



**CORPORATION OF THE CITY OF VERNON**

**ADVISORY PLANNING COMMITTEE**

**TUESDAY, JULY 9, 2019**

**4:00 pm – OKANAGAN LAKE ROOM**

**AGENDA**

**1. ADOPTION OF AGENDA**

**2. ADOPTION OF MINUTES**

June 11, 2019 (attached)

**3. NEW BUSINESS**

a) **ZON00331** – Rezoning Application for 4403 20 Street.

**4. INFORMATION ITEMS**

a) An update of APC related items discussed at the June 24, 2019 Council Meeting will be provided.

**5. NEXT MEETING**

The next meeting is tentatively scheduled for Tuesday, July 30, 2019.

**6. ADJOURNMENT**



## THE CORPORATION OF THE CITY OF VERNON

### MINUTES OF ADVISORY PLANNING COMMITTEE MEETING

HELD

TUESDAY, JUNE 11, 2019

**PRESENT:** VOTING  
Mark Longworth, Chair  
Phyllis Kereliuk  
Jamie Paterson  
Harpreet Nahal  
Monique Hubbs-Michiel  
Larry Lundgren  
Doug Neden, Vice-Chair  
Don Schuster  
Mayor Cumming

NON VOTING  
Councillor Mund

**GUESTS:** Two (2)

**ABSENT:** Bill Tarr  
Lisa Briggs

**STAFF:** Keltie Chamberlain, Planner, Economic Development  
Ed Stranks, Manager, Engineering Development  
Janice Nicol, Legislative Committee Clerk

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

**ADOPTION OF** Moved by Don Schuster, seconded by Larry Lundgren;  
**AGENDA**

THAT the agenda of the Advisory Planning Committee meeting for June 11, 2019 be adopted.

**CARRIED.**

**ADOPTION OF** Moved by Phyllis Kereliuk, seconded by Monique Hubbs-Michiel;  
**MINUTES**

THAT the minutes for the Advisory Planning Committee meeting of May 28, 2019 be adopted.

**CARRIED.**

**NEW BUSINESS:**

**DEVELOPMENT  
VARIANCE PERMIT  
FOR 8840 EASTSIDE  
ROAD**

The Planning Assistant reviewed DVP00423 – a development variance permit application for 8840 Eastside Road. The following comments were noted by the Committee:

- Concern about the removal of the vegetation for the construction of the building;
- Important to ensure footings are constructed in engineered fill.

Moved by Doug Neden, seconded by Harpreet Nahal;

THAT the Advisory Planning Committee recommends that Council support the development variance application (DVP00423) to vary the following section of Zoning Bylaw #5000 in order to construct a single detached house on 'those portions of the NE ¼ and of the SE ¼ of Section 14 which may be more particularly described as follows: part shown on Plan attached to DD 8773, Township 13 ODYD exc. Plan 10958' (8840 Eastside Road):

- a) to vary Section 4.16.1 from: No construction of a building, structure or swimming pool is permitted on slopes 30% or greater.  
to: construction of a single family dwelling and associated structures is permitted on slopes 30% or greater.

AND FURTHER, that Council support of DVP00423 is subject to the following:

- a) That the site plan and geotechnical assessment, included as Attachments 1 and 2 in the report titled "Development Variance Application for 8840 Eastside Road" and dated June 6, 2019 by the Current Planning Assistant be attached to and form part of DVP00423 as Schedule 'A'.

**CARRIED.**

**INFORMATION ITEMS:**

The Planner, Economic Development reviewed Advisory Planning Committee related items that were discussed at the June 10, 2019 Council meeting:

- Adoption of Bylaw 5728 – 7250 Hitchcock Road.
- First & Second Reading and PH date set for 5000 20th Street Rezoning
- First & Second Readings and PH date set for 1030 Mt. Bulman Drive Rezoning
- First & Second Reading and PH date set for 7235 Hitchcock Road Rezoning.

**NEXT MEETING**

The next meeting of the Advisory Planning Committee is tentatively scheduled for **Tuesday, June 25, 2019.**

**ADJOURNMENT**

The meeting of the Advisory Planning Committee adjourned at 4:12 p.m.

**CERTIFIED CORRECT:**

\_\_\_\_\_ Chair



# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Craig Broderick  
Manager, Current Planning

**COUNCIL MEETING:** REG  COW  I/C   
**COUNCIL MEETING DATE:** July 29, 2019  
**REPORT DATE:** June 24, 2019  
**FILE:** ZON00331

**SUBJECT:** REZONING APPLICATION FOR 4403 – 20<sup>th</sup> STREET

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## **PURPOSE:**

To review the rezoning application to rezone portions of the subject property located at 4403 – 20<sup>th</sup> Street from R5: Four-plex Housing Residential to RH2: Stacked Row Housing Residential to allow for multi-family development.

