



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

### **ADVISORY PLANNING COMMITTEE**

**WEDNESDAY, OCTOBER 10, 2018**

**4:00 pm – OKANAGAN LAKE ROOM**

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

**1. ADOPTION OF AGENDA**

**2. ADOPTION OF MINUTES**

September 25, 2018 (attached)

**3. NEW BUSINESS**

a) **DVP00431** – Development Variance Permit application for 3904 29<sup>th</sup> Street

b) **DVP00443** – Development Variance Permit application for 6533 Orchard Hill Road

c) **DVP00435** – Development Variance Permit application for 5400 Okanagan Avenue

d) **DVP00441** – Development Variance Permit application for 1905 and 2001 15<sup>th</sup> Avenue

**4. INFORMATION ITEMS**

a) An update of APC related items discussed at the October 9, 2018 Council meeting will be provided.

**5. NEXT MEETING**

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

**6. ADJOURNMENT**



## THE CORPORATION OF THE CITY OF VERNON

### MINUTES OF ADVISORY PLANNING COMMITTEE MEETING

HELD

WEDNESDAY, SEPTEMBER 25, 2018

**PRESENT:** VOTING

Mark Longworth, Chair  
Joanne Georgeson  
Phyllis Kereliuk  
Monique Hubbs-Michiel  
Ian Murphy  
Don Schuster  
Jamie Paterson

NON VOTING

Councillor Cunningham

**ABSENT:** Vicki Topping

Doug Neden  
Lisa Biggs  
Corbin Kelley, Youth Member

**GUESTS:** Seven (7)

**STAFF:** Craig Broderick, Manager, Current Planning  
Ellen Croy, Transportation Planner  
Ed Stranks, Manager, Engineering Development Services  
Janice Nicol, Legislative Committee Clerk

**ORDER**

The Chair called the meeting to order at 4:01 p.m.

**ADOPTION OF  
AGENDA**

Moved by Jamie Paterson, seconded by Don Schuster;

THAT the agenda of the Advisory Planning Committee meeting for Tuesday, September 25, 2018 be adopted.

**CARRIED.**

**ADOPTION OF  
MINUTES**

Moved by Monique Hubbs-Michiel, seconded by Phyllis Kereliuk;

THAT the minutes for the Advisory Planning Committee meeting of Wednesday, September 5, 2018 be adopted.

**CARRIED.**

**NEW BUSINESS:**

**DEVELOPMENT  
VARIANCE PERMIT  
APPLICATIONS FOR  
5350 SILVERSTAR  
ROAD**

The Advisory Planning Committee reviewed the Development Variance Permit application DVP #00433 for 5350 Silver Star Road. The Manager, Current Planning reviewed the application. The following points were noted by the Committee:

- Concern about large bank of land at back of property.

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

THAT the Advisory Planning Committee recommends that Council support Development Variance Permit Application #DVP00433 to vary the following sections of Zoning Bylaw #5000 in order to construct two duplexes on four bareland strata lots on a portion of Lot A DL 51 ODYD Plan 40774, exc. Strata Plan EPS4330 (5350 Silver Star Road):

- a) For proposed Units 25 and 27:
  - i. to vary Section 9.16.6. to reduce the front yard setback from: a minimum of 6.0m from a garage or carport to the back of curb or sidewalk for vehicular entry, to a minimum of 5.3m; and
  - ii. to vary Section 9.16.6 to reduce the rear yard setback from: a minimum of 7.5m to a minimum of 6.0m; and
  
- b) For proposed Units 26 and 28:
  - i. to vary Section 9.16.6. to reduce the front yard setback from: a minimum of 6.0m from a garage or carport to the back of curb or sidewalk for vehicular entry, to a minimum of 5.2m; and
  - ii. to vary Section 9.16.6 to reduce the rear yard setback from: a minimum of 7.5m to a minimum of 7.0m;

AND FURTHER, that the Advisory Planning Committee recommends that Council support of DVP00433 is subject to the following:

- a) That the site plan and elevation plans, intended to illustrate the general form, character and massing of the proposed duplex units, and noted as Attachments 1 and 2 in the report titled "Development Variance Permit Application for 5350 Silver Star Road", dated September 20, 2018 by the Manager, Current Planning be attached to and form part of DVP00433 as Schedule 'A'.

**CARRIED.**

**REZONING  
APPLICATION FOR  
7250 HITCHCOCK  
ROAD**

The Advisory Planning Committee reviewed rezoning application ZON #00296 for 7250 Hitchcock Road. The Manager, Current Planning reviewed the application and the Committee provided the following feedback:

- Concern that a high density area is being promoted on the edge of Vernon, there is no public transportation at this location.

Moved by Don Schuster, seconded by Jamie Paterson;

THAT the Advisory Planning Committee recommends that Council support the application to rezone the S ½ of the S ½ of the SW ¼ of Sec 19 Twp 5 ODYD (7250 Hitchcock Road) within the Foothills Neighbourhood from NU (NORD) to HR1 (Hillside Residential Single and Two Family), HR2 (Hillside Residential Multi-Family), and P1 (Parks and Open Space) in order to allow the subdivision of single or two family lots, a multi-family lot, the dedication of undisturbed open space and a remnant parcel subject to the following conditions:

- a) Registration of a Section 219 "No Disturb" Covenant on the remnant parcel that would restrict future subdivision or development until the approval of a pre-plan, consistent with the Foothills Neighbourhood Plan, that would identify the location of a future road network that respects sensitive areas including seasonal water bodies or drainage courses, ensures access to lands beyond, and provides for future parks and trail connections;
- b) Preparation of a phased servicing plan that identifies onsite and offsite servicing upgrades necessary to

support the development of the subject lands, including the first phase of development and the remnant parcel;

- c) The design of on-site and off-site works and services necessary to service the first phase of development and the remnant parcel; and
- d) Payment of water latecomer charges for use of reservoir capacity in the Sun Peaks Reservoir.

AND FURTHER, that prior to adoption of a zoning amendment bylaw:

- a) the applicant provide geotechnical information regarding slope and soil conditions along the edge of the ravine located along the east property line, including recommendations regarding the location of a no disturb covenant, a trail for public access, and safe building setbacks in this area; and
- b) security in the amount of 125% of estimated costs be provided for the construction of a fence to delineate the recommended no disturb area and trail location along the east property line.

**CARRIED.**

**INFORMATION ITEMS:**

The Manager, Current Planning reviewed the information for APC related items discussed at the September 24, 2018 Council meeting as follows:

- Public Hearing for Zoning Text Amendment (Secondary Suites/Semi-Detached Housing) – received third reading and will be sent to Ministry of Transportation/Infrastructure
- Public Hearing for Zoning Text Amendment (Parking and Loading) – deferred after more consultation, second PH to be held
- Public Hearing for 8000 Bench Row Road LUC Discharge – received third reading
- Public Hearing for 3607 27th Street – received third reading
- Rezoning and DVP for 2907 26 Street - first and second reading – PH for Nov. 13

- Rezoning for 5757 Okanagan Landing Road – first and second reading – PH for Nov. 13
- Text Amendments for RTR – Resort Residential – first and second reading – PH for Nov. 13
- OCP and Rezoning for 3903 30th Street – first and second reading – PH for Nov. 13
- Storm and road sections of amendments to Subdivision Servicing bylaw adopted.

**NEXT MEETING**

The next regular meeting of the Advisory Planning Committee is scheduled for **Wednesday, October 10, 2018.**

**ADJOURNMENT**

The meeting of the Advisory Planning Committee adjourned at 4:38 p.m.

**CERTIFIED CORRECT:**

\_\_\_\_\_ Chair



# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Keltie Chamberlain  
Planning Assistant,  
Craig Broderick,  
Manager, Current Planning

**COUNCIL MEETING:** REG  COW  I/C   
**COUNCIL MEETING DATE:** November 13, 2018  
**REPORT DATE:** October 4, 2018  
**FILE:** DVP00431

**SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 3904 29<sup>th</sup> STREET**

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## **PURPOSE:**

To review the Development Variance Permit application (DVP00431) for the subject property located at 3904 29<sup>th</sup> Street to vary sections of Zoning Bylaw #5000 in order to develop a four-plex with two 2-bedroom, one 1-bedroom and den, and one 3-bedroom unit.

## **RECOMMENDATION:**

THAT Council support the Development Variance Permit application (DVP00431) for the subject property located on Lot 5, Block 1, Plan 383MV, ODYD (3904 29<sup>th</sup> Street) to vary the following sections of Zoning Bylaw #5000 in order to develop a four-plex with 2 two-bedroom, 1 two-bedroom and den, and 1 three-bedroom units:

- a) to vary Section 9.12.5, Development Regulations, (b) Building Regulations, to reduce the required rear yard setback from 9m to 6.05m on the property;
- b) to vary Section 9.12.5, Development Regulations, (b) Building Regulations, to reduce the required side yard setback from 4.5m to 1.2m on the north side of the property and from 4.5m to 2.41m on the south side of the property; and
- c) to vary Section 6.6, Minimum Landscape Buffers, to reduce the minimum required landscape buffer, Level 2 on the side yards from 1.5m in width to 1.2m in width.

AND FURTHER, that Council's support of DVP00431 is subject to the following:

- a) That the site survey, elevations, renderings, and landscaping plan, as generally shown as Attachments 1 to 5, and to the satisfaction of Administration, are included in the report titled "Development Variance Permit Application for 3904 29<sup>th</sup> Street" and dated October 4, 2018 by the Planning Assistant and Manager, Current Planning be attached to and form part of DVP00431 as Schedule 'A'.

## **ALTERNATIVES & IMPLICATIONS:**

1. THAT Council support the Development Variance Permit application (DVP00431) for the subject property located on Lot 5, Block 1, Plan 383MV, ODYD (3904 29<sup>th</sup> Street) to vary the following sections of Zoning Bylaw #5000 in order to develop a four-plex with 2 two-bedroom, 1 two-bedroom and den, and 1 three-bedroom units:

- a) to vary Section 9.12.5, Development Regulations, to reduce the required rear yard setback from 9m to 6.05m on the property;
- b) to vary Section 9.12.5, Development Regulations, to reduce the required side yard setback from 4.5m to 1.2m on the north side of the property and from 4.5m to 2.41m on the south side of the property;
- c) to vary Section 6.6, Minimum Landscape Buffers, to reduce the minimum required landscape buffer, Level 2, on the side yards from 1.5m in width to 1.2m in width.

AND FURTHER, that Council's support of DVP00431 is subject to the following:

- a) That the site survey, elevations, renderings, and landscaping plan, as generally shown as Attachments 1 to 5, and to the satisfaction of Administration, are included in the report titled "Development Variance Permit Application for 3904 29<sup>th</sup> Street" and dated October 4, 2018 by the Planning Assistant and Manager, Current Planning be attached to and form part of DVP00431 as Schedule 'A'.
- b) *Any other conditions to be cited by Council.*

*Note: This alternative supports the requested variances subject to the conditions forming part of the DVP, and any other conditions cited by Council.*

2. THAT Council NOT support the Development Variance Permit application (DVP00431) for the subject property located on Lot 5, Block 1, Plan 383MV, ODYD (3904 29<sup>th</sup> Street) to vary the following sections of Zoning Bylaw #5000 in order to develop a four-plex with 2 two-bedroom, 1 two-bedroom and den, and 1 three-bedroom units:

- a) to vary Section 9.12.5, Development Regulations, to reduce the required rear yard setback from 9m to 6.05m on the property;
- b) to vary Section 9.12.5, Development Regulations, to reduce the required side yard setback from 4.5m to 1.2m on the north side of the property and from 4.5m to 2.41m on the south side of the property;
- c) to vary Section 6.6, Minimum Landscape Buffers, to reduce the minimum required landscape buffer, Level 2, on the side yards from 1.5m in width to 1.2m in width.

AND FURTHER, that Council's support of DVP00431 is subject to the following:

- a) That the site survey, elevations, renderings, and landscaping plan, as generally shown as Attachments 1 to 5, and to the satisfaction of Administration, are included in the report titled "Development Variance Permit Application for 3904 29<sup>th</sup> Street" and dated October 4, 2018 by the Planning Assistant and Manager, Current Planning be attached to and form part of DVP00431 as Schedule 'A'.
- b) *Any other conditions to be cited by Council.*

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



**ANALYSIS:**

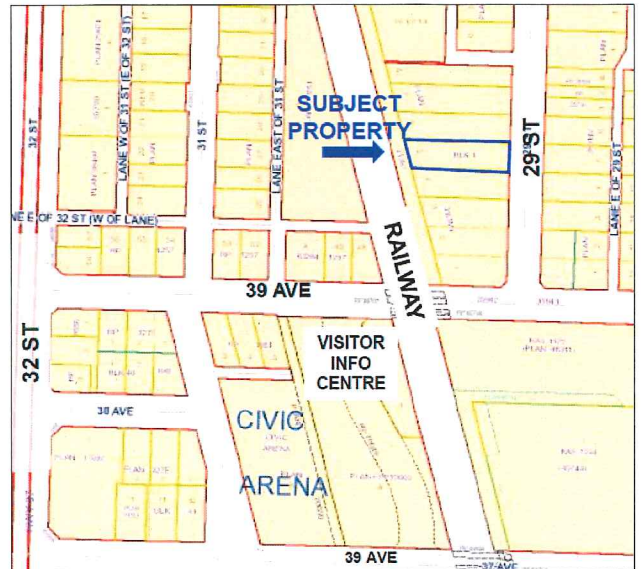
**A. Committee Recommendations:**

At its meeting of October 10, 2018 the Advisory Planning Committee adopted the following resolution:

“ ”

**B. Rationale:**

1. The subject property at 3904 29<sup>th</sup> Street is located between the railway corridor and 29<sup>th</sup> Street in the City Centre in the MacDonald Park Neighbourhood (Figures 1 and 2). The land has been designated as RSL – Residential Small Lot – Single and Two Family, within the Official Community Plan, and is in the RH1 – Low-Rise Apartment Residential zoning district. The lot is currently undeveloped.
2. The applicant has proposed to vary the following sections of Zoning Bylaw #5000 in order to develop a four-plex with 2 two-bedroom, 1 two-bedroom and den, and 1 three-bedroom units:
  - a. to vary Section 9.12.5, Development Regulations, (b) Building Regulations, to reduce the required rear yard setback from 9m to 6.05m on the property located at 3904 29<sup>th</sup> Street;
  - b. to vary Section 9.12.5, Development Regulations, (b) Building Regulations, to reduce the required side yard setback from 4.5m to 1.2m on the north side of the property and from 4.5m to 2.41m on the south side of the property;
  - c. to vary Section 6.6, Minimum Landscape Buffers, to reduce the minimum required landscape buffer, Level 2, on the side yards from 1.5m in width to 1.2m in width.



**Figure 1 – Property Location Map**



**Figure 2 – Aerial View of Property**

3. The applicant is seeking a variance to the rear yard setback from 9m to 6.05m in order to construct a four-plex on the site (Attachment 1). As illustrated in Attachment 2 and 3, the proposed three-storey four-plex building fronts onto 29<sup>th</sup> Street and steps down towards the west side of the property. The building siting is a response the narrow lot, and to provide a range of unit sizes between 119 m<sup>2</sup> (1,285 sq.ft.) and 162 m<sup>2</sup> (1,746 sq.ft.) (Attachment 3).
4. The building siting and proposed reduction in the rear yard setback provides space for the required on-site parking off of 29<sup>th</sup> Street at the front of the lot and within parking garages for units 1 and 2 (Attachment 1 and 3).

5. The applicant is also seeking to vary the side yard setback from 4.5m to 1.2m on the north side, and from 4.5m to 2.41m on the south side of the property in order to site the modern four-plex on the property. The building is situated on the lot with three of the four front entrances facing south towards the side lot line which are accessed by a common walkway (Attachment 1).
6. In order to support the proposed reduction in the rear and side yard setbacks and reduced landscape buffer, the applicant has provided a robust planting scheme in the landscape plan with the trees placed to provide screening to the neighbouring properties (Attachment 4).
7. Administration supports the variances requested for the following reasons:
  - a. The property is designated as RSL – Residential Small Lot (single and two family dwelling) within the Official Community Plan (OCP). The policies associated with this designation support ground oriented multiple family developments, and the proposed development is ground oriented.
  - b. The minimum side yard setback in the RH1 zoning district is 4.5m, as it generally relates to the low-rise apartments typically developed under this zoning. As the subject property is 15.24m wide, the required side yard setback would result in a lot 6.24m in width. The applicant has requested a variance to the minimum side yard setback from 4.5m to 1.2m on the north side of the property and from 4.5m to 2.41m on the south side of the property in order to create a more practical building width of 11.58m.
  - c. As per Section 6.6.7 of Zoning Bylaw #5000, the minimum landscape buffer widths may be reduced to the width of the setback of the building if the setback of the building is narrower than the buffer specified in Section 6.6. The applicant would plant the proposed 1.2m landscape buffer robustly at the same rate as the required Level 2, 1.5m buffer.

