

THE CORPORATION OF THE CITY OF VERNON

**RECORD OF A PUBLIC HEARING OF COUNCIL
HELD MONDAY, JUNE 24, 2019 COUNCIL CHAMBERS
3400 – 30 STREET, VERNON, B.C.**

PRESENT: Mayor Cumming

Councillors: K. Fehr (absent), B. Quiring, K. Gares,
D. Nahal, A. Mund, S. Anderson

Staff: W. Pearce, CAO
S. Blakely, Manager, Legislative Services
J. Nicol, Leg. Committee Clerk
E. Stranks, Manager, Engineering Development
C. Broderick, Manager, Current Planning
K. Chamberlain, Economic Development Planner

Others: Members of the Public

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

Mayor Cumming outlined the procedures to be followed.

Deputy Corporate Officer, Susan Blakely advised that Notice of the Public Hearing was published in the **Friday, June 14, 2019, and Wednesday, June 19, 2019** issues of the Morning Star Newspaper, as required by the *Local Government Act*.

Administration provided a brief overview of the application.

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

A. “7497 and 7501 Brooks Lane Rezoning Amendment Bylaw Number 5758, 2019”

Prior to the Public Hearing 11 written submissions were received as follows:

Date	Name
June 16, 2019	Pat & Julie Loehndorf
June 17, 2019	Carole and Peter Liedtke
June 18, 2019	Garry and Ruth Ann Patterson
June 20, 2019	Helen Messenden
June 24, 2019	Kim Donnelly
June 24, 2019	Gary & Doris Iverson

June 24, 2019	Norman & Roberta Hanson
June 24, 2019	Davis & Susan Connolly
June 24, 2019	Michelle Sinclair (Paulson)
June 24, 2019	Petition – Prepared by Carole and Peter Liedtke (emailed in by Gary Iverson)
June 24, 2019	Greg Betts

Councillor Quiring declared a conflict of interest in the following matter as his firm is conducting work on the noted project. Councillor Quiring left the meeting at 5:35 pm.

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

“7497 and 7501 Brooks Lane Rezoning Amendment Bylaw Number 5758, 2019”

SPEAKER NAME	COMMENTS
Gary Patterson	<ul style="list-style-type: none"> • Lives near development • Moved to Vernon two years ago and was told by Planning Department that area would stay RS1 • Not notified of Public Hearing • Will destroy neighbourhood and value of people’s home • Can go higher if wood frame • Brooks Lane cannot support the traffic • Size and scale not needed • Please come up with something different • Nowhere else in Vernon has six stories • Will destroy views • Large structure will look odd, will sandwich existing homes • Too large and terrible for community • Would like to be compensated for this development devaluing his home
Marjorie Chan	<ul style="list-style-type: none"> • Has lived directly next store to development for 43 years • Has seen extreme changes in Brooks Lane environment • Major Allan Brooks lived on property • Naturalist lived next door • Plants were planted in collaboration with Mr. Mackie to feed the wildlife • Animals are not there anymore including: great horned owls and pygmy owls, eagle hawks blue herons, kingfishers, swans, pelicans beavers, turtles, frogs, mice, migrating song birds, starlings reduced, bats reduced, dragonflies, robins, mourning doves

Carole Liedtke	<ul style="list-style-type: none"> • Development has chased animals and people out • Lived in Vernon for one year • Chose this area in Vernon for quiet • Community welcomed them • Existing larger buildings do make a bit of noise • Q. Is proposed condo full time residents? A. Staff The zoning allows both short term and permanent residents • Commercial zoning says up to 9 stories • Lots of uses could go in there • Q. Is there a plan for this area? A. Staff Included in Waterfront Neighbourhood Plan, adopted in 2011, area is designated commercial complies with proposed development. • How many Council Members have seen Brooks Lane? • Q. How will there be access to the Park? A. Staff As each property is rezoned due to development, a walkway dedication would be required. • How close to the boundary is access to Park? • What is highest residential building in Vernon?
Wayne Cocking	<ul style="list-style-type: none"> • Owned property since 1989 • Confused about height restriction of C10A zoning and difference between condo and apartment • Minimum side yard is 3m, drawing looks like less – are they varying the side yard? • Public walkway is a concern, how will this affect the neighbours? A. Staff Walkway adjacent to lake will be built later when there is dedication, Brooks Lane trail will be constructed based on connectivity • Who will maintain and police the park? • Concerned about parking as Brooks Lane is only about 21 feet wide. No room for parking on both sides. A. Staff Eastern portion has been upgraded, once there is enough road dedication connection, it will be built. • What is the percentage of short term and permanent residents? A. Staff Under apartment housing, up to maximum for 30% for full-time residents and up to 70% can be short term rentals. • Concerned about height of proposed building
Gary Iverson	<ul style="list-style-type: none"> • Just finishing construction of their home • Lives directly beside proposed development • Not compatible with Brooks Lane • Tourism traffic will bring boat trailers • Will be 'party' zone and ruin the quality of life for community • A six storey building set back 1m from his property is ridiculous • Will drive population too high • Problems with pedestrians as it is • Sent in a written submission

