

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

PUBLIC HEARING COUNCIL CHAMBERS MONDAY, JANUARY 13, 2020 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. "3202 16th Avenue and 1504 32nd Street Rezoning Amendment Bylaw Number 5789, 2019"
- B. "967 Mt. Beaven Place Rezoning Amendment bylaw Number 5782, 2019", together with Public Input for Development Variance Permit #00463
- C. "5577 27th Avenue Rezoning Amendment Bylaw Number 5790, 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. "3202 16th Avenue and 1504 32nd Street Rezoning Amendment Bylaw Number 5789, 2019"

A Bylaw:

To rezone the properties in order to construct a 3 unit residential building.

B. "967 Mt. Beaven Place Rezoning Amendment bylaw Number 5782, 2019", together with Public Input for Development Variance Permit #00463

A Bylaw:

To rezone the property in order to operate a Home Based Business, Major and to vary the required parking to reduce the length of a parking stall.

REZONING APPLICATION FOR 3202 16TH AVENUE AND 1504 32ND STREET (ZON00333) (P. 3, 6)

DEVELOPMENT VARIANCE AND REZONING APPLICATION FOR 967 MT. BEAVEN PLACE (DVP004863/ZON00337) (P. 15, 18) REZONING APPLICATION FOR 5577 – 27TH AVENUE (ZON00342) (P. 31, 34) C. "5577 27th Avenue Rezoning Amendment Bylaw Number 5790, 2019"

A Bylaw:

To rezone the property in order to construct a rental apartment development.

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.
 - 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 5789

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 "3202 16th Avenue and 1504 32nd Street Rezoning Amendment Bylaw Number 5789, 2019".
- 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 "RM2: Multiple Housing Residential".

Legal Description:

LOTS 7 AND 8, BLK 15, DL 73, ODYD, PLAN 225 (3202 16th Avenue and 1504 32nd Street)

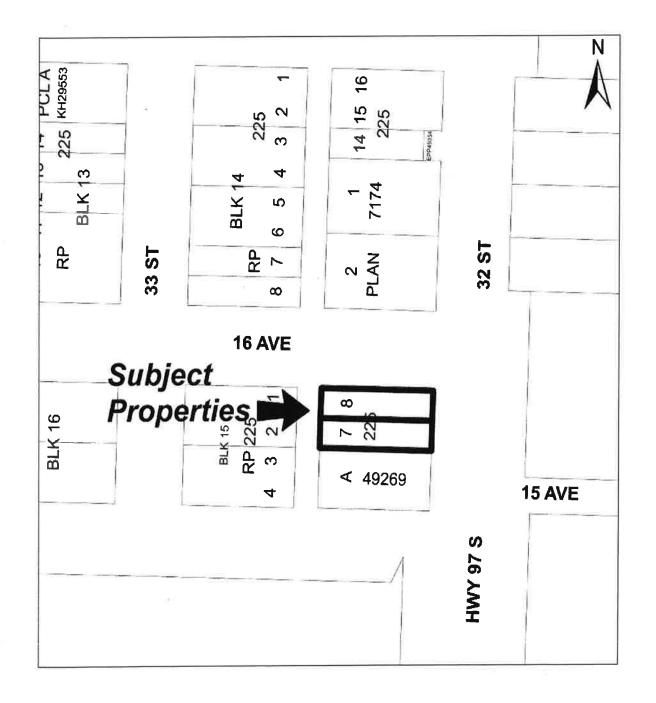
and by changing the Zoning Map accordingly, all in accordance with the bolded area as shown on Schedule "A" attached to and forming part of this bylaw.

PAGE 2

BYLAW NUMBER 5789

3.	Zoning Bylaw Nui	mber 5000 is	nereby ratified and con	tirmed in every other
respect.				
READ A FIR	ST TIME this 25^{th} d	ay of Noveml	per, 2019	
READ A SEC	COND TIME this 25	i th day of Nove	ember, 2019	
PUBLIC HEA	ARING held this	day of	, 2019	
READ A THII	RD TIME this	day of	, 2020	
Approved pursua	int to section 52(3)(a) of the , 20	Transportation Act	this day of	
()				
for Minister of Tra	ansportation & Infrastructure	•		
ZON00333/Bylav	v 5789/2019-03553			
ADOPTED th	nis day of	, 2020.		
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			9 	
Mayor:			Corporate Officer:	

SCHEDULE 'A'
Attached to and Forming Part of Bylaw 5789
"3202 16th Avenue and 1504 32nd Street Rezoning Amendment Bylaw Number 5789,
2019"





THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY:

Carie Liefke

Planning Assistant

Hazel Christy

Planner

COUNCIL MEETING: REG oximes COW oximes I/C oximes

COUNCIL MEETING DATE: November 25, 2019

REPORT DATE: November 14, 2019

FILE: ZON00333

SUBJECT:

REZONING APPLICATION FOR 3202 16TH AVENUE AND 1504 32ND STREET

PURPOSE:

To review the rezoning application which proposes to rezone the subject properties located at 3202 16th Avenue and 1504 32nd Street from R2 (Large Lot Residential) to RM2 (Multiple Housing Residential) in order to construct a residential building containing three units.

RECOMMENDATION:

THAT Council support the application (ZON00333) to rezone Lots 7 and 8, Blk 15, DL 73, ODYD, Plan 225 (3202 16th Avenue and 1504 32nd Street) from R2 (Large Lot Residential) to RM2 (Multiple Housing Residential) in order to construct a residential building containing three units, subject to the following conditions:

- 1. Consolidation of Lots 7 and 8, Blk 15, DL 73, ODYD, Plan 225 into one lot;
- 2. Dedication of Road Right of Way adjacent to Highway 97 to the satisfaction of the Ministry of Transportation and Infrastructure;
- The design and construction of all on-site and off-site works and services necessary to service the
 property to standards set out in the Subdivision and Development Servicing Bylaw #3843, or
 securities to the satisfaction of Administration to ensure the required upgrades.

ALTERNATIVES & IMPLICATIONS:

 THAT Council NOT support the application (ZON00333) to rezone Lots 7 and 8, Blk 15, DL 73, ODYD, Plan 225 (3202 16th Avenue and 1504 32nd Street) from R2 (Large Lot Residential) to RM2 (Multiple Housing Residential).