## **RECOMMENDATION:**

THAT Council support the application (ZON00331) to rezone Parcel B, Lot 32, Sec 2, Twp 8, ODYD, Plan 474 exc. the west 20 feet shown on Plan B5878 (4403 – 20<sup>th</sup> Street) from R5: Four-plex Housing Residential to RH2: Stacked Row Housing Residential in order to allow for multi-family development, subject to the following conditions:

- a) That a restrictive covenant be registered on title limiting the height of structures to 2.5 storeys and to provide for a future statutory right of way to allow for a future pedestrian and cycling connection between 20<sup>th</sup> Street and Pleasant Valley Road.

AND FURTHER, that:

- a) Prior to final adoption of the zoning amendment bylaw, the Development Permit be ready to be issued and that any required variance to Zoning Bylaw #5000, as amended, be evaluated by Council and approved if appropriate.

## **ALTERNATIVES & IMPLICATIONS:**

1. THAT Council NOT support the application (ZON00331) to rezone Parcel B, Lot 32, Sec 2, Twp 8, ODYD, Plan 474 exc. the west 20 feet shown on Plan B5878 (4403 – 20<sup>th</sup> Street) from R5: Four-plex Housing Residential to RH2: Stacked Row Housing Residential in order to allow for multi-family development.

*Note: This alternative does not support the rezoning application as submitted, and as a result the redevelopment or infilling of this property cannot proceed as proposed.*

## **ANALYSIS:**

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

At its meeting of July 9, 2019, the Advisory Planning Committee passed the following resolution.

**B. Rationale:**

1. The subject property is located at 4403 – 20<sup>th</sup> Street (Figures 1 and 2), opposite the entrance to Harwood Elementary School. The land is designated as RMD Residential-Medium Density within the Official Community Plan (OCP) and is currently zoned R5: Four-plex Housing Residential.
2. The subject property is approximately 7,647 m<sup>2</sup>. A single family residence is located on the western portion of the property with access off 20<sup>th</sup> Street. The property is well treed and slopes gently upwards to the east.
3. The adjacent zoning and land uses are:



**Figure 1 – Property Location Map**

	Zoning	Land Use
<b>NORTH</b>	R5: Four-plex Housing	Single & Two Family Residential
<b>EAST</b>	Land Use Contract 2530, 1974 P3: Private Institutional	Church and Private School (PV Christian Academy)
<b>SOUTH</b>	R5: Four-plex Housing	Single & Two Family Residential
<b>WEST</b>	R3: Medium Lot Housing	Single Family Residential

The area overall is a mix of single family, two family and townhouse developments. The height of the buildings in the area are generally 1 – 2 storeys.

4. Uses within the RH2 zone include apartment housing, stacked rowhouses, assisted or supportive housing or care centres. The RH2 zoning district allows 4.5 storeys.
5. In considering this rezoning application, it is important to note that the theoretical zoning density may not be achievable given design guidelines, landscaping requirements, lot coverage, vehicle circulation requirements and other regulations that apply at the Development Permit stage. While a concept plan has been provided, the building form may change as plans become further refined. The RH2: Stacked Row Housing Residential Zone would also permit other forms of multi-family development including apartment housing, care centres, and seniors assisted housing to a maximum height of 16.5 m or 4.5 storeys. Given the nature of the existing development, a height limit of 2.5 storeys should be established as part of this application.



**Figure 2 – Aerial View of Property**

6. While no Development Permit application has been received, the applicant has indicated that future plans include the development of one bedroom, two bedroom and micro-suite stacked rowhousing units, and has provided a conceptual plan that shows 58 units of varying sizes combined with at-grade surface parking. Stacked rowhousing is defined as a development having three or more units, attached at the rear, sides, or vertically, each unit having individual access to outside such that no more than two units share a corridor, steps or a path.
7. The property to the east (i.e. 1802 – 45<sup>th</sup> Avenue) is zoned P3: Private Institutional and is the location of a church and an educational academy. If that site redevelops in the future, having a pedestrian and cycling right of way would be desirable to connect 20<sup>th</sup> Street to 45<sup>th</sup> Avenue to Pleasant Valley Road. As such, Administration recommends that a restrictive covenant providing for a future statutory right of way be secured as part of the subject rezoning to allow for the eventual pedestrian and cycling connection between 20<sup>th</sup> Street and Pleasant Valley Road.
8. Subdivision and Development Servicing requirements for any infrastructure upgrades must also be addressed. These requirements will be based on the actual building form and total number of units proposed.
9. Administration supports the application to rezone the subject property from R5 to RH2 as it conforms to the OCP Future Land Use designation of Residential – Medium Density, subject to:
  - a) a restrictive covenant being placed on title restricting the height of development of the site to be up to 2.5 storeys and to provide for a future statutory right of way for pedestrian and cycling connection.

**C. Attachments:**

Attachment 1 – Official Community Plan Land Use Designation

Attachment 2 – Current Zoning

Attachment 3 – Excerpt from Zoning Bylaw #5000 Section 9.12 RH1: Low Rise Apartment Residential

**D. Council's Strategic Plan 2019 – 2022 Goals:**

The subject rezoning application involves the following objectives in Council's Strategic Plan 2019 – 2022:

- Promote transit oriented housing and mixed use development

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

1. Official Community Plan:

- 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.

