



## **CORPORATION OF THE CITY OF VERNON**

### **ADVISORY PLANNING COMMITTEE**

**TUESDAY, JANUARY 23, 2018**

**4:00 pm – OKANAGAN LAKE ROOM**

## **A G E N D A**

**1. ADOPTION OF AGENDA**

**2. ADOPTION OF MINUTES**

January 9, 2018 (attached)

**3. NEW BUSINESS**

a) **DVP00419** – Development Variance Permit application for 3908 32 Street

b) **DVP00420** – Development Variance Permit application for 5400 Willow Drive

c) **OCP00072** – Official Community Plan Amendment application for 5902 Pleasant Valley Road

**4. INFORMATION ITEMS**

a) The Staff Liaison provided an update of APC items discussed at the January 22, 2018 Council meeting.

**5. NEXT MEETING**

The next meeting is tentatively scheduled for **Wednesday**, February 14, 2018.

**6. ADJOURNMENT**



## THE CORPORATION OF THE CITY OF VERNON

### MINUTES OF ADVISORY PLANNING COMMITTEE MEETING

HELD

TUESDAY, JANUARY 9, 2018

**PRESENT:** VOTING

Jamie Paterson  
Barry Beardsell  
Doug Neden  
Don Schuster  
Monique Hubbs-Michiel  
Mark Longworth  
Ian Murphy

NON VOTING

Councillor Cunningham  
Councillor Spiers  
Corbin Kelley, Youth Member

**Guests:** David Young, Project Manager, PRIMA Engineering Inc.  
Xenia Semeniuk, BENCH Site Design Inc.  
Kevin Ryan, BlueGreen Architecture Inc.

**ABSENT:** Joanne Georgeson  
Vicki Topping  
Natalie Lussin  
Lisa Kongsdorf

**STAFF:** Craig Broderick, Manager Current Planning  
Kim Flick, Director, Community Infrastructure and Development Services  
Roy Nuriel, Planner, Economic Development  
Cleo Corbett, Long Range Planner  
Ellen Morrison, Transportation Planner  
Ed Stranks, Manager, Engineering Development  
Janice Nicol, Legislative Committee Clerk

**ORDER**

The Legislative Committee Clerk called the meeting to order at 4:00 p.m. and called a three times for nominations for the positions of Committee Chair for 2018.

**ELECTION OF CHAIR**

Moved by Doug Neden, seconded by Don Schuster:

THAT Mark Longworth elected Chair of the Advisory Planning Committee for 2018.

**CARRIED.**

Nominations were called for the position of Vice-Chair. Doug Neden and Ian Murphy were nominated. Ian Murphy respectfully declined the nomination.

**ELECTION OF VICE-CHAIR**

Moved by Don Schuster, seconded by Jamie Paterson:

THAT Doug Neden be elected Vice-Chair of the Advisory Planning Committee for 2018.

**CARRIED.**

**REVIEW – TERMS OF REFERENCE AND BULLYING AND HARASSMENT POLICY**

The Committee reviewed the Advisory Planning Terms of Reference and the Bullying and Harassment Policy.

**ADOPTION OF AGENDA**

Moved by Don Schuster, seconded by Monique Hubbs-Michiel:

THAT the agenda of the Advisory Planning Committee meeting for Tuesday, January 9, 2018 be adopted.

**CARRIED.**

**ADOPTION OF MINUTES**

Moved by Jamie Paterson, seconded by Monique Hubbs-Michiel;

THAT the minutes for the Advisory Planning Committee meeting of Tuesday, December 12, 2017 be adopted.

**CARRIED.**

**NEW BUSINESS:**

**DEVELOPMENT VARIANCE PERMIT – 3100 32 AVENUE**

The Advisory Planning Committee reviewed Development Variance Permit application DVP00412 located at 3100 32 Avenue The Planner, Economic Development provided an overview of the presentation. The following points were noted:

- If approved, all access would be from the lane rather than from 31 Street.
- Concern that access should be dealt with from 32 Street down to 30 Street, rather than on an individual application basis.
- Recommend that the Advisory Planning Committee deny the staff recommendation as the City should support this organization.
- It was questioned whether there are plans for intersection improvement.

Moved by Monique Hubbs-Michiel, seconded by Doug Neden;

THAT the Advisory Planning Committee recommends that Council not support the development variance permit application to vary Zoning Bylaw #5000, Schedule B, to reduce required right of way for 32<sup>nd</sup> Avenue from 25.0m to 18.20m in order to expand the existing North Okanagan Youth & Family Services Society (NOYFSS) building on Lots 15 and part of 16, Blk 59, Plan 327, Sec 34, Twp 9, ODYD (3100 – 32<sup>nd</sup> Avenue);

AND FURTHER, that the Advisory Planning Committee recommends that Council support a variance to the Zoning Bylaw #5000, Schedule B, to reduce required right of way for 32<sup>nd</sup> Avenue from 25.0m to 21.0m in order to expand the existing North Okanagan Youth & Family Services Society (NOYFSS) building on Lots 15 and part of 16, Blk 59, Plan 327, Sec 34, Twp 9, ODYD (3100 – 32<sup>nd</sup> Avenue);

AND FURTHER, that the Advisory Planning Committee recommends that Council support a variance to the Zoning Bylaw #5000, Schedule B, to reduce required right of way for 31<sup>st</sup> Street from 18.5m to 15.24m on Lots 15 and part of 16, Blk 59, Plan 327, Sec 34, Twp 9, ODYD (3100 – 32<sup>nd</sup> Avenue);

AND FURTHER, that the Advisory Planning Committee recommends that Council support a variance to the Subdivision and Development Servicing Bylaw #3843, Schedule A, to waive the requirement for offsite road works in 32<sup>nd</sup> Avenue and 31<sup>st</sup> Street adjacent to Lots 15 and part of 16, Blk 59, Plan 327, Sec 34, Twp 9, ODYD (3100 – 32<sup>nd</sup> Avenue);

AND FURTHER, that the Advisory Planning Committee recommends that Council support of DVP00412 is subject to the following:

- a) The owner is to dedicate road right-of-way widening of approximately 1.35m on Lots 15 and part of 16, Blk 59, Plan 327, Sec 34, Twp 9, ODYD along the 32<sup>nd</sup> Avenue;
- b) The owner is to dedicate a 2.0m by 2.0m corner cut-off at the northeast corner of the property;
- c) The owner is to remove the existing access off 31<sup>st</sup> Street;
- d) That Lots 15 and part of 16, Blk 59, Plan 327, Sec 34, Twp 9, ODYD be consolidated prior to the issuance of the occupancy permit; and

That the site, floor and elevation plans noted as Attachments 1 to 4 inclusive in the report titled "Development Variance Permit Application for 3100 – 32<sup>nd</sup> Avenue" dated January 3, 2018 by the Economic Development Planner be revised per Council's conditions and attached to and form part of DVP00412 as Schedule 'A'.

#### **CARRIED.**

#### **MCMECHAN LANDS NEIGHBOURHOOD PLANNING WORKSHOP**

The Advisory Planning Committee was provided with an overview of McMechan Land Planning concepts. Cleo Corbett, Long Range Planner, Kevin Ryan, BlueGreen Architecture Inc. and Xenia Semeniuk, BENCH Site Design Inc. outlined the proposed neighbourhood design, planning principles, access points, identity, pedestrian movement and connectivity, active laneways, lots sizes and housing types and typography. A Traffic Impact Assessment has been submitted.

The following Committee feedback was noted:

- Suggestion to have on-site stormwater detention.
- Important to maintain landscaping once installed.
- Concerns about the safety of proposed active laneways – cars sharing areas with pedestrians.
- Need to establish who maintains the proposed public areas to ensure upkeep and maintenance.
- Concern regarding affordability if these are new builds.

Next step – Public Open House is planned in January or February to gain feedback. As the application is finalized, it will be referred to the Committee for input and recommendations.

**INFORMATION ITEMS:**

The Staff Liaison provided an update of APC related items discussed at the January 8, 2018 Council meetings as follows:

- The Public Hearing was held on the Floor Space Ratio (FSR) Zoning/OCP Bylaw amendments. As per the recommendation from APC, graphic examples of a variety of FSR calculations were presented at the PH and circulated at this meeting for the Committee’s reference. The Zoning Bylaw amendment needs Ministry of Transportation and Infrastructure prior to bylaw adoption (along with the OCP Bylaw amendment).

**NEXT MEETING**

The next regular meeting of the Advisory Planning Committee is scheduled for Tuesday, January 23, 2018.

**ADJOURNMENT**

The meeting of the Advisory Planning Committee adjourned at 5:24 p.m.

**CERTIFIED CORRECT:**

\_\_\_\_\_Chair



# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Roy Nuriel  
Economic Development Planner

**COUNCIL MEETING:** REG  COW  I/C   
**COUNCIL MEETING DATE:** February 13, 2018  
**REPORT DATE:** January 15, 2018  
**FILE:** DVP00419

**SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 3908 – 32<sup>ND</sup> STREET**

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## **PURPOSE:**

To review the development variance permit application for 3908 – 32<sup>nd</sup> Street to vary front yard setback and parking requirements in Zoning Bylaw #5000 in order to develop a seasonal patio restaurant.

## **RECOMMENDATION:**

THAT Council support the development variance permit application to vary the following sections of Zoning Bylaw #5000 to allow for the construction of a seasonal patio restaurant on Lot A, Plan 32682, Sec 3, Twp 8, ODYD (3908 – 32<sup>nd</sup> Street):

- a) To vary the minimum front yard setback from 6.0m to 1.4m (Sec.10.10.5); and
- b) To vary the minimum required parking spaces from 52 spaces to 43 spaces (Sec.7, Table 7.1).

AND FURTHER, that Council's support of DVP00419 is subject to the following:

- a) That the site, floor and elevation plans shown as Attachments 2, 3 and 5 in the report titled "Development Variance Permit Application for 3908 – 32<sup>nd</sup> Street" dated January 15, 2018 by the Economic Development Planner are to be attached to and form part of Development Variance Permit #DVP00419 as Schedule 'A'.

## **ALTERNATIVES & IMPLICATIONS:**

1. THAT Council support the development variance permit application to vary the following sections of Zoning Bylaw #5000 to allow for the construction of a seasonal patio restaurant on Lot A, Plan 32682, Sec 3, Twp 8, ODYD (3908 – 32<sup>nd</sup> Street):

- a) To vary the minimum front yard setback from 6.0m to 1.4m (Sec.10.10.5); and
- b) To vary the minimum required parking spaces from 52 spaces to 43 spaces (Sec.7, Table 7.1).

AND FURTHER, that Council's support of DVP00419 is subject to the following:

- a) *To be cited by Council; and*
- b) That the site, floor and elevation plans shown as Attachments 2, 3 and 5 in the report titled "Development Variance Permit Application for 3908 – 32<sup>nd</sup> Street dated January 15, 2018 by the Economic Development Planner are to be attached to and form part of Development Variance Permit #DVP00419 as Schedule 'A'.

*Note: This alternative supports the development variance application as requested by the applicant, subject to any other conditions cited by Council.*

2. THAT Council not support the development variance permit application to vary the following sections of Zoning Bylaw #5000 to allow for the construction of a seasonal patio restaurant on Lot A, Plan 32682, Sec 3, Twp 8, ODYD (3908 – 32<sup>nd</sup> Street):

- a) To vary the minimum front yard setback from 6.0m to 1.4m (Sec.10.10.5); and
- b) To vary the minimum required parking spaces from 52 spaces to 43 spaces (Sec.7, Table 7.1).

*Note: This alternative does not support the development variance application. The owner would have to develop the property in accordance with the bylaws.*

**ANALYSIS:**

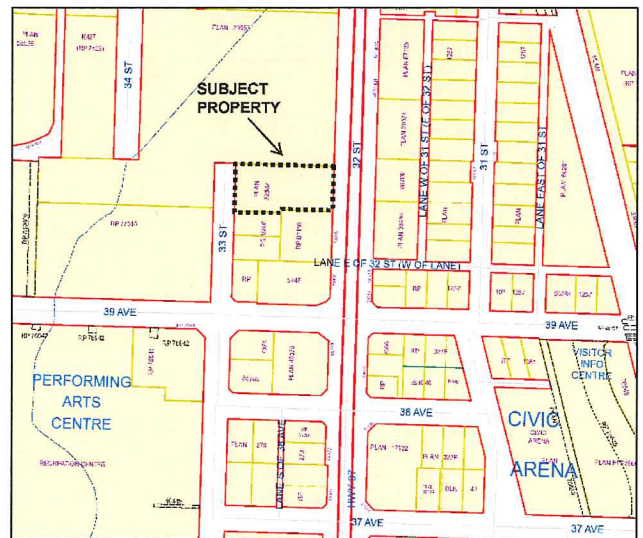
**A. Committee Recommendations:**

At its meeting of January 23, 2018, the Advisory Planning Committee adopted the following resolution:

“ ”

**B. Rationale:**

- 1. The subject property at 3908 – 32<sup>nd</sup> Street, as shown on Figures 1 and 2, is designated Community Commercial in the Official Community Plan (OCP). The property which is zoned C10 – Tourist Commercial as per Zoning Bylaw #5000, allows for a range of uses including primary food establishment. The site is 0.57 ac in size, with frontage on Highway 97 (32<sup>nd</sup> Street) and 33<sup>rd</sup> Street.
- 2. The subject application is to vary the following sections of Zoning Bylaw #5000 in order to construct a seasonal patio for the new steakhouse restaurant:
  - a) To vary the minimum front yard setback from 6.0m to 1.4m (Sec.10.10.5); and
  - b) To vary the minimum required parking spaces from 52 spaces to 43 spaces (Sec.7, Table 7.1).



**Figure 1 – Property Location Map**

The applicant has submitted a letter dated November 21, 2017 which outlines and provides rationale in support of the variance application (Attachment 1).

3. The proposed variance to reduce the front yard setback from 6.0m to 1.4m would allow for the seasonal patio to be located in the front of the restaurant, adjacent to Highway 97. As illustrated in Attachments 2 and 3, the 52 seat patio will be setback by 4.4m from the edge of sidewalk and 1.4m from the front property line. The addition of the outdoor patio in the front of the new restaurant would contribute to the aesthetics of the building and provide an attractive street presentation on the highway corridor. The patio will also provide an appealing gathering space which is good for business and the local economy.

4. The Ministry of Transportation and Infrastructure (MOTI) require that any development within the special 4.5m setback from the highway right-of-way, submit a setback permit for their approval. In a letter dated January 5, 2018, the MOTI approved the proposed patio location and the encroachment to special highway setback (Attachment 4).

5. The applicant is also requesting to vary the minimum number of parking spaces for the restaurant and the seasonal patio from 52 spaces to 43 spaces. As illustrated in Attachment 5, the interior of the restaurant will include 156 seats and the outdoor patio 52 seats, totalling 208 seats. As per Section 7 of Zoning Bylaw #5000, food primary establishments must provide one parking space per four seats. As such, the total required number of parking spaces for the site is 52. As illustrated in Attachment 2, the number of provided parking spaces on the subject property is 43. The deficiency of nine parking spaces is a result of the proposed patio space. The nature of outdoor patio activity in the Okanagan is mostly seasonal, between May and September, with the peak during the summer. Typically patrons prefer the outdoor patio area over the interior restaurant during clear weather conditions. Therefore, more seats inside the restaurant would be vacant, which reduces the demand for parking. Also, it is anticipated that many of restaurant's clientele would walk from the adjacent hotels.



Figure 2 – Aerial Photo of the property

6. In support of the proposed parking variance, the applicant has retained CTQ Consultants to conduct a parking review. As per Attachment 6, the review supports the proposed parking reduction based on proximity to hotels, the seasonal nature of the patio and the availability of nearby on-street parking.

7. Administration supports the subject development variance permit application for the following reasons:

- a) The proposed seasonal outdoor patio provides an attractive street presentation, contributes to Highway 97 beautification efforts and supports economic development.
- b) The reduction of front yard setback for the patio was approved by the MOTI and has no effect on the safety for motorists and pedestrians.
- c) The use of the outdoor patio space is seasonal between May and September. During that time the patio would be the preferred seating area instead of inside the restaurant, which means the restaurant would not be at full capacity, therefore the full number of parking spaces would not be required. Also, it is anticipated that many of the restaurant's clientele would be tourists staying in the adjacent hotels, and would walk to/from the restaurant.

8. Should Council support DVP00419, Administration recommends that the site, floor and elevation plans shown as Attachments 2, 3 and 5 in the report titled "Development Variance Permit Application for 3908 – 32<sup>nd</sup> Street" dated January 15, 2018 by the Economic Development Planner are to be attached to and form part of Development Variance Permit #DVP00419 as Schedule 'A'.

