



# THE CORPORATION OF THE CITY OF VERNON

## A G E N D A

PUBLIC HEARING  
COUNCIL CHAMBERS  
MONDAY, DECEMBER 16, 2019  
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 (Temporary Shelters) Amendment bylaw Number 5788, 2019"

2. **CONFIRMATION OF PUBLICATION**

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

3. **BYLAW**

A. "Zoning Text (Temporary Shelters) Amendment bylaw Number 5788, 2019"

A Bylaw:

To amend Zoning Bylaw #5000 to include development regulations for temporary shelters.

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.

ZONING BYLAW #5000  
AMENDMENT –  
DEVELOPMENT  
REGULATIONS FOR  
TEMPORARY  
SHELTERS  
(P. 3, 10)

- 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 5788

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 #5000 to add text amendments to include development regulations for temporary shelters;

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 (Temporary Shelters) Amendment Bylaw Number 5788, 2019**"
2. The City of Vernon Zoning Bylaw Number 5000 be, and is hereby amended, as follows:
  - (i) **AMEND Section 1 – Introduction (Including Table of Contents), Section 5: Specific Use Regulations to ADD NEW Section 5.18 – Temporary Shelters, as shown in RED on attached Schedule ‘A’;**
  - (ii) **AMEND Section 2 – Interpretation (Including Definitions), 2.3.3 Definitions for TEMPORARY SHELTER SERVICES and HOSTEL as shown in RED on attached Schedule ‘B’;**
  - (iii) **AMEND Section 5 – Specific Use Regulations to ADD a NEW Section 5. 18 Temporary Shelter Services as shown in RED on attached Schedule ‘C’.**

- (iv) **AMEND Section 6 – Landscape & Screening, 6.5 - Fencing and Retaining Walls to ADD NEW** wording to 6.5.3 as shown in RED on attached **Schedule ‘D’**;
- (v) **AMEND Section 7 – Parking and Loading, 7.1 Parking Schedule – Residential & Residential Related Uses** to REMOVE Temporary Shelter Services from **Residential & Residential Related Uses** and **ADD NEW** wording under **Commercial Uses** as shown in RED on attached **Schedule ‘D’**;
- (vi) **AMEND Section 10.2 – C2: Transitional Commercial, 10.2.6 Other Regulations, 10.3 – C3: Mixed Use Commercial, 10.3.7 Other Regulations, 10.4 – C4: Street-Oriented Commercial, 10.4.6 Other Regulations, 10.5 – C5: Community Commercial, 10.5.6 Other Regulations, 10.6 – C6: Village Commercial, 10.6.6 Other Regulations, 10.8 – C8: Central Business District, 10.8.6 Other Regulations, and 11.1 – I1: Light Industrial, 11.1.6 Other Regulations** to **ADD NEW** wording as shown in RED on attached **Schedule ‘D’**.

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

BYLAW NUMBER 5788

PAGE 3

READ A FIRST TIME this 25<sup>th</sup> day of November, 2019.

READ A SECOND TIME this 25<sup>th</sup> day of November, 2019.

PUBLIC HEARING held this 16<sup>th</sup> day of December, 2019.

READ A THIRD TIME this    day of                   , 2019.

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

\_\_\_\_\_  
for Minister of Transportation & Infrastructure  
Bylaw 5788/6460-01

ADOPTED this            day of                   , 2019.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

**SCHEDULE 'A'**

**Attached to and Forming Part of Bylaw 5788**

**“Zoning Text (Temporary Shelters) Amendment Bylaw Number 5788, 2019”**

**SECTION 5 : SPECIFIC USE REGULATIONS**

**SPECIFIC**

5.1	Application.....	5 - 1
5.2	Home Based Business, Minor.....	5 - 2
5.3	Home Based Business, Major.....	5 - 3
5.4	Home Based Business, Rural.....	5 - 4
5.5	Secondary Suites.....	5 - 5
5.6	Bed and Breakfast Homes.....	5 - 6
5.7	Rooming Houses.....	5 - 7
5.8	Boarding Rooms.....	5 - 8
5.9	Cellar Living Accommodation.....	5 - 9
5.10	Bareland Strata Developments.....	5 - 10
5.11	Vehicular Oriented Uses.....	5 - 11
5.12	Car Washes.....	5 - 12
5.13	Care Centres.....	5 - 13
5.14	Domesticated Animals (Excluding Livestock).....	5 - 14
5.15	Employee Housing.....	5 - 15
5.16	Temporary Use Permit.....	5 - 16
5.17	Beekeeping.....	5 - 17
5.18	Temporary Shelter Services.....	5 - 18

