



THE CORPORATION OF THE CITY OF VERNON A G E N D A

PUBLIC HEARING
COUNCIL CHAMBERS

TUESDAY, NOVEMBER 13, 2018

5:30 PM

1. CALL TO ORDER

MAYOR Cumming will call the meeting to order and advise that the purpose of the Public Hearing /Public Input is to consider:

- A. "Zoning Text (RTR – Resort Residential) Amendment Bylaw Number 5723, 2018"
- B. "5757 Okanagan Landing Road Rezoning Amendment Bylaw Number 5722, 2018"
- C. "2907 26th Street Rezoning Amendment Bylaw Number 5721, 2018", together with Public Input for DVP00439
- D. "3903 – 30TH Street Official Community Plan Amendment Bylaw Number 5596, 2018"

AND

"3903 – 30th Street Rezoning Amendment Bylaw Number 5597, 2018" together with Public Input for DVP00440

2. CONFIRMATION OF PUBLICATION

The CORPORATE OFFICER will provide information as to how the meeting was publicized, as required by Legislation.

3. BYLAW

A. A Bylaw:

To amend zoning district RTR – Resort Residential to allow for a new form of stacked row house.

PROPOSED TEXT
AMENDMENTS (RTR –
RESORT RESIDENTIAL)
(P. 4, 9)

**REZONING
APPLICATION FOR 5757
OKANAGAN LANDING
ROAD
(ZON00305)(P. 16, 19)**

B. A Bylaw:

To support the application to rezone Lot A DL 66 ODYD Plan 22582 (5757 Okanagan Landing Road) from A3 (Rural Small Holdings) to R1 (Estate Lot Residential) and R5 (Four-plex Housing Residential) to allow the subdivision of one single family and one multi-family lot.

**REZONING AND
DEVELOPMENT
VARIANCE PERMIT
APPLICATIONS FOR
2907 – 26TH STREET
(P. 28, 31)**

C. A Bylaw:

To rezone Lot 11, Block 19, Plan 327, Sec 34, Twp 9, ODYD (2907 – 26th Street) from R3 – Medium Lot Residential to R3h – Medium Lot Residential to allow for a “home based business, major” use within the existing single family dwelling AND to vary Schedule B of Zoning Bylaw #5000 to reduce the setback based on the required right of way for 26th Street from 18.5m to 18.29m AND to vary Subdivision and Development Servicing Bylaw #3843 to vary the off-site works along 26th Street and reduce the asphalt width requirement of 12.0m to the existing width of approximately 9.4m and to not require concrete curb and gutter and permit the existing asphalt curb as per Schedule A – Level of Service.

**OFFICIAL COMMUNITY
PLAN AMENDMENT,
REZONING AND
DEVELOPMENT
VARIANCE PERMIT
APPLICATIONS AT 3903
30TH STREET
(OCP00068/ZON00266/D
VP00440)(P. 44, 47, 50)**

D. A Bylaw:

To amend the OCP land use designation from Mixed Use – Medium Density Commercial and Residential to Residential Medium Density on the property described as Lot A, Plan KAP50281, Sec 3, Twp 8, ODYD (3903 – 30th Street).

AND

A Bylaw:

To rezone Lot A, Plan KAP50281, Sec 3, Twp 8, ODYD (3903 – 30th Street) from R2 – Large Lot Residential to RM1 – Row Housing Residential AND to vary Schedule O, Standard Drawing 100-10 of Subdivision and Development Servicing Bylaw #3843 for offsite works adjacent to the property

4. PROCEDURE FOR EACH BYLAW:

- a) Brief description of the application by City Staff.
- b) Mayor will request the Corporate Officer to indicate any correspondence/petitions received, for the record.

- c) Mayor will call for representation from the public in attendance.
 - i. Microphones are provided for any person(s) wishing to make representation to the meeting.
 - ii. The Chair will recognize ONLY speakers at the microphones. Speakers may be requested to limit the length of time they speak until all present, who wish to be heard, have been given an opportunity. Thereafter speakers may take another opportunity to speak.
 - iii. The public and members of Council may ask questions of the applicant and / or City staff in order to clarify details of the project, etc.
 - iv. Final calls for representation

5. ADJOURNMENT

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5723

A bylaw to amend the City of Vernon
Zoning Bylaw Number 5000

WHEREAS the Council of The Corporation of the City of Vernon has determined to amend the City of Vernon Zoning Bylaw Number 5000 to allow for a new form of stacked row housing in the RTR – Resort Residential Zone;

AND WHEREAS all persons who might be affected by this amendment bylaw have, before the passage thereof, been afforded an opportunity to be heard on the matters herein before the said Council, in accordance with the provisions of Section 464 of the Local Government Act, and all amendments thereto;

NOW THEREFORE the Council of The Corporation of the City of Vernon, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the "**Zoning Text (RTR – Resort Residential) Amendment Bylaw Number 5723, 2018**".
2. The City of Vernon Zoning Bylaw Number 5000 be, and is hereby amended, as follows:
 - (i) **AMENDING** Section 9: Residential, 9.9 RTR – Resort Residential, as shown in **red** on attached Schedule 'A', attached to and forming part of this bylaw.

BYLAW 5723

PAGE 2

3. Zoning Bylaw Number 5000 is hereby ratified and confirmed in every other respect.

READ A FIRST TIME this 24th day of September, 2018.

READ A SECOND TIME this 24th day of September, 2018.

PUBLIC HEARING held this day of , 2018

READ A THIRD TIME this day of , 2018.

Approved pursuant to section 52(3)(a) of the *Transportation Act* this _____ day of _____, 20____

for Minister of Transportation & Infrastructure

Bylaw 5723

ADOPTED this day of , 2018.

Mayor

Corporate Officer



9.9 RTR : Resort Residential

9.9.1 Purpose

The purpose is to provide a **zone** for the **development** of a variety of housing forms for use within a comprehensively planned resort residential community. The RTRc sub-zoning district allows for **care centre, major** as an additional use. *(Bylaw 5467)*

9.9.2 Primary Uses

- **care centre, major** *(use is only permitted with the RTRc sub-zoning district)*
- **cottages**
- **duplex housing**
- **four-plex housing**
- **row housing**
- **semi-detached housing**
- **single detached housing**
- **stacked row housing**
- **three-plex housing**

9.9.3 Secondary Uses

- **bed and breakfast homes** *(in single detached housing or semi-detached housing or duplex housing only)*
(Bylaw 5498)
- **care centres, minor**
- **docks, private**
- **home based businesses, minor**
- **office**
- **parks, public**
- **real estate sales centres**

9.9.4 Subdivision Regulations

Lot Type	Minimum Lot area		Minimum Lot Width	
	interior	corner	interior	corner
Cottage Lot	125m ²	N/A	7.0m	7.0m

Single Detached Housing	300m ²	340m ²	10.0m	11.3m
Duplex Housing	300m ²	340m ²	10.0m	11.3m
Semi-Detached Housing	450m ²	500m ²	15.5m	16.8m
Three-Plex Housing	450m ²	500m ²	19.5m	20.8m
Four-Plex Housing	600m ²	650m ²	26.0m	27.8m
Row Housing Stacked Row Housing	800m ²	850m ²	26.0m	27.8m

- Minimum lot area is 10,000m² if not serviced by **community sewer system**.

9.9.5 Party Wall Subdivision Regulations

Lot Type	Minimum Lot area		Minimum Lot Width	
	interior	corner	interior	corner
Semi-Detached Housing	225m ²	275m ²	7.8m	9.0m
Three-Plex Housing	150m ²	200m ²	6.5m	7.8m
Four-Plex Housing	150m ²	200m ²	6.5m	7.8m
Row Housing	135m ²	185m ²	6.5m	7.8m

- Minimum lot area is 10,000m² if not serviced by **community sewer system**.

9.9.6 Development Regulations

- The **office use** is limited to one **office** for the management and operation of the resort and/or multi-unit residential **developments**.
- Maximum site coverage is **50%**, **except it is 65% for Stacked Row Housing greater than 2.5 storeys**, and together with driveways, parking areas and impermeable surfaces shall not exceed **65%** **except it shall not exceed 65% for Stacked Row Housing greater than 2.5 storeys**.
- Maximum height is the lesser of 12.0m or 2.5 storeys, **except it is the lesser of 15.0m or 3.5 storeys for Stacked Row Housing**, **except and** it is 4.5m for secondary buildings and secondary structures.
- Minimum **front yard** is 4.0m, **except it is 6.0m for buildings greater than 2.5 storeys, for buildings 2.5 storeys or less it is 6.0m** from a garage or **carport** to the back of curb or sidewalk for vehicular entry, 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 1.2m, **except it is 6.0m for buildings greater than 2.5 storeys**, or 0.0m for shared interior **party walls**, except it is 2.6m from a **flanking street for buildings 2.5 storeys or less and 6.0m for buildings greater than 2.5 storeys** and 6.0m from the back of curb or sidewalk to the garage where driveway access is from the **flanking street**.

- Minimum **rear yard** is 6.0m, except it is **9.0m for buildings greater than 2.5 storeys**, and it is 1.0m for **secondary buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5m **for buildings 2.5 storeys or less**.
- Maximum six dwelling units located in a **building**, with each unit having a minimum width of **6.5m**, **except it is twelve dwelling units for buildings greater than 2.5 storeys, with each unit having a minimum width of 6.5m**.
- Maximum **density** is 30.0 units per gross hectare (12 units/gross acre).
- **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 37.0 units per gross hectare (15 units/gross acre). 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 additional 7.0 units per gross hectare (3 units/gross acre) by the percentage of parking proposed to be provided beneath habitable space of a primary building or useable common amenity areas.**
- **The maximum height of any vertical wall element is 2.5 storeys facing front, flanking or rear yard (including walkout basements) and must be set back at least 1.2m in addition to the required setbacks.**

9.9.7 Other Regulations

- In order for bareland strata **development** 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 5.0m² of private open space shall be provided per **bachelor dwelling** or group home **bedroom**, 10.0m² of private open space shall be provided per 1 **bedroom dwelling**, and 15.0m² of private open space shall be provided per **dwelling** with more than 1 **bedroom**.
- No continuous **building frontage** shall exceed 40.0m for a **2.5-storey 3.5 storey building**. If the frontage is interrupted by an open courtyard equivalent in depth and width to the **building height**, the maximum continuous **2.5-storey 3.5 storey building frontage** may be 80.0m provided that no **building** section exceeds 12.0m.
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- 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, **except that buildings greater than 2.5 storeys require a Level 1 Landscape Buffer for the Front Yard, Rear Yard and Side Yard, as according to 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)



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

ORIGINAL

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

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: September 24, 2018
REPORT DATE: September 11, 2018
FILE: 6450 (Zoning Bylaw Review)

SUBJECT: PROPOSED TEXT AMENDMENTS (RTR – RESORT RESIDENTIAL)

PURPOSE:

To propose text amendments to zoning district RTR – Resort Residential.

RECOMMENDATION:

THAT Council support the preparation of a text amendment to zoning district RTR – Resort Residential to allow for a new form of stacked row house as outlined in the report titled “Proposed Text Amendments (RTR – Resort Residential)” and dated September 11, 2018 by the Manager, Current Planning and the Planning Assistant.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council support the preparation of a text amendment to zoning district RTR – Resort Residential to allow for a new form of stacked row house, with the following changes: *(as cited by Council)*.

Note: This alternative supports the RTR – Resort Residential text amendment with any amendments as identified by Council.

2. THAT Council receive the report titled “Proposed Text Amendments (RTR – Resort Residential)” and dated September 11, 2018 by the Manager, Current Planning and the Planning Assistant, for information.

Note: Should Council choose this alternative, the RTR zoning district would remain unchanged.

ANALYSIS:

A. Committee Recommendations:

At its meeting of September 5, 2018, The Advisory Planning Committee adopted the following resolution:

“THAT Council support the preparation of a text amendment to zoning district RTR – Resort Residential to allow for a new form of stacked row house as outlined in the report titled “Proposed Text Amendments (RTR – Resort Residential)” and dated August 28, 2018 by the Manager, Current Planning and the Planning Assistant.”

B. Rationale:

1. Over time, the housing needs of the community change due to changing market preferences, demographics, development trends and building technologies. As such, Zoning Bylaw #5000 needs to be reviewed and amended periodically to encourage a range of development styles that would assist in

meeting these changing needs. The Zoning Bylaw is approximately fifteen years old and has been amended numerous times since it was first adopted in 2004. The intent of this report is to introduce zoning text amendments for zoning district RTR – Resort Residential.

2. The existing RTR – Resort Residential zoning district (Attachment 1) was created as an outcome of the original Predator Ridge Neighbourhood Plan and related zoning amendment. The RTR – Resort Residential zoning district was included in the major rewrite of the City of Vernon Zoning Bylaw in 2003-2004. The RTR zoning district is present in four neighbourhoods: Predator Ridge, Sparkling Hill, The Rise and The Outback. Each of these developments are resort/recreational focussed. Currently the forms of development in these areas range from single family detached, two family attached, townhouses, and stacked townhouses.
3. The intent of the RTR zoning district is “to provide a zone for the development of a variety of housing forms for use within a comprehensively planned resort residential community”. Currently the zoning district specifically allows: care centre, major; cottages; duplex housing; four-plex housing; semi-detached housing; single detached housing; stacked row housing; and three-plex housing. The existing height limit in RTR is 12.0m or 2.5 storeys.
4. In the case of the RTR – Resort Residential zoning district, Administration is not aware of any rationale that would prohibit a new form of stacked row housing achieved with an increase to the height and number of units per building. A proposed text amendment is being brought forward to allow this situation.
5. In order to allow the proposed changes to the RTR zoning district, the following provisions of the Zoning Bylaw would need to be amended: site coverage; height; setbacks; units per building; bonus density; building frontage; landscape buffer; and stacked row housing definition.

The following table summarizes the proposed changes to the RTR zoning district.

Regulation	Existing	Proposed Amendment to RTR
Site Coverage	50% for building 65% total including impermeable surfaces	65% for Stacked Row Housing greater than 2.5 storeys 65% total including impermeable surfaces
Height	12.0m/2.5 storeys	15.0m/3.5 Storeys for Stacked Row Housing
Front Yard	4.0m	6.0m for buildings greater than 2.5 storeys
Side Yard	1.2m	6.0m for buildings greater than 2.5 storeys
Rear Yard	6.0m	9.0m for buildings greater than 2.5 storeys
Units/Building	6	12 for buildings greater than 2.5 storeys
Density	30 uph or 12 upa	30 uph or 12 upa; with Density Bonus to 37 uph or 15 upa where underground parking provided
Building Frontage	40m for buildings 2.5 storeys	40 m for buildings 3.5 storeys
Landscape Buffer	n/a	Level 1 (1.5m) for front, side and rear yards for buildings greater than 2.5 storeys

Definitions of Stacked Row House	
Stacked Row Housing means row housing, except that dwellings may be arranged two deep, either horizontally so that dwellings may be attached at the rear as well as the side, or vertically so that dwellings may be placed over others. Each dwelling will have an individual access to outside, not necessarily at grade, provided that no more than two units share a corridor, steps or path.	Stacked Row Housing means row housing, except that dwellings may be arranged two deep, either horizontally so that dwellings may be attached at the rear as well as the side, or vertically so that dwellings may be placed over others. Each dwelling will have an individual access to outside, not necessarily at grade, provided that no more than two units share a corridor, steps or path.

6. SITE COVERAGE

Increased from 50% to 65% for building coverage of buildings greater than 2.5 storeys. Total site coverage (i.e. total impermeable surfaces) is not proposed to be amended (i.e. 65%). This change reflects an increase in maximum units per building and greater building mass.

7. HEIGHT

Height increased from 12.0m/2.5 storeys to 15.0m/3.5 storeys for stacked rowhomes, to allow for 3.35m per storey (11' floor-to-floor) with a 1.6m allowance for the roof structure (measured to the midpoint of the slope on a pitched roof). 3.5 storeys allows a walkout basement condition with three additional storeys above.

8. SETBACKS

FRONT YARD

Front yard setback increased from 4.0m to 6.0m for buildings greater than 2.5 storeys to reflect larger massing of buildings. This is similar to the RH2 (Stacked Row Housing) zoning district.

SIDE YARD

Side yard setback increased from 1.2m to 6.0m for buildings greater than 2.5 storeys to reflect larger massing of buildings. This is similar to the RH2 (Stacked Row Housing) Zoning District.

REAR YARD

Rear yard setback increased from 6.0m to 9.0m for buildings greater than 2.5 storeys to reflect larger massing of buildings. This is similar to the RH2 (Stacked Row Housing) zoning district.

9. UNITS PER BUILDING

Maximum dwelling units per building increased from six to twelve for buildings 2.5 storeys or greater to provide more flexibility in building types, unit size and reflect larger building forms.

10. DENSITY

Density to remain at 30 units per hectare or 12 units per acre as per the direction set for Residential-Low Density in the Official Community Plan with a density bonus option which allows up to 37 units per hectare (15 units per acre). The density bonus approach is a method of reaching the desired density in RTR zoned areas by providing an incentive for underground parking.

By keeping the overall density of 12 units per hectare (30 units per acre), already allowed in the RTR zoning district, servicing and infrastructure requirements remain unchanged, providing benefits to both the developer and the City.

11. BUILDING FRONTAGE

Building frontage allowance remains the same at 40m, but the height allowance increases from 2.5 storeys to 3.5 storeys to reflect proposed height amendments.

12. LANDSCAPE BUFFER

In light of the increase in building size and massing, buildings greater than 2.5 storeys will require a larger landscape buffer for the front, side, and rear yards (Level 1, 1.5m landscape buffer for the front, side and rear yard, similar to the RH2 Zone to reflect larger building masses and respect neighbouring residents.

13. STACKED ROW HOME DEFINITION

In addition to the above proposed RTR Zone amendments, Administration recommends an amendment to Vernon's definition of Stacked Row Home. The current definition requires that no more than two units share a corridor. The proposed text amendment would remove the requirement of each dwelling to have an individual access to outside to allow for a greater range of housing types that provide single floor living opportunities and encourage aging in place. Such a design would be allowed to have shared hallways as typically found in apartment structures.

14. If Council is supportive of this amendment to the RTR zoning district, the appropriate bylaw will be drafted and a suggested Public Hearing date will be brought forward for Council's consideration.

15. The developments at Predator Ridge, The Rise and The Outback are examples of well-designed and planned projects. Refining the existing primary zoning district in these areas would allow the owners, designers and builders to have more flexibility in terms of building a wider range of housing while complying with the Official Community Plan and supporting Neighbourhood Plans.

16. As per the existing Official Community Plan Development Permit Guidelines, multi-family projects having four or more units are required to have an approved Development Permit. The function of the Development Permit process is the review of the general form and character of the project. Architecture, site planning, parking, massing, site grading/drainage, retaining walls and landscaping are all reviewed. The goal of the Development Permit process is to ensure the proposed development fits the site and surrounding area to the greatest extent possible.