**C. Attachments:**

- Attachment 1 – Applicant letter
- Attachment 2 – Site plan
- Attachment 3 – Patio site and elevation plan
- Attachment 4 – MOTI approval letter
- Attachment 5 – Restaurant seating plan
- Attachment 6 - Parking Review

**D. Council’s Strategic Plan 2015 – 2018 Goals/Deliverables:**

The subject application involves the following deliverable in Council’s Strategic Plan 2015 – 2018:

- Support sustainable neighbourhoods by implementing neighbourhood plans and the OCP
- Be leader in Economic Development

**E. Relevant Policy/Bylaws/Resolutions:**

1. The subject property is designated Community Commercial in the OCP.
2. The property is zoned C10 – Tourist Commercial in accordance with Zoning Bylaw #5000. The minimum front yard building setback in the C10 zoning district is 6.0m.
3. As per Section 4.10.1 in Zoning Bylaw #5000, all buildings, structures and landscaping excluding perimeter fencing (garden walls and fences) on lots abutting Provincial Highways shall not be closer to the highway than the required Provincial Highway setbacks. (Bylaw 5339)
4. The Local Government Act provides Council with the authority to vary local bylaws based on site specific considerations. The granting of such variances does not set a precedent within the community for future variances to be based upon, as each variance application must be evaluated on its own merit and potential implications to the whole community and the specific neighbourhood.

**BUDGET/RESOURCE IMPLICATIONS:**

N/A

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Prepared by:

Approved for submission to Council:



Roy Nuriel  
Economic Development Planner

\_\_\_\_\_  
Will Pearce, CAO

Date: \_\_\_\_\_

Right-click to sign  
with **DocuSign**

Kim Flick  
Director, Community Infrastructure and Development

**REVIEWED WITH**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Corporate Services                    | <input type="checkbox"/> Operations           | <input checked="" type="checkbox"/> Current Planning               |
| <input type="checkbox"/> Bylaw Compliance                      | <input type="checkbox"/> Public Works/Airport | <input type="checkbox"/> Long Range Planning & Sustainability      |
| <input type="checkbox"/> Real Estate                           | <input type="checkbox"/> Facilities           | <input type="checkbox"/> Building & Licensing                      |
| <input type="checkbox"/> RCMP                                  | <input type="checkbox"/> Utilities            | <input type="checkbox"/> Engineering Development Services          |
| <input type="checkbox"/> Fire & Rescue Services                | <input type="checkbox"/> Recreation Services  | <input type="checkbox"/> Infrastructure Management                 |
| <input type="checkbox"/> Human Resources                       | <input type="checkbox"/> Parks                | <input checked="" type="checkbox"/> Transportation                 |
| <input type="checkbox"/> Financial Services                    |   | <input checked="" type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Jan.23/18) |   |  |
| <input type="checkbox"/> OTHER:                                |   |  |



November 21, 2017

City of Vernon  
3001-32<sup>nd</sup> Ave.  
Vernon, BC  
V1T 2L8

Attention:

Building Counter

Re: Mr. Mikes Patio DP Variance Application

Please find attached:

- DP Variance Application
- Patio Plan
- Site Plan(s)
- Application Fee
- Letter of Agency Schedule "3"

We are submitting a DP Variance Application for the approval of a patio for the Mr. Mikes restaurant location currently under construction/renovation. The variances required are for a setback variance for the distance of the patio from Highway 97 and a parking variance for the additional proposed 52 seats on the patio.

#### Setback

As per the attached site plan showing the patio size and location the proposed patio will be setback 14 ft & 4.5 inches from the inside edge of the existing sidewalk on Highway 97 and 4 feet 7 inches from the property line.

#### Parking

The current site plan attached provides for a total of 43 parking stalls or a total of 172 seats. The restaurant seating as per the attached plan is 156 seats, which represents 16 seats less than the parking provided in accordance to the zoning bylaw.

The patio provides an additional 52 seats, which would equal 36 seats over the provided parking or a deficiency of 9 parking stalls. It is our position in making this application that the additional seats on the patio are seasonal with reasonable activity between May and September of each year with a more intense patio focus June thru August of each year.

It is also our position that during the peak season of June –August that the patio seating will be the preferred seating over interior seating due to the weather on sunny days therefore on most occasion's when the patio is fully occupied there will still be vacant seating in the interior of the restaurant. There will be very limited occasion's when both the patio and the interior seating will be fully occupied.



It is imperative to a healthy business model that the restaurant can optimize its sales revenue throughout the year by having a seasonal patio offering to its clients and therefore the rationale behind this application.

In addition to this we feel that a number of the clients who will eat at Mr. Mikes will come from the adjacent Vernon Lodge hotel and will be pedestrian clients who will not require a car or parking. There will not be vehicle access between the two properties but there will be pedestrian access.

I trust this meets with your requirements and request the support of council on this variance application.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Tebbutt", is written over the word "Sincerely,".

Gary Tebbutt





DEVELOPMENT APPROVALS  
COMMUNICATION

1068455 BC LTD;  
c/o City of Vernon  
3400-30th Street  
Vernon, British Columbia V1T 5E6  
Canada

Your File #: DVP00419  
eDAS File #: 2018-00100  
Date: Jan/05/2018

Attention: Roy Nuriel

**Re: Proposed DVP Application for:**

**PID: 003-329-631, Lot A, Sec 3, Twp 8, ODYD Plan 32682**

**3908 32nd St, Vernon**

Thank you for the opportunity to comment on the above noted proposal. Although the Ministry of Transportation and Infrastructure has no legislated authority to comment on this DVP, this proposal does affect our interests. A setback permit will be required.

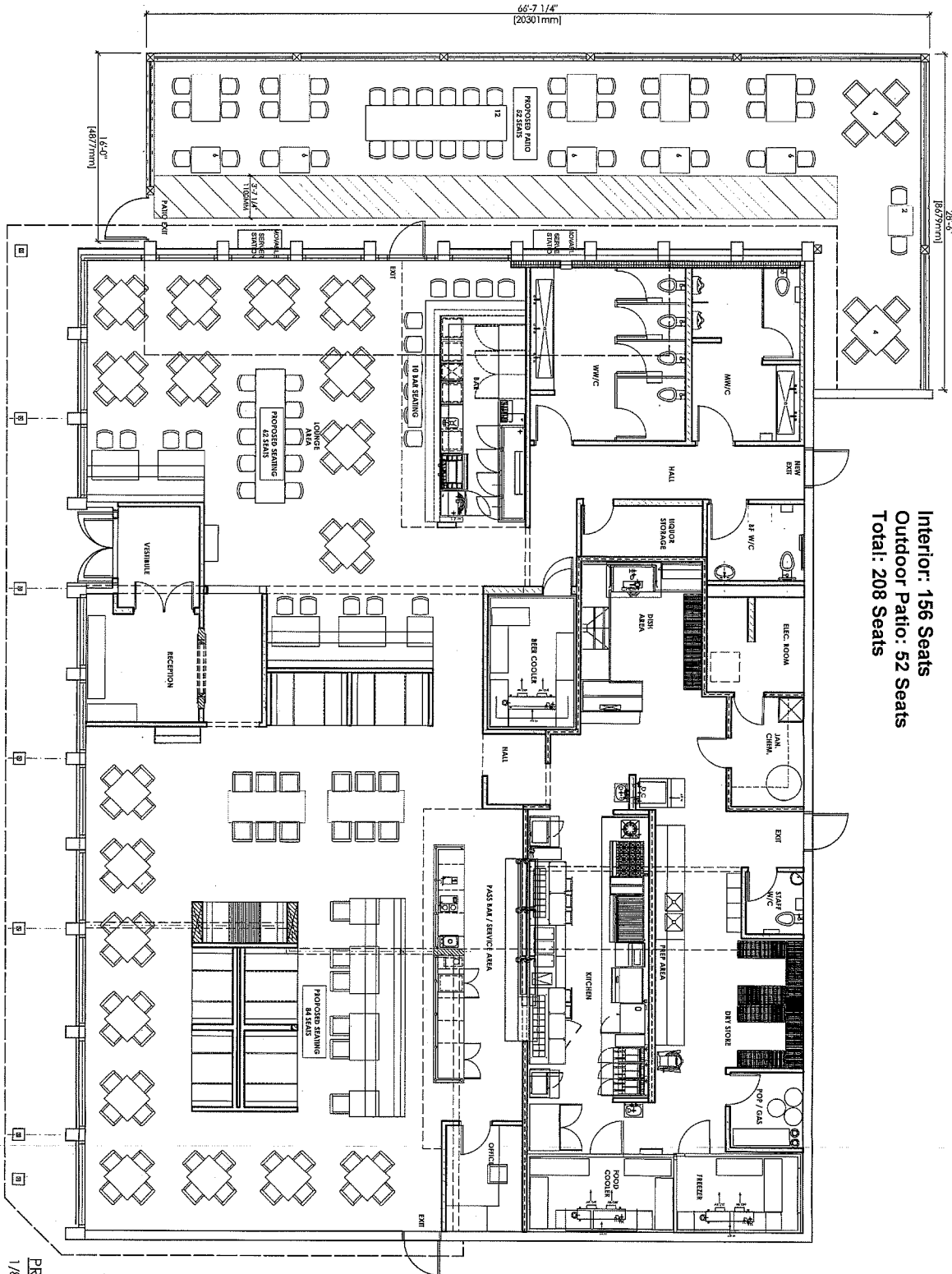
I have performed a review of this proposal and determined that I am willing to provide a setback permit for the addition of an outdoor patio. Please have the landowner apply at our Vernon office and I will provide the approval as soon as I can.

If you have any questions please feel free to call Desiree Lantenhammer at (250) 503-8963.

Yours truly,

Desiree Lantenhammer, BSc  
Development Approvals Technician

Local District Address
Vernon Area Office 4791 23rd Street Vernon, BC V1T 4K9 Canada Phone: (250) 503-3664 Fax: (250) 503-3631



**Mr. Mike's Restaurant Seating Plan**  
**Interior: 156 Seats**  
**Outdoor Patio: 52 Seats**  
**Total: 208 Seats**

RECEIVED NOV 2 1, 2017  
 3908 32 SF.  
 Mr. Mike's Steakhouse

PROPOSED PATIO LAYOUT  
 1/8" = 1'-0"  
 DNP419 LL000045



January 18, 2018

Project No.: 13103

File No.: 5-Correspondence

Compass Real Estate Developments Ltd.

Attention: Gary Tebbutt

**Re: Mr. Mikes Patio DP Variance Application  
Vernon, BC  
Parking Review**

**COST**

**TIME**

**QUALITY**

We are pleased to provide the following review of the proposed parking layout of the proposed Development Variance Application for the patio as part of the building located at 3908 32<sup>nd</sup> Street in Vernon.

#### **A) SITE CONTEXT**

The 2,300m<sup>2</sup> site is currently zoned C10 with a 535m<sup>2</sup> building (23% site coverage) and 43 onsite parking stalls at the back of the building. There is an entry to the site off 32<sup>nd</sup> Street (Highway 97) and an entry to the parking off of the adjacent lane (33<sup>rd</sup> Street) to the west of the building. 33<sup>rd</sup> Street has a 15m wide RoW and does not have any parking restrictions adjacent to the site, and parallel parking is allowed where there is no interference with access to adjacent commercial buildings. The adjacent street parking on 33<sup>rd</sup> Street is 7 stalls, with an additional 11 street parking spots between the site and 39<sup>th</sup> Avenue to the south. The Vernon Lodge Hotel is to the north of the site, with additional hotel parking on the west side of 33<sup>rd</sup> Street across from the site.

The overall area is shown on **Figure 1** on the following page.

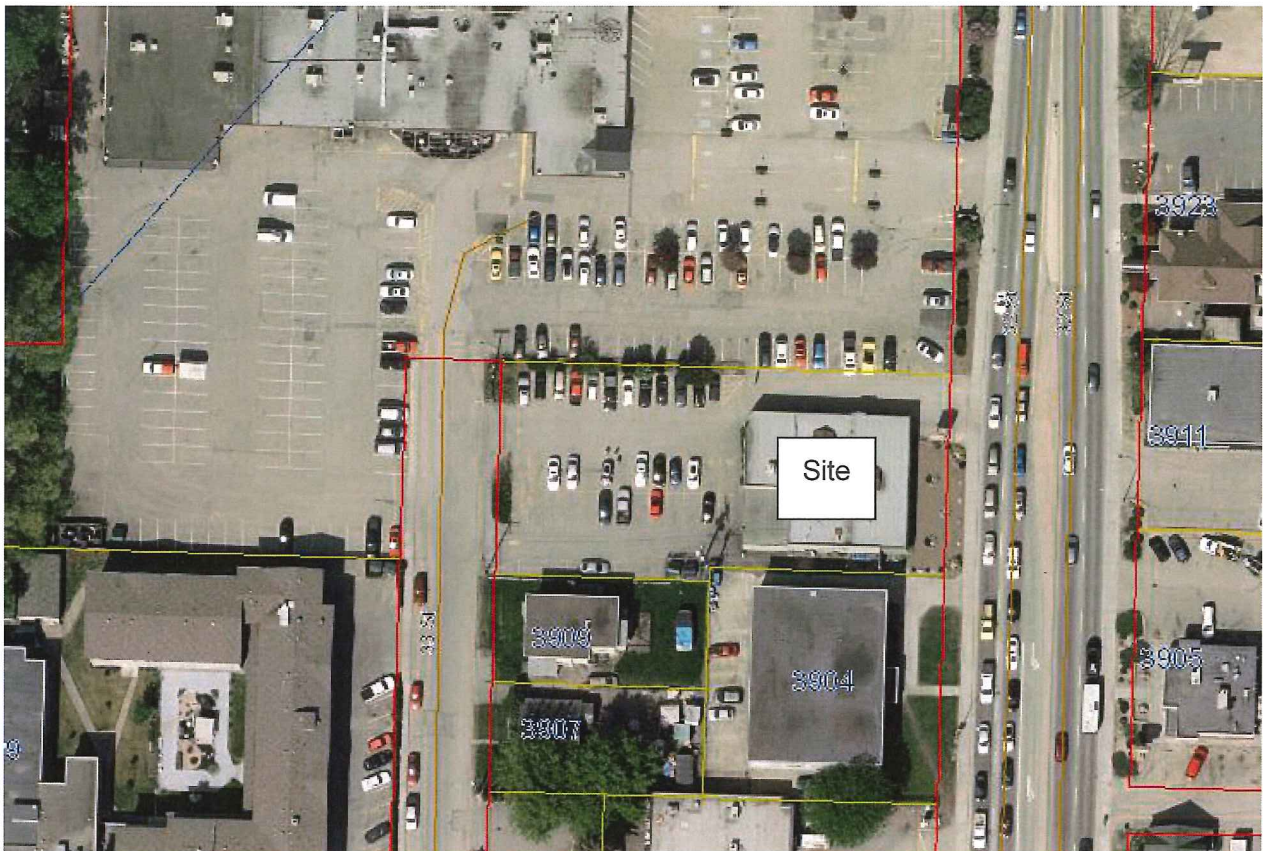


Figure 1 – Site Location

## B) BACKGROUND INFORMATION

The City of Vernon parking requirements for the food primary - C10 zoning is 1 stall per 4 seats. This would work out to 52 stalls for the 208 seats (including the patio with 52 seats). This equates to a shortfall of 9 stall from the current 43 stalls provided on the site.

Parking requirements for adjacent Municipalities were reviewed with the following results for food primary service facilities.

- City of Kelowna Zoning Bylaw - for the food primary - 1 stall per 4 seats;
- City of Penticton – 1 stall per 50 m<sup>2</sup> of net floor area;
- City of West Kelowna – for the food primary - 1 stall per 4 seats;

With the close proximity of the 124-guest room Vernon Lodge Hotel, it is anticipated there will be a percentage of the restaurant clientele coming directly from guests of the hotel.

**C) RECOMMENDATION**

With the combination of the flow of restaurant clientele from the adjacent hotel, the seasonal use of the patio, and the available on street parking on 33<sup>rd</sup> Street, the addition of the patio to the existing restaurant will not adversely impact the parking supply for the site. We recommend the City of Vernon allow for the parking variance in support of the patio addition to the restaurant.

If you have any further questions or require any additional information please contact our office.

Sincerely,

CTQ CONSULTANTS LTD.

Per:



Mr. David D. Cullen, P.Eng.

