

THE CORPORATION OF THE CITY OF VERNON

**RECORD OF A PUBLIC HEARING OF COUNCIL
HELD TUESDAY, SEPTEMBER 4, 2018 COUNCIL CHAMBERS
3400 – 30 STREET, VERNON, B.C.**

PRESENT: Mayor Mund

Councillors: J. Cunningham, B. Quiring, C. Lord,
S. Anderson (D. Nahal, absent)

Staff: W. Pearce, CAO
P. Bridal, DCAO/Corporate Officer
S. Blakely, Manager, Legislative Services
C. Corbett, Long Range Planner
E. Croy, Transportation Planner
E. Stranks, Manager, Engineering Development
K. Flick, Director, Community Infrastructure & Development
B. Bandy, Real Estate Manager
A. Watson, Manager, Transportation
C. Broderick, Manager, Current Planning

Others: Members of the Public

Mayor Mund called the Public Hearing to order at 5:30 p.m.

Mayor Mund outlined the procedures to be followed.

Corporate Officer, Patti Bridal advised that Notice of the Public Hearing was published in the **Wednesday, August 29, 2018, and Friday, August 31, 2018** issues of the Morning Star Newspaper, as required by the *Local Government Act*.

Administration reviewed the rezoning application for:

“Official Community Plan (CD6 – Comprehensive Development Area 6) Text and Land Use Designation Amendment Bylaw Number 5703, 2018”

And:

“Zoning Text (CD6 – Comprehensive Development Area 6) Amendment AND 901 39th Avenue Rezoning Amendment Bylaw Number 5704, 2018” together with Public Input for DVP#00438

And:

“City of Vernon Phased Development Agreement (McMechan) Bylaw No. 5705, 2018”

Administration provided a brief overview of the application.

Prior to the Public Hearing 12 written submissions were received, as follows:

Date	Name
August 23, 2018	Ms. Louise Nelson
August 28, 2018	Mr. Chris Brothen
August 31, 2018	Mr. Andrew Hogland
August 31, 2018	Anonymous resident from Cascade Drive
August 31, 2018	Ms. Dawn Johnson
September 4, 2018	Ms. Colleen Northgraves
September 4, 2018	Mr. Chris Brothen
September 4, 2018	Anonymous resident from 43 rd Avenue
September 4, 2018	Ms. Julie Boyle
September 4, 2018	Anonymous resident
September 4, 2018	Input received at Open House on August 29, 2018
September 4, 2018	Input received through Engage Vernon website

Mayor Mund called a first time for representation from the public in attendance with regard to:

“Official Community Plan (CD6 – Comprehensive Development Area 6) Text and Land Use Designation Amendment Bylaw Number 5703, 2018”

And:

“Zoning Text (CD6 – Comprehensive Development Area 6) Amendment AND 901 39th Avenue Rezoning Amendment Bylaw Number 5704, 2018” together with Public Input for DVP#00438

And:

“City of Vernon Phased Development Agreement (McMechan) Bylaw No. 5705, 2018”

SPEAKER NAME	COMMENTS
Art Gourley	<ul style="list-style-type: none"> • Developer did not pay enough money to buy the property • Should have put land out for bids • \$500,000 per house X12 = \$6 million • Worth millions of dollars and City is giving it away • City should change their mind
Ann MacMillan	<ul style="list-style-type: none"> • Love living in this area • Peaceful, quiet neighbourhood • Many were aware the reservoir would be used eventually • Still it is sad that beautiful field will soon be urban build site • Small homes and small lots need to be balanced with green space • Thinking 'outside of box' needs to be more than this density • OCP pledges to preserve green spaces, promote healthy living • With exception of Gerard Park there are no parks in area • Linear park will have to serve as yard for 160 home and secondary suites and children attending daycare • 800-900 people could be competing for this park space • Greenspace set aside is also for a park deficient area as a whole • There are no new parks planned for area – why should Council be in such a rush to cover property with asphalt • Alternate plan is still an option • Other components are in need of taking a second look • Won't be able to have a 'do over' • Refer back to Planning to incorporate ideas received through public input • Listen to traffic concerns expressed - people who live in the area know the conditions • Go back to original concept that allowed a community garden or meadow on property
Jeff Fischer	<ul style="list-style-type: none"> • Please explain existing parking Bylaws • A. Admin: Single Family Dwellings require 2 parking spaces, those with Secondary Suites will require one additional parking space for the suite
Dawn Johnson	<ul style="list-style-type: none"> • Read letter submitted into record • Q. Council: Explain how intersection issues will be dealt with? A. Admin: by 2022 the intersection at Pleasant Valley Rd. would need to be addressed, potentially through construction of a roundabout • Q. Council: Sounds like the intersection upgrades will be needed by 2022. Are works to be completed subject to land availability? A. Admin: The plan is for an intersection

