



THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF THE  
ADVISORY PLANNING COMMITTEE MEETING  
HELD WEDNESDAY, OCTOBER 12, 2022 AT 4:00 PM  
GREATER VERNON MUSEUM & ARCHIVES**

**PRESENT:** Claire Ishoy  
Don Schuster  
Doug Neden  
Jamie Paterson  
Joshua Lunn  
Margaret Jarman  
Mark Longworth  
Mayor Cumming  
Monique Hubbs-Michiel  
Phyllis Kereliuk

**ABSENT:** Harpreet Nahal  
Lisa Briggs

**STAFF:** Craig Broderick, Manager Current Planning/Approving Officer  
Jennifer Pounder, Committee Clerk  
Michael Olubiyi, Current Planner  
Michelle Austin, Planner

**ORDER** The meeting was called to order at 4:00 p.m.

**LAND  
ACKNOWLEDGEMENT** *As Chair of the City of Vernon's Advisory Panel 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 advised Committee members that the applicant for DVP00561 (Item 5, B) requested to withdraw their item from discussion.

Therefore, it is in order for the agenda of the October 12, 2022 Advisory Planning Committee meeting to be adopted as amended.

**ADOPTION OF THE  
AGENDA**

**Moved** by J. Paterson, seconded by D. Neden:

THAT the agenda of the Advisory Planning Committee meeting for October 12, 2022 be adopted as amended:

**CARRIED**

*The agenda was varied*

**ADOPTION OF THE  
MINUTES**

**Moved** by M. Hubbs-Michiel, seconded by P. Kereliuk:

THAT the minutes for the Advisory Planning Committee meeting of September 7, 2022 be adopted.

**CARRIED**

*Mayor Cumming and C. Ishoy arrived at 4:05 p.m.*

**NEW BUSINESS:**

**ZON00385 / DVP00569  
(1609 43<sup>RD</sup> AVENUE)**

**M. Austin, Planner**, provided an overview of the application as follows:

- The application before the Committee is for rezoning and development variance permit applications for the property located at 1609 43rd Avenue.
- The applicants would like to rezone the property from R5 to RH2 and vary Zoning Bylaw 5000, Section 9.13.6, side yard and rear yard setbacks in preparation for a 16-unit townhouse development.
- There is currently a single-family home on the property that will be demolished when the property is developed.

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

- The Committee expressed concern regarding the water on the property and questioned where the source is. Staff is not aware of an active stream near the property. There is a drain on the property that was installed by a previous owner, and all water

issues will be dealt with at the building permit stage to ensure they coincide with the bylaws.

- The Committee inquired if the playground is required. Staff confirmed it is a recommendation.
- Staff confirmed the owner considered utilizing rooftop patios but decided against these as they are trying to keep the units affordable.
- The Committee confirmed the location of the playground is where the snow removal will be located.
- Staff confirmed that recycling and garbage services will be contracted privately and the cost will be included in the strata fees.
- The Committee recommended staff be clearer about what is happening with the development of the lots surrounding the property when the application is presented to Council.
- Staff confirmed there is an easement registered where the future driveway will be located. According to the easement agreement, concrete or pavement will not be used, but instead a type of permeable surface will be installed. This has already been dealt with by the engineer.

**Moved by D. Schuster, seconded by M. Hubbs-Michiel:**

THAT Council support Zoning Application 00385 (ZON00385) to rezone Lot 1, Sec 2, TP 8, ODYD, Plan KAP48497 (1609 43<sup>rd</sup> Avenue) from R5 – Four-plex Residential to RH2 – Stacked Row Housing Residential as outlined in the report titled “Zoning and Development Variance Permit Applications for 1609 43<sup>rd</sup> Avenue” dated September 29, 2022 and respectfully submitted by the Current Planner;

AND FURTHER, that Council’s support of ZON00385 is subject to the following:

- a) that a combined Multiple Family and Environmental Development Permit is ready for issuance prior to final adoption of a bylaw to rezone the property; and

- b) that a covenant, in favour of the City of Vernon, be registered on title of the land:
  - i. prohibiting health services, personal services, and retail conveniences secondary uses;
  - ii. limiting the maximum number of dwelling units to 16;
  - iii. limiting the maximum height of buildings to the lesser of 10m or 3 storeys; and
  - iv. requiring common outdoor amenity space with a playground structure;

AND FURTHER, that Council hold a public hearing, pursuant to 464(1) of the *Local Government Act*, on a proposed bylaw to rezone Lot 1, Sec 2, TP 8, ODYD, Plan KAP48497 (1609 43<sup>rd</sup> Avenue) from R5 – Four-plex Residential to RH2 – Stacked Row Housing Residential;

AND FURTHER, that Council be advised that Development Variance Permit Application 00569 (DVP00569) will be brought forward for Council's consideration and public input on the same date as the public hearing, to vary Zoning Bylaw 5000 for Lot 1, Sec 2, TP 8, ODYD, Plan KAP48497 (1609 43<sup>rd</sup> Avenue) by:

- a) decreasing Section 9.13.6, minimum side yard (east), from 3m to 2m for Building 2;
- b) decreasing Section 9.13.6, minimum side yard (east), from 3m to 2.6m for the portion of Building 4 being  $\leq 2.5$  storeys;
- c) decreasing Section 9.13.6, minimum side yard (east), from 6m to 2.6m for the portion of Building 4 being  $> 2.5$  storeys;
- d) decreasing Section 9.13.6, minimum rear yard, from 7.5m to 3.7m for the portion of Buildings 3 and 4  $\leq 2$  storeys; and
- e) decreasing Section 9.13.6, minimum rear yard, from 9m to 3.7m for the portion of the Buildings 3 and 4  $> 2$  storeys.