Transportation Engineer

DDC: ddc



# CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Sheila Bridge, Municipal Development  
Technician III

**COUNCIL MEETING:** REG  COW  I/C   
**COUNCIL MEETING DATE:** February 26, 2018  
**REPORT DATE:** January 12, 2018  
**FILE:** DVP00420

**SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 5400 WILLOW DRIVE**

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## **PURPOSE:**

To review the development variance permit application to vary the servicing standard provisions within Subdivision and Development Servicing Bylaw #3843 for the proposed development of 5400 Willow Drive.

## **RECOMMENDATION:**

THAT Council support the development variance permit application (DVP00420) to vary Subdivision and Development Servicing Bylaw #3843 Schedule A requirements to upgrade the road works in Willow Drive adjacent to Lot A, Plan EPP31464, District Lot 75, ODYD, by not requiring asphalt widening, new curb, gutter, sidewalk or streetlights as a condition of development approval and return the funds collected for the works contribution.

## **ALTERNATIVES & IMPLICATIONS:**

1. That Council not support the application as submitted, and support an amended development variance application (DVP00420) to vary Subdivision and Development Servicing Bylaw #3843 Schedule A requirements to upgrade the road works in Willow Drive adjacent to Lot A, Plan EPP31464, District Lot 75, ODYD, to a reduced asphalt widening consistent with the Integrated Transportation Framework (ITF) of 0.9m and reduce the funds provided as part of the Works Contribution Agreement obtained by the developer in order to proceed with a building permit application.

*Note: This would provide for future construction of a dedicated off street parking lane adjacent to this lot only. Future changes to the Subdivision and Development Servicing Bylaw #3843 Schedules A and B to road standards consistent with good asset management principles, if supported by Council, would likely result in these funds being returned.*

## **ANALYSIS:**

### **A. Committee Recommendations:**

At its meeting of January 23, 2018, the Advisory Planning Committee passed the following resolution:

**B. Rationale:**

1. The subject property is located in South Vernon at 5400 Willow Drive as shown in Figure 1 and Attachment 1. The land has been designated as RLD – Residential Low Density within the Official Community Plan and is in the R5 – Four-Plex Housing Residential zoning district of Zoning Bylaw #5000 (Attachment 2).
2. The applicant has applied for a development permit (DP00620) in order to construct an 11 unit multi-family complex with a mixture of duplex, triplex and fourplex units (Attachment 3) which was approved for issuance on the 24<sup>th</sup> day of February, 2016.
3. In order to allow construction to start in the spring of 2017, the applicant applied for and received the first building permit (BP006069) for a duplex building that meets all bylaw requirements, including provision of onsite parking.
4. The requested variance to the servicing standards of Subdivision and Development Servicing Bylaw (SDSB) #3843 Schedule A to waive the requirement to widen the asphalt in Willow Drive adjacent to the subject property would leave the existing road works in the area unchanged. As shown in Table 1 below, the road in this area has concrete curb, gutter and a 1.5m wide sidewalk adjacent to the property. The road was built to City standards of the day in 1974. This is the last property in the area to be developed and would thus be the only one upgrading the adjacent road works if the variance was not supported.
5. Willow Drive is identified as a Local Road in the Master Transportation Plan and the subject property has a zoning designation of R5. As a condition of development approval, SDSB #3843 Schedule A requires the adjacent road in Willow Drive to have 9.5m of asphalt (two travel and one dedicated parking lane), concrete curb, gutter and 1.5m wide sidewalk. A reduction in the off-site works required is supportable as this is consistent with the principles of the Integrated Transportation Framework (ITF). The ITF map indicates an 8.9m wide asphalt road surface (two travel lanes and one dedicated parking lane) in this area. Currently, Willow Drive has a pavement width of approximately 8.0m; concrete curb, gutter and a 1.5m wide sidewalk adjacent to the site. The existing asphalt width does not provide for a dedicated parking lane but does enable on street parking which would provide traffic calming consistent with all roads in the area. The proposed development is providing parking onsite to current Zoning Bylaw standards and thus not creating a potential increased demand for on street parking. There are existing overhead hydro and communication lines on the north side of Willow Drive with a street light mounted on a pole just east of the site. Installation of a street light is not supported on this side of the road (adjacent to the site) due to the potential for conflict with the overhead lines. Administration supports keeping the existing road works unchanged and consistent with the rest of the neighborhood.
6. In order to obtain a Building Permit the developer entered into a Works Contribution Agreement as part of BP6006069 to provide for future road widening, new curb and gutter at the new alignment, and 1.5m wide sidewalk. If the variance is approved, the funds provided as part of the Works Contribution Agreement would be refunded.



**Table 1 – Willow Drive**

<b>Willow Drive</b>	<b>Pavement Width</b>	<b>Concrete Curb &amp; Gutter</b>	<b>Concrete Sidewalk</b>
Bylaw #3843 Schedule A Table A.2 Requirement	9.5m	Yes	1.5m both sides
ITF Section 3-1	8.9m	Concrete curb & gutter	1.5m one side
Existing Condition	8.0m	Concrete curb & gutter	1.5m one side (north)
Requested Variance	No Change	No Change	No Change
<b>Recommended</b>	No Change	No Change	No Change

**C. Attachments:**

Attachment 1 – Site location

Attachment 2 – Zoning Bylaw #5000 Section 9.6 R5 – Four-plex Residential zoning district

Attachment 3 – DP000620 Site Plan and Building Elevations

**D. Council’s Strategic Plan 2015 – 2018 Goals/Deliverables:**

The subject application involves the following objectives in Council’s Strategic Plan 2015 – 2018:

- Support sustainable urban development by reducing offsite costs and reviewing parking requirements for infill development.

**E. Relevant Policy/Bylaws/Resolutions:**

At its Regular Meeting of April 14, 2014, Council passed the following resolution:

“THAT Council endorse Scenario #2 as contained in the presentation titled City of Vernon Integrated Transportation Framework (ITF) dated April 2014, and direct Administration to complete the Integrated Transportation Framework with a list of recommendations that will require updates to policy and standards to support implementation of the ITF, to be presented to Council at a future meeting for consideration.”

While updates to policy and standards are yet to be submitted to Council for consideration, the proposed cross section is consistent with recommended changes to standards which appear in the ITF.

**BUDGET/RESOURCE IMPLICATIONS:**

The funds collected for the Works Contribution would need to be returned if the variance is supported.

Prepared by:

Approved for submission to Council:

Sheila Bridge  
Municipal Development Technician III

\_\_\_\_\_  
Will Pearce, CAO

Date: \_\_\_\_\_

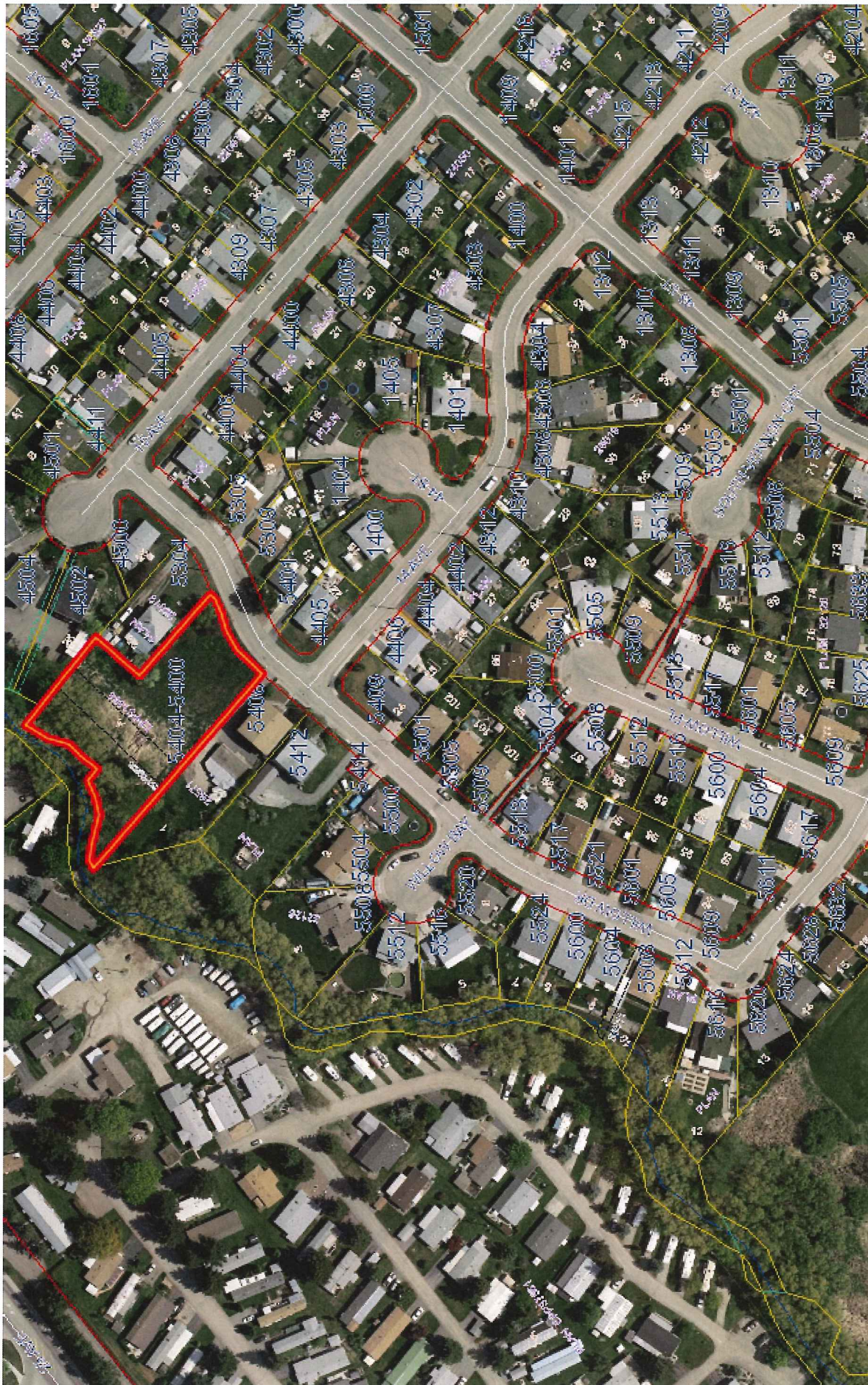
Kim Flick  
Director, Community Infrastructure and Development

**REVIEWED WITH**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Corporate Services                       | <input type="checkbox"/> Operations           | <input checked="" type="checkbox"/> Current Planning                 |
| <input type="checkbox"/> Bylaw Compliance                         | <input type="checkbox"/> Public Works/Airport | <input type="checkbox"/> Long Range Planning & Sustainability        |
| <input type="checkbox"/> Real Estate                              | <input type="checkbox"/> Facilities           | <input type="checkbox"/> Building & Licensing                        |
| <input type="checkbox"/> RCMP                                     | <input type="checkbox"/> Utilities            | <input checked="" type="checkbox"/> Engineering Development Services |
| <input type="checkbox"/> Fire & Rescue Services                   | <input type="checkbox"/> Recreation Services  | <input type="checkbox"/> Infrastructure Management                   |
| <input type="checkbox"/> Human Resources                          | <input type="checkbox"/> Parks                | <input type="checkbox"/> Transportation                              |
| <input type="checkbox"/> Financial Services                       |   | <input type="checkbox"/> Economic Development & Tourism              |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Jan 23, 2018) |   |  |
| <input type="checkbox"/> OTHER:                                   |   |  |



# Vernon Essentials Site



1:2,000

© Corporation of the City of Vernon



This drawing has been produced by the City of Vernon's Geographic Information System. The data provided is derived from a variety of sources with varying levels of accuracy. The City of Vernon makes no warranty or representation, expressed or implied, with the regard to the correctness, accuracy and/or reliability of the information contained herein.

## 9.6 R5: Four-plex Housing Residential

### 9.6.1 Purpose

The purpose is to provide a **zone** for the **development** of a maximum of four ground oriented **dwelling** units in the form of **single detached, semi-detached, duplex, three-plex** or **four-plex housing** on urban services. The R5c sub-zoning district allows for **care centre, major** as an additional use. The R5h sub-zoning district allows for **home based business, major** as an additional use. *(Bylaw 5467)*

### 9.6.2 Primary Uses<sup>4</sup>

- **care centre, major** *(use is only permitted with the R5c sub-zoning district)*
- **duplex housing**
- **four-plex housing**
- **group home, major**
- **semi-detached housing**
- **single detached housing**
- **three-plex housing**
- **seniors housing**

### 9.6.3 Secondary Uses

- **boarding rooms**
- **care centres, minor**
- **home based businesses, minor**
- **home based businesses, major** *(in single detached housing only) (use is only permitted with the R5h sub-zoning district)*
- **secondary suites (in single detached housing only)**
- **seniors assisted housing**
- **seniors supportive housing**

### 9.6.4 Subdivision Regulations

- Minimum **lot width** is 20.0m, except it is 22.0m for a **corner lot**.
- Minimum **lot depth** is 30.0m.
- Minimum **lot width** for single detached housing is 14.0m, except it is 16.0m for a **corner lot**.
- Minimum **lot area** for single detached housing is 450m<sup>2</sup>.
- Minimum **lot area** is 700m<sup>2</sup>, except it is 800m<sup>2</sup> for a **corner lot**, or 10,000m<sup>2</sup> if not serviced by a **community sewer system**. *(Bylaw 5339)*

### 9.6.5 Party Wall Subdivision Regulations

Lot Type	Minimum Lot area		Minimum Lot Width	
	interior	corner	interior	corner
<b>Semi-Detached Housing</b>	350m <sup>2</sup>	400m <sup>2</sup>	10.0m	12.0m
<b>Three-Plex Housing</b>	235m <sup>2</sup>	285m <sup>2</sup>	7.0m	9.0m
<b>Four-Plex Housing</b>	175m <sup>2</sup>	225m <sup>2</sup>	7.0m	9.0m

### 9.6.6 Development Regulations

- Maximum **site coverage** is 40% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 50%.

- Maximum **floor space ratio** is 0.6.
- Maximum **height** is the lesser of 10.0m or 2.5 **storeys**, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 4.0m, except it is 6.0m for a garage or **carport** to the back of curb or sidewalk for a front entry garage, or it is 0.6m to the side of the garage and 2.6m to the front building façade for side-entry garage and driveway layouts.
- Minimum **side yard** is 2.0m for a 1 or 1.5 **storey** portion of a **building** or a **secondary building or structure** and 2.5m for a 2 or 2.5 **storey** portion of a **building**, except it is 4.0m from a **flanking street** unless there is a garage accessed from the **flanking street**, it is 4.0m or it is 2.6m to the building for a side-entry garage and driveway from a flanking street and at least 6.0m from the back of curb or sidewalk. Where there is no direct vehicular access to the **rear yard** or to an attached garage or **carport**, one **side yard** shall be at least 3.0m. The minimum **side yard** setback for shared interior **party walls** shall be 0.0m. The minimum **side yard** setback for **single detached housing** is 1.5m, except it is 4.0m from a **flanking street** unless there is a garage accessed from the **flanking street**, it is 4.0m or it is 2.6m to the building for a side-entry garage and driveway from a **flanking street** and at least 6.0m from the back of curb or sidewalk.
- Minimum **rear yard** is 6.0m for a 1 or 1.5 **storey** portion of a **building** and 7.5m for a 2 or 2.5 **storey** portion of a **building**, except it is 1.0m for **secondary buildings**.
- The maximum **height** of any vertical wall element facing a **front, flanking or rear yard** (including **walkout basements**) is the lesser of 6.5m or 2.5 **storeys**, above which the **building** must be **set back** at least 1.2m.
- Maximum **density** is 30 units per gross hectare (12 units/gross acre).
- Maximum four **dwelling** units located in a **building**, with each unit having a minimum width of 6.5m. (*Bylaw 5339*)

#### 9.6.7 Other Regulations

- In order for bareland strata **developments** to be consistent with the character of the surrounding neighborhood, the strata plan shall be considered as one **site** for defining the overall use, **density** and **site coverage**.
- The above noted **subdivision** and **development** regulations shall be applied to each strata **lot** within the strata plan.
- A minimum area of 25m<sup>2</sup> of **private open space** shall be provided per **dwelling**.
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- For **seniors assisted housing, seniors housing and seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- For strata developments, common recreation buildings, facilities and amenities may be included in the strata plan. Recreational buildings shall be treated as **secondary buildings** for the purpose of determining the **height** and **setbacks** of the **building** as specified in each **zone**.
- For multi-unit residential housing, one **office** may be operated for the sole purpose of the management and operation of the multi-unit residential **development**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (**secondary development, yards, projections into yards, lighting, agricultural setbacks, etc.**); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- As per Section 4.10.2 - All **buildings** and **structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B". (*Bylaw 5440*)

