



CORPORATION OF THE CITY OF VERNON

ADVISORY PLANNING COMMITTEE

TUESDAY, JUNE 9, 2020 @ 4 P.M.

OKANAGAN LAKE ROOM

A G E N D A

1) ADOPTION OF AGENDA

2) ADOPTION OF MINUTES

May 26, 2020 (attached)

3) NEW BUSINESS:

- a) **ZON00349/DVP00481 – Rezoning and Development Variance Permit
Application for 2109 32nd Avenue**

4) INFORMATION ITEMS:

- a) The Staff Liaison reviewed APC related items discussed at the June 8, 2020 Council meeting.

5) DATE OF NEXT MEETING:

The next meeting is tentatively scheduled for Tuesday, June 23, 2020.

6) ADJOURNMENT



THE CORPORATION OF THE CITY OF VERNON

MINUTES OF ADVISORY PLANNING COMMITTEE MEETING

HELD

TUESDAY, MAY 26, 2020

PRESENT: VOTING

Larry Lundgren
Doug Neden
Monique Hubbs-Michiel
Phyllis Kereliuk
Don Schuster
Mark Longworth
Bill Tarr
Jamie Paterson

NON-VOTING

Mayor Cumming (Alternate Member)

ABSENT: Councillor Mund (Appointed Member)

Lisa Briggs
Joshua Lunn
Harpreet Nahal

STAFF: Craig Broderick, Manager, Current Planning/Staff Liaison

Daniel Sturgeon, Long Range Planner
Natasha Kositsin, Acting Legislative Committee Clerk

ORDER

The Chair called the meeting to order at 4:02 p.m.

**ADOPTION OF
AGENDA**

Moved by Doug Neden, seconded by Monique Hubbs-Michiel;

THAT the Advisory Planning Committee move Information Services (4) before New Business (3) on the agenda;

AND FURTHER, that the agenda be adopted as amended.

CARRIED.

**ADOPTION OF
MINUTES**

Moved by Bill Tarr, seconded by Monique Hubbs-Michiel;

THAT the minutes for the Advisory Planning Committee meeting of May 12, 2020 be adopted.

CARRIED.

NEW BUSINESS:

**REZONING
APPLICATION FOR
1800 PHOENIX DRIVE
(ZON00300)**

The Long Range Planner reviewed the Rezoning Application for 1800 Phoenix Drive. The Committee noted the following:

- Concerns as to why the Developer is not just zoning Phase 1 instead of the whole 30 acres. It's a 15 year project, and was suggested to scale down but the developer wants to ensure that they have the whole land to use.
- Committee wonders why they are discussing this property when the developer still needs to apply for a Subdivision application. As per the Council report, the applicant will be required to make a subdivision application that is supportable prior to adoption – APC will not see the subdivision application unless there are changes to the proposed zoning. .
- Pedestrian movements across the site needs to be taken into consideration when planning, to include trails,.
– Staff note that there is a future park and trail as described in the Foothills Neighbourhood Plan
- Concerns of emergency vehicles but were informed that this will still be in the 10 minute response time. A secondary emergency access point to the north will be acquired and constructed in later subdivision phases.

Moved by Monique Hubbs-Michiel, seconded by Doug Neden;

THAT the Advisory Planning Committee recommends that Council support the application to rezone Amended Lot G (SEE DD 216774F) Sections 13 and 24 Township 8 ODYD Plan 1362 Except Plans 28422, 36541, KAP82631, KAP84094, KAP90431, EPP38363 And EPP72337 (1800 Phoenix Drive) within the Foothills Neighbourhood from A2 (Rural — Large Holdings) and R2 (Large Lot Residential) to HR1 (Hillside Residential Single and Two Family), HR2 (Hillside Residential Multi-Family), and P1 (Parks and Open Space);

AND FURTHER, that prior to adoption of a zoning amendment bylaw:

- a) Registration of a Section 219 "No Disturb" Covenant on the remnant parcel (lands beyond Phase 1) that would restrict future subdivision or any development until the approval of a pre-plan, consistent with