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

ANALYSIS:

A. Committee Recommendations:

At its meeting of November 13, 2019, the Advisory Planning Committee passed the following resolution:

"THAT Council support the application (ZON00333) to rezone Lots 7 and 8, Blk 15, DL 73, ODYD, Plan 225 (3202 16th Avenue and 1504 32nd Street) from R2 (Large Lot Residential) to RM2 (Multiple

Housing Residential) in order to construct a residential building containing three units, subject to the following conditions:

- 1. Consolidation of Lots 7 and 8, Blk 15, DL 73, ODYD, Plan 225 into one lot;
- 2. Dedication of Road Right of Way adjacent to Highway 97 to the satisfaction of the Ministry of Transportation and Infrastructure;
- 3. The design and construction of all on-site and off-site works and services necessary to service the property to standards set out in the Subdivision and Development Servicing Bylaw #3843, or securities to the satisfaction of the Municipal Engineer to ensure the required upgrades."

B. Rationale:

- 1. The subject properties are located at 3202 16th Avenue and 1504 32nd Street (Figures 1 and 2), adjacent to Highway 97 at the southern entrance to the City. The land is designated as Residential Medium Density (RMD) within the Official Community Plan (OCP) and is within the R2 Large Lot Residential zoning district as shown on the attached OCP and zoning map excerpts (Attachments 1 and 2).
- The subject properties combined are approximately 465 sq. metres, and are currently vacant.
- 3. The properties were the site of a former gas station which has since been remediated and a Final Determination from the Ministry of Environment has been received.
- 4. The land uses immediately adjacent to the subject properties include: commercial (north, and across the highway to the east), single family (west), and multifamily (south). Future land uses for this area, as designated in the Official Community Plan, are Medium Density Residential on the west side of the highway and Mixed Use Commercial Residential across the highway to the east.
- The application to rezone the subject land to RM2 – Multiple Housing Residential (Attachment 3) is consistent with the OCP land use designation of Residential Medium Density.

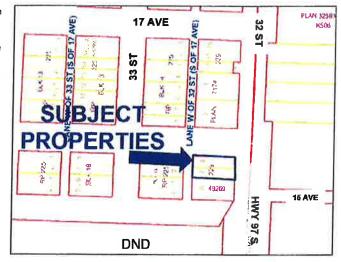


Figure 1 – Property Location Map



Figure 2 - Aerial Map of Property

The OCP designation allows for a maximum base density of 110 units per ha (44.5 units per acre). Under the proposed RM2 zone, the maximum allowable density would be 60 units per gross hectare, or two units given the area of the subject properties. With a housing agreement, as proposed by the applicant, the maximum allowable density for the subject properties would be 3 units.

- The applicant has prepared a prospective site plan (Attachment 4) which illustrates that a three unit
 residential structure could be developed on this property without Development Variances. Since the
 proposal is for three units, a Development Permit for Form and Character pursuant to the OCP is not
 required.
- 7. A covenant (H537) in favour of the Ministry of Transportation and Infrastructure (MoTI) is registered on title. This covenant relates to building setbacks from Highway 97. Referral comments received from MoTI indicate that a building setback of 4.5m would be required from Highway 97 if vehicle access were from the front of the property or a 3.0m setback if vehicle access is from the lane; access from the lane and a 3.0m setback has been proposed.
- 8. Administration supports the rezoning application as the proposed use and density conforms to the OCP, and the applicant has demonstrated that the properties can be successfully developed under the proposed zoning without the need for Development Variances.

C. Attachments:

Attachment 1 - Current Official Community Plan (OCP) designation

Attachment 2 – Current zoning district

Attachment 3 – Proposed zoning district

Attachment 4 - Proposed site plan

Attachment 5 - Zoning Bylaw excerpt: RM2 Multiple Housing Residential zoning district

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

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

> Support sustainable neighbourhoods by implementing neighbourhood plans and the OCP

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:

Nov 19 2019 1:50 PM

Will Pearce, CAO

Carle Liefke

Planning Assistant

Approved for submission to Council:

Viil Pearce, CAO

Date: 20 NOV 2019

Nov 15 2019 10:17 AM

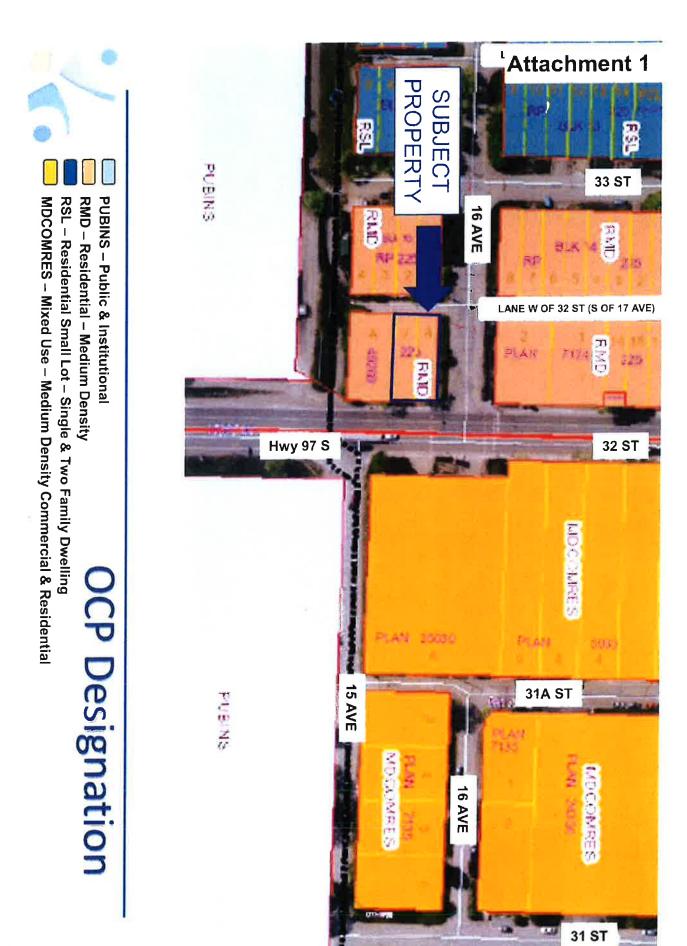
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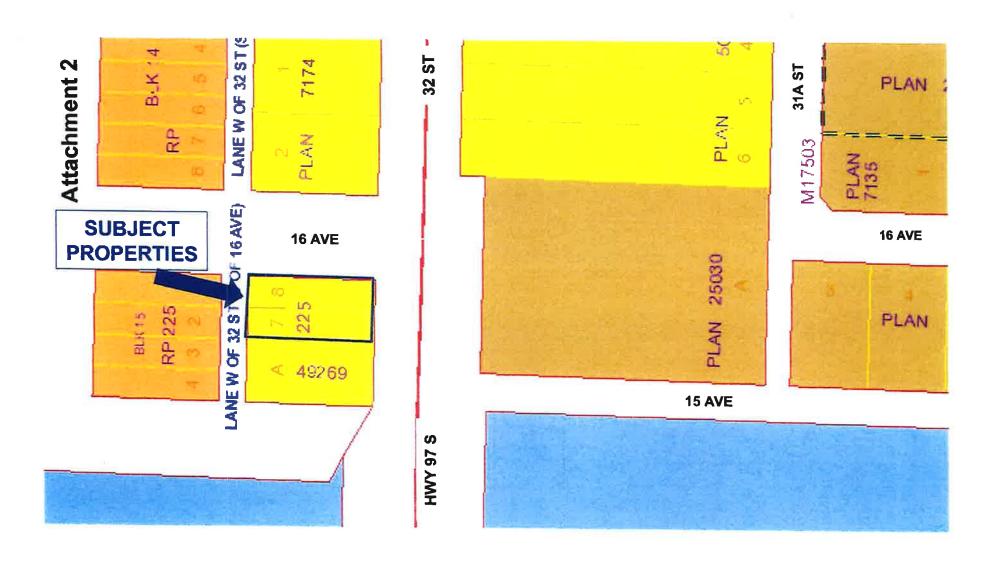
Director, Community Infrastructure and Development