Dave Connolly	<ul style="list-style-type: none"> • Previously owned in Tuscan Terraces • Zoned C10A, it was too busy with parking on both sides of Okanagan Landing Road • Huge amount of people come for recreation • Moved near Brooks Lane • Six stories with 19 units is over the top • There are lots of development properties in area • Brooks Lane is too small, no formal sidewalk and school kids walk on Brooks Lane • Noted - as properties develop, sidewalk will be constructed, this is too late • No room for parking as is • Not room for a single vehicle to park on Brooks Lane • Purchased 3½ years ago, and was required to dedicate walkway when purchasing property • Process the City is taking seems one-sided • Flawed Community Plan, not adequate infrastructure
Sue Connolly	<ul style="list-style-type: none"> • Researched Okanagan Biodiversity Strategy • Foreshore inventory and mapping dated April 17, 2017 • Broad land use causes loss of shoreline and is detrimental • Rocky Mountain Ridged mussel is at risk according to federal fisheries • Global news article from March 2019 about mussels • Waterfront Plan is from 2008 • Would like reconsideration of Waterfront Plan due to new reports • New families would like input into Waterfront Plan • Request that City goes back to planning process in light of new research regarding foreshore
Norm Hanson	<ul style="list-style-type: none"> • Owned here for six years • When he bought, considered neighbourhood character and community with a country feel • This proposed development is out of character, will disrupt and destroy character of neighbourhood and environment • Concern about impact of development on lake • City needs to consider how it promotes itself, this will have a negative impact on people, lake and environment • Go back to drawing board for planning process
Laura Stankiewicz	<ul style="list-style-type: none"> • Lives in four storey building • Two units are permanent residents and rest are not • Changed bylaws and zoning to not allow short term rentals • Can't exit Brooks Lane because of cars • No jut out for mailbox pickup • Blocked both ways because of parking • Four levels should be maximum height so not to impede view • Parking is a problem, where can you park if accessing park?

Dave Stankiewicz	<ul style="list-style-type: none"> • Is property manager for building in area • Spent lots of time along Brooks Lane • School children travel along Brooks Lane • Evident that pedestrians are forced to middle of lane to go around parked vehicles • Worried about traffic accessing lake pathway, where do they park? • Site lines make visibility dangerous, it is hazardous • Worried about increased foot traffic • Many hidden blind spots
Alfred Chan	<ul style="list-style-type: none"> • Lived on Brooks Lane for 42 years • Will affect his quality of life • Concerned about soil capability for building • Will cut down on soil permeability • Had culverts fixed this year • Can City handle sewage? • Beauty of neighbourhood will be destroyed • Will be way above height of trees • Contrast from lake access to allowing this monster building • Quality of life will be destroyed • Will depreciate his property value • Will take away light on his property • Will not be safe for children who cannot walk on Okanagan Avenue
Danielle Campbell	<ul style="list-style-type: none"> • Thank you to Council for efforts • Will Councillor Quiring have a vote? No • Is there anyone else on City Council that has a conflict? • Concurs with points discussed • Public safety is a concern, if parking on both sides, you cannot get a vehicle between them • In the case of emergency, if there are two vehicles parked, no access. • People park on boulevard over sidewalk • If there are friends and neighbours parked at new development, no access • Significant concerns regarding Brooks Lane and school children – hard to see children behind vehicles • Concern about adding a six storey building, will be dangerous • Some park in front of her driveway • Worried about water systems in area and the impacts to ecosystems and watercourses below
Roberta Hanson	<ul style="list-style-type: none"> • Feels there was not sufficient public consultation • Spoke to people across the lake because of development creep • Plan shows proposed zone but it hasn't been rezoned yet • Zoning for land is municipal, lake and riparian is federal