	<p>improvement that would be completed by 2022 with a roundabout being the preferred option. There would need to be land acquisition to complete a roundabout.</p>
Barry Beardsell	<ul style="list-style-type: none"> • Doesn't live in close proximity but concerned about the quality of East Hill • Before deciding to sell, Planning should have rezoned the property, obtained input, and then proceeded to sell the land • The method used is atrocious Sections 24-26 of the Charter do not appear to have been met • This has been done under guise to provide attainable housing up to 10 units maximum • You have not read CMHC papers – housing is responsibility of Provincial and Federal Governments not Local Government • Creating a disaster with this proposal • Only \$29,000 proposed toward intersection of 39th and PV Road • I spoke with City of Vernon about this intersection last year – one of worst in town • When land came up for sale it was brought to attention of Planning and nothing was done • A traffic study tells you a light should be there • Cost of roundabout estimated at \$890,000 and you are only getting \$29,000 from the Developer • The traffic consultant did counts on November 23 – when did City of Vernon tell the public that this land had an agreement? – Nov 29 • Didn't let the public know – atrocious • Offsite works – one sidewalk on Mutrie Rd. – no mention of storm drainage problems • There are already issues on 39th – onsite drainage on this development, but do you know how that works – the water has to go somewhere • What will it cost to fix the storm sewer there? Nothing has been allowed • You are allowing up to 90% impermeable surface on the development – where will water go? • Horrible part is awhile back – progressive rezoning downtown for low cost high density development – nothing has been done and now making a mess up on East Hill • City always makes a total foul up when they try to develop land • Defer and get more answers before proceeding • If you pass today you will be same as Feds in passing the pipeline and the people mean nothing • Q. Council: Can Admin address cost of roundabout? A. Admin: That is an estimate but detailed design would be needed.

	<ul style="list-style-type: none"> • Q. Council: How would we obtain land needed? A. Admin: At this time Admin is looking at design for minimum land requirement. We would go through 'willing seller method' as much as possible. Until design is finalized will not know how much land may be required. Figure could be higher or lower. • Q. Council – Have we considered storm sewer issue? A. Admin: In touch with developer's Engineers to ensure adequate capacity. Onsite design conforms to regulations and requirements. Flow patterns will be split. Q. Council – what if it does flood due to lack of capacity? A. Admin: Used historic records and have passed on to developer to address. Minor events contained in pipes underground. Major events – will flow on roads – not private property per design. Q. Council - Satisfied system will handle weather event? A. Admin: Yes as they move forward Developer will have to meet required design • Q. Council: What are DCCs? A. Admin: \$17,400 for small lots with 167 proposed lots. DCCS are levied on new development to subsidize the development of new and existing infrastructure. • Q. Council – can City of Vernon use the \$3 million+ received toward cost of infrastructure? A. Admin: Looking at this and Council would need to review. So developer is contributing significantly more than the speaker noted • Q. Council – Does pre-development runoff meet the post development drainage? A. Admin: Essentially site is grassland and acts as own retention system. Q. Council - What would an onsite storm management plan look like? A. Admin: Catch basins, ground water goes into pipe system then into underground tanks. Cascade tank to tank. More than one tank would be installed so adequate storage would be in place. Holding water back and release slowly. • Q. Council – has an estimation of property taxes from this development been done? A. Admin: We have – estimated average \$450,000 average assessed value X \$1700 per unit X 162 units = \$235,000 annual in tax revenue municipal portion • Q. Council: Are we assuming the purchase price will be \$450,000 per unit? A. Admin: Estimate \$380,000 to \$500,000
<p>Lynn-Ann Baumeister</p>	<ul style="list-style-type: none"> • Emotional about this as has raised family in area • Loves area • Found quotes in OCP that are contradictory to this development (quoted sections pertaining to Single Family Neighbourhoods, policies related to carriage houses) • How will Bylaw Compliance manage secondary suites – will more staff be hired? • Has emailed before and issues have not been addressed

