

THE CORPORATION OF THE CITY OF VERNON

**RECORD OF A PUBLIC HEARING OF COUNCIL
HELD MONDAY, OCTOBER 28, 2019 COUNCIL CHAMBERS
3400 – 30 STREET, VERNON, B.C.**

PRESENT: Mayor Cumming

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

Staff: W. Pearce, CAO
P. Bridal, DCAO / Director, Corporate Services
S. Blakely, Manager, Legislative Services
A. Watson, Manager, Transportation
E. Croy, Transportation Planner
K. Chamberlain, Economic Development Planner
L. Cordell, Manager, Long Range Planning & Sustainability

Others: Members of the Public

Mayor Cumming called the Public Hearing to order at 5:31 p.m.

Mayor Cumming outlined the procedures to be followed.

Corporate Officer, Patti Bridal advised that Notice of the Public Hearing was published in the **Friday, October 28, 2019, and Wednesday, October 23, 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. “1700 Polson Drive Official Community Plan Amendment Bylaw Number 5780, 2019”
AND “Zoning Text (CD5 – Comprehensive Development Area 5) Amendment AND
1700 Polson Drive Rezoning Amendment Bylaw Number 5781, 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:

**“1700 Polson Drive Official Community Plan Amendment Bylaw Number 5780, 2019”
AND “Zoning Text (CD5 – Comprehensive Development Area 5) Amendment AND 1700
Polson Drive Rezoning Amendment Bylaw Number 5781, 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:

**“1700 Polson Drive Official Community Plan Amendment Bylaw Number 5780, 2019”
AND “Zoning Text (CD5 – Comprehensive Development Area 5) Amendment AND 1700
Polson Drive Rezoning Amendment Bylaw Number 5781, 2019”**

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

B. “7497 and 7501 Brooks Lane Rezoning Amendment Bylaw Number 5785, 2019”

Prior to the Public Hearing 39 written submissions were received.

Date	Name
October 7, 2019	Garry & Ruth Ann Patterson
October 11, 2019	Susan Howard
October 16, 2019	Barry Mjolsness
October 16, 2019	Gary Iverson and Doris Iverson
October 16, 2019	David and Laura Stankiewicz
October 20, 2019	Wayne and Shirley Cocking
October 21, 2019	Gisele Bond
October 21, 2019	Michael & J'nea Mullen
October 21, 2019	Katherine Stankevich
October 21, 2019	Nancy & Wayne Ostafew
October 21, 2019	James & M. Claire Wilkins
October 21, 2019	Jen Potvin
October 21, 2019	Anthony Manning
October 21, 2019	Corine Bru & Mark Wasyliuk
October 21, 2019	Al & Jeannette Pitcairn
October 21, 2019	Sid & Bonnie Adams
October 21, 2019	Jan Sheehan
October 21, 2019	Harry Meyer
October 21, 2019	O. Swift
October 21, 2019	Svetlana Henderson
October 21, 2019	Lerae Siudy
October 21, 2019	Witold & Kelly Wince
October 21, 2019	Helen Mussenden
October 21, 2019	Dick & Annette Wine
October 21, 2019	Deborah Farnell
October 21, 2019	Krista Hall & Val Connell
October 21, 2019	Pat Loehndorf
October 21, 2019	Conan Ackert
October 21, 2019	Trish Mills & Bob Paddon
October 21, 2019	G. Van Baaren
October 21, 2019	Carol Nilsson
October 21, 2019	Warren & Evelyn Bell
October 21, 2019	Joel Becker
October 21, 2019	D. Bryce Remington & Kathi Remington
October 21, 2019	Don Wishart
October 22, 2019	Danielle Campbell & Nicole Chapdelaine

October 24, 2019	Ron & Amber Kuzyk
October 25, 2019	Carole & Peter Liedtke
October 28, 2019	Davie & Susan Connolly

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 5785, 2019”

