



THE CORPORATION OF THE CITY OF VERNON

MINUTES OF THE ADVISORY PLANNING COMMITTEE MEETING HELD ON TUESDAY, MAY 10, 2022, at 4:00 PM COUNCIL CHAMBERS (OKANAGAN LAKE ROOM)

PRESENT: VOTING
Mark Longworth (Chair)
Claire Ishoy
Don Schuster
Harpreet Singh Nahal
Joshua Lunn
Phyllis Kereliuk

NON-VOTING: Mayor Cumming

ABSENT: Jamie Paterson
Monique Hubbs-Michiel
Lisa Briggs

STAFF: Barbara Everdene, Long Range Planner
Carson Mackonka, Planning Assistant
Roy Nuriel, Planner, Economic Development
Tracy Mueller, Committee Clerk

ORDER The Chair called the meeting to order at 4:00 PM.

**LAND
ACKNOWLEDGMENT** *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.*

Before the start of the meeting, the Chair welcomed and introduced Claire Ishoy as the newest member of the Advisory Planning Committee.

ADOPTION OF AGENDA Moved by D. Schuster, and seconded by H. Singh Nahal:

THAT the Advisory Planning Committee agenda of May 10, 2022, be adopted.

CARRIED

ADOPTION OF MINUTES Moved by P. Kereliuk, and seconded by H. Singh Nahal:

THAT the minutes for the Advisory Planning Committee meeting of April 26, 2022, be adopted.

CARRIED

NEW BUSINESS:

**OCP00089 / ZON00376
OFFICIAL COMMUNITY
PLAN AMENDMENT AND
REZONING
APPLICATIONS FOR THE
PROPOSED PORT
OKANAGAN PROJECT AT
2525 LAKESHORE ROAD
AND 7295 OKANAGAN
LANDING ROAD**

Roy Nuriel, Planner, Economic Development, provided an overview of OCP00089 / ZON00376, an application to amend the Official Community Plan land use designations at 2525 Lakeshore Road and 7295 Okanagan Landing Road and to rezone the properties to allow for the development of “Port Okanagan” - a mixed use waterfront village with multi family residential and commercial uses, including a resort hotel designed around park space and an environmentally sensitive wetland area.

Committee Member J. Lunn arrived at 4:03 PM

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

- The Committee requested clarification regarding the responsibility for the removal of wetlands.
 - In response, staff noted that the applicant engaged an environmental professional and a professional report is part of the permitting approval process by the province and the Department of Fisheries and Oceans (DFO) Canada.
- The committee noted that both the scale and massing of the site is concerning.
 - Staff clarified that the proposed plan follows the development policies in the OCP and the Waterfront Neighbourhood Centre Plan.
- Concern was expressed regarding public use of the park and the pier.
 - Staff clarified that the developer has to maintain the park, as it is private; however, the public will be granted access in in perpetuity as part of the statutory right of way. Should the

pier be permitted by the province it would have full public access and use rights.

- There was concern expressed that most of the development is in the floodplain.
 - Staff reiterated that the applicant will provide a professional flood hazard assessment report as a condition of rezoning.
- The committee requested clarification regarding the proposed public walkway.
 - In response, staff noted that a public walkway along the foreshore was identified in the Waterfront Neighbourhood Centre Plan. A right of way for the walkway is granted for redevelopment at the rezoning, subdivision and variance stages.
- The Committee requested clarification regarding how the project will move along in terms of phasing.
 - Staff noted that there is a subdivision application and the area would be developed by several property owners in phases.
- Is there any plan for general low-income housing intended for the project?
 - In response, staff confirmed that at this time there is no proposal for affordable housing.
- The Committee noted that in terms of the scale of development, there must be consideration for having trees in parking areas, permeable paving, etc. as part of the design concept and in keeping with sustainable building practice.
- It was noted that consideration should be given for pathway along Marshal Road, to the east it is a wide, multi-use path and then it transitions into a sidewalk for half the distance.
- The Committee expressed concern regarding the quality of the development; noting that the City should ensure that the development is thoughtfully done to the highest standards.
 - Staff clarified that the design guidelines are part of the new CD7 zone and follow the OCP and waterfront Neighbourhood Centre Plan.

