



CORPORATION OF THE CITY OF VERNON

ADVISORY PLANNING COMMITTEE

MAY 9, 2023, AT 4:00 P.M.

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) April 25, 2023 (Attached)

5) **NEW BUSINESS**

a) **ZON00377 – 7616 OKANAGAN LANDING ROAD**

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 24, 2023** at **4:00 p.m.**

8) **ADJOURNMENT**



THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF THE
ADVISORY PLANNING COMMITTEE MEETING
HELD APRIL 25, 2023 AT 4:00 PM
OKANAGAN LAKE ROOM (COUNCIL CHAMBER) CITY HALL**

PRESENT: Harpreet Nahal
Scott Chatterton
Jessica Kirkham
Craig Neville
Margo Jarman
Monique Hubbs-Michiel
Margo Lupien
Jordan Hart

ABSENT: Mayor Cumming
Claire Ishoy
Kyla Gaudreau

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

ORDER The meeting was called to order at 4:00 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 **S. Chatterton**, seconded by **M. Lupien**:

THAT the agenda of the April 25, 2023 meeting for
Advisory Planning Committee be adopted:

CARRIED

ADOPTION OF THE MINUTES

Moved by **M. Lupien**, seconded by **S. Chatterton**:

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

CARRIED

NEW BUSINESS:**DVP00468 (4701 PLEASANT VALLEY ROAD)**

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

- The report before the Committee is to vary four sections of Zoning Bylaw 5000 to permit construction of 12 mobile home sites within Pleasant Valley mobile Home Park, as follows:
 - Section 4.15.1 to allow the construction of buildings, structures and swimming pools on slopes greater than 30%;
 - Section 6.5.11 to increase the maximum height of a retaining wall from 1.2m to 4.5m;
 - Section 9.8.6 to reduce the minimum depth of a mobile home site from 25m to 18.2m; and
 - Section 9.8.6 to increase the maximum building height from 7.6m to 8.0m;

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

- Staff confirmed the Geotech report will be attached to the covenant registered to the property.
- In response to a question, Staff confirmed the emergency access is located on the north east corner of the property.
- The Committee commented on the steep grade of the entryway of the internal access road. Staff confirmed that will be addressed by the Geotech engineer.

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

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.

CARRIED

DVP00600 (3201 45TH AVENUE)

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

- The report before the Committee is to vary Section 11.1.5 of Zoning Bylaw 5000 to reduce the rear yard setback from a flanking street from 6.0m to 0.0m.
- The subject property requesting the proposed variance is located in the southwest corner of the proposed development site.
- The subject property is zoned I1: Light Industrial and is designated as Light Industrial / Service Commercial (LINDSC) in the Official Community Plan.

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

- The Committee commented they agree it would work with the boundary adjustment in the siting of the structure, and they are glad the property is being developed and agree with the variance.

Moved by **M. Jarman**, seconded by **H. Nahal**:

THAT Council support Development Variance Permit application 00600 (DVP00600) to vary Zoning Bylaw 5000 on LT 26, DL 38, ODYD, PL 2630 (3201 45th Avenue) as outlined in the report titled “Development Variance Permit Application for 3201 45th 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).

CARRIED

ZON00396 (RESORT VILLAGES AT PREDATOR RIDGE)

R. Nuriel, Acting General Manager, Planning, provided an overview of the application as follows:

- The application is to rezone portions of several properties from RTCA to C10A 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.

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

- In response to a question, Staff stated that an application that complies with the Official Community Plan and the applicable Neighborhood Plan does not require a public hearing. However, City Council can request that one be held.
- Staff confirmed this application reflects Predator Ridge increasing their density, and thus expanding the Vernon tax base.
- Staff further confirmed the public hearing process does not alter the application timeline.

Moved by **H. Nahal**, seconded by **J. Kirkham**:

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.

CARRIED

**ZON00390/DVP00587
(3501 11TH STREET)**

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

- The report before the Committee is to rezone the subject property from R2 to R3 – Medium Lot Residential, and vary Zoning Bylaw 5000 Section 9.4.5, minimum rear yard, from 6m to 3.15m for the existing house on proposed Lot 1.
- 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 and a single detached house to be built on the east lot.

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

- In response to a question, proposed lot 2 access would be along the front of the property on 35th avenue.

Moved by **C. Neville**, seconded by **J. Hart**:

THAT Council support Zoning Application 00390 (ZON00390) to rezone Lot 1, Sec 2, TWP 8, ODYD, Plan 21198 (3501 11th 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 11th 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 11th 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 11th 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 11th Street) by:

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

CARRIED

INFORMATION ITEMS:

There were no information items.

NEXT MEETING

The next meeting for the Advisory Planning Committee is set for **May 9, 2023 at 4:00 p.m.**

ADJOURNMENT

The meeting of the Advisory Planning Committee adjourned at 5:02 p.m. by call of the Chair.

CERTIFIED CORRECT:

_____ Chair



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Michael Olubiyi,
Current Planner

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: May 23, 2023
REPORT DATE: May 4, 2023
FILE: 3360-20 (ZON00377)

SUBJECT: REZONING APPLICATION FOR 7616 OKANAGAN LANDING ROAD

PURPOSE:

To review the application to rezone the subject property from R5: Four-plex Housing Residential to RH1: Low-Rise Apartment Residential in preparation for a 56 unit multi-family building.