**C. Attachments:**

Attachment 1 – Site Survey Plan

Attachment 2 – Elevations

Attachment 3 – Renderings

Attachment 4 – Landscape Plan

Attachment 5 – Zoning Bylaw #5000 Section 9.12, RH1 (Low-Rise Apartment Residential), Section 6.6  
Minimum Landscape Buffers

**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 be implementing neighbourhood plans and the OCP.

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

1. The property is designated Residential Small Lot – Single and Two Family as per the Official Community Plan.
2. The following sections of Zoning Bylaw #5000 apply to the subject DVP application:
  - 9.12.5 RH1 – Low-Rise Apartment Residential (b) Building Regulations, minimum rear yard

9.12.5 RH1 – Low-Rise Apartment Residential (b) Building Regulations, minimum side yard

6.6 Minimum Landscape Buffers

- 3. 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 precedence 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

Prepared by:

Approved for submission to Council:

Right-click to sign with *DocuSign*

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

Keltie Chamberlain  
Planning Assistant

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

Right-click to sign with *DocuSign*

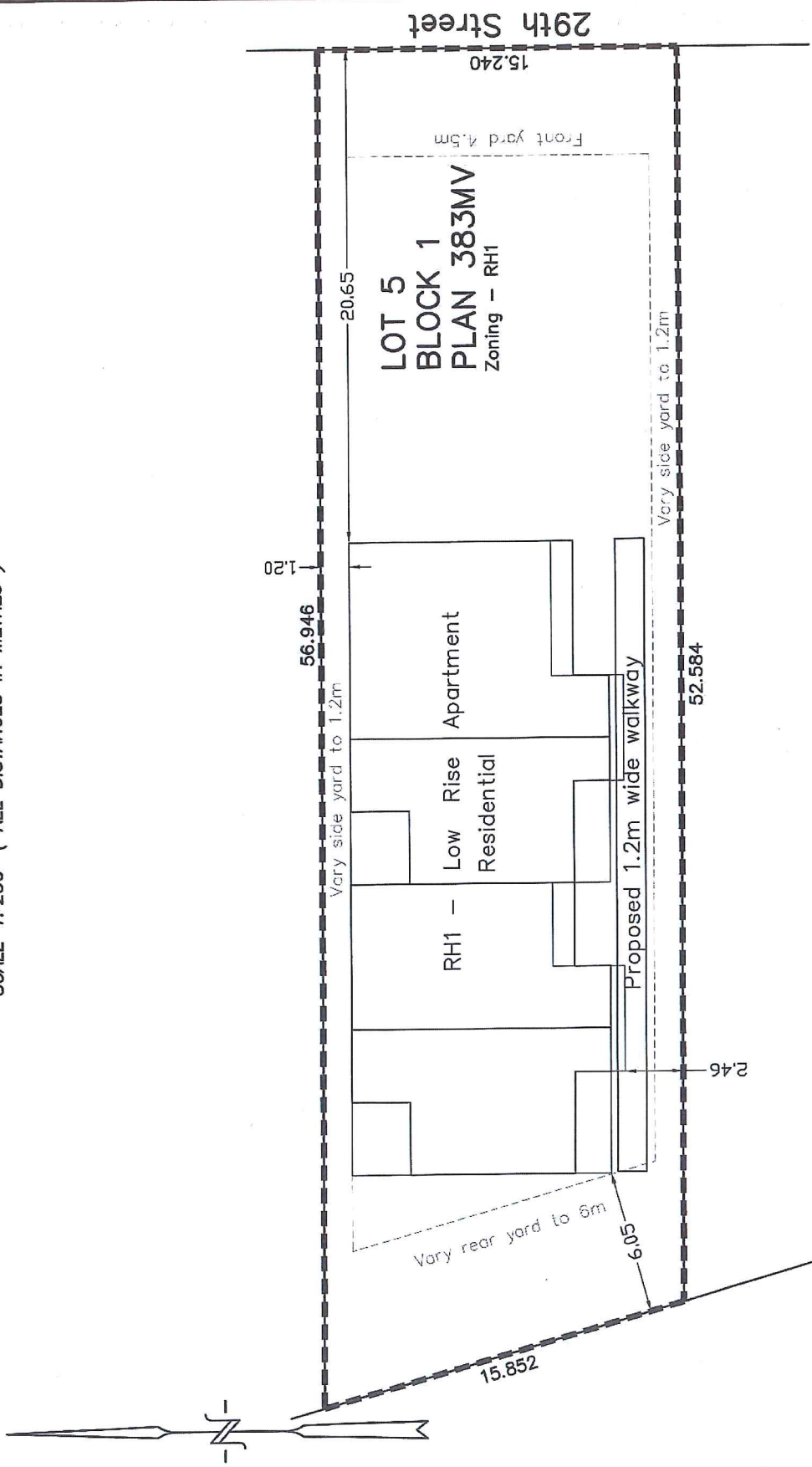
Amanda Watson,  
Acting Director, Community Infrastructure and Development

**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 checked="" type="checkbox"/> Long Range Planning & Sustainability |
| <input type="checkbox"/> Real Estate            | <input type="checkbox"/> Facilities           | <input checked="" 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 type="checkbox"/> COMMITTEE:             |   |  |
| <input type="checkbox"/> OTHER:                 |   |  |

**PROPOSED DEVELOPMENT ON LOT 5, BLOCK 1,  
SEC 3, TP 8, ODYD, PLAN 383 MOUNTAIN VIEW.**

SCALE 1:250 ( ALL DISTANCES IN METRES )



**LOT 5  
BLOCK 1  
PLAN 383MV**  
Zoning - RH1

SEPT 12, 2018  
AUGUST 20, 2018  
AUGUST 10, 2018  
APR. 2, 2018

THIS PLAN IS PREPARED FOR THE USE OF:  
MURPHY - AIM

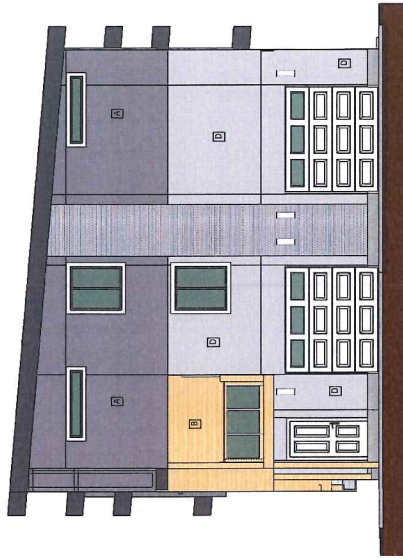
FILE: 28951

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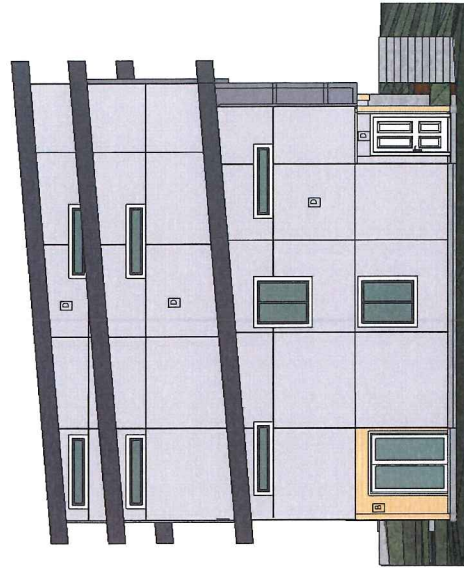
**russell shortt**

land SURVEYORS

2801-32nd Street, Vernon, B.C.  
Phone (250)545-0511 email: jasons@jrshortt.ca



EAST ELEVATION



WEST ELEVATION

NOT FOR CONSTRUCTION

A - 0

ELEVATIONS

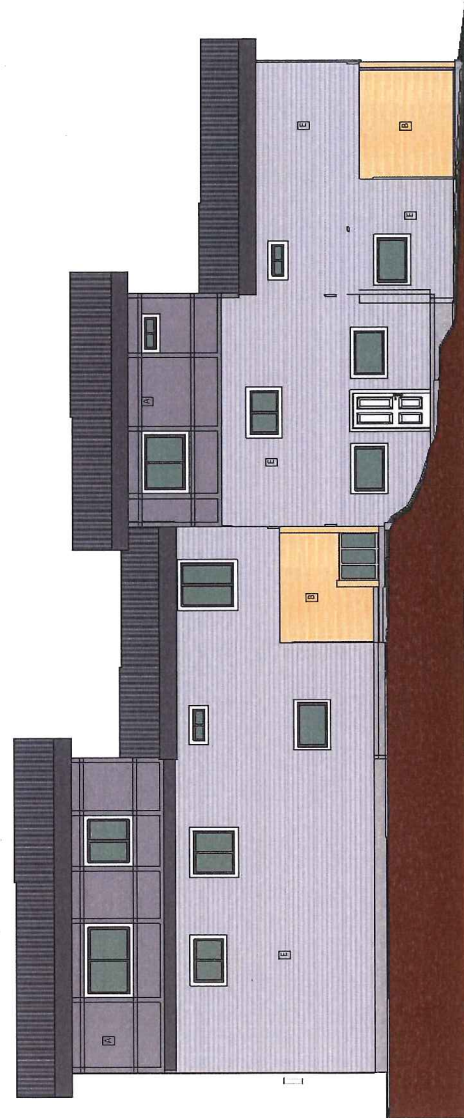
REVISIONS	
Preliminary Drawings - Mar. 22, 2018	Project: MURPHY - 29TH ST.
Revised Prelim. Drawings - Aug. 28, 2018	Date: August 28, 2018
	Scale: N.T.S.
	Drawn: NGC



SOUTH ELEVATION

**COLOUR LEGEND**

[Color swatch]	A - White Primer Walls, Ceilings Colour: Pure White
[Color swatch]	B - Light Grey Walls, Ceilings Colour: Pearl Grey
[Color swatch]	C - Vertical Groove Walls, Ceilings Colour: Oak Ridge
[Color swatch]	D - Horizontal Groove Walls, Ceilings Colour: Pearl Grey
[Color swatch]	E - Dark Grey Walls, Ceilings Colour: Dark Grey
[Color swatch]	F - Aluminium Floor Caps & Cornices / Clawfoot Bases

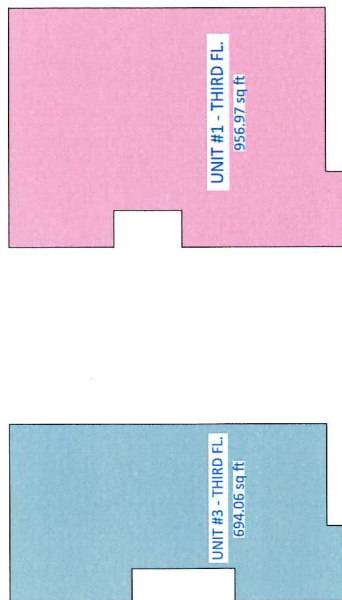


NORTH ELEVATION

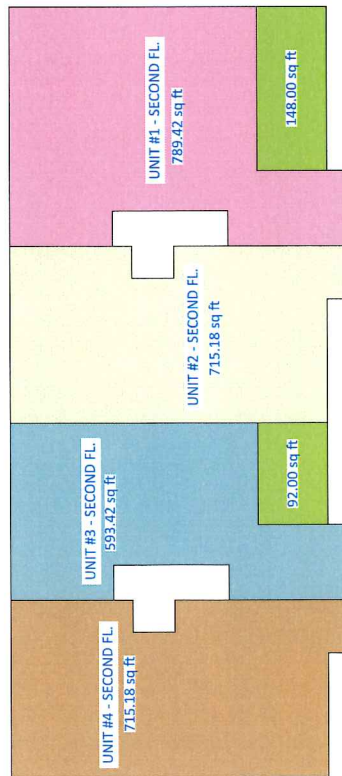
STACKED ROW HOUSING  
3904 - 29th STREET  
VERNON, BC

PREPARED FOR:  
AIM DEVELOPMENT MANAGEMENT AND MARKETING  
378 - 3104 30th AVE. VERNON, BC. V1T 9M9  
PH: 250-550-9888  
EMAIL: iam@aimdmm.com

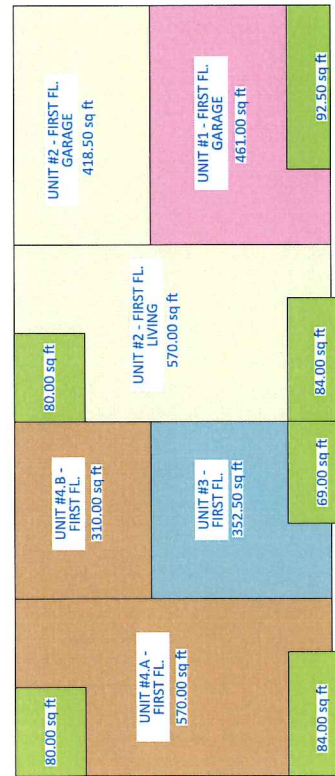




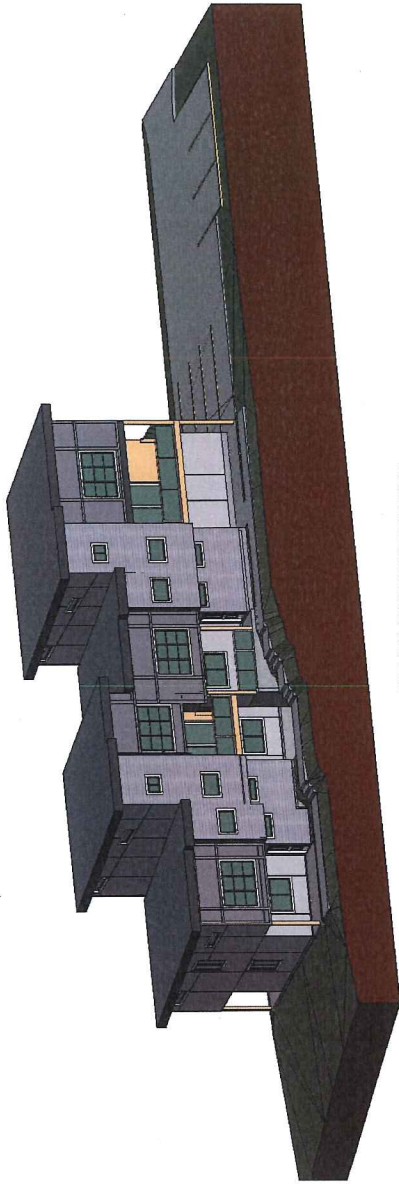
THIRD FLOOR



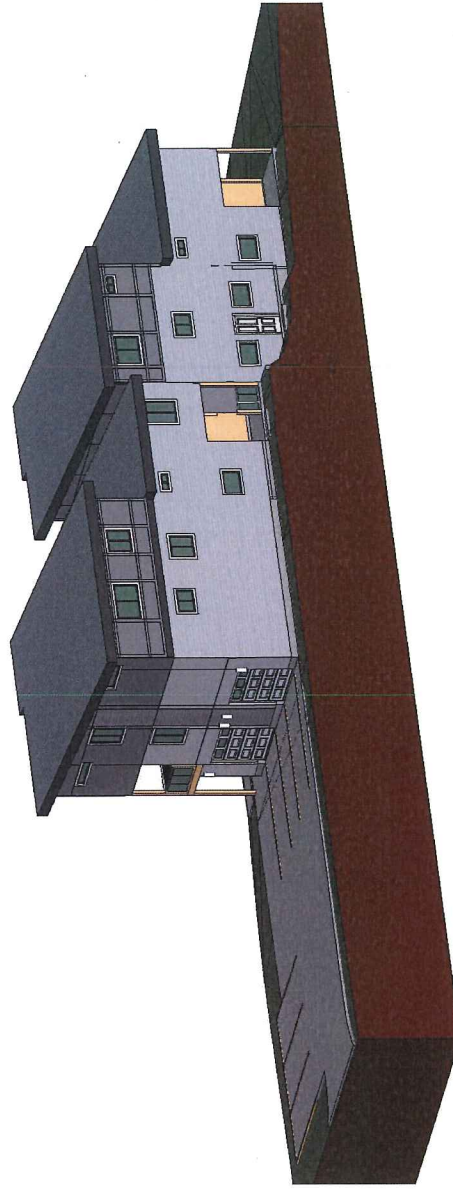
SECOND FLOOR



FIRST FLOOR



SOUTH-WEST PERSPECTIVE



NORTH-EAST ELEVATION PERSPECTIVE

PREPARED BY: <b>FRONTLINE</b> Drafting & Design <small>2500 FINE LINE VICTORIA, BC V8N 1X1</small>	PREPARED FOR: AIM DEVELOPMENT MANAGEMENT AND MARKETING 378 - 3104 30th AVE. VERNON, BC. V1T 9M9 PH: 250-550-9888 EMAIL: iam@aimdm.com	PROJECT: STACKED ROW HOUSING 3904 - 29th STREET VERNON, BC	REVISIONS Preliminary Drawings - Mar. 22, 2018 Revised Prelim. Drawings - Aug. 28, 2018	Project: MURPHY - 29TH ST. Date: August 28, 2018	Scale: N.T.S.	Drawn: MGC
	NOT FOR CONSTRUCTION			3D VIEWS & AREAS A - 0.1		