SPEAKER NAME	COMMENTS
Dan Currie, Applicant	<ul style="list-style-type: none"> • Lived in the Okanagan 37 Years • Owners Tim Hortons in the Community • Has volunteered in many areas • Decided would like to build retirement place for himself and other people in order to downsize • Wants to stay on the lake without large footprint • Would like a project which would allow others to also enjoy the lake instead of large house • City has removed parking from Brooks Lane • If sidewalk built it will be safer for residents • There will be increased traffic as development occurs but good things will come of this • 17 units with 41 parking spaces • Resolves a lot of the parking issues • This is a retirement project • Will not be Air BnB or short term rentals in this location • Hasn't finalized strata, but this is for retirement living • Will be in community for the long term – will not be another Strand • Will be available units for purchase • Four partners will each have a unit • Biggest thing is building for the future and not here for a quick turnaround • 5 storeys – another development recently approved for 103 units on Lakeshore with 330 sq ft micro suites – so their application is not out of line for the area • Height of proposed building is 61 ft. – doesn't have height of previous application • Q. Council: What is height of trees on property? A. Existing tree canopy is about the height of the project due to lift on the landing
Jennifer Fossum, on behalf on one of the Applicants	<ul style="list-style-type: none"> • Speaking for John Almond, Applicant • Lives in Coquitlam • All 4 Applicants have been friends over 30 years • Building for all to retire in Vernon • Family enjoys the area • Plans to join Predator Ridge Golf course

	<ul style="list-style-type: none"> • Brooks Lane property will be retirement home for them to live in – not just a development • Investing for the long term • Beautiful place to enhance the area • Hope is friends and family will buy other units • Important to fit into the neighbourhood • Hired MQN local architects to design to fit the Community • Wants to build 17 units with extra parking on property • 39 underground and 3 above ground parking space • Supports no parking on Brooks Lane • Will live here and make home • No short term rentals under 30 days • Spoken to realtors and nothing like it in the area • Smaller Units, high end finishes and lake views will make it unique • Looking forward to living here • Q. Council: Strata Rules – heard no short term rentals. Technically this could change after rezoning. A. Will be a legal document in place and believes will not change and this can be confirmed and put into an agreement for the property • Q. Council: Can you speak to boat RV parking? A. No parking on Brooks Lane now. The plan is to rent elsewhere (Latitude Marine) – retrieve boat for use. No intent to have boat trailer parking on the property. Also new enclosed boat storage coming soon to area which will be another resource
Jessica Kirkham, Designer	<ul style="list-style-type: none"> • Designer on this project • Lives in Okanagan Landing • Insight into design • Second public hearing and took note of all concerns from first application • Design revised to address concerns • Reduced storeys and as permitted in OCP • Massing reduced to soften • Units reduced from 19 to 17 while maintaining parking stalls • More than adequate visitor parking provided • With existing drop in grade from Okanagan Landing and the trees – the view will be minimally impacted • Conceptual design shared and willing to register a covenant to limit height to 5 storeys
Marj Chan	<ul style="list-style-type: none"> • Lives to right of proposed development • Has lived here 45 years and husband has served in the local hospital 46 years • Neighbourhood needs to be heard • Has lived there entire time • Has cared for area and paid the increasing taxes • Neighbourhood is not meant for friends to retire here – it will ruin

	<p>their own retirement</p> <ul style="list-style-type: none"> • Feels because they have been there for the 'long haul' and they should be heard • Development has negatively affected water table and they have paid to mitigate • Thankful for parking changes on Brooks Lane • Other developments are annoyed with parking changes • Told homes pay for their own parking on site and they could have done the same at time of development • Please hear neighbourhood • Recently saw one live turtle in the area
Julie Armitage	<ul style="list-style-type: none"> • Property being discussed is where she lived and grew up • Breaks heart that property will be used in this way • No provision for beautiful trees that have been there for decades • Appreciated growing up with wildlife in the area and it will all be gone with this development • What will happen with shoreline, how many boats – what will be on the lake? Where is that in the plan? • In terms of retiring to the Okanagan – what about those who have been part of the Community for all their lives? • Important to protect trees and put regulations in place to do so • Curious as to having public access to waterfront – what will that look like – where will the public park in order to use that area? • Q. Council: Please explain public access. A. Admin: In time pedestrian access will be built to access foreshore public area as development occurs • Q. Council: Are the water table issues a result of development? A. Admin: Anticipating a geological report will be provided with the development to address any water issues on the site. • Q. Council: What about the trees – will they be removed? A. Admin: Will need to be removed and replaced with landscape buffer
Gary Iverson	<ul style="list-style-type: none"> • Lives on Brooks Lane • Built new home in last year – used to live at Vista Verona • Waterfront Neighbourhood Plan restriction of 10 m height or 2.5 stories in that area? Vista Verona stayed within that height • Other item is regarding overshadowing – building this height will be extremely negative with overshadowing other properties • Height at 61.5 ft above the parking structure which is 2m • Another structure on top for utilities basically makes for a 7 storey building • Nothing comparable except Vernon Jubilee Hosptial, Village Green Inn – neither impacts neighbours and both have adequate access and can handle exceptional traffic • People will still use and jam Brooks Lane • In favour of development but this building is over built for the