Moved by H. Singh Nahal, and seconded by C. Ishoy:

THAT Council support the application to amend the Official Community Plan land use designations for a portion of the properties at Lot A, Plan EPP57999, Sec 30, Twp 9, DL 62, ODYD and Lot 5, Plan KAP58651, DL 62, ODYD (2525 Lakeshore Road and 7295 Okanagan Landing Road) from 'Mixed Use - Medium Density Commercial and Residential' to 'Park' and from 'Park' to 'Mixed Use - Medium Density Commercial and Residential', as shown in Attachment 6 and outlined in the report titled "Official Community Plan Amendment and Rezoning Applications for Port Okanagan at 2525 Lakeshore Road and 7295 Okanagan Landing Road" dated April 29, 2022 and respectfully submitted by the Economic Development Planner;

AND FURTHER, that Council support the application to rezone Lot A, Plan EPP57999, Sec 30 Twp 9, DL 62, ODYD and Lot 5, Plan KAP58651, DL 62, ODYD (2525 Lakeshore Road and 7295 Okanagan Landing Road) from 'R5 - Four-plex Housing Residential' and 'C10 - Tourist Commercial' to 'P5 - Private Park' and to a new Comprehensive Development Area (CD7) zone, as shown in Attachments 8 and 9, in order to develop the Port Okanagan mixed use development, subject to the following conditions:

- a) the owner registers a blanket statutory right of way on the area zoned 'P5 – Private Park', allowing for public access and use in perpetuity;
- b) the owner is to enter into a development agreement with the City for the construction of a 2.0 m public pathway on the City owned property at 2548 Lakeshore Road to allow for public pedestrian access from the foreshore to Lakeshore Road;
- c) the owner provides road dedication along Okanagan Landing Road, Lakeshore Road and Marshall Road to meet the requirements of Subdivision and Development Servicing Bylaw #3843;
- d) the owner provides the City with a flood hazard assessment report prepared by a Qualified Professional in accordance with the 'Flood Hazard Area Land Use Management Guidelines' of the Province of British Columbia and the 'Professional Practice Guidelines -

Legislated Flood Assessments in a Changing Climate in BC' adopted by Engineers and Geoscientists BC;

- e) the owner registers a *Land Title Act* section 219 restrictive covenant specifying conditions that will certify that the land is safe for the intended use and releasing and indemnifying the City from liability in the event of damage caused by flood or erosion;
- f) the owner provides the City with a copy of approved provincial and federal environmental permits;
- g) that the environmental development permit (DP000882) application for environmental management and park areas is approved; and

that prior to final adoption of the rezoning amendment bylaw, the subdivision application is approved and its imposed conditions are registered on all property titles.

AND FURTHER, that Council direct staff to review the CD Zone closely to ensure the quality of construction, parking and treescapes is suitable for the subject development area.

CARRIED as amended

Mayor Cumming exited the meeting at 5:10 PM

INFORMATION ITEMS

- a) Staff provided a brief overview regarding some of the projects discussed at Council on May 9, 2022, as follows:
 - **DVP00564 (3001 43 Avenue):** Council supported the request to allow for a second freestanding sign on the site.
 - **DVP00565 (5515 Okanagan Avenue):** Council supported the requested variance to allow four parking spaces.
 - **DVP000570 (6673 Blackcomb Way):** Council approved the requested variance, to allow the construction of an in-ground swimming pool at the rear of the property; engineering revised the drainage design.

NEXT MEETING

The next meeting of the Advisory Planning Committee is tentatively scheduled for **Tuesday, May 31, 2022, at 4:00 PM.**

ADJOURNMENT

The Advisory Planning Committee meeting of May 10, 2022, was adjourned at the call of the Chair.

The meeting of the Advisory Planning Committee adjourned at 5:17 PM.

CERTIFIED CORRECT:


Chairperson