**SCHEDULE 'B'**

**Attached to and Forming Part of Bylaw 5788**  
**“Zoning Text (Temporary Shelters) Amendment Bylaw Number 5788, 2019”**

**Zoning Bylaw #5000 Section 2.0 Interpretation**

**TEMPORARY SHELTER SERVICES** means the provision of communal, transient accommodation sponsored or supervised by a public authority or non-profit agency intended to provide basic lodgings for persons requiring immediate shelter and assistance for a short period of time. Typical **uses** include but are not limited to ~~hostels and emergency over-night shelters.~~

**HOSTEL** means a building used for the provision of communal, transient accommodation intended to provide short-term basic lodgings for not more than 75 patrons or travelers paying for accommodation, with or without the common right to use the common cooking, dining and laundry facilities. Typical **uses** include but are not limited to ~~hostels, over-night shelters~~ and inns.

## **5.18 Temporary Shelter Services**

Temporary Shelters shall comply with the regulations listed in 5.18.1, 5.18.2 and 5.18.3:

5.18.1 Adequate outdoor and indoor storage space shall be provided as follows:

- A minimum of outdoor storage space of 1.5 m<sup>2</sup> per shelter bed to a maximum of 25 m<sup>2</sup> is required.
- If storage is located outdoors, it shall be screened from public view/streets.
- The secure outdoor space shall be well lit (but not intrusive to adjacent properties) with natural surveillance from within the building.
- Secure indoor storage locker space of .20 m<sup>2</sup> per shelter bed shall be provided.

5.18.2 Adequate interior spaces and operating procedures to avoid sidewalk line-ups for access shall be provided as follows:

- Lobby/Intake areas shall be 1m<sup>2</sup> per shelter bed, to a maximum of 20 m<sup>2</sup> to receive clients.
- Front yard setbacks for new construction shall be 4.5m and include an on-site exterior entrance area.
- Large windows/glazing to provide surveillance to support adequate sightlines into intake areas and onto the street.

5.18.3 Designated on-site smoking areas and receptacles are required as follows:

- Outdoor designated smoking areas shall comply with the Provincial regulations in regards to distance from doorways, air intakes and open windows.
- Outdoor designated smoking area shall include weather protection and adequate ventilation.
- Outdoor amenity, storage, and designated smoking areas shall be well lit (but not intrusive to adjacent properties), including the use of motion detecting lighting, with natural surveillance.



6.5.3 Screening fences required for outdoor storage areas for temporary shelters shall be a combination of opaque and translucent or lattice design to ensure natural surveillance is permitted into the space. Screen fences and walls shall complement building design and materials.

TABLE 7.1 - PARKING SCHEDULE	
* Note: GFA = Gross Floor Area	

Type of Development or Use:	Required Parking spaces:
-----------------------------	--------------------------

RESIDENTIAL & RESIDENTIAL RELATED USES	
--	--

<del>Temporary Shelter Services</del>	<del>rental beds and 1 per non-resident staff member, minimum total of not less than 3</del>
---------------------------------------	--

COMMERCIAL USES	
-----------------	--

Temporary Shelter Services	1 per 10 temporary shelter beds and 1 per staff member, minimum total of not less than 3.
----------------------------	---

In Zones C2: Transitional Commercial, 10.2.6, C3: Mixed Use Commercial, 10.3.7, C4: Street-Oriented Commercial, 10.4.6, C5: Community Commercial, 10.5.6, C6: Village Commercial, 10.6.6, C8: Central Business District, 10.8.6 and I1: Light Industrial, 11.0.6 with text amendment to list shelter services as a Primary Use where active use existed prior to July 1, 2010.

