



CORPORATION OF THE CITY OF VERNON

ADVISORY PLANNING COMMITTEE

WEDNESDAY, SEPTEMBER 4, 2019

4:00 pm – OKANAGAN LAKE ROOM

AGENDA

1. ADOPTION OF AGENDA

2. ADOPTION OF MINUTES

August 20, 2019 (attached)

3. NEW BUSINESS

a) **OCP00079/ZON00324** – Official Community Plan and Rezoning amendment applications for 1700 Polson Drive

b) **ZON00337** – Rezoning amendment application for 967 Mt. Beaven Place

4. INFORMATION ITEMS

a) The Manager, Current Planning provided an overview of APC related items discussed at the September 3, 2019 Council meeting.

5. NEXT MEETING

The next meeting is tentatively scheduled for Tuesday, September 17, 2019.

6. ADJOURNMENT



THE CORPORATION OF THE CITY OF VERNON

MINUTES OF ADVISORY PLANNING COMMITTEE MEETING

HELD

TUESDAY, AUGUST 20, 2019

PRESENT: VOTING

Doug Neden, Vice-Chair
Phyllis Kereliuk
Jamie Paterson
Monique Hubbs-Michiel
Don Schuster
Bill Tarr
Larry Lundgren
Harpreet Nahal

NON VOTING
Councillor Mund

GUESTS: Two (Applicants)

ABSENT: Lisa Briggs
Mark Longworth, Chair

STAFF: Carie Liefke, Planning Assistant and Staff Liaison
Ed Stranks, Manager, Engineering Development Services
Ellen Croy, Transportation Planner
Janice Nicol, Legislative Committee Clerk

ORDER

The Chair called the meeting to order at 4:00 p.m.

**ADOPTION OF
AGENDA**

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

THAT the agenda of the Advisory Planning Committee meeting for August 20, 2019 be adopted.

CARRIED.

**ADOPTION OF
MINUTES**

Moved by Don Schuster, seconded by Jamie Paterson;

THAT the minutes for the Advisory Planning Committee meeting of August 8, 2019 be adopted.

CARRIED.

NEW BUSINESS:

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR
2005 28 CRESCENT**

The Planning Assistant reviewed development variance permit application DVP00452 for 2005 28 Crescent.

Moved by Harpreet Nahal, seconded by Larry Lundgren;

THAT the Advisory Planning Committee recommends that Council support the Development Variance Permit Application (DVP00452) to vary the following section of Zoning Bylaw #5000 on Lot B Plan 43622 Sec. 35 Twp. 9 ODYD (2005 28th Crescent):

- a) to vary Section 9.2.5 by reducing the side yard setback on the flanking street from 7.5 m to 4.73 m to allow the construction of a garage; and

THAT the Advisory Planning Committee recommends that Council support the Development Variance Permit Application (DVP00452) to vary the following section of Subdivision and Development Servicing Bylaw #3843 on Lot B Plan 43622 Sec. 35 Twp. 9 ODYD (2005 28th Crescent):

- a) to vary Schedule B, Section 3.5.5. by reducing the minimum distance from the entrance of a driveway to an intersection from 9.0 m to 6.0 m; and

AND FURTHER, that Council's support of DVP00452 is subject to the following:

- a) That the site plan shown as Attachment 1 in the report titled Development Variance Permit application for 2005 28th Crescent, dated August 12, 2019 by the Current Planning Manager be attached to and form part of Development Variance Permit #DVP00452 as Schedule 'A'; and
- b) That a plan for the narrowing of the primary driveway access and closure of the secondary driveway access, including the addition of landscaping to enhance the driveway modifications, be prepared and submitted to Administration for approval; and
- c) That the applicant provide a security deposit, based on an acceptable cost estimate, for the cost of the driveway modifications and landscaping.

CARRIED.

INFORMATION ITEMS:

The Planning Assistant reviewed the following APC related applications discussed at the August 19, 2019 Council meeting:

- ZON000325/DPV00448 – 3911 31 Street – 1st and 2nd readings, PH scheduled for Sept. 16, 2019
- Parking Reserve Fund Bylaws for City Centre and Waterfront adopted.
- ZON00331 – 4403 20 Street PH held, Council did not support application and it did not proceed to third reading.

NEXT MEETING

The next meeting of the Advisory Planning Committee is tentatively scheduled for Wednesday, September 4, 2019.

ADJOURNMENT

The meeting of the Advisory Planning Committee adjourned at 4:05 p.m.