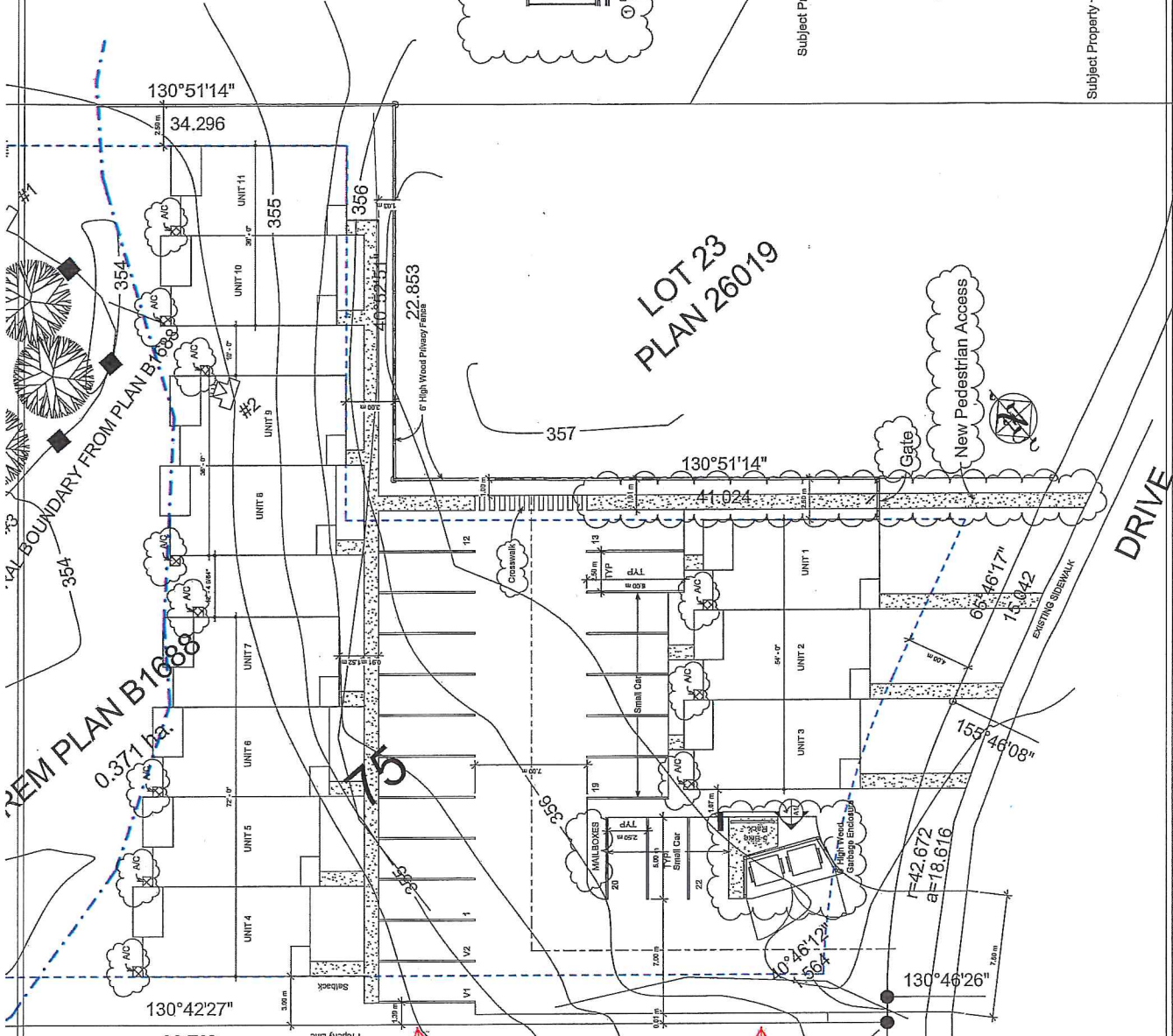
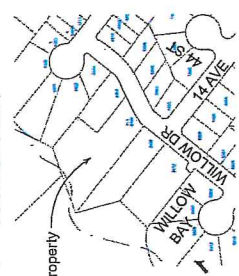
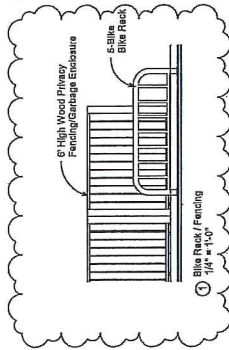
Attached to and forming part of Development Permit #000620  
between the City of Vernon and PAD VENTURES LTD.

*Am Rintoul*  
Date Rintoul, Approving Officer

Willow Multi  
5400 Willow Drive  
Vernon BC

Site

Date: \_\_\_\_\_  
Drawn by: \_\_\_\_\_  
Project No.: 9295  
Scale: As  
A1



REM PLAN B1688  
0.371 ha.  
130°42'27"  
86.762

LOT 1  
'N 26571

**ZONING - R5**  
Site Area: 37,05m<sup>2</sup> = 0.916 Acres @ 12 Units/Acre  
Density Allowed: 11 Units  
Density Proposed: 11 Units  
Coverage: Max 50% (39.2% Shown)  
Buildings: 50.91m<sup>2</sup> x 11 = 560m<sup>2</sup> (15.4%)  
Decks & Patios: 85.84m<sup>2</sup> (2.3%)  
Walkways & Parking: 815.97m<sup>2</sup> (22%)  
Landscaping: 2244.19m<sup>2</sup> (60.6%)

**Parking Required**  
(11) 3-Bedroom Units = 2/Unit = 22 Spaces Required  
1 Space/7 Units Visitor Parking = 2 Spaces Required  
Total Required: 22 Spaces, 22 Provided.

IRON PIN  
FOUND  
DISTURBED  
RESET

Site  
1" = 10'-0"



IRRIGATION NOTES

IRRIGATION INSTALLATION TO MEET IBC SPECIFICATIONS AND STANDARDS AS BUILT PLANS TO BE PROVIDED TO DEVELOPER/OWNER FOLLOWING INSTALLATION

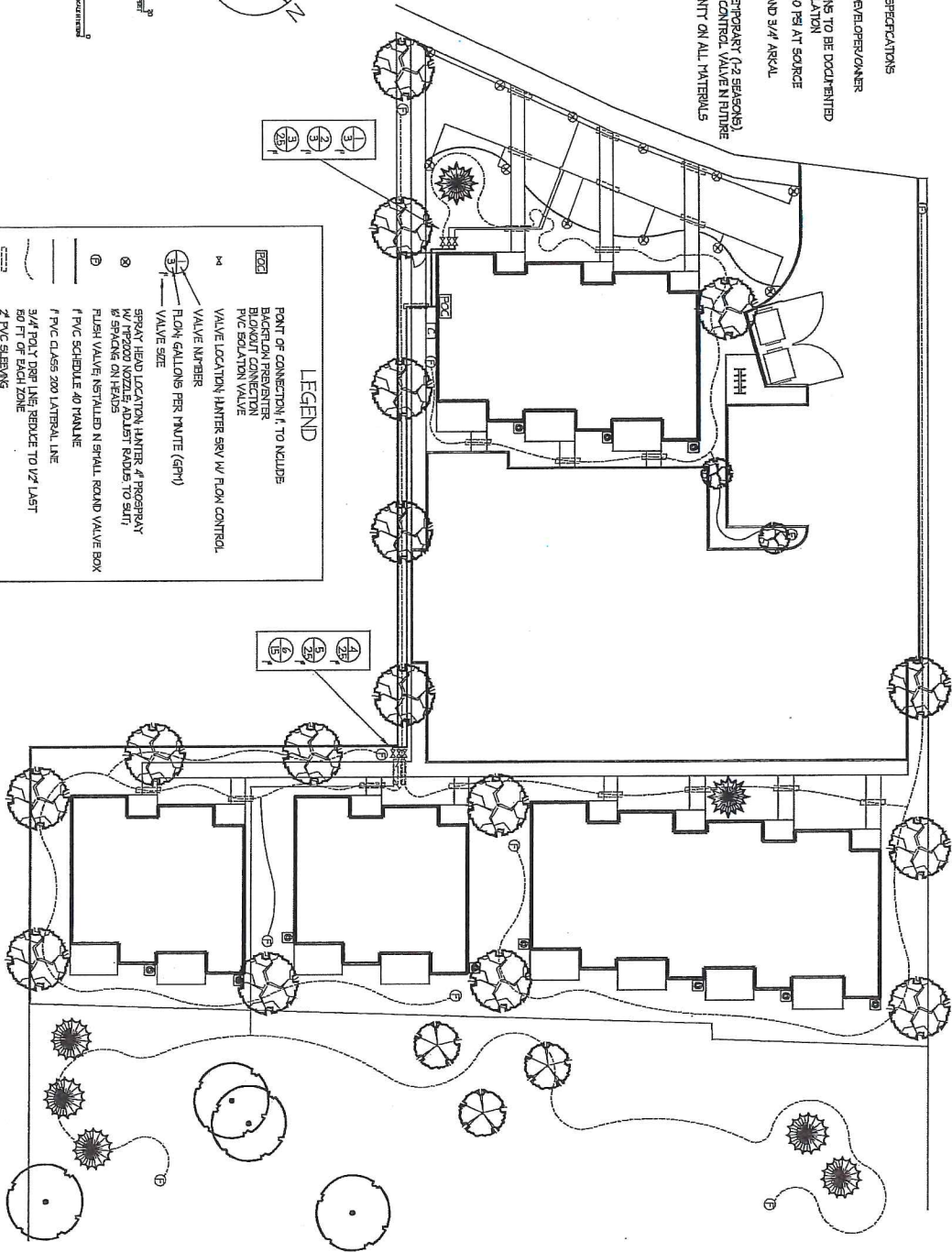
IRRIGATION AND START-UP INSTRUCTIONS TO BE DOCUMENTED AND LEFT WITH OWNER FOLLOWING INSTALLATION

SYSTEM DESIGN BASED ON 6 GPM AND 80 PSI AT SOURCE

DRP ZONES TO INCLUDE 30 PSI REDUCER AND 3/4" AREAL 20 MESH FILTER

REPAIR IRRIGATION (VALVE #16) TO BE TEMPORARY (1-2 SEASONS)

1" PVC BALL VALVE TO REPLACE RETORTE CONTROL VALVE IN FUTURE CONTRACTOR TO PROVIDE 1 YEAR WARRANTY ON ALL MATERIALS AND WORKMANSHIP





December 21<sup>th</sup>, 2015

PAD Ventures Ltd.  
7812 Sage Dr.  
Coldstream, BC  
V1B 2C1

Phil Dyck.

The following quotation for the landscaping and irrigation installation for the multi-family project located **5404 Willow Drive, Vernon, BC** has been prepared for you as requested. The quote has been set up in a summarized form to briefly show the costs involved; and a detailed form to illustrate the breakdown of services involved in your quote.

Please see below and review both sections along with the following notes section for further details and quote exemptions:

**Summary of Quote**

<b>Irrigation</b>	<b>\$ 6,400.00</b>
<b>Landscaping</b>	<b>\$ 48,800.00</b>
<b>Total</b>	<b>\$ 55,200.00 + GST</b>

**Details of Quote**

**Irrigation** ..... **\$ 6,400.00**

- o Installation of an automated irrigation system to the new plantings and new lawn area.
- o Includes:
  - All work beyond provided irrigation connection and backflow preventer
  - All materials and labour required to install system as specified in plans
  - Installed using Hunter Irrigation materials
  - Installed in accordance with IIABC standards
  - Includes as-built drawings and operation manual
  - Includes one year warranty on all materials and workmanship
  - Includes winterizations and startup within a one year period
- o Does not include:
  - Sleeving beneath concrete walkways, curbing

14 Kestrel Cr., Vernon, BC, V1H 1R7  
250.938.5225  
[nokomislandscaping@gmail.com](mailto:nokomislandscaping@gmail.com)  
[www.nokomislandscaping.com](http://www.nokomislandscaping.com)



Nokomis  
LANDSCAPING  
DESIGN & BUILD

**Landscaping** ..... \$ 48,800.00

- o Installation of landscaping as specified on design
- o Includes:
  - Final Site Grading and excavation of tree pits
  - Plant material installation. Installation of specified plantings to meet BCLNA specs. Trees to be staked and braced
  - Installation of non-woven weed barrier
  - Installation of 1" Deep Lake Shale rock mulch to all level areas
  - Clean-up
- o Does not include:
  - Rough grade
  - Hauling of fill material off-site; importing necessary fill material to bring areas to grade
  - Hauling away of any construction debris
  - Retaining walls, fencing, site furnishings or concrete work
  - Riparian protection or traffic control
- o Assumes:
  - Access by machine throughout worksite
  - Dumptruck access to centralized area for materials delivery
  - Access to water at time of installation
  - Landscaping and Irrigation to commence and be completed in one period. IE. Project not broken into phases
  - Any usable soils from site excavation credited at \$375.00 per 12 yard load.

**Notes:**

- This quote does not include GST
- This quote is good till April 1<sup>st</sup>, 2016
- The General Contractor to identify all underground utilities
- Any extra work outside of the above services listed, will be billed at a rate of \$45/hr/person; \$70/hour for bobcat use.

If you feel comfortable with the above quote, we can now prepare a contract based on the agreed amount, and establish a start date for your landscaping project. Please feel free to contact us if you have questions or concerns, regarding the above estimate.

Regards,

Michael Arding,  
Nokomis Landscaping Ltd.

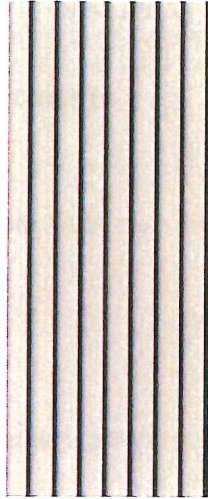
14 Kastrel Cr., Vernon, BC, V1H 1R7  
250.938.5225  
[nokomislandscaping@gmail.com](mailto:nokomislandscaping@gmail.com)  
[www.nokomislandscaping.com](http://www.nokomislandscaping.com)

Attached to and forming part of Development Permit #000620  
between the City of Vernon and PAD VENTURES LTD.

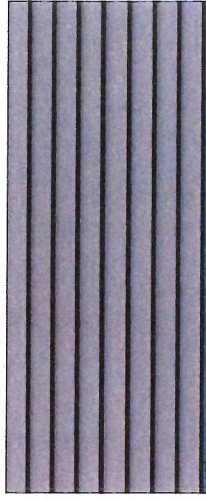
*Dale Rintoul*  
Dale Rintoul, Approving Officer

No.	Description	Date
DP	Development Permit	July 8 2015

Willow Duplex/Fourplex Willow Drive Vernon BC Cover Sheet		Date July 8 2015
		Drawn by ML
		Project No. 925RDI 1532
		Scale A0



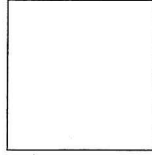
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Certainteed Vinyl Siding - Graite Grey



Asphalt Shingles  
- Silverwood

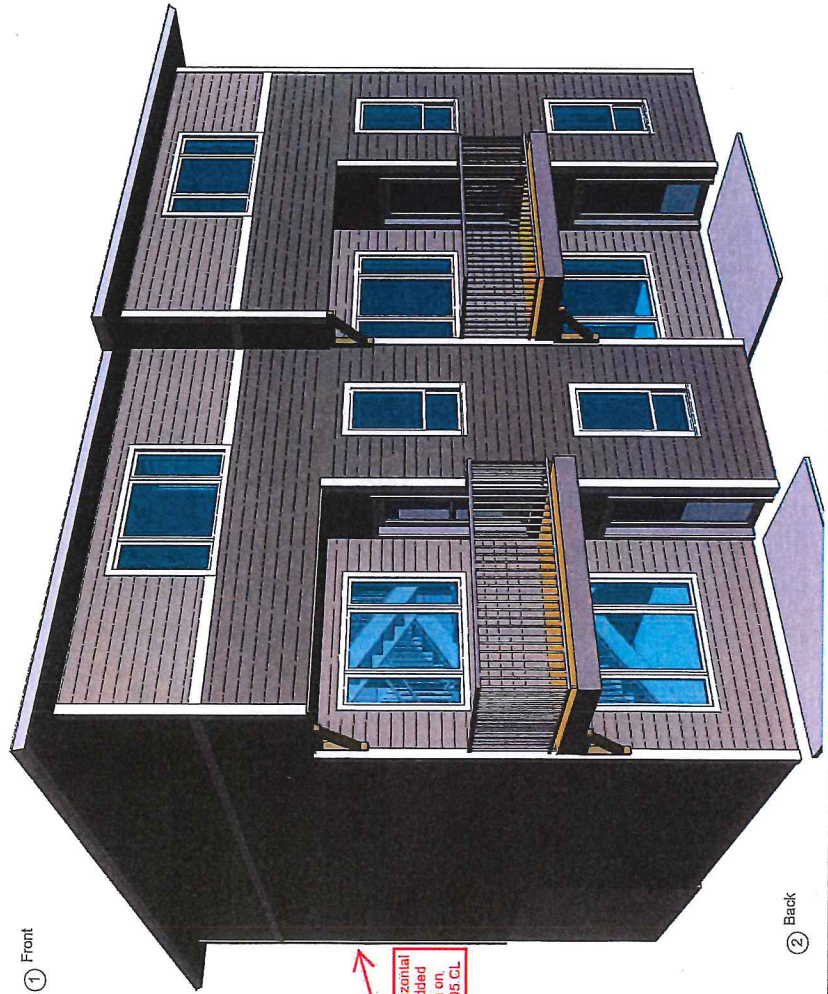


White - Trim/ Gutters/Soffit



① Front

Windows and horizontal colour variation added to sides as shown on drawing A8 160105 CL.