17. Administration supports an amendment to the RTR zoning district to add stacked row housing with an upward height limit of 3.5 storeys in conjunction with supporting amendments for coverage, setbacks, units per building, building frontage, and landscape buffers.

C. Attachments:

Attachment 1 – RTR – Resort Residential Zoning District

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

N/A

E. Relevant Policy/Bylaws/Resolutions:

N/A

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Sep 12 2018 1:59 PM

X *Craig Broderick* ✓

Craig Broderick DocuSign

Craig Broderick
Manager, Current Planning

Sep 12 2018 2:26 PM

Will Pearce

Will Pearce, CAO

Date: 17.09.2018

X *Kim Flick* ✓

Kim Flick 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 type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Sep.5/18) | | |
| <input type="checkbox"/> OTHER: | | |

G:\6400-6999 PLANNING AND DEVELOPMENT\6450 COMMUNITY PLANNING - ZONING BYLAW REVIEW\PROJECTS\RTR\180911_cb kc_Council Rpt_txtamdt_RTR.docx



9.9 RTR : Resort Residential

9.9.1 Purpose

The purpose is to provide a **zone** for the **development** of a variety of housing forms for use within a comprehensively planned resort residential community. The RTRc sub-zoning district allows for **care centre, major** as an additional use. (Bylaw 5467)

9.9.2 Primary Uses

- **care centre, major** (use is only permitted with the RTRc sub-zoning district)
- **cottages**
- **duplex housing**
- **four-plex housing**
- **row housing**
- **semi-detached housing**
- **single detached housing**
- **stacked row housing**
- **three-plex housing**

9.9.3 Secondary Uses

- **bed and breakfast homes** (in single detached housing or semi-detached housing or duplex housing only) (Bylaw 5498)
- **care centres, minor**
- **docks, private**
- **home based businesses, minor**
- **office**
- **parks, public**
- **real estate sales centres**

9.9.4 Subdivision Regulations

Lot Type	Minimum Lot area		Minimum Lot Width	
	interior	corner	interior	corner
Cottage Lot	125m ²	N/A	7.0m	7.0m
Single Detached Housing	300m ²	340m ²	10.0m	11.3m
Duplex Housing	300m ²	340m ²	10.0m	11.3m
Semi-Detached Housing	450m ²	500m ²	15.5m	16.8m
Three-Plex Housing	450m ²	500m ²	19.5m	20.8m
Four-Plex Housing	600m ²	650m ²	26.0m	27.8m
Row Housing	800m ²	850m ²	26.0m	27.8m
Stacked Row Housing				

- Minimum lot area is 10,000m² if not serviced by community sewer system.

9.9.5 Party Wall Subdivision Regulations

Lot Type	Minimum Lot area		Minimum Lot Width	
	interior	corner	interior	corner

Semi-Detached Housing	225m ²	275m ²	7.8m	9.0m
Three-Plex Housing	150m ²	200m ²	6.5m	7.8m
Four-Plex Housing	150m ²	200m ²	6.5m	7.8m
Row Housing	135m ²	185m ²	6.5m	7.8m

- Minimum lot area is 10,000m² if not serviced by **community sewer system**.

9.9.6 Development Regulations

- The **office use** is limited to one **office** for the management and operation of the resort and/or multi-unit residential **developments**.
- Maximum **site coverage** is 50% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 65%.
- Maximum **height** is the lesser of 12.0m or 2.5 **storeys**, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 4.0m, and it is 6.0m from a garage or **carport** to the back of curb or sidewalk for vehicular entry, 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 1.2m, or 0.0m for shared interior **party walls**, except it is 2.6m from a **flanking street** and 6.0m from the back of curb or sidewalk to the garage where driveway access is from the **flanking street**.
- Minimum **rear yard** is 6.0m, except it is 1.0m for **secondary buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5m.
- Maximum six **dwelling units** located in a **building**, with each unit having a minimum width of 6.5m.
- Maximum **density** is 30.0 units per gross hectare (12 units/gross acre).

9.9.7 Other Regulations

- In order for bareland strata **development** 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 5.0m² of private open space shall be provided per **bachelor dwelling** or group home **bedroom**, 10.0m² of private open space shall be provided per 1 **bedroom dwelling**, and 15.0m² of private open space shall be provided per **dwelling** with more than 1 **bedroom**.
- No continuous **building frontage** shall exceed 40.0m for a 2.5 **storey building**. If the frontage is interrupted by an open courtyard equivalent in depth and width to the **building height**, the maximum continuous 2.5 **storey building frontage** may be 80.0m provided that no **building section** exceeds 12.0m.
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- 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)

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5722

A bylaw to amend the City of Vernon
Zoning Bylaw Number 5000

WHEREAS the Council of The Corporation of the City of Vernon has determined to amend the City of Vernon Zoning Bylaw Number 5000;

AND WHEREAS all persons who might be affected by this amendment bylaw have, before the passage thereof, been afforded an opportunity to be heard on the matters herein before the said Council, in accordance with the provisions of Section 464 of the *Local Government Act*, and all amendments thereto;

NOW THEREFORE the Council of The Corporation of the City of Vernon, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the **"5757 Okanagan Landing Road Rezoning Amendment Bylaw Number 5722, 2018"**.
2. Pursuant to the Official Zoning Map, Schedule "A" attached to and forming part of Bylaw Number 5000, is hereby amended as follows:

That the following legally described lands be rezoned from **"A3 – Rural Small Holdings"** to **"R1 – Rural Small Holdings"** and **"R5 – Four-plex Housing Residential"**.

Legal Description:

**LOT A PL 22582 DL 66 ODYD
(5757 Okanagan Landing Road)**

and by changing the Zoning Map accordingly, all in accordance with the bolded area as shown on Schedule "A" attached to and forming part of this bylaw.

BYLAW NUMBER 5722

3. Zoning Bylaw Number 5000 is hereby ratified and confirmed in every other respect.

READ A FIRST TIME this 24th day of September, 2018

READ A SECOND TIME this 24th day of September, 2018

PUBLIC HEARING held this day of , 2018

READ A THIRD TIME this day of , 2018

ADOPTED this day of , 2018.

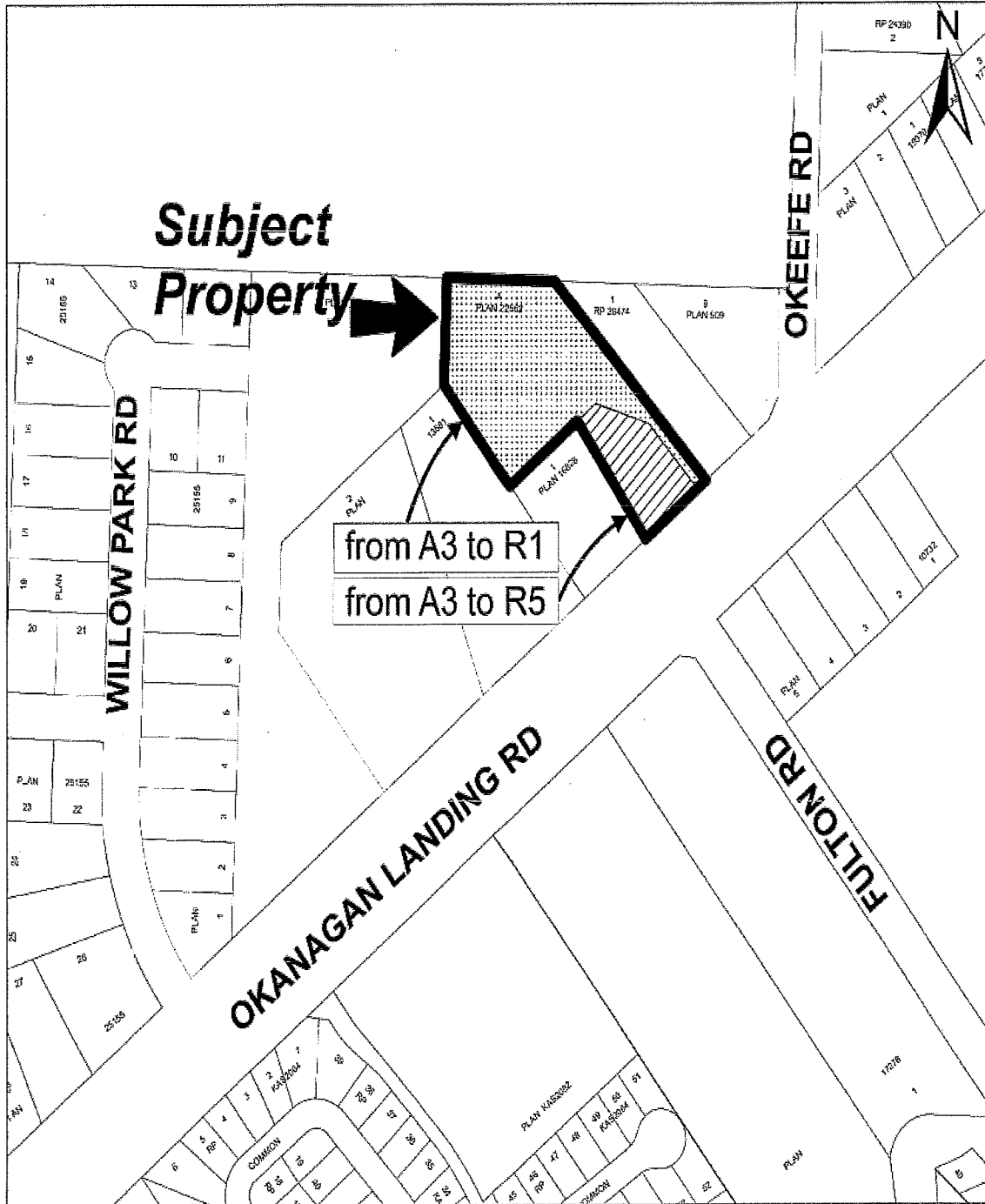
Mayor:

Corporate Officer:

SCHEDULE 'A'

Attached to and Forming Part of Bylaw 5722

“5757 Okanagan Landing Road Rezoning Amendment Bylaw Number 5722, 2018”





THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

ORIGINAL

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

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: September 24, 2018
REPORT DATE: September 11, 2018
FILE: ZON00305

SUBJECT: REZONING APPLICATION FOR 5757 OKANAGAN LANDING ROAD

PURPOSE:

To review the rezoning application which proposes to rezone portions of the subject property located at 5757 Okanagan Landing Road from A3 (Rural Small Holdings) to R1 (Estate Lot Residential) and R5 (Four-plex Housing Residential) to allow the subdivision of one single family and one multi-family lot.

RECOMMENDATION:

THAT Council support the application to rezone Lot A DL 66 ODYD Plan 22582 (5757 Okanagan Landing Road) from A3 (Rural Small Holdings) to R1 (Estate Lot Residential) and R5 (Four-plex Housing Residential) to allow the subdivision of one single family and one multi-family lot subject to the following condition:

- a) Registration of a Section 219 "No Disturb" Covenant on the subject property that would restrict future subdivision or development until:
 - i. An environmental impact assessment for the property delineating conservation lands has been prepared by a Qualified Environment Professional (QEP);
 - ii. The required offsite road upgrades pursuant to Subdivision and Development Servicing Bylaw (SDSB) #3843 are either completed, or the necessary securities are provided for their completion; and
 - iii. The location of the future Fulton Road extension (DCC TR17) has been determined.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council support the application to rezone Lot A DL 66 ODYD Plan 22582 (5757 Okanagan Landing Road) from A3 (Rural Small Holdings) to R1 (Estate Lot Residential) and R5 (Four-plex Housing Residential) to allow the subdivision of one single family and one multi-family lot subject to the following conditions:

- a) Registration of a Section 219 "No Disturb" Covenant on the subject property that would restrict future subdivision or development until:
 - i. An environmental impact assessment for the property delineating conservation lands has been prepared by a Qualified Environment Professional (QEP);
 - ii. The required offsite road upgrades pursuant to Subdivision and Development Servicing Bylaw (SDSB) #3843 are either completed or the necessary securities are provided for their completion;
 - iii. The location of the future Fulton Road extension (DCC TR17) has been determined; and

- b) *Any other conditions as may be cited by Council.*

Note: This alternative supports the rezoning application as submitted with the addition of any other conditions that Council may wish to add.

2. THAT Council NOT support the application to rezone Lot A DL 66 ODYD Plan 22582 (5757 Okanagan Landing Road) from A3 (Rural Small Holdings) to R1 (Estate Lot Residential) and R5 (Four-plex Housing Residential) to allow the subdivision of one single family and one multi-family lot.

Note: This alternative does not support the rezoning application, and as a result the application as submitted would not be able to proceed.

ANALYSIS:

A. Committee Recommendations:

At its meeting of September 5, 2018, the Advisory Planning Committee passed the following resolution:

“THAT Council support the application to rezone Lot A DL 66 ODYD Plan 22582 (5757 Okanagan Landing Road) from A3 (Rural Small Holdings) to R1 (Estate Lot Residential) and R5 (Four-plex Housing Residential) to allow the subdivision of one single family and one multi-family lot subject to the following condition:

- a) Registration of a Section 219 “No Disturb” Covenant on the subject property that would restrict future subdivision or development until:
 - i. An environmental impact assessment for the property delineating conservation lands has been prepared by a Qualified Environment Professional (QEP);
 - ii. The required offsite road upgrades pursuant to Subdivision and Development Servicing Bylaw (SDSB) #3843 are either completed, or the necessary securities are provided for their completion; and
 - iii. The location of the future Fulton Road extension (DCC TR17) has been determined.”

B. Rationale:

1. The subject property is located at 5757 Okanagan Landing Road (Figures 1 and 2). The land is designated as Residential Low Density within the Official Community Plan (Attachment 1) and is within the A3 (Rural Small Holdings) zoning district as shown on the attached zoning map excerpt (Attachment 2).
2. The applicant’s stated intent is to create an R5 (Four-plex Housing Residential) lot fronting on the Okanagan Landing Road frontage road, in order to develop a tri-plex. The balance of the property is proposed to be zoned R1 (Estate Lot Residential) to retain the existing residence and out buildings. No application for subdivision has been received to date, however the proposed subdivision layout is illustrated on Attachment 3.

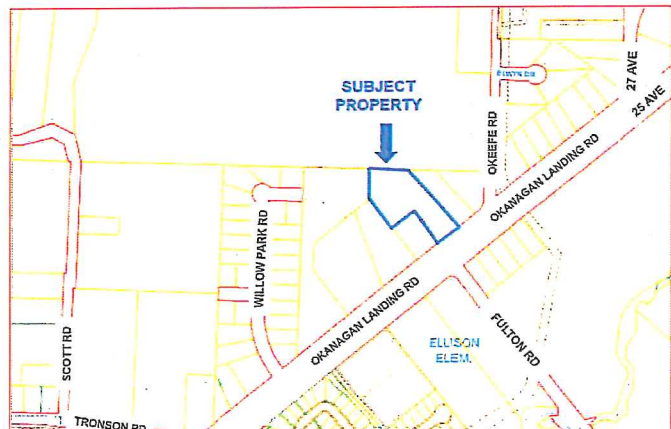


Figure 1 – Property Location Map

3. The subject property is approximately 8,096 m² in total. The property slopes gradually down to Okanagan Landing Road. The upper portion of the property contains a single family residence and accessory structures.



Figure 2 – Aerial Map of Property

4. The Official Community Plan Sensitive Environmental Inventory (SEI) mapping shows the upper portion of the property to have medium conservation values and the portion of the property adjacent to the Okanagan Landing frontage road to have low conservation values. (Attachment 4). The Official Community Plan requires a habitat assessment to be completed by a Qualified Environment Professional that identifies conservation and development areas and provides recommendations for mitigation and/or “no-disturb” areas prior to development or subdivision.

5. Development Cost Charges Bylaw #5233 shows the future extension of Fulton Road (Project TR17) extending northeast through the subject property. At this time, staff are actively reviewing the Development Cost Charges Bylaw and may be recommending either changes to the location of the Fulton Road extension, deleting the Fulton Road extension, or the provision of a local road configuration to serve properties located on this side of Okanagan Landing Road. This review has major implications for the future development or subdivision of the subject property.

6. In addition, Subdivision and Development Servicing Bylaw #3843 requires that offsite roads and utilities be upgraded to bylaw standards and that appropriate servicing connections be installed prior to development or subdivision. A Works Contribution Agreement may be considered in lieu of construction of the required upgrades, however, given the other uncertainties regarding conservation values and the future of the Fulton Road extension, it may be premature to enter into a Works Contribution Agreement at this time. For these reasons, should Council choose to give this rezoning application favourable consideration, staff are recommending that a Section 219 Covenant be registered on the property to restrict development or subdivision until these issues have been addressed.

7. The adjacent zoning and land uses are:

	Zoning	Land Use
NORTH	A1 (Agriculture)	Agricultural Land Reserve
EAST	A3 (Rural Small Holdings)	Large Lot Residential
SOUTH	R1 (Estate Lot Residential)	Single Family Residential
WEST	R2 (Large Lot Residential)	Greenhouse and retail sales

8. Administration supports the rezoning of the subject property for the following reasons:

- a) The proposed use and density conforms to the Official Community Plan; and
- b) The development would provide an opportunity for infill and more efficient use of a large property on urban services.

C. Attachments:

- Attachment 1 – Official Community Plan Land Use Designations
- Attachment 2 – Current Zoning

Attachment 3 – Proposed Zoning and Subdivision Layout
Attachment 4 – Sensitive Environmental Inventory mapping

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. Official Community Plan:

Section 7.0 Residential

- 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.

Section 10.0 Infrastructure

- 10.1 Complete and maintain the infrastructure Asset Management Plan and revise City policies and bylaws, as required, to support sustainable management of existing infrastructure for both taxation funded and utility funded infrastructure.

Section 13.0 Environment

- 13.1 Maintain a clear and consistent approach to environmental management and ecosystem protection throughout the city in accordance with the Environmental Management Areas Strategy.
- 13.11 Ensure ecosystem conservation, enhancement, mitigation and restoration are undertaken as opportunities arise or as required as part of the development process.