	<p>area</p> <ul style="list-style-type: none"> • Out of lots there 3 lots have converted to single family homes and two lots are under renovation for homes – more than half staying to single family homes • Major and destructive change to the neighbourhood • Needs to be restricted • Q. Council: the 10 m restriction – can Administration address? • A. Admin: The section referred to is in relation to 5.3 Medium Density Residential – it is required to restrict height – this is the Tourist Commercial land designation • The height is more than this area is able to handle • Thank you for rental restriction noted as short term rentals are devastating to this area
Colleen Richter	<ul style="list-style-type: none"> • Lives on Okanagan Landing Road • Is in favour of this development • Lived 25 years at this location • No issues with development as it occurs • In favour of future growth in the area
Doris Iverson	<ul style="list-style-type: none"> • Everyone she speaks with is against this proposal – even short term renters • Appreciate quiet of the area • Is not good for the community • Noted Aug 25 accident on Brooks Lane • When emergency vehicles attended they could not get through • Had to backup and come in on the south end • Safety is a concern • The lane is only 21 ft wide • How are any emergency vehicles supposed to use • They live there and they see what occurs • People do not conform to rules – even no parking rules • Any further accidents and there will still be problems • Against high density buildings • Will have minimum 34 more people living there on one of the smallest lanes in Vernon • This development needs to build elsewhere • Will never see the sun again as it will be 5 storeys • You can see through trees – you can't see through buildings • Please consider the size of the building, the traffic and the safety of the area • Children use the lane and people walk with animals on streets • Want a quiet peaceful neighbourhood to live in • Doesn't want development just so people can retire here • Consider everyone else who uses this area
Frank Pinelli	<ul style="list-style-type: none"> • Lives on Okanagan Ave • Arrived here 4 years ago – from Ontario – born & raised

	<ul style="list-style-type: none"> • Chose Vernon to retire so he can golf and ski • This is a tourist town • Gob smacked that this is what Vernon has to offer – the appeal reached all the way to Ontario and convinced him to move • Not uncommon to hear complaints about tourists from local residents – but that’s what comes with being a tourist town • When he moved here he lived at the Strand for two years • Heard negative talk about Strand – but he knows what it is like to like in tourist rental with 100+ units • Found a single family log home to move to • You can do what is talked about to maintain flavor of neighbourhood – this is in context of OCP and will permit people who want to live on the water an option • Dan and partners are proposing an option for waterfront lifestyle and offer to others to buy in to same opportunity • Will not be like the Strand – worse quality built building, with no sound barrier • Told this project will be quality built with sound proofing and excellent quality of life • Strand is a monstrosity – but this proposal is not – it conforms to all requests and is puzzled as to why it isn’t being embraced • Provides public access and parking is now restricted on Brooks Lane • Bylaw Enforcement can handle those that park against the rules • Neighbours aren’t excited about development but this is what comes of being a tourist town • Message should go out that this is the type of thing Vernon supports at the Council level
Carol Liedtke	<ul style="list-style-type: none"> • Lives on Longacre • Recently moved to Vernon • Doesn’t mind retirees • Didn’t expect to be back to Council in four months • First application – the applicant was not prepared with information • Somehow came back with more information today • Didn’t bother too much to get Community information • Didn’t consider the impact on other people in the area • Not the best beginning • Someone should have spoken last time • Only heard it was “a project by four men wanting to put change in their pockets” • Contacted City Hall, attended and called – unable to get all the information • No one seems to be able to answer how high the buildings are as compared to proposal one and this proposal two – believes only 7 ft difference in the two • Erroneous info given to people who bought in area – told would