Primary Uses:

- Hostels

“Other Regulations”

- 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, temporary shelters, 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.



# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Keltie Chamberlain, Economic  
Development Planner

**COUNCIL MEETING:** REG  COW  I/C   
**COUNCIL MEETING DATE:** November 12, 2019  
**REPORT DATE:** October 31, 2019  
**FILE:** 6460-01

**SUBJECT: ZONING BYLAW #5000 AMENDMENT – DEVELOPMENT REGULATIONS  
FOR TEMPORARY SHELTERS**

---

## **PURPOSE:**

To propose amendments to Zoning Bylaw #5000 to include development regulations for temporary shelters.

## **RECOMMENDATION:**

THAT Council support the proposed amendments to Zoning Bylaw #5000 as outlined in the report titled "Zoning Bylaw #5000 Amendment – Development Regulations for Temporary Shelters", dated October 31, 2019 and respectfully submitted by the Economic Development Planner.

## **ALTERNATIVES & IMPLICATIONS:**

1. THAT Council receive the proposed amendments to Zoning Bylaw #5000 as outlined in the report titled "Zoning Bylaw #5000 Amendment – Development Regulations for Temporary Shelters", dated October 31, 2019 and respectfully submitted by the Economic Development Planner.

*Note: Should Council endorse this alternative, the additional development regulations, developed to meet Council's direction, would not be incorporated into Zoning Bylaw #5000.*

## **ANALYSIS:**

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

At its meeting held October 16, 2019 the Advisory Planning Committee made the following recommendation:

*THAT Council support the proposed amendments to Zoning Bylaw #5000 as outlined in the report titled "Zoning Bylaw #5000 Amendment – Development Regulations for Temporary Shelters", dated October 10, 2019 and respectfully submitted by the Economic Development Planner.*

### **B. Rationale:**

1. At its Regular Meeting of Monday August 19, 2019 Council directed Administration to prepare a Zoning Bylaw #5000 amendment to include additional development regulations for emergency shelters, specifically with respect to screened outdoor storage, setbacks to reduce congregation on or near the sidewalk, designated on-site smoking areas and receptacles, and exterior lighting.
2. Zoning Bylaw #5000 includes emergency shelters under "Temporary Shelter Services" which is defined as "the provision of communal, transient accommodation sponsored or supervised by a public authority or non-profit agency intended to provide basic lodgings for persons requiring immediate shelter and assistance for a short period of time. Typical uses include but are not limited to hostels and over-night

shelters" (Attachment 1). Zoning Bylaw #5000 lists temporary shelter services as a Primary Use in six zoning districts (C2, C3, C4, C5, C6, and C8). I1 (light industrial) lists temporary shelter services as a Primary Use where active use existed prior to July 1, 2010.