**CARRIED**

*M. Austin left at 4:30 p.m.*

**ZON00340**  
**(173 VINEYARD WAY)**

**C. Broderick, Manager, Current Planning/Approving Officer,**  
provided an overview of the application as follows:

- The application before the Committee is to rezone the subject property from RTR: Resort Residential and RTC: Resort Commercial to RTR: Resort Residential.
- The applicant intends to develop multi-family buildings, ie. Townhouses, for permanent occupancy.
- The original application was to change zoning to RTCA, however staff recommend supporting the rezoning to RTR to stay away from the commercial component permitted in the RTCA zone.

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

- Staff confirmed RTR zoning will allow single family, townhouse buildings and a range of other housing forms.
- The Committee inquired about the slopes on the property being over 30%. Staff confirmed where the buildings will be located is 25-30% slope.
- The Committee inquired if the current right of way will be turned into a roadway connecting Pinto Place to Vineyard Way. Staff confirmed there are currently no plans to connect them other than for active transportation uses (ie. path, trail).
- Staff confirmed the entire property will be rezoned to RTR.
- The Committee inquired as to why no public hearing will be held. Staff confirmed if the zoning is compliant with the Official Community Plan, a public hearing is not required. The neighboring property owners will be notified of the proposed rezoning. The Committee discussed having a public hearing as the property is going to be significantly changed from the existing vineyard. There is also a trail currently on the property that is used regularly by members of the public and they should be made aware of the proposed changes.
- Staff confirmed that a bed and breakfast is part of the RTR zoning. Staff further confirmed that suites are not allowed with the new zoning.

- The Committee inquired about a care center minor. Staff confirmed it is for a home-based business care center. RTR zoning allows for a daycare for youth or adults.

Moved by **D. Neden**, seconded by **M. Jarman**:

THAT Council support the zoning application 00340 (ZON00340) LT 1, SEC 31, TWP 9, ODYD, PL EPP48289 (173 Vineyard Way) from RTR: Resort Residential and RTC: Resort Commercial to RTR: Resort Residential and a refinement of the zoning boundary along the easterly side of the property to align the P1: Parks and Open Space with the natural drainage course and existing covenant boundaries (i.e. CA792809, EPP55321) as outlined in the report titled "Rezoning Application for 173 Vineyard Way" dated October 5, 2022 and respectfully submitted by the Approving Officer;

AND FURTHER, that Council's support of ZON00340 be subject to the following:

- a) a no-build, no-disturb covenant be registered on title until such time that a Development Permit (multi-family, hillside) is ready to be issued; and that a statutory right-of-way is secured as a condition of future development to protect future water main looping through the property (as required to conform to Regional District of North Okanagan Bylaw 2650 B.23);

AND FURTHER, that Council direct Administration to prepare a proposed bylaw and public notice of initial readings to rezone LT 1, SEC 31, TWP 9, ODYD, PL EPP48289 (173 Vineyard Way) from RTR: Resort Residential and RTC: Resort Commercial to RTR: Resort Residential and a refinement of the zoning boundary along the easterly side of the property to align the P1: Parks and Open Space with the natural drainage course and existing covenant boundaries (i.e. CA792809, EPP55321);

AND FURTHER, that Council not hold a public hearing on a proposed bylaw, pursuant to 464(1) of the *Local Government Act*, on a proposed bylaw to rezone LT 1, SEC 31, TWP 9, ODYD, PL EPP48289 (173 Vineyard Way) from RTR: Resort Residential and RTC: Resort Commercial to RTR: Resort Residential and a

refinement of the zoning boundary along the easterly side of the property to align the P1: Parks and Open Space with the natural drainage course and existing covenant boundaries (i.e. CA792809, EPP55321).

**CARRIED**

**INFORMATION ITEMS:**

Craig Broderick, Manager, Current Planning/Approving Officer, provided a brief overview regarding some of the projects discussed at Council as follows:

- **DVP00556 (7567 KLINGER ROAD)**  
CARRIED
- **DVP00572 (1607 POTTERY ROAD)**  
CARRIED
- **ZON00329 (5661 OKANAGAN LANDING ROAD)**  
Request for extension granted


**NEXT MEETING**

The next meeting for the Advisory Planning Committee is set for **Tuesday, November 15, 2022 at 4:00 p.m.**

**ADJOURNMENT**

The meeting of the Advisory Planning Committee adjourned at 5:05 p.m. by call of the Chair.

**CERTIFIED CORRECT:**

 Chair