

THE CORPORATION OF THE CITY OF VERNON

**RECORD OF A PUBLIC HEARING OF COUNCIL
HELD TUESDAY, SEPTEMBER 24, 2018 COUNCIL CHAMBERS
3400 – 30 STREET, VERNON, B.C.**

PRESENT: Mayor Mund

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

Staff: W. Pearce, CAO
P. Bridal, DCAO/Corporate Officer
S. Blakely, Manager, Legislative Services
E. Croy, Transportation Planner
E. Stranks, Manager, Engineering Development
K. Flick, Director, Community Infrastructure & Development
A. Watson, Manager, Transportation
C. Broderick, Manager, Current Planning
R. Nuriel, Planner, Economic Development

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.

Deputy Corporate Officer, Susan Blakely advised that Notice of the Public Hearing was published in the **Friday, September 14, 2018, and Wednesday, September 19, 2018** issues of the Morning Star Newspaper, as required by the *Local Government Act*.

A. "Zoning Text (Secondary Suites / Semi-Detached Housing) Amendment Bylaw Number 5715, 2018"

Administration provided a brief overview of the application.

Prior to the Public Hearing no written submissions were received.

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

"Zoning Text (Secondary Suites / Semi-Detached Housing) Amendment Bylaw Number 5715, 2018"

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

"Zoning Text (Secondary Suites / Semi-Detached Housing) Amendment Bylaw Number 5715, 2018"

B. "Zoning Text (Parking & Loading) Amendment Bylaw Number 5719, 2018"

Administration provided a brief overview of the application.

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

Date	Name
September 10, 2018	Transportation Advisory Committee
September 10, 2018	Advisory Planning Committee

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

"Zoning Text (Parking & Loading) Amendment Bylaw Number 5719, 2018"

SPEAKER NAME	COMMENTS
Dione Chambers	<ul style="list-style-type: none"> • Representing Greater Vernon Chamber of Commerce to speak against parking bylaw requirements for C7 and C8 • Understands there are currently no parking requirements for these zones • Needs to be addressed • But a 'one size fits all' solution does nothing for attracting development • Supports the amended parking requirement to relax parking stalls for residential development, but cannot support the implementation of parking as a cash in lieu for new development or for current businesses wishing to expand • Need to better understand current parking requirements including the number of stalls we have, the user rate, timing of empty spaces and addressing the parkade that isn't at full capacity • Need to look at Vernon as unique and create our own local solution that is innovative and attractive to business • Chamber is willing to work further with City Administration to find a solution that can both meet the needs of the current business in C7 and C8 as well as continue to attract new business to the core

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

"Zoning Text (Parking & Loading) Amendment Bylaw Number 5719, 2018"

C. “8000 Bench Row Road Land Use Contract Number 287, 1978 (P2374) Discharge Bylaw Number 5716, 2018”

Administration provided a brief overview of the application.

Prior to the Public Hearing two written submissions were received.

Date	Name
September 24, 2018	Mr. Rich Frontain
September 24, 2018	Ms. Trish Josephs

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

“8000 Bench Row Road Land Use Contract Number 287, 1978 (P2374) Discharge Bylaw Number 5716, 2018”

SPEAKER NAME	COMMENTS
Trish Josephs	<ul style="list-style-type: none"> • Distributed written submission for review by Council • Acknowledged traditional lands of First Nations in Vernon • Opposes the Discharge Bylaw and any further development on the land • Her and her neighbour’s property (Rich Frontain) is most effected by development on the land • Rich Frontain opposes discharge through written submission • Pictures don’t properly represent what is happening on the land • Opposed for Five Reasons <ol style="list-style-type: none"> 1. Applicant’s reason is rear yard setback interferes with design of land and wants to comply with A1 in ALR – this is for agricultural uses in an agricultural setting – clearly this application is not for the purposes of agricultural as the land is too steep 2. Increase in Extreme Flooding due to storm/ground water runoff, irrigation, erosion 3. Increase in the instability of the slopes and gullies adjacent to the applicant’s property due to storm water runoff, irrigation, septic fields which will directly affect Okanagan Landing Road and all land owners below the hill <ul style="list-style-type: none"> • Stakes on property indicate proposed development on property and dangerously positioned on slope 4. Inadequacy of the Tetra Tech report as information for consideration 5. Impact of reduced property setbacks and proposed structure on adjacent property values and stability of land <ul style="list-style-type: none"> • No independent geotechnical or environmental studies