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Sep 12 2018 2:21 PM

X *Craig Broderick* ✓

Craig Broderick

DocuSign

Craig Broderick
Manager, Current Planning




Approved for submission to Council:

Will Pearce

Will Pearce, CAO

Date: 17.09.2018

Sep 12 2018 2:32 PM

X  
Kim Flick 

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 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 (Sept.5/18) | | |
| <input type="checkbox"/> OTHER: | | |

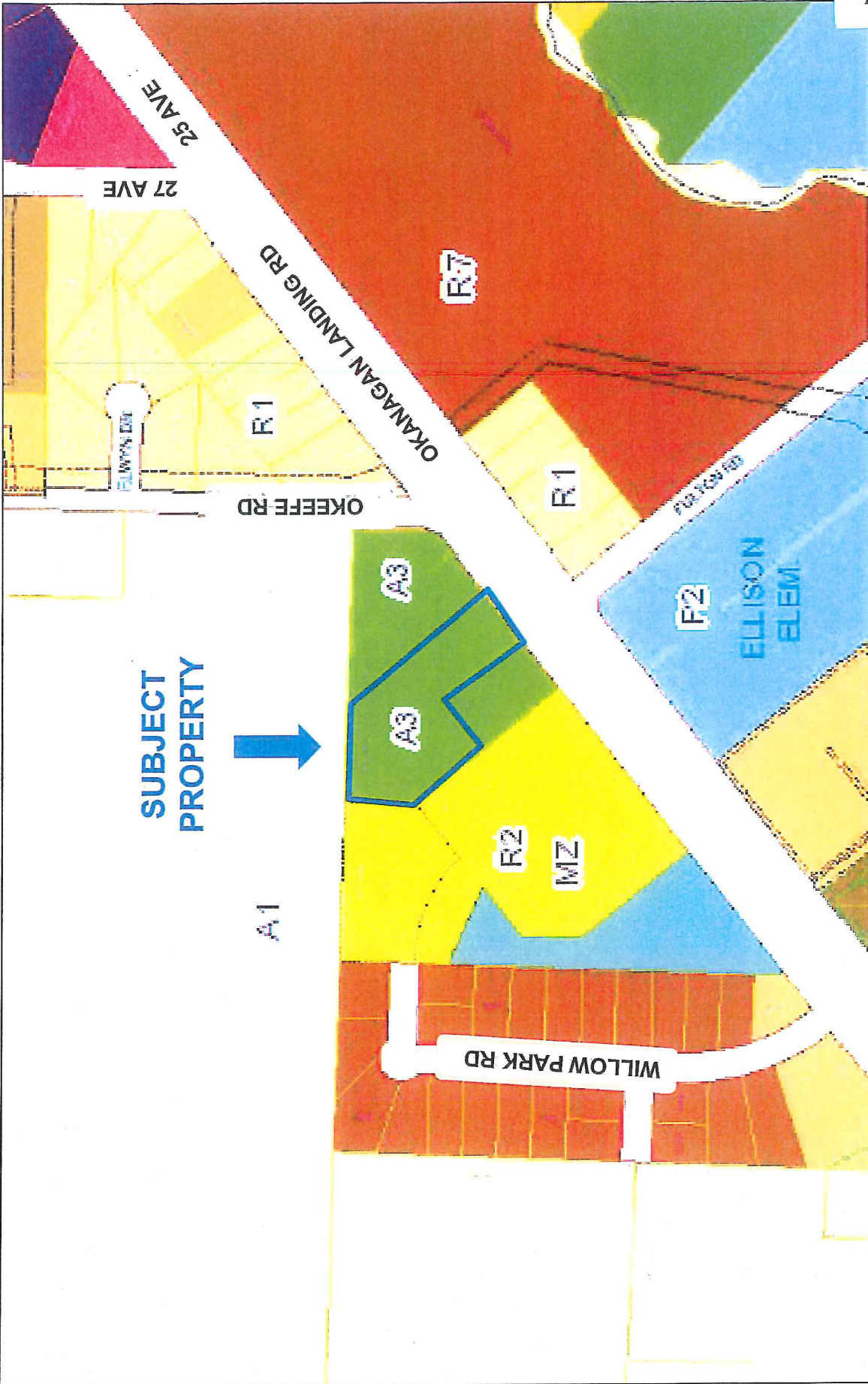
G:\3000-3699 LAND ADMINISTRATION\3360 ZONING AND REZONING\20 Applications\ZON00305\2 PROC\Rpt\180911 cb hc Council Rpt ZON305.docx





OCP Designation

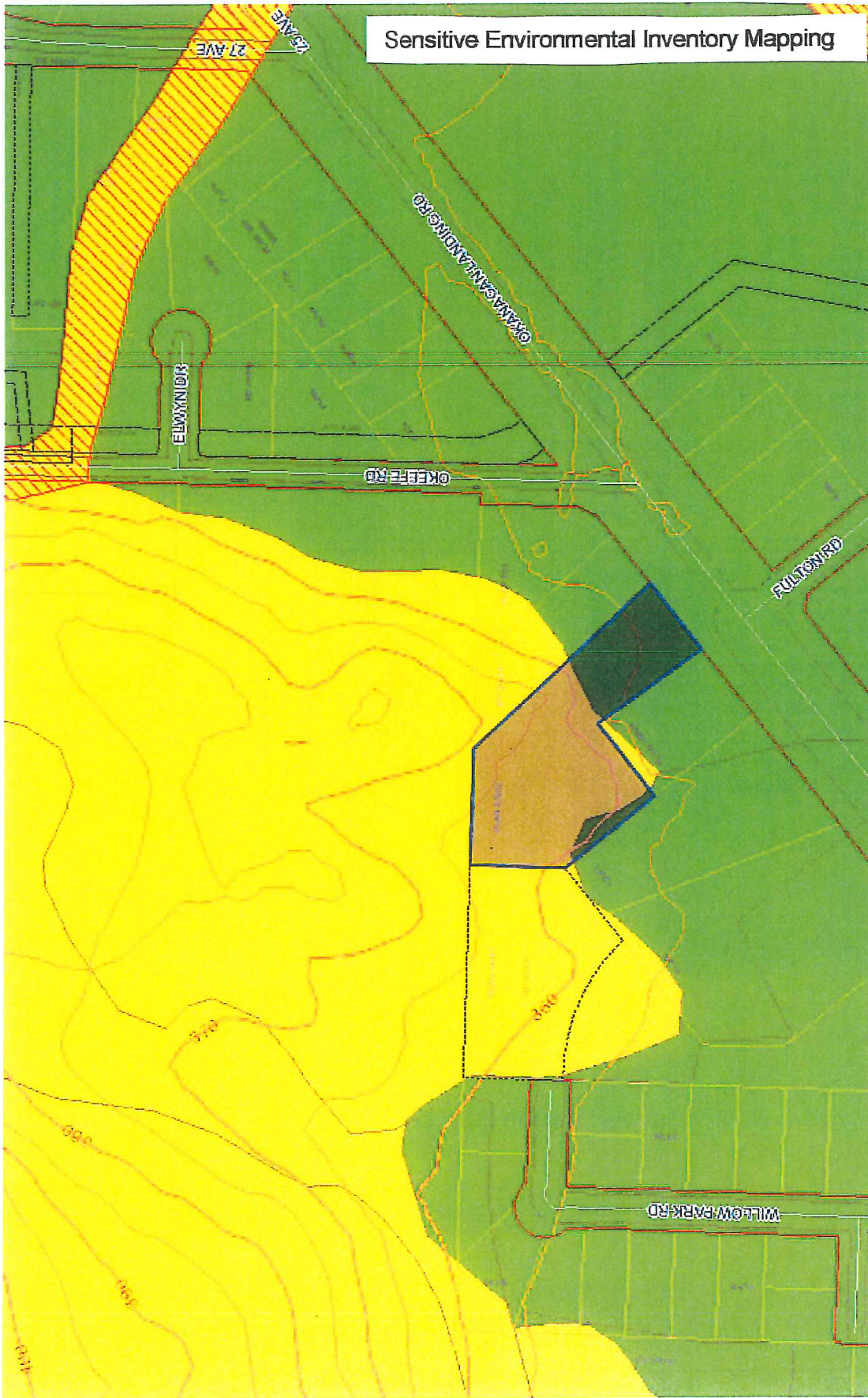
- RLD – Residential – Low Density
- PUBINS – Public & Institutional
- ALR – ALR Lands
- NCTR – Neighbourhood Centre

Zoning Designation



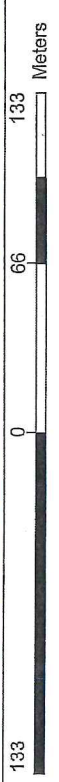
-  A3 – Rural Small Holdings
-  A1 – Agriculture within the ALR
-  R2 – Large Lot Residential
-  R1 – Estate Lot Residential

Vernon Essentials Site



Sensitive Environmental Inventory Mapping

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.



1:2,613

© Corporation of the City of Vernon

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5721

A bylaw to amend the City of Vernon
Zoning Bylaw Number 5000

WHEREAS the Council of The Corporation of the City of Vernon has determined to amend the City of Vernon Zoning Bylaw Number 5000;

AND WHEREAS all persons who might be affected by this amendment bylaw have, before the passage thereof, been afforded an opportunity to be heard on the matters herein before the said Council, in accordance with the provisions of Section 464 of the *Local Government Act*, and all amendments thereto;

NOW THEREFORE the Council of The Corporation of the City of Vernon, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the **"2907 26th Street Rezoning Amendment Bylaw Number 5721, 2018"**.
2. Pursuant to the Official Zoning Map, Schedule "A" attached to and forming part of Bylaw Number 5000, is hereby amended as follows:

That the following legally described lands be rezoned from **"R3 – Medium Lot Residential"** to **"R3h – Medium Lot Residential"**.

Legal Description:

**LOT 11, BLOCK 19, PLAN 327, SEC 34, TWP 9, ODYD
(2907 26th Street)**

and by changing the Zoning Map accordingly, all in accordance with the bolded area as shown on Schedule "A" attached to and forming part of this bylaw.

BYLAW NUMBER 5721

3. Zoning Bylaw Number 5000 is hereby ratified and confirmed in every other respect.

READ A FIRST TIME this 24th day of September, 2018

READ A SECOND TIME this 24th day of September, 2018

PUBLIC HEARING held this day of , 2018

READ A THIRD TIME this day of , 2018

<p>Approved pursuant to section 52(3)(a) of the <i>Transportation Act</i> this _____ day of _____, 20____</p> <p>_____</p> <p>for Minister of Transportation & Infrastructure ZON00303/2018-03357/Bylaw 5721</p>

ADOPTED this day of , 2018.

Mayor:

Corporate Officer:

SCHEDULE 'A'
Attached to and Forming Part of Bylaw 5721
"2907 26th Street Rezoning Amendment Bylaw Number 5721, 2018"





**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: September 24, 2018
REPORT DATE: September 6, 2018
FILE: ZON00303 / DVP00439

August

SUBJECT: REZONING AND DEVELOPMENT VARIANCE PERMIT APPLICATIONS FOR 2907 – 26TH STREET

PURPOSE:

To review the applications to rezone the subject property from R3 – Medium Lot Residential to R3h – Medium Lot Residential and to vary sections of Zoning Bylaw #5000 and Subdivision and Development Servicing Bylaw #3843 to allow for a “home based business, major” use within the existing single family dwelling at 2907 – 26th Street.

RECOMMENDATION:

THAT Council support the application to rezone Lot 11, Block 19, Plan 327, Sec 34, Twp 9, ODYD (2907 – 26th Street) from R3 – Medium Lot Residential to R3h – Medium Lot Residential to allow for a “home based business, major” use within the existing single family dwelling, subject to a restrictive covenant being registered on title for the following conditions:

- a) That limits the business up to two staff, **including** the residents of the primary residence;
- b) That stipulates details of any signage for the home based business to one sign, non-illuminated, 0.5m², no higher than 1.2m, attached to the dwelling or ground mounted near the vehicle entrance;
- c) That limits vehicle access to the property to right-in and right-out only; and
- d) That requires the parking area to be covered with permeable hard surface;

AND FURTHER, that Council support Development Variance Permit Application #DVP00439 to vary the following section of Zoning Bylaw #5000 on the property described as Lot 11, Block 19, Plan 327, Sec 34, Twp 9, ODYD (2907 – 26th Street):

- a) to vary Schedule B, to reduce the setback based on the required right of way for 26th Street from 18.5m to 18.29m;

AND FURTHER, that Council support Development Variance Permit Application #DVP00439 to vary the following section of Subdivision and Development Servicing Bylaw #3843 on the property described as Lot 11, Block 19, Plan 327, Sec 34, Twp 9, ODYD (2907 – 26th Street):

- a) to vary the off-site works along 26th Street and reduce the asphalt width requirement of 12.0m to the existing width of approximately 9.4m and to not require concrete curb and gutter and permit the existing asphalt curb as per Schedule A – Level of Service;

AND FURTHER, that Council support of DVP00439 is subject to the following:

- a) that the site and floor plans, generally shown as Attachment 1 in the report titled "Rezoning and Development Variance Permit Applications for 2907 – 26th Street" dated September 6, 2018 by the Economic Development Planner be attached to and form part of DVP00439 as Schedule 'A'.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council support the application to rezone Lot 11, Block 19, Plan 327, Sec 34, Twp 9, ODYD (2907 – 26th Street) from R3 – Medium Lot Residential to R3h – Medium Lot Residential to allow for a "home based business, major" use within the existing single family dwelling, subject to the following conditions: *(to be cited by Council)*;

AND FURTHER, that Council support the following variance(s): *(to be cited by Council)*;

AND FURTHER, that Council support of DVP00439 is subject to the following:

- a) that the site and floor plans, generally shown as Attachment 1 in the report titled "Rezoning and Development Variance Permit Applications for 2907 – 26th Street" dated September 6, 2018 by the Economic Development Planner be attached to and form part of DVP00439 as Schedule 'A'; and
- b) *(to be cited by Council)*.

Note: This alternative supports the rezoning and development variance permit applications subject to the conditions cited by Council.

2. THAT Council not support the application to rezone Lot 11, Block 19, Plan 327, Sec 34, Twp 9, ODYD (2907 – 26th Street) from R3 – Medium Lot Residential to R3h – Medium Lot Residential to allow for a "home based business, major";

AND FURTHER, that Council not support Development Variance Permit Application #DVP00439 to vary the following section of Zoning Bylaw #5000 on the property described as Lot 11, Block 19, Plan 327, Sec 34, Twp 9, ODYD (2907 – 26th Street):

- a) to vary Schedule B, to reduce the setback based on the required right of way for 26th Street from 18.5m to 18.29m;

AND FURTHER, that Council not support Development Variance Permit Application #DVP00439 to vary the following section of Subdivision and Development Servicing Bylaw #3843 on the property described as Lot 11, Block 19, Plan 327, Sec 34, Twp 9, ODYD (2907 – 26th Street):

- a) to vary the off-site works along 26th Street and reduce the asphalt width requirement of 12.0m to the existing width of approximately 9.4m and to not require concrete curb and gutter and permit the existing asphalt curb as per Schedule A – Level of Service;

Note: This alternative does not support the rezoning and development variance applications. The applicant could apply to conduct a "home based business, minor" use in the existing dwelling. The basic differences between minor home based business and major home based business uses are as follows: only one customer per day in the minor regulations, as compared to up to three customers at a time with the major regulations; only residents of the dwelling are allowed to work on-site with the minor regulations, whereas up to two non-resident staff can work on-site with the major regulations.

ANALYSIS:

A. Committee Recommendations:

At its meeting of September 5, 2018, the Advisory Planning Committee adopted the following resolution:

“THAT Council support the application to rezone Lot 11, Block 19, Plan 327, Sec 34, Twp 9, ODYD (2907 – 26th Street) from R3 – Medium Lot Residential to R3h – Medium Lot Residential to allow for a “home based business, major” use within the existing single family dwelling, subject to a restrictive covenant being registered on title for the following conditions:

- a) That limits the business up to two staff, including the residents of the primary residence;
- b) That stipulates details of any signage for the home based business to one sign, non-illuminated, 0.5m², no higher than 1.2m, attached to the dwelling or ground mounted near the vehicle entrance;
- c) That limits vehicle access to the property to right-in and right-out only; and
- d) That requires the parking area to be covered with permeable hard surface;

AND FURTHER, that Council support Development Variance Permit Application #DVP00439 to vary the following section of Zoning Bylaw #5000 on the property described as Lot 11, Block 19, Plan 327, Sec 34, Twp 9, ODYD (2907 – 26th Street):

- a) to vary Schedule B, to reduce the setback based on the required right of way for 26th Street from 18.5m to 18.29m;

AND FURTHER, that Council support Development Variance Permit Application #DVP00439 to vary the following section of Subdivision and Development Servicing Bylaw #3843 on the property described as Lot Lot 11, Block 19, Plan 327, Sec 34, Twp 9, ODYD (2907 – 26th Street):

- a) to vary the off-site works along 26th Street and reduce the asphalt width requirement of 12.0m to the existing width of approximately 9.4m and to not require concrete curb and gutter and permit the existing asphalt curb as per Schedule A – Level of Service;

AND FURTHER, that Council support of DVP00439 is subject to the following:

- a) that the site and floor plans, generally shown as Attachment 1 in the report titled “Rezoning and Development Variance Permit Applications for 2907 – 26th Street” dated August 17, 2018 by the Economic Development Planner be attached to and form part of DVP00439 as Schedule ‘A’.”

B. Rationale:

1. The subject property at 2907 – 26th Street, as shown on Figures 1 and 2, is located in the East Hill neighbourhood, at the southeast corner of 26th Street and 30th Avenue and is 0.048 hectare (0.12 ac) in area. There is an existing single family dwelling on the property with driveway access from 30th Avenue (Attachment 1).

2. The applicant has submitted rezoning and development variance permit applications to rezone the property from R3 – Medium Lot Residential to the R3h – Medium Lot Residential sub-zoning to allow for a chiropractic clinic to operate under “home based business, major” use. The applicant has also applied to vary the requirements of Zoning Bylaw #5000 and Subdivision and Development Servicing Bylaw (SDSB) #3843 for the road right-of-way (ROW) width and services for the section of 26th Street adjacent to the subject property.
3. The property is designated as “Residential Low Density” in the Official Community Plan (OCP) (Attachment 2). The R3 and R3h zoning districts comply with the OCP land use designation. The surrounding land uses are currently single family dwellings and the courthouse. Two of the other properties at the corner of 26th Street and 30th Avenue function as a dental clinic (north east) and physiotherapy and acupuncture clinic (south west). The courthouse is located on the north west corner.
4. The R3 zoning district provisions (Attachment 4) would still apply to the property if the owner were to construct an addition to the building or to construct a secondary building. The R3h sub-zoning district is not a stand-alone zone, as it only allows the additional specific “home based business, major” use on the property.
5. In the rezoning application, the owner (who is a chiropractor) is requesting to operate a chiropractic clinic out of their house on the subject property. The “home based business, major” regulations (Attachment 5) allow up to three clients at one time with no limit on the number of clients per day, and allows up to two non-resident employees on the site. The maximum allowed floor area for the business is 40% of the floor area of the dwelling unit and cannot exceed 50m². As illustrated in Attachment 1, the proposed business would be located on the main floor of the dwelling unit. The floor area of the business is 49.3m² (which is 40% of the floor area of the dwelling), and consists of two patient rooms, a reception area and washroom. The private residence area (71.7m²) is located on the second floor with a private separated entrance on the main floor. Given the scale of the property and the residential nature of the neighbourhood, Administration recommends that a restrictive covenant be registered on title to limit the number of staff engaging in the home based business, major up to two, **including** the residents of the primary residence.