RECOMMENDATION:

THAT Council support rezoning application 00377 (ZON00377) to rezone Lot 1, Block Plan EPP123530, Sec 19, Twp 9, ODYD from R5: Four-plex Housing Residential to RH1: Low-Rise Apartment Residential as outlined in the report titled "Rezoning Application for 7616 Okanagan Landing Road" dated May 4, 2023 and respectfully submitted by the Current Planner;

AND FURTHER, that Council's support of ZON00377 be subject to the following:

That prior to final adoption of the zoning amendment bylaw, the Development Permit be ready for issuance and that any required variance for the proposed development be evaluated by Council and approved if appropriate;

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, Block Plan EPP123530, Sec 19, Twp 9, ODYD (7616 Okanagan Landing Road) from R5: Four-plex Housing Residential to RH1: Low-Rise Apartment 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 at the Regular Meeting of June 26, 2023 to rezone Lot 1, Block Plan EPP123530, Sec 19, Twp 9, ODYD (7616 Okanagan Landing Road) from R5: Four-plex Housing Residential to RH1: Low-Rise Apartment Residential.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council support rezoning application 00377 (ZON00377) to rezone Lot 1, Block Plan EPP123530, Sec 19, Twp 9, ODYD from R5: Four-plex Housing Residential to RH1: Low-Rise Apartment Residential as outlined in the report titled "Rezoning Application for 7616 Okanagan Landing Road" dated May 4, 2023 and respectfully submitted by the Current Planner;

AND FURTHER, that Council's support of ZON00377 be subject to the following:

That prior to final adoption of the zoning amendment bylaw, the Development Permit be ready for issuance and that any required variance for the proposed development be evaluated by Council and approved if appropriate;

AND FURTHER, that Council hold a public hearing, pursuant to 464(2) of *the Local Government Act*, on a proposed bylaw to rezone Lot 1, Block Plan EPP123530, Sec 19, Twp 9, ODYD (7616 Okanagan Landing Road) from R5: Four-plex Housing Residential to RH1: Low-Rise Apartment Residential.

Note: This alternative would entail holding a statutory Public Hearing as per the provision of the Local Government Act and City of Vernon Development Application Procedure Bylaw 4103.

2. THAT Council not support rezoning application 00377 (ZON00377) to rezone Lot 1, Block Plan EPP123530, Sec 19, Twp 9, ODYD from R5: Four-plex Housing Residential to RH1: Low-Rise Apartment Residential as outlined in the report titled "Rezoning Application for 7616 Okanagan Landing Road" dated May 4, 2023 and respectfully submitted by the Current Planner.

Note: Denial of the rezoning application would have the property retain the R5: Four-plex Housing Residential zone. The lot would have to be developed to a significantly lower density than intended for the property in the OCP.

ANALYSIS:

A. Committee Recommendations:

At its meeting of May 9, 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 7616 Okanagan Landing Road (Figures 1 and 2) and is approximately 0.4ha (0.9ac) in area.
2. The application proposes to rezone the property from R5: Four-plex Housing Residential (Attachment 1) to RH1: Low-Rise Apartment Residential (Attachment 2) in order to construct a 56 unit building (Attachment 3).
3. The subject site is part of a broader four lot, 1.56ha (3.8ac) land assembly. The lots have been consolidated and subsequently subdivided into two separate lots. Lot 1 is the subject property being proposed to be rezoned from R5: Four-plex Housing Residential to RH1: Low Rise Apartment Residential in order to construct a 56 unit multi-family condominium (Attachment 3). Construction of 29-unit townhome development is underway for Lot 2 towards the south property boundary.



Figure 1: Property Location Map

4. The land is designated as Medium Density Residential within the Official Community Plan (Attachment 4). The existing zoning is R5: Four-plex Housing Residential (Attachment 5). The proposed rezoning to RH1 complies with the Medium Density Residential designation.

5. In support of the rezoning application, the applicant has provided a letter of rationale (Attachment 6).
6. The RH1 zoning district would permit a range of development options including an apartment development of up to 4.5 storeys building.
7. The R5 zoning district has a maximum base density of 30 units per hectare (12 units/acre). The maximum density under the existing zoning would be 12 units. The RH1 zone does not have a units per acre regulation. The Floor Space Ratio (FSR) in that zone is the density regulation. The OCP establishes a guide of up to 110 units per hectare (44.5 units per acre) as the maximum for medium density. However, this does not apply to a zoning district where FSR is used to calculate density. With a lot area of 4,037m² (0.9ac) and allowable density of 1.25 FSR without a housing agreement, the property can support up to 5,046.41m² floor area if rezoned to RH1 under the existing Residential Medium Density designation. The applicant is proposing 4,200.17m² (1.04 FSR) to construct a 56 unit multi-family apartment (Attachment 3).



Figure 2: Aerial View of Property

Table 1: Zoning Comparison – Residential Uses

	Proposed Site Area	Existing R5	Proposed RH1
Max. Density	4,037.13 sq.m	30 units/ha (12 units/ acre) = 12 units	Floor Space Ratio (FSR) 1.25 without housing agreement. = 5,046.41 sq.m Floor Area
Proposed Density			4,200.17 sq.m (1.04 FSR)

8. The proposed multi-family development is similar and compatible with the adjacent land use toward the south boundary as shown in Table 2.

Table 2: Surrounding Land Uses – Zoning & Actual Use

	Zoning	Actual Use
North	R1 (Estate Lot Residential)	Single Detached Housing, Lakefront
East	R2 (Large Lot Residential)	Single Detached Housing
South	R5 (Fourplex Residential)	29 units Townhouse underway
West	R5 (Fourplex Residential)	Single Detached Housing

9. Administration supports rezoning of the subject property to RH1 because the proposed rezoning and housing forms comply with the OCP land use of medium density and would allow development potential to a level that is envisioned for the area in the OCP. Without rezoning the property, the lot would have to be developed to a significantly lower density than intended for the property.
10. Administration supports the rezoning of the subject property because it would contribute to the city's supply of dwelling units. The proposed multi-family development would comprise 56 units, consisting of 27 one-bedroom units and 29 two-bedroom units, which would add to the existing residential housing stock, maximize the use of existing infrastructure within neighbourhood districts and promote infill development as a sustainable land use strategy.
11. Administration recommends that Final Reading of a rezoning not be considered until a Development Permit is ready for issuance.