REVIEWED WITH		
□ Corporate Services □ Bylaw Compliance □ Real Estate □ RCMP □ Fire & Rescue Services □ Human Resources □ Financial Services □ COMMITTEE: (APC Nov.13/19) □ OTHER:	 □ Operations □ Public Works/Airport □ Facilities □ Utilities □ Recreation Services □ Parks 	 □ Current Planning □ Long Range Planning & Sustainability □ Building & Licensing □ Engineering Development Services □ Infrastructure Management □ Transportation □ Economic Development & Tourism

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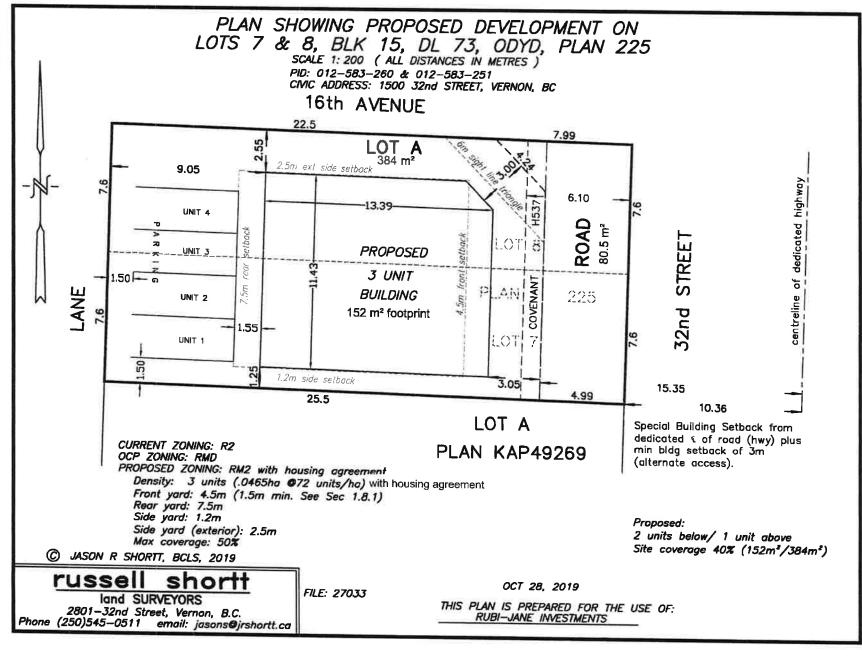


Zoning Designation

Attachment 3

Rezone from R2 to RM2 N 225 KH29553 S 9 32 ST 8 33 ST 2 PLAN 16 AVE Subjecties Properties 7 ⋖ 49269 15 AVE HWY 97 S

12





9.11 RM2: Multiple Housing Residential

9.11.1 Purpose

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

9.11.2 Primary Uses

- apartment housing
- care centre, major
- duplex (Bylaw 5440)
- four-plex housing
- group home, major
- row housing
- semi-detached housing
- seniors assisted housing
- seniors housing
- seniors supportive housing
- single detached housing
- three-plex housing

9.11.3 Secondary Uses

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

9.11.4 Subdivision Regulations

- Minimum lot width is 18.0m, except it is 20.0m for a corner lot. For fee simple three-plex, four-plex, row housing and semi-detached dwellings, the minimum lot width is 7.5m for interior lots and 12.0m for corner lots.
- Minimum lot area is 900m², or 10,000m² if not serviced by a community sewer system.

9.11.5 Party Wall Subdivision Regulations

Lot Type	Minimum Lot Area		Minimum Lot Width	
· ·	interior	corner	interior	corner
Semi-Detached Housing	225m²	275m²	7.8m	9.0m
Three-Plex Housing	150m²	200m ²	6.5m	7.8m
Four-Plex Housing	150m²	200m²	6.5m	7.8m
Row Housing	150m²	200m²	6.5m	7.8m

9.11.6 Development Regulations

- With a housing agreement pursuant to Section 4.9, the maximum density shall be 72.0 units per gross hectare (29.0 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 75.0 units per gross hectare (30.5 units/gross acre). Where all the required parking

SECTION 9.11: MULTIPLE HOUSING RESIDENTIAL ZONING BYLAW NO. 5000 (2003)

RM2 - 1 of 2

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5782

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 "967 Mt. Beaven Place Rezoning Amendment Bylaw Number 5782, 2019".
- 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 "R2h: Large Lot Residential – <u>Sub-zone</u>".

Legal Description:

LOT 33, PLAN KAP53255, SEC 26, TWP 9, ODYD (967 Mt. Beaven Place)

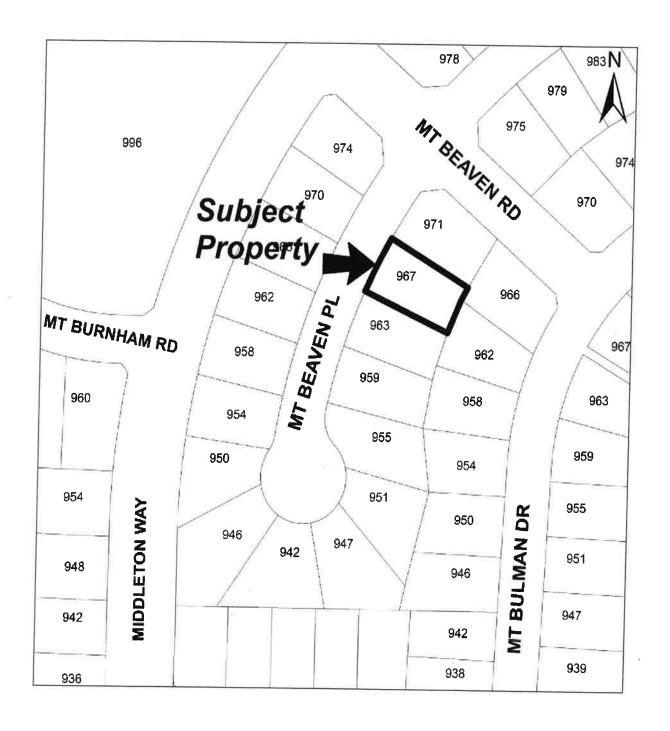
and by changing the Zoning Map accordingly, all in accordance with the bolded area as shown on Schedule "A" attached to and forming part of this bylaw.