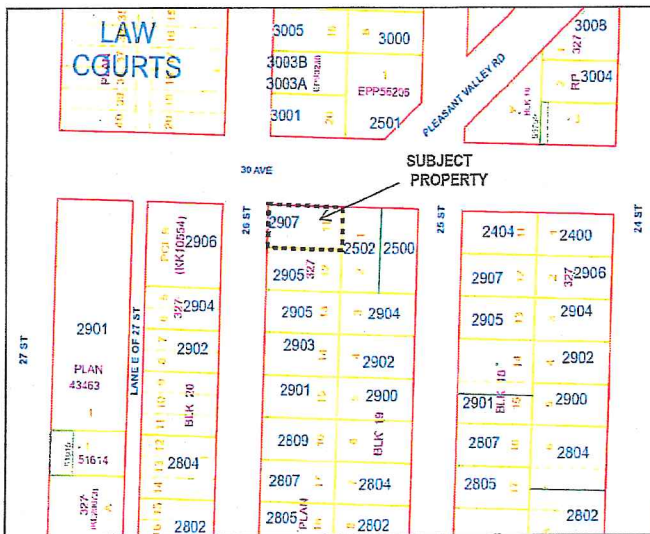


Figure 1: Property Location Map



Figure 2: Aerial Photo of Property

6. The “home based business, major” regulations (Attachment 5) also allow up to one business related fascia or freestanding sign with a maximum area of 6.0m². Due to the residential character of the East Hill neighbourhood, Administration also recommends that the signage be restricted by a covenant to one sign, non-illuminated, 0.5m² in area, no higher than 1.2m, which would be attached to the dwelling or ground mounted near the vehicle entrance at 30th Avenue.
7. As required by zoning regulations, the proposed parking area in the rear includes three parking spaces for business clients and two spaces for the single family dwelling (Attachment 1). Due to the proximity of the property access to the 26th Street and 30th Avenue intersection, access would be restricted to right-in right-out only. The parking layout and maneuvering requirements for five vehicles would increase the site coverage on the property. In order to not exceed the maximum site coverage of 50% as set out in the R3 zoning district, the applicant is proposing to cover the parking area with a permeable hard surface (i.e. pavers). It is recommended that as a condition of rezoning approval, vehicle access be limited to right-in and right-out only and that the parking area be surfaced with a permeable hard surface material.
8. 26th Street adjacent to this property is identified in the Master Transportation Plan (MTP) as a Local Road with sidewalk on both sides. The road right of way (ROW) width adjacent to the property is approximately 18.29m wide. As per Schedule B of Zoning Bylaw #5000, the ultimate road width for 26th Street is 18.5m and an additional setback of 0.10m would be required. As such, the applicant has applied to reduce the setback based on the required ROW for 26th Street from 18.5m to 18.29m. The setback reduction to the existing ROW width is supported by Administration.
9. Subdivision and Development Servicing Bylaw (SDSB) #3843, Schedule A requires an asphalt width of 12.0m with 1.5m wide sidewalk on both sides of 26th Street, and concrete curb and gutter. This standard was intended to provide adequate width for two 3.5m wide travel lanes and two 2.5m wide parking lanes. The applicant has requested to vary Schedule A to reduce the pavement width of the portion of 26th Street from 12.0m to the existing 9.4m and not to require asphalt width widening of 1.25m, as well as to retain the existing asphalt curb and not to require a replacement with concrete curb and gutter. Administration supports the requested variance and recommends that the existing standards of 26th Street adjacent to the property be retained.
10. The proposed rezoning to R3h and requested variances to allow a “home based business, major” at 2907 – 26th Street are supported by Administration subject to the registration of a restrictive covenant intended to preserve the residential character of the area, prevent traffic congestion and improve site drainage. The site location is well suited to accommodate the proposed use due the layout of the existing dwelling, the modest size of the proposed clinic and the corner location of the subject property.

C. Attachments:

- Attachment 1 – Proposed site and floor plan
- Attachment 2 – OCP map
- Attachment 3 – Zoning map
- Attachment 4 – R3: Estate Lot Residential zoning district
- Attachment 5 – “Home based business, major” regulations

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

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

- Support sustainable neighbourhoods by implementing neighbourhood plans and the OCP.
- Support sustainable urban development by reducing off site costs and reviewing parking requirements for infill development.

E. Relevant Policy/Bylaws/Resolutions:

1. The subject property is designated Residential Low Density in the Official Community Plan (OCP) and zoned R3 – Medium Lot Residential as per Zoning Bylaw #5000.
2. 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

Prepared by:

Approved for submission to Council:

Sep 12 2018 9:57 AM

X

Roy Nuriel

DocuSign

Will Pearce, CAO

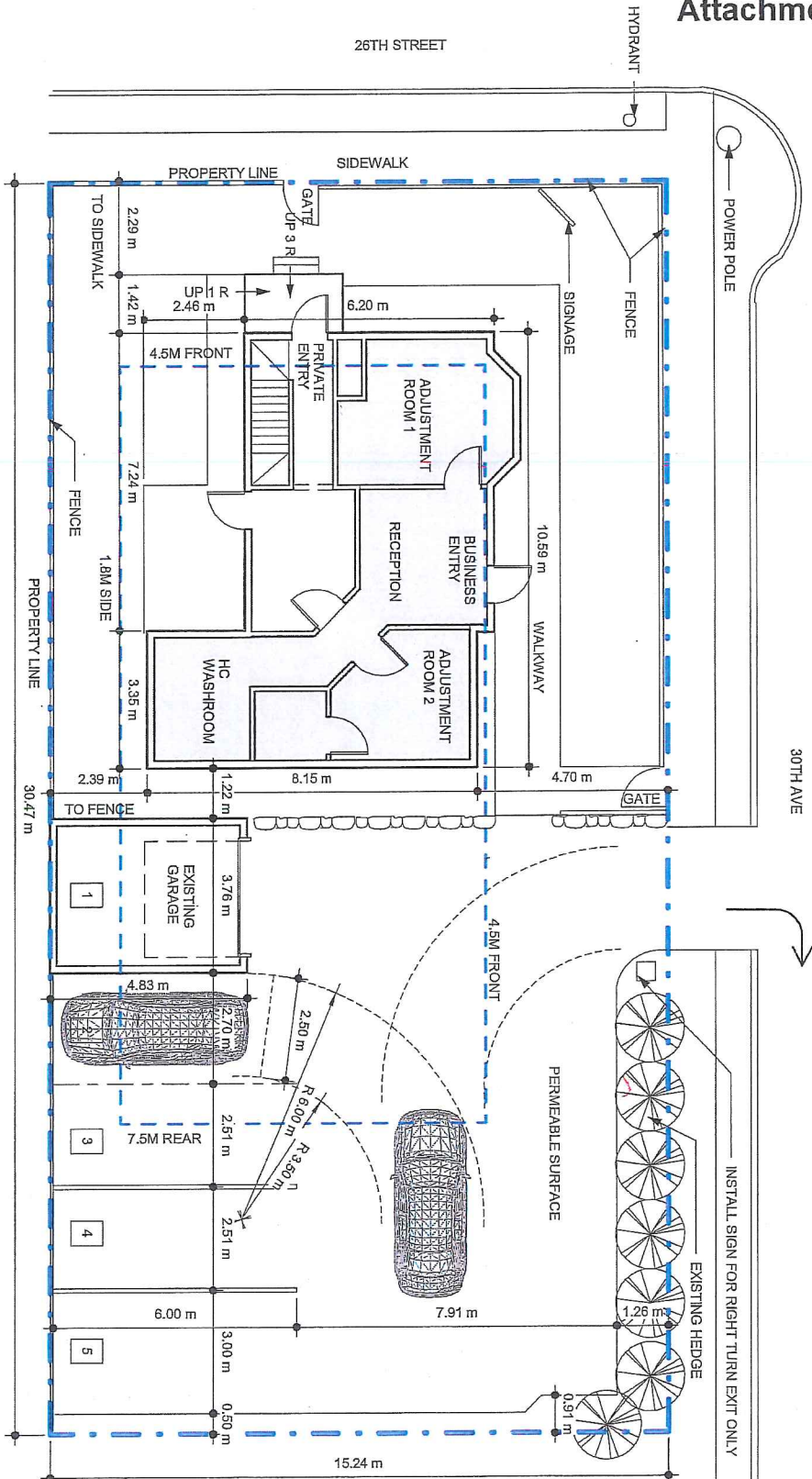
Date: 17.09.2018

Roy Nuriel
Economic Development Planner

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 |
| <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 (Sep.5/18) | | |
| <input type="checkbox"/> OTHER: | | |



CIVIC ADDRESS: 2907 26TH STREET, VERNON BC
 LEGAL ADDRESS: LOT 11 BLOCK 19 PLAN KP4927
 SECTION 34 TOWNSHIP 9 LAND DISTRICT 41
 LOT AREA: 484.38M²
 ZONE: CURRENT R3, PROPOSED R3H
 R3H - MEDIUM LOT RESIDENTIAL
 WITH HOME BASED BUSINESS MAJOR
 - SETBACKS: FRONT 4.5M, SIDE 1.8M, REAR 7.5M
 - MAX SITE COVERAGE 40%, WITH DRIVEWAYS AND PARKING 50%
 HOUSE FOOTPRINT = 74M²
 GARAGE = 18M²
 DRIVEWAYS AND PARKING = 143M²
 236/464.38M² = 50%

ZONING BYLAW
 SECTION 5.3 - HOME BASED BUSINESS MAJOR
 (CHIROPRACTIC TREATMENT ROOM)
 MAX THREE (3) CLIENTS ON SITE AT ONE TIME
 MAX 40% OF FLOOR AREA CAN OCCUPY THE BUSINESS, MAX 50M²
 BUSINESS AREA = 6319SF (49,33M²)
 PRIVATE RESIDENCE AREA = 266 SF + 507SF = 772 SF
 TOTAL AREA COMBINED = 1303 SF
 531/1303 SF = 40%

PARKING
 HOME BASED BUSINESS MAJOR
 1 STALL PER NON-RESIDENT EMPLOYEE = NO EMPLOYEES
 1 PER CLIENT = 3 STALLS
 PLUS REQUIRED PARKING FOR PRIMARY DWELLING
 SINGLE DETACHED HOUSE = 2 PER DWELLING
 (1 BEDROOM SUITE ON UPPER LEVEL)
 2 STALLS PROVIDED
 TOTAL REQUIRED = 5 STALLS

#203-2907 32nd Street Vernon, BC V1T 5M2	
No.	Description
1.	ISSUE FOR RE-ZONE
04/02/18	
2.	REVISIONS - PARKING
08/09/18	
3.	REVISIONS - PARKING
09/16/18	
2907 26TH STREET VERNON BC CHIROPRACTIC CLINIC	
SITE PLAN	
Date	AUG 16 2018
Drawn by	CR
Project No.	-
Scale	1 : 100
RE-ZONE A0.1	

2018-08-16 10:43 AM



- RLD – Residential – Low Density
- PUBINS – Public & Institutional
- RMD – Residential – Medium Density
- MDCOMRES – Mixed Use Medium Density Commercial and Residential

OCP Designation



- R3 – Medium Lot Residential
- RM2 – Multiple Housing Residential
- R2 – Large Lot Residential
- R5 – Four-plex Residential
- C4 – Street-Oriented Commercial

Zoning Designation

R3**9.4 R3 : Medium Lot Residential****9.4.1 Purpose**

The purpose is to provide a **zone** for **single detached housing**, and compatible **secondary uses**, on medium sized urban serviced **lots**. The R3c sub-zoning district allows for **care centre, major** as an additional use. The R3h sub-zoning district allows for **home based business, major** as an additional use. (*Bylaw 5467*)

9.4.2 Primary Uses

- **care centre, major** (*use is only permitted with the R3c sub-zoning district*)
- **single detached housing**

9.4.3 Secondary Uses

- **boarding rooms**
- **bed and breakfast homes** (in single detached housing only) (*Bylaw 5498*)
- **care centres, minor**
- **home based businesses, minor**
- **home based businesses, major** (*use is only permitted with the R3h sub-zoning district*)
- **secondary suites**
- **seniors supportive housing**

9.4.4 Subdivision Regulations

- Minimum **lot width** is 14.0m, except it is 16.0m for a **corner lot**.
- Minimum **lot area** is 450m², or 10,000m² if not serviced by a **community sewer system**.

9.4.5 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 4.5m, except it is 6.0m from a garage or **carport** having vehicular entry from the front.
- Minimum **side yard** is 1.5m for a 1 or 1.5 **storey** portion of a **building** and 1.8m for a 2 or 2.5 **storey** portion of a **building**, except it is 4.5m from a **flanking street**, and 6.0m from a garage or **carport** having vehicle entry from a **flanking street**.
- 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**. 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 2.5 **storeys**, above which the **building** must be **set back** at least 1.2m.

9.4.6 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)

- mail order sales,
 - telephone sales,
 - goods where the customer does not enter the **premises** to pick up the goods; and,
 - products incidental to the service provided,
- subject to section 5.2.6.

5.2.5 No sign advertising the **minor home based business** is permitted.

5.2.6 The following **uses** are prohibited as **minor home based businesses**: automotive repair, cabinet making, welding, **care centres**, cutting & wrapping of meat, including wild game, escort services, and gun shops.

5.3 Home Based Businesses, Major

5.3.1 All **major home based businesses** shall be **secondary uses** and must comply with the following:

- a **major home based business** shall only be conducted within the primary **building** and/or one **secondary building/structure**;
- no **outdoor storage** or operation of the **major home based business** shall be permitted;
- no variation from the residential character and appearance of land or **buildings** shall be permitted and no external structural change to any primary **building** or **structure** for the purpose of accommodating a **major home based business** shall be permitted;
- no **nuisance** shall be produced by the **major home based business** and, at all times, the privacy and enjoyment of **adjacent lots** shall be preserved and the **major home based business** shall not adversely affect the amenities of the neighbourhood; and,
- the **major home based business** shall not generate more than three clients to the **site** from which the **business** is being operated at any given time; and
- this **use** does not include the repair or painting of **vehicles**, trailers or boats; welding or machine shops; care centres; or cutting and wrapping of meat, including wild game.

5.3.2 No more than two persons, other than residents of the primary residence, shall be engaged in the **major home based business**.

5.3.3 The **major home based business** shall not occupy more than 40% of the floor area of the **dwelling** unit, and in no case shall the combined area of the residence used for the **business** and a **secondary building** used for the **business** exceed 50m². (*Bylaw 5339*)

- 5.3.4 The display and retail sales of goods not produced on the **premises** shall not be permitted in a **major home based business**, with the exception of
- products that are associated with the goods produced on the **site**,
 - agricultural products only in the A1, A2 and A3 **Agricultural zones**,
 - mail order sales,
 - telephone sales,
 - goods where the customer does not enter the **premises** to inspect or pick up the goods, and
 - products incidental to the service provided,
- subject to Section 5.3.7.
- 5.3.5 Parking shall be in conformance with the regulations of this Bylaw. No parking of commercial **vehicles** larger than 4100kg gross **vehicle** weight on or about the **site** is allowed for a **major home based business**.
- 5.3.6 A **major home based business** sign is permitted according to the provisions of the *City of Vernon Sign Bylaw No. 4489*, as amended.
- 5.3.7 The following **uses** are prohibited as **home based businesses**: automotive repair, welding, **care centres**, cutting & wrapping of meat, including wild game, escort services, and gun shops.

5.4 Home Based Businesses, Rural

- 5.4.1 All **rural home based businesses** shall be **secondary uses** and must comply with the following:
- a **rural home based business** shall only be conducted within a primary **building** or one **secondary building** or **structure**.
 - no **outdoor storage** or operation of the **rural home based business** shall be permitted;
 - no variation from the residential character and appearance of land, **buildings** or **structures** shall be permitted and no external structural change to any primary **building** or **structure** for the purpose of accommodating a **rural home based business** shall be permitted;
 - no **nuisance** shall be produced by the **rural home based business** and, at all times, the privacy and enjoyment of **adjacent dwellings** shall be preserved and the **rural home based business** shall not adversely affect the amenities of the neighbourhood; and,
 - the **rural home based business** shall not generate more than three clients to the **site** from which the **business** is being operated at any given time; and
 - this **use** does not include the repair or painting of **vehicles**, trailers or boats; cabinet making; welding or machine shops; care centres; or cutting and wrapping of meat, including wild game.

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5596

A bylaw to amend the City of Vernon's Official
Community Plan Bylaw Number 5470

WHEREAS the Council of The Corporation of the City of Vernon has determined to amend the "Official Community Plan Bylaw Number 5470, 2013";

AND WHEREAS all persons who might be affected by this amending bylaw have, before the passage thereof, been afforded an opportunity to be heard on the matters herein before the said Council, in accordance with the provisions of Section 464 of the *Local Government Act*, and all amendments thereto;

NOW THEREFORE the Council of The Corporation of the City of Vernon, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as **"3903 - 30th Street Official Community Plan Amendment Bylaw Number 5596, 2018"**.

2. That Schedule "A" of Official Community Plan Bylaw Number 5470 is hereby amended as follows:

That the following legally described lands be redesignated from **"Mixed Use – Medium Density Commercial and Residential"** to **"Residential - Medium Density"**.

Legal Description:

**LOT A, PLAN KAP50281, SEC 3, TWP 8, ODYD
(3903 30th Street)**

as shown on Schedule "A" attached hereto and forming part of this bylaw.

BYLAW NUMBER 5596

3. Official Community Plan Bylaw Number 5470 is hereby ratified and confirmed in every other respect.

READ A FIRST TIME this 24th day of September, 2018.

READ A SECOND TIME this 24th day of September, 2018.

PUBLIC HEARING held day of , 2018.

READ A THIRD TIME this day of , 2018.

ADOPTED this day of , 2018.

Mayor

Corporate Officer

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5597

A bylaw to amend the City of Vernon
Zoning Bylaw Number 5000

WHEREAS the Council of The Corporation of the City of Vernon has determined to amend the City of Vernon Zoning Bylaw Number 5000;

AND WHEREAS all persons who might be affected by this amendment bylaw have, before the passage thereof, been afforded an opportunity to be heard on the matters herein before the said Council, in accordance with the provisions of Section 464 of the *Local Government Act*, and all amendments thereto;

NOW THEREFORE the Council of The Corporation of the City of Vernon, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the **"3903 – 30th Street Rezoning Amendment Bylaw Number 5597, 2018"**.
2. Pursuant to the Official Zoning Map, Schedule "A" attached to and forming part of Bylaw Number 5000, is hereby amended as follows:

That the following legally described lands be rezoned from **"R2 – Large Lot Residential"** to **"RM1 – Row Housing Residential"**.

Legal Description:

**LOT A, PLAN KAP50281, SEC 3, TWP 8, ODYD
(3903 30th STREET)**

BYLAW NUMBER 5597

and by changing the Zoning Map accordingly, all in accordance with the area as outlined on Schedule "A" attached to and forming part of this bylaw.

3. Zoning Bylaw Number 5000 is hereby ratified and confirmed in every other respect.

READ A FIRST TIME this 24th day of September, 2018

READ A SECOND TIME this 24th day of September, 2018.

PUBLIC HEARING held this day of , 2018.

READ A THIRD TIME this day of , 2018.