C. Attachments:

- Attachment 1 – R5: Four-plex Housing Residential Zone
- Attachment 2 – RH1: Low-Rise Apartment Residential
- Attachment 3 – Residential Development Package
- Attachment 4 – Official Community Plan Designation
- Attachment 5 – Existing Zoning
- Attachment 6 – Letter of Rationale

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

E. Relevant Policy/Bylaws/Resolutions:

1. The Official Community Plan (OCP) Bylaw 5470 designates the property as Residential Medium Density and the requested RH1: Low-Rise Apartment Residential zoning district conforms to this OCP designation.
 - Supporting OCP policies include:
 - Policy 7.3 Support the development of designated multiple family areas to the densities outlined in the OCP to build compact, complete neighbourhood areas within the community and to achieve the maximum use of municipal infrastructure.
 - Development District – 2 Neighbourhood
2. Zoning Bylaw 5000:
 - Sec. 9.12 RH1: Low-Rise Residential
3. *Local Government Act:*
 - Division 3 – Public Hearings on Planning and Land Use Bylaws
 - Sec. 464 – Requirement for public hearing before adopting 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 _____
Michael Olubiyi
Current Planner

Patti Bridal, CAO

Date: _____

X _____
Kevin Poole, Acting Director
Community Infrastructure and Development

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 checked="" type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (May 9/23) | | |
| <input type="checkbox"/> OTHER: | | |

9.6 R5: Four-plex Housing Residential

9.6.1 Purpose

The purpose is to provide a **zone** for the **development** of a maximum of four ground oriented **dwelling** units in the form of **single detached, semi-detached, duplex, three-plex** or **four-plex housing** on urban services. The R5c sub-zoning district allows for **care centre, major** as an additional use. The R5h sub-zoning district allows for **home based business, major** as an additional use. (*Bylaw 5467*)

9.6.2 Primary Uses⁴

- **care centre, major** (*use is only permitted with the R5c sub-zoning district*)
- **duplex housing**
- **four-plex housing**
- **group home, major**
- **semi-detached housing**
- **single detached housing**
- **three-plex housing**
- **seniors housing**

9.6.3 Secondary Uses

- **boarding rooms**
- **care centres, minor**
- **home based businesses, minor**
- **home based businesses, major** (*in single detached housing only*) (*use is only permitted with the R5h sub-zoning district*)
- **secondary suites (in single detached housing only)**
- **seniors assisted housing**
- **seniors supportive housing**

9.6.4 Subdivision Regulations

- Minimum **lot width** is 20.0m, except it is 22.0m for a **corner lot**.
- Minimum **lot depth** is 30.0m.
- Minimum **lot width** for single detached housing is 14.0m, except it is 16.0m for a **corner lot**.
- Minimum **lot area** for single detached housing is 450m².
- Minimum **lot area** is 700m², except it is 800m² for a **corner lot**, or 10,000m² if not serviced by a **community sewer system**. (*Bylaw 5339*)

9.6.5 Party Wall Subdivision Regulations

Lot Type	Minimum Lot area		Minimum Lot Width	
	interior	corner	interior	corner
Semi-Detached Housing	350m ²	400m ²	10.0m	12.0m
Three-Plex Housing	235m ²	285m ²	7.0m	9.0m
Four-Plex Housing	175m ²	225m ²	7.0m	9.0m

9.6.6 Development Regulations

- Maximum **site coverage** is 40% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 50%.

- Maximum **floor space ratio** is 0.6.
- Maximum **height** is 10.0m, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 4.0m, except it is 6.0m for a garage or **carport** to the back of curb or sidewalk for a front entry garage, or it is 0.6m to the side of the garage and 2.6m to the front building façade for side-entry garage and driveway layouts.
- Minimum **side yard** is 2.0m for a 1 or 1.5 **storey** portion of a **building** or a **secondary building or structure** and 2.5m for a 2 or 2.5 **storey** portion of a **building**, except it is 4.0m from a **flanking street** unless there is a garage accessed from the **flanking street**, it is 4.0m or it is 2.6m to the building for a side-entry garage and driveway from a flanking street and at least 6.0m from the back of curb or sidewalk. 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. The minimum **side yard** setback for shared interior **party walls** shall be 0.0m. The minimum **side yard** setback for **single detached housing** is 1.5m, except it is 4.0m from a **flanking street** unless there is a garage accessed from the **flanking street**, it is 4.0m or it is 2.6m to the building for a side-entry garage and driveway from a **flanking street** and at least 6.0m from the back of curb or sidewalk.
- 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**.
- 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.
- Maximum **density** is 30 units per gross hectare (12 units/gross acre).
- Maximum four **dwelling** units located in a **building**.

9.6.7 Other Regulations

- In order for bareland strata **developments** to be consistent with the character of the surrounding neighborhood, the strata plan shall be considered as one **site** for defining the overall use, **density** and **site coverage**.
- A minimum area of 25m² of **private open space** shall be provided per **dwelling**.
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- For **seniors assisted housing, seniors housing and seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- For strata developments, common recreation buildings, facilities and amenities may be included in the strata plan. Recreational buildings shall be treated as **secondary buildings** for the purpose of determining the **height** and **setbacks** of the **building** as specified in each **zone**.
- For multi-unit residential housing, one **office** may be operated for the sole purpose of the management and operation of the multi-unit residential **development**.
- 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)

RH1

9.12 RH1 : Low-Rise Apartment Residential

9.12.1 Purpose

The purpose is to provide a **zone** primarily for medium **density** apartments on urban services.