PAGE 2

BYLAW NUMBER 5782

3.	Zoning Bylaw Numb	oer 5000 is her	eby ratified and	confirmed in every	other
respect.					
READ A FIR	ST TIME this 25 th day	of November,	2019		
READ A SEC	COND TIME this 25th	day of Novemb	er, 2019		
PUBLIC HEA	ARING held this	day of , 2019			
READ A THI	RD TIME this	day of	, 2019		
ADOPTED th	nis day of	, 2019.			
Mayor:			Corporate Office	cer:	

SCHEDULE 'A'
Attached to and Forming Part of Bylaw 5782
"967 Mt. Beaven Place Rezoning Amendment Bylaw Number 5782, 2019"





THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Hayley Campbell, Planning

Assistant

Craig Broderick, Manager Current

Planning

COUNCIL MEETING: REG ☑ COW ☐ I/C ☐

COUNCIL MEETING DATE: November 25, 2019 REPORT DATE: November 14, 2019

FILE: DVP00463/ZON00337

SUBJECT: DEVELOPMENT VARIANCE AND REZONING APPLICATION FOR 967 MT BEAVEN

PLACE

PURPOSE:

To review applications to rezone the subject property from R2 - Large Lot Residential to the R2h - Large Lot Residential sub-zoning district and to vary Zoning Bylaw #5000 to allow parking related to a proposed Home Based Business, Major within a driveway located on the city boulevard on the property located 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 (ZON00337) 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.

AND FURTHER, that Council support Development Variance Permit application (DVP00463) to vary the following section of Zoning Bylaw #5000 in order to allow parking related to a proposed Home Based Business, Major within a driveway located partially on the city boulevard on Lot 33, Plan KAP53255, Sec. 26, Twp 9, ODYD (967 Mt Beaven Place):

a) to vary Section 7.1.11 "each required on-site parking space shall be a minimum of 2.5m in width with a minimum clear length of 6.0m exclusive of access drives or aisles, ramps, columns".

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 18 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.

2. THAT Council <u>not</u> support the Development Variance Permit application (DVP00463) to vary Zoning Bylaw #5000 Section 7.1.11 to allow parking related to a proposed Home Based Business, Major within a driveway located partially on the City boulevard on Lot 33, Plan KAP53255, Sec 26, Twp 9, ODYD (967 Mt Beaven Place).

Note: This alternative does not support the requested variance and therefore the Home Based Business, Major could not operate.

ANALYSIS:

A. Committee Recommendations:

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

"THAT the Advisory Planning Committee recommends 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 Home Based Business, Major 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."

At its meeting of November 13, 2019 the Advisory Planning Committee passed the following resolution:

"THAT Council support the Development Variance Permit application (DVP00463) to vary the following section of Zoning Bylaw #5000 in order to allow parking related to a proposed Home Based Business, Major within a driveway located partially on the city boulevard on LOT 33 PL KAP53255 SEC 26 TWP 9 ODYD (967 Mt Beaven Place):

a) to vary Section 7.1.11 "each required on-site parking space shall be a minimum of 2.5m in width with a minimum clear length of 6.0m exclusive of access drives or aisles, ramps, columns".

B. Rationale:

- 1. The subject property is located at 967 Mt Beaven Place (Figures 1 and 2). The property is approximately 581.23m² in area within a residential area in the Middleton Mountain neighbourhood (Attachment 1).
- The property is designated as Residential Low Density in the Official Community Plan Bylaw (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. 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 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.

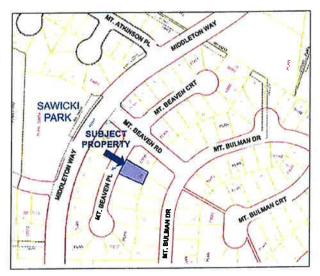


Figure 1 - Property Location Map



Figure 2 - Aerial Photo of Property

- 5. 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 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 parking spaces for the two employees to one space.
- 6. 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.
- 7. The "home based business, major" regulations also allow up to one business related fascia or freestanding sign with a maximum area of 6.0m² (64 sq.ft.). Due to the residential character of the 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, which would be attached to the dwelling or ground mounted near the vehicle entrance.

- 8. The required 2 parking spaces for the single family dwelling are located within the attached double car garage. The intent of Development Variance Permit application (DVP00463) is to vary Zoning Bylaw #5000 Section 7.1.11 to allow parking related to a proposed Home Based Business, Major within a driveway located partially on the City boulevard.
- 9. There is an on-site driveway that is approximately 5m in length (Attachment 4). As per Section 7.1.11 of Zoning Bylaw #5000, the minimum required length of a driveway must be of 6m in order to accommodate a vehicle parking on-site. The variance is to sanction parking on the existing driveway while a portion (i.e. 1m) of the required parking for the proposed home based business (ZON00337) would extend into the boulevard. The boulevard width is approximately 3.6m so the total length between the face of the garage and the curb is approximately 8.6m.
- 10. The house on the subject property, along with the rest of the neighbourhood, was sited as per the required 5.0m front yard setback that was in the R1 zone of Zoning Bylaw #2458 which was in place when this home was built.
- 11. There is no sidewalk on that side of the street so there would be no interruption to pedestrian traffic caused by vehicles entering or exiting the property.
- 12. Administration supports the requested variance as there is adequate distance between the face of the garage and the curb (i.e. approximately 8.6m) for parking and the rezoning would be 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 - Existing Single Family Dwelling

Attachment 2 – OCP Designation

Attachment 3 - Zoning map

Attachment 4 - Site Plan

Attachment 5 - R2: Large Lot Residential zoning district

Attachment 6 - "Home Based Business, Major" regulations

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

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

- > Work towards a sustainable Vernon environmentally, economically and socially
- Encourage sustainable infrastructure, agriculture and landscaping

E. Relevant Policy/Bylaws/Resolutions:

- 1. Zoning Bylaw #5000, As Amended:
 - 7.1.11 Each required on-site **parking space** shall conform to the following provisions, as illustrated in Diagram 7.1:
 - except as provided below, each required on-site parking space shall be a minimum of 2.5m in width with a minimum clear length of 6.0m exclusive of access drives or aisles, ramps, columns.
- 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
- 3. 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".
- 4. 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