Approved pursuant to section 52(3)(a) of the *Transportation Act* this _____ day of _____, 20____

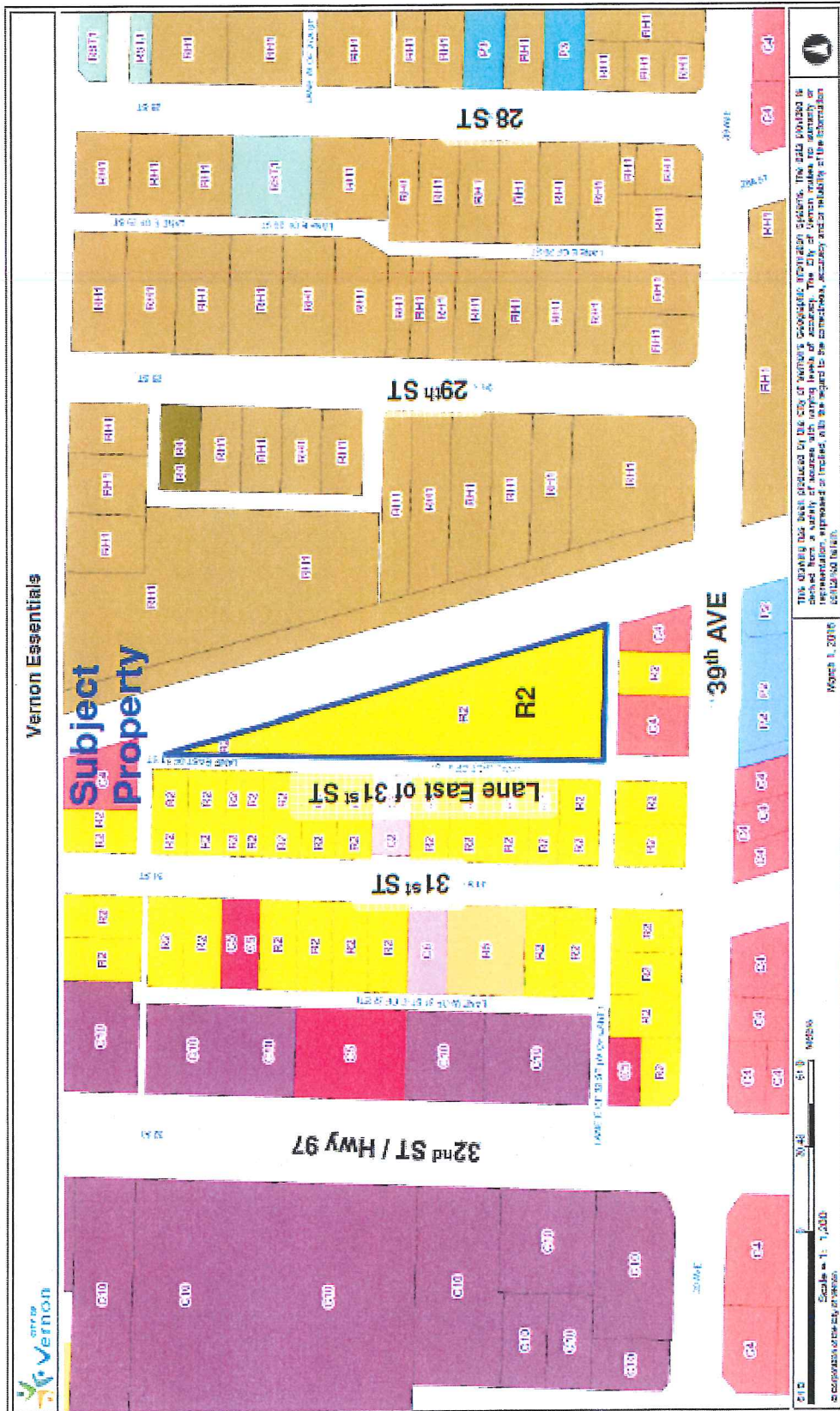
for Minister of Transportation & Infrastructure
BYLAW 5597 – ZON00266/2016-01074

ADOPTED this day of , 2018.

Mayor:

Corporate Officer:

SCHEDULE 'A'
Attached to and Forming Part of Bylaw 5597
"3903 – 30th Street Rezoning Amendment Bylaw Number 5597, 2018"



Zoning Bylaw #5000 Map



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

ORIGINAL

SUBMITTED BY: Roy Nuriel
Economic Development Planner

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: September 24, 2018
REPORT DATE: September 6, 2018
FILE: OCP00068 / ZON00266 / DVP00440

SUBJECT: OFFICIAL COMMUNITY PLAN AMENDMENT, REZONING AND DEVELOPMENT VARIANCE PERMIT APPLICATIONS AT 3903 30TH STREET

PURPOSE:

To review the Official Community Plan (OCP) amendment, rezoning and development variance permit applications for the property at 3903 30th Street.

To review the public consultation results from the open house hosted June 16, 2016 regarding the subject property applications as per the Official Community Plan Amendment Policy.

RECOMMENDATION:

THAT Council support the Official Community Plan Amendment application to amend the OCP land use designation from Mixed Use – Medium Density Commercial and Residential to Residential Medium Density on the property described as Lot A, Plan KAP50281, Sec 3, Twp 8, ODYD (3903 – 30th Street) as outlined in the report titled "Official Community Plan Amendment, Rezoning and Development Variance Permit Applications at 3903 30th Street" dated September 6, 2018 from the Economic Development Planner;

AND FURTHER, that Council direct Administration to bring forward the "3903 30th Street Official Community Plan Amendment Bylaw Number 5596, 2018", for initial readings and scheduling of a Public Hearing;

AND FURTHER, that Council support the application to rezone Lot A, Plan KAP50281, Sec 3, Twp 8, ODYD (3903 – 30th Street) from R2 – Large Lot Residential to RM1 – Row Housing Residential, subject to the following conditions:

- a) That the owner is to dedicate road right-of-way for the lanes and a new offset cul-de-sac adjacent to the subject property;
- b) That the owner is to upgrade 30th Street adjacent to the subject property by installing an offset cul-de-sac, complete with curb, gutter and sidewalk; and
- c) That the owner is to upgrade 30th Street, south of the subject property to 39th Avenue, including widening of the asphalt and concrete curb gutter on the east side;

AND FURTHER, that Council direct Administration to bring forward the "3903 – 30th Street Rezoning Amendment Bylaw Number 5597, 2018", for initial readings and scheduling of a Public Hearing;

AND FURTHER, that Council support Development Variance Permit Application #DVP00440 to vary Schedule O, Standard Drawing 100-10 of Subdivision and Development Servicing Bylaw #3843 for offsite works adjacent to the property described as Lot A, Plan KAP50281, Sec 3, Twp 8, ODYD (3903 – 30th Street):

- a) to reduce the curb radius of the offset cul-de-sac in 30th Street adjacent to Lot A, Plan KAP50281;

AND FURTHER, that Council support of #DVP00440 is subject to the following:

- a) That the development plans, generally shown as Attachments 5, 9 and 10 in the report titled "Official Community Plan Amendment, Rezoning and Development Variance Permit Applications at 3903 30th Street" dated September 6, 2018 by the Economic Development Planner be attached to and form part of DVP00440 as Schedule 'A'.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council support the Official Community Plan Amendment application to amend the OCP land use designation from Mixed Use – Medium Density Commercial and Residential to Residential Medium Density on the property described as Lot A, Plan KAP50281, Sec 3, Twp 8, ODYD (3903 – 30th Street) as outlined in the report titled "Official Community Plan Amendment, Rezoning and Development Variance Permit Applications at 3903 30th Street" and dated September 6, 2018 from the Economic Development Planner, subject to the following conditions: *(to be cited by Council)*;

AND FURTHER, that Council direct Administration to bring forward the "3903 30th Street Official Community Plan Amendment Bylaw Number 5596, 2018", for initial readings and scheduling of a Public Hearing;

AND FURTHER, that Council support the application to rezone Lot A, Plan KAP50281, Sec 3, Twp 8, ODYD (3903 – 30th Street) from R2 – Large Lot Residential to RM1 – Row Housing Residential, subject to the following conditions:

- a) That the owner is to dedicate road right-of-way for the lanes and a new offset cul-de-sac adjacent to the subject property;
- b) That the owner is to upgrade 30th Street adjacent to the subject property by installing an offset cul-de-sac, complete with curb, gutter and sidewalk;
- c) That the owner is to upgrade 30th Street, south of the subject property to 39th Avenue, including widening of the asphalt and concrete curb gutter on the east side; and
- d) *(to be cited by Council)*;

AND FURTHER, that Council direct Administration to bring forward the "3903 – 30th Street Rezoning Amendment Bylaw Number 5597, 2018", for initial readings and scheduling of a Public Hearing;

AND FURTHER, that Council support Development Variance Permit Application #DVP00440 to vary Schedule O, Standard Drawing 100-10 of Subdivision and Development Servicing Bylaw #3843 for offsite works adjacent to the property described as Lot A, Plan KAP50281, Sec 3, Twp 8, ODYD (3903 – 30th Street):

- a) to reduce the curb radius of the offset cul-de-sac in 30th Street adjacent to Lot A, Plan KAP50281;

AND FURTHER, that Council support of #DVP00440 is subject to the following:

- a) That the development plans, generally shown as Attachments 5, 9 and 10 in the report titled "Official Community Plan Amendment, Rezoning and Development Variance Permit Applications at 3903 30th Street" dated September 6, 2018 by the Economic Development Planner be attached to and form part of DVP00440 as Schedule 'A'.
- b) *(to be cited by Council)*.

Note: This alternative supports the OCP amendment, rezoning and development variance permit applications subject to the conditions recommended by Administration and other conditions cited by Council.

2. THAT Council not support the Official Community Plan Amendment application to amend the OCP land use designation from Mixed Use – Medium Density Commercial and Residential to Residential Medium Density on the property described as Lot A, Plan KAP50281, Sec 3, Twp 8, ODYD (3903 – 30th Street);

AND FURTHER, that Council not support the application to rezone Lot A, Plan KAP50281, Sec 3, Twp 8, ODYD (3903 – 30th Street) from R2 – Large Lot Residential to RM1 – Row Housing Residential;

AND FURTHER, that Council not support Development Variance Permit Application #DVP00440 to vary Schedule O, Standard Drawing 100-10 of Subdivision and Development Servicing Bylaw #3843 for offsite works adjacent to the property described as Lot A, Plan KAP50281, Sec 3, Twp 8, ODYD (3903 – 30th Street):

- a) to reduce the curb radius of the offset cul-de-sac in 30th Street adjacent to Lot A, Plan KAP50281.

Note: Should Council choose not to support the OCP amendment, rezoning or development variance permit applications, any future development on the subject property would have to meet the prevailing bylaw requirements.

ANALYSIS:

A. Committee Recommendations:

At its meeting of May 10, 2016, the Advisory Planning Committee adopted the following resolution:

“THAT the Advisory Planning Committee recommends that Council defer consideration of the Official Community Plan Amendment and Rezoning Applications OCP00068 and ZON00266 at 3903 30th Street pending:

1. Investigation of whether a Heritage Restoration Grant was approved and awarded for the former CPR section house at 3901-30th Street; and
2. The northerly portion of the subject property being dedicated as a park.”

At its meeting of September 5, 2018, the Advisory Planning Committee adopted the following resolution:

“THAT Council support the Official Community Plan Amendment application to amend the OCP land use designation from Mixed Use – Medium Density Commercial and Residential to Residential Medium Density on the property described as Lot A, Plan KAP50281, Sec 3, Twp 8, ODYD (3903 – 30th Street) as outlined in the report titled “Official Community Plan Amendment, Rezoning and Development Variance Permit Applications at 3903 30th Street” dated August 22, 2018 from the Economic Development Planner;

AND FURTHER, that Council direct Administration to bring forward the “3903 30th Street Official Community Plan Amendment Bylaw Number 5596, 2018”, for initial readings and scheduling of a public hearing;

AND FURTHER, that Council support the application to rezone Lot A, Plan KAP50281, Sec 3, Twp 8, ODYD (3903 – 30th Street) from R2 – Large Lot Residential to RM1 – Row Housing Residential, subject to the following conditions:

- a) That the owner is to dedicate road right-of-way for the lanes and a new offset cul-de-sac adjacent to the subject property;
- b) That the owner is to upgrade 30th Street adjacent to the subject property by installing an offset cul-de-sac, complete with curb, gutter and sidewalk; and
- c) That the owner is to upgrade 30th Street, south of the subject property to 39th Avenue including widening of the asphalt and concrete curb gutter on the east side;

AND FURTHER, that Council direct Administration to bring forward the "3903 – 30th Street Rezoning Amendment Bylaw Number 5597, 2018", for initial readings and scheduling of a public hearing;

AND FURTHER, that Council support Development Variance Permit Application #DVP00440 to vary Schedule O, Standard Drawing 100-10 of Subdivision and Development Servicing Bylaw #3843 for offsite works adjacent to the property described as Lot A, Plan KAP50281, Sec 3, Twp 8, ODYD (3903 – 30th Street):

- a) to reduce the curb radius of the offset cul-de-sac in 30th Street adjacent to Lot A, Plan KAP50281;

AND FURTHER, that Council support of #DVP00440 is subject to the following:

- a) That the development plans, generally shown as Attachments 5, 9 and 10 inclusive in the report titled "Official Community Plan Amendment, Rezoning and Development Variance Permit Applications at 3903 30th Street dated August 22, 2018 by the Economic Development Planner be attached to and form part of DVP00440 as Schedule 'A'."

B. Rationale:

1. The applicant is seeking an Official Community Plan (OCP) amendment to change the land use designation of 3903 30th Street (Attachments 1-3 and Figures 1-2) from Mixed Use - Medium Density Commercial and Residential to Residential Medium Density. The purpose of the amendment is to support a rezoning of the property from Large Lot Residential (R2) to Row Housing Residential (RM1), to accommodate the creation of a new multi-family housing development on the subject property. The current zoning of the subject property and neighbouring properties is shown in Attachment 4. Concurrently with the OCP amendment and rezoning applications, the applicant has also applied for a development variance permit application to vary the level of service for offsite works in 30th Street as required by the Subdivision and Development Servicing Bylaw (SDSB) #3843.

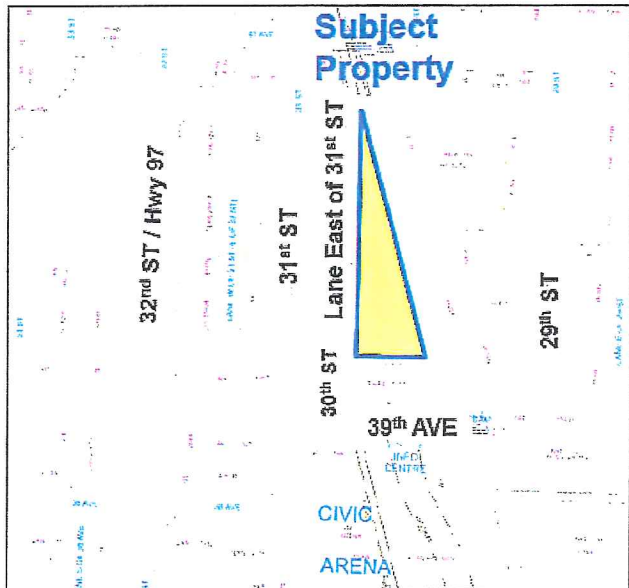


Figure 1: Location Map

2. As shown in Attachment 3, the existing OCP land use designation on the subject property is Mixed Use – Medium Density Commercial and Residential, which supports developing a mixture of pedestrian oriented commercial and residential uses in the City Centre District. The applicant has stated that this type of development is not viable for the subject property due to the location, lack of visibility, unique shape and limited access to the lot. As such, the applicant has proposed to amend the land use designation to Residential Medium Density, which would allow for a multi-family development without a commercial component. Attachment 5 illustrates the proposed layout of a townhome complex on the subject property. Construction of offsite road works in 30th Street to the south is also necessary to provide connectivity from any onsite development to other City infrastructure.



Figure 2: Location Map - Aerial

3. The City Centre Neighbourhood Plan (CCNP), a supplementary plan of the OCP, has identified the subject property as being located within the MacDonald Park Character Area. The vision of this area is a neighbourhood characterized by small lot single and two family residential development with a small mixture of commercial, office, personal and health services along 31st Street (Attachment 6). As indicated in the applicant's letter (Attachment 1), the subject property has a number of characteristics that make the development of viable commercial space challenging. Given that the access for the lot is currently limited to a standard city laneway, it has a direct impact on future development in regard to traffic capacity, parking availability and inadequate street front visibility for commercial uses. The combination of all of the above in addition to the unique shape of the lot, make it a less desirable place for commercial activity in the City Centre. As such, Administration is supportive of the proposed OCP amendment.
4. The proposed rezoning from Large Lot Residential (R2) to Row Housing Residential (RM1) (Attachments 7 and 8) is consistent with the proposed multi-family development on the subject property and the intent of Policy 48 of the CCNP regarding the vision for housing in the MacDonald Park Character Area:

“Support new and infill low to medium density residential development to increase the diversity of housing while enhancing the lowrise neighbourhood character”.

5. With respect to the rezoning application, the applicant is required to provide road dedication, a water main extension (to provide direct service and adequate fire hydrant spacing) and road upgrades for 30th Street from 39th Avenue. As illustrated in Attachments 5 and 9, the proposed offsite works for this development include road dedication for a new offset cul-de-sac and 1.15m road widening adjacent to the existing lanes, and provision of asphalt widening and curb and gutter on the east and north sides of the lanes adjacent to the subject property. The applicant is also required to dedicate a portion of the north side of the lot and to change the property line location in order to fully include the existing travelled portion of the lane within the City right-of-way. Currently, the north portion of the lane, located west of the subject property, is within the privately owned lot boundary.

The proposed offset cul-de-sac delineates the end of 30th Street and start of the lane to the north and provides a turnaround (Attachment 10). Schedule O, Standard Drawing 100-10 of SDSB #3843 defines a standard cul-de-sac for local roads. Due the lot configuration and utility corridor requirements, the applicant is requesting to offset the cul-de-sac and reduce the curb radius. The applicant's engineering consultant has confirmed the proposed design is adequate for turning movements for most large trucks that would be in the area and that vehicles with larger turning radii would have the option of utilizing the lane to exit. Administration supports the requested variance as the proposed offset cul-de-sac provides a significant improvement over existing conditions and the radius reduction does not reduce the ability for vehicles to manoeuver through the area.

6. As per the OCP Amendment Application Policy (Attachment 11), an opportunity for the public and other affected agencies to review and comment on the proposed amendment is required. At its Regular Meeting of May 24, 2016, Council supported an open house to seek input on the proposed amendment. This open house was held from 5:00 – 7:00 p.m. on June 16, 2016 at City Hall. During the open house, visitors were able to view information on the conceptual site plan, OCP designation and zoning for the subject property. Administration was available to provide information and answer questions raised by the public. A dozen people attended the open house and five comments and three letters were submitted as a result of the public consultation, most of them raising concerns in regard to parking issues and traffic flow on the lanes adjacent to the subject property, as well as the heritage value of the existing building on the property (Attachment 12). Since the open house, Administration has worked with the applicant on ways to improve traffic flow and address parking concerns adjacent to the lane. As illustrated on Attachments 9 and 10, the applicant would provide road dedication to widen both lanes from 6.1m to 7.25m and upgrade the lanes to bylaws standards. The applicant is also required to build a cul-de-sac with sidewalk, curb and gutter. The proposed design of the lanes and cul-de-sac would provide for adequate traffic flow and mitigate most of the concerns raised at the open house for the lanes. With respect to the parking issues, any future development on the subject property would need to meet the parking requirements in Zoning Bylaw #5000, and be reviewed throughout the development permit process.