9.12.2 Primary Uses

- **apartment housing**
- **care centres, major**
- **group home, major**
- **seniors assisted housing**
- **seniors housing**
- **seniors supportive housing**
- **stacked row housing**

9.12.3 Secondary Uses

- **home based businesses, minor**
- **real estate sales centres** (in apartment housing only)

9.12.4 Subdivision Regulations

- Minimum **lot width** is 30.0m.
- Minimum **lot area** is 1400m², or 10,000m² if not serviced by a **community sewer system**.

9.12.5 Development Regulations

(a) Density:

The maximum Floor Space Ratio (FSR) is 1.25, except that:

- With a housing agreement pursuant to Section 4.9, the maximum **density** shall be increased by FSR 0.10; and
- Where **parking spaces** are provided completely beneath habitable space of a primary **building** or beneath useable common amenity areas, providing that in all cases the **parking spaces** are screened from view, the maximum **density** shall be increased by FSR 1.25; or
- Where all the required parking is not accommodated completely beneath the habitable space of a primary **building** or useable common amenity areas, the additional density permitted shall be determined through multiplying the FSR 1.25 by the percentage of parking proposed to be provided beneath habitable space of a primary **building** or useable common amenity areas;
Provided that the maximum Floor Area Ratio with all bonuses shall not exceed FSR 2.00.

(b) Building Regulations:

- Maximum **site coverage** is 65% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 85%.
- Maximum **height** is 16.5m, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 4.5m.

- Minimum **side yard** is 4.5m, except it is 4.5m from a **flanking street**.
- Minimum **rear yard** is 9.0m, except it is 1.0m for **secondary buildings**.

9.12.6 Other Regulations

- A minimum area of 5.0m² of private open space shall be provided per **bachelor dwelling, congregate housing bedroom** or group home **bedroom**, 10.0m² of private open space shall be provided per 1 **bedroom dwelling**, and 15.0m² of private open space shall be provided per **dwelling** with more than 1 **bedroom**.
- No continuous **building frontage** shall exceed 40.0m for a 3 to 4.5 **storey building**, or 65.0m for a 2 **storey building**. If the frontage is interrupted by an open courtyard equivalent in depth and width to the **building height**, the maximum continuous 4.5 **storey building frontage** may be 80.0m provided that no **building** section exceeds 40.0m.
- For multi-unit residential housing, one **office** may be operated for the sole purpose of the management and operation of the multi-unit residential **development**.
(Bylaw 5440)
- For **seniors assisted housing, seniors housing and 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. (Bylaw 5339)
- 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)

KLINGER TOWNHOUSE DEVELOPMENT

ADDRESS:
7599 KLINGER ROAD & 7616, 7620, 7624 OKANAGAN LANDING, VERNON, V1H 1H4, BRITISH COLUMBIA, CANADA

LEGAL ADDRESS:
LOT 1 SECTION 19 TOWNSHIP 9 OSOYOOS DIVISION YALE DISTRICT PLAN KAP819A7
LOT 2 SECTION 19 TOWNSHIP 9 OSOYOOS DIVISION YALE DISTRICT PLAN KAP819A7
LOT 3 SECTION 19 TOWNSHIP 9 OSOYOOS DIVISION YALE DISTRICT PLAN KAP819A7
THAT PART OF LOT 13 BLOCK 1 (SHOWN ON PLAN B5667) SECTION 19 TOWNSHIP 9 OSOYOOS DIVISION YALE DISTRICT PLAN 209

GRADES:
EXISTING SLOPED PROPOSED SLOPED

NUMBER OF BUILDINGS:
1 BUILDING (36 UNITS)

ZONING ANALYSIS

EXISTING	PROPOSED
RS - FOUR PLEX HOUSING RESIDENTIAL	RH1 - LOW RISE APARTMENT RESIDENTIAL
ADJACENT LAND USES:	ZONE
NORTH	R1 - ESTATE LOT RESIDENTIAL
SOUTH	R4 - SMALL LOT RESIDENTIAL
EAST	R2 - LARGE LOT RESIDENTIAL
WEST	RS - FOUR PLEX RESIDENTIAL

RH1 ZONING REQUIREMENTS

	REQUIRED	PROPOSED
SITE AREA (m ²)	1,400 (21m x 65m)	4,037 (53m x 76m) (43,456 288F)
SITE WIDTH (m)	30.0m	75.53m
SITE DEPTH (m)	N/A	53.55m
MAXIMUM SITE COVERAGE OF BUILDINGS (%)	65%	46.10% (1,861 15m ²)
MAXIMUM SITE COVERAGE OF IMPERMEABLE SURFACES (%)	85%	67.44% (2,722 84m ²)
VEHICULAR ACCESS FROM LANE OR LOWER CLASSED ROAD	N	N