3. The development regulations for each zone that permits temporary shelters include reference to "Other Regulations" which identify that there are additional regulations that 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 (Attachment 1).
4. The proposed amendment separates the uses of temporary shelter services (including emergency overnight shelters) and hostels. The two uses are currently included in Section 7.0 Parking & Loading, Table 7.1 – Parking Schedule, and in the permitted Primary Uses in zoning districts C2, C3, C4, C5, C6, and C8, and in the I1 zone as noted in Attachment 2. The two uses remain permitted in the zones, but the proposed development regulations specific to the temporary shelter services use would be included in Section 5.0 Specific Use Regulations.
5. Attachment 2 is a proposed amendment to Section 5 of Zoning Bylaw #5000 to add regulations for temporary shelters to require:
  - screened outdoor storage,
  - setbacks to reduce congregation on or near the sidewalk,
  - designated on-site smoking areas and receptacles, and;
  - exterior lighting.
6. A requirement for storage areas would ensure that adequate outdoor and indoor storage space is available on the site and within the building. Screened outdoor storage would be contained on the site in an internal courtyard that would also create an "off the street" space where clients can spend time without blocking the sidewalks or potentially disrupting neighbouring properties. A minimum storage space requirement per shelter bed would provide an area for large items such as bicycles and carts. Those in need of emergency shelter services often carry all of their personal belongings with them at all times. If the belongings cannot be accommodated in a shelter, individuals may choose not to stay at the facility.
7. Lobbies and/or intake areas in emergency shelters would allow for an area large enough that clients would have an indoor or sheltered outdoor area on-site to stand or sit. This minimizes the indignity and street impact of line ups, and provides the opportunity for the service provider to have on-going communication with clients. The requirement for new temporary shelters would be for entry areas or on-site exterior spaces with weather protection with front yard setbacks that would provide space to receive clients.
8. The exterior entry areas would require large windows to allow the facility's staff to have unimpeded views into the exterior spaces. This would provide the opportunity for observation and natural surveillance as a Crime Prevention Through Environmental Design (CPTED) solution.
9. A weather protected, outdoor designated smoking area within staff sightlines would require adequate ventilation, garbage receptacles, and lighting that is not intrusive to adjacent properties. On-site smoking areas would need to comply with provincial legislation in regards to proximity to doorways, air intakes and windows.
10. The additional regulations for temporary shelters include screened outdoor storage, setbacks to reduce congregation on or near the sidewalk, designated on-site smoking areas and receptacles, and exterior lighting. In addition, the regulations address CPTED principles and opportunity for interior design solutions for storage and the intake of clients to a facility. Should Council approve the amendments, a Public Hearing would be scheduled as part of the zoning bylaw amendment process.

**C. Attachments:**

- Attachment 1: Zoning Bylaw #5000
- Attachment 2: Zoning Bylaw #5000 Proposed Amendment

**D. Council's Strategic Plan 2019 – 2022 Goals/Action Items**

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

- Address safety concerns including drug use, vagrancy, communicating role of Bylaw Services and Increased RCMP presence.
- Work towards a sustainable Vernon – environmentally, economically and socially.

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

1. At its Regular Meeting of February 25, 2019 Council declassified the following resolution:

*THAT Council direct Administration to prepare a policy and/or Zoning Bylaw #5000 amendments for new temporary shelter uses to require community consultation and enhanced development requirements, to include temporary shelters, overdose prevention and safe injection sites.*

2. At its Regular Meeting of August 19, 2019 Council made the following resolution:

*THAT Council direct Administration to prepare a Zoning Bylaw #5000 amendment for First and Second Readings to include additional development regulations for emergency shelters with respect to screened outdoor storage, setbacks to reduce congregation on or near the sidewalk, designated on-site smoking areas and receptacles, and exterior lighting.*

**BUDGET/RESOURCE IMPLICATIONS:**

N/A

Prepared by:

Nov 5 2019 2:25 PM

Approved for submission to Council:

X



Keltie Chamberlain

DocuSign

Keltie Chamberlain  
Economic Development Planner

Will Pearce, CAO

Date:

05. NOV. 2019

X

Signer 2

Laurie Cordell  
Acting Director, Community Infrastructure and Development

**REVIEWED WITH**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Corporate Services     | <input type="checkbox"/> Operations           | <input checked="" type="checkbox"/> Current Planning                     |
| <input type="checkbox"/> Bylaw Compliance       | <input type="checkbox"/> Public Works/Airport | <input checked="" type="checkbox"/> Long Range Planning & Sustainability |
| <input type="checkbox"/> Real Estate            | <input type="checkbox"/> Facilities           | <input checked="" type="checkbox"/> Building & Licensing                 |
| <input type="checkbox"/> RCMP                   | <input type="checkbox"/> Utilities            | <input type="checkbox"/> Engineering Development Services                |
| <input type="checkbox"/> Fire & Rescue Services | <input type="checkbox"/> Recreation Services  | <input type="checkbox"/> Infrastructure Management                       |
| <input type="checkbox"/> Human Resources        | <input type="checkbox"/> Parks                | <input checked="" type="checkbox"/> Transportation                       |
| <input type="checkbox"/> Financial Services     |   | <input checked="" type="checkbox"/> Economic Development & Tourism       |
| <input type="checkbox"/> COMMITTEE: APC 191016  |   |  |
| <input type="checkbox"/> OTHER:                 |   |  |