**BUDGET/RESOURCE IMPLICATIONS:**

N/A

Prepared by:

Approved for submission to Council:

**X**

\_\_\_\_\_  
Signer 1

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

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

Craig Broderick  
Manager, Current Planning

**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 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 (Jul.9/19) |   |  |
| <input type="checkbox"/> OTHER:                               |   |  |



# OCP Designation

-  PUBINS – Public & Institutional
-  RLD – Residential – Low Density
-  RMD – Residential – Medium Density





- P3 – Private Institutional
- P2 – Public Institutional
- R5 – Four -Plex Residential
- R3 – Medium Lot Residential
- RM2 – Multiple Housing Residential

# Zoning Designation

## 9.13 RH2 : Stacked Row Housing Residential

### 9.13.1 Purpose

The purpose is to provide a **zone** primarily for medium **density row housing** on urban services to front major **streets** and civic spaces.

### 9.13.2 Primary Uses

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

### 9.13.3 Secondary Uses

- health services
- home based businesses, minor
- personal services
- real estate sales centres (in apartment and stacked row housing only)
- retail, convenience (Bylaw 5332)

### 9.13.4 Subdivision Regulations

- Minimum lot width is 30.0m. For fee simple **row housing**, the minimum lot width is 7.5m for **interior lots** and 12.0m for **corner lots**.
- Minimum lot area is 1400m<sup>2</sup>, or 10,000m<sup>2</sup> if not serviced by a **community sewer system**.

### 9.13.5 Party Wall Subdivision Regulations

Lot Type	Minimum Lot area		Minimum Lot width	
	interior	corner	interior	corner
Row Housing	135m <sup>2</sup>	185m <sup>2</sup>	6.5m	7.8m

### 9.13.6 Development Regulations

- With a housing agreement pursuant to Section 4.9, the maximum **density** shall be 110.0 units per gross hectare (44.5 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 125.0 units per gross hectare (51 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 25.0 units per gross hectare (10 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 65% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 75%. (Bylaw 5332)

- Maximum **height** is the lesser of 16.5m or 4.5 **storeys**, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 6.0m, except it is 4.5m for any portion 2 **storeys** or less.
- Minimum **side yard** is 3.0m for a **building** not over 2.5 **storeys**, and 6.0m for portions of a **building** in excess of 2.5 **storeys**, and 6.0m from a **flanking street**. The minimum **side yard** is 0.0m for shared interior **party walls**.
- Minimum **rear yard** is 7.5m for a **building** not over 2.0 **storeys** and it is 9.0m for any part of a **building** over 2 **storeys**. It is 1.0m for **secondary buildings**.
- Maximum **density** is 100.0 units per gross hectare (40.5 units/gross acre).

#### 9.13.7 Other Regulations

- **Convenience retail services, health services and personal services** are limited to a maximum floor area of 300m<sup>2</sup> total or 50% of the gross floor area of the ground storey of the primary building, whichever is the lesser, and only permitted when developed as an integral component of and within the primary **building**. These uses are not permitted above the ground **storey**. *(Bylaw 5332)*
- 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 multi-unit residential housing, one **office** may be operated for the sole purpose of the management and operation of the multi-unit residential **development**. *(Bylaw 5440)*
- Vehicular access to the **development** is only permitted through either a driveway shared by at least 3 units or a rear **lane**.
- A minimum area of 5,0m<sup>2</sup> of private open space shall be provided per **bachelor dwelling, congregate housing bedroom** or group home **bedroom**, 10.0m<sup>2</sup> of private open space shall be provided per 1 **bedroom dwelling**, and 15.0m<sup>2</sup> of private open space shall be provided per **dwelling** with more than 1 **bedroom**.
- No continuous **building frontage** shall exceed 45.0m for a 2 to 4 **storey building**. The **building** must be designed so as to be within one **storey** to neighbouring **development**.
- Parking shall not be constructed in the **front yard** of the property. Where the **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- For **seniors assisted housing, seniors housing and seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development, yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7. *(Bylaw 5339)*
- As per Section 4.10.2 - All **buildings** and **structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B". *(Bylaw 5440)*



**SITE AREA: 7748.506.m<sup>2</sup>**  
 Coverage:  
 BUILDINGS 1-6 & 9-14: 4 Units/Building  
 BUILDING 7 & 8: 5 Units/Building  
 Total: 58 Units  
 167,225m<sup>2</sup> x 14 = 2341,157m<sup>2</sup>(30%) 0.6 FAR MAX

**Parking Requirements:**  
 48 - 2 Bedroom Units @ 1.5 Spaces/Unit = 72 Spaces  
 6 - 1 Bedroom Units @ 1.25 Spaces/Unit = 7.5 Spaces  
 4 Micro Suites @ 1 Space/Unit = 4 Spaces  
 Visitor Parking: 1/70 Units = 9 Spaces  
 Required: 92.5 Spaces  
 Provided: 93 Spaces(100%)

**CURRENT ZONING:** R5 - Vernon  
**PROPOSED ZONING:** RH1 - Vernon  
**Building Designation:** Stacked Rowhousing

4403 20th Street  
 Vernon

Date	Drawn By	Checked By	Scale

Site  
 A1

2357.58m<sup>2</sup> of Asphalt(30.42%)