DEVELOPMENT REQUIREMENTS

	REQUIRED	PROPOSED
TOTAL NUMBER & TYPES OF UNITS:		
		36 UNITS
		27x 1-BED
		29x 2-BED
FLOOR AREA (GFAN/FAIM):	8,055 69m ² MAXIMUM (BASED ON 1.5 FAR)	4,200 17m ²
FLOOR AREA RATIO	1.50	1.04
BUILDING HEIGHT (m):	18.5m (4.5 STOREYS)	13.5m (4 STOREYS)
MAX. CONTINUOUS FRONTAGE:	60.0m (3.4.5 STOREY BUILDING)	29.3m
SETBACKS (m):		
FRONT (NORTH - ROAD)	4.5m	4.6m
SIDE A (EAST)	6.5m	18.5m
SIDE B (WEST)	4.5m	3.5m
BACK (SOUTH)	9.0m	3.2m
AMENITY SPACE (m²):		
COMMON AREA		
PRIVATE AREA		
PER UNIT BREAKDOWN		
1-BED (27)	270 (10.5m ² EACH)	
2-BED (9)	477 (53.0m ² EACH)	
TOTAL	747 (106.7m²)	
PARKING STALLS:		
1-BED (1:25 x 22)	33 (75)	
2-BED (1:50 x 28)	43 (5)	
VISITOR (1:PER 7 UNITS)	6	
REQUIRED (8% OF TOTAL)	65	
TOTAL	85 (33)	
DRIVE AISLE (WIDTH)	7.0m	7.0m
DRIVE AISLE GRADE:	N/A	0%
REGULAR STALL RATIO	60%	67% (63)
SMALL STALL RATIO	40%	33% (22)
BIKE STALLS (PER DWELLING UNIT):		
CLASS 1 - 0.5	28	37
CLASS 2 - 0.25	14	14
END OF TRIP FACILITY	N	N
WASH & REPAIR STATION	N	N



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NO.	DATE	DESCRIPTION
1	2023-05-09	ISSUED FOR PERMIT

Project title: **KLINGER CO**

Project address: **7599 KLINGER ROAD, VERNON, BC V1H 1H4**

Project no: **4197**

Drawing title: **ZONING & BYLAW**

A1.01D



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Revision

NO.	DATE	DESCRIPTION
1	2023-05-08	ISSUED FOR PERMIT

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Project File: KLINGER CO
 Project Address: 7596 KLINGER ROAD, VERNON, BC V1H 1H4
 Project No: 4187
 Drawing Title: LEVEL 1 FLOOR PLAN
 Scale: 1/8" = 1'-0"
A3.02D
 5/22/23 10:00 AM



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NO.	DATE	DESCRIPTION
1	2022-04-04	ISSUED FOR PERMIT

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Project No: KLINGER CO

Project Address: 7599 KLINGER ROAD, VERNON, BC V1M 1M4

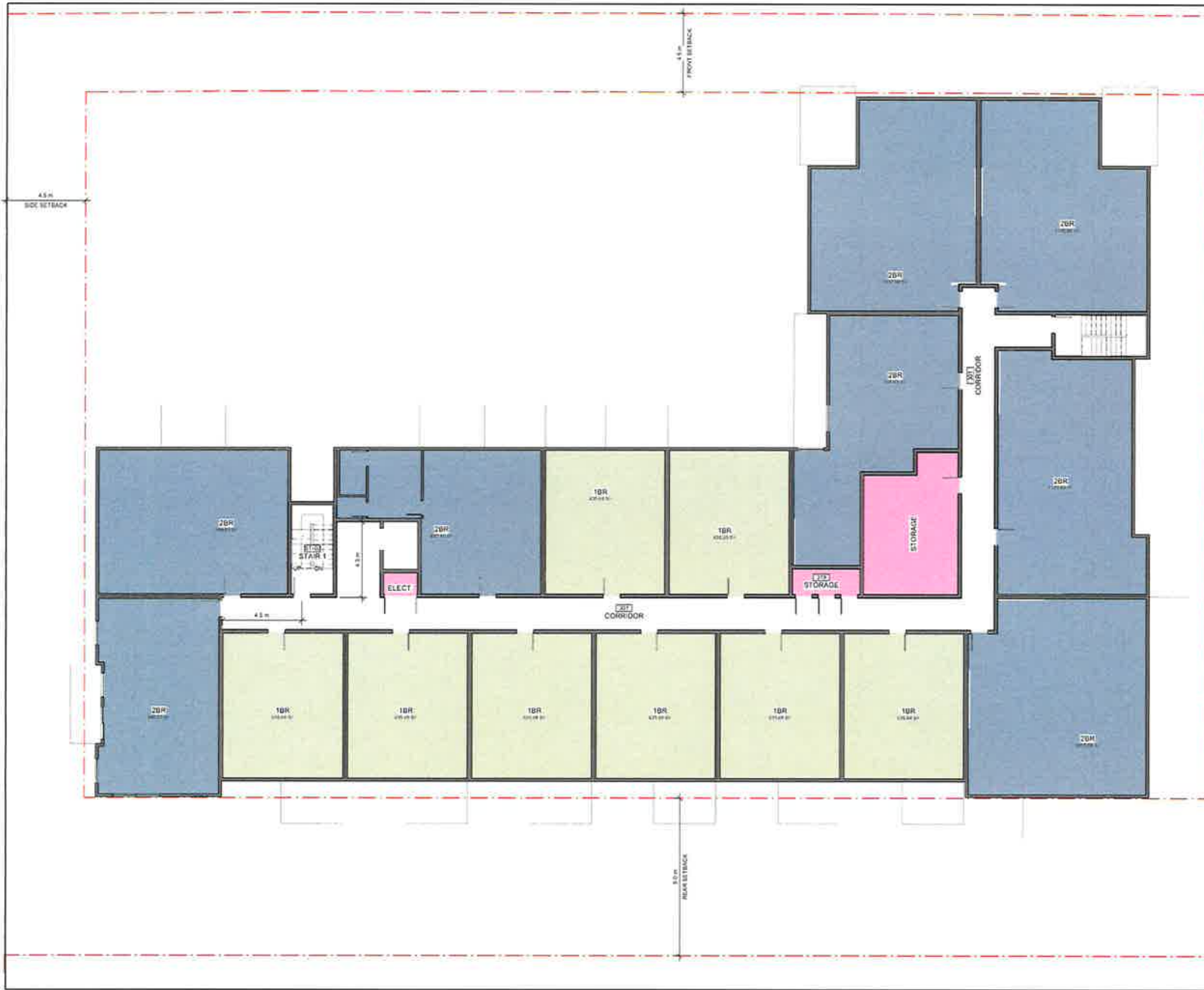
Project No: 4187

Drawing No: LEVEL 2 FLOOR PLAN

Scale: 1/8" = 1'-0"