BUDGET/RESOURCE IMPLICATIONS:

Prepared by:

Nov 15 2019 9:49 AM

Will Pearce, CAO

Date: 19. NOV. 2015

Hayley Campbell, Planning Assistant

N/A

Nov 15 2019 9:55 AM

X Hook V

Kevin Poole DocuSign

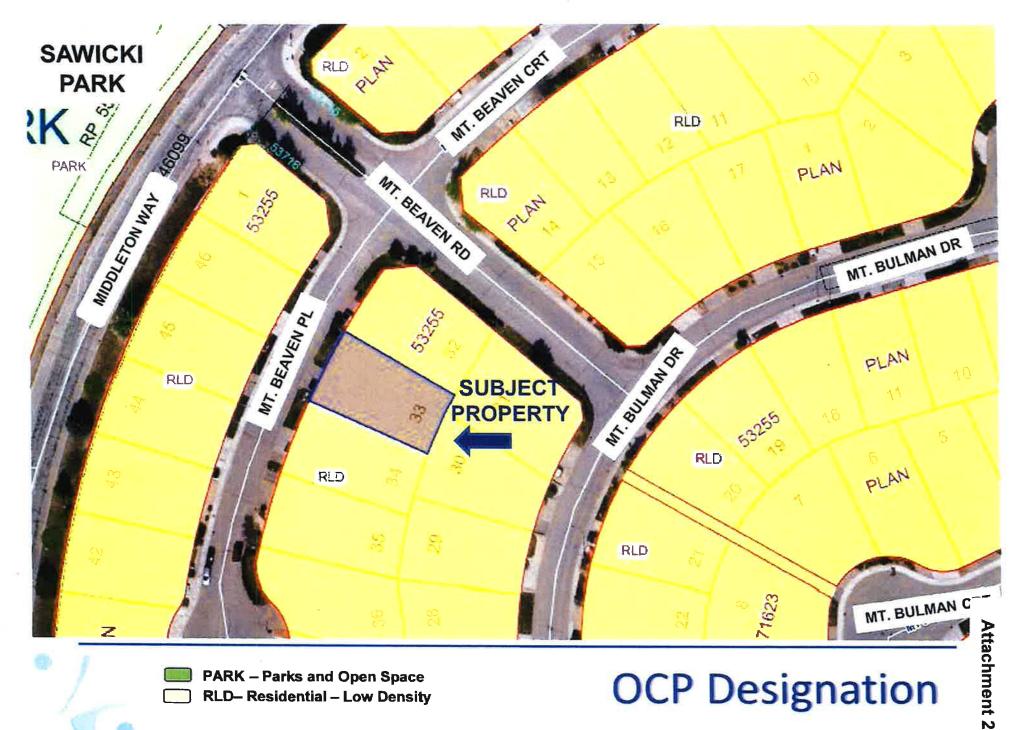
Kim Flick
Director, Community Infrastructure and Development

REVIEWED WITH		
 □ Corporate Services □ Bylaw Compliance □ Real Estate □ RCMP □ Fire & Rescue Services □ Human Resources □ Financial Services □ COMMITTEE: APC (November 13, 	 □ Operations □ Public Works/Airport □ Facilities □ Utilities □ Recreation Services □ Parks 	 □ Current Planning □ Long Range Planning & Sustainability □ Building & Licensing □ Engineering Development Services □ Infrastructure Management □ Transportation □ Economic Development & Tourism
OTHER:	000 DEVELOPMENT VARIANCE PERMITSV20	Applications\DVP00463\2 PROC\Rpt\191114_hjc_COUNCIL