**PROPOSED DEVELOPMENT ON LOT 5, BLOCK 1,  
SEC 3, TP 8, ODYD, PLAN 383 MOUNTAIN VIEW.**

SCALE 1:250 ( ALL DISTANCES IN METRES )

PLANT LIST	SYMBOL	REMARKS	SIZE of planting hole?
1. BIRCH	(Symbol)	1.20 x 1.20	1.20m
2. PINE	(Symbol)	1.20 x 1.20	1.20m
3. MAPLE	(Symbol)	1.20 x 1.20	1.20m
4. BIRCH	(Symbol)	1.20 x 1.20	1.20m
5. PINE	(Symbol)	1.20 x 1.20	1.20m
6. BIRCH	(Symbol)	1.20 x 1.20	1.20m
7. PINE	(Symbol)	1.20 x 1.20	1.20m
8. BIRCH	(Symbol)	1.20 x 1.20	1.20m
9. PINE	(Symbol)	1.20 x 1.20	1.20m
10. BIRCH	(Symbol)	1.20 x 1.20	1.20m
11. PINE	(Symbol)	1.20 x 1.20	1.20m
12. BIRCH	(Symbol)	1.20 x 1.20	1.20m
13. PINE	(Symbol)	1.20 x 1.20	1.20m
14. BIRCH	(Symbol)	1.20 x 1.20	1.20m
15. PINE	(Symbol)	1.20 x 1.20	1.20m
16. BIRCH	(Symbol)	1.20 x 1.20	1.20m
17. PINE	(Symbol)	1.20 x 1.20	1.20m
18. BIRCH	(Symbol)	1.20 x 1.20	1.20m

Needs a Legacy Tree 1 per 10

Not dwarf -  
dwarf? need to go  
low buffer  
then some spacing/speckles

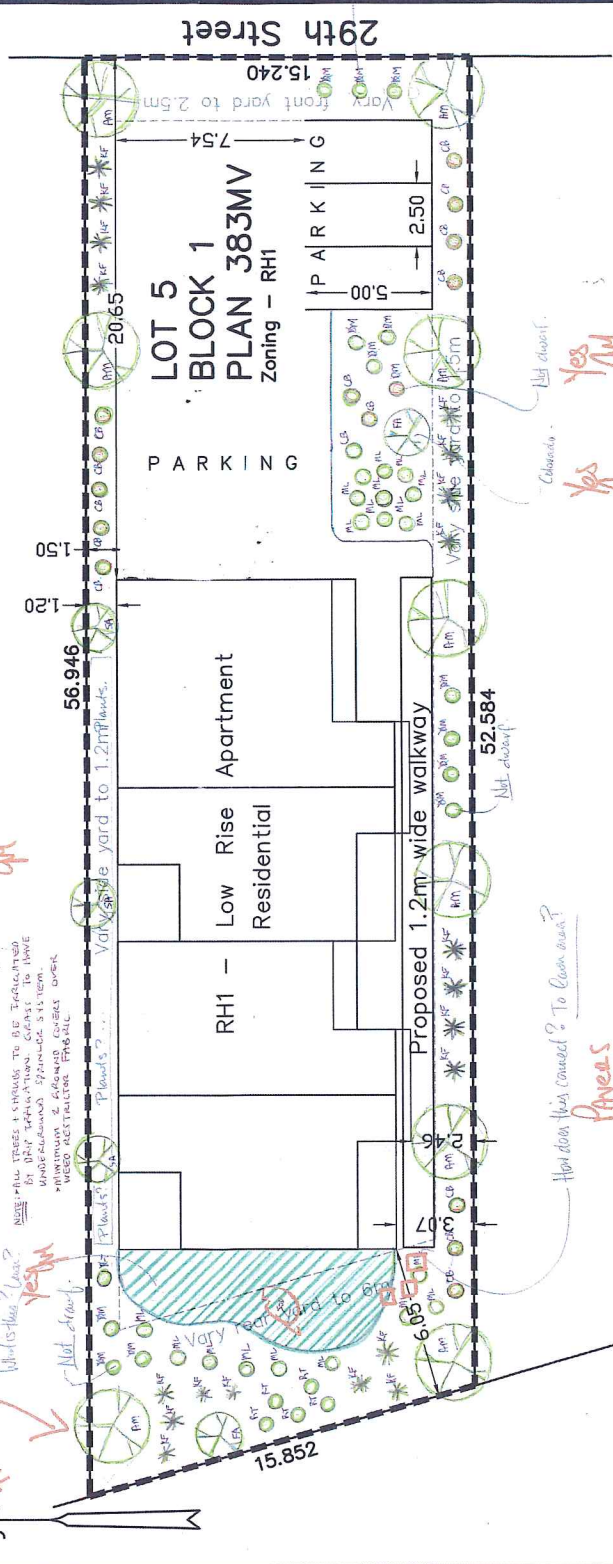
Planted? ... Vary wide yard to 1.2m plants.

How does this connect? To lawn area?

Plants?

Plants?

Plants?



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**russell shortt**  
land SURVEYORS  
2801-32nd Street, Vernon, B.C.  
Phone (250)545-0511 email: jasons@jrshortt.ca

FILE: 28951

THIS PLAN IS PREPARED FOR THE USE OF:  
MURPHY - AIM

AUGUST 20, 2018  
AUGUST 10, 2018  
APR. 2, 2018

RECEIVED 00141300

## Zoning Bylaw #5000 Excerpts

## Section 6.6 Landscape &amp; Screening

**6.6 Minimum Landscape Buffers**

- 6.6.1 **Landscape buffers** are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare and other **nuisances**, or facilitating natural drainage and wildlife movement.
- 6.6.2 **Landscape buffers**, of a design as shown on the Minimum Landscape Buffer Treatment Drawings (Levels 1 through 5), for the **front yard, side yards, and rear yard** depending upon the **zone** as indicated by Section 6.6.5, are as follows:

SECTION 6 : LANDSCAPE & SCREENING  
ZONING BYLAW NO. 5000 (2003)

LANDSCAPE - 6 of 12  
CITY OF VERNON

- 
- Level 0 : no specific guidelines for the design of the **landscape buffer**;
  - Level 1 : to separate **uses** from **adjacent** properties, a minimum 1.5m **landscape buffer** is required and will consist of a vegetative buffer only, unless a **fence** is required for other reasons;
  - Level 2 : to separate **uses** from **adjacent** properties, a minimum 1.5m vegetative **landscape buffer** combined with a **fence** is required;
  - Level 3 : to separate **uses** from **adjacent** properties, a minimum 2.0m vegetative **landscape buffer** combined with a **fence** is required;
  - Level 4 : to separate **uses** from **adjacent** properties, a minimum 3.0m **landscape buffer** is required;
  - Level 5 : a **landscape buffer** is required for all land **abutting** ALR land where non-farm **uses** exist. The minimum buffer shall meet the guidelines in the Landscape Buffer Specifications document prepared by the Agricultural Land Commission.



## 9.12 RH1 : Low-Rise Apartment Residential

### 9.12.1 Purpose

The purpose is to provide a **zone** primarily for medium **density** apartments on urban services.

### 9.12.2 Primary Uses

- **apartment housing**
- **care centres, major**
- **group home, major**
- **seniors assisted housing**
- **seniors housing**
- **seniors supportive housing**
- **stacked row housing**

### 9.12.3 Secondary Uses

- **home based businesses, minor**
- **real estate sales centres** (in apartment housing only)

### 9.12.4 Subdivision Regulations

- Minimum **lot width** is 30.0m.
- Minimum **lot area** is 1400m<sup>2</sup>, or 10,000m<sup>2</sup> if not serviced by a **community sewer system**.

### 9.12.5 Development Regulations

#### (a) Density:

The maximum Floor Space Ratio (FSR) is 1.50, except that:

- With a housing agreement pursuant to Section 4.9, the maximum **density** shall be increased by FSR 0.25; and
- Where **parking spaces** are provided completely beneath habitable space of a primary **building** or beneath useable common amenity areas, providing that in all cases the parking spaces are screened from view, the maximum **density** shall be increased by FSR 0.25; or
- Where all the required parking is not accommodated completely beneath the habitable space of a primary **building** or useable common amenity areas, the additional density permitted shall be determined through multiplying the FSR 0.25 by the percentage of parking proposed to be provided beneath habitable space of a primary **building** or useable common amenity areas;

Provided that the maximum Floor Area Ratio with all bonuses shall not exceed FSR 2.00.

#### (b) Building Regulations:

- Maximum **site coverage** is 65% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 85%.
- Maximum **height** is the lesser of 16.5m or 4.5 **storeys**, except it is 4.5m for **secondary buildings** and **secondary structures**.

- Minimum **front yard** is 4.5m.
- Minimum **side yard** is 4.5m, except it is 4.5m from a **flanking street**.
- Minimum **rear yard** is 9.0m, except it is 1.0m for **secondary buildings**. (*Bylaw 5661*)

#### 9.12.6 Other Regulations

- A minimum area of 5.0m<sup>2</sup> of private open space shall be provided per **bachelor dwelling, congregate housing bedroom** or group home **bedroom**, 10.0m<sup>2</sup> of private open space shall be provided per 1 **bedroom dwelling**, and 15.0m<sup>2</sup> of private open space shall be provided per **dwelling** with more than 1 **bedroom**.
- No continuous **building frontage** shall exceed 40.0m for a 3 to 4.5 **storey building**, or 65.0m for a 2 **storey building**. If the frontage is interrupted by an open courtyard equivalent in depth and width to the **building height**, the maximum continuous 4.5 **storey building frontage** may be 80.0m provided that no **building** section exceeds 40.0m.
- 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**. (*Bylaw 5440*)
- For **seniors assisted housing, seniors housing and seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- 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. (*Bylaw 5339*)
- 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*)



# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Keltie Chamberlain  
Planning Assistant,  
Craig Broderick,  
Manager, Current Planning

**COUNCIL MEETING:** REG  COW  I/C   
**COUNCIL MEETING DATE:** November 13, 2018  
**REPORT DATE:** October 04, 2018  
**FILE:** DVP00443

**SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 6533 ORCHARD HILL ROAD**

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## PURPOSE:

To review the Development Variance Permit application (DVP00443) for the subject property located at 6533 Orchard Hill Road to vary a section of Zoning Bylaw #5000 in order to construct a second-floor addition above an existing garage for a secondary suite.

## RECOMMENDATION:

THAT Council support the Development Variance Permit application (DVP00443) for the subject property located on Lot 28, Plan 25142, Section 31, ODYD (6533 Orchard Hill Road) to vary the following section of Zoning Bylaw #5000 in order to construct a second-floor addition above an existing garage for a secondary suite:

- a) to vary Section 9.2.5, Development Regulations, to reduce the required side yard setback from 2.5m to 1.76m on the property located at 6533 Orchard Hill Road.

AND FURTHER, that Council's support of DVP00443 is subject to the following:

- a) That the site survey and elevations as generally shown as Attachments 1 to 3, and to the satisfaction of Administration, are included in the report titled "Development Variance Permit Application for 6533 Orchard Hill Road" and dated October 4, 2018 by the Planning Assistant and Manager, Current Planning, be attached to and form part of DVP00443 as Schedule 'A'.

## ALTERNATIVES & IMPLICATIONS:

1. THAT Council support the Development Variance Permit application (DVP00443) for the subject property located on Lot 28, Plan 25142, Section 31, ODYD (6533 Orchard Hill Road) to vary the following section of Zoning Bylaw #5000 in order to construct a second-floor addition above an existing garage for a secondary suite:

- a) to vary Section 9.2.5, Development Regulations, to reduce the required side yard setback from 2.5m to 1.76m on the property located at 6533 Orchard Hill Road.

AND FURTHER, that Council's support of DVP00443 is subject to the following:

- a) That the site survey and elevations as generally shown as Attachments 1 and 2, and to the satisfaction of Administration, are included in the report titled "Development Variance Permit Application for 6533 Orchard Hill Road" and dated October 4, 2018 by the Planning Assistant and Manager, Current Planning be attached to and form part of DVP00443 as Schedule 'A'.

b) *Any other conditions to be cited by Council.*

*Note: This alternative supports the requested variances subject to the conditions forming part of the DVP, and any other conditions cited by Council.*

2. THAT Council NOT support the Development Variance Permit application (DVP00443) for the subject property located on Lot 28, Plan 25142, Section 31, ODYD (6533 Orchard Hill Road) to vary the following section of Zoning Bylaw #5000 in order to construct a second-floor addition above an existing garage for a secondary suite:

a) to vary Section 9.2.5, Development Regulations, to reduce the required side yard setback from 2.5m to 1.76m on the property located at 6533 Orchard Hill Road.

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

**ANALYSIS:**

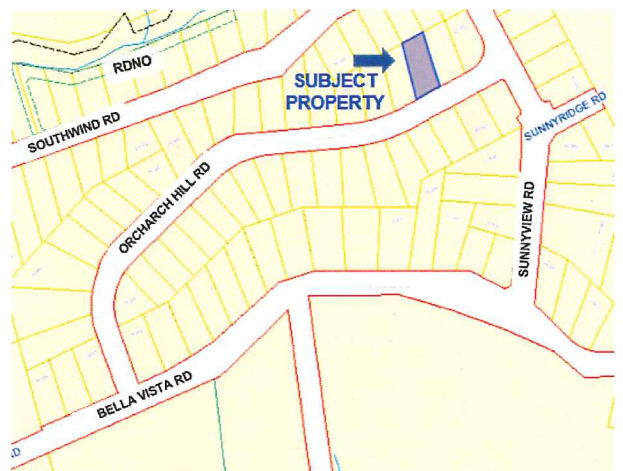
**A. Committee Recommendations:**

At its meeting of October 10, 2018 the Advisory Planning Committee adopted the following resolution:

“ ”

**B. Rationale:**

1. The subject property is located at 6533 Orchard Hill Road and is located in the Okanagan Landing North Neighbourhood (Figures 1 and 2). The land is designated as RLD – Residential Low Density within the Official Community Plan (OCP) and is in the R1 – Estate Lot Residential zoning district of Zoning Bylaw #5000. The lot is currently developed with a single family dwelling as part of an established neighbourhood. The R1 zoning district allows secondary suites as a Secondary Use.



**Figure 1 – Property Location Map**

2. The applicant is proposing to vary the following section of Zoning Bylaw #5000 in order to construct a second-floor addition above an existing garage as a secondary suite (Attachment 1 and 2). The zoning bylaw provisions that would need to be varied include:

a. to vary Section 9.2.5, Development Regulations, to reduce the required side yard setback from 2.5m to 1.76m on the property located at 6533 Orchard Hill Road.

3. The existing primary dwelling on the lot has an existing attached garage located 1.76m from the east side yard lot line. The applicant is seeking a variance for a minor modification to the floor plan for the single family dwelling, utilizing the existing structure to add floor space to the dwelling for a secondary suite.

4. The proposed building addition does not result in the building site coverage exceeding the maximum of 40% in the R1 – Estate Lot Residential zoning district that applies to the property.
5. The secondary suite would be accessed from inside the building (Attachment 2).
6. Administration supports the subject development variance permit application for the following reasons:
  - a. The building addition would not have a negative impact on the neighbouring property.
  - b. The proposed building addition is compatible with existing neighbourhood development;
  - c. The proposed variance serves to sanction the siting of the existing building.
  - d. The applicant will be required to comply with the secondary suite regulations of the Zoning Bylaw.



