

**THE CORPORATION OF THE CITY OF VERNON
MINUTES OF THE ADVISORY PLANNING COMMITTEE**

**January 23, 2024, 4:00 p.m.
CITY HALL COUNCIL CHAMBER
3400 30 Street
Vernon B.C.**

Committee Members

Present: Jordan Hart
Jessica Kirkham
Margo Lupien
Scott Chatterton
Margo Jarman
Claire Ishoy
Monique Hubbs-Michiel
Kyla Gaudreau
Kennedy Mund
Mayor Cumming

Committee Members

Absent: Craig Neville
Harpreet Nahal

Administration

Present: Jennifer Pounder, Records / Committee Clerk
Ally Campbell, Planner II
Michelle Austin, Current Planner
Roy Nuriel, Acting General Manager, Planning
Craig Broderick, Approving Officer

1. CALL ADVISORY PLANNING COMMITTEE TO ORDER

1.a Land Acknowledgment

As chair of the City of Vernon's Advisory Planning Committee (APC), 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.

1.b Agenda

Moved by: Margo Jarman

Seconded by: Margo Lupien

THAT the Agenda for the January 23, 2024 Advisory Planning Committee Meeting be adopted as amended.

CARRIED

1.c Adoption of Minutes

Moved by: Scott Chatterton

Seconded by: J. Hart

THAT the minutes of the Advisory Planning Committee meeting held December 12, 2023, be adopted.

CARRIED

2. UNFINISHED BUSINESS

3. NEW BUSINESS

Before agenda item DVP00629 (Manning Place) was discussed, Advisory Planning Committee member M. Hubbs-Michiel declared a conflict of interest; M. Hubbs-Michiel exited the meeting at 4:01 p.m.

Mayor Cumming joined the meeting at 4:03 p.m.

3.a DVP00629 (Manning Place)

- Staff confirmed that the future subdivision would have a storm water collection system, designed by a qualified engineer and accepted by Staff. The system is designed to drain into the ravine. This would be protected by a statutory right of way and maintained by the City.
- Staff stated that a trail running down the ravine was initially considered; however it was deemed unsafe due to the steepness. RDNO staff have indicated that they have a statutory right of way for a future pathway close by.

- The Committee commented that there are options for permeable driveways and other design considerations to avoid the need for a development variance permit.

Moved by: Margo Lupien

Seconded by: Kyla Gaudreau

THAT the Advisory Planning Committee recommends that Council support Development Variance Permit application 00629 (DVP00629) to vary Section 9.6.6 of Zoning Bylaw 5000 to the impermeable surface coverage for Lots 5 to 15 to be varied from 50% to 57% and Lot 16 to be varied from 50% to 51% as part of a subdivision LOT 1 PLAN 41347 SECTION 18 TOWNSHIP 5 OSOYOOS DIVISION YALE DISTRICT EXCEPT PLAN KAP44294 KAP49760 KAP50427 as outlined in the report titled "Development Variance Permit Application for Manning Place" dated January 17, 2024 and respectfully submitted by the Approving Officer.

CARRIED

M. Hubbs-Michiel returned to the meeting at 4:16 p.m.

3.b DVP00614 (132 Sunset Boulevard)

- Staff confirmed that the wall was built prior to the development variance permit application being received. A stop work order was issued to the homeowners.
- The Committee expressed concern about a pattern where landowners tend to apply for required permits after completing construction.
- Staff confirmed the height of the retaining wall is measured from driveway to the highest point of the wall.

Moved by: Scott Chatterton

Seconded by: Claire Ishoy

THAT the Advisory Planning Committee recommends that Council support Development Variance Permit 00614 (DVP00614) to vary Zoning Bylaw 5000 for STRATA LOTS 32 AND 33, PL KAS1975, DL 6, ODYD (132 and 136 Sunset Boulevard) as outlined in the report titled "Development

Variance Permit Application for 132 and 136 Sunset Boulevard” dated January 18, 2024 and respectfully submitted by the Planner II, as follows:

- a. Section 4.15.1, vary to allow the construction of a retaining wall on slopes of 30% or greater;
- b. Section 6.5.1.i, increasing the height of a retaining wall, from 1.2m (3.9ft) to 3.66m (12.0ft) within the front yard setback; and
- c. Section 6.5.11, increasing the maximum height of retaining walls on a residential lot measured from grade on the lower side, from 1.2m (3.9ft) to 3.66m (12.0ft);

AND FURTHER, that Council's approval of DVP00614 is subject to the following:

- i. That the retaining wall complies with the site plan and elevations submitted by 925R Design Inc. dated May 8, 2023 (Attachment 1) to be attached to and form part of DVP00614; and
- ii. That the retaining wall complies with the Geotechnical Letter submitted by Applebruin Engineering Inc. dated March 17, 2023 (Attachment 2) to be attached and form part of DVP00614.

AND FURTHER, the Advisory Planning Committee recommends that Council explore measures to ensure compliance with the Zoning Bylaw, such as implementing higher application fees for applications received after construction commencement or completion.

CARRIED

3.c DVP00618 (3411 34 Avenue)

- Staff confirmed that the neighbors would be notified of the variance request.
- Staff confirmed that carport structure within 1.2m of the side property line is required to have a fully enclosed wall, with a 45 min fire rating and non-combustible cladding.

Moved by: Claire Ishoy

Seconded by: Margo Jarman

THAT the Advisory Planning Committee recommends that Council support a modified version of Development Variance Permit Application 00618 (DVP00618) by varying Zoning Bylaw 5000 for LT 11, BLK 35, DL 72, ODYD, PLAN 327 (3411 34th Avenue) as outlined in the report titled "Development Variance Permit Application for 3411 34th Avenue" dated January 19, 2024 and respectfully submitted by the Planner II, as follows:

- a. Section 10.3.6, to reduce the side yard setback from 2.0m (6.6ft) to 1.0m (3.3ft) to allow for the construction of a detached carport;

AND FURTHER, that Council's support of DVP00618 is subject to the following:

- i. That the development generally complies with an updated site plan and elevation drawings to be attached to and form part of DVP00618.

CARRIED

4. INFORMATION ITEMS

M. Austin, Current Planner, provided an update of recent Council decisions on applications previously considered by the Advisory Planning Committee.

5. NEXT MEETING

The next meeting for the Advisory Planning Committee is scheduled for February 13, 2024 at 4:00 pm.

6. CLOSE OF MEETING

The meeting of the Advisory Planning Committee adjourned at 4:49 pm by call of the Chair.



Chair