	<ul style="list-style-type: none"> • OCP quoted in relation to Populations 65 and under increase by 2036 – how does development so far from downtown core accommodate senior population • Why such a push for high density development in this area – is there a better area for it with existing infrastructure • Encouragement of walking, transit use, etc. – is this plan consistent with minimizing the use of automobiles – cycling uphill is not possible for most. • School District issues – Silver Star Elementary and Vernon Secondary is a new build and won't see changes anytime soon • \$6 million purchase price means disregard for OCP – is this a conflict of interest • Should rezone land first and then put out for multiple offers to develop • Please defer consideration
<p>Jeff Palatnick</p>	<ul style="list-style-type: none"> • In support of development • Applaud City in trying to create affordable housing • Have been trying to save for years to buy • Have been outbid and out priced on numerous occasions • Concern has to do with cost – small home at \$450,000 - \$500,000 is still not attainable • Family makes \$130,000 per year and still can't afford • Has 3 vehicles – will there be on street parking? A. Admin: Current plan has 3 parking spots on type 1 and type 2 homes
<p>Colleen Northgraves</p>	<ul style="list-style-type: none"> • Lived in area since 1999 • Q. Unsure why this development needs a tailor made Bylaw? Something unique that requires a Bylaw? A. Admin: Comprehensive Development Zones are used across Canada – this is the 6th one used in Vernon. Tailor made to suit land being developed and uses. Example Anderson Way Area. Bylaw dates back to 1993. This is a more modern form of development than when the Bylaw was created. Similar areas with this designation are hospital hill area, Seaton area, and West Vernon area. Often find during these developments variances need to be applied for. This development is proposing on street parking, only very slight amendment to permit development. • Feedback provided online – concerned about density – seems excessive. Safety and Traffic a concern • Why does the TIA or Development offer no direct access to 39th Avenue itself. A. Admin: It is two-fold. Proposed reservoir is planned for this location. It needs to be at the same grade as the existing one and they will be connected. If access is put there, there are site line issues. 39th Avenue is considered a collector road with minimized intersections. Best practice no accesses off, and use 43rd and Mutrie Rd.

	<ul style="list-style-type: none"> • Having lived in area for 43 years – doesn't address any issues related to grade and winter conditions – have slid through intersection more than once. Bringing a lot more vehicles on to a steeper grade. • Nothing in TIA for traffic circle at 43rd and no suggestion of a light • Concerned TIA identified 43rd and Mutrie minimum site line is not being met and recommends concealed road sign in both instances. Why not build safer access locations instead • Volume of traffic even in 2017 according to TIA says intersection at PV and 39th currently meets conditions for traffic light. What is logic for staff to override that and wait until 2022 at point of failure? Creating frustration for a lot of drivers for a long time • Concurs with previous speakers – a lot of unknowns and questions – requests deferral until questions are answered
Art Gourley	<ul style="list-style-type: none"> • Make sure Council cancels project and the property tax doesn't kick in for 10 years • Q. Down by Fountain Tire – building under construction for two years ago – why? A. Council: Not the subject of the Public Hearing
Jeff Fischer	<ul style="list-style-type: none"> • Lots of good points made • In favour of more housing • Very nice piece of land – very desirable – is this a good target for affordable housing? • If land is premium, then developer will want top dollar due to desirable nature of area/land • Concern about access – why no access to 39th – relocating reservoir to another area • Cul de sacs are great for traffic calming – not great for snow removal • No issue to put cul de sac in to free up area to get accessibility to 39th • Can see one potential reason to move reservoir from North to East is to open up premium lots with premium view – lots will go for \$600,000 – which is not attainable
Barry Beardsell	<ul style="list-style-type: none"> • It is not a DCC project • If approved probably you won't be able to get anything out of them for DCCs for that intersection – don't try to confuse the public • Storm water going to the East, once tanks fill – we all know the area is terrible with clay – look what has happened in past with storm water • SAR building moving as swamp was created through similar setup – now called 'environmentally sensitive' land • Park to the East in the ALR – diverted storm water will flood