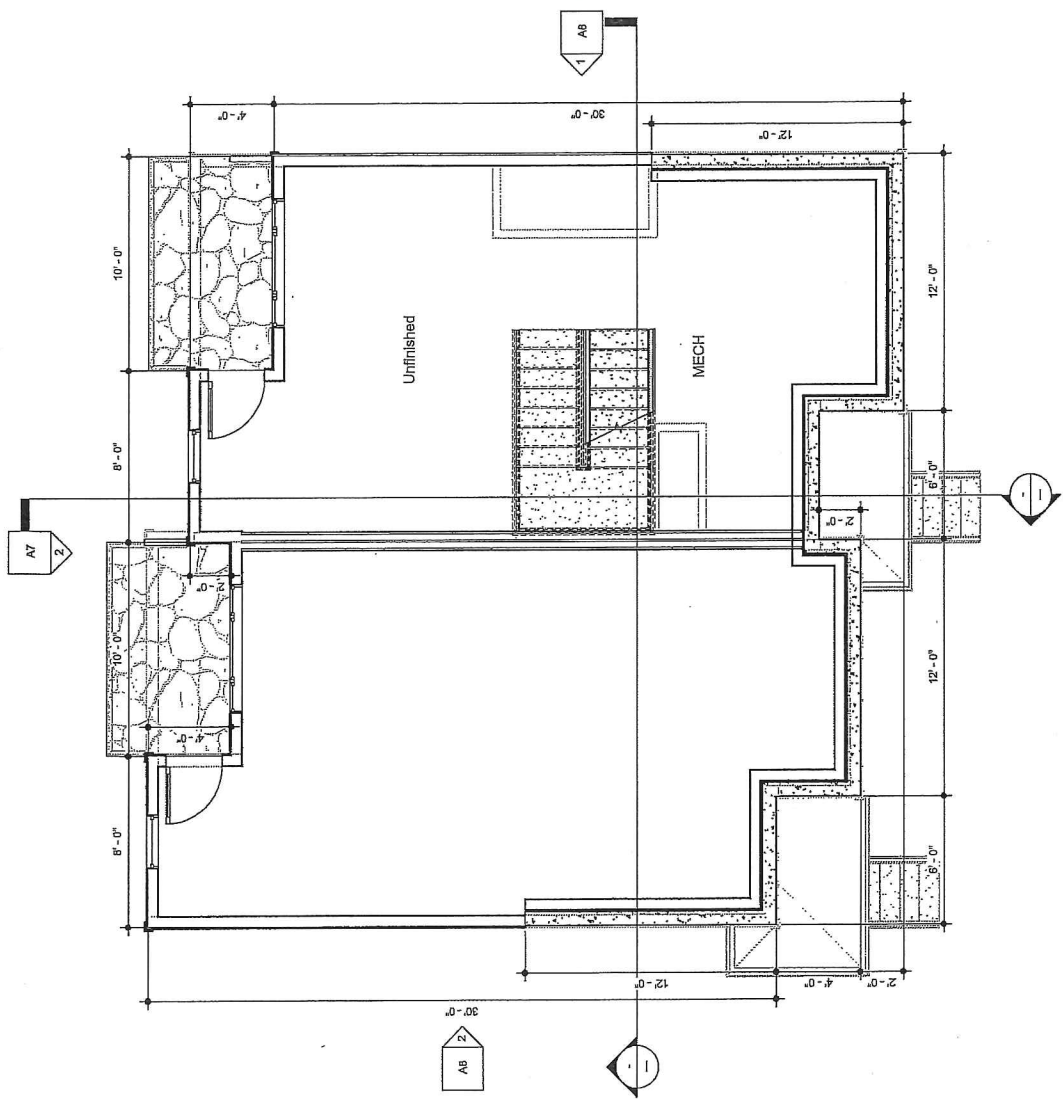
② Back

Windows and horizontal colour variation added to sides as shown on drawing A8 160105 CL.

Willow  
 Duplex/Fourplex  
 Willow Drive  
 Vernon BC  
 Lower Floor

Date	July 8 2015
Drawn by	ML
Project No.	925RDL 1532
Scale	1/4" = 1'-0"

A3





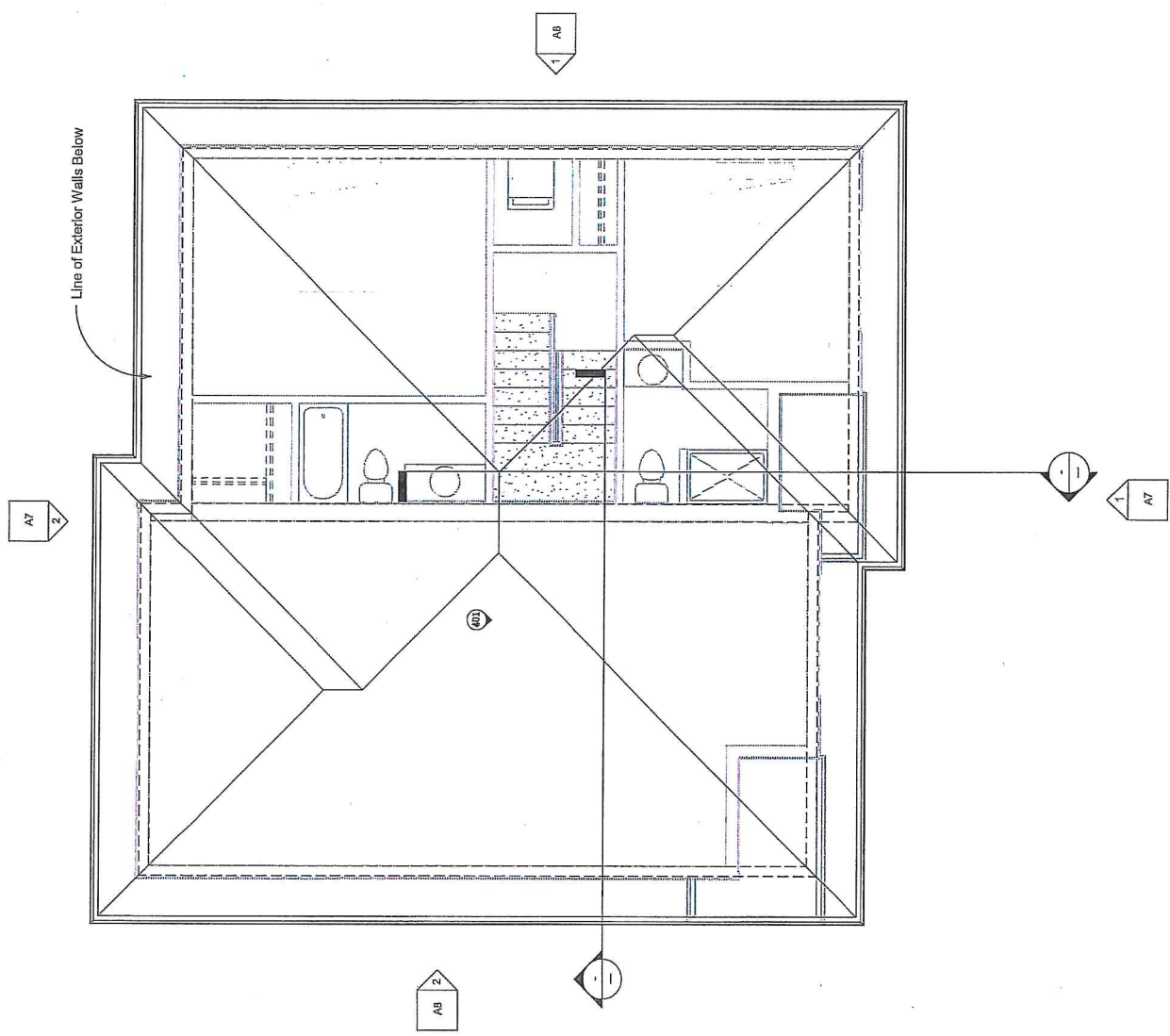



  
 No. \_\_\_\_\_ Date \_\_\_\_\_
   
 Description \_\_\_\_\_
   
 DP Development Permits - July 8 2015

Willow
   
 Duplex/Fourplex
   
 Willow Drive
   
 Vernon BC
   
 Roof

Date July 8 2015
   
 Drawn by ML
   
 Project No. 925RDI 1532
   
 Scale 1/4" = 1'-0"

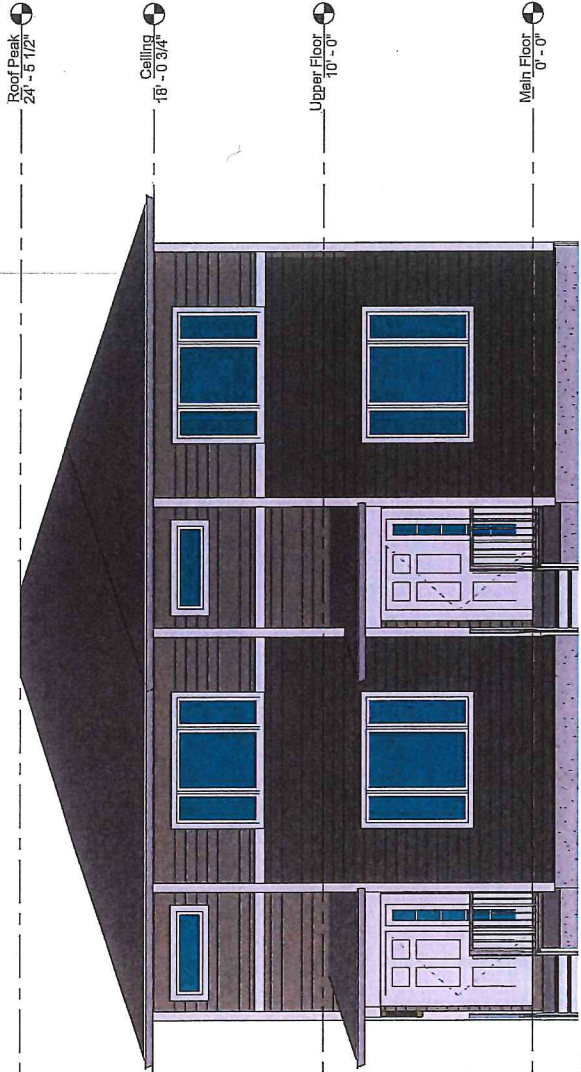
A6



Willow  
 Duplex/Fourplex  
 Willow Drive  
 Vernon BC  
 East / West  
 Elevations

Date July 8 2015  
 Drawn by ML  
 Project No. 925RDI\_1532  
 Scale 1/4" = 1'-0"

A7



Roof Peak  
24' - 5 1/2"

Ceiling  
18' - 0 3/4"

Upper Floor  
10' - 0"

Main Floor  
0' - 0"

① East  
1/4" = 1'-0"

Roof Peak  
24' - 5 1/2"

Ceiling  
18' - 0 3/4"

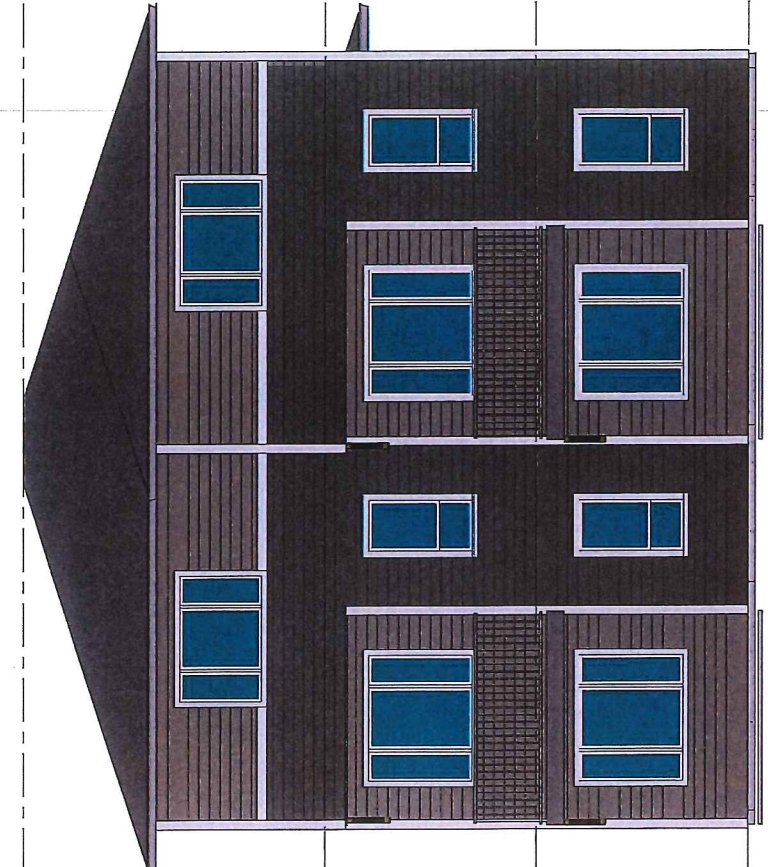
Upper Floor  
10' - 0"

Main Floor  
0' - 0"

Lower Level  
-10' - 0"

Foundation  
-12' - 10"

② West  
1/4" = 1'-0"