As per the Local Government Act, enhanced consultation regarding an OCP amendment is required. After First Reading and prior to adoption of an amending bylaw, a separate memorandum would be forwarded to Council verifying this requirement has been met.

7. As a matter of interest, the existing building on the subject property was built by Canadian Pacific Railway (CPR) as a section house (Figure 3). The section house was moved to the current location at 3903 30th Street from another site along the railway. This former section house is one of the last remaining section houses in Canada located adjacent to an active railway. In 2008 Council approved a Heritage Restoration Grant to the former CPR section house for a sum of \$1,260.00 for 50% of the cost to install some new windows and doors. In 2011 the approved Heritage Restoration Grant was cancelled because the restoration work had not been undertaken.



Figure 3: 3903 30th Street CPR Section House

The section house building and property is listed in the Vernon Heritage Register, which was adopted by Council on February 21, 2000. The property is not a "protected heritage property" under provincial heritage legislation and is not designated by bylaw. Policy 19.3 in the OCP provides direction with respect to properties listed in the City's Heritage Register:

“19.3 The City of Vernon shall continue to maintain a Heritage Register in accordance with provisions of the Local Government Act. The Heritage Register shall be composed of: publicly owned properties; privately owned properties where the owner agrees to be on the Register; and properties subject to a change in land use (i.e. rezoning, Heritage Revitalization Agreement), or where a Heritage Restoration Grant has been awarded and funds received by the property owner.”

While the subject building is listed in the Vernon Heritage Register, it is privately owned and may be removed from the Register at the request of the owner.

On August 10, 2018, a fire severely damaged the section house, a few days after the applicant applied for a demolition permit to demolish the building and remove it from the Vernon Heritage Register. The building is expected to be demolished in September 2018.

C. Attachments:

- Attachment 1: OCP00068 Amendment application applicant's letter
- Attachment 2: Location Map – Aerial
- Attachment 3: Official Community Plan (OCP) Designation Map
- Attachment 4: Zoning Bylaw #5000 Map
- Attachment 5: Development Plan
- Attachment 6: City Centre Neighbourhood Plan (CCNP) redevelopment policies for the MacDonald Park Neighbourhood Area
- Attachment 7: R2: Large Lot Residential Zoning District
- Attachment 8: RM1: Row Housing Residential Zoning District
- Attachment 9: Servicing Plan
- Attachment 10: Cul-de-sac Design Plan
- Attachment 11: OCP Amendment Applications Policy
- Attachment 12: Open House Comment Submissions

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

This Official Community Plan amendment application involves the following objective in Council's Strategic Plan (2015-2018):

- Support sustainable neighbourhoods by implementing neighbourhood plans and the OCP

E. Relevant Policy/Bylaws/Resolutions:

1. Council's Official Community Plan Amendment Policy specifies that proposed amendments must support the Guiding Principles from the OCP, as follows:
 - Foster prosperity for people, business and government
 - Protect and preserve green spaces and sensitive areas
 - Ensure housing meets the needs of the whole community
 - Create a culture of sustainability
 - Protect agricultural land
 - Create strong, compact and complete neighbourhoods
 - Provide alternative transportation
 - Revitalize the Downtown
 - Create a youth friendly city
2. Section 27.0, Development Permit Area #1 (City Centre District) in the Official Community Plan (OCP), identifies that redevelopment of the City Centre is guided by the City Centre Neighbourhood Plan.

3. City Centre Neighbourhood Plan Redevelopment Policy 48 states the following: "Support new and infill low to medium density residential development to increase the diversity of housing while enhancing the lowrise neighbourhood character".
4. At its Regular Meeting of May 24, 2016, Council adopted the following resolution:

"THAT Council support, in principle, the Official Community Plan Amendment application submitted by Jennifer Hamilton on behalf of John Alexander Charles Kuly to amend the OCP land use designation from Mixed Use – Medium Density Commercial and Residential to Residential Medium Density, outlined in the report titled Official Community Plan Amendment and Rezoning Applications at 3903 30th Street and dated April 20, 2016 from the Long Range Planner;

AND FURTHER, that Council support presenting the proposed Official Community Plan Amendment application at a public open house in order to seek public input prior to the Public Hearing;

AND FURTHER, that Council support in principle the application submitted by Jennifer Hamilton on behalf of John Alexander Charles Kuly to rezone the subject property at 3903th Street from Large Lot Residential (R2) to Row Housing Residential (RM1), subject to the following conditions:

1. The owner is to dedicate road right-of-way for the extension of 30th Street adjacent to the subject property.
2. The owner is to upgrade 30th Street south of the site to 39th Avenue to include 7m of asphalt, concrete curb gutter and sidewalk along the east side. This is to include removal of the sidewalk, curb and gutter in 39th Avenue at the intersection and curb returns installation on both sides".

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Sep 13 2016 10:51 AM

X



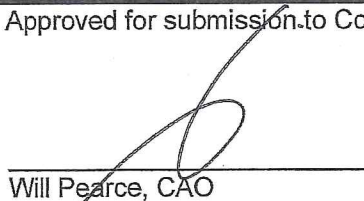
✓

Roy Nuriel

DocuSign

Roy Nuriel
Economic Development Planner

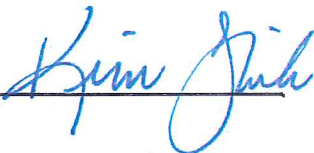
Approved for submission to Council:



Will Pearce, CAO

Date: 17.09.2016

X



Signer 2

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 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 |
| <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: APC (May 10/16 & Sep.5/18) | | |
| <input type="checkbox"/> OTHER: | | |

G:\3000-3699 LAND ADMINISTRATION\3340 OFFICIAL COMMUNITY PLAN - AMENDMENTS\20 Applications\OCP00068\2 PROC\Rpt\180906_rn_rpt_OCP68_ZON266_1st and 2nd_DVP440.docx

Application for Amendment of Official Community Plan Designation

Property Address: 3903 30th Street, Vernon
Current OCP Designation: Mixed Use- Medium Density Commercial and Residential
Proposed OCP Designation: Residential Medium Density (RMD)

The property located at 3903 30th Street, Vernon (hereafter referred to as "The Property,") has changed zoning designations numerous times over the years, from residential to commercial. It is currently designated Mixed Use – Medium Density Commercial and Residential in the Vernon Official Community Plan (OCP). This proposal seeks to amend the current property designation to a Medium Density Residential designation.

The geographic location of The Property sits on the boarder of both Residential and Commercial zoning. While currently designated as Mixed-Use Commercial and Residential, commercial development is not suitable on The Property as there is no way of accommodating the excess traffic that would be created through business storefronts. Access to The Property is limited to a single laneway. To further complicate vehicular access, the current paved laneway infringes on The Property boundary; at the north end of The Property, the paved lane physically crosses into private property.

The OCP states that within the MacDonald Park district, "parking will not be permitted between the sidewalk and the building edge." The lack of proper street access renders the Property incompatible for the commercial needs of businesses; there is no street access or block interface, there is only a single private lane access which currently infringes on private property, and The Property is not designed to accommodate the additional shared parking opportunities required by customers and business employees.

The amendment of The Property to a Residential designation is further supported through the physical shape of The Property. The Property, in its current characteristic, was created through the amalgamation of 7 individual residential lots. The triangular shape of The Property, combined with the lane infringement, results in a significant portion of The Property being commercially unusable. While the shape is not conducive to commercial development, the characteristics of The Property create a unique opportunity should the designation be assigned Residential; The Property can be rezoned and the unusable portion of the land can be assigned as a common space for strata residents, providing opportunities for additional greenspace within the neighbourhood.

The Property in its current zoning and OCP designation is underutilized in an area defining itself as an up and coming neighbourhood desirable and attainable for young families. Within the MacDonald Park District, we are seeing an increase in demand for attainable, multi-family housing options. The residential development of The Property is intended to provide greater opportunities for more families to enter the local housing market, ensuring that the housing needs of the whole community are met. According to the OCP:

Vernon has an unusually high supply of land either pre-zoned or subdivided and available for residential development, most of which is in

OCP 68

hillside neighbourhoods. The housing types anticipated in these neighbourhoods do not meet the needs of all residents. Many two income families, and most single parent, low income and seniors, would not see their needs met by this housing type, either due to affordability or because the predominant type of housing in these neighbourhoods (detached single family) is not the housing type these groups are seeking. The findings of the Housing Needs Assessment suggest that greater provision of smaller homes, ground oriented multi-family housing and senior's housing is needed to meet the future needs of the community.

By amending the OCP designation to Residential, the vision for The Property is to provide Multiple Family Housing options in the MacDonald Park neighbourhood. Through the development of multi-family housing, the Property can shift from its currently underutilized state and work to address the community goal of providing housing options that meet the needs of young adults and families, in an area where people want to live; close to the city centre.

Additionally, the OCP has identified and committed to address community need for energy efficient, multi-family, attainable housing. The development of The Property and creation of multi-family dwellings will support sustainable practices through using energy efficient products, as well as the use of local contractors and suppliers wherever possible. Amending the OCP Property designation to Residential will continue to support a diversity of housing types and attainable housing options to attract young families, effectively revitalizing The Property and the surrounding neighbourhood.



Scale = 1: 1,200
 © Corporation of the City of Vernon

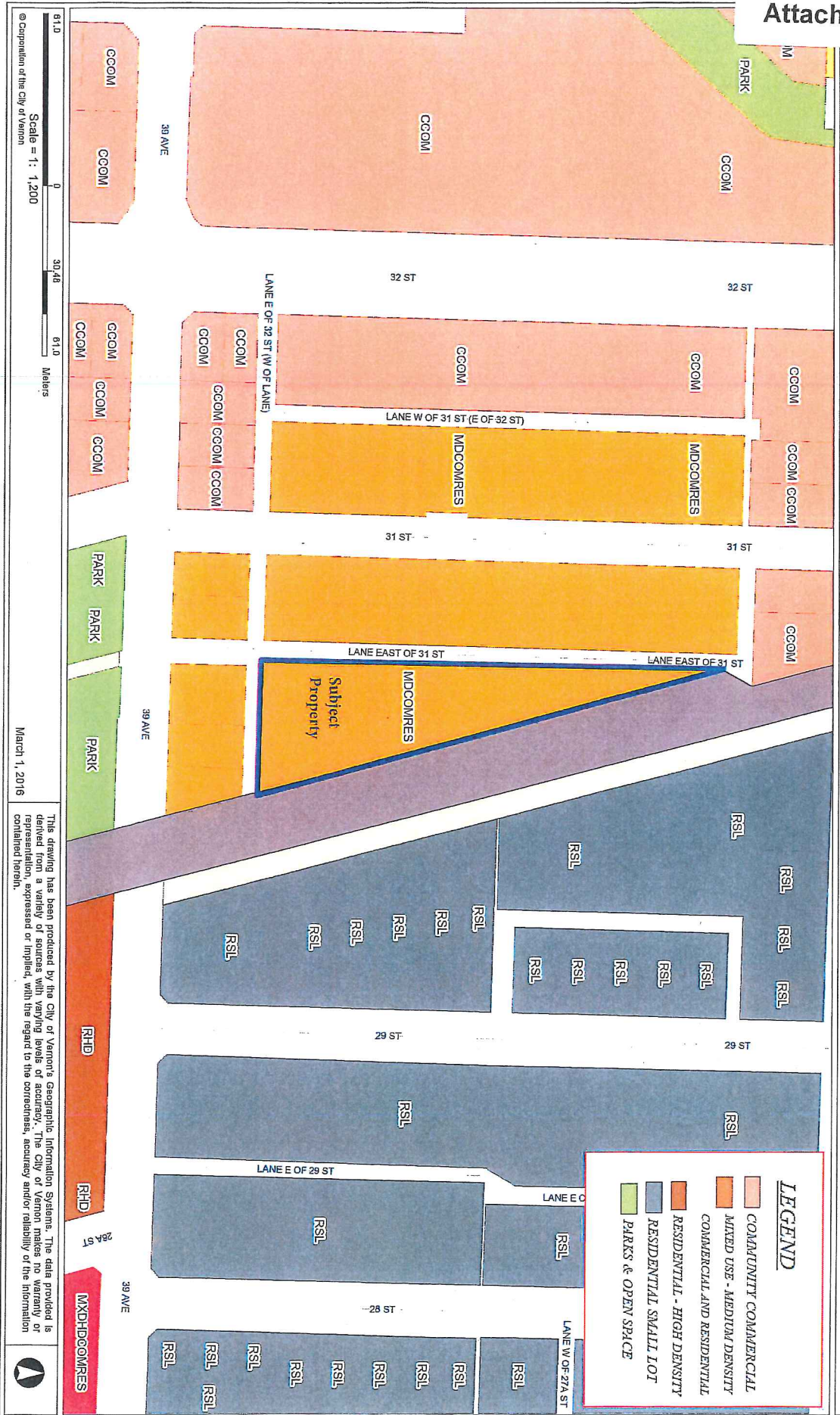
0 61.0
 Miles

March 1, 2016

This drawing has been produced by the City of Vernon's Geographic Information Systems. The data provided is based on 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.

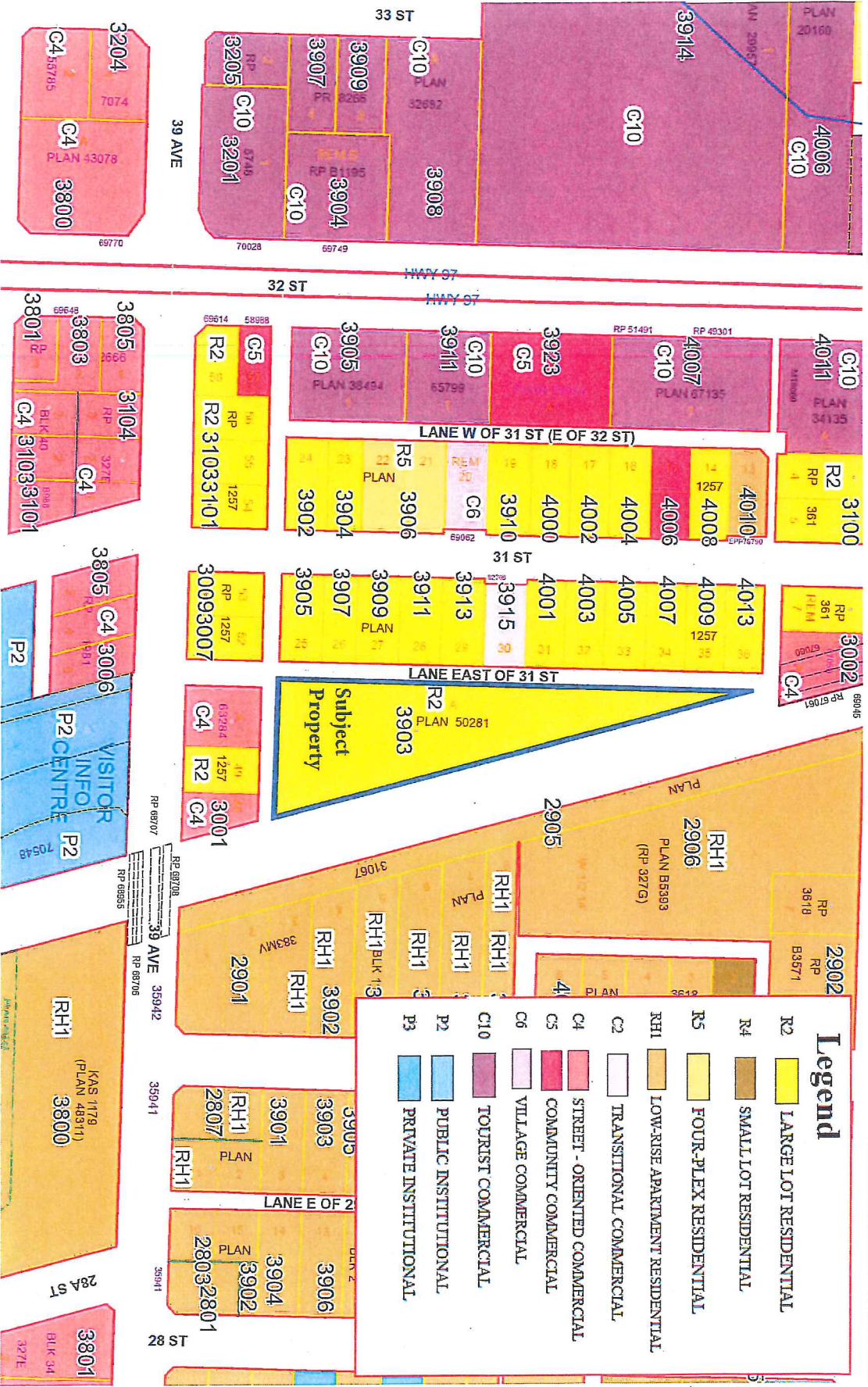


3903 - 30th Street OCP Map

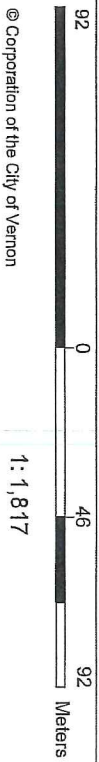




3903 - 30th Street Zoning Map

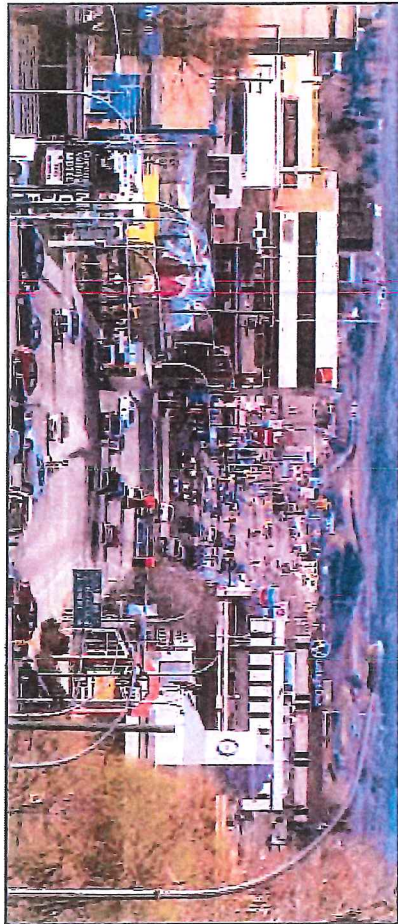


Legend	
	R2 LARGE LOT RESIDENTIAL
	R4 SMALL LOT RESIDENTIAL
	R5 FOUR-PLEX RESIDENTIAL
	RH1 LOW-RISE APARTMENT RESIDENTIAL
	C2 TRANSITIONAL COMMERCIAL
	C4 STREET-ORIENTED COMMERCIAL
	C5 COMMUNITY COMMERCIAL
	C6 VILLAGE COMMERCIAL
	C10 TOURIST COMMERCIAL
	P2 PUBLIC INSTITUTIONAL
	P3 PRIVATE INSTITUTIONAL



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.