	<ul style="list-style-type: none"> • Requirements for dock were extensive, dock built was minimum • Each of the proposed 19 units will have at least one boat • No policing of lake, concerned about environmental impact and safety
Dwayne Donnelly	<ul style="list-style-type: none"> • Does not feel property values will increase • Six storey does not fit in area • Trailers, boat trailers, etc – lane is being overtaken • Doesn't make sense
Bill McKeage	<ul style="list-style-type: none"> • Bought because of neighbourhood flair • Like pathways to lessen carbon footprint • Sees proposed development as eyesore • Affects riparian area and environment • Safety issue, Brooks Lane will fill up • Six storeys is obscene
Jay Gilman, On behalf of Applicant	<ul style="list-style-type: none"> • Has been hearing lots of misinformation • Height and grading – proposed underground parking, limited to be two meters, with parkade below • Parking – meets requirements of zoning bylaw – two spaces for each unit as well as visitor allotment • Needed to go through environmental assessments and requirements • Has proposed to do six stories, to offset cost of living on lake • Park access – it is a requirement of development • Meets current OCP requirements • Conforms with proposed zoning without variance
Bryce Remington	<ul style="list-style-type: none"> • Came here to see vegetation on Okanagan Lake • Likes to walk down Brooks Lane • Won't be able to see lake once property is developed
Gary Paterson	<ul style="list-style-type: none"> • Most important is safety • Brooks Lane has elevation difference • Curve before development needs to drop down 10 or 15 feet • Kids will have nowhere to walk • Vernon has no ladder truck, how can homes be saved? • Because of last flood, will have to build higher • Need to compensate property owners if development approved
Gary Iverson	<ul style="list-style-type: none"> • Does not like argument of 'offsetting developers cost' • will be disruptive to neighbourhood • completely incompatible and out of character for neighbourhood
Marjorie Chan	<ul style="list-style-type: none"> • access will be two meters from neighbour's windows • ridiculous to have people walking down so close to home

Peter Liedtke	<ul style="list-style-type: none"> • moved there a year ago • change is constant • we can plan for change, trust in Council to make correct decision
Danielle Campbell	<ul style="list-style-type: none"> • Will decision be made tonight? A. Yes, if it receives third reading and will be held and work through details and any variances before approval. • People will move to a community to be heard and be respected
Dave Connolly	<ul style="list-style-type: none"> • Listened to many comments • Plan need to be renewed • Not traffic management and width for development • Does not make logistical sense • OCP needs to be reviewed and is flawed • Many barriers to development – incompatible
Laura Stankiewicz	<ul style="list-style-type: none"> • Do we know that it will be six stories? A. Staff there are no guarantees unless Council puts on a covenant limiting height to six stories
Dave Donnelly	<ul style="list-style-type: none"> • Has sewer been checked, as it is an Issue in summer
Bill Iverson	<ul style="list-style-type: none"> • If Council approves development tonight – will there be another public hearing? A. Staff No there will not be another public hearing.
Gary Paterson	<ul style="list-style-type: none"> • Is there adequate services for this development? - Developer should have to bring in the services at their expense. • No parking, parking as is on his property • Would like compensation if approved for the loss in value
Gary Iverson	<ul style="list-style-type: none"> • Just built house on Brooks Lane • Had to be lower than roadway • Why is parkade high 2m higher than roadway • You are destroying the neighbourhood
Alfred Chan	<ul style="list-style-type: none"> • 100% are opposed, will comments be taken into consideration? • People feel strongly • Consider a different proposal, how about two buildings similar to the Verona?

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

“7497 and 7501 Brooks Lane Rezoning Amendment Bylaw Number 5758, 2019”

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

Councillor Quiring returned to the meeting at 7:18 pm.

B. “4300 35th Avenue Official Community Plan Amendment Bylaw Number 5754, 2019”

AND,

“4300 35th Avenue Rezoning Amendment Bylaw Number 5755, 2019”

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

Date	Name
June 18, 2019	Bruce & Maureen Mol
June 24, 2019	Charlene Hutchison

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

“4300 35th Avenue Official Community Plan Amendment Bylaw Number 5754, 2019”

AND,

“4300 35th Avenue Rezoning Amendment Bylaw Number 5755, 2019”

SPEAKER NAME	COMMENTS
Bob MacCallum	<ul style="list-style-type: none"> • Supports development • Concerned about traffic on 32 Avenue, intersection of 32 Avenue and Alexis Park Drive, will it be upgraded? A. Staff: 32 Avenue will not be widened, as a condition of rezoning – condition of road dedication will need to be done • Parking allowed on both corners of intersection, extra traffic will make it challenging • Further east, roadway is narrow and needs repairing – not up to acceptable standard • Will there be sidewalks? Will it go down to Bella Vista Road?
Sally Harrison	<ul style="list-style-type: none"> • Lives in condos behind church • Agrees with development • Appreciates wildlife corridor • Concerned about bluffs above and drainage