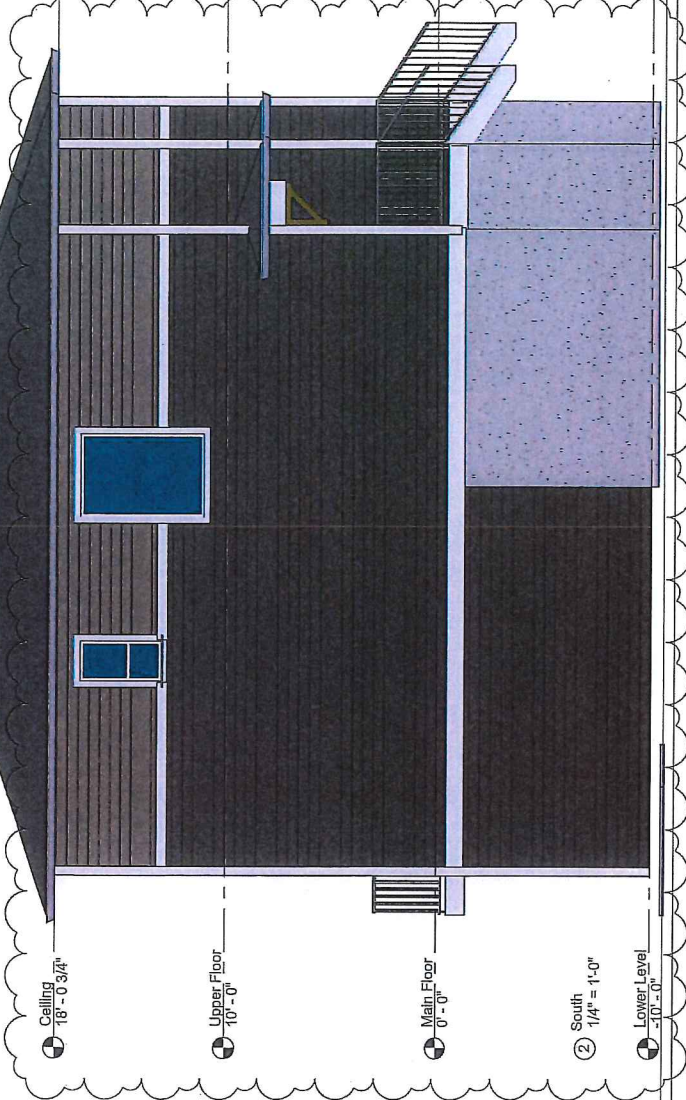
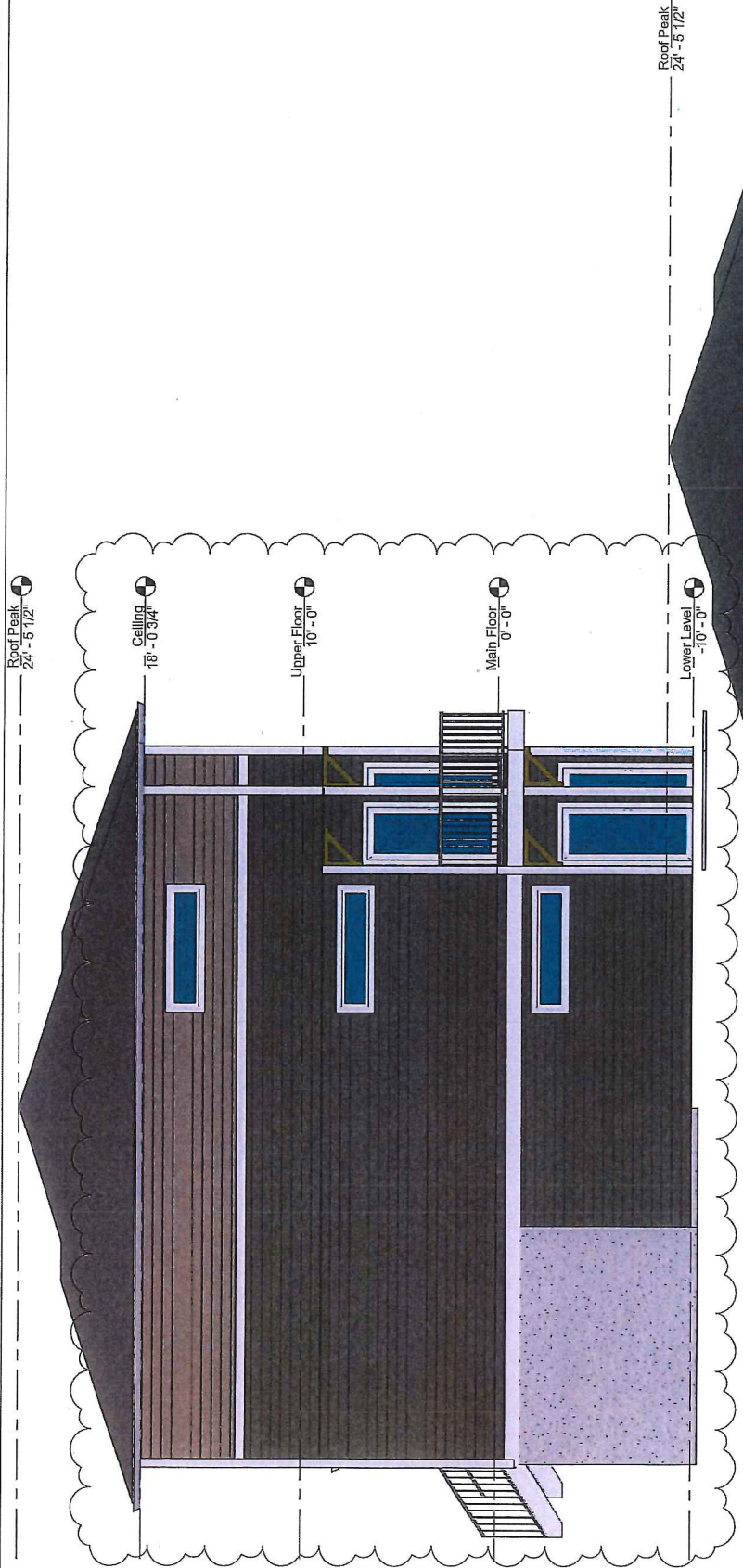



  
 No. \_\_\_\_\_ Description \_\_\_\_\_ Date \_\_\_\_\_
   
 DP Development Permt. July 9, 2016
   
 DP Updated Stiles Jan 5, 2016

Willow
   
 Duplex/Fourplex
   
 Willow Drive
   
 Vernon, BC
   
 North / South
   
 Elevations

Date Jan 5, 2016
   
 Drawn by ML
   
 Project No. 925FRI.1532
   
 Scale 1/4" = 1'-0"

**A8**



① North 1/4" = 1'-0"
   
 Spatial Separation Calculation:
   
 Wall Area 830sf @ 7%
   
 Allowable Opening = 58sf
   
 Openings Provided = 27sf

Spatial Separation Calculation:
   
 Wall Area 800sf @ 7%
   
 Allowable Opening = 56sf
   
 Openings Provided = 32sf



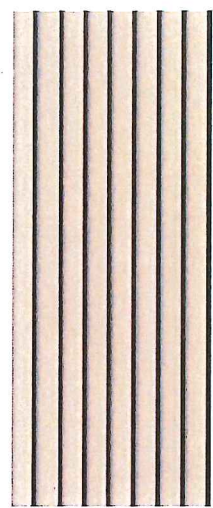
Windows and horizontal color variation added to sides as shown on drawing A7 160105 CL

① Front

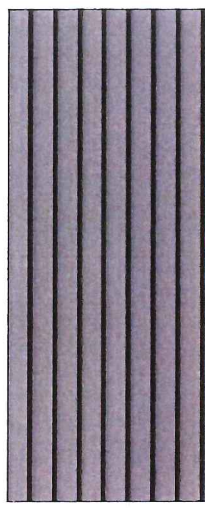


Windows and horizontal color variation added to sides as shown on drawing A7 160105 CL

② Back



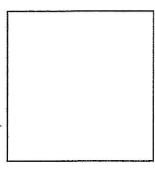
CertainTeed Vinyl Siding - Desert Tan



CertainTeed Vinyl Siding - Graite Grey



Asphalt Shingles - Silverwood



White - Trim/ Gutters/Soffit

Willow 3-Plex  
 Willow Drive  
 Vernon BC

Cover Sheet

Date	July 6 2015	Wd 92-803-6102/RJ
Drawn by	N/L	
Project No.	925RDI 1592	
Scale		

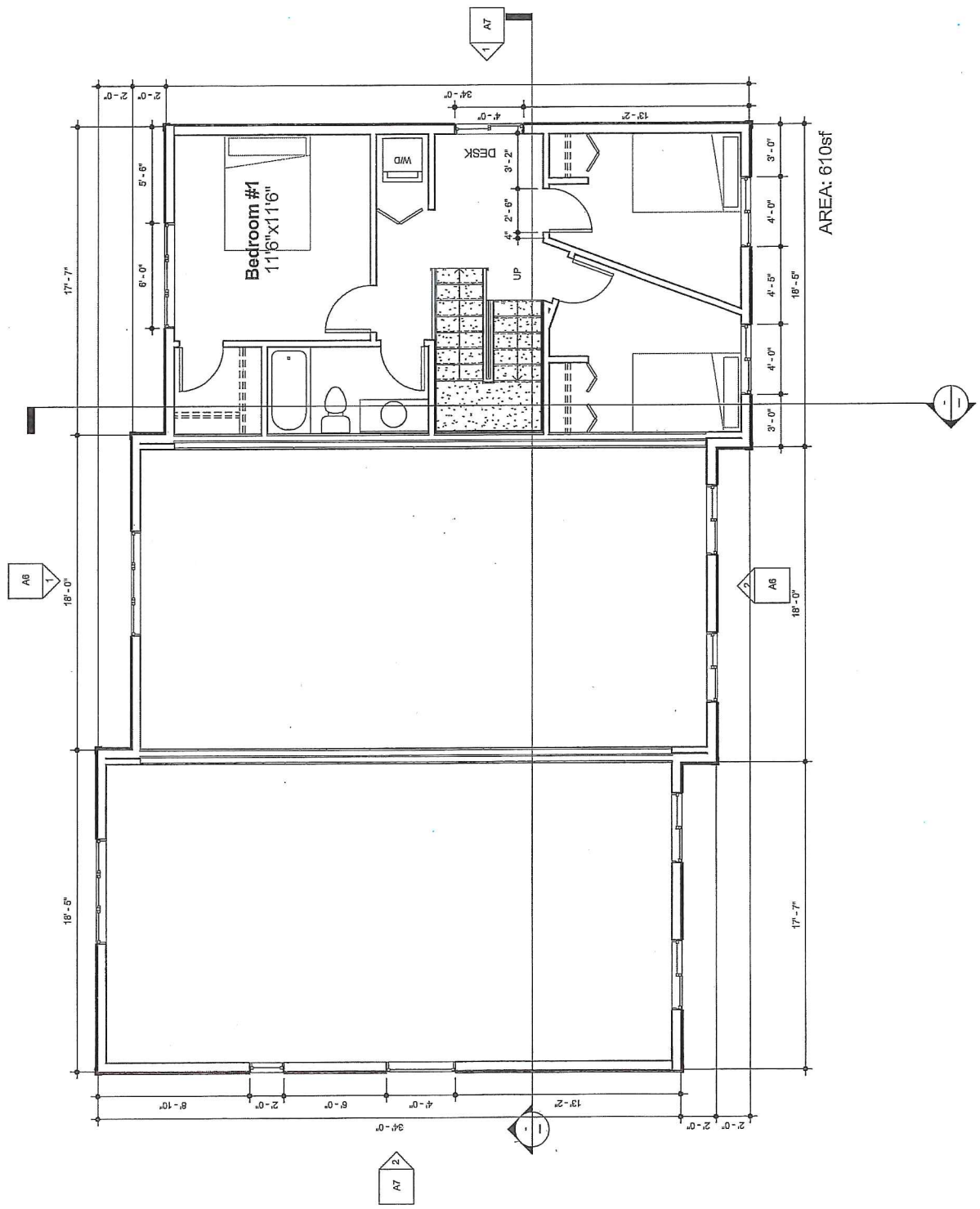


Willow 3-Plex  
 Willow Drive  
 Vernon BC

Upper Floor

Date	July 6 2015
Drawn by	NL
Project No.	925RDI 1532
Scale	1/4" = 1'-0"

A4



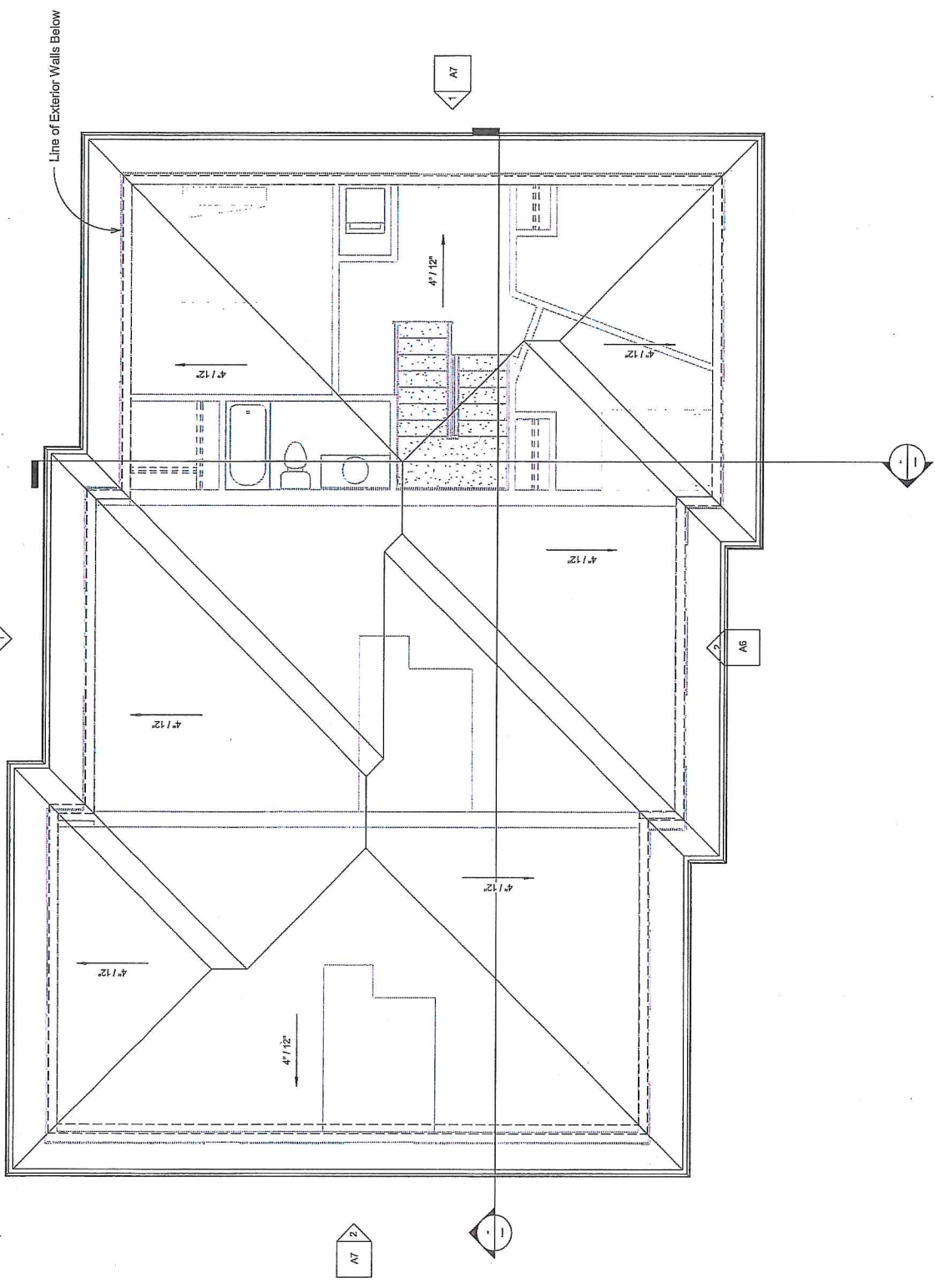
AREA: 610sf


  
 No. \_\_\_\_\_ Date \_\_\_\_\_
   
 Description DP Development Permit July 6 2015

Willow 3-Plex
   
 Willow Drive
   
 Vernon BC

Date July 6 2015
   
 Drawn by M/L
   
 Project No. 925RDI 1532
   
 Scale 1/4" = 1'-0"

**A5**



Willow 3-Plex  
 Willow Drive  
 Vernon BC

North / South  
 Elevations

A6



① North  
 1/4" = 1'-0"



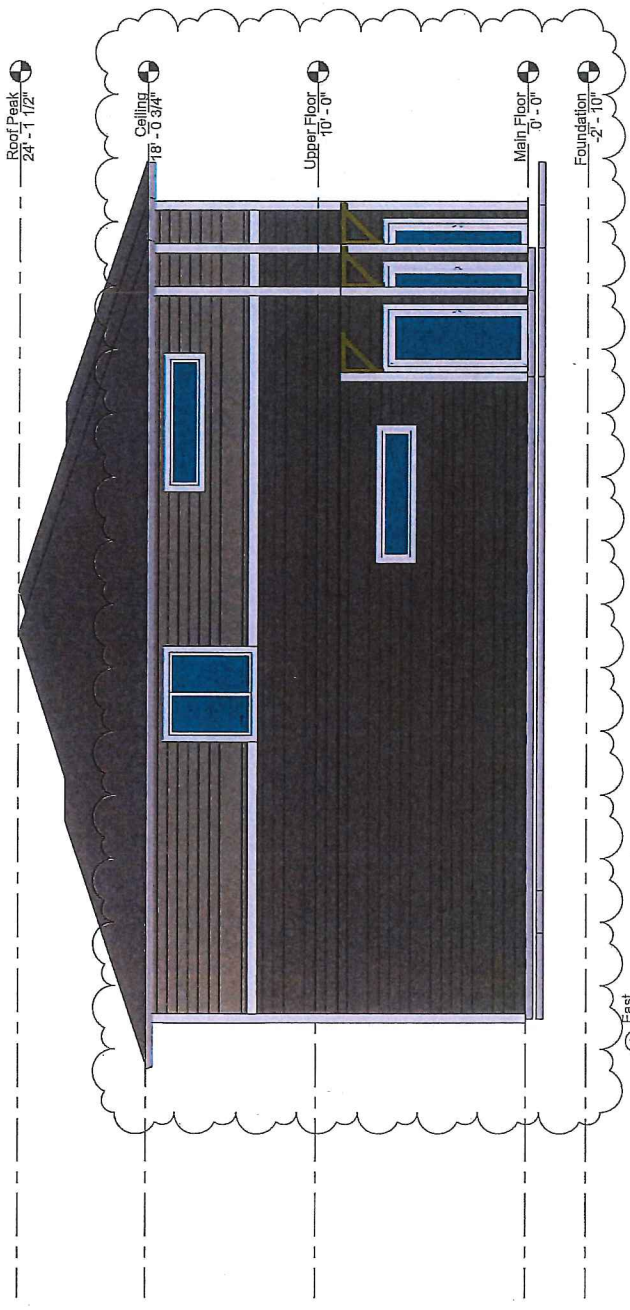
② South  
 1/4" = 1'-0"