Figure 2 – Aerial Location Map

**C. Attachments:**

- Attachment 1 – Site Survey Plan
- Attachment 2 – Elevations
- Attachment 3 – R1 – Estate Lot Residential Zoning

**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.

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

1. The subject property is designated Residential – Low Density on the land use map in the Official Community Plan (OCP).
2. The following sections of Zoning Bylaw #5000 apply to the subject DVP application:

9.2	R1 – Estate Lot Residential
9.2.5	Development Regulations
3. 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 precedence 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:

Right-click to sign  
with *DocuSign*

Keltie Chamberlain  
Planning Assistant

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

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


Right-click to sign  
with *DocuSign*

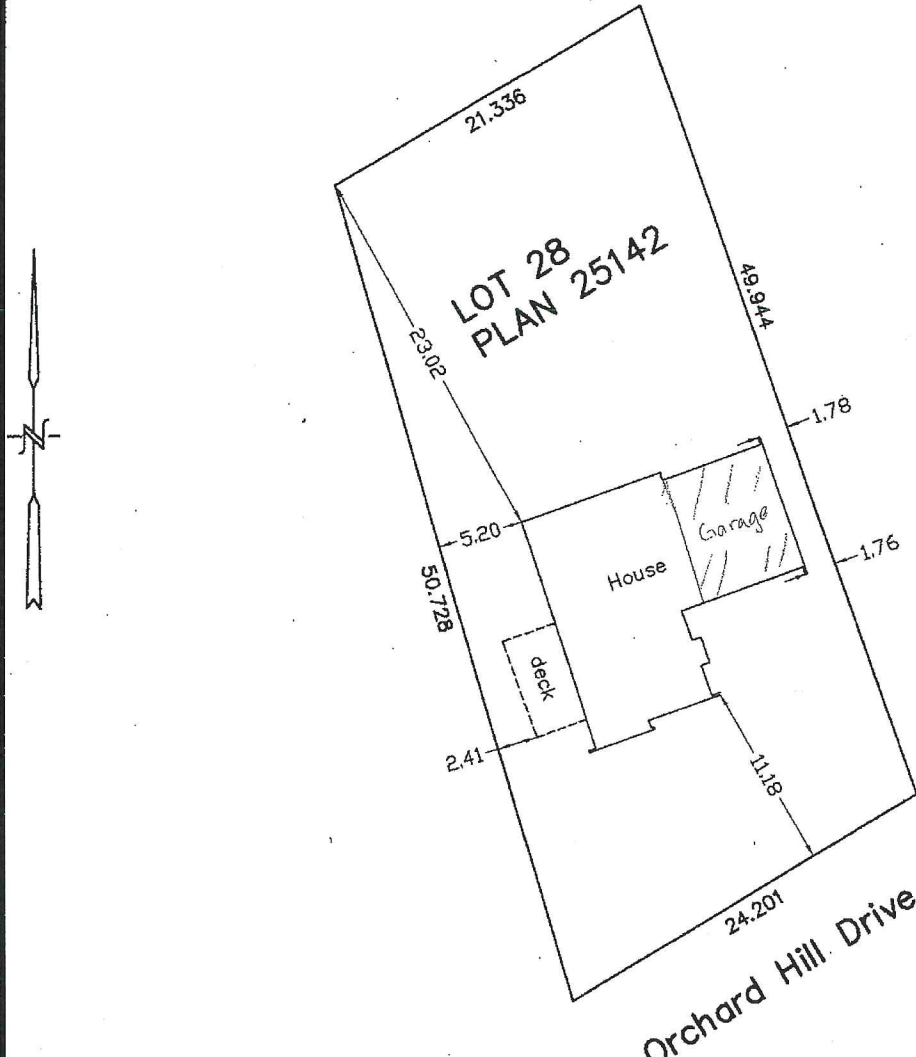
Amanda Watson,  
Acting Director, Community Infrastructure and Development

**REVIEWED WITH**

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|---|---|---|
| <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 type="checkbox"/> Transportation                       |
| <input type="checkbox"/> Financial Services     |   | <input type="checkbox"/> Economic Development & Tourism       |
| <input type="checkbox"/> COMMITTEE:             |   |   |
| <input type="checkbox"/> OTHER:                 |   |   |

B.C. Land Surveyor's Building Location Certificate  
PLAN SHOWING BUILDING ON  
LOT 28, SEC 31, TP 9, ODYD, PLAN 25142

SCALE 1: 400 (ALL DISTANCES IN METRES)   
PID 005-726-344 6533 ORCHARD HILL ROAD, VERNON



THIS PLAN IS PREPARED FOR THE USE OF  
KUTSCHE/COWLEY ONLY AND  
SHOWS THE RELATIVE LOCATION OF SURVEYED  
FEATURES WITH RESPECT TO THE BOUNDARIES  
OF THE PARCEL DESCRIBED ABOVE. THIS  
DOCUMENT SHALL NOT BE USED TO DEFINE  
PROPERTY LINES OR PROPERTY CORNERS.

DERIVED FROM FIELD SURVEY.  
FILE: 29065  
F.B. 1286 Pg. 79

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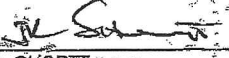
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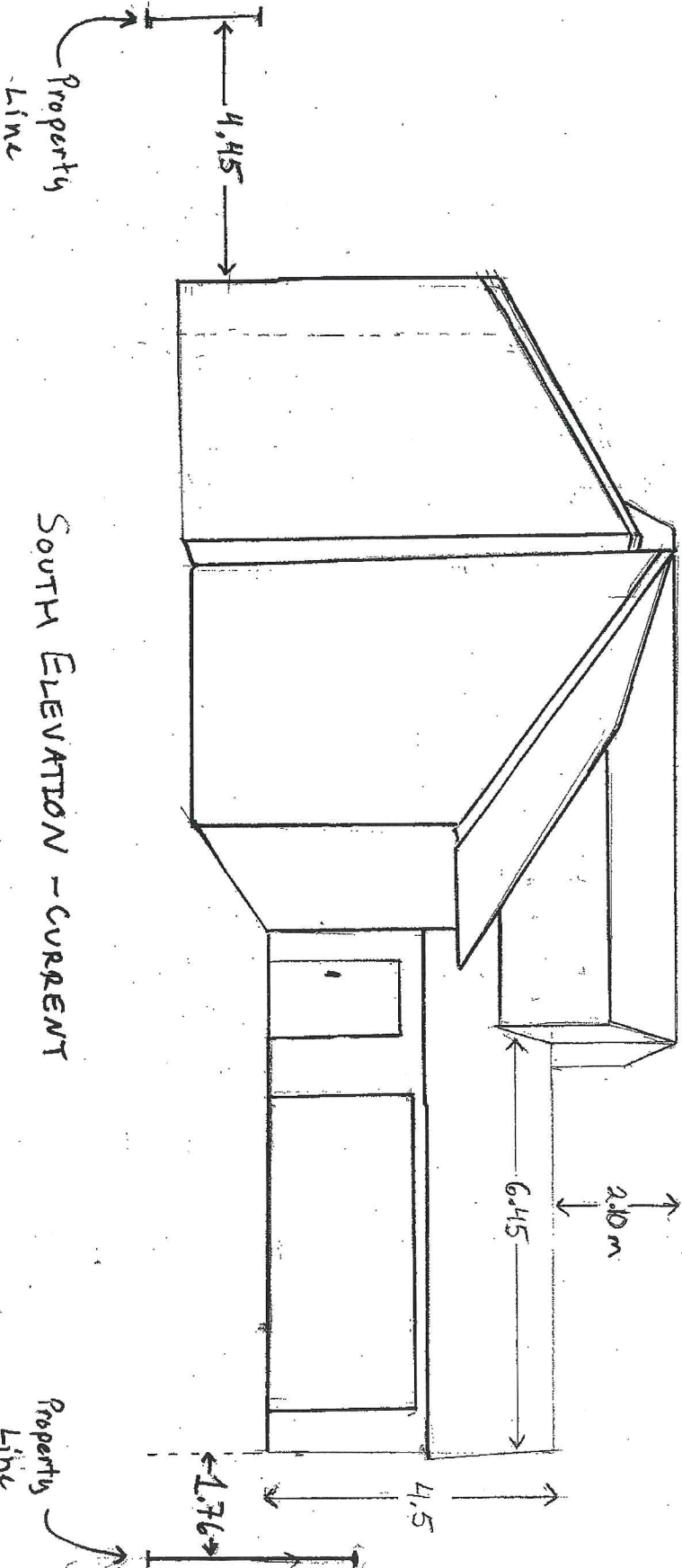
THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED IN  
ACCORDANCE WITH THE MANUAL STANDARD OF PRACTICE AND  
IS CERTIFIED CORRECT THIS 28th DAY OF JUNE, 2018.

**russell shortt**

land SURVEYORS

2801-32nd Street, Vernon, B.C. Phone 545-0511  
email: jasons@jrshortt.ca

  
J.R. SHORTT B.C.L.S.  
(INVALID IF NOT ORIGINALLY SIGNED AND SEALED)

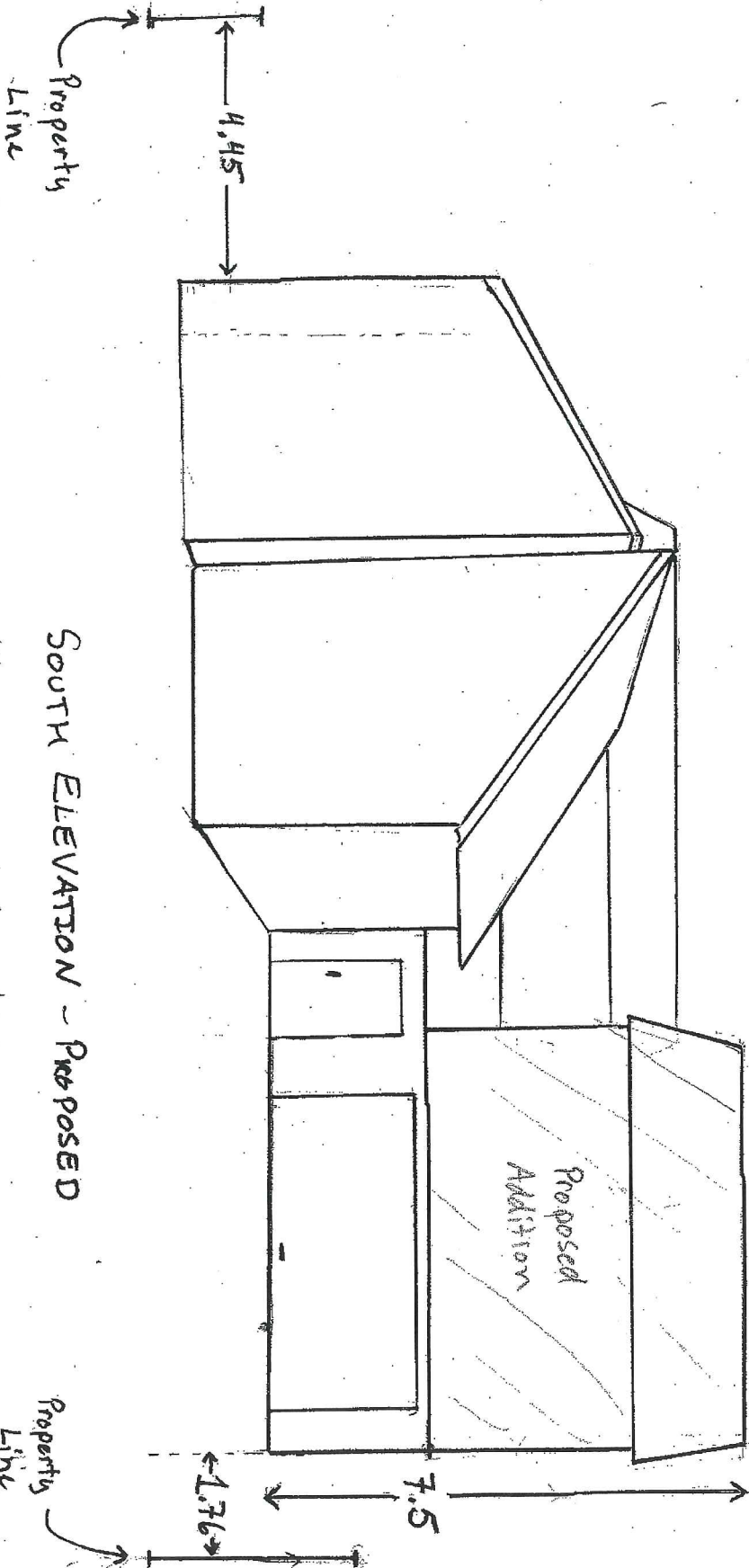


SOUTH ELEVATION - CURRENT  
All measurements in meters

Inch to meters

1:100



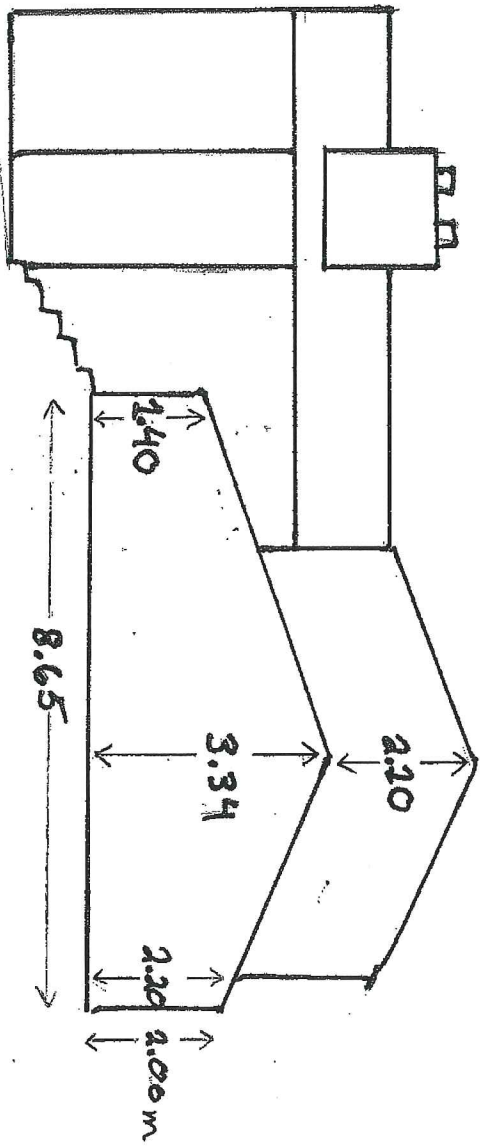


**SOUTH ELEVATION - PROPOSED**

All measurements in meters

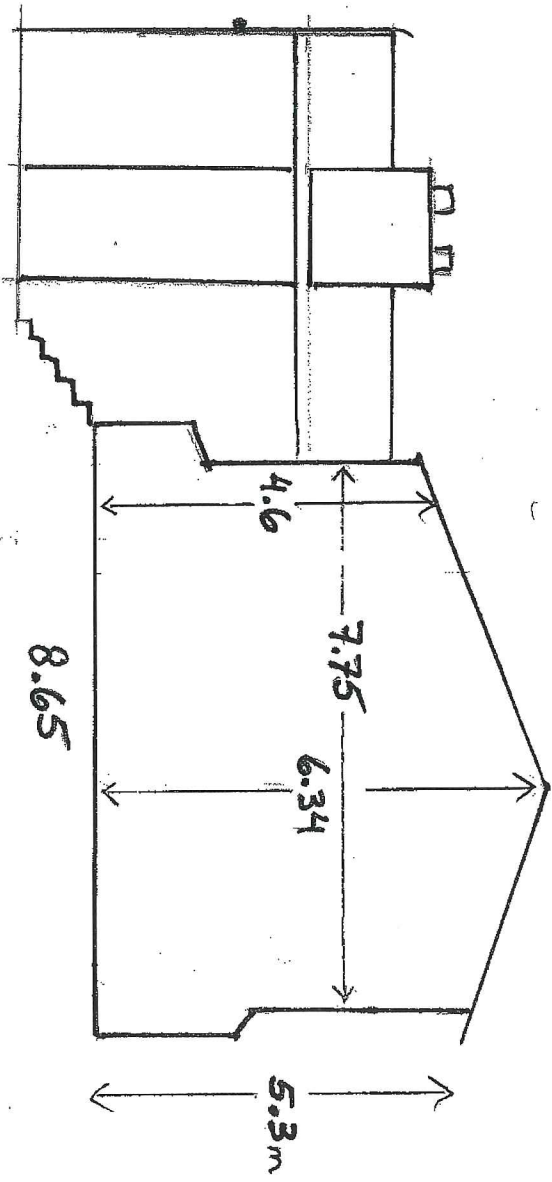
Scale 1:100

12/1/2015



EAST ELEVATION  
CURRENT

mch: meters 1:100



EAST ELEVATION

PROPOSED

1 inch = METERS 4:100

## R1

## 9.2 R1: Estate Lot Residential

### 9.2.1 Purpose

The purpose is to provide a **zone** for **single detached housing**, and compatible uses, on larger urban serviced **lots**. The R1c sub-zoning district allows for **care centre, major** as an additional use. The R1h sub-zoning district allows for **home based business, major** as an additional use. (*Bylaw 5467*)

### 9.2.2 Primary Uses

- **care centre, major** (*use is only permitted with the R1c sub-zoning district*)
- **single detached housing**

### 9.2.3 Secondary Uses

- **boarding rooms**
- **bed and breakfast homes** (in single detached housing only) (*Bylaw 5498*)
- **care centres, minor**
- **group home, minor**
- **home based businesses, minor**
- **home based businesses, major** (*use is only permitted with the R1h sub-zoning district*)
- **secondary suites**
- **seniors supportive housing**

### 9.2.4 Subdivision Regulations

- Minimum **lot width** is 24.0m.
- Minimum **lot area** is 740m<sup>2</sup>, or 10,000m<sup>2</sup> if not serviced by a **community sewer system**.
- Maximum **density** is 30.0 units per gross hectare (12.0 units/gross acre).