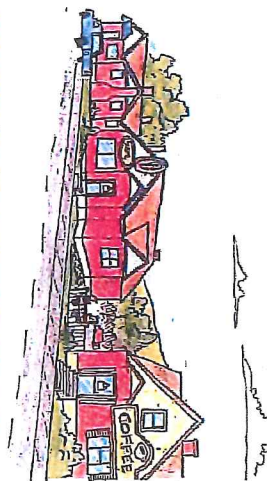
3.0 Character Areas



Highway 97

historic or architectural value.

- 41. Explore the provision of public amenities through the development process to improve pedestrian linkages within the area and to the City Centre as a whole.
- 42. The Polson Greenway will serve as an alternative north-south pedestrian and cycling route to alleviate transportation conflicts along the highway corridor.
- 43. Signage clutter with excessive types of signs on each property, including portable, sandwich and tack-on signs, is not permitted.
- 44. Pedestrian and cycling links across the highway, linking recreation amenities to all other City Centre character areas, is encouraged.
- 45. Improvements to the quality and function of BX Creek, development of a creek-side trail, as well as working to daylight the creek, are to be undertaken as opportunities arise.
- 46. Support the enhancement of arts, culture, recreation, institutional and open space uses in the area to strengthen the area as an event and recreation hub.



Concept drawing of existing homes on Highway 97 converted into commercial uses

*"Try to make more affordable housing - truly affordable for the working young and low income pensioners".
63 year old Downtown resident*

- 47. Work with regional partners to plan for the long-term replacement of recreational facilities.

Macdonald Park Neighbourhood

Development Intent

This neighbourhood provides a gateway into the City Centre along the Polson Greenway and along 41st Ave. Youth, transportation, recreation and access needs, as well as those of families living in the area, drive the

development of public amenities and adjacent services.

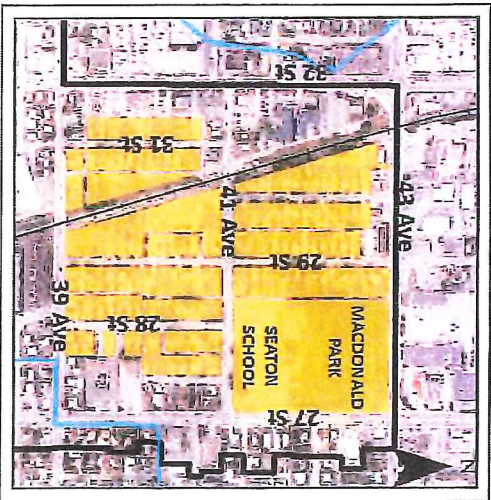
This character area is predominantly residential, made up of a variety of small lot single family housing types. Infill residential development should be encouraged with the goal of intensifying underutilized areas while maintaining a family oriented neighbourhood.

Commercial, office, personal and health services uses will continue to development on properties along 31 Street. Existing homes will transition to businesses while minimizing impacts on existing residential development. Mixed use properties will be encouraged to develop in a low rise nature with commercial and/or residential uses.

Redevelopment Policies

- 48. Support new and infill low to medium density residential development to increase the diversity of housing opportunities while enhancing the lowrise neighbourhood character.
- 49. For lands designated residential, home based businesses will be supported.

MacDonald Park Neighbourhood



Small Lot Homes on Mission Hill.

50. Reuse of brownfield properties is encouraged for mixed use and other development forms with residential above grade.

51. Signage in the area is likely to be installed for major home based businesses, care facilities and churches. Signage provisions for home based businesses provide for small signs that identify the business yet do not distract from the primary residential use and appearance of the property. Signage for care facilities and churches is to be commensurate with the scale and design of the building and landscaping on the property.

52. Commercial development along 31 Street is encouraged out of remodelled residential buildings and contribute to the enhancement of the street providing an appropriate transition between the Highway Corridor and the MacDonald Park residential area east of the railroad tracks.

53. Signage on the commercial properties should reflect the size, scale and design of the primary building or buildings on that property. The commercial signage design, lighting and location should not unduly impact adjacent residential lands.

54. Development along 31. Street may be purely residential when ground oriented.

Public Amenities

55. Macdonald Park provides a community playing field and greenspace for the entire community and should be preserved and enhanced.

56. Improve pedestrian connections between W.L. Seaton Secondary School and other parts of the city.

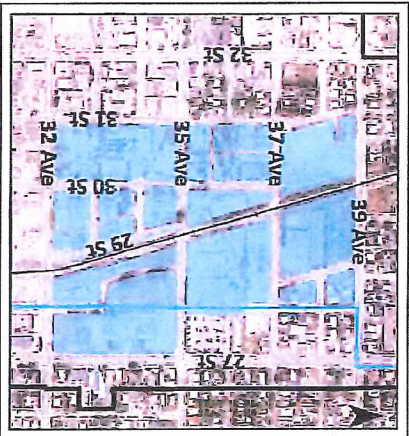
57. Complete the Polson Greenway to connect this area south to the Historic Downtown and Polson Park and north to the Village Green Mall.

The Powerhouse Quarter

Development Intent

The Powerhouse Quarter will be an employment centre with provisions for mixed use development to add evening and weekend activity in the area. Furthering the historic name behind the Powerhouse Theatre, this area is hoped to become a “powerhouse” employment district for the City Centre. Office and employment uses will be strongly encouraged, including at ground level.

Powerhouse Quarter



City Hall and its corresponding public amenity spaces, like Spirit Square, are the cornerstone of the area. This area will develop as a dynamic mixed use office hub.

Redevelopment Policies

58. Support the continued mix and growth of professional and commercial office development to promote the area as an employment centre.

59. Support residential infill at medium to high densities to increase the housing choice in terms of type, price range and tenure.

60. Office uses at grade are acceptable in this area.

61. Explore expanding employment uses in this character area to encourage and promote new business development.



Public Amenities

62. Enhance the pedestrian connection between the Civic Centre and the Historic Downtown through the former Medical Clinic site and explore the possibility of connecting Cenotaph Park with 30th Ave using a pedestrian link with a courtyard feel.

63. At such time as the ice surface at the Civic Arena is relocated, utilize these lands for a municipal park with potential visitor and tourist amenities.

“It would be nice to go downtown at 6pm on a Friday and see stores open and people enjoying outdoor patios like in Kelowna or Vancouver.”
27 year old Okanagan Landing resident



9.3 R2 : Large Lot Residential

9.3.1 Purpose

The purpose is to provide a **zone** for **single detached housing**, and compatible **secondary uses**, on large sized urban serviced **lots**. The R2c sub-zoning district allows for **care centre, major** as an additional use. The R2h sub-zoning district allows for **home based business, major** as an additional use. (*Bylaw 5467*)

9.3.2 Primary Uses

- **care centre, major** (*use is only permitted with the R2c sub-zoning district*)
- **single detached housing**

9.3.3 Secondary Use

- **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 R2h sub-zoning district*)
- **secondary suites**
- **seniors supportive housing**

9.3.4 Subdivision Regulations

- Minimum **lot width** is 18.0m.
- Minimum **lot area** is 557m², or 10,000m² if not serviced by a **community sewer system**.

9.3.5 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 5.0m.
- Minimum **side yard** is 1.5m, except it is 5.0m 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 2.5 **storeys**, above which the **building** must be **set back** at least 1.2m.

9.3.6 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**.

- **Seniors supportive housing** shall be for no more than four residents. *(Bylaw 5467)*
- 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)



9.10 RM1 : Row Housing Residential

9.10.1 Purpose

The purpose is to provide a **zone** for ground oriented medium **density row housing** on urban services.

9.10.2 Primary Uses

- care centre, major
- duplex housing
- four-plex housing
- group home, major
- row housing
- semi-detached housing
- seniors housing
- single detached housing

9.10.3 Secondary Uses

- boarding rooms (*Bylaw 5440*)
- care centres, minor
- home based businesses, minor
- secondary suites (in single detached housing only)
- seniors assisted housing
- seniors supportive housing

9.10.4 Subdivision Regulations

- Minimum **lot width** is 26.0m, except it is 7.5m for fee simple **row housing** and **semi-detached dwellings**.
- Minimum **lot area** is 800m², or 10,000m² if not serviced by a **community sewer system**.
- Maximum **density** is 48.0 units per gross hectare (19.5 units/gross acre).
- Maximum **site coverage** is 65% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 85%.

9.10.5 Party Wall Subdivision Regulations

Lot Type	Minimum Lot Area		Minimum Lot Width	
	interior	corner	interior	corner
Semi-Detached Housing	225m ²	275m ²	7.5m	9.0m
Row Housing	150m ²	200m ²	6.5m	7.8m

9.10.6 Development Regulations

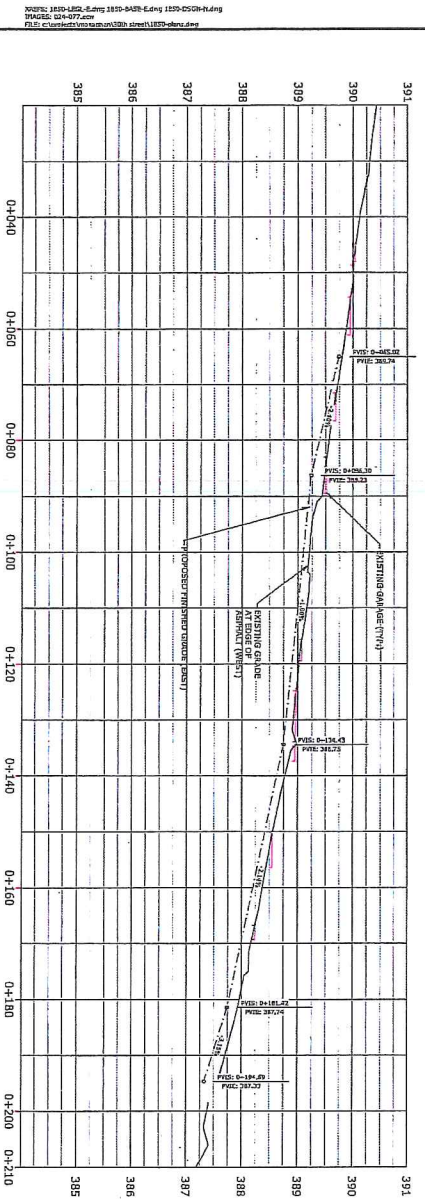
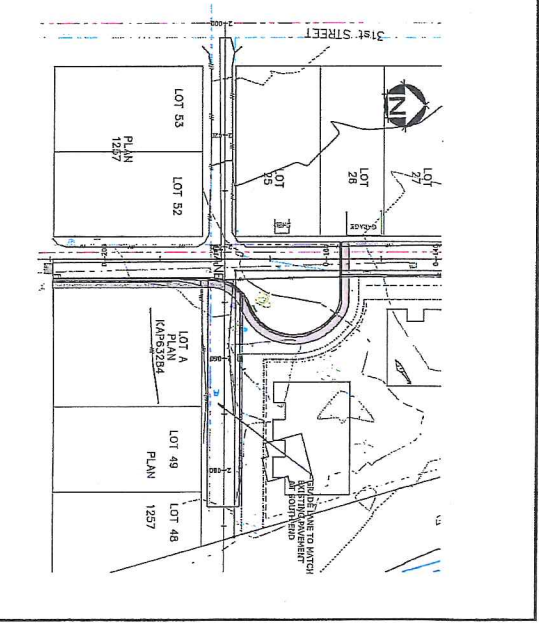
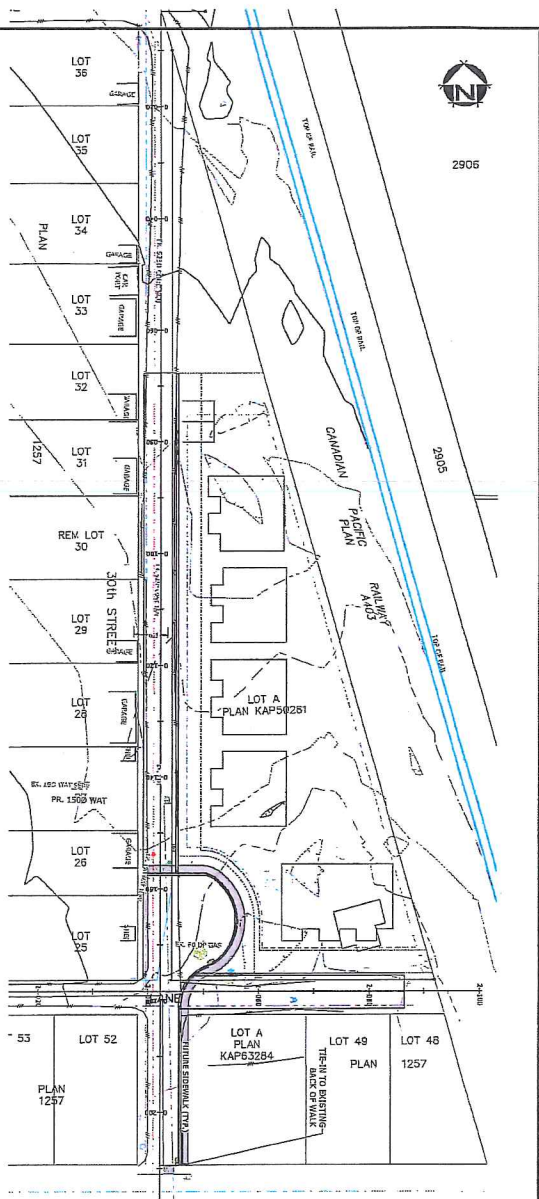
- With a housing agreement pursuant to Section 4.9, the maximum **density** shall be 60.0 units per gross hectare (24.5 units/gross acre).
- Where **parking spaces** are provided completely beneath habitable space of a primary **building** or beneath useable common amenity areas, providing that in all cases the **parking spaces** are screened from view, the maximum **density** shall be 60.0 units per gross hectare (24.5 units/gross acre). 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 additional 12.0 units per gross hectare (5 units/gross acre) by the percentage of parking proposed to be provided beneath habitable space of a primary **building** or useable common amenity areas.

- Maximum **site coverage** is 50% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 55%.
- 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 from a garage or **carport** to the back of curb or sidewalk for vehicular entry.
- Minimum **side yard** is 1.2m, or 0.0m for shared interior **party walls** except it is 4.5m 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. The **side yard** is 0.0m for fee simple **row housing** and **semi-detached dwellings**.
- Minimum **rear yard** is 6.0m, except it is 1.0m for **secondary buildings**.
- Maximum six **dwelling** units located in a **building**, with each row housing unit having a minimum width of 6.5m and 7.5m for semi-detached housing units.

9.10.7 Other Regulations

- 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 5540)
- In order for bareland strata **development** 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.
- 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 size, **height** and **setbacks** of the **building** as specified in each **zone**.
- A minimum area of 25m² of private open space shall be provided per **dwelling**.
- Vehicular access to the **development** is only permitted through either a driveway shared by at least 3 units or a **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**.
- No more than 6 **dwellings** may be located in a **row house building**.
- 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)



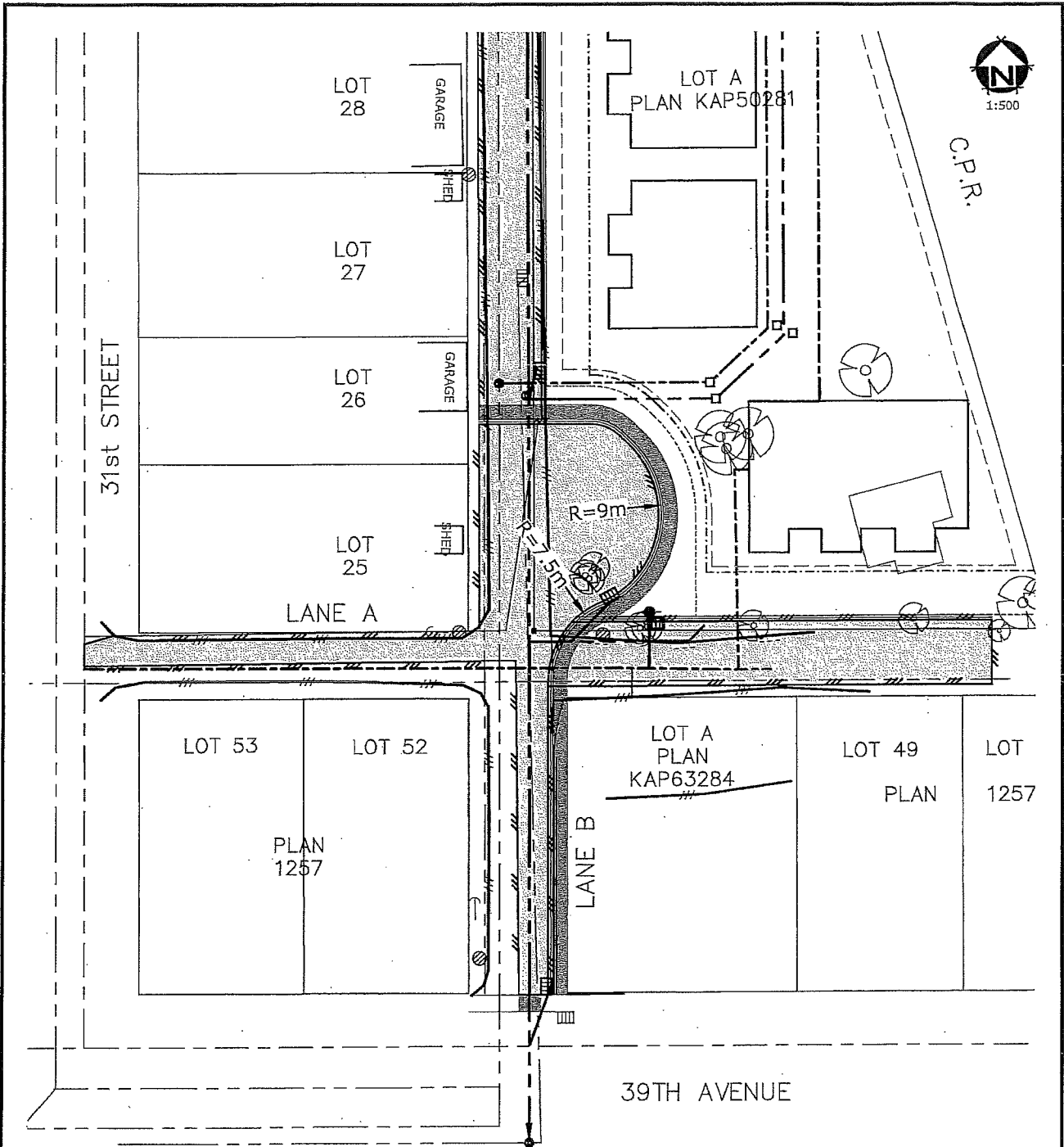
USPC: kqre
 CTR: jmcg@pdsd.com
 DATE: 2017-04-13
 TIME: 10:15:45 AM