	<ul style="list-style-type: none"> • Drainage will be affected. A. City will try to ensure existing drainage routes, development can repair an offsite situation. • Whole area is rock, will there be blasting? Would like stipulations for blasting and cracks in her walls. A. Blasting is regulated by the Province, developer must review adjacent properties and will check back with following blasting.
Randy Brothen	<ul style="list-style-type: none"> • When will road be extended, developer is dedicating acreage. A. Project is not currently in capital plan, offstreet parking – no variances. Yet to determine if there will be on-street parking. • How many off street parking spaces will be allowed? • Will there be on-street parking? • This will increase traffic flows and road needs to be upgraded. • Would like commitment
Sandy Dixon	<ul style="list-style-type: none"> • Concerned about habitat and wildlife • Concerned about traffic, had a vehicle in front yard last year • Blasting is a concern • Pedestrian safety also a concern • What is the target market for proposed development? • Run off of stormwater a concern
Luke Fennel	<ul style="list-style-type: none"> • Bought house four years ago • There was a park across the street and that has changed • Density good • Need parking, plan could be amended • Enlarge the park area • Road concern for safety for bikes and children during busy hours • Can improve plan
	<i>Councillor Nahal left the meeting at 7:39 pm</i>
Karen Rupert represents ALR property to west	<ul style="list-style-type: none"> • What does agricultural buffer mean? A. property directly to west, land commission has asked for a buffer between ALR and development. Working with ALC to determine buffer. • Will there be a fence? A. IF Agricultural Land Commission requests a fence, then that will need to be constructed.
	<i>Councillor Nahal returned to the meeting at 7:44 pm</i>
Bob MaCallum	<ul style="list-style-type: none"> • Concerned about parking on both sides of 32 Avenue and Alexis Park Drive. A. Staff Parking is allowed on both sides of 32 Avenue and Alexis Park Drive
Sandy Dixon	<ul style="list-style-type: none"> • Is there sewer there now for the proposed development? A. Staff A sanitary sewer main is there but main extension required for lower properties. • Is there a plan for watermain extension? A. Staff For upper development, water line will come off 35th Avenue. Any additional

	improvements would need to be in compliance with the Local Government act.
Matt Davidson Environmental Consultant	<ul style="list-style-type: none">• Provided a summary of the environmental study• Unusually distinct property, developer adjusted for wildlife corridors and developer trying to maintain connections for wildlife
Darren Collie Consultant	<ul style="list-style-type: none">• 32 Avenue is a gazetted road – 16.5, will be dedicated. Understands that sidewalk will be constructed.• Have looked at park requirements and tried to get some cluster development to offset development area• Did a rockfall analysis and berm construction• Allowing people to access area between development is dangerous• Traffic calming measures have been discussed on 32 Avenue• Parking will not be varied from the zoning bylaw requirements• Servicing will come off of Turtle Mountain
Sandy Dixon	<ul style="list-style-type: none">• How long will blasting go on and what happens to wildlife?
Darrin Collie	<ul style="list-style-type: none">• Would like to limit blasting and use the contouring of site• Do not foresee blasting for upper area, houses will be slab on grade.

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

“4300 35th Avenue Official Community Plan Amendment Bylaw Number 5754, 2019”

AND,

“4300 35th Avenue Rezoning Amendment Bylaw Number 5755, 2019”

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

Councillor Quiring left the meeting due to a conflict at 7:59 pm

C. "Predator Ridge Neighbourhood Plan Official Community Plan Amendment Bylaw Number 5756, 2019"

AND,

"Predator Ridge Neighbourhood Plan Rezoning Amendment Bylaw Number 5757, 2019"

Prior to the Public Hearing no written submissions were received.

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

"Predator Ridge Neighbourhood Plan Official Community Plan Amendment Bylaw Number 5756, 2019"

AND,

"Predator Ridge Neighbourhood Plan Rezoning Amendment Bylaw Number 5757, 2019"

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

"Predator Ridge Neighbourhood Plan Official Community Plan Amendment Bylaw Number 5756, 2019"

AND,

"Predator Ridge Neighbourhood Plan Rezoning Amendment Bylaw Number 5757, 2019"

CLOSE:

The Public Hearing closed at 8:03 pm.

CERTIFIED CORRECT:


Victor Cumming
Mayor


Susan Blakely
Deputy Corporate Officer