, minimum rear yard, from 6m to 3.15m for the existing house on proposed Lot 1.



**Figure 2: Aerial View of Property**

6. The lot has sufficient area and width to subdivide under the existing R2 zoning, however the siting of the house prevents this. A below grade garage forms part of the house, extending out the back. The roof of the garage is slightly above grade and acts as a deck for this house as well. In order to retain the house and garage and subdivide the property, the approach is to rezone to R3, which has a lesser minimum lot area requirement, and vary the rear yard setback from the existing house/garage to a future lot line.

7. Under the current R2 zoning, alternative development opportunities available to increase the density of the lot include:

- The house could be demolished, an application made to subdivide and (upon subdivision approval) two new homes built;
- A secondary suite could be added to the house; or
- A detached secondary suite could be built.

The owner does not wish to pursue any of the above.

8. Table 1 below compares the existing and proposed zoning regulations, which are both consistent with the property's RLD OCP designation. These zones have the same housing form, density, coverage, and side and flanking street setbacks. The R3 regulations are lesser with regard to lot area, lot width and front and rear setbacks (differences are highlighted in red text).

	<b>Existing R2</b>	<b>Proposed R3</b>
<b>Housing Form</b>	Single Detached Housing (SDH)	SDH
<b>Max. Density</b>	1 SDH per lot (and a secondary suite)	1 SDH per lot (and a secondary suite)
<b>Min. Lot Area</b>	557m <sup>2</sup>	450m <sup>2</sup>
<b>Min. Lot Width</b>	18m	14m interior lot/16m corner lot
<b>Site Coverage</b>	40% (50% with impermeable)	40% (50% with impermeable)
<b>Height</b>	10m	10m
<b>Front Yard</b>	5m	4.5m
<b>Side Yard</b>	1.5m	1.5m
<b>Flanking Street</b>	5m	5m
<b>Rear Yard</b>	7.5m	6m

**Table 1: Zoning Comparison**

9. Administration supports the rezoning and variance applications for the following reasons:

- a) The parcel is sufficiently large and wide for subdivision under the R2 zoning; however, siting of the house is disadvantageous to subdividing the property into equal halves;
- b) The proposal is consistent with the form and character of the neighbourhood, which is represented by single-family development, including some infill; and
- c) The infill proposal increases density on an underutilized parcel of land within the urban part of the City and uses existing infrastructure and community services more efficiently.

**C. Attachments:**

Attachment 1 – Photos  
Attachment 2 – OCP Map  
Attachment 3 – Zoning Map  
Attachment 4 – R2: Large Lot Residential Zone  
Attachment 5 – R3: Medium Lot Residential Zone  
Attachment 6 – Applicant Rationale  
Attachment 7 – Site and Subdivision Plan

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

The subject application involves the following goals/actions items in Council’s Strategic Plan 2019 – 2022:

- N/A

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

1. Official Community Plan Bylaw 5470:
  - OCP Designation – Residential Low Density (RLD)
  - Development District – 2 Neighbourhood
2. Zoning Bylaw 5000:
  - Sec. 9.4 R3: Medium Lot Residential
3. *Local Government Act*:
  - Division 3 – Public Hearings on Planning and Land Use Bylaws
  - Sec. 464 – Requirement for a public hearing before adopting a bylaw  
*A local government is not required to hold a public hearing on a proposed rezoning bylaw if an OCP is in effect for the area that is the subject of the zoning bylaw and the bylaw is consistent with the OCP.*

**BUDGET/RESOURCE IMPLICATIONS:**

N/A



---

Prepared by:

Approved for submission to Council:

X \_\_\_\_\_  
Michelle Austin  
Current Planner, Planning

\_\_\_\_\_  
Patti Bridal, CAO  
  
Date: \_\_\_\_\_

X \_\_\_\_\_  
Roy Nuriel  
Acting General Manager, Planning

**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 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 type="checkbox"/> Transportation                       |
| <input type="checkbox"/> Financial Services                     |   | <input type="checkbox"/> Economic Development & Tourism       |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Apr. 25/23) |   |   |
| <input type="checkbox"/> OTHER:                                 |   |   |

G:\3000-3699 LAND ADMINISTRATION\3360 ZONING AND REZONING\20 Applications\ZON00390\2 PROC\RptAPC Report\230420\_ma\_APC\_Rpt\_ZON00390\_DVP00587.docx