	<p style="text-align: center;">done on impact – only those hired by the applicant</p> <ul style="list-style-type: none"> • Illustrations provided are not to scale and are misleading • The proximity to her property is very close to the proposed new construction • Will affect land value of adjacent property owners • Will seriously affect stability of the ground • Tremendously steep slopes will mean property will overhang her property with roofs and decks • Intends to landscape in near future to increase slope stability on her own land • Requesting Council not approve and look at further geotechnical and environmental studies on this property • Q. Council: Are there concerns about land stability and erosion? A. Admin: This application is for a Land Use Contract discharge. Property has two treed ravines on either side. Quite steep and starts up in Commonage and side of road. Staff have been working with residents with regard to road drainage down below. Road built many years ago – it is a low point and catch basin regularly overflows. Staff are working to resolve. Land slippage has happened over time in the area each due to individual issues. • Q. Council: Road flooding is a big issue on the road there. Couldn't use road at one point. Where are we at with the solution? A. Admin: There are two ravines on the property. On Okanagan Landing Rd. below the ravines meet in one spot. The COV inherited difficult situation as you cannot change the road grade. It is a matter of works to direct water in a controlled manner into the lake.
<p>Sherry MacFarlane</p>	<ul style="list-style-type: none"> • Her property borders subject property • Concurs with Trish Joseph's comments • Flooding getting worse over the last few years • Have been planting to stop erosion but it is not addressing • Very opposed to the development • Q. Council: Please clarify purpose of this bylaw A. Admin: The bylaw is to discharge a Land Use Contract (LUC) placed on title in the 1970's. The LUC does allow a SF home on the site with or without the discharge. The Geotechnical report will be provided to the Building Official as a requirement • Council: In 2024 all LUCs will expire anyway – this allows the City of Vernon to look at issues now • Q. Council: Rural Agricultural Zoning – is that less restrictive than the LUC? A. Admin: The rear setback set through the LUC was intended to address future road construction (50 ft ROW). If LUC is removed the setback will go to 32 ft. Regardless, geotechnical report noted parameters for setbacks on slopes.

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

“8000 Bench Row Road Land Use Contract Number 287, 1978 (P2374) Discharge Bylaw Number 5716, 2018”

D. “3607 27th Street Rezoning Amendment Bylaw Number 5714, 2018” together with Public Input for DVP00427

Administration provided a brief overview of the application.

Prior to the Public Hearing one written submission was received.

Date		Name
September 24, 2018		Mr. Rod Pleasance

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

“3607 27th Street Rezoning Amendment Bylaw Number 5714, 2018” together with Public Input for DVP00427

SPEAKER NAME	COMMENTS
Shawn Bicknell, Applicant	<ul style="list-style-type: none"> • At current location for 14 years • Wants to keep practice in area on East Hill • OCP change made possibility of being able to build a building he can be proud of • Parking issues – second level will only be for staff use – need to attract good people • By providing a unique space – hoping to attract staff • This is a long term plan as he is committed to staying in the community • Could meet parking requirements if removed second level, but not ideal for staff

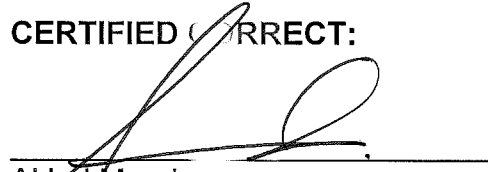
Mayor Mund called a second, third and final time for representation from the public. There being none, Mayor Mund closed the Public Hearing/Public Input for:

3607 27th Street Rezoning Amendment Bylaw Number 5714, 2018” together with Public Input for DVP00427

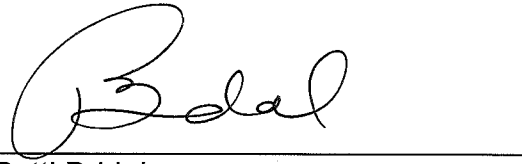
CLOSE:

The Public Hearing closed at 6:25 pm.

CERTIFIED CORRECT:



Akbal Mund
Mayor



Patti Bridal
DCAO/Corporate Officer