### 9.2.5 Development Regulations

- Maximum **site coverage** is 40% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 50%.
- 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 7.5m.
- Minimum **side yard** is 2.5m, except it is 7.5m from a **flanking street**. 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.
- Minimum **rear yard** is 7.5m, except it is 1.0m for **secondary buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5m provided that one **side yard** shall have a minimum width of 4.5m.
- 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 1.5 **storeys**, above which the **building** must be **set back** at least 1.2m.

### 9.2.6 Other Regulations

- There shall be no more than one **single detached house** per lot.
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.

- For **seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- 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.
- **Seniors supportive housing** shall be for no more than four residents. *(Bylaw 5467)*
- 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)*



# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Craig Broderick  
Manager, Current Planning  
Hazel Christy,  
Planner

**COUNCIL MEETING:** REG  COW  I/C   
**COUNCIL MEETING DATE:** October 10, 2018  
**REPORT DATE:** November 13, 2018  
**FILE:** DVP00435

**SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 5400 OKANAGAN AVENUE**

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## PURPOSE:

To review the development variance permit application for 5400 Okanagan Avenue to vary sections of Zoning Bylaw #5000 in order to construct a 36 unit townhouse development consisting of duplexes, three plexes and fourplexes on a lot with slopes in excess of 30%.

## RECOMMENDATION:

THAT Council not support Development Variance Permit Application #DVP00435 to vary the following sections of Zoning Bylaw #5000 in order to construct a 36 unit townhouse development on Part of the NW ¼ of Sec. 28 shown on Plan B3911, Twp. 9 ODYD exc. Plans KAP50675 and KAP58681 (5400 Okanagan Avenue):

- a) to vary Section 4.16.1. to allow the construction of a building, structure or swimming pool on slopes of 30% or greater, and
- b) to vary Section 6.5.11. to increase the maximum height of a retaining wall from 1.2 m to 6.0 m.

## ALTERNATIVES & IMPLICATIONS:

1. THAT Council support Development Variance Permit Application #DVP00435 to vary the following sections of Zoning Bylaw #5000 in order to construct a 36 unit townhouse development on Part of the NW ¼ of Sec. 28 shown on Plan B3911, Twp. 9 ODYD exc. Plans KAP50675 and KAP58681 (5400 Okanagan Avenue):

- a) to vary Section 4.16.1. to allow the construction of a building, structure or swimming pool on slopes of 30% or greater; and
- b) to vary Section 6.5.11. to increase the maximum height of a retaining wall from 1.2 m to 6.0 m.

AND FURTHER, that Council confirm its previous approval of Development Variance Permit application DVP00382 to vary Zoning Bylaw #5000 Section 9.11.6 reduce the minimum dwelling unit width from 6.5 m to 4.8 m;

AND FURTHER, that Council support of DVP00435 is subject to the following:

- a) That the site and elevation plans, intended to illustrate the general form, character and massing of the proposed residence, and noted as Attachments 3 and 5 in the report titled "Development Variance Permit Application for 5400 Okanagan Avenue" and dated October 10, 2018 by the Manager, Current Planning be attached to and form part of DVP00435 as Schedule 'A'; and
- b) *any additional conditions that may be cited by Council.*

*Note: This alternative allows the development to proceed as proposed and supports the development variance permit application subject to the conditions outlined by Administration, as well as additional conditions as may be cited by Council.*

**ANALYSIS:**

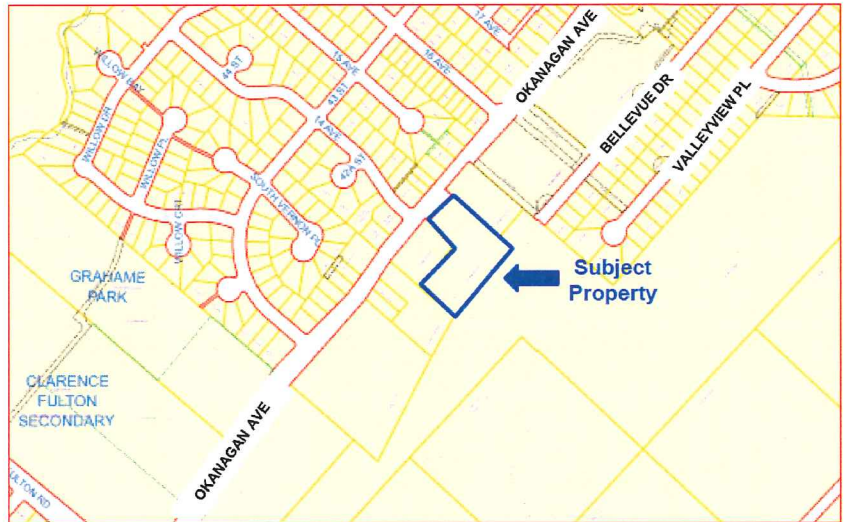
**A. Committee Recommendations:**

At its meeting of October 10, 2018 the Advisory Planning Committee passed the following resolution:

“ “

**B. Rationale:**

1. The subject property is located at 5400 Okanagan Road, as shown on Figures 1 and 2. The property is approximately 8,110 m<sup>2</sup> in size. The lot slopes upward from the road and backs onto Crown land, which contains a public trail. Based on information submitted by the applicant, approximately one third of the property contains slopes in excess of 30% (Attachment 1). Two ravines are located in the southern portion of the property, one of which contains slopes of 40% - 50%. The property is currently undeveloped, with some trees and shrubs located near Okanagan Road and within the ravine areas.



**Figure 1 – Property Location Map**

2. The subject application proposes to vary the following sections of Zoning Bylaw #5000 in order to develop 36 townhouse units:

- a) to vary Section 4.16.1. to allow the construction of a building, structure or swimming pool on slopes of 30% or greater; and
- b) to vary Section 6.5.11. to increase the maximum height of a retaining wall from 1.2 m to 6.0 m.

3. The subject property was rezoned from R5 – Four Plex Residential to RM2 – Multiple Housing Residential in 2017 (ZON00277). At that time, information provided by the applicant indicated



**Figure 2 – Aerial Photo of Property Location**

that slopes were less than 29%. Even so, the narrative provided by the applicant described the site as “challenging”.

4. The staff report at the time noted that “OCP Policy 7.5 indicates that the maximum density is not necessarily appropriate or achievable in all areas, and that consideration is given to the density of surrounding development, designation of the land and optimizing infrastructure provision”.
5. A 36 unit townhome development was proposed at that time, and site plan and elevation drawings accompanied the joint rezoning and development variance permit application (ZON00277/DVP00382). Council approved variances to minimum unit width (4.8 m from 6.5 m) and to off-site road works. The smaller unit widths and footprints were described as being “more conducive to the slope of the site”. Development Variance Permit application DVP00382 was not issued within the required one year time period and Council’s approval of DVP00382 has now lapsed.
6. The current application, also for 36 townhouse units, differs from the original concept in several significant areas:
  - a) New topographic information has been received showing significant areas of 30% slope and higher. (Attachment 1: Slope Analysis).
  - b) Site topography is proposed to be modified to allow the buildings to be constructed on flat building pads. This is proposed to be achieved by significant regrading of the site and the use of large retaining walls varying in height from 4 m to 6 m. (Attachment 2: Overall Site Grading Plan Cross Sections).
  - c) The current design now shows two sections of road within the ravine area, as the internal road has been extended to curve around in order to reduce road grades. (Attachment 3: DVP00435 proposed Site Plan) (Attachment 4: DVP00382 previously proposed Site Plan).
  - d) Units are larger and not placed so as to conform to the slope, as additional regrading is now proposed to create flat building pads that have been terraced into the hill. (Attachment 5: DVP00435 proposed Building Elevations) (Attachment 6: DVP00382 previously proposed Building Elevations).
7. Administration does not support the requested variances for the following reasons:
  - a) The proposed development and the variances requested are inconsistent with the City of Vernon Hillside Development Goals, which seek to:
    - i. complement the scenic hillside character of Vernon by integrating unique or special features such as landforms...viable existing stands of trees and vegetation, ravines....hilltops and ridgelines;
    - ii. minimize the footprint of development during and after construction;
    - iii. protect wildlife habitat, corridors and ESA’s;
    - iv. avoid unstable or hazardous sites and protect lives and property from hazardous conditions such as...storm runoff, erosion;
    - v. provide safe, year round access...;
    - vi. be compatible with adjacent development, open spaces and natural features....;
    - vii. support innovative low impact buildings;
    - viii. support mixed development densities...;
    - ix. minimize infrastructure maintenance requirements....
  - b) The development proposes to fill both ravines and block the natural drainage routes with a large retaining wall, which is shown as 4 m measured from the lower side, but will appear more significant when viewed from the trail above, taking into account the contours of the ravines;
  - c) The adoption of the Hillside Development Guidelines in 2008 signalled the City’s intention to move away from past development practices which require significant re-grading and utilize large retaining walls. While all retaining walls higher than 1.2 m require engineering design and certification, there



is an ongoing maintenance requirement to ensure the integrity of the structure. In the long run, designing developments to maintain as much of the natural topographic character as possible, using clustering, placing buildings into the slope, and minimizing site disturbance provides a more viable and sustainable option than large, extensive retaining walls.

**C. Attachments**

- Attachment 1 – Slope Analysis
- Attachment 2 – Overall Site Grading Plan and Cross Sections
- Attachment 3 – DVP00435 Proposed Site Plan
- Attachment 4 – DVP00382 Previously Proposed Site Plan
- Attachment 5 – DVP00435 Proposed Building Elevations
- Attachment 6 – DVP00382 Previously Proposed 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 neighbourhoods by implementing the OCP.

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

Official Community Plan

1. Section 26 Development Permit Areas
2. Section 28 Development Permit Area # 2 (Neighbourhood District)

The property is subject to Development Permit approval and must comply with the *City of Vernon Hillside Guidelines*, the *Environmental Management Areas Strategy*, and guidelines contained in Sections 26, and 28 of the Official Community Plan.

**BUDGET/RESOURCE IMPLICATIONS:**

N/A

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Prepared by:

Approved for submission to Council:

Right-click to sign  
with 

Craig Broderick  
Manager, Current Planning

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




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

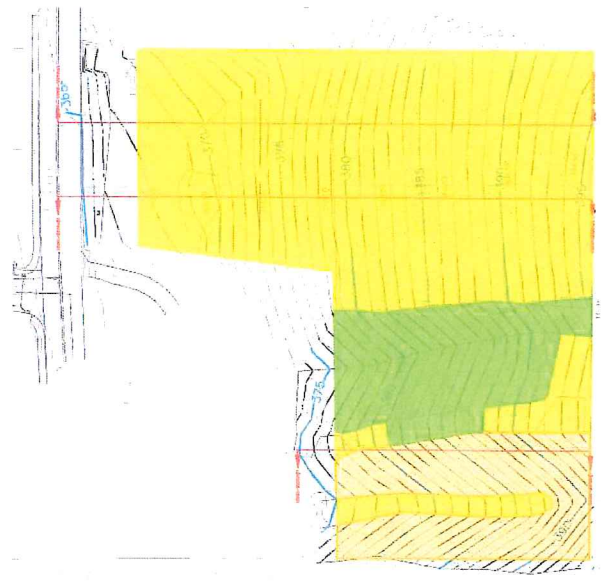
Right-click to sign  
with 

Kim Flick  
Director, Community Infrastructure and Development

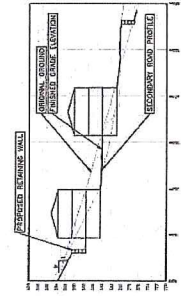
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| <input type="checkbox"/> Fire & Rescue Services                 | <input type="checkbox"/> Recreation Services  | <input type="checkbox"/> Infrastructure Management                       |
| <input type="checkbox"/> Human Resources                        | <input type="checkbox"/> Parks                | <input type="checkbox"/> Transportation                                  |
| <input type="checkbox"/> Financial Services                     |   | <input type="checkbox"/> Economic Development & Tourism                  |
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| <input type="checkbox"/> OTHER:                                 |   |  |

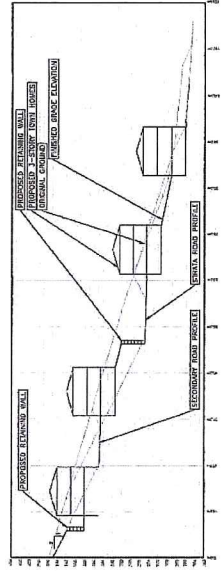
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-  SLOPE = 30% - 40%
-  SLOPE = 40% - 50%



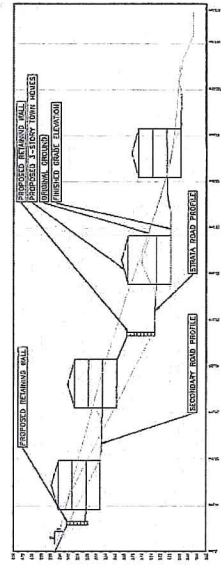
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(ISSUED FOR PERMITS)



CROSS-SECTION DETAIL #1  
SCALE: 1"=80'



CROSS-SECTION DETAIL #2  
SCALE: 1"=80'



CROSS-SECTION DETAIL #3  
SCALE: 1"=80'

REV. NO.	DATE	DESIGNED	DRAWN	CHECKED	DESCRIPTION
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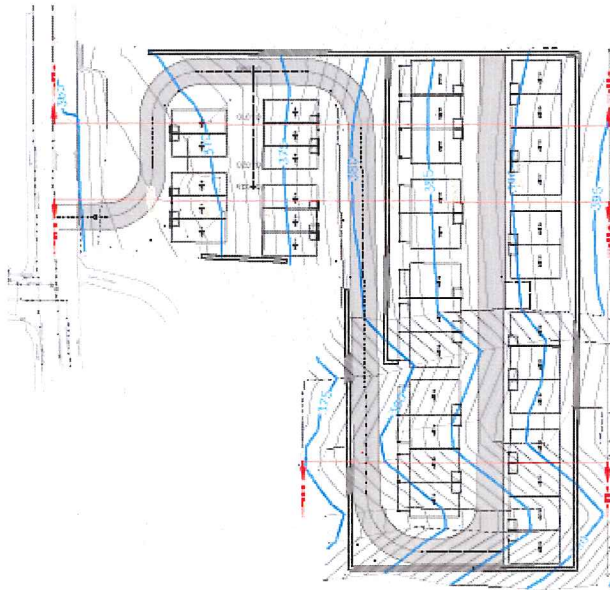
**DRAFT**

**LAWSON**  
ENGINEERING & DEVELOPMENT  
8250 LAWESHORE DRIVE W. PO BOX 108  
SALMON HILL, BC, V1E 4H2  
250-832-3320

TITLE: SLOPE-ANALYSIS  
GR-3

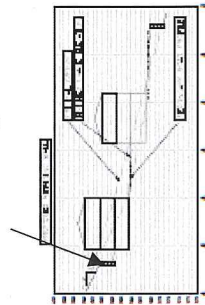
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BISSET: 1"=1'-0"