A3.03D

DATE: 2022-04-04



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Revisions

NO.	DATE	DESCRIPTION

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Project Site
KLINGER CD

Project Address
**7599 KLINGER ROAD
VERNON, BC V1H 1H4**

Project No. **4187**

Drawing No.
LEVEL 3 FLOOR PLAN

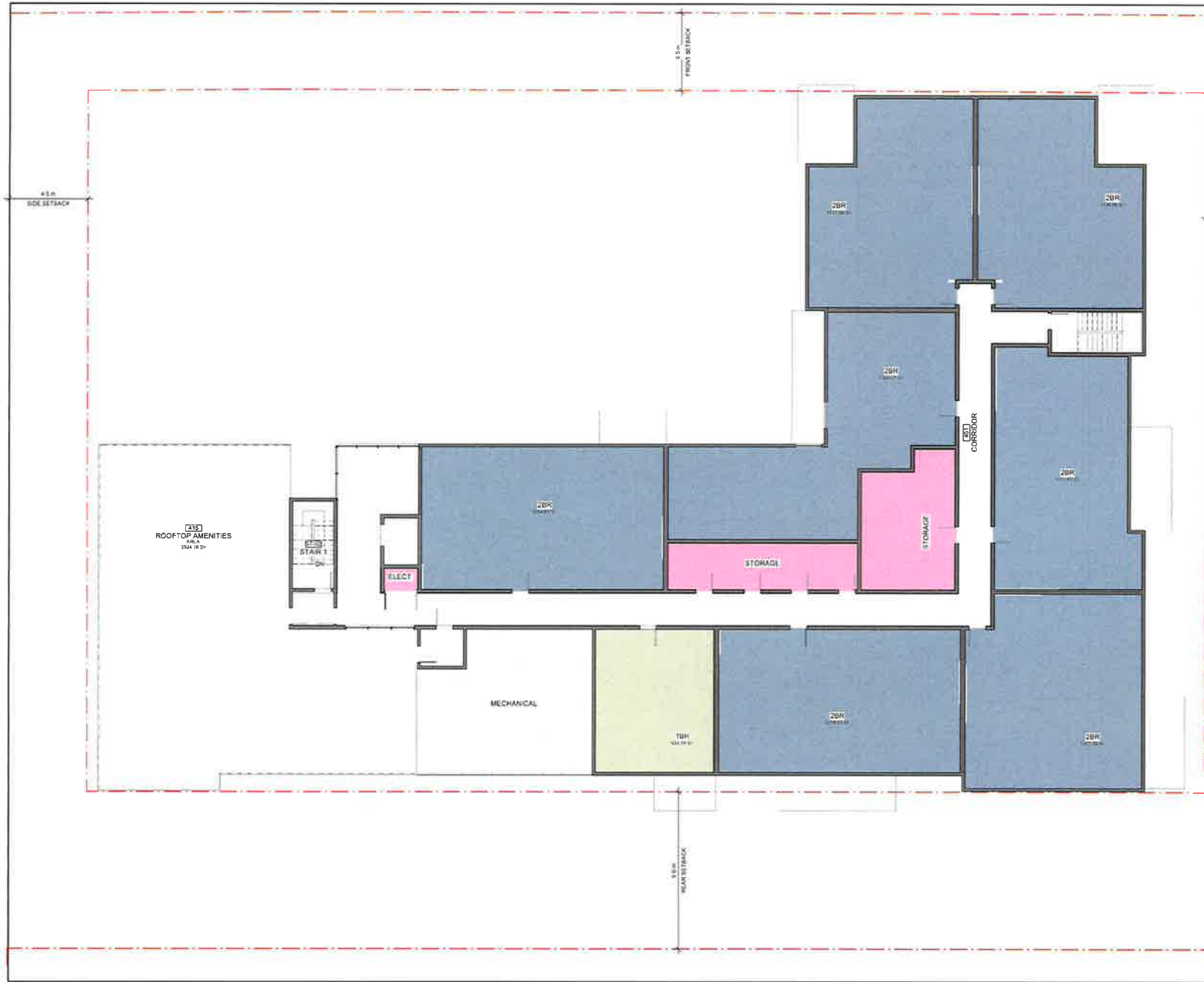
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Date: 2022.04.28

Author: [Signature]

Checker: [Signature]

A3.04D



All dimensions shown are in meters and are subject to change. The architect and engineer are not responsible for the accuracy of the information shown on this drawing. The engineer is not responsible for the accuracy of the information shown on this drawing. The architect and engineer are not responsible for the accuracy of the information shown on this drawing. The architect and engineer are not responsible for the accuracy of the information shown on this drawing.



NO.	DATE	DESCRIPTION
1	2022.08.04	ISSUED FOR PERMIT

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PROJECT NAME
KLINGER CO.