CERTIFIED CORRECT:

_____ Chair



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

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

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: September 16, 2019
REPORT DATE: August 26, 2019
FILE: OCP00079 / ZON00324

**SUBJECT: OFFICIAL COMMUNITY PLAN AMENDMENT AND REZONING APPLICATION FOR
1700 POLSON DRIVE**

PURPOSE:

To review the Official Community Plan amendment and concurrent rezoning application which proposes to amend the Official Community Plan Future Land Use designation for the subject property located at 1700 Polson Drive from the Public and Institutional to the Neighbourhood Centre land use designation, and rezone the subject property from Light Industrial to Comprehensive Development Area 5 to allow a mixture of light industrial and service commercial in accordance with a comprehensive pre-plan.

To review a text amendment to the Comprehensive Area 5 Zone to add Hotel to the list of Primary Uses.

RECOMMENDATION:

THAT Council support the application (OCP00079) to amend the Future Land Use designation for Lot 1 Sec. 34 Twp. 9 ODYD Plan KAP84037 (1700 Polson Drive) from Public and Institutional to Neighbourhood Centre to allow a mixture of light industrial and service commercial;

AND FURTHER, that Council support the application (ZON00324) to rezone Lot 1 Sec. 34 Twp. 9 ODYD Plan KAP84037 (1700 Polson Drive) from Light Industrial to Comprehensive Development 5 to allow a mixture of light industrial and service commercial subject to the following condition:

1. Completion of the mutual conditions contained in the sale agreement between the City of Vernon and the Regional District of North Okanagan;

AND FURTHER, that Council support the text amendment to Zoning Bylaw #5000 Section 13.5.2, prior to third reading, to add Hotel to the list of Primary Uses permitted within the Comprehensive Development Area 5 Zone as shown in Attachment 4 to the report titled "Official Community Plan Amendment And Rezoning Application For 1700 Polson Drive" from the Manager, Current Planning dated August 26, 2019.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support the application (OCP00079) to amend the Future Land Use designation for Lot 1 Sec. 34 Twp. 9 ODYD Plan KAP84037 (1700 Polson Drive) from Public and Institutional to Neighbourhood Centre to allow a mixture of light industrial and service commercial;

AND FURTHER THAT Council not support the application (ZON00324) to rezone Lot 1 Sec. 34 Twp. 9 ODYD Plan KAP84037 (1700 Polson Drive) from Light Industrial to Comprehensive Development 5 to allow a mixture of light industrial and service commercial.

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

ANALYSIS:

A. Committee Recommendations:

At its meeting of September 4, 2019, the Advisory Planning Committee passed the following resolution:

“ ”

B. Rationale:

1. The subject property is located at 1700 Polson Drive (Figures 1 and 2). The land is designated as Public and Institutional within the Official Community Plan (OCP) as shown on the attached Official Community Plan Future Land Use and zoning map excerpts (Attachment 1 and 2).
2. The property is currently within the Light Industrial (L1) zoning district (Attachment 3) and is proposed to rezone to the Comprehensive Development 5 (CD5) zoning district (Attachment 4).
3. The subject property is approximately 4000 m² (0.98 acres), and bounded by Polson Drive to the south, 26th Street (unconstructed) to the east and the Rail Right of Way (ROW) to the west. The property is generally flat and currently used as a septage receiving facility. The surrounding land uses include Kal Tire Vernon head offices to the south, Finning Canada heavy equipment sales and service to the east and north and Polson Park to the west of the Rail ROW.
4. The City of Vernon purchased the subject property from the Regional District of North Okanagan (RDNO) with a condition that a new septage receiving facility be constructed at the Vernon Water Reclamation Centre to permit the closure of this septage facility. The new facility is under construction and is anticipated to open on September 3, 2019. As such, the septage facility on the subject property is planned to close on September 30, 2019.
5. The area bound by Polson Drive, Highway 6 and the Rail ROW is designated one of four Neighbourhood Centres (i.e. Polson Neighbourhood Centre). Prior to further development, the City will undertake a neighbourhood planning process for the area as per Section 8.11 of the OCP.