	<p>stay R1</p> <ul style="list-style-type: none"> • C10 is in the plan but land is still R1 at this point • Owners of this property told by City they could change it • Protocol noted as to how it has come back – proposal was supposed to change • When at City Hall – told Council told more information will be coming, then architects told them they would change proposal – which is right? • Has compassion for applicants but more compassion for existing residents with existing investments who enjoy the community as it is • Afraid this will set precedent for development down the lake • Concur with other speakers • Privacy issues noted • Views will be lost to those behind on Okanagan Landing • Traffic – confusing – how many are being constructed? • Will there be two cars per unit and how many are visitors - needs clarification • Entrance and exit to Brooks Lane still a problem • Nature will be affected • Will trees on property opposite road be removed too? • Public access is confusing – goes nowhere? No exit and no plan for access yet? Why – because there's no place for it to go? • Reduction from 19 to 17 units not much • It's a lane – means 'a public thoroughfare to allow secondary access only' • Likes community the way it is with reasonable development • Please restrict to R1 height maybe 3-4 stories only • Will impact Longacre area due to traffic • Aware taxes will be gleaned but trust will consider constituents value on homes
Dave Connolly	<ul style="list-style-type: none"> • Lives on Okanagan Landing Road west of property • Does not approve revised application • Trouble with math – seems will be 7 storeys all in • Vernona Vista is 4 storeys and visual is trouble • Character of Community comes from walking from Kin Beach to Paddle Wheel Park – when you do that you pass by lots of properties at medium density (2.5 stories) – that is the character of Community • Thought the restriction was 2.5 storeys • A 7 storey development is not the character of the community • OCP allows – Tuscan Terrace did 10A but with restrictions on it • Not against development but within character • Read OCP and Waterfront Plan – referenced sections and opportunity for mix • This is not compatible with neighbourhood • The street network will not accommodate

	<ul style="list-style-type: none"> • Pleased to hear reference to walking path • Walking on Okanagan Landing Road is not a fun experience • Kids use this area • School in the area • Very little light in area • Drainage is terrible • Upgrading road is great idea – sooner the better • Shadow analysis is a huge issue for neighbours • Concurs with previous speakers • Proposes that a discussion be had as to what is reasonable and then adopt that for Brooks Lane • No room for 7 storey building • Need to revise Waterfront Plan to reflect nature of Community • Encourages everyone to take a walk in that area – great progress but needs work on infrastructure
Bill McKeage	<ul style="list-style-type: none"> • Okanagan Landing Rd resident • Safety concerns even now with construction work • Lots of parking in front of home • Difficult to get out of driveway • This development will cause a lot more problems • Read environmental assessment - says owners intended to have 6 storeys? Maybe amended at this point?
Roger Green	<ul style="list-style-type: none"> • Partner with MQN Architects • Heard both sides • Appreciates a lot of challenges with new development • Change is tough for existing residents • Neighbourhood is in transition • OCP permits C10 and is the long term plan for the area • This is a transitional area • Community centre down the road • Transitioning from single family to higher density • Recognize it is difficult for the neighbours • Trying to meet needs of clients and neighbourhood's • Looking at a 5 storey building not a 7 storey building • There is an OCP that they are following • Need to look at future of Vernon • How do we create space for existing and new residents • Looked at zoning and OCP – this is the Tourist Commercial zone up to 9 storeys • Have considered neighbours and reduced to 5 storeys • Q. Council: What is difference between the two applications? A. Architect: It is one complete residential storey – best guess at this point 61 ft height - could be less.
Sue Connolly	<ul style="list-style-type: none"> • Okanagan Landing Rd Resident • No one attended for the first rezoning application this evening,

	<p>which indicates it is a good fit for that area</p> <ul style="list-style-type: none"> • This is just not a good fit as so many have taken time to respond • Need to revisit Waterfront Neighbourhood Plan • Doesn't need to change from R1 at this point – maybe one day it will
Shawn Hannigan	<ul style="list-style-type: none"> • Lives on Brooks Lane • Q. Has it been determined what time line for construction is? • A. Applicant: Difficult to answer – cannot say at this point – expected 18 months to two years – not 3 or 4 years • For next two years residents will have to listen to construction • The strata – bought unit in a strata and they kept changing the rules in regard to rentals – it can change over the years and it was why he sold
Jennifer Fossum	<ul style="list-style-type: none"> • Representing MQN Architects • Grew up in Okanagan Landing and used Brooks Lane to bike • Commends City removing parking as it did make it safer to use • Clarification of some items: • 2.5 Storey question – R1 has height restriction, but C10 has 9 storey • Applicant will sign covenant to restrict to 5 storey construction • Are not asking to place C10 on fringe of residential, this property is amidst other C10 properties • Parking is more than adequate • In regard to alienation of neighbours – encourage to go out and meet the neighbours so you are not alienated • Parking issues addressed • Applicant will be redeveloping landscaping – no formal plan yet, but will be submitted – no intention to touch boulevard trees • Any application for docks, if there is one, will be subject to regulations • Noted numerous other examples of height in Community • Apologize for any process issues with City – they also run into issues with the City • Not asking to change area – it is in the area and seen as infill to the area • All parking requirements are met • Drainage and lighting issues fall under engineering and should contact engineers at City in that regard • Infrastructure for the area comes with development – the City cannot force existing residents to develop area – new development brings this new infrastructure for all to enjoy
Kim Donnelly	<ul style="list-style-type: none"> • Lives on Brooks Lane • Daughter goes to Okanagan Landing School – they walk every day • Dodging construction traffic every day now