	<p>park and there's frogs in there too</p> <ul style="list-style-type: none"> • Lack of controls and demands on this developer is atrocious • Didn't need roundabout on 35th Street – nobody on Council knew staff put it in • City of Vernon is doing nothing about PV and 39th and it needs addressing • DCCs are empty and nothing is planned in future • Heard comment properties \$350,000 to \$500,000 which is not affordable – you are not creating anything wonderful pricewise • Look at cost of snow removal in this subdivision – narrow streets – lanes, it will be immense and will need to take priority over other areas due to grade • One lane goes right through a park – not safe
Robert Albright	<ul style="list-style-type: none"> • Q. How many cubic meters of fill are going into reservoir – will it be compacted? How long will it take? A. Admin: With regard to fill in reservoir – based upon applicant's grading plan and working with their engineers to determine. Will need geotech to examine best method and depends on materials used. As far as time – up to applicant to deal with. A geotech will need to sign off that it is done properly • Q. Who is responsible if there is a failure in these new homes? He bought on Prospect Drive – not fill – Allenby Way failed and tax payer had to cover costs. Failures in a number of areas – will that happen here and who will be responsible? A. Admin: The development process required applicants to have expert professional to ensure it meets standards. Some areas have had issues but this was prior to requirement for geotechnical on every property • On the point of snow removal – snow storage in playground in winter? That is not the place to store snow that has come off the roads. Doesn't make sense. • Q. Council: Did the TIA consider winter road conditions? A. Admin: The snow conditions were not specifically reviewed in the TIA but it is anticipated that people adjust habits to meet road conditions and travel routes. • Q. Council: Exit onto Mutrie – would you assume people would turn to go down 39th or 43rd? A. Admin: Anticipated motorists would travel south to 39th Avenue
Claire Hayward	<ul style="list-style-type: none"> • Anyone using 39th to Mutrie knows there is parking both sides – can't pass when large truck came up road • Most traffic expected to go that way - the road will not accommodate it • Council should take a good long look and listen – not enough information before Council in order to proceed
Ann McMillan	<ul style="list-style-type: none"> • Adjacent neighbour

	<ul style="list-style-type: none"> • Fill and pounding could cause damage to existing homes during construction • Read enviro assessment – noted problem with dust that will affect neighbourhood • Is there plans to alleviate? A. Admin: With regard to dust, City of Vernon has recently supported Bylaws that deal with erosion and dust control. Can be reduced if done during Fall, Winter, Spring. If working in summer they will be required to control dust. Damage to existing structure – nothing in geotech reports that talks about that potential – would require developer to deal with should it occur (between two property owners)
<p>Johnathan Campbell representing the Developer</p>	<ul style="list-style-type: none"> • Thanks for attending • Through process with City of Vernon and gathering input we have suggestions for improvements that can be incorporated • City of Vernon staff have been above board and studious in ensuring work is done completely and thoroughly • Contributions in phased development – timed to happen in order • Want to proceed in March for 5.5 years to completion • Road traffic concerns – we are bringing two bus stops to area • Want to be part of community – tracked over 300 people in community who want to live in neighbourhood with amenities • Doing all they can to keep pricing under \$500,000 while still meeting all criteria City of Vernon is requiring • Know that people cherish neighbourhood and will be respectful
<p>Gerard Kampman</p>	<ul style="list-style-type: none"> • Concept is a good idea • Makes good use of land and housing opportunities • Concern is that in age of global warming – the plan is in wrong area in Vernon • High elevations – access to area creates an issue to getting to amenities forcing most to use vehicle transportation • Collector roads have steep grades – hard to walk or cycle • By virtue of location – ecologically unsound • Public Transportation – questions suitability of transit – steep grades and lack of traction are an issue • Think in terms of future and ecological issues

Mayor Mund called a second, third and final time for representation from the public. There being none, Mayor Mund closed the Public Hearing for:

“Official Community Plan (CD6 – Comprehensive Development Area 6) Text and Land Use Designation Amendment Bylaw Number 5703, 2018”

And:

"Zoning Text (CD6 – Comprehensive Development Area 6) Amendment AND 901 39th Avenue Rezoning Amendment Bylaw Number 5704, 2018" together with Public Input for DVP#00438

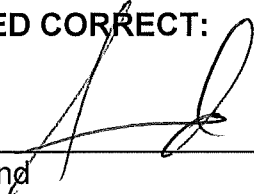
And:

"City of Vernon Phased Development Agreement (McMechan) Bylaw No. 5705, 2018"

CLOSE:

The Public Hearing closed at 7:33 pm.

CERTIFIED CORRECT:



Akbal Mund
Mayor



Patti Bridal
DCAO/Corporate Officer