PROJECT ADDRESS
**7596 KLINGER ROAD
VERNON, BC V1H 1H4**

PROJECT NO.
4187

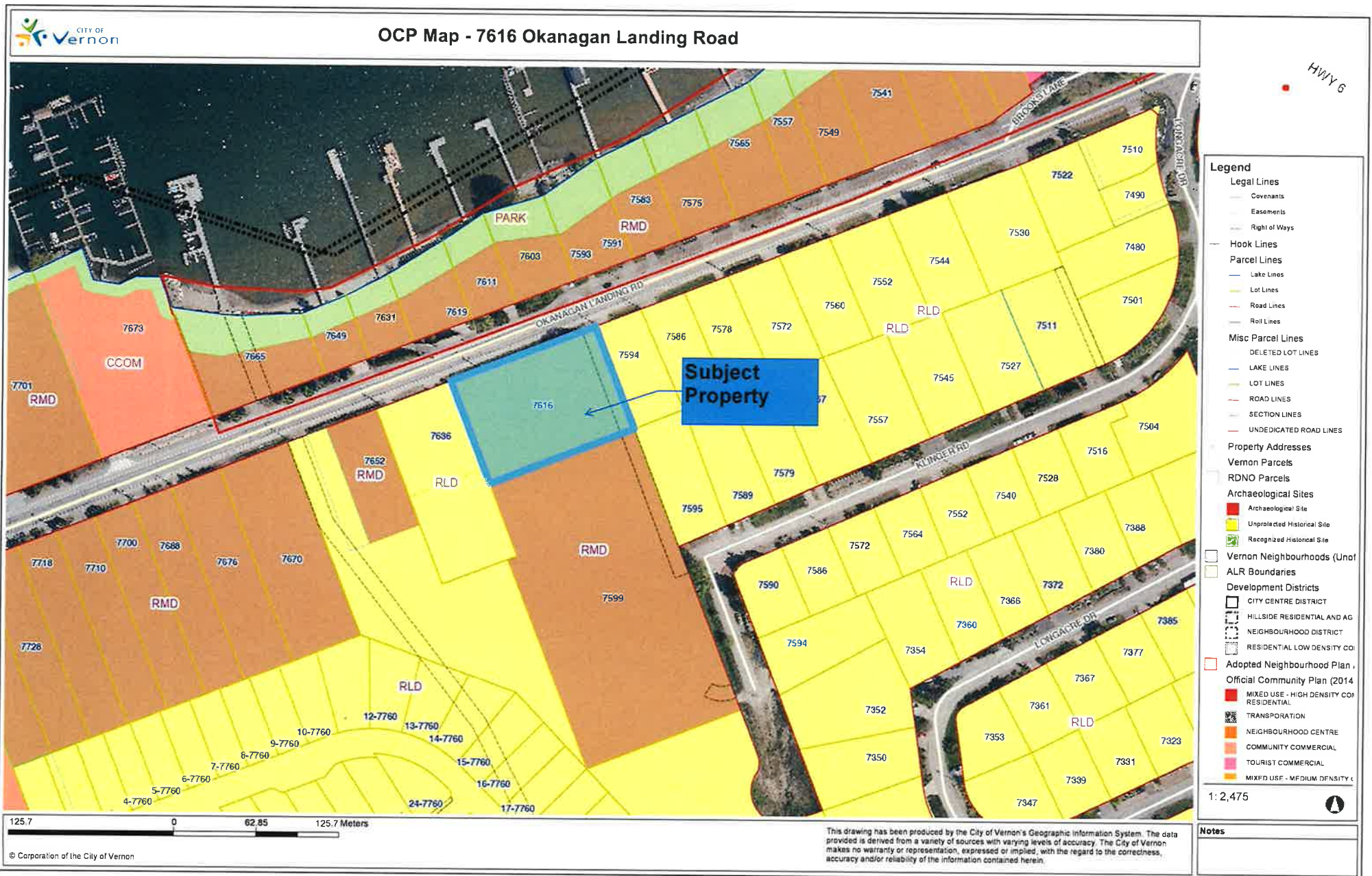
DRAWING TITLE
LEVEL 4 FLOOR PLAN

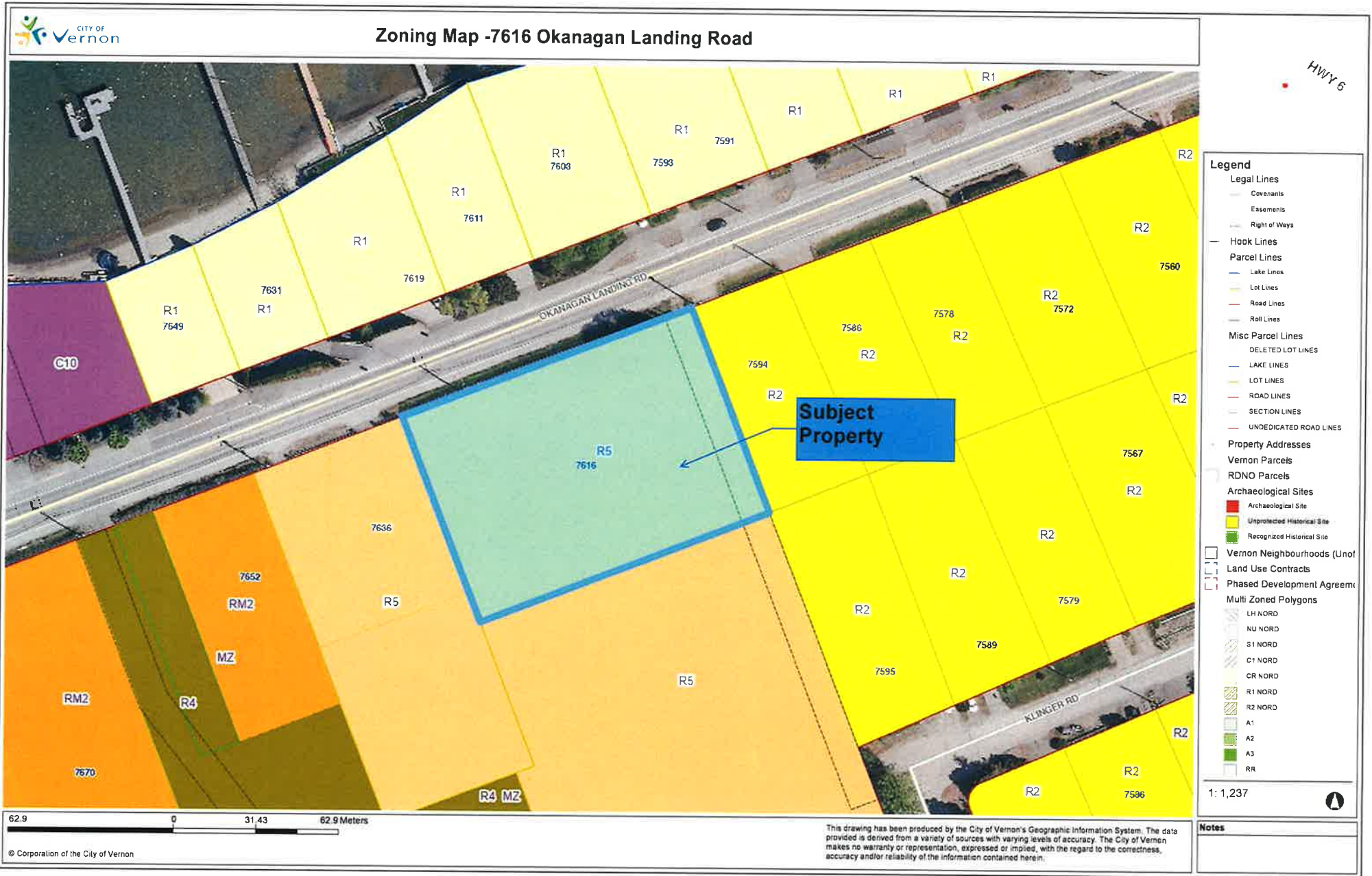
DATE
2022.08.04

SCALE
1/8" = 1'-0"

A3.05D

2022.08.04







NEW TOWN

RE: Proposal for Rezoning Lot 1 – 7616 Okanagan Landing Road Vernon, BC

Introduction

This application is for re-zoning to accommodate an approximately 50-60 home lakeview condo building on Okanagan Landing Rd. The subject site is approximately 1 acre in size and currently sits as a vacant field.



Figure 1: View of proposed RH1 area from Okanagan Landing Rd.



Figure 2: View of existing R5 site from Klinger Rd.

Site Context & Proposed Zone

The subject site is part of a broader 4 lot, 1.56ha land assembly. The lots have been consolidated and subsequently subdivided into separate townhome and condo sites. Construction is underway on the 29-townhome enclave on the R5 zoned site on the uplands portion, while the condo area itself is proposed to be rezoned from R5 Fourplex Housing Residential to RH1 Low Rise Apartment Residential. This change in zoning is supported by the City of Vernon Official Community Plan, which forecasts this land as Residential - Medium Density. The eventual density of the overall assembly is anticipated to be roughly 85 homes, equivalent to roughly 55 units/ha, well within the 110 units/ha maximum in the OCP.

This proposed infill development on underutilized land aligns with the City's planning goals by providing much needed residential accommodation within existing City Neighbourhoods. The addition of this development will help ease the extremely low vacancy rate being experienced within the City of Vernon and will add significant tax base without the need for major infrastructure investment.



Figure 3: Preliminary site plan, with area to be rezoned to RH1 outlined in red. Approved townhomes above shown for context.

Pedestrian Connection / Servicing SRW