Attachment 1

Existing Single Family Dwelling

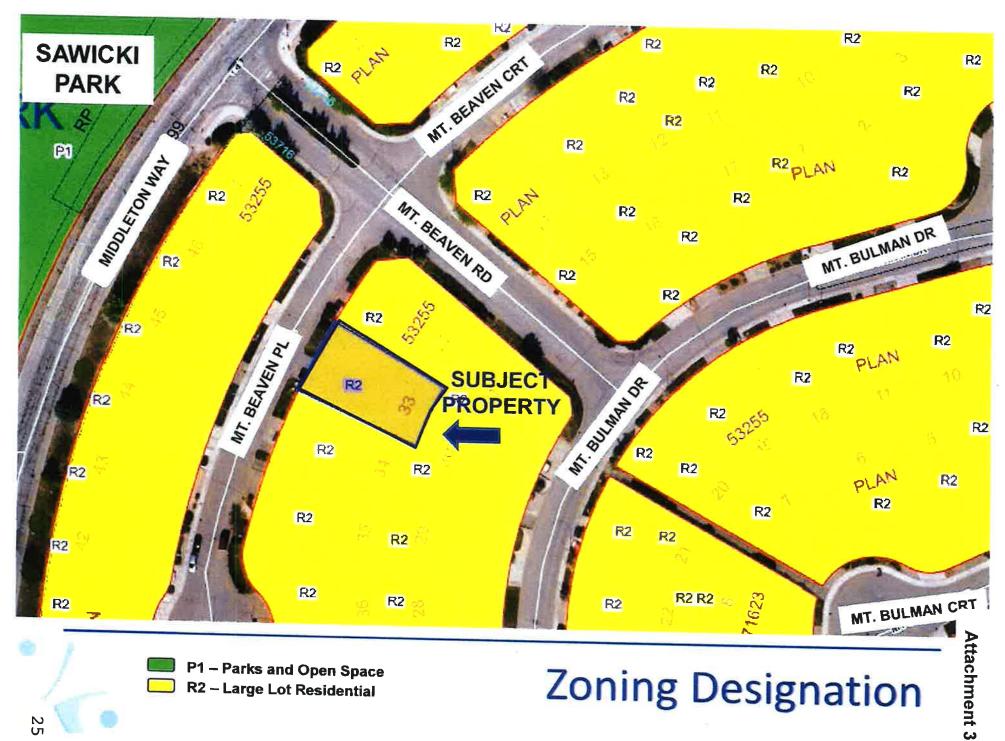




PARK - Parks and Open Space

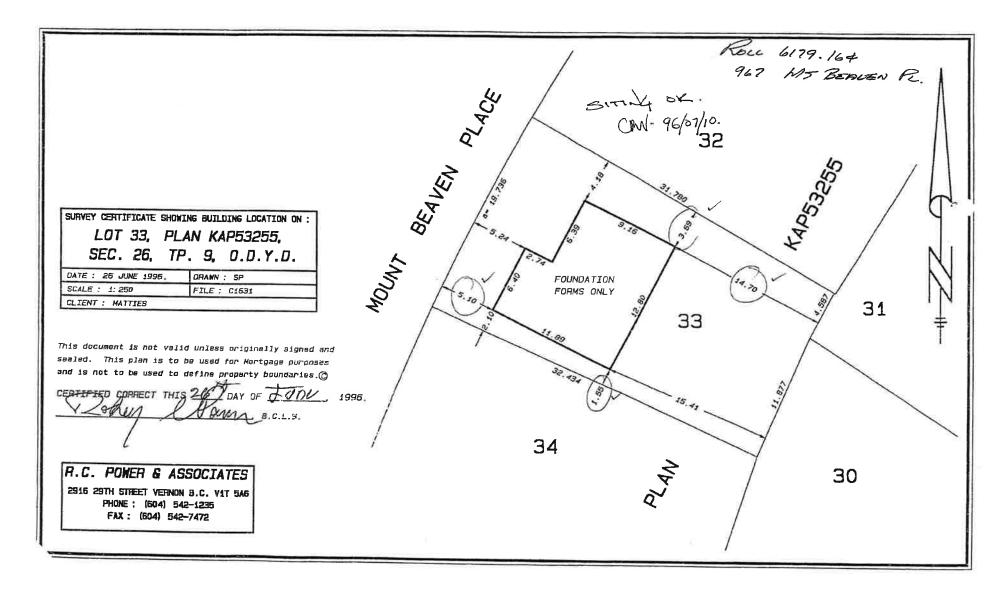
RLD- Residential - Low Density

OCP Designation



- Parks and Open Space R2 - Large Lot Residential

Zoning Designation



R2

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.

SECTION 9.3 : LARGE LOT RESIDENTIAL ZONING BYLAW NO. 5000 (2003)

R2 - 1 of 2

- 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.

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5790

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 "5577 27th Avenue Rezoning Amendment Bylaw Number 5790, 2019".
- 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 "R1: Estate Lot Residential" to "RH1: Low-Rise Apartment Residential".

Legal Description:

LOT PT 10, PLAN B1827, DL 66, ODYD (5577 27th Avenue)

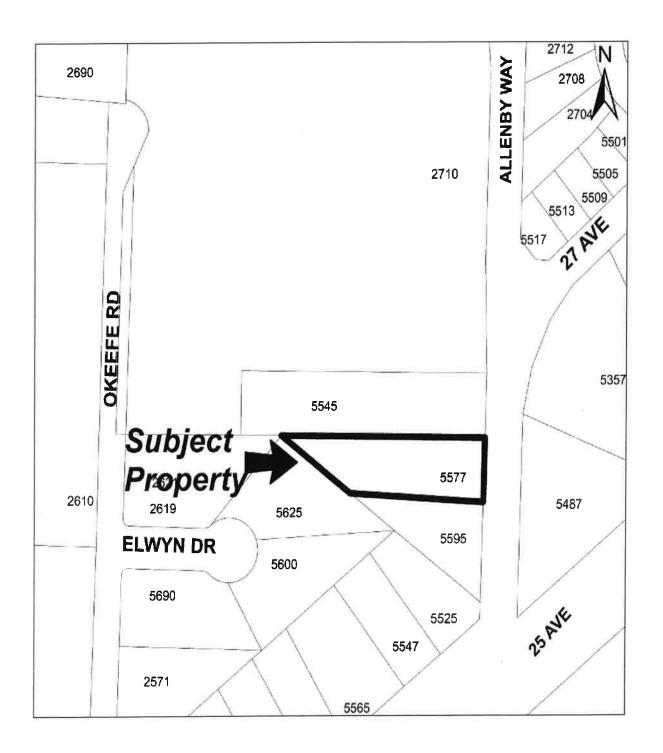
and by changing the Zoning Map accordingly, all in accordance with the bolded area as shown on Schedule "A" attached to and forming part of this bylaw.

PAGE 2

BYLAW NUMBER 5790

3.	Zoning Bylaw Numb	per 5000 is he	reby ratified and	confirmed in every othe
respect.				
READ A FIR	ST TIME this 25 th day	of November,	2019	
READ A SEC	COND TIME this 25th	day of Novemb	per, 2019	
PUBLIC HEA	ARING held this	day of	, 2019	
READ A THII	RD TIME this	day of	, 2019	
ADOPTED th	nis day of	, 2019.		
1				
Mayor:			Corporate Office	er:

SCHEDULE 'A'
Attached to and Forming Part of Bylaw 5790
"5577 27th Avenue Rezoning Amendment Bylaw Number 5790, 2019"





THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY:

Keltie Chamberlain

Economic Development Planner

COUNCIL MEETING: REG oxdots COW oxdots I/C oxdots

COUNCIL MEETING DATE: November 25, 2019

REPORT DATE: November 7, 2019

FILE: ZON00342

SUBJECT:

REZONING APPLICATION FOR 5577 – 27TH AVENUE

PURPOSE:

To review the application to rezone the property at 5577 27th Avenue from R1 – Estate Lot Residential to RH1 – Low Rise Apartment Residential in order to construct a rental apartment development.

RECOMMENDATION:

THAT Council support the application to rezone Lot Pt 10, Plan B1827, DL 66, ODYD (5577 27th Avenue) from R1 – Estate Lot Residential to RH1 – Low Rise Apartment Residential in order to construct a rental apartment development, subject to the following:

a) The owner is to enter into a reciprocal access agreement for parking and drive aisles across the site and adjacent properties (5577 and 5545 27th Avenue).

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:

THAT Council not support the application to rezone Lot Pt 10, Plan B1827, DL 66, ODYD (5577 27th Avenue) from R1 – Estate Lot Residential to RH1 – Low Rise Apartment Residential in order to construct a rental apartment development.

Note: This alternative does not support the rezoning application and would result in the property remaining zoned R1, or that the owner consider submitting an application to rezone the property to a different zoning district. A different zoning district would allow for development that differs from what is currently being proposed. The property is designated Neighbourhood Centre on the land use map in the Official Community Plan (OCP). Policies within the OCP related to the Neighbourhood Centre designation allow for zoning districts other than the RH1 zoning district proposed for the property.

ANALYSIS:

A. Committee Recommendations:

At its meeting of November 13, 2019, the Advisory Planning Committee passed the following resolution:

THAT Council support the application to rezone Lot Pt 10, Plan B1827, DL 66, ODYD (5577 27th Avenue) from R1 – Estate Lot Residential to RH1 – Low Rise Apartment Residential in order to construct a rental apartment development, subject to the following:

a) The owner is to enter into a reciprocal access agreement for parking and drive aisles across the site and adjacent properties (5577 and 5545 27th Avenue).

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.