DRAWING NUMBER: 55-2



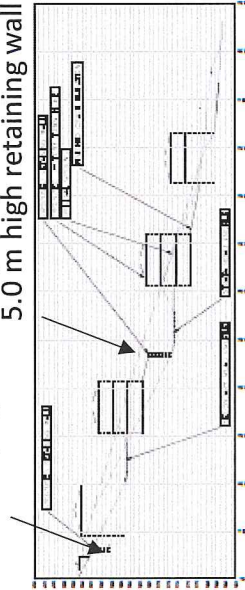
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(ISSUED FOR REVIEW)

4.0 m high retaining wall



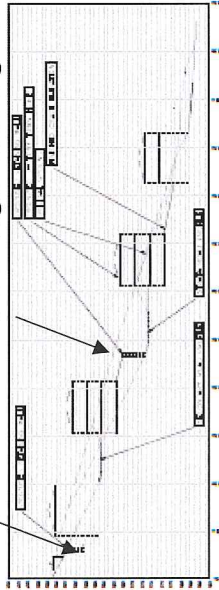
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SCALE: 1:50

4.0 m high retaining wall



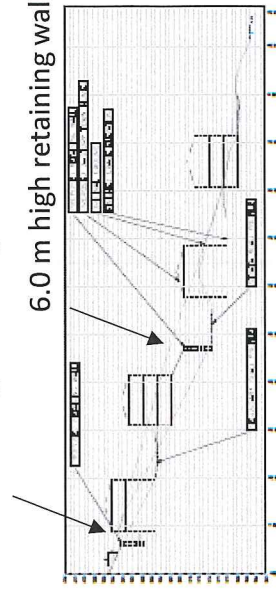
ASCE/SEI/ACI 308R-10  
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5.0 m high retaining wall



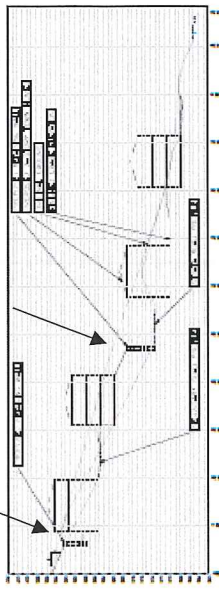
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SCALE: 1:50

5.0 m high retaining wall



ASCE/SEI/ACI 308R-10  
SCALE: 1:50

6.0 m high retaining wall



ASCE/SEI/ACI 308R-10  
SCALE: 1:50

REV. NO.	DATE	DESCRIPTION	BY	CHKD.
1	12/20/14	ISSUED FOR REVIEW	AS	AS
2	12/20/14	ISSUED FOR REVIEW	AS	AS
3	12/20/14	ISSUED FOR REVIEW	AS	AS
4	12/20/14	ISSUED FOR REVIEW	AS	AS

NO.	DESCRIPTION
1	ISSUED FOR REVIEW
2	ISSUED FOR REVIEW
3	ISSUED FOR REVIEW
4	ISSUED FOR REVIEW

NO.	DESCRIPTION
1	ISSUED FOR REVIEW
2	ISSUED FOR REVIEW
3	ISSUED FOR REVIEW
4	ISSUED FOR REVIEW

**LAWSON**  
ENGINEERING & DEVELOPMENT  
INC.  
8725 LAWSON BLVD., SUITE 100  
SAN JOSE, CA 95133  
950-351-3322

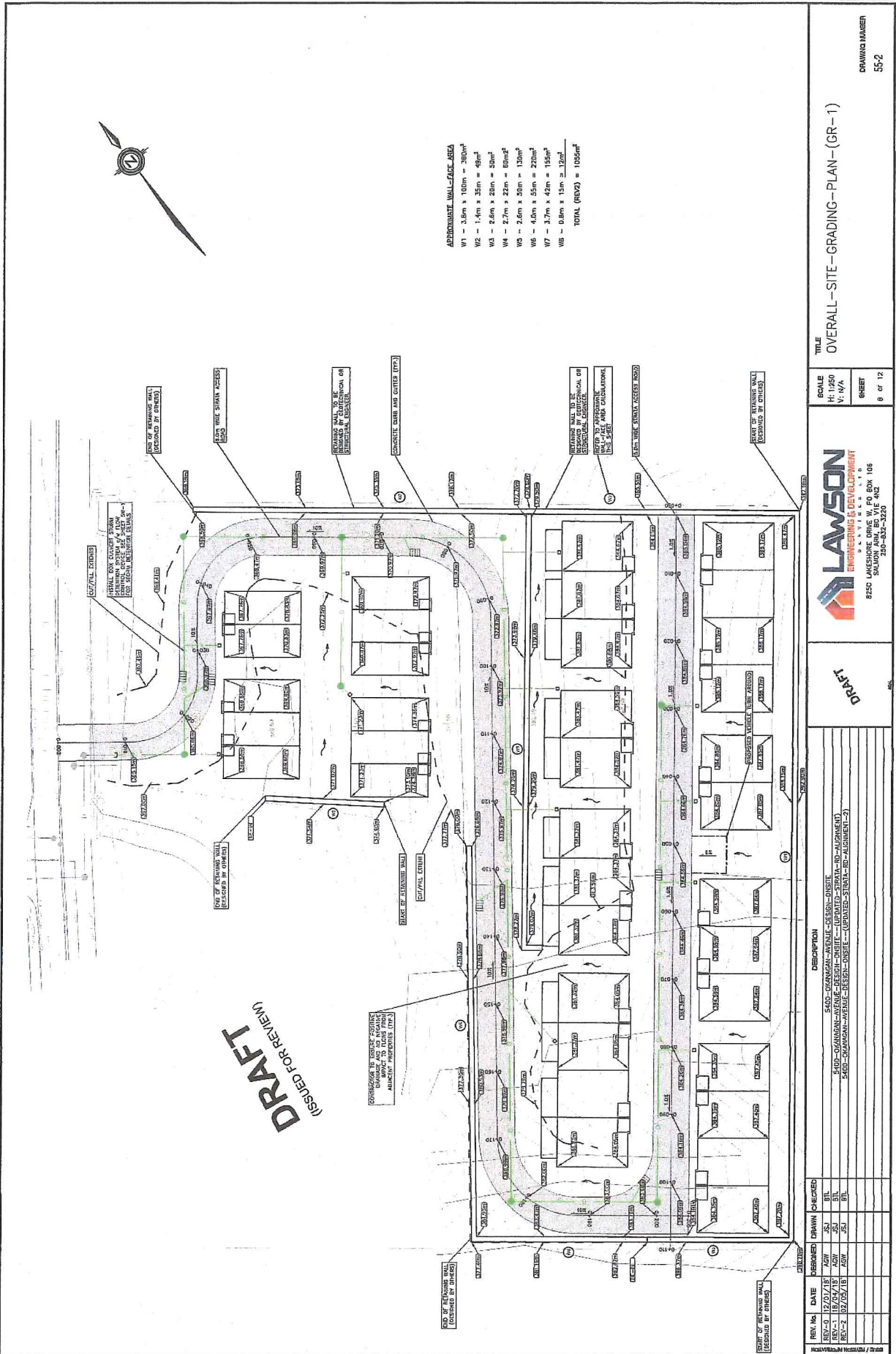
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**PROJECT**  
OVERALL SITE GRADING PLAN  
- CROSS SECTIONS - (CR-2)

**DATE**  
12/20/14

**DRAWING NUMBER**  
55-2

**DRAFT**



**TITLE**  
OVERALL - SITE - GRADING - PLAN - (GR-1)

**SCALE**  
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V: N/A

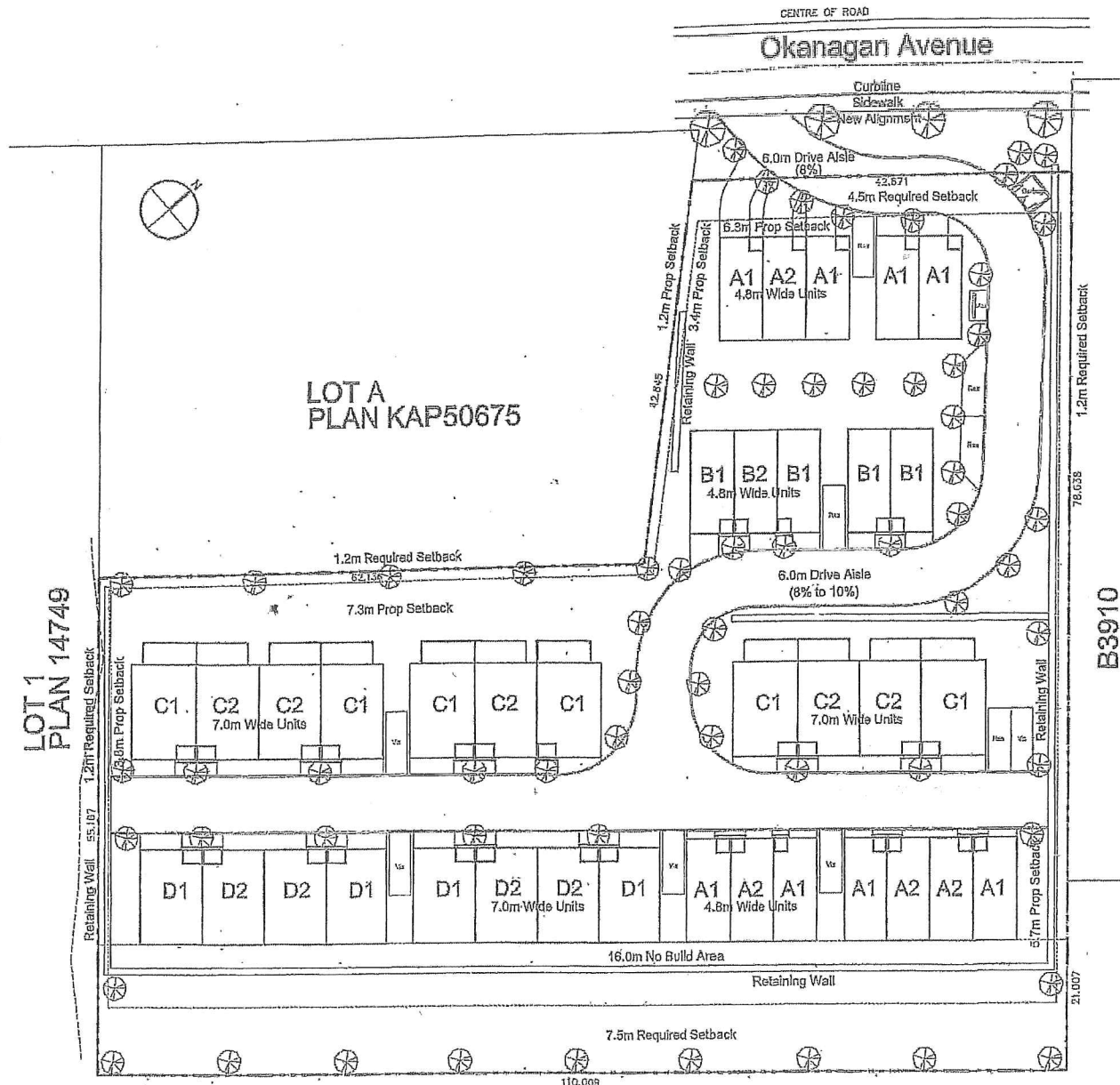
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8 of 12

**DRAWING NUMBER**  
55-2



**DRAFT**

**DRAFT**  
(ISSUED FOR REVIEW)

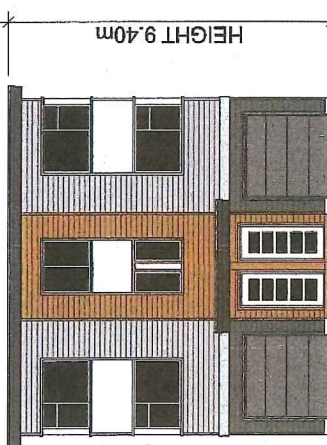
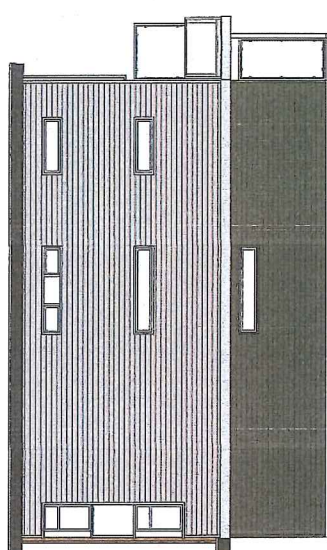
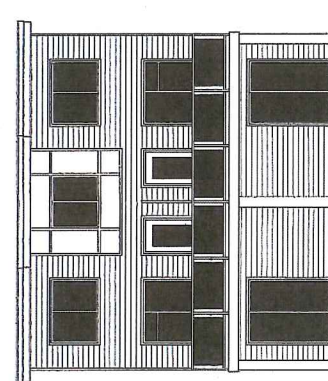
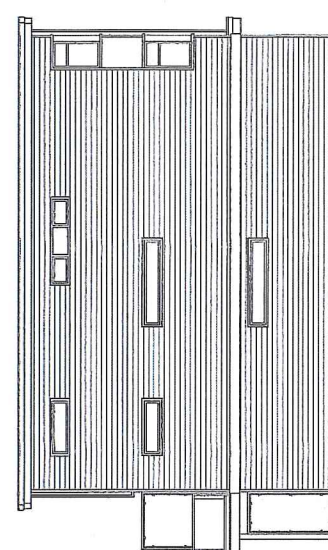


Site Plan

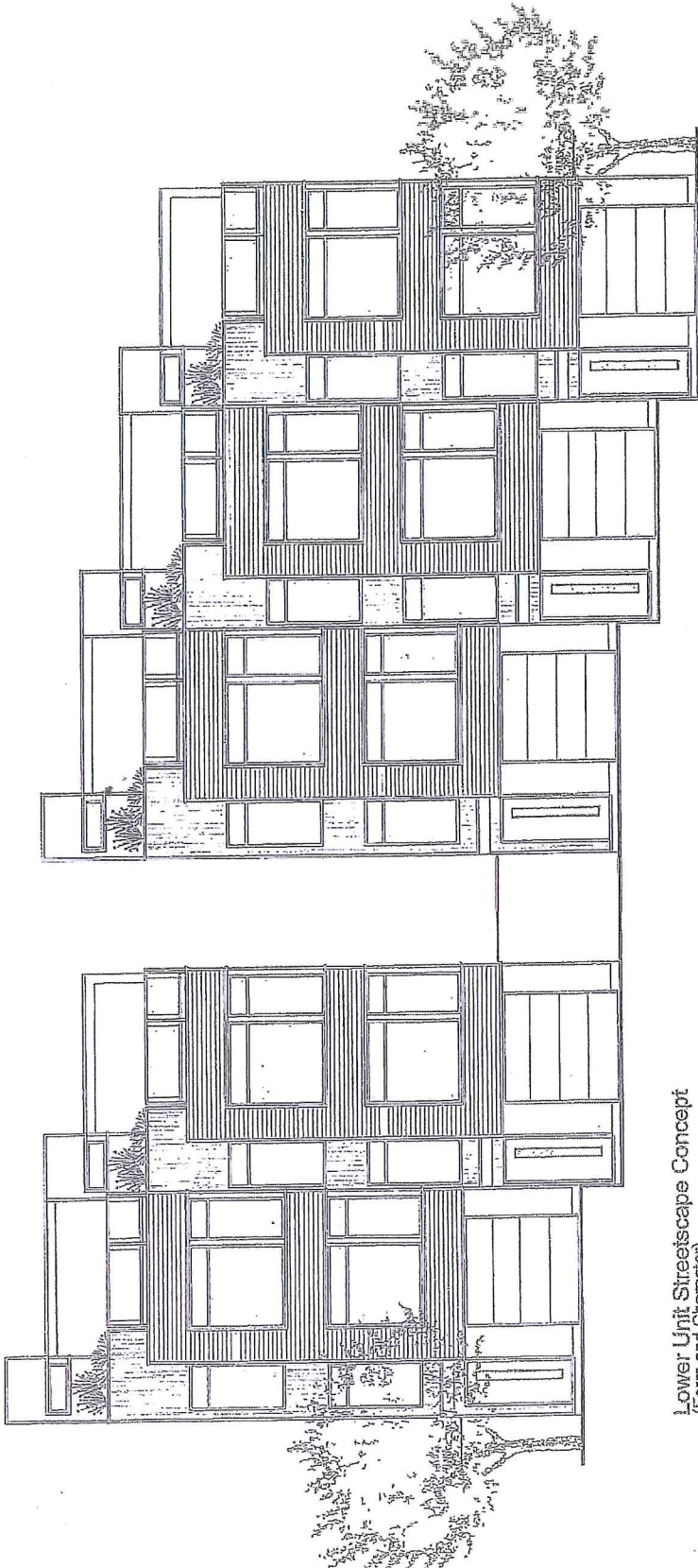
NW 1/4 SEC. 28

GATEWOOD HOMES LTD.  
PROPOSED 36 UNIT TOWNHOUSE DEVELOPMENT  
5400 OKANAGAN AVENUE, VERNON, BC



<p><b>SDC</b></p> <p><b>SAATH DEVELOPMENT CORP.</b></p> <p>#203-2907, 32nd Street Vernon, BC V1T 5M2</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>No.</th> <th>Description</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>ISSUE FOR DP</td> <td>JAN 19 2018</td> </tr> </tbody> </table>	No.	Description	Date	1.	ISSUE FOR DP	JAN 19 2018	<p><b>RESIDENTIAL DEVELOPMENT</b></p> <p><b>5400 OKANAGAN AVE, VERNON BC</b></p> <p><b>2-PLEX ELEVATIONS</b></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Date</td> <td>JAN 18 2018</td> </tr> <tr> <td>Drawn by</td> <td>CR</td> </tr> <tr> <td>Project No.</td> <td>-</td> </tr> <tr> <td>Scale</td> <td>1 : 120</td> </tr> </table> <p style="text-align: right;"> <b>A2.1</b> </p>	Date	JAN 18 2018	Drawn by	CR	Project No.	-	Scale	1 : 120
No.	Description	Date														
1.	ISSUE FOR DP	JAN 19 2018														
Date	JAN 18 2018															
Drawn by	CR															
Project No.	-															
Scale	1 : 120															
 <p style="text-align: center;">FRONT ELEVATION</p>	 <p style="text-align: center;">SIDE ELEVATION</p>	 <p style="text-align: center;">REAR ELEVATION</p>	 <p style="text-align: center;">SIDE ELEVATION</p>													
<p>HEIGHT 9.40m</p>																