As part of the overall development, the developer will provide an SRW along the East side of the property to connect a city-owned sanitary main between Okanagan Landing Rd and Klinger Rd.

As a contribution to the community, and to enhance pedestrian connection options in the neighbourhood, this SRW will also be utilized as a public walkway. This will provide an alternate pedestrian connection that is much faster than walking 350+m down Klinger Rd to access Okanagan Landing Rd that presently does not offer pedestrians a dedicated mode of travel as it is shared with vehicular movement. It is noted that Paddlewheel Park is located just West of the site, so this connection will improve park connectivity significantly for the neighbourhood, further adding to its vibrancy.

Servicing

At a preliminary level, servicing this site appears straightforward. Okanagan Landing Rd has an existing 300mm sanitary main & a 400mm water main installed which will be simple to connect to.

While a storm main does not exist within Okanagan landing Rd, existing overland flow is conveyed to the ditch fronting the site. The proposed stormwater management approach will likely consist of catch basins and on-site drywells allowing for infiltration. Over land flow will be directed to Okanagan Landing Road via the proposed statutory right of way and released at predevelopment levels.

Okanagan Landing Rd was repaved by the City in 2020 and appears to be in excellent existing condition.

Summary

The proposed development is consistent with the City's goal for increasing density in existing neighborhoods and will add to the liveliness of the Okanagan Landing corridor. In addition to this zoning application, development permit applications will be forthcoming for form & character, hillside residential and environmental sensitivity. Supporting studies and Architectural design is already underway and the applicant looks forward to working with the City of Vernon to achieve an attractive, viable project. The applicant kindly requests support from Staff and Council for this infill housing project.