Figure 1 – Property Location Map

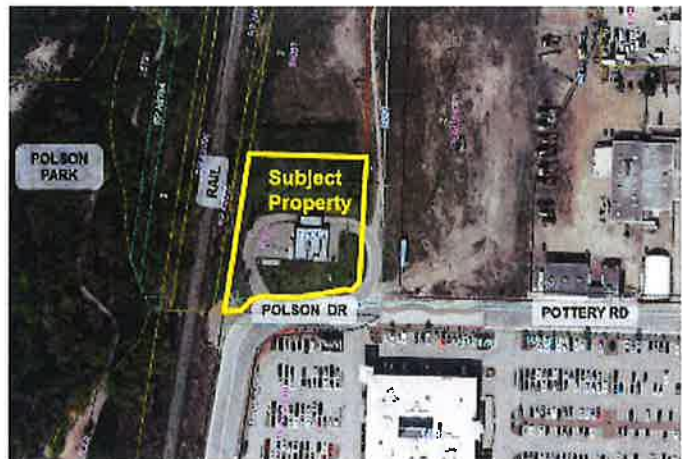


Figure 2 – Aerial Photo

6. Administration supports the OCP and rezoning amendment applications as the relocation of the septage facility and the redevelopment of the subject lands will enable the land to be used more efficiently and

the addition of Hotel uses to the CD5 zone will provide for additional services to the existing light industrial / service commercial area and proposed Polson Neighbourhood Centre.

C. Attachments:

- Attachment 1 – Current Official Community Plan Designation
- Attachment 2 – Current Zoning Schedule A to Zoning Bylaw #5000
- Attachment 3 – Light Industrial Zone excerpt from Zoning Bylaw #5000
- Attachment 4 – Comprehensive Development 5 excerpt from Zoning Bylaw #5000

D. Council's Strategic Plan 2019 - 2022 Goals/Action Items:

The subject application involves the following goals/action items in Council's Strategic Plan 2019 – 2022:

- Streamline red tape to facilitate more development
- Promote transit oriented housing and mixed use development
- Work towards a sustainable Vernon environmentally, economically and socially
- Encourage sustainable infrastructure, agriculture and landscaping

E. Relevant Policy/Bylaws/Resolutions:

1. Official Community Plan:
9.0 Industrial

Goal: Maximize build out and efficient use of existing industrial and service commercial lands.

9.5 Areas designated for Light Industrial/Service Commercial are intended to be used for a wide range of industrial and service commercial activities, provided they do not constitute a nuisance due to odours, noise or air pollution.