2018-01-19 9:58:52 AM



DWELL  
DESIGN STUDIO

Lower Unit Streetscape Concept  
(Form and Character)

GATEWOOD HOMES LTD.  
PROPOSED 36 UNIT TOWNHOUSE DEVELOPMENT  
5400 OKANAGAN AVENUE, VERNON, BC





# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Craig Broderick  
Manager, Current Planning  
Hazel Christy,  
Planner

**COUNCIL MEETING:** REG  COW  I/C   
**COUNCIL MEETING DATE:** November 13, 2018  
**REPORT DATE:** October 1, 2018  
**FILE:** DVP00441

**SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 1905 AND 2001 – 15<sup>TH</sup> AVENUE**

---

## **PURPOSE:**

To review the development variance permit application for 1905 and 2001 – 15<sup>th</sup> Avenue to vary sections of Zoning Bylaw #5000 in order to construct a 48 unit townhouse development project (12 fourplex buildings).

## **RECOMMENDATION:**

THAT Council support Development Variance Permit Application #DVP00441 to vary the following sections of Zoning Bylaw #5000 in order to construct a 48 unit townhouse development project on Lots 3 and 4, Sec 26, Twp 9, ODYD Plan KAP58251 (1905 and 2001 – 15<sup>th</sup> Avenue):

- a) to vary Section 9.6.6. to increase the height of a vertical wall element, without recessing the upper portion of the building wall, from a maximum of 6.5 m to 9.4 m (Buildings 10 and 12); and
- b) to vary Section 9.6.6. to reduce the minimum unit width from 6.5 m to 6.1 m.

AND FURTHER, that Council support of DVP00441 is subject to the following:

- a) That the site plan and elevation plans, intended to illustrate the general form, character and massing of the proposed townhouse development project, and noted as Attachments 1, 2 and 3 in the report titled "Development Variance Permit Application for 1905 and 2001 – 15<sup>th</sup> Avenue" and dated October 1, 2018 by the Manager, Current Planning be attached to and form part of DVP00441 as Schedule 'A'.

## **ALTERNATIVES & IMPLICATIONS:**

1. THAT Council support Development Variance Permit Application #DVP00441 to vary the following sections of Zoning Bylaw #5000 in order to construct a 48 unit townhouse development project on Lots 3 and 4, Sec 26, Twp 9, ODYD Plan KAP58251 (1905 and 2001 – 15<sup>th</sup> Avenue):

- a) to vary Section 9.6.6. to increase the height of a vertical wall element, without recessing the upper portion of the building wall, from a maximum of 6.5 m to 9.4 m (Buildings 10 and 12); and
- b) to vary Section 9.6.6. to reduce the minimum unit width from 6.5 m to 6.1 m.

2. AND FURTHER, that Council support of DVP00441 is subject to the following:

- a) That the site plan and elevation plans, intended to illustrate the general form, character and massing of the proposed townhouse development project, and noted as Attachments 1, 2 and 3 in the report titled "Development Variance Permit Application for 1905 and 2001 – 15<sup>th</sup> Avenue" and dated

October 1, 2018 by the Manager, Current Planning be attached to and form part of DVP00441 as Schedule 'A'; and

b) any conditions that may be cited by Council.

*Note: This alternative supports the development permit application subject to the conditions recommended by Administration, as well as additional conditions as cited by Council.*

3. THAT Council not support Development Variance Permit Application #DVP00441 to vary the following sections of Zoning Bylaw #5000 in order to construct a 48 unit townhouse development project on Lots 3 and 4, Sec 26, Twp 9, ODYD Plan KAP58251 (1905 and 2001 – 15<sup>th</sup> Avenue):

c) to vary Section 9.6.6. to increase the height of a vertical wall element, without recessing the upper portion of the building wall, from a maximum of 6.5 m to 9.4 m (Buildings 10 and 12); and

d) to vary Section 9.6.6. to reduce the minimum unit width from 6.5 m to 6.1 m.

*Note: This alternative does not support the requested variance and therefore the development could not be constructed as proposed.*

**ANALYSIS:**

**A. Committee Recommendations:**

At its meeting of October 10, 2018 the Advisory Planning Committee passed the following resolution:

“ “

**B. Rationale:**

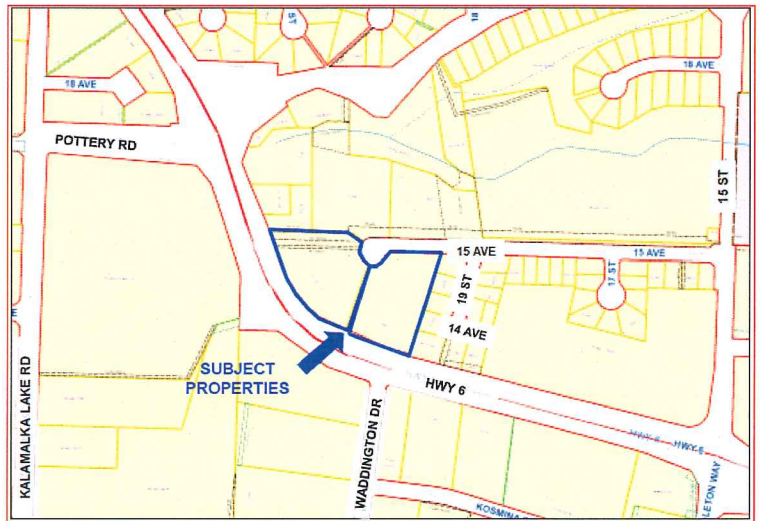
1. The subject property is located at 1905 and 2001 – 15<sup>th</sup> Avenue as shown on Figures 1 and 2. The properties together total approximately 16,235 m<sup>2</sup> in size, and are situated adjacent to and overlooking Highway 6. The majority of the property is generally level, and slopes gently towards the west. The properties are currently undeveloped and contain grasses, trees and shrubs.

2. The subject application proposes to vary the following sections of Zoning Bylaw #5000 in order to construct 12 fourplexes:

a) to vary Section 9.6.6. to increase the height of a vertical wall element from a maximum of 6.5 m to 9.4 m (Buildings 10 and 12); and

b) to vary Section 9.6.6. to reduce the minimum unit width from 6.5 m to 6.1 m.

3. The requested variance to the height of a vertical wall element applies only to Buildings 10 and 12, which have walkout basements to take advantage of slopes in this portion of the property.



**Figure 1 – Property Location Map**

4. All units are three bedroom with basement. The requested variance to minimum building width reflects the design of the Maple and Elm unit types, which are more modest in scale. The Willow unit type is larger, and together, the three unit types are intended to provide a variety of options for the target market.
5. This Development Variance Permit application included a request to vary the minimum pavement width of local roads adjacent to low and medium density development. At its Regular Meeting of September 24, 2018, Council adopted amendments to Subdivision and Development Servicing Bylaw #3843 Schedules A and B that would allow the current pavement width of 8.3 m to remain, so this variance request is no longer required.

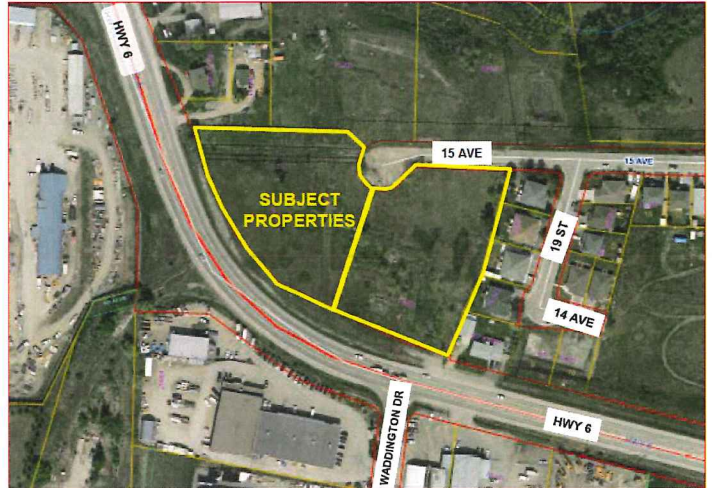


Figure 2 – Aerial Photo of the property

6. The site plan and building elevations attached to this report (Attachments 1, 2 and 3) illustrate the location, and general form and character of the proposed fourplexes, and would form part of Development Permit application DP000732, should this Development Variance Permit application be supported by Council.
7. Administration supports the requested variances for the following reasons:
  - a) The development is a comprehensively designed, integrated project and the proposed variances would have minimal impact on neighbouring properties.
  - b) The units proposed would add to the diversity of housing types within the city.
  - c) The proposal is consistent with all other regulations within the R5 Fourplex Housing Residential zoning district.

**C. Attachments**

- Attachment 1 – Site Plan
- Attachment 2 – Building Elevations (Buildings 10 and 12)
- Attachment 3 – Sample Floor Plans (Maple and Elm units)

**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 the OCP.

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

1. The property is designated Residential Low Density in the Official Community Plan.
2. Official Community Plan Section 26 Development Permit Areas

The property is subject to Development Permit approval and must comply with the guidelines contained in Section 26 of the Official Community Plan.

**BUDGET/RESOURCE IMPLICATIONS:**

N/A

Prepared by:

Approved for submission to Council:

Right-click to sign  
with **DocuSign**

Craig Broderick  
Manager, Current Planning

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

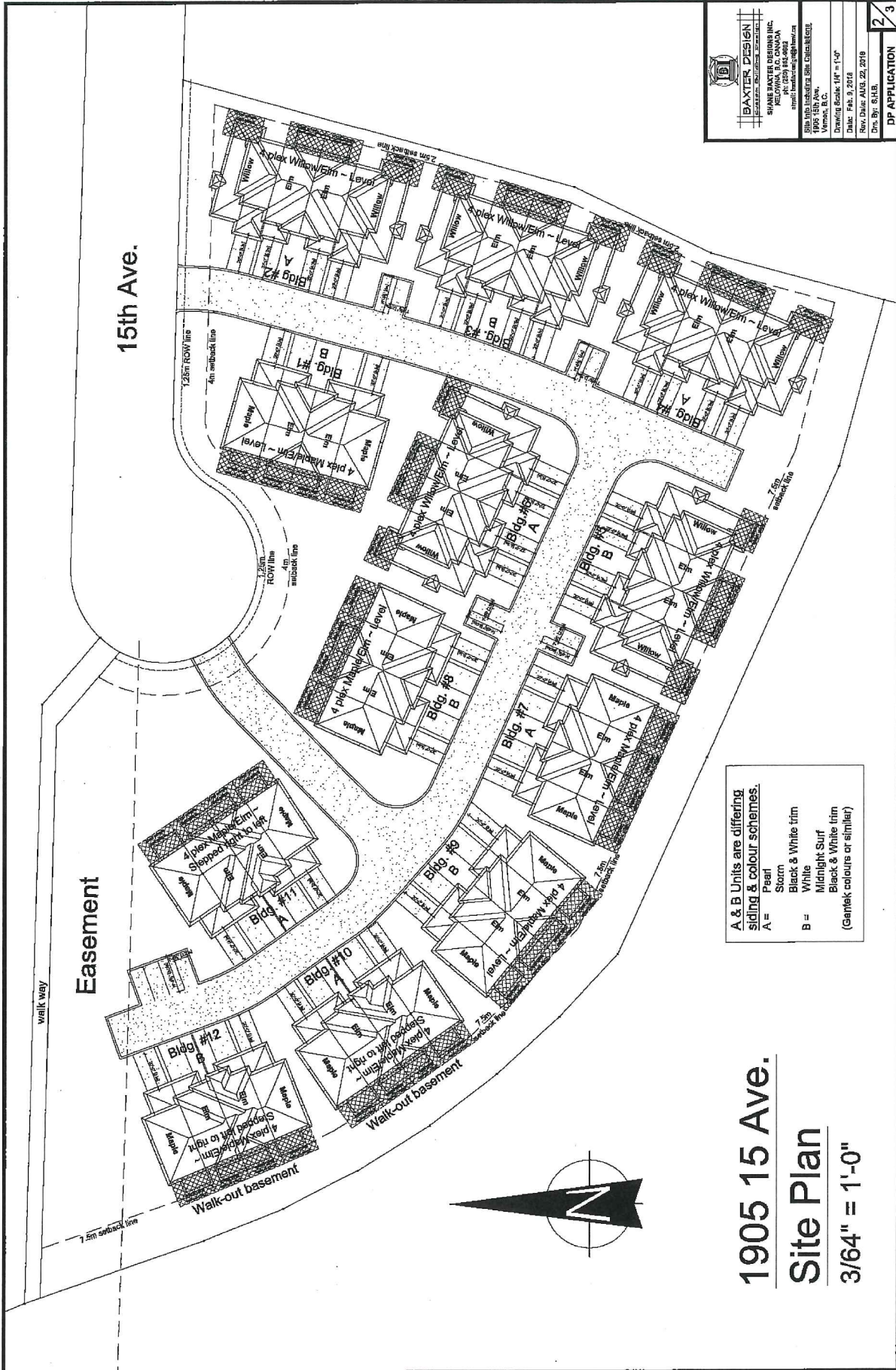
Date: \_\_\_\_\_

Right-click to sign  
with **DocuSign**

Kim Flick  
Director, Community Infrastructure and Development

**REVIEWED WITH**

- |  |   |  |
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| <input type="checkbox"/> Financial Services                    |   | <input type="checkbox"/> Economic Development & Tourism                  |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Oct 10/18) |   |  |
| <input type="checkbox"/> OTHER:                                |   |  |




**BAXTER DESIGN**  
 SHANE BAXTER DESIGNS INC.  
 KEOUWA, B.C. CANADA  
 1905 15th Ave.  
 Vernon, B.C.  
 email: baxterdesign@baxterdesign.com

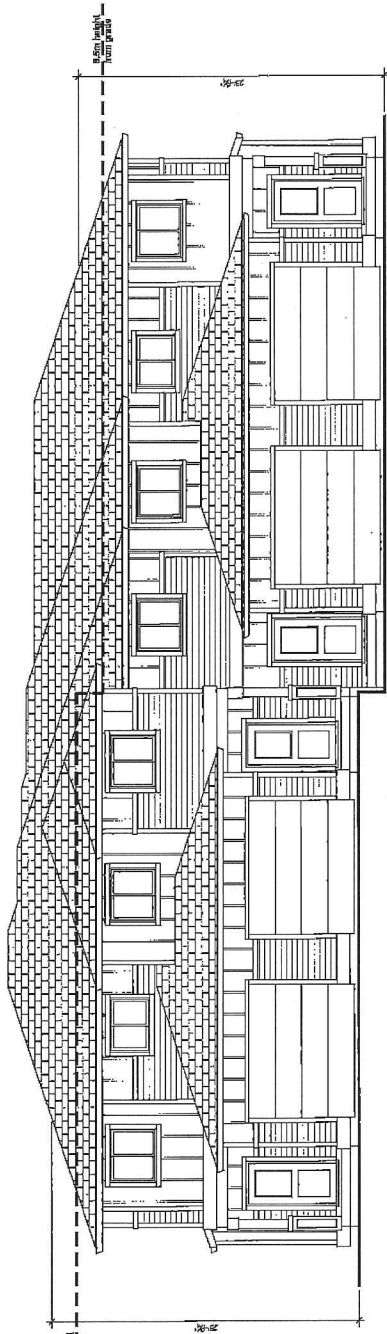
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 Date: Feb. 9, 2016  
 Drawing Scale: 1/8" = 1'-0"  
 Rev. Date: AUG. 22, 2016  
 Dwn. By: S.H.B.