Willow 3-Plex  
 Willow Drive  
 Vernon BC

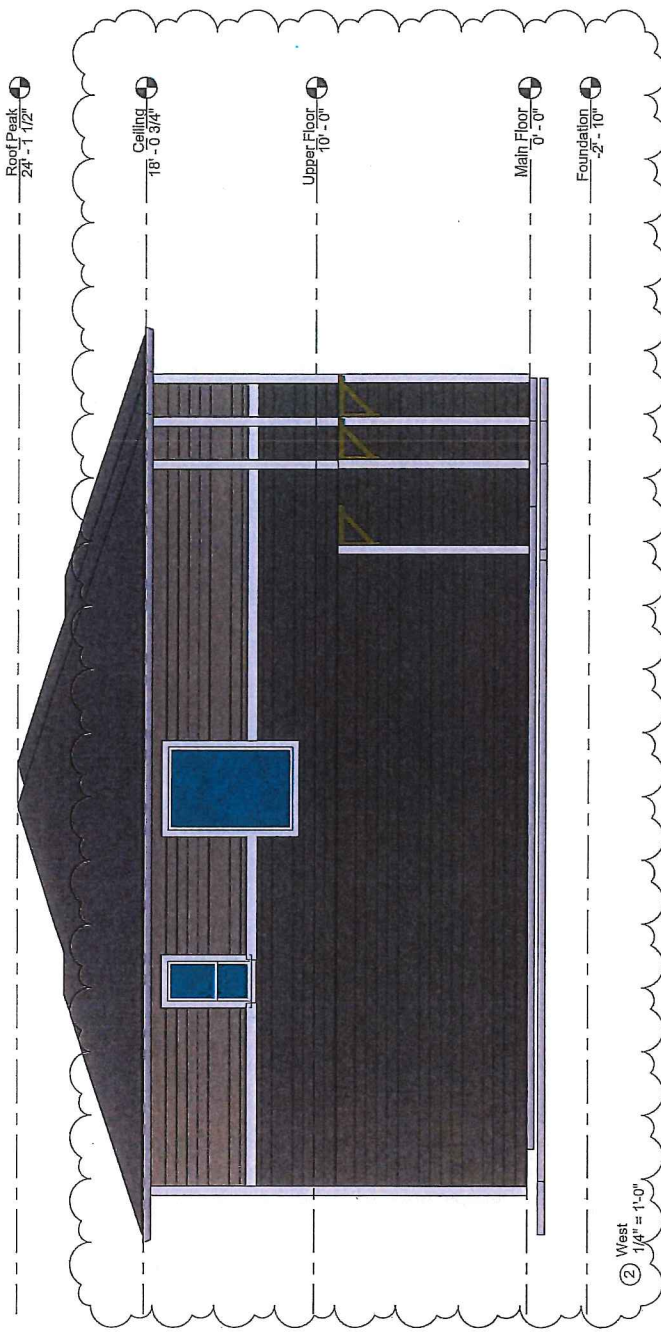
East / West  
 Elevations

Date Jan 5 2016  
 Drawn by MLL  
 Project No. 925RDI 1632  
 Scale 1/4" = 1'-0"

**A7**



① East  
 1/4" = 1'-0"



② West  
 1/4" = 1'-0"





# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Cleo Corbett, Long Range  
Planner

**COUNCIL MEETING:** REG  COW  I/C   
**COUNCIL MEETING DATE:** February 13, 2018  
**REPORT DATE:** January 17, 2018  
**FILE:** OCP00072

**SUBJECT:** OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION FOR 5902 PLEASANT  
VALLEY ROAD

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## PURPOSE:

To present the application to amend the Official Community Plan land use designation for the property located at 5902 Pleasant Valley Road from the Residential – Regional District of North Okanagan Electoral Areas B & C Official Community Plan land use designation to Residential – Medium Density.

## RECOMMENDATION:

THAT Council NOT support the application to amend the OCP land use designation for Lot 4, Section 11, Township 8, ODYD, Plan 4165 (5902 Pleasant Valley Road) from the Residential – Regional District of North Okanagan Electoral Areas B & C Official Community Plan land use designation to Residential – Medium Density;

AND FURTHER that Council support amending the OCP land use designation for Lot 4, Section 11, Township 8, ODYD, Plan 4165 (5902 Pleasant Valley Road) from the Residential – Regional District of North Okanagan Electoral Areas B & C Official Community Plan land use designation to Residential – Low Density and to include the subject property within Development District #2 – Neighbourhood District and Development Permit Area #2 subject to:

1. Dedication of a 3 metre road right of way along the southern most boundary of the property for emergency access, a walkway connection and for drainage works;
2. That prior to any construction on the site, an Archeological Impact Assessment be conducted on the lower south east half of the property as outlined in Figure 3.

## ALTERNATIVES & IMPLICATIONS:

1. THAT Council NOT support the application to amend the OCP land use designation for Lot 4, Section 11, Township 8, ODYD, Plan 4165 (5902 Pleasant Valley Road) from the Residential – Regional District of North Okanagan Electoral Areas B & C Official Community Plan land use designation to Residential – Medium Density;

AND FURTHER, that Council support amending the OCP land use designation for Lot 4, Section 11, Township 8, ODYD, Plan 4165 (5902 Pleasant Valley Road) from the Residential – Regional District of North Okanagan Electoral Areas B & C Official Community Plan land use designation to Residential – Low Density and to include the subject property within Development District #2 – Neighbourhood District and Development Permit Area #2 subject to:

1. Dedication of a 3 metre road right of way along the southern most boundary of the property for emergency access, a walkway connection and for drainage works;

2. That prior to any construction on the site, an Archeological Impact Assessment be conducted on the lower south east half of the property as outlined in Figure 3.

with the following changes: *(as cited by Council)*.

*Note: The implications are dependent on the changes cited by Council.*

2. THAT Council NOT support the application to amend the OCP land use designation for Lot 4, Section 11, Township 8, ODYD, Plan 4165 (5902 Pleasant Valley Road) from the Residential – Regional District of North Okanagan Electoral Areas B & C Official Community Plan land use designation to Residential – Medium Density.

*Note: Council may choose to reject the application as presented.*

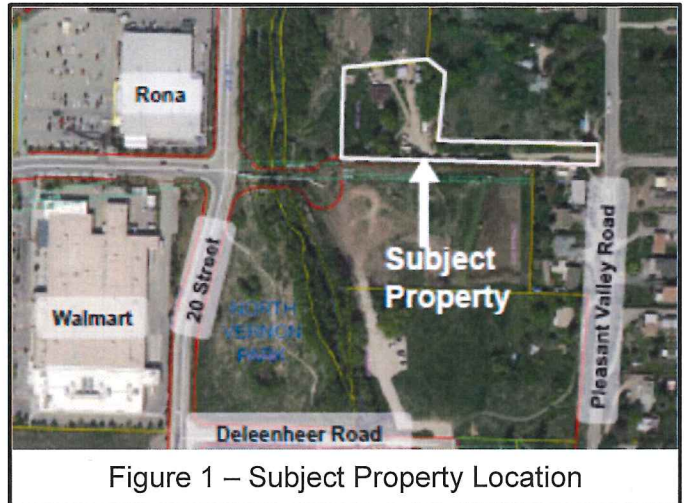
## **ANALYSIS:**

### **A. Committee Recommendations:**

“ .... ”

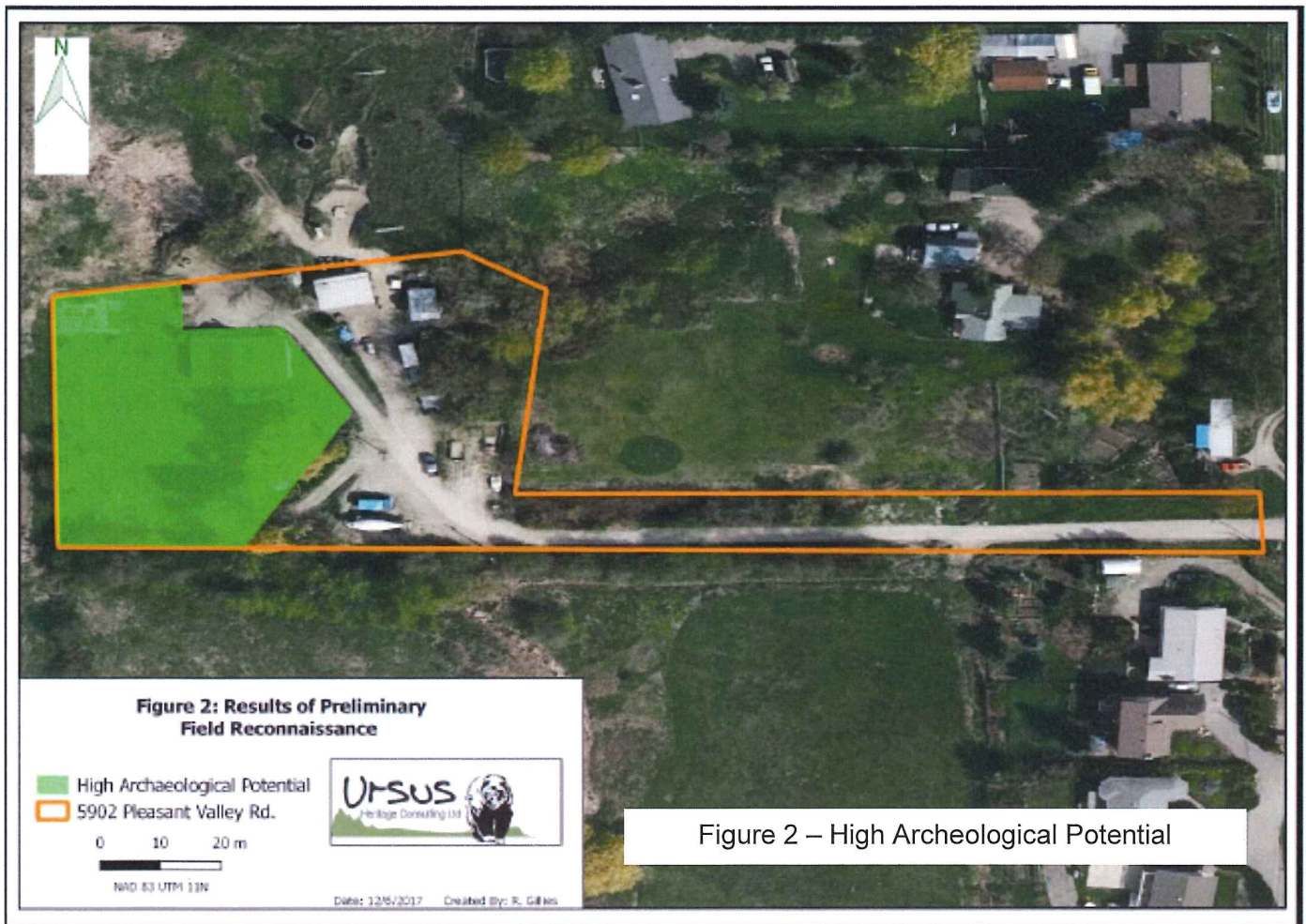
### **B. Rationale:**

1. The subject property, located at 5902 Pleasant Valley Road (Figure 1 and Attachment 1), is 0.778 ha (1.9 acres) and was brought into the City through a boundary extension process in 2014. As such, the subject property is designated Residential in the Electoral Areas B & C Official Community Plan and has the R1 – Residential Single Family zoning district from RDNO Zoning Bylaw #1888.
2. The subject Official Community Plan (OCP) Amendment Application #00072 provides a development concept for a 25 unit multiple family development (Attachment 2). The proposal consists of three storey duplex and four-plex buildings and one single family dwelling unit. The proposed density equates to 13 units per acre which falls within the policy provisions of the Residential – Medium Density designation. Following the review of the application, Administration recommends a Residential – Low Density land use designation, subject to conditions, because of the access and drainage considerations outlined below.
3. The subject property has an existing physical and legal access from Pleasant Valley Road. Currently, adequate access is not provided to the site from 58<sup>th</sup> Avenue to the west, either physically or legally, where the recently improved 58<sup>th</sup> Avenue cul-de-sac is. Adequate safe access to the subject property is required to facilitate any moderate increase in density due to the slope and projected grade of the existing access from Pleasant Valley Road. Development on the site would integrate with and be more complementary to the recent and expected development on the surrounding properties if access was provided from the west. This approach would also be more consistent with the vision identified for the area in the North Vernon Neighbourhood Plan.
4. Stormwater management considerations in the area, outlined in a 1991 UMA Silver Star Storm Drainage Study and observed in recent storm events, have identified existing drainage routes through and adjacent to the property. Examination of estimated flows, drainage works and required Statutory right of ways would need to be provided to support any increased density on the property. Additional measures



should be taken in the area to manage the runoff from the BX area and Pleasant Valley Road drainage catchment area to BX Creek. A drainage study would be required to support a rezoning application on the subject property.

5. The grade of the panhandle portion of the lot extending up to Pleasant Valley Road and the stormwater management considerations form the basis of the recommended OCP Amendment condition for a road Right of Way dedication to be granted along the south property line. There is an existing 4.88 metre road right of way along the southern property boundary in between the subject property and the new Regency development at 1800 58<sup>th</sup> Avenue. An emergency access, walkway connection and storm works are planned for the right of way. Additional land is desired to widen the right of way to address the slope of the planned emergency access and walkway connection to Pleasant Valley Road and to increase the capacity of the drainage improvements.
6. During the application review and referral process, the subject property was identified as having a high archeological potential. An Archeological Overview Assessment was requested as part of the OCP amendment process. Results from the AOA recommend that an Archeological Impact Assessment be conducted prior to any construction on the western portion of the property as identified in Figure 2.



7. As per Council's OCP Amendment Applications Policy, public consultation was conducted on the proposed application at a public open house and on Engage Vernon (engagevernon.ca). Two comments were received and can be found on Attachment 3. One comment received was generally in support of the proposed application and one was opposed. Given the public feedback, and that the site is close to commercial development and community amenities, the Residential – Low Density designation

recommended is a compromise that allows for a lower level of development that addresses some of the existing site constraints.

8. The subject property is currently within Development District #3 – Hillside Residential and Agricultural District and Development Permit Area #3. Should any change in proposed land use designation be supported, the subject property should also be included in Development District #2 – Neighbourhood District and Development Permit Area (DPA) #2. Development District #2 and DPA #2 include policies and guidelines related to development and form and character that is expected to be more consistent with and complementary to future residential development on the site, subject to a rezoning process, and connects the property from a land use policy perspective more closely to the surrounding properties. Surrounding land use designations include Residential – Medium Density, Parks and Open Space and Community Commercial (Attachment 4) and all surrounding lands within the city boundary are within Development District #2 – Neighbourhood District and DPA #2.
9. The property is currently subject to the provisions in the R1 – Residential Single Family zoning district in Regional District of North Okanagan Zoning Bylaw No.1888, 2003. Any change in density and use on the subject property would need to be supported through a rezoning application process. Development on the subject property may be subject to latecomer fees related to services and access depending on the timing of development, access location and servicing required. The land owner has been encouraged to coordinate options with neighbouring property owners. Should any development applications be received on adjacent lands, access and servicing considerations for the subject property, as necessary, would be explored at that time.

**C. Attachments:**

Attachment 1 – Subject Property Location Map  
Attachment 2 – Conceptual Site Plan  
Attachment 3 - Public Consultation Feedback  
Attachment 4 – OCP Land Use Map

**D. Council's Strategic Plan 2015 – 2018 Goals/Deliverables:**

The subject application involves the following objectives in Council's Strategic Plan 2015 – 2018:

- Support sustainable neighbourhoods by implementing neighbourhood plans and the OCP
- Develop public engagement protocols to increase public (and youth) engagement (webtools, surveys, social media, resident feedback, etc.)