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 1

Kim Flick

Director, Community Infrastructure and Development

REVIEWED WITH

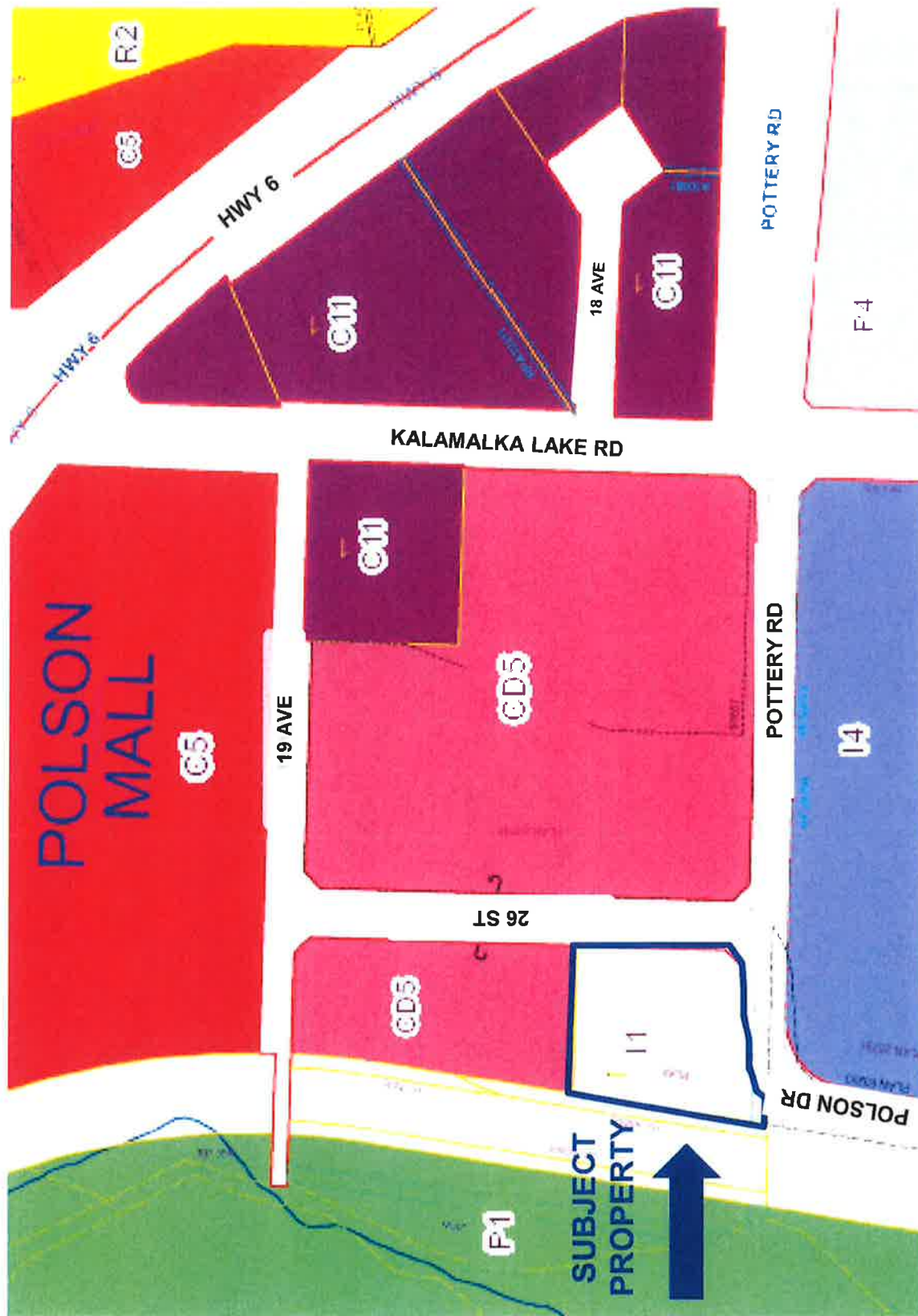
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| <input type="checkbox"/> Bylaw Compliance | <input type="checkbox"/> Public Works/Airport | <input type="checkbox"/> Long Range Planning & Sustainability |
| <input checked="" type="checkbox"/> Real Estate | <input type="checkbox"/> Facilities | <input type="checkbox"/> Building & Licensing |
| <input type="checkbox"/> RCMP | <input type="checkbox"/> Utilities | <input checked="" type="checkbox"/> Engineering Development Services |
| <input type="checkbox"/> Fire & Rescue Services | <input type="checkbox"/> Recreation Services | <input type="checkbox"/> Infrastructure Management |
| <input type="checkbox"/> Human Resources | <input type="checkbox"/> Parks | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input checked="" type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: (APC September 4, 2019) | | |
| <input type="checkbox"/> OTHER: | | |



- PARK – Parks & Open Space
- NCTR – Neighbourhood Centre
- PUBINS – Public & Institutional
- LINDSC – Light Industrial/Service Commercial
- RLD – Residential – Low Density

OCP Designation





Zoning Designation

	P4 – Utilities		I4 – Business Park
	P1 – Parks and Open Space		I1 – Light Industrial
	C5 – Community Commercial		
	CD5 – Comprehensive Development Area 5		
	C11 – Service Commercial		



11.1 I1 : Light Industrial

11.1.1 Purpose

The purpose is to provide a **zone** for the development of light industrial uses.

11.1.2 Primary Uses

- **animal clinic, minor** (*Bylaw 5155*)
- **animal clinic, major** (*Bylaw 5155*)
- **auctioneering establishments**
- **autobody repair and paint shops**
- **automotive and recreation vehicle services**
- **automotive and equipment repair shops**
- **brewing or distilling, class A**
- **brewing or distilling, class B**
- **bulk fuel depots**
- **call centres**
- **cannabis cultivation facilities** (*Bylaw 5731*)
- **cannabis processing facilities** (*Bylaw 5731*)
- **commercial storage**
- **concrete plant**
- **contractor services, general**
- **contractor services, limited**
- **crematorium** (*Bylaw 4992*)
- **custom indoor manufacturing**
- **drive-through vehicle services**
- **equipment rentals**
- **emergency and protective services**
- **fleet services**
- **food primary establishments**
- **funeral services** (*Bylaw 4992*)
- **gas bars**
- **general industrial uses**
- **government agencies** (*Bylaw 5456*)
- **high technology research and product design**
- **household repair services**
- **kennels** (*Bylaw 5339*)
- **outdoor storage**
- **offices, construction and development industry**
- **participant recreation services, indoor**
- **recycling depots**
- **recycled materials drop-off centres**
- **service stations, minor**
- **service stations, major**
- **temporary shelter service, where in active use prior to July 1, 2010** (*Bylaw 5273*)
- **truck and mobile home sales/rentals**
- **utility services, minor**
- **utility services, major**
- **vehicle and equipment services, industrial and agricultural**
- **warehouse sales**

11.1.3 Secondary Uses

- **residential security/operator unit**

11.1.4 Subdivision Regulations

- Minimum **lot width** is 40.0m.
- Minimum **lot area** is 4000m².