	<ul style="list-style-type: none"> • Constant mud and water issues • Her building has 7 units and not enough parking especially for visitors • Cannot see how unit of this size can be sustained on this lane • Not enough parking • Want to make sure plan is well thought out • Pathway – so people will just come down to beach and use? • A. Admin: Through development the public will gain access to the foreshore area. There will be parkland as well at this location. All beach is public land – the 6m trail will provide access to the beach area • Q. Will there be a sidewalk built along Brooks Lane to access? • A. Admin: At this point not enough land to build – still considering temporary measures until development allows construction of access • Is that the same path as Kin Beach to Paddle Wheel Park? A. Admin: No – this is a path on the beach area and also a path on Brooks Lane to Paddle Wheel Park
Alfred Chan	<ul style="list-style-type: none"> • Lives east of the Development, right beside – affects him a lot • Presentation is not straight forward • If 4 want to retire why not just build 4 units – you are building for downtown Vancouver • Premature for the area • Didn't answer questions on drainage • Big house under construction and nothing but trouble with water • Spent \$20,000 last year to address water problem on his property • Shouldn't develop until water issues are known and how to deal with • Can't approve without answers to questions • Height has changed but only a 7 ft reduction and questions still not addressed • Walkway right beside his property is planned • Noise will affect him • Has been there 45 years and he wants a good retirement too • No right to disturb his peace • Cut your units down to size for your retirement • Restriction nothing less than 30 days – potential 156 turnover days per year • 17 units with 156 turnover will triple traffic issues • Is upset – 61 ft height and people next store – will never see the sun again • Water issues will seep over to neighbours – doesn't need this problem • Q. Council: How stringent are the water/drainage reporting requirements? Any extraordinary measures for this area? A. Admin: Administration has Engineer working on drainage issues

	<p>for this area. Applicant will need to submit drainage plans with before and after plans. Further request for Drainage Engineer.</p> <ul style="list-style-type: none"> • Q. Council: What if turns out to be wrong? A. Admin: All Engineers are required legally to act in professional manner – or can be reprimanded and lose accreditation. The Engineer must ensure accommodations for drainage have been made
Doris Iverson	<ul style="list-style-type: none"> • Does talk to everyone in the neighbourhood • Very wrong to say she doesn't talk to people • Still don't want that monstrosity • Doesn't need a six storey building in the neighbourhood • Good in another area – please consider the lane and the community • Q. The Verona – is it built on one parcel or two? A. Admin: One lot now but wider so it could have been more than one.
Marj Chan	<ul style="list-style-type: none"> • Looking at tourism and development, but remember who we were to build Vernon • Supported the community for many, many years • Neighbours help to build communities • New neighbours paid for two lots and building single family home • Dealing with water problems and will cost a lot • Still hasn't solved issues • Instead of acting like the existing neighbours should accommodate new people – should try to assimilate into the area • Want to ensure they don't ruin neighbours lives by joining the area • Residents have tried to protect the area • If you want to retire – build something nice – but don't overrun the area to do it • It's a beautiful old area with trees and green space • They share beach area with the public as a neighbourly effort not as a tourism initiative • Please consider • Q. This development has underground parking and Verona has parking – what is the comparison. A. Admin: The Verona has total of 5 storeys
Gary Iverson	<ul style="list-style-type: none"> • Vista Verona lot size – setback has been bumped up and this allowed more space for parking • No provision for guest traffic on this new development • Vista Verona 4 storeys and it starts well below road grade • Proposed building coming in at 78 ft with Utilities on top as best guest • Doesn't fit with neighbourhood • Overshadowing shouldn't be permitted


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

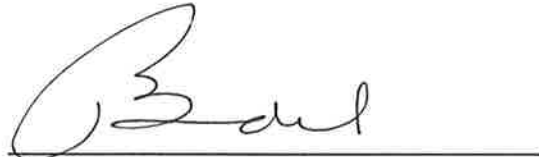
"7497 and 7501 Brooks Lane Rezoning Amendment Bylaw Number 5785, 2019"

CLOSE:

The Public Hearing closed at 7:47 pm.

CERTIFIED CORRECT:


Mayor


Corporate Officer