Photo 1: Flanking Street – taken from 35<sup>th</sup> Ave facing north





**Photo 2: Rear yard of existing lot – facing northwest**





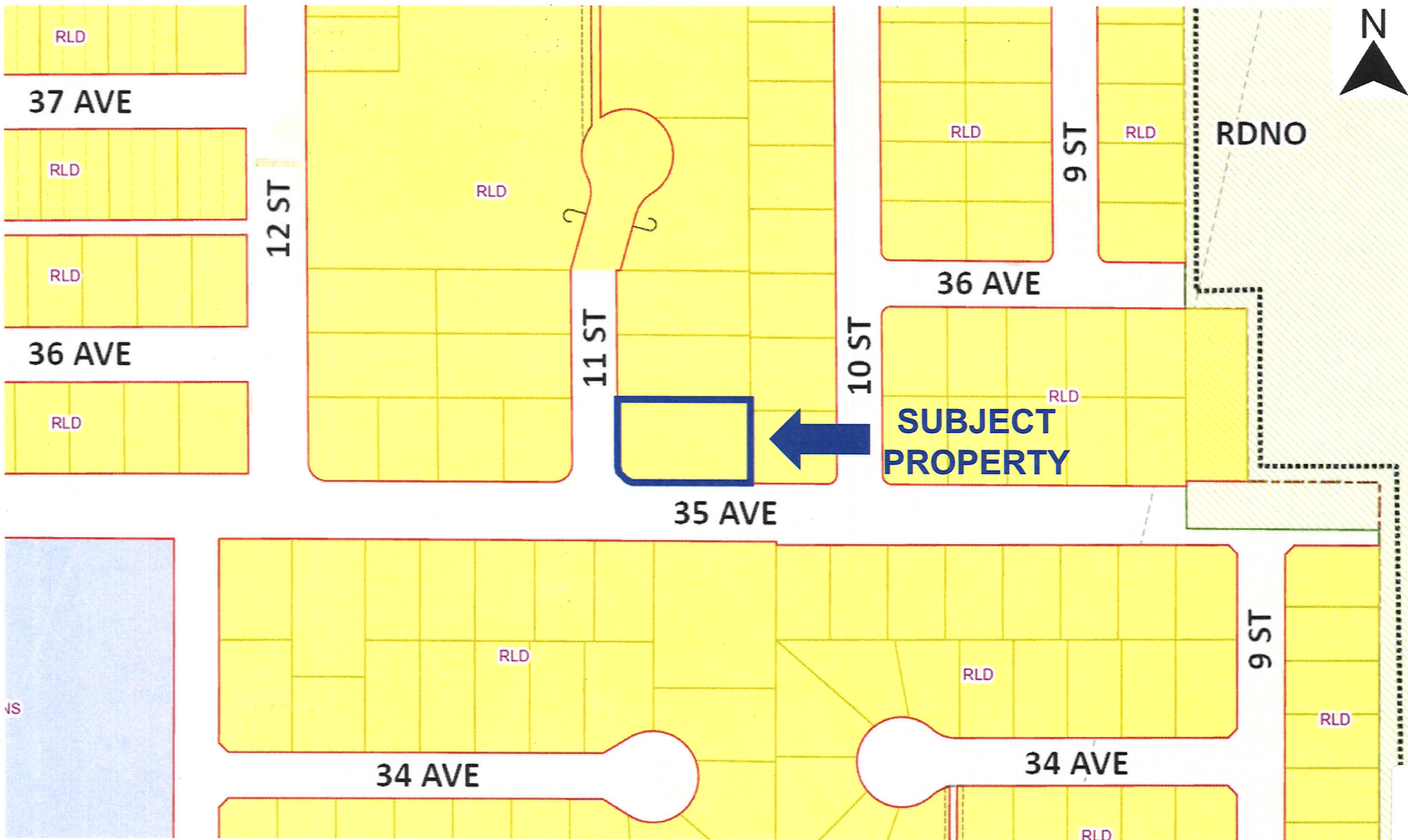
Photo 3: Rear yard - facing south east





Photo 4: Rear yard - facing north east





Attachment 2

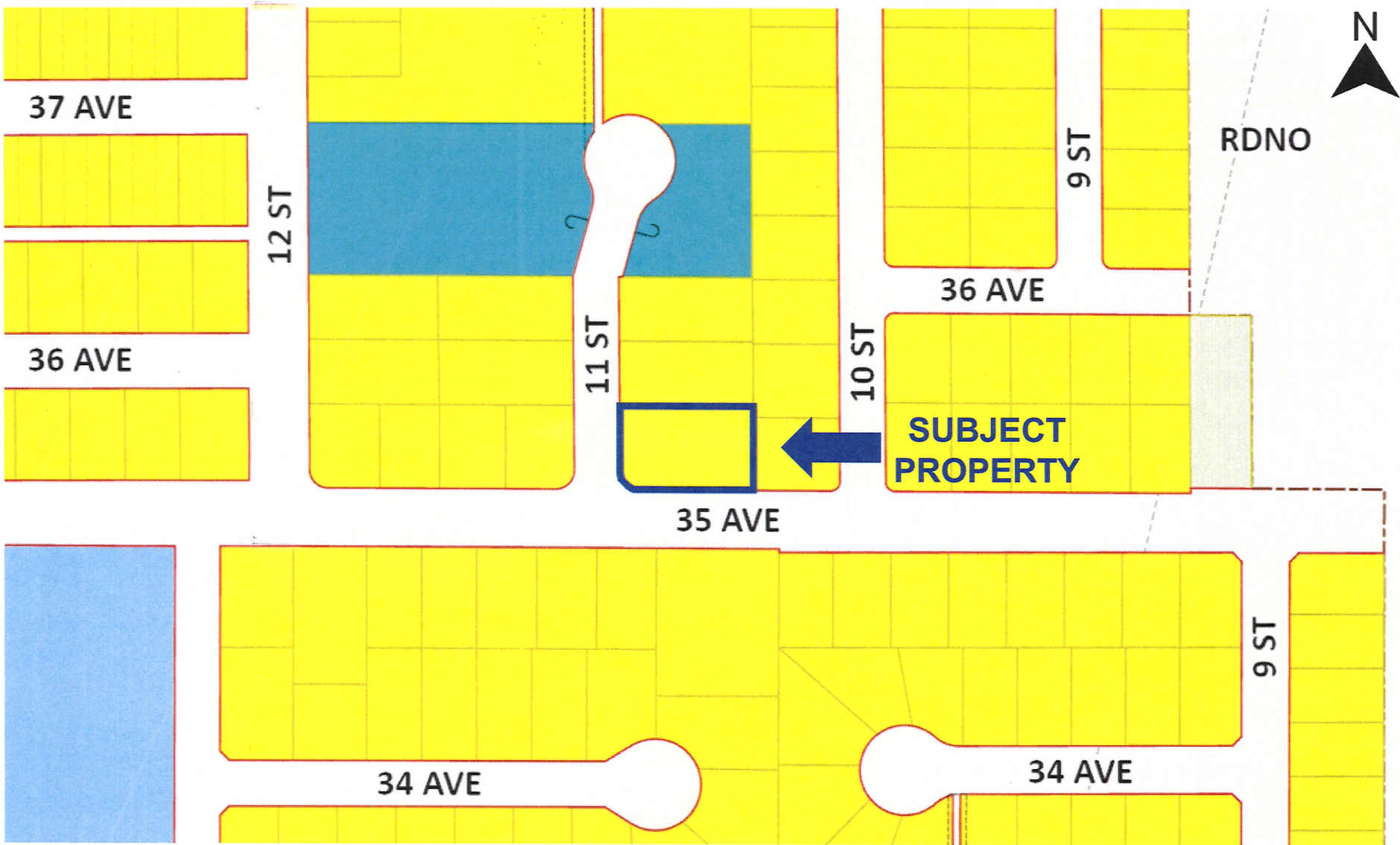


- RLD – Residential – Low Density
- PUBINS – Public & Institutional

# OCP Designation

ZON00390/DVP00587





-  R2 - Large Lot Residential
-  A1 - Agriculture within the ALR
-  P2 - Public Institutional
-  P3 - Private Institutional

# Zoning

ZON00390/DVP00587





## 9.3 R2 : Large Lot Residential

### 9.3.1 Purpose

The purpose is to provide a **zone** for **single detached housing**, and compatible **secondary uses**, on large sized urban serviced **lots**. The R2c sub-zoning district allows for **care centre, major** as an additional use. The R2h sub-zoning district allows for **home based business, major** as an additional use. *(Bylaw 5467)*

### 9.3.2 Primary Uses

- **care centre, major** *(use is only permitted with the R2c sub-zoning district)*
- **single detached housing**

### 9.3.3 Secondary Use

- **boarding rooms**
- **bed and breakfast homes** *(in single detached housing only) (Bylaw 5498)*
- **care centres, minor**
- **group home, minor**
- **home based businesses, minor**
- **home based businesses, major** *(use is only permitted with the R2h sub-zoning district)*
- **secondary suites**
- **seniors supportive housing**

### 9.3.4 Subdivision Regulations

- Minimum **lot width** is 18.0m.
- Minimum **lot area** is 557m<sup>2</sup>, or 10,000m<sup>2</sup> if not serviced by a **community sewer system**.