11.1.5 Development Regulations

- Maximum **floor space ratio** is 1.5.
- Maximum **site coverage** is 60%.
- Maximum **height** is the lesser of 14.0m.
- Minimum **front yard** is 7.5m.
- Minimum **side yard** is 4.5m, except it is 7.5m for any **flanking street**, and is 0.0m when **adjacent** to an **industrial** zoned property, and is 10.0m when **adjacent** to a **residential, agricultural or institutional** zoned property.
- Minimum **rear yard** is 0.0m, except it is 6.0m for any **flanking street** and where the **abutting** land is zoned or designated Residential, Agriculture or Institutional.

11.1.6 Other Regulations

- No **use** shall produce dust, or other emissions except standards set by provincial legislation, without written authorization from the appropriate provincial agency.
- No **use** shall produce odour, glare, or noise that creates a **nuisance**.
- Only one **residential security/operator unit** is permitted on a **site**.
- **Outdoor storage** shall be screened from view of any **street** or **lane** and from **adjacent** properties. There shall be no **outdoor storage** of toxic, noxious, explosive, odorous, or radio-active materials.
- 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*)
- A **cannabis cultivation facility** shall be located in an enclosed building with odour controls so that any odour associated with the **cannabis cultivation facility** use cannot be detected beyond the parcel line of the parcel on which the **cannabis cultivation facility** is located. (*Bylaw 5731*)

13.5 CD5 : Comprehensive Development Area 5

13.5.1 Purpose

The purpose is to provide a **zone** for the **development** of lands in the Neighbourhood Centres designated in the Official Community Plan. This neighbourhood area is to accommodate high density commercial and residential buildings in a mixed use format.

13.5.2 Primary Uses

- apartment housing (*Bylaw 5566*)
- artist studio
- broadcasting studios
- business support services
- call centres
- care centre, minor
- care centre, major
- commercial school
- cultural exhibit, private
- educational services, private
- extended medical treatment services
- farmers market
- financial services
- food primary establishment
- government agency
- government services
- health services
- high technology research and product design
- **hotel**
- insurance services
- legal services
- liquor primary establishment, minor
- liquor primary establishment, major
- office
- participant recreation services, indoor
- personal services
- private club
- public market
- real estate sales centre
- real estate sales office
- retail cannabis sales (*Bylaw 5731*)
- retail store, convenience
- retail store, general
- retail store, licensee
- retail street sales
- seniors assisted housing
- seniors housing
- seniors residential care
- seniors supportive housing
- shopping centre

13.5.3 Secondary Uses

- home based business, minor
- residential security/operator unit

13.5.4 Subdivision Regulations

- Minimum **lot width** is 20.0m, except 25.0m for a corner lot
- Minimum **lot area** is 2000m²

13.5.5 Development Regulations

- Maximum commercial **floor space ratio** is 5.0. In addition, a maximum residential **floor space ratio** of 4.0 is permitted for a total **floor space ratio** of 9.0.
- Maximum **height** is the lesser of 38.0m or 12.0 storeys
- Minimum **front yard** is 1.0m
- Minimum **side yard** is 0.0m, except it is 1.0m from a **flanking street**
- Minimum **rear yard** is 0.0m
- Any portion of a **building** above 18.0m in **height** must be a minimum of 2.5m from any **property line abutting a street**.