PROJECT: 31108-28th Street
 SHEET: 3 of 3
 FILE: 31108-28th Street (1257).dwg

NO.	DATE	BY	DESCRIPTION
1	2017-04-13	jmcg	ISSUED FOR PERMIT

LEGEND: (INDICATES SYMBOLS SHOWN IN PROFILES)

	EXISTING STREET
	PROPOSED STREET
	EXISTING SIDEWALK
	PROPOSED SIDEWALK
	EXISTING CURB
	PROPOSED CURB
	EXISTING GUTTER
	PROPOSED GUTTER
	EXISTING DRAINAGE
	PROPOSED DRAINAGE
	EXISTING UTILITY
	PROPOSED UTILITY
	EXISTING STRUCTURE
	PROPOSED STRUCTURE
	EXISTING FENCE
	PROPOSED FENCE
	EXISTING TREE
	PROPOSED TREE
	EXISTING VEGETATION
	PROPOSED VEGETATION
	EXISTING TOPOGRAPHY
	PROPOSED TOPOGRAPHY
	EXISTING SPOT HEIGHT
	PROPOSED SPOT HEIGHT
	EXISTING FINISH GRADE
	PROPOSED FINISH GRADE
	EXISTING GROUND LEVEL
	PROPOSED GROUND LEVEL
	EXISTING SIGHT TRIANGLE
	PROPOSED SIGHT TRIANGLE
	EXISTING DRIVEWAY
	PROPOSED DRIVEWAY
	EXISTING EASEMENT
	PROPOSED EASEMENT
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	EXISTING UTILITY EASEMENT
	PROPOSED UTILITY EASEMENT
	EXISTING RIGHT-OF-WAY
	PROPOSED RIGHT-OF-WAY
	EXISTING CENTERLINE
	PROPOSED CENTERLINE
	EXISTING MEDIAN
	PROPOSED MEDIAN
	EXISTING SHOULDER
	PROPOSED SHOULDER
	EXISTING BASE COURSE
	PROPOSED BASE COURSE
	EXISTING SUBGRADE
	PROPOSED SUBGRADE
	EXISTING EMBANKMENT
	PROPOSED EMBANKMENT
	EXISTING CUT
	PROPOSED CUT
	EXISTING FILL
	PROPOSED FILL
	EXISTING SLOPE
	PROPOSED SLOPE
	EXISTING DITCH
	PROPOSED DITCH
	EXISTING CULVERT
	PROPOSED CULVERT
	EXISTING BRIDGE
	PROPOSED BRIDGE
	EXISTING TUNNEL
	PROPOSED TUNNEL
	EXISTING STRUCTURE FOUNDATION
	PROPOSED STRUCTURE FOUNDATION



FILE: p:\maced\projects\1850 - 3903 30th street proposed development\drawings\sheet\1850-fig-1.dwg

PLOTTER: 2018-08-08 - 11:02 AM

3710B 28th Street, Vernon, BC, V1T 9X2 Ph: (250) 503-1023 Fax: (250) 503-1024	
project no. 1850	date 08-AUG-2018
projectname 3903 30TH STREET DEVELOPMENT	
FIGURE 1	0



THE CORPORATION OF THE CITY OF VERNON

3400 – 30th Street, Vernon, B.C. V1T 5E6
 Telephone: (250) 545-1361 Fax: (250) 545-4048
 website: www.vernon.ca

Corporate Policy

Section:	Planning and Building Services	
Sub-Section:		
Title:	OCP Amendment Applications	

RELATED POLICIES

Number	Title

APPROVALS

POLICY APPROVAL:	AMENDMENT APPROVAL:	SECTION AMENDED
Approved by: <i>"WAYNE LIPPERT"</i>	Amendment Approved by: <i>"Wayne Lippert"</i>	<ul style="list-style-type: none"> • Exceptions to Annual Review added
Mayor Date: February 9, 2009	Mayor Date: September 12, 2011	

POLICY

In order to ensure that the intent of the Official Community Plan (OCP) 2008 is not eroded, and to enhance public awareness of proposed changes to the OCP, OCP amendment applications will be reviewed on an annual basis, with the exception of amendments that result in significant public amenities and community benefit. All OCP amendment applications will be reviewed subject to the criteria identified below.

DEFINITIONS

PROCEDURES

1. Pursuant to Section 895(2)(a) of the *Local Government Act*, a local government must consider every application for an amendment to an OCP. Further, pursuant to Section 895(1) of the *Local Government Act*, the *City's Development Application Procedure Bylaw Number 4103, 1995*, specifies the process for applications for OCP amendments. Council may, upon receipt of the required report specified in Section 6A of that bylaw, proceed with an amendment bylaw or reject the application.
2. Applications for OCP amendments will be processed annually. All complete applications received on or before March 01 will be considered during that calendar year.
3. The report to Council on the amendment application will assess whether that application is contrary to any of the Guiding Principles of the OCP 2008, as follows:
 - Protect and preserve green spaces and sensitive areas
 - Ensure housing meets the needs of the whole community
 - Create a culture of sustainability
 - Protect agricultural land
 - Create strong, compact and complete neighbourhoods
 - Provide alternative transportation
 - Revitalize the Downtown
 - Ensure development pays for itself
 - Create a youth friendly city

Applications which are contrary to the Guiding Principles will receive a negative recommendation by staff.
4. A public open house will be hosted by the City of Vernon, in addition to the legislated official Public Hearing process, to provide community residents with an additional opportunity to consider the amendment applications.
5. The following OCP amendments will be considered at any time during the year, as approved by Council:

- a) Neighbourhood Plan reviews;
- b) Minor amendments in adopted neighbourhood plan areas that do not result in a change to Land Use Designations except where the Parks and Open Space Designation is being created or reallocated;
- c) Amendments resulting in significant public amenities and community benefit.

OCP00068 Public Open House Results - June 16, 2016

Form #	What are your thoughts regarding the proposed amendment?	Please provide any additional comments:
1	This is a poor location for row housing. The train trucks will be a safety and noise issue. Parking for existing residents is a big issue already. 31 Street is a nightmare so people are using the lane as a street. The corner behind Tita's is blind and a safety issue. Accessing 39Ave from the lane or 31Street is increasingly difficult.	Where are sidewalks going to be installed in alley? Businesses use all parking on 31 St (even Tim Hortons) so residents can't park. If we can't use laneway to park WHERE can we park? If property line extends into alley (takes land) and sidewalks are installed, there will be no lane left. Existing residents will not be able to back out of their properties. This is an ill planned disaster!
2	I have no objection provided some solution re saving/moving the CPR section house is found. It is a class A heritage building in the City's heritage inventory and, I understand a rare example of CPR architecture.	
3	We feel the change in zoning to allow the property to be developed for housing is great for the neighbourhood and the current property; but 11 planned units is too high density for the property; maybe consider 7 or 8 as per the reasons below...Our main concern with the proposed development for this property is the increased amount of traffic and vehicles that will be using this lane for access. It was noted that John Kuny owns half of the existing laneway, because it is a lane, we were told that there is no need for him to upgrade the lane with curbing and sidewalks and drainage, etc.? Is this true? Is a lane designation going to accommodate this new development and increase in traffic adequately? Will there be accommodation for visitor parking within the new development as there is currently no parking in the back lane. Also, many of the businesses without onsite parking use 'the lot' belonging to Mr. Kuny for parking. If the development claims the north end of that lot, Tita's customers will be parking there, as they current on most evening - they plug up the lane, to the point where residents can't get their pickup trucks around the corner? We own 3915 31Street, and in 1997 at the City's request, the backyard was paved to provide parking for business customers. We need assurance that this development will not impede access to our onsite	

	<p>parking, which was a requirement of the City. Now with a lane designation and not a road, where will everyone's driveway snow go? Into the lane? Because we all access our properties from the lane.</p>	
4	<p>My concerns are that we will lose access to our backyards. Because of where the property line is for said property is we will be left with basically a pathway for the home owners and businesses that have some parking in backyards, we will lose any way of in or out. Most of parking in front yards are mostly taken up with people parking to go to Tim Hortons or for business in our area. Also because it's shady, so we lose parking in front.</p>	<p>So, unless the City buys some of this land and makes a proper street, we will lose a lot of our parking in our backyards. Where are we supposed to park? There will be no access for emergency vehicles, garbage trucks or any kind of utility trucks. There is a fire hydrant in the front of our house, so no parking again. We need our backyards to be accessible.</p>
5	<p>My main concern is the lack of parking and the access on north end at 41Street. Will not want to lose access to backyard as have a fifth-wheel trailer to move in and out.</p>	

From: [Redacted]
To: [Roy Nuriel](#)
Subject: City File: OCP 00068 (30th Street Change Proposal)
Date: Sunday, June 26, 2016 9:46:03 PM

Dear Roy,

As pertaining to the Open House on June 16, 2016, regarding the OCP development change for 3903 30th Street, please find below a few of our thoughts regarding the propose amendment:

- we feel the change in zoning to allow the property to be developed for housing is great for the neighborhood and the current property; but 11 planned units is too high density for the property; maybe consider 7 or 8 as per the reasons below.....
- Our main concern with the proposed development for this property is the increased amount of traffic and vehicles that will be using this lane for access.
- It was noted that John Kuny owns half of the existing laneway, because it is a lane, we were told that there is no need for him to upgrade the lane with curbing and sidewalks and drainage, etc? Is this true? Is a lane designation going to accommodate this new development and increase in traffic adequately?
- Will there be accommodation for visitor parking within the new development as there is currently no parking in the back lane. Also, many of the businesses without onsite parking use 'the lot' belonging to Mr. Kuny for parking. If the development claims the north end of that lot, Tita's customer's will be parking where, as they current on most evening - they plug up the lane, to the point where residents can't get their pickup trucks around the corner?
- We own [Redacted], and in 1997 at the cities request, the backyard was paved to provide parking for business customers. We need assurance that this development will not impede access to our onsite parking, which was a requirement of the city.
- Now with a lane designation and not a road, where will everyone's driveway snow go? into the lane? because we all access our properties from the lane.

Thank you for taking the time to consult with the neighborhood and allowing us to voice our thoughts and concerns.

Most Sincerely,

[Redacted]

Dear members of the City of Vernon Council,

My name is and I am writing to you with a unique perspective on the proposed subdivision and development of the land upon which the old CPR house (3901 or 3903 30th Street, depending on the map) stands.

The house is of significant historical value to the city of Vernon, and in fact, to history of the Canadian Pacific Railway. From the Heritage Register of the City of Vernon:

30 th Street	3903	C.P.R. Section House	1911	Cross-gabled C.P.R. section house. Said to be the last unaltered one in B.C. Seems to be pre-fab building from B.C. Mills.
-------------------------	------	----------------------	------	--

It is 105 years old, a heritage house to be restored and protected, and also my home.

I may no longer live on the property but I do have the privilege of having been the only child to grow up in that house in many years. I have never lived in a house longer than I have lived in this one. I moved there in at the beginning of eight grade at W.L. Seaton Secondary, lived there for five years until I moved to attend university, then came back when I had finished my post-secondary to live there for another three and a half years (moved in 2014). Eight and a half years may not seem like much to many people who have had one or two childhood homes and as many in their adult years, but it certainly is to me.

With the continuous development of large family homes in and around the Vernon area, even at a time when the price of housing is at an all-time high, the CPR home offers a chance for lower-income housing to families or the chance to be a permanent family home if an individual could purchase it and move it off the lot. To a non-profit or heritage society, the house could be a prize. It is one of a kind in B.C. and, I believe, in Western Canada.

The state of the house's disrepair is not its fault. Were it to have its windows restored and fresh siding, the curb appeal alone would skyrocket. It's an attractive and unique building and it is a shame how the landowner has chosen to neglect its outward appearance when it holds such historical value. I am appealing to everyone's sense of imagination (repaired windows and new siding) to envision what the house could look like.

I implore you to take this into consideration when making your decision. Please postpone making your decision on the rezoning until the house's future and restoration can be ensured. This is a house that has historical value, value to the city for its uniqueness, value to potential buyers as an affordable property, and value to the only child who has grown up there in a very long time.

Thank you,

Roy Nuriel

From:
Sent: June 27, 2016 9:16 PM
To: Mayor; Roy Nuriel
Subject: Rezoning of 3903 30th Street
Attachments: CPR Backgrounder.docx; CPR House Rezoning.docx
Categories: Red Category

Please find attached 2 documents regarding the rezoning application for 3903 30th Street.

To Mayor and Council:

I am writing in regards to the re-zoning application for 3903 30th Street, the site of the 1911 Canadian Pacific Railway Section House. I attended the Open House on June 16, 2016 and have several concerns regarding this process and application.

I do not disagree with the property being used for housing; it has been used for housing since the CPR Section House was moved there following WWII.

I do urge Council to delay this application until the safe future of the CPR Section House is guaranteed. I suspect that the Vernon Museum will be providing you with information on the historical importance of the house, but have included some background and my personal experience of the house also.

The following is input in regards to other concerns I have regarding the proposed development and the Open House that I attended:

Open House Information Presented:

1. The Morning Star notice for the Open House stated "OPEN HOUSE – Official Community **Plant**". This error was not corrected on any of the printings in the newspaper.
2. When I and other neighbours attended the Open House, there were no representatives of the owner or the applicant present. There were two City of Vernon staff that answered questions regarding the application. This made it appear that it was something that was being presented by the City.
3. The two City representatives gave conflicting answers to whether the CPR Section House was listed on the Heritage Registry. One said yes and the other said no. I expected that with a heritage building of this importance,

both locally and nationally, that staff would at least be aware as to whether it was on the local registry.

4. As well, one of the representatives stated that the house was “not in good shape” and that it “would cost more to move it than to build an new house exactly the same”. I feel very strongly that these responses were not only incorrect, but also inappropriate. It is my understanding that the City is supposed to be unbiased in their presentations to the public. These were not unbiased and not based on fact.
5. When others and I ask what would happen with the house, we were told that the owner was going to demolish it. As the neither the owner or applicant bothered to attend the meeting to answer questions and the information given by the City staff was not completely accurate, I and the neighbours do not know what the plan is for the building.

Parking Issues:

I do not know what other neighbours have submitted in regards to concerns about parking for this new development, but there are many problems with the design presented.

I will only highlight a few issues, as I am sure others in the neighbourhood, especially those living on the east side of 31rst Street, will probably provide more specific details.

1. Parking has been a problem in this area due to several factors. First, is the overflow parking from nearby businesses, including the chiropractic office, beauty salon and lack of parking from 31rst Street. Adding further parking on the alleyway, which will be reduced to approximately half its current width, will be a major problem.
2. The current owner of the property has for the last few years has charged neighbours and businesses to park on his property, contrary to existing bylaws. The owner still continues to do this.
3. Adding many new driveways and visitor’s parking spaces off of the alley, will increase the already problematic parking issue.
4. There is also the issue of the alley’s blind corner at the north end of the property. It is already hazardous to turn here, with the current double width lane.

I am happy to provide other information and/or answer questions about my concerns regarding the property and/or house.

Thank you for taking the time to review this and the attached information. I hope you will join me, in whatever way you can as Councillors, in the efforts I have made to preserve this important house.

Sincerely,

Cc: Ray Nuriel, Long Range Planner

VERNON'S CANADIAN PACIFIC RAILWAY SECTION HOUSE

The house that sits on 3901/3903 30th Street is a Canadian Pacific Railway Section House built in 1911. CPR had a series of 7 different house styles for section houses and this one is a "number 5". The architectural style is "Stick", not Victorian. The roof structure of the house is amazing and was once described by a carpenter "like a cathedral".

The house was used as the home of the "Section Manager" and his family. Each "Section" of the railway had a Manager was in charge of the tracks and railway traffic on it.

These section houses were prefabricated and shipped by rail to the various locations where they were assembled on-site. They were very well constructed and meant to last and sturdy enough to be moved along the tracks.

This house was moved from its original location near the old warehouses by City Hall to its current location, after the packing plant located there burned down. The house currently sits on a concrete ring-wall foundation.

According to a neighbour on 39th Avenue, the house was moved some time after WWII. This gentleman had been a veteran and built his house shortly after returning to Vernon. The Section House was moved later.

This particular CPR Section House is historically important locally, as it was the center of activity and decision-making for the local CPR. It is also important nationally, as it is the last remaining unaltered #5 Section House west of Hudson Bay. At this point, it may be one of the last remaining in the country.

I was the legal tenant of the Canadian Pacific Railway Section House, located at 3901/3903 30th Street, from August 2000 through November 2014.

When I first began this tenancy, it had been empty for many years. The windows had been boarded up and the electricity, gas, water and sewer had all been disconnected. For several years it had been used as a "crack flop house".

Before my tenancy, the owner had reshingled the roof and drywalled the inside house, but the drywall hadn't been finished.

I made arrangements for the drywall to be finished before I moved in, but basically "camped" in the house for the first while. I re-installed the original windows and painted the entire inside of the house. I arranged for the electricity to be reconnected, which involved having the mast raised. As well, I had the water, sewer and gas reconnected.

During my time there, I had all the plumbing and gas pipes replaced to meet current codes. My husband and I rewired the first floor, also to meet code. The wiring permit information should be available.

The bathroom was uninhabitable, so I had a new window installed, new wiring and insulation, new plumbing lines and fixtures (excluding the original tub), new flooring, walls and ceiling.

I also had installed new exterior doors, as the old doors were not salvageable. I repaired and installed new wainscoting where it had been removed previously, repaired holes in the floors from water damage and created an entirely new kitchen. The original kitchen sink and laundry had leaked badly and rotted the flooring.

During my time there, I repainted the rooms several times, replaced missing trim that had been removed and damaged by the poor dry walling. I also had the back outdoor porch floor repaired and patched those areas that were rotted out. The original stairs have also been repaired.

I have spent countless hours and a great deal of my own money working to bring this amazing house back from the brink of destruction. What was once a derelict building was revived back to a family home.

It is very important to me, and I hope to Council, that this house is preserved for future generations. Other than the exterior siding, the house is sound and in very livable condition. I know, as I lived there.

I made several attempts to purchase the house and property, but was unable to do so. I also made attempts to purchase just the house, to move it on to our lot at , but due to several issues, including zoning and subdivision problems, was unable to do so.

There appears to be at least one local non-profit organization that would like to see the house moved to a secure location. I would very much like to see that option supported by Council. As a non-profit, they would be able to apply for grants to cover the cost of moving and setting up the house on a new foundation.

I strongly request that Council delay the rezoning of this property to allow the time for this important piece of Vernon's history to be relocated and saved. Once this amazing building is gone, it will be gone forever. Too much of Vernon's history, especially its buildings, have been lost.

Council has the opportunity to do the right and important thing with this property, so please do it.

Thank you,