### 9.3.5 Development Regulations

- Maximum **site coverage** is 40% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 50%.
- Maximum **height** is 10.0m, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 5.0m.
- Minimum **side yard** is 1.5m, except it is 5.0m from a **flanking street**. Where there is no direct vehicular access to the **rear yard** or to an attached garage or **carport**, one **side yard** shall be at least 3.0m.
- Minimum **rear yard** is 7.5m, except it is 1.0m for **secondary buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5m provided that one **side yard** shall have a minimum width of 4.5m.
- The maximum **height** of any vertical wall element facing a **front, flanking** or **rear yard** (including **walkout basements**) is 6.5m, above which the **building** must be **set back** at least 1.2m.

### 9.3.6 Other Regulations

- There shall be no more than one **single detached house** per **lot**.
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- For **seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.

- **Seniors supportive housing** shall be for no more than four residents. *(Bylaw 5467)*
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development, yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- As per Section 4.10.2 - All **buildings** and **structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".  
*(Bylaw 5440)*



## 9.4 R3 : Medium Lot Residential

### 9.4.1 Purpose

The purpose is to provide a **zone** for **single detached housing**, and compatible **secondary uses**, on medium sized urban serviced **lots**. The R3c sub-zoning district allows for **care centre, major** as an additional use. The R3h sub-zoning district allows for **home based business, major** as an additional use. (*Bylaw 5467*)

### 9.4.2 Primary Uses

- **care centre, major** (*use is only permitted with the R3c sub-zoning district*)
- **single detached housing**

### 9.4.3 Secondary Uses

- **boarding rooms**
- **bed and breakfast homes** (in single detached housing only) (*Bylaw 5498*)
- **care centres, minor**
- **home based businesses, minor**
- **home based businesses, major** (*use is only permitted with the R3h sub-zoning district*)
- **secondary suites**
- **seniors supportive housing**

### 9.4.4 Subdivision Regulations

- Minimum **lot width** is 14.0m, except it is 16.0m for a **corner lot**.
- Minimum **lot area** is 450m<sup>2</sup>, or 10,000m<sup>2</sup> if not serviced by a **community sewer system**.

### 9.4.5 Development Regulations

- Maximum **site coverage** is 40% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 50%.
- Maximum **height** is 10.0m, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 4.5m, except it is 6.0m from a garage or **carport** having vehicular entry from the front.
- Minimum **side yard** is 1.5m for a 1 or 1.5 **storey** portion of a **building** and 1.8m for a 2 or 2.5 **storey** portion of a **building**, except it is 4.5m from a **flanking street**, and 6.0m from a garage or **carport** having vehicle entry from a **flanking street**.
- Minimum **rear yard** is 6.0m for a 1 or 1.5 **storey** portion of a **building** and 7.5m for a 2 or 2.5 **storey** portion of a **building**, except it is 1.0m for **secondary buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5m provided that one **side yard** shall have a minimum width of 4.5m.
- The maximum **height** of any vertical wall element facing a **front, flanking** or **rear yard** (including **walkout basements**) is 6.5m, above which the **building** must be **set back** at least 1.2m.

### 9.4.6 Other Regulations

- There shall be no more than one **single detached house** per **lot**.
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.

- For **seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development, yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- **Seniors supportive housing** shall be for no more than four residents. *(Bylaw 5467)*
- As per Section 4.10.2 - All **buildings** and **structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".  
*(Bylaw 5440)*

To Vernon City Council,

It is with great desire that we seek your support in the subdivision and rezoning of our family's lot on East Hill. It is our intention to create a single family home on the new lot so that our family may stay close to each other and continue to live in a neighborhood that we have loved for years.