B. Rationale:

- The application is to rezone the property at 5577 27th Avenue as shown on Figures 1 and 2 from R1 Estate Lot Residential (Attachment 1) to RH1 Low Rise Apartment (Attachment 2) in order to construct a second phase of affordable rental housing, consistent with the parcel at 5545 27th Avenue (Thunderbird Manor) which is operated by the Vernon Native Housing Society Inc.
- 2. The subject property has an area of 0.25 ha (0.62 acre) and contains an existing single family dwelling. Under the existing R1 Estate Lot Residential zone a minimum lot size required is 740 sq.m. (7,965 sq.ft.). Under the proposed RH1 Low Rise Apartment zone, the maximum density would be based on a Floor Space Ratio (FSR) of 1.50 with exceptions as noted in Attachment 2.
- 3. The property is designated Neighbourhood Centre in the Official Community Plan (OCP) and is located in the Okanagan Landing Neighbourhood Centre as shown on Attachment 3.
- 4. For areas designated Neighourhood Centre, the OCP states that:

"The neighbourhood centres are envisioned as mixed use medium density centres with commercial uses that are more suitable to daily or weekly trips. These commercial uses will be integrated with medium density residential development such as row houses, townhouses and small apartments, where appropriate. Neighbourhood centres will act as hubs for alternative transportation, and will therefore be easily accessed by public transit, have high quality cycling facilities and be pedestrian-oriented in

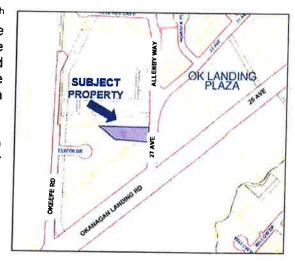


Figure 1 - Location of Subject Property



Figure 2 - Aerial View of Subject Property

design. By providing commercial uses closer to more residents and offering options for travel choice, fewer people will need to drive to get basic services and can instead walk, cycle or take transit. Neighbourhood Centres will be highly integrated with their surrounding communities to promote easy access."

- 5. Policy 8.10 in the OCP provides support for the subject application to rezone the property for multiple family housing. The policy states:
 - "8.10 The City supports the provision of neighbourhood centres which may provide general retail facilities, offices, community and institutional uses, as well as multiple family housing within or separate from the commercial buildings."
- 6. A review of a rezoning application includes a review of the existing condition of infrastructure adjacent to the property and servicing to the property. With respect to the subject property, the 27th Avenue roadway frontage is paved and curbed and includes a concrete sidewalk adjacent to the property. Phase one provided a connection to municipal services and the sanitary, storm and water main were extended to the service mains to the Phase 1 property.
- 7. As per Attachment 4, the development consultant has submitted a "Proposal for Rezoning" which provides an overview of the proposed development. As part of the Development Review process, Administration will work with the applicant to encourage the new project to be complementary and integrated with the existing project to the north at 5545 27th Avenue (Thunderbird Manor).
- 8. Administration supports the rezoning application and the proposal (Attachment 4) for the following reasons:
 - a) The proposed rezoning conforms to the Official Community Plan (OCP) land use designation on the property and the related policies.
 - b) The proposed rezoning would allow for a non-profit rental housing development which meets the goals and objectives in the City's Strategic Plan.
 - c) The proposed rezoning allows for a development that meets Policy 20.9 in the OCP, which states:
 - 20.9 Work in partnership with community agencies, non-profit organizations, senior levels of government and the business community in the provision of affordable housing, special needs housing and emergency shelter and housing.
- 9. As conditions of rezoning, Administration recommend that: the owner is to enter into a reciprocal access agreement for parking and drive aisles across the site and adjacent properties (5577 and 5545 27th Avenue); and that 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.

C. Attachments:

Attachment 1 – R1: Estate Lot Residential zoning district

Attachment 2 - RH1: Low Rise Apartment Residential zoning district

Attachment 3 – OCP land use designation map

Attachment 4 - Proposal for Rezoning

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

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

Create accessible and attainable housing for families with annual income below \$70,000

- > Streamline the residential development approval process
- > Promote transit oriented housing and mixed use development
- Work towards a sustainable Vernon environmentally, economically and socially

E. Relevant Policy/Bylaws/Resolutions:

- 1. The subject property is designated Neighbourhood Centre on the land use map in the Official Community Plan (OCP). The application to rezone the property to RH1 Low Rise Apartments conforms to the land use designation and associated policies in the OCP.
- 2. Conditions related to rezoning approvals are established so as to enable the property to be developed in accordance with allowable uses and provisions of the zoning district to be applied to the property. If the current infrastructure and the configuration of road right-of-way adjacent to the property are not suitable for development of the property, then approval of the rezoning is normally subject to the appropriate infrastructure and right-of-way being provided.
- 3. City development cost charges related to a "low income housing" project are waived through a grant request process. The RDNO development cost charge bylaws are in the process of being amended to provide a development cost charges (DCC) waiver provision that does not involve a grant request process. The subject project involves low income housing to be developed, owned and operated by a non-profit housing society. This project would qualify for the City and RDNO DCC waiver provisions.
- 4. The proposed development will need to obtain an approved Development Permit. That process will evaluate the form and character of the project and encourage integration with the project to the north (i.e. 5545 27th Avenue, Thunderbird Manor).

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Nov 15 2019 11:56 AM

Approved for submission to Council:

.....

Keltie Chamberlain

Docu Tien

Will Pearce, CAO

Keltie Chamberlain

Economic Development Planner

Nov 15 2019 11 57 AM

Kevin Poole

Down Size

Kevin Poole

Acting Director, Community Infrastructure and Development

REVIEWED WITH		
☐ Corporate Services ☐ Bylaw Compliance	☐ Operations ☐ Public Works/Airport	 ☑ Current Planning ☑ Long Range Planning & Sustainability
☐ Real Estate ☐ RCMP	☐ Facilities☐ Utilities☐ Recreation Services	 ☑ Building & Licensing ☑ Engineering Development Services ☑ Infrastructure Management
☐ Fire & Rescue Services ☐ Human Resources ☐ Financial Services	☐ Parks	 ☐ Infrastructure Management ☒ Transportation ☒ Economic Development & Tourism
☐ COMMITTEE: APC (191113) ☐ OTHER:		⊠ Economic Development & Tourism

 $\textbf{G:} \\ \textbf{3000-3699} \ \ \textbf{LAND} \ \ \textbf{ADMINISTRATION:} \\ \textbf{3360} \ \ \textbf{ZONING} \ \ \textbf{AND} \ \ \textbf{REZONING:} \\ \textbf{20} \ \ \textbf{Applications:} \\ \textbf{20} \ \ \textbf{Applications:} \\ \textbf{20} \ \ \textbf{APC_Rpt:} \\ \textbf{20} \ \ \textbf{342:} \\ \textbf{docx} \ \ \textbf{342:} \\ \textbf{342:} \\$

R1

9.2 R1: Estate Lot Residential

9.2.1 Purpose

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

9.2.2 Primary Uses

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

9.2.3 Secondary Uses

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

9.2.4 Subdivision Regulations

- Minimum lot width is 24.0m.
- Minimum lot area is 740m², or 10,000m² if not serviced by a community sewer system.
- Maximum density is 30.0 units per gross hectare (12.0 units/gross acre).