**E. Relevant Policy/Bylaws/Resolutions:**

1. The Local Government Act specifies that Council should provide one or more opportunities it considers appropriate for consultation during the review of an OCP amendment. Should the proposed Bylaw Amendment be supported, and following a possible First Reading, consideration must be given to the City of Vernon Financial Plan and the RDNO Waste Management Plan. The proposed OCP amendment, as recommended, is not expected to have any impacts on the aforementioned plans.
2. At its Regular Meeting of May 23, 2017, Council passed the following resolution:

“THAT Council authorize Administration to consult the public in accordance with the Official Community Plan (OCP) Amendment Applications Policy regarding OCP Amendment Application 00072: an application to amend the OCP land use designation for Lot 4, Section 11, Township 8, ODYD, Plan 4165 (5902 Pleasant Valley Road) from the Residential – Regional District of North Okanagan Electoral Areas B & C Official Community Plan land use designation to Residential – Medium Density and to include the

subject property within Development District #2 – Neighbourhood District and Development Permit Area #2 as outlined in the report titled “Public Consultation regarding OCP Amendment Application for 5902 Pleasant Valley Road” and dated May 11, 2017 from the Long Range Planner.”

3. The subject property is adjacent to the North Vernon Neighbourhood Plan area. The Plan references surrounding properties that were previously outside the city boundary and has been referenced in the application review.
4. The OCP has the following applicable policies related to the subject application:
  - 7.3 Support the development of the City Centre District, neighbourhood centres and designated multiple family areas to the densities outlined in the OCP to build compact, complete neighbourhood areas within the community and to achieve the maximum use of municipal infrastructure.
  - 10.5 Require development to design and construct all offsite infrastructure including roads, water, wastewater and storm systems with consideration for life cycle costs, sustainability and maintenance.

The OCP also identifies the following **maximum** densities and associated housing forms for the Low and Medium Density Residential land use designations:

- Low Density Residential: 30 units per hectare (12 units per acre) – includes single family, semi detached and rowhouses
- Medium Density Residential: 110 units per hectare (44.5 units per acre) – includes townhouses and low rise apartments

**BUDGET/RESOURCE IMPLICATIONS:**

Staff resources for the coordination of the public consultation and public hearing, and associated advertising costs, all of which are provided for in the development application fees and the City’s Financial Plan.

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Prepared by:



Cleo Corbett  
May 11 2017 11:52 AM DocuSign

Cleo Corbett  
Long Range Planner



Robert Miles  
May 11 2017 11:54 AM DocuSign

Kim Flick  
Director, Community Infrastructure and Development

Approved for submission to Council:

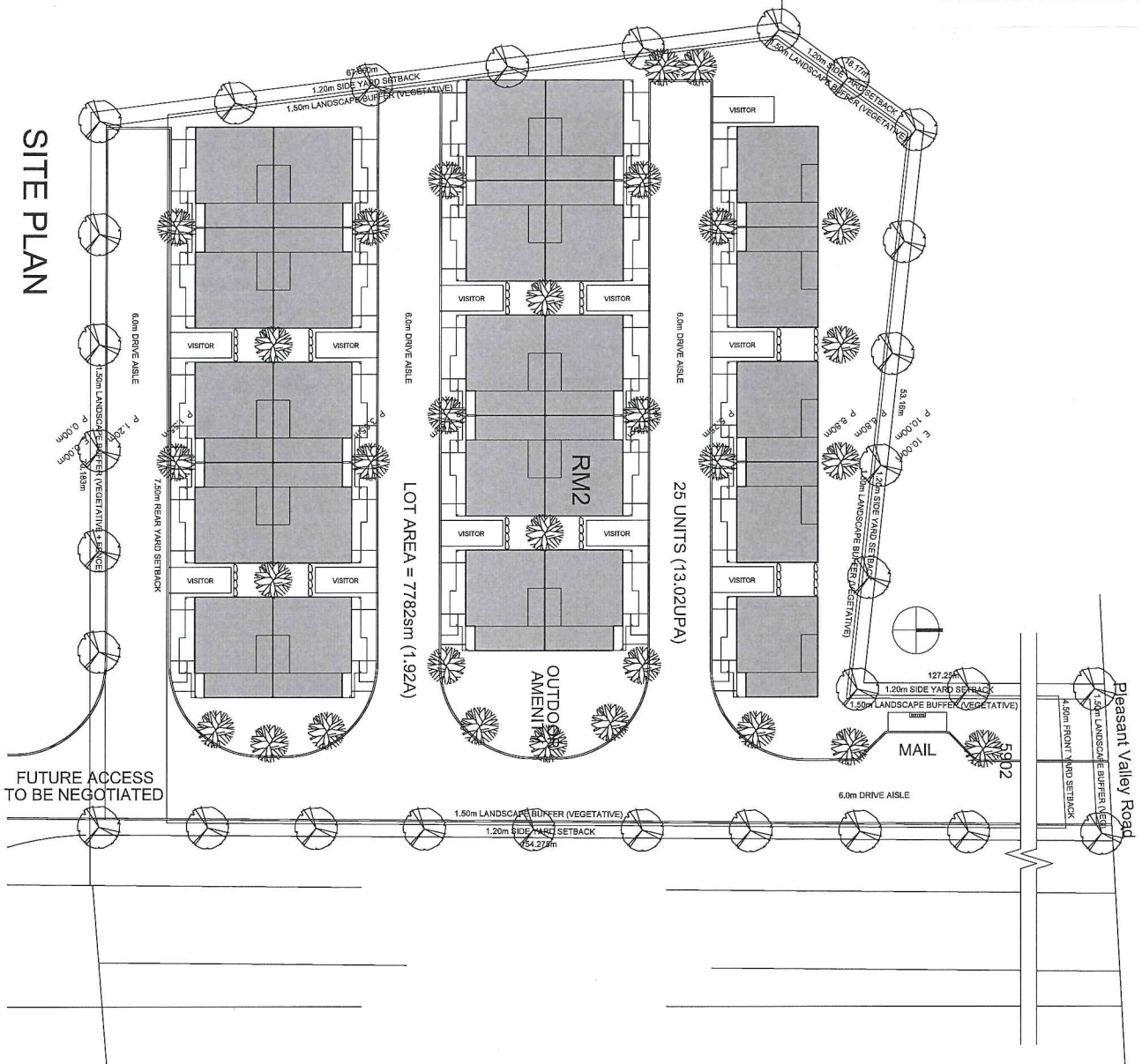
\_\_\_\_\_  
Will Pearce, CAO

Date: \_\_\_\_\_

**REVIEWED WITH**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Corporate Services                    | <input type="checkbox"/> Operations           | <input checked="" type="checkbox"/> Current Planning                     |
| <input type="checkbox"/> Bylaw Compliance                      | <input type="checkbox"/> Public Works/Airport | <input checked="" type="checkbox"/> Long Range Planning & Sustainability |
| <input type="checkbox"/> Real Estate                           | <input type="checkbox"/> Facilities           | <input type="checkbox"/> Building & Licensing                            |
| <input type="checkbox"/> RCMP                                  | <input type="checkbox"/> Utilities            | <input checked="" type="checkbox"/> Engineering Development Services     |
| <input type="checkbox"/> Fire & Rescue Services                | <input type="checkbox"/> Recreation Services  | <input type="checkbox"/> Infrastructure Management                       |
| <input type="checkbox"/> Human Resources                       | <input type="checkbox"/> Parks                | <input checked="" type="checkbox"/> Transportation                       |
| <input type="checkbox"/> Financial Services                    |   | <input type="checkbox"/> Economic Development & Tourism                  |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Jan.23/18) |   |  |
| <input type="checkbox"/> OTHER:                                |   |  |





SITE PLAN

FUTURE ACCESS TO BE NEGOTIATED

LOT AREA = 77825m<sup>2</sup> (1.92A)

25 UNITS (13.02UPA)

ITEM	PERMITTED	PROVIDED
HEIGHT	10.0m or 2.5 Storeys	10.0m max (2.5 Storeys)
LOT AREA (m <sup>2</sup> )	8000m (m <sup>2</sup> ) - Subdivision	77825m (1.92A)
LOT FOOTPRINT (m <sup>2</sup> )	18.0m (m <sup>2</sup> ) - Subdivision	—
DENSITY	30.50 Units/Gross Acre	13.02 Units/Gross Acre
SITE COVERAGE	50%	27%
SITE COVERAGE IMPERMEABLE	59%	65% *
SETBACKS		
FRONT YARD	4.5m	13.17m
SIDE YARD	1.2m	1.6m
REAR YARD	1.2m	13.3m
LANDSCAPE BUFFERS	7.5m	8.7m
FRONT/SIDE YARD	1.5m (Vegetative)	1.5m (Vegetative)
REAR YARD	1.5m (Vegetative + Fence)	1.5m (Veg + Fence)
UNIT WIDTH (MM)	6.50m	37.5m
PRIVATE OPEN SPACE (MIN)	15.00m/Unit = 37.5m	37.5m (MIN)
SITE COVERAGE		
TOTAL BUILDING COVERAGE		21200m <sup>2</sup>
TOTAL LOT AREA (m <sup>2</sup> )		77825m <sup>2</sup>
SITE COVERAGE RATIO:	(21200m <sup>2</sup> /77825m <sup>2</sup> )	27%
SITE COVERAGE IMPERMEABLE		
TOTAL BUILDING AND PAVING COVERAGE		51200m <sup>2</sup>
LOT AREA (m <sup>2</sup> ):	(61700m <sup>2</sup> /77825m <sup>2</sup> )	77825m <sup>2</sup>
SITE COVERAGE RATIO:		66% *
* RENEWABLE PAVING (8490m <sup>2</sup> ) TO MEET 55% MAX COVERAGE		
<b>PARKING</b>		
TYPE OF UNIT	STALLS REQUIRED	STALLS PROVIDED
THREE BEDROOM RESIDENTIAL UNIT	2.0/Unit = 50 Stalls	50 Stalls
VISITOR	1/7 Units = 4 Stalls	11 Stalls
TOTAL PARKING	54 Stalls	61 Stalls
<b>PARKING - BICYCLE</b>		
TYPE OF UNIT	STALLS REQUIRED	STALLS PROVIDED
CLASS UNIT	0.50/Unit = 13 Stalls	1.0/Unit = 25 Stalls
CROSS UNIT	0.25/Unit = 6 Stalls	(Garage Parking)
TOTAL PARKING	19 Stalls	25 Stalls

LEGAL DESCRIPTION

Lot 4, S66 111 TWP 8, QD/D, Plan 16494/185  
 CIVIC ADDRESSES  
 5902 Pleasant Valley Road, Vernon, B.C.

ZONING

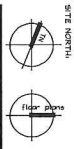
Existing Zoning: R1 (RPO)  
 Planning Zoning: Residential Medium Density  
 Existing OCP Designation: NODD-Res  
 Proposed OCP Designation: RMD - Residential Medium Density

PRIMARY USES

Allowable Uses: Assisted Housing, Care Centre (nursing), Duplex Housing, Fourplex Housing, Group Home (nursing), Group Housing, Semi-detached Housing, Seniors Assisted Housing, Seniors Housing, Seniors Supportive Housing, Single Detached Housing, Three-Plex Housing, Hotel  
 Proposed Uses: Detached, Duplex, Fourplex Housing



P. 263.553.7478  
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 6037 Cassiar Street  
 Vernon, BC, V1H 1H6



**DATE:** ISSUED FOR  
**DESIGNED FOR:**

**PROJECT TITLE:**  
 Montgomery/  
 James  
 OCP  
 Amendment  
 5902 Pleasant Valley Road  
 Vernon, BC

**SHEET TITLE:**  
 Site Plan  
 Zoning Chart

**DATE:** 2017.10.01  
**JOB NO.:** 2017.10.01  
**DATE:** 2017.09.29  
**SCALE:** 1/4" = 1'-0"  
**DRAWN:** DC  
**CHECKED:** DC  
**SHEET NUMBER:**

A-101 OF

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 Sledge  
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**Comment from June 15, 2017 Public Open House:**

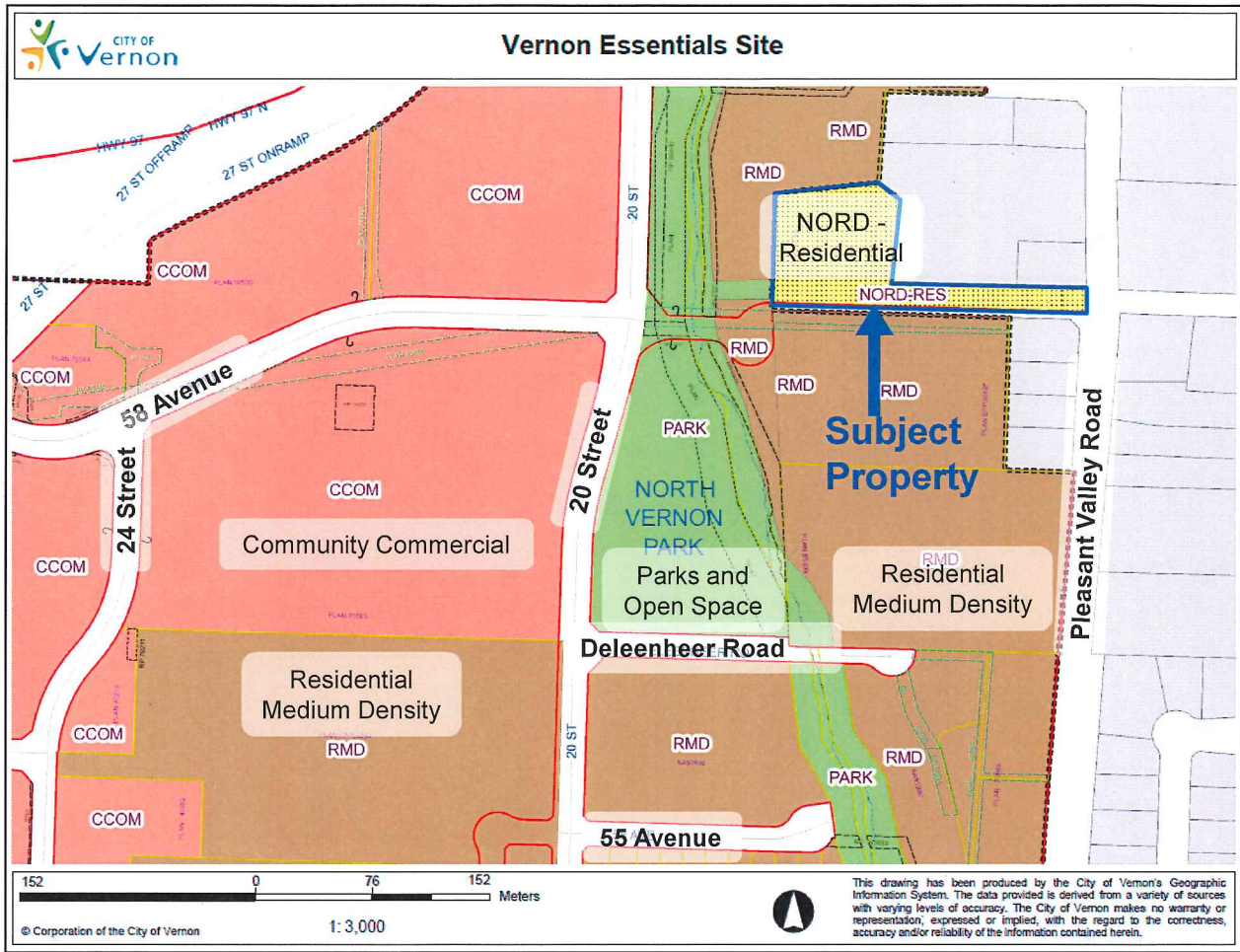
What do you think of the proposed OCP Amendment to change the land use designation from low density residential to medium density residential on the property located at 5902 Pleasant Valley Road?

**Comments:**

This project seems agreeable in all aspects incl. smart growth strategy. Future public transit and River Road access should create positive impact for many people in the area.

**Comment from Engage Vernon:**

I am opposed this idea for several reasons. The first is that there is BX creek running down in this area and there has already been new growth in apartments. I think time must be taken to see what affect the development now is going to have on the area, as this is sensitive area and a walking area used by many. The second is that many just want to build in this area because 20th street is going to go through to Stickle road and ease and convenience of having living in this area. The third is that I do not see anything in the plan to ensure that affordable and /or low cost housing will included and deemed for the length of the building. What is the developer willing to do long term (not give money to) but take on and support to ensure the use and lifestyle of the area in guaranteed for those that want a natural area to live and walk in.



# OCP Designation