2/3  
 DP APPLICATION

A & B Units are differing siding & colour schemes.  
 A = Storm Black & White trim  
 B = Pearl White Midlight Surf Black & White trim (Gartek colours or similar)

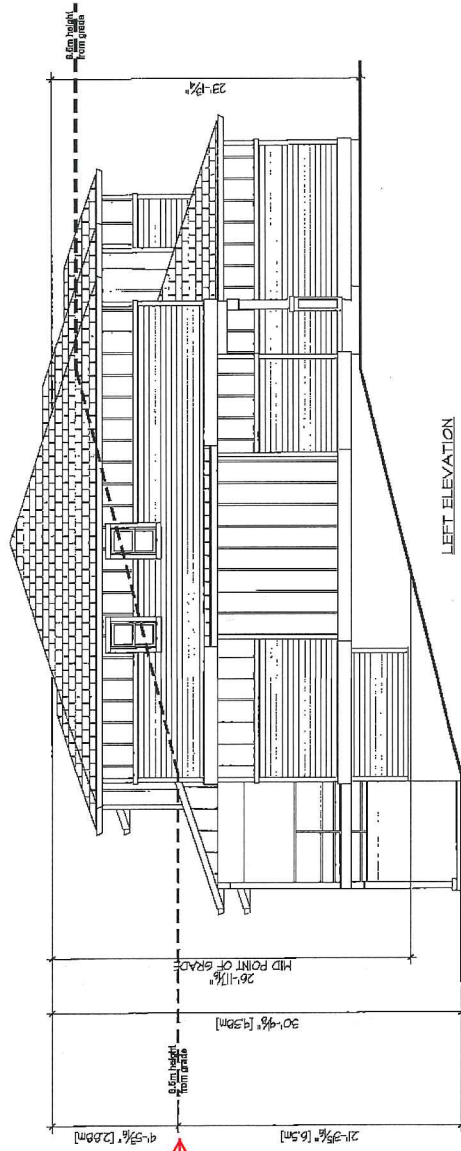
**1905 15th Ave.**  
**Site Plan**  
 3/64" = 1'-0"

 <b>BAXTER DESIGN</b> ARCHITECTURAL & INTERIOR DESIGN SHARIE BAXTER DESIGNS INC. HELLONWA, B.C. CANADA 1905 16th Ave. Vernon, B.C. TEL: 250-552-1111 FAX: 250-552-1112 WWW: www.baxterdesign.com	4. 1st flr. - Model/Elevation - 2D/3D 5. 1st flr. - Model/Elevation - 2D/3D
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BLDGS. 10 & 12	



FRONT ELEVATION

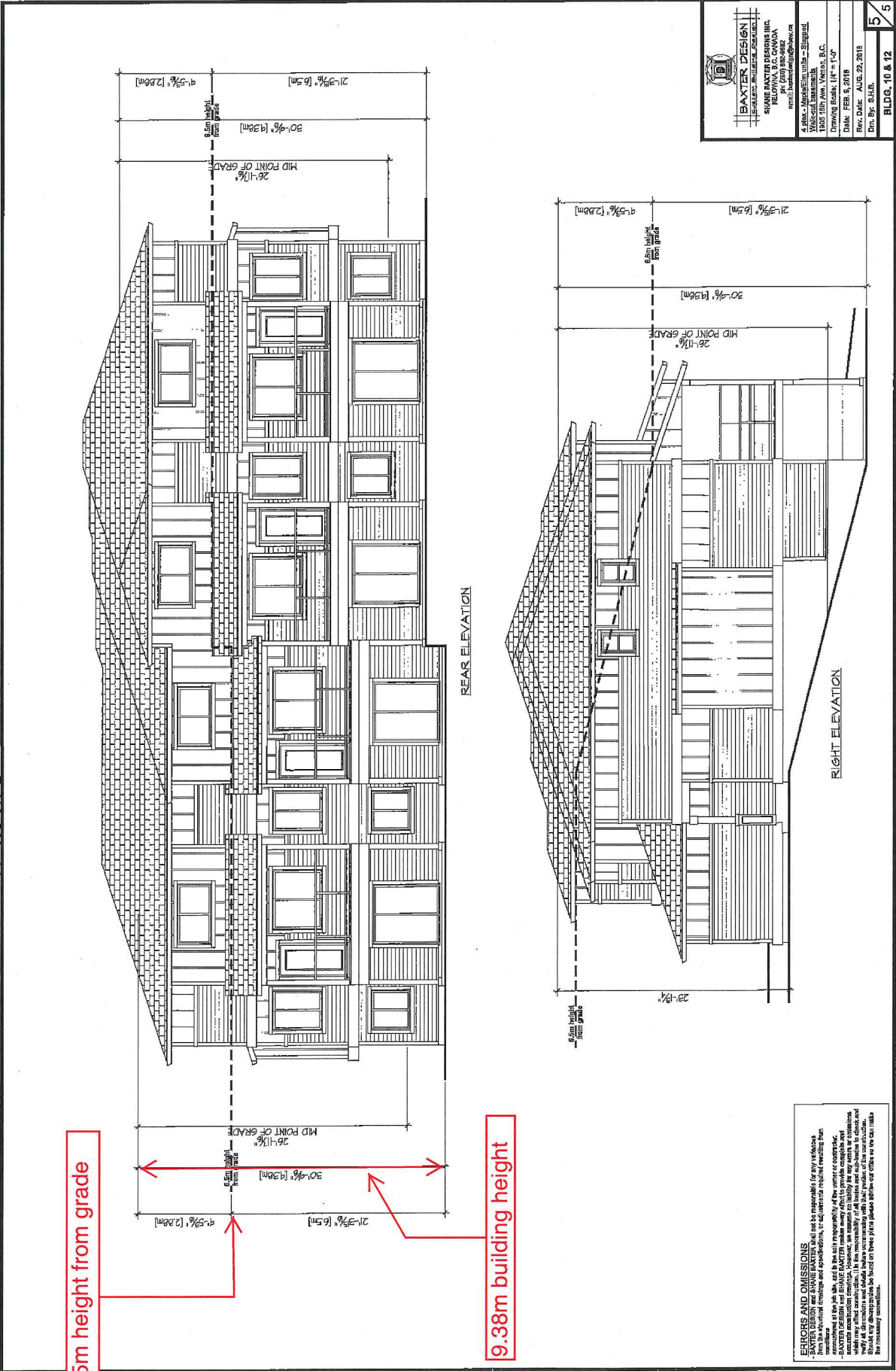
6.5m height from grade



LEFT ELEVATION

6.5m height from grade

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6.5m height from grade

9.38m building height

**BAXTER DESIGN**  
 ARCHITECTS  
 4000 - Maple Ridge - Surrey  
 BC, CANADA  
 TEL: 604-273-1111  
 FAX: 604-273-1112  
 WWW.BAXTERDESIGN.COM

**SHANE BAXTER DESIGNS INC.**  
 1905 15th Ave. West, B.C.  
 TEL: 604-273-1111  
 FAX: 604-273-1112  
 WWW.SHANEDESIGNS.COM

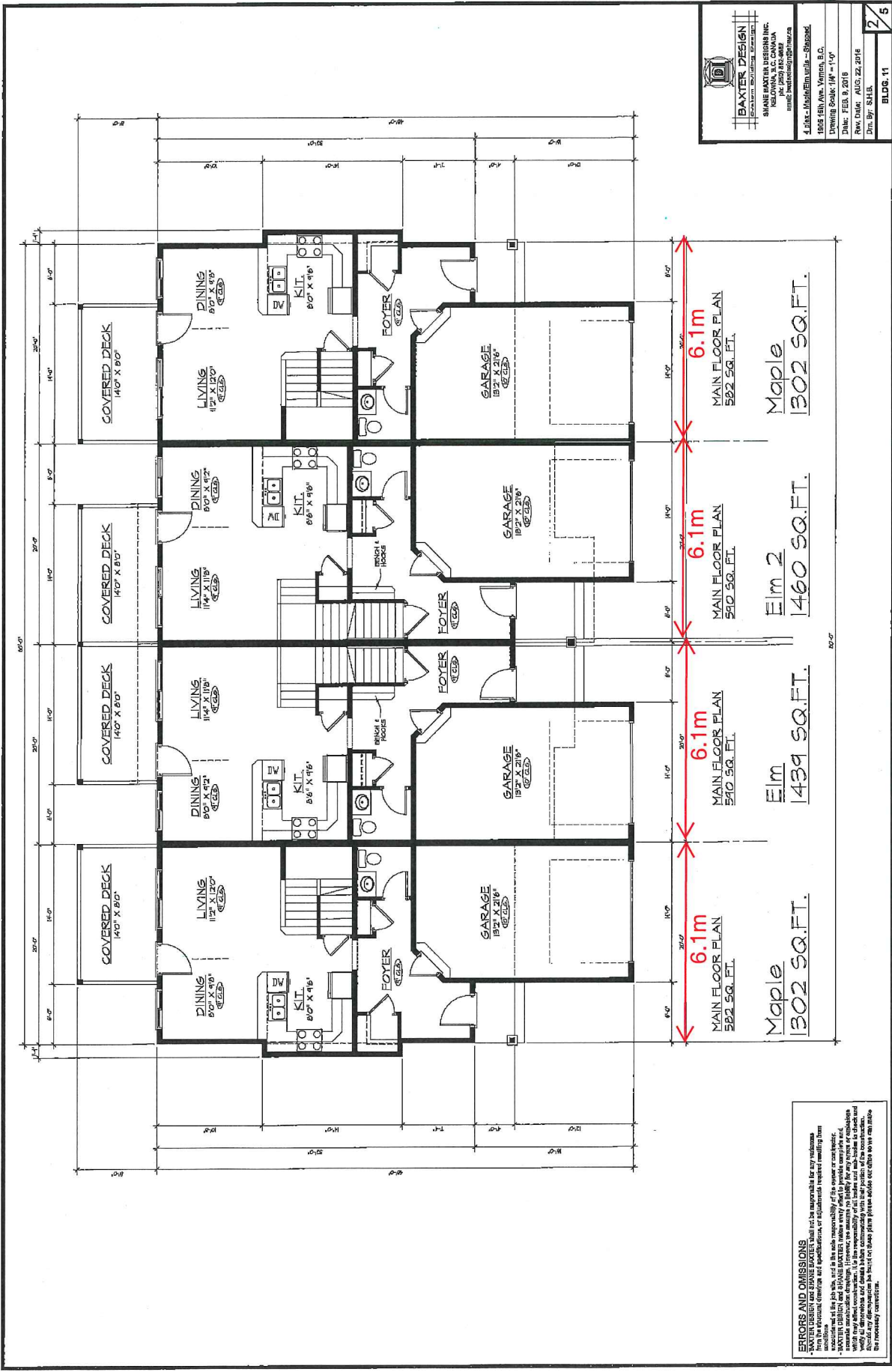
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 Drawn: FEB. 9, 2018  
 Title: BLDG. 10 & 12  
 Dwg. No: 5

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 1805 18th Ave., Victoria, B.C.  
 Phone: 250.688.4444  
 Fax: 250.688.4444  
 Email: shane@baxterdesign.com

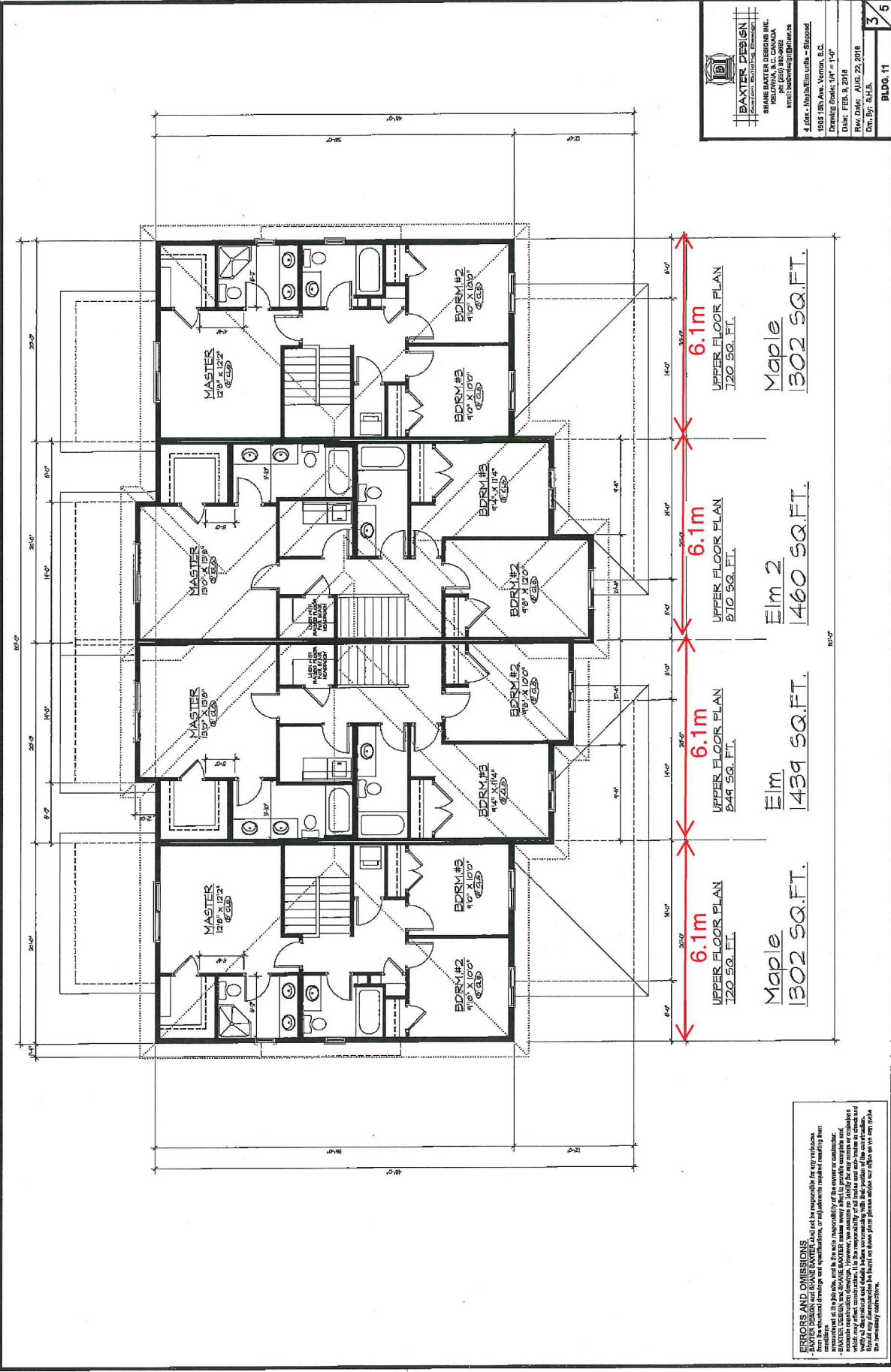
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 Rev. Date: AUG. 22, 2018  
 Dwn. By: S.H.E.

BLDG. 11	2	5
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6.1m UPPER FLOOR PLAN 120 SQ. FT. Maple 1302 SQ. FT.  
 6.1m UPPER FLOOR PLAN 870 SQ. FT. Elm 2 1460 SQ. FT.  
 6.1m UPPER FLOOR PLAN 849 SQ. FT. Elm 1439 SQ. FT.  
 6.1m UPPER FLOOR PLAN 120 SQ. FT. Maple 1302 SQ. FT.