G:\6400-6999 PLANNING AND DEVELOPMENT\6460 COMMUNITY PLANNING - SOCIAL-HUMAN ISSUES\01 General\EMERGENCY SHELTERS\191031\_kc\_Council\_RPT\_Bylaw\_Amend\_Dev\_Regs\_for\_Emergency\_Shelters.docx

## Zoning Bylaw #5000

### Excerpt from Zoning Bylaw #5000, Section 2.3 General Definitions

**TEMPORARY SHELTER SERVICES** means the provision of communal, transient accommodation sponsored or supervised by a public authority or non-profit agency intended to provide basic lodgings for persons requiring immediate shelter and assistance for a short period of time. Typical **uses** include but are not limited to hostels and over-night shelters.

### Excerpt from Zoning Bylaw #5000 in "Other Regulations" in C2, C3, C4, C5, C6, and C8 zones. I1 zone with text amendment.

- 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.

## Proposed Amendments

### Zoning Bylaw #5000 Section 5.0 Specific Use Regulations

#### 5.18 Temporary Shelter Services

Temporary Shelters shall comply with the following regulations:

- Adequate outdoor and indoor storage space shall be provided as follows:
  - A minimum of outdoor storage space of 1.5 m<sup>2</sup> per shelter bed to a maximum of 25 m<sup>2</sup> is required.
    - If storage is located outdoors, it shall be screened from public view/streets.
    - The secure outdoor space shall be well lit (but not intrusive to adjacent properties) with natural surveillance from within the building.
  - Secure indoor storage locker space of .20 m<sup>2</sup> per shelter bed shall be provided.
  
- Adequate interior spaces and operating procedures to avoid sidewalk line-ups for access shall be provided as follows:
  - Lobby/Intake areas shall be 1m<sup>2</sup> per shelter bed, to a maximum of 20 m<sup>2</sup> to receive clients.
  - Front yard setbacks for new construction shall be 4.5m and include an on-site exterior entrance area.
  - Large windows/glazing to provide surveillance to support adequate sightlines into intake areas and onto the street.
  
- Designated on site smoking areas and receptacles are required as follows:
  - Outdoor designated smoking areas shall comply with the Provincial regulations in regards to distance from doorways, air intakes and open windows.
  - Outdoor designated smoking area shall include weather protection and adequate ventilation.
  - Outdoor amenity, storage, and designated smoking areas shall be well lit (but not intrusive to adjacent properties), including the use of motion detecting lighting, with natural surveillance.

## Zoning Bylaw #5000 Section 2.0 Interpretation

**TEMPORARY SHELTER SERVICES** means the provision of communal, transient accommodation sponsored or supervised by a public authority or non-profit agency intended to provide basic lodgings for persons requiring immediate shelter and assistance for a short period of time. Typical **uses** include but are not limited to ~~hostels and~~ emergency over-night shelters.

**HOSTEL** means a building used for the provision of communal, transient accommodation intended to provide short-term basic lodgings for not more than 75 patrons or travelers paying for accommodation, with or without the common right to use the common cooking, dining and laundry facilities. Typical **uses** include but are not limited to ~~hostels, over-night shelters~~ and inns.

**Zones C2, C3, C4, C5, C6, and C8. I1 (light industrial) zones with text amendment to list shelter services as a Primary Use where active use existed prior to July 1, 2010.**

### Primary Uses:

- **Hostels**

### “Other Regulations”

- 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, temporary shelters**, 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.

## Zoning Bylaw #5000 Section 6.0 Landscape & Screening

**6.5.7 Screening fences** required for outdoor storage areas for temporary shelters shall be a combination of opaque and translucent or lattice design to ensure natural surveillance is permitted into the space.



**Zoning Bylaw #5000 Section 7.0 Parking & Loading, Table 7.1 – Parking Schedule**

**Temporary Shelter Services**

1 per 10 temporary shelter beds and 1 per staff member, minimum total of not less than 3.

**Hostel**

1 per 3 rental beds and 1 per non-resident staff member, minimum total of not less than 3.