13.5.6 Other Regulations

- **Apartment housing, seniors assisted housing, seniors residential care, seniors housing and seniors supportive housing** are only allowed above the **first storey** and requires a separate at-grade access from the **commercial uses**. In the case of elevator equipped **buildings, uses** may share elevators provided security measures are in place to restrict access to residential areas.
- A minimum area of 2.0m² of private open space shall be provided per **bachelor dwelling, seniors assisted housing or seniors supportive housing or seniors housing unit**, 4.0m² of private open space shall be provided per 1 **bedroom dwelling**, and 5.0m² of private open space shall be provided per **dwelling** with more than 1 **bedroom**.
- Parking shall not be constructed in the **front yard** of the property. Where residential **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- For **seniors assisted housing, seniors residential care, seniors housing and seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- A **shopping centre building or buildings** shall be sited along the adjacent **street** and shall be street oriented with direct pedestrian access to the building(s) from the adjacent street.
- 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 REPORT TO COUNCIL

SUBMITTED BY: Hayley Campbell,
Planning Assistant
Keltie Chamberlain,
Economic Development Planner

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: September 16, 2019
REPORT DATE: August 27, 2019
FILE: ZON00337

SUBJECT: REZONING APPLICATION FOR 967 MT. BEAVEN PLACE

PURPOSE:

To review the application to rezone the subject property from R2 – Large Lot Residential to the R2h – Large Lot Residential sub-zoning district to allow for a “Home Based Business, Major” use within the existing single family dwelling at 967 Mt Beaven Place.

RECOMMENDATION:

THAT Council support the application to rezone Lot 33, Plan KAP53255, Sec 26, Twp 9, ODYD (967 Mt Beaven Place) from R2 – Large Lot Residential to the R2h – Large Lot Residential sub-zoning district 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 an operation of a secondary suite is not permitted concurrently with a Home Based Business;
- b) That the Major Home Based Business shall not generate more than one client to the site at any given time;
- c) That employee parking related to the Home Based Business, Major is limited to one space; and
- d) 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.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support the application to rezone Lot 33, Plan KAP53255, Sec 26, Twp 9, ODYD (967 Mt Beaven Place) from R2 – Large Lot Residential to the R2h – Large Lot Residential sub-zoning district to allow for a “Home Based Business, Major” use within the existing single family dwelling.

Note: This alternative does not support the rezoning. The applicant could conduct a “Home Based Business, Minor” use in the existing dwelling. This basic difference between the minor home based business and the 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-residents staff can work on-site with the major regulations.

ANALYSIS:

A. Committee Recommendations:

At its meeting of September 4, the Advisory Planning Committee adopted the following resolution:

B. Rationale:

1. The subject property at 967 Mt Beaven Place (Figures 1 and 2), is located in the Middleton Mountain neighbourhood, and is approximately 581.23 m² in area. There is an existing single family dwelling on the property (Attachment 1).
2. The property is designated as Residential Low Density in the Official Community Plan (OCP) (Attachment 2). The R2 and R2h zoning districts comply with the OCP land use designation. The surrounding land use is single family dwellings.
3. The applicant has submitted a rezoning application to rezone the property from R2 – Large Lot Residential (Attachment 3) to the R2h – Large Lot Residential sub-zoning district to allow for an engineering consulting firm under the “Home Based Business, Major” use.
4. The R2 zoning district provisions (Attachment 4) would still apply to the property, as the R2h sub-zoning district is not a stand-alone zone and it only allows the additional specific “Home Based Business, Major” use on the property.
5. In the rezoning application, the owner (an electrical engineer) is requesting to operate an engineering consulting firm out of the dwelling. The “Home Based Business, Major” regulations 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 owner expects client visits to be rare as most of the business clientele is outside of the Vernon area. Further, the owner plans to have a maximum of two university students as employees during the summer months. The students would have the opportunity to use a variety of transportation options, including public transit, carpool, bicycling, and personal vehicle to get to the property.
6. As per Zoning Bylaw #5000, a Single Family Dwelling is required to provide two off-street parking spaces, with a maximum of two parking spaces on a driveway located in the front yard. The Home Based Business, Major provisions require there to be one space per customer and one space for each employee. Given the parking availability on the property (one available space for clients and one for employees) and the residential nature of the neighbourhood, Administration recommends that a restrictive covenant be registered on title to limit the number of clients to a maximum of one client at the site at any given time and to limit the amount of parking spaces for the two employees to one space. The R2 and R2h zoning allow for a secondary suite. Given the configuration of the home and parking layout, as long as a “Home Based Business, Major” is licenced on the subject property, building permits and the required business licence for a secondary suite would not be issued by the City.