9.2.5 Development Regulations

- Maximum site coverage is 40% and together with driveways, parking areas and impermeable surfaces shall not exceed 50%.
- Maximum height is the lesser of 10.0m or 2.5 storeys, except it is 4.5m for secondary buildings and secondary structures.
- Minimum front vard is 7.5m.
- Minimum side yard is 2.5m, except it is 7.5m from a flanking street. Where there is no direct vehicular access to the rear yard or to an attached garage or carport, one side yard shall be at least 3.0m.
- Minimum rear yard is 7.5m, except it is 1.0m for secondary buildings. Where the lot width exceeds the lot depth, the minimum rear yard is 4.5m provided that one side yard shall have a minimum width of 4.5m.
- The maximum height of any vertical wall element facing a front, flanking or rear yard (including walkout basements) is the lesser of 6.5m or 1.5 storeys, above which the building must be set back at least 1.2m.

9.2.6 Other Regulations

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

- For seniors supportive housing, a safe drop-off area for patrons shall be provided on the site.
- In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 4 (secondary development, yards, projections into yards, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the landscaping and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- Seniors supportive housing shall be for no more than four residents. (Bylaw 5467)
- As per Section 4.10.2 All buildings and structures, excluding perimeter fencing (garden walls and fences) on lots abutting City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B". (Bylaw 5440)

RH1

9.12 RH1: Low-Rise Apartment Residential

9.12.1 Purpose

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

9.12.2 Primary Uses

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

9.12.3 Secondary Uses

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

9.12.4 Subdivision Regulations

- Minimum lot width is 30.0m.
- Minimum lot area is 1400m², or 10,000m² if not serviced by a community sewer system.

9.12.5 Development Regulations

(a) Density:

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

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

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

(b) Building Regulations:

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

Minimum front yard is 4.5m.

Minimum side yard is 4.5m, except it is 4.5m from a flanking street.

Minimum rear yard is 9.0m, except it is 1.0m for secondary buildings. (Bylaw 5661)

9.12.6 Other Regulations

A minimum area of 5.0m² of private open space shall be provided per bachelor dwelling, congregate housing bedroom 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 3 to 4.5 **storey building**, or 65.0m for a 2 **storey building**. If the frontage is interrupted by an open courtyard equivalent in depth and width to the **building height**, the maximum continuous 4.5 **storey building frontage** may be 80.0m provided that no **building** section exceeds 40.0m

For multi-unit residential housing, one **office** may be operated for the sole purpose of the management and operation of the multi-unit residential **development**.

 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)



OCP Designation



Proposal for Rezoning

5577 27th Ave

Introduction

This application is for the re-zoning of the property located at 5577 27th Ave. This proposed rezoning is the first step towards implementation of a second phase of affordable housing built by the Vernon Native Housing Society, who own the adjacent property to the North.



Site Context and Land Use

The subject site consists of a property 0.25 ha in size located on 27th Ave just north of the Okanagan Landing intersection. The property is currently zoned R1, with a Future Land Use of Neighborhood Centre, as prescribed by the City of Vernon OCP.



1



Proposal Overview

The owner is applying to rezone the property to *RH1* to facilitate the construction of a second phase of affordable housing, consistent with the Zoning, uses, and ownership of the parcel immediately North at 5545 27th Ave (Thunderbird Manor). The building will also be operated by the Vernon Native Housing Society as a low-cost rental building. The provision of affordable housing options is a critical priority within the City of Vernon, and the Okanagan as a whole. This project will help continue to fill that housing gap.

The proposed zoning of RH1 is consistent with the Neighborhood Centre Future Land Use Designation outlined in the City of Vernon OCP and is a continuation of the RH1 zoning to the North. It is expected that a Development Permit will also be applied for at a later date, but prior to Zoning Adoption.

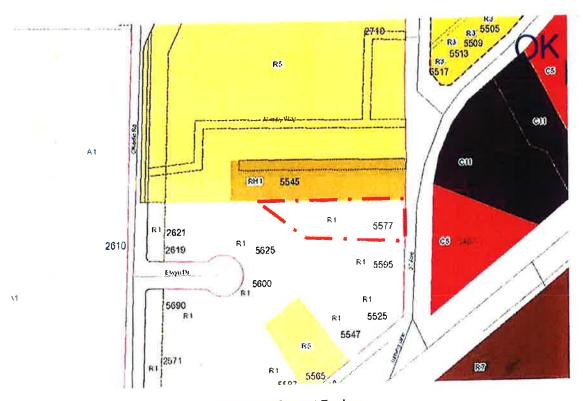


Figure 1: Current Zoning



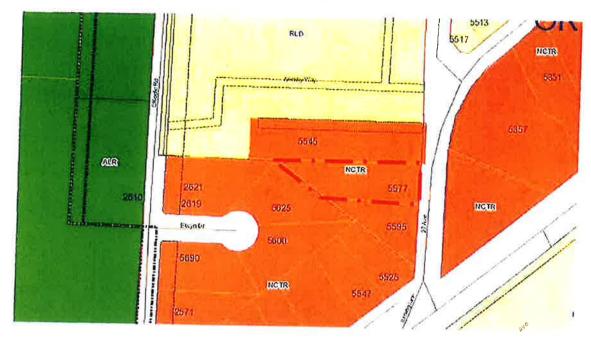


Figure 2: OCP Future Land Use Designation

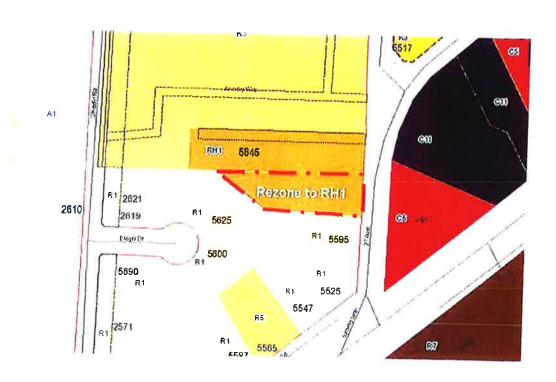


Figure 3: Proposed Zoning

11

3



Conclusion

This project will provide a variety of much needed affordable rental homes for the Vemon community. With housing costs in the Okanagan at an all-time high, these homes will have a range of rent prices to be attainable to a broader number of potential residents. The applicant kindly requests support from staff and council on this application.