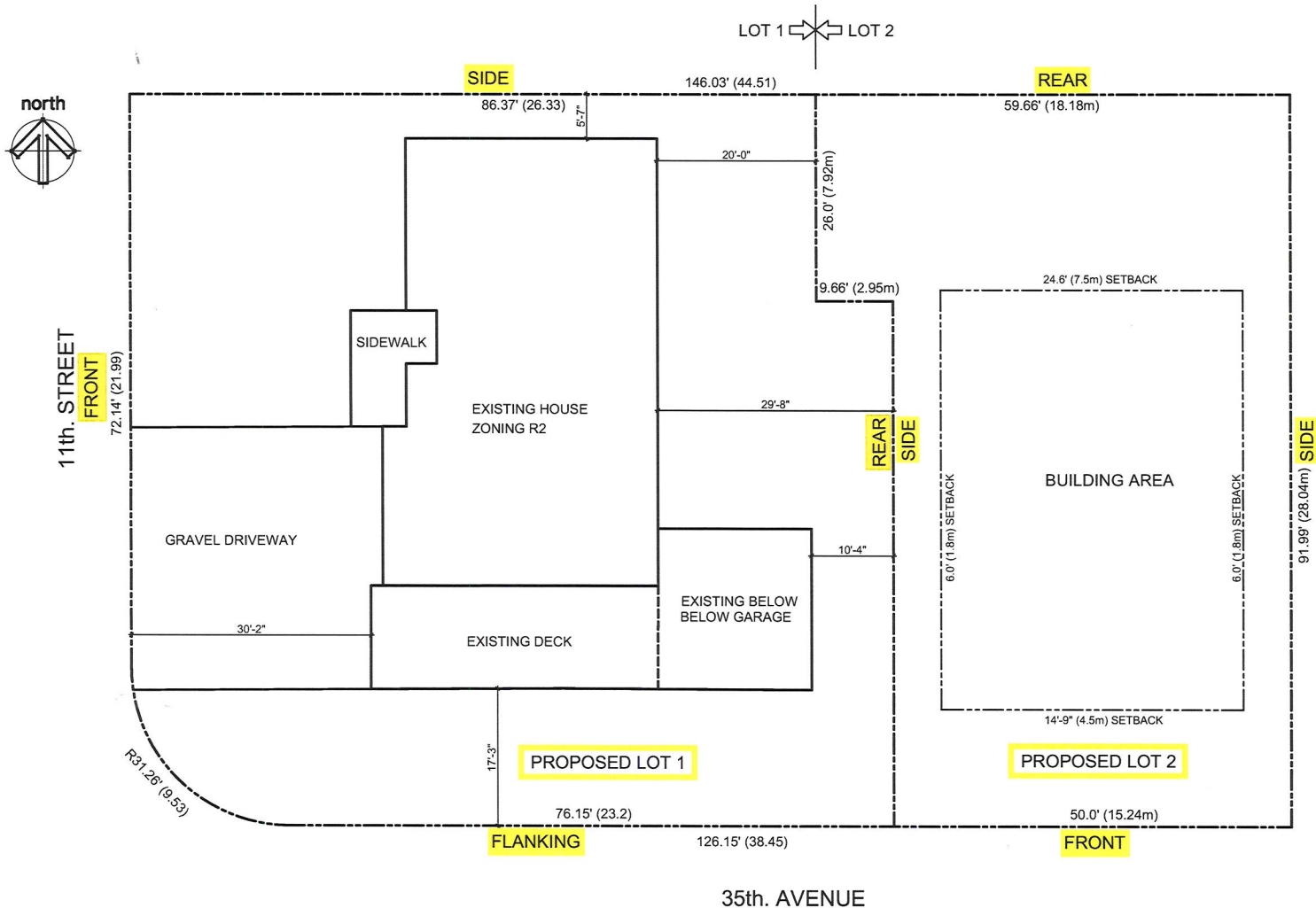
The proposed subdivision will require rezoning from R2 to R3 secondary to the back deck which is the roof to an extended garage. Please see the attached picture for clarity on the deck. Based on the R2 zoning requirements we are only about 7 feet short of being able to ask for a subdivision only, which has previously been done down the street from us on 35 avenue between 11th and 12th street.

We appreciate your time and consideration on this matter.

With gratitude,  
The Niemantsverdriets'

Current Subdivision





**PROPOSED SUBDIVISION PLAN - 3501 - 11th. STREET**

**LOT 1 - R2**  
 LOT AREA: 790.9sm  
 COVERAGE ALLOWED  
 40% PLUS 10% IMPERMEABLE = 50%  
 ACTUAL  
 HOUSE: 2,677.0sf = 31.4%  
 SIDE WALK: 130.0sf = 1.5%

**NOTE**  
 EXISTING LOT AREA 1,241.6sm 13,364.4sf  
 AREA REQUIRED 577.0sm 6,211.0sf  
 PROPOSED NEW LOT AREAS  
 LOT 1 AREA (R2) 790.9sm 8,513.3sf  
 COVERAGE 248.5sm (31.4%)  
 LOT 2 AREA (R3) 450.7sm 4,851.1sf