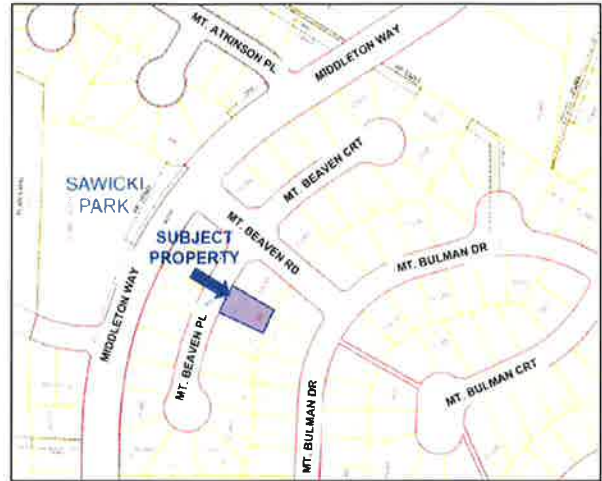


Figure 1: Property Location Map



Figure 2: Aerial Photo of Property

7. The "Home Based Business, Major" regulations, as set out in the Zoning Bylaw, (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 Middleton Mountain neighbourhood, Administration recommends that the signage be restricted by a covenant to one sign, non-illuminated, 0.5m² in area, no higher than 1.2m. This is consistent with other rezoning applications for Major Home Based Business in residential areas.
8. The proposed rezoning to R2h to allow a "Home Based Business, Major" at 967 Mt Beaven Place is supported by Administration subject to the registration of a restrictive covenant intended to preserve the residential character of the area and prevent parking congestion.

C. Attachments:

- Attachment 1 – Photo of house
- Attachment 2 – OCP map
- Attachment 3 – Zoning map
- Attachment 4 – R2: Large Lot Residential zoning district
- Attachment 5 – "Home Based Business, Major" regulations

D. Council's Strategic Plan 2019 – 2022 Goals/Actions Items:

The subject involves the following goals in Council's Strategic Plan 2019 – 2022:

- Work towards a sustainable Vernon – environmentally, economically and socially.

E. Relevant Policy/Bylaws/Resolutions:

1. The subject property is designated Residential Low Density in the Official Community Plan (OCP) and zoned R2 – Large Lot Residential as per Zoning Bylaw #5000.
2. Section 7.1.9 in Zoning Bylaw #5000 states the following:
 - "7.1.9 For residential use classes:
 - all required on-site parking shall be located on the site of the development served by the parking;
 - no on-site parking shall be located in the required front yard except that a maximum of two required spaces may be located on a driveway which provides access to a required on-site parking space that is not in the front yard;
 - where access to a lot is not feasible from a rear lane, parking may be provided in the required front yard of the lot;
 - except for developments with 2 or less dwelling units, no on-site parking shall be located within 1.5m of any side or rear property line or within 3.0m of any flanking street; and,
 - all visitors parking are to be easily accessible to the access points of the corresponding development and/or buildings".
3. The Local Government Act provides Council with the authority to vary local bylaws based on site specific considerations. The granting of such variances does not set 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:

X

Signer 1

Hayley Campbell
Planning Assistant

Will Pearce, CAO

Date: _____

X

Signer 2

Keltie Chamberlain,
Economic Development Planner

X

Signer 2

Kim Flick
Director, Community Infrastructure and Development

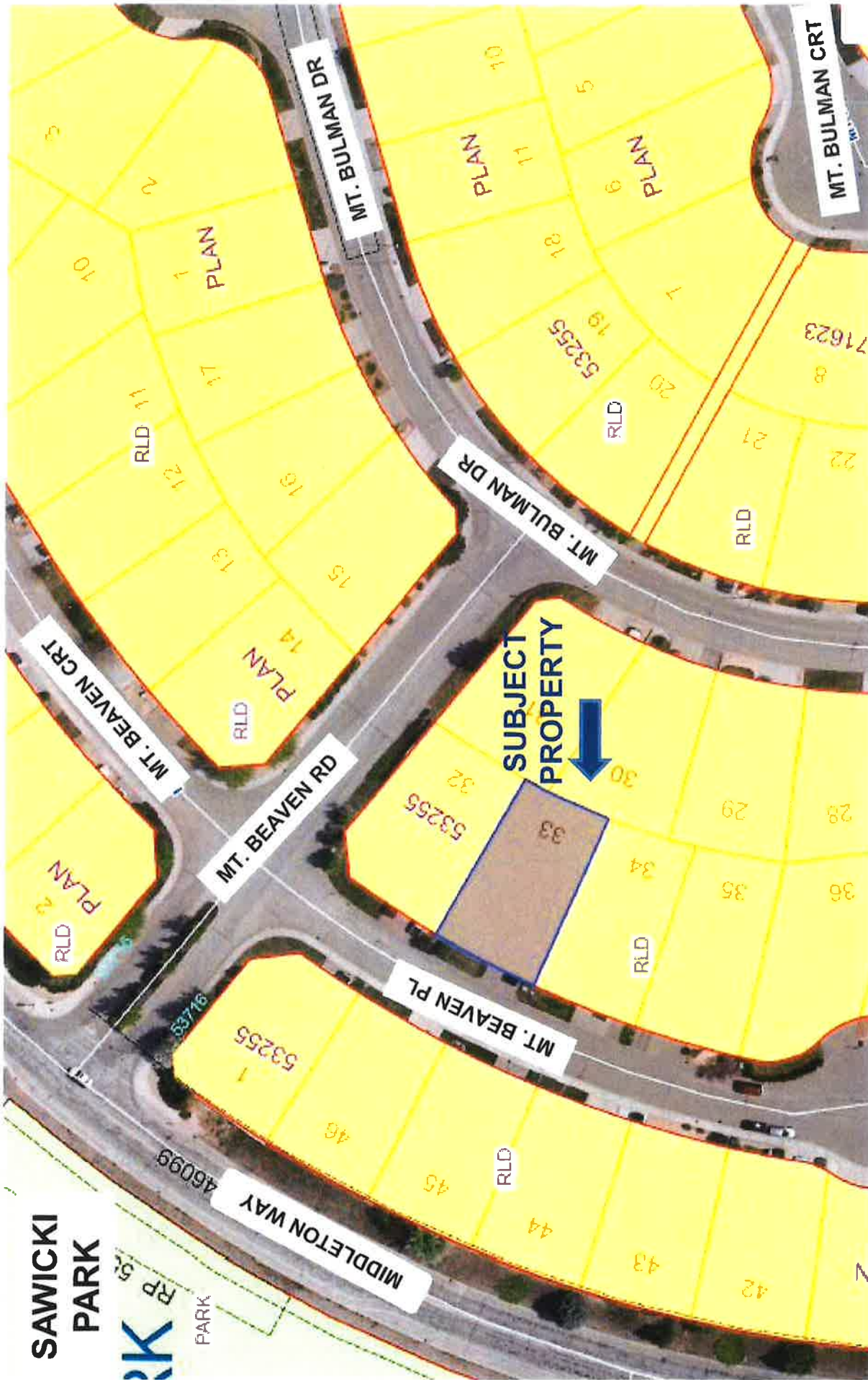
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| <input type="checkbox"/> Bylaw Compliance | <input type="checkbox"/> Public Works/Airport | <input type="checkbox"/> Long Range Planning & Sustainability |
| <input type="checkbox"/> Real Estate | <input type="checkbox"/> Facilities | <input type="checkbox"/> Building & Licensing |
| <input type="checkbox"/> RCMP | <input type="checkbox"/> Utilities | <input type="checkbox"/> Engineering & Development |
| <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 (Sept 04/19) | | |
| <input type="checkbox"/> OTHER: | | |

Attachment 1

Photo of Existing Parking





OCP Designation

-  PARK – Parks and Open Space
-  RLD – Residential – Low Density





-  P1 – Parks and Open Space
-  R2 – Large Lot Residential

Zoning Designation



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)

Zoning Bylaw Excerpt

5.2 Home Based Businesses, Minor

- 5.2.1 All **minor home based businesses** shall be **secondary uses** and must comply with the following:
- a **minor home based business** shall be conducted within the **primary building** and/or **secondary building/structure** and no **outdoor storage** or operation of the **minor 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 **minor home based business** shall be permitted;
 - no **nuisance** shall be produced by the **minor home based business** and, at all times, the privacy and enjoyment of **adjacent lots** shall be preserved and the **minor home based business** shall not adversely affect the amenities of the neighbourhood; and
 - the **minor home based business** shall not generate more than one client visit to the **site** from which the **business** is being operated on any given day; 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.
- 5.2.2 No person other than residents of the primary residence shall be engaged in the **minor home based business**.
- 5.2.3 The total area of **minor home based businesses** shall not occupy more than 25% of the floor area of the **dwelling** up to a maximum area of 25m².
- 5.2.4 Subject to section 5.2.6, retail sales and display of products not produced on the **premises** shall not be permitted in a **minor home based business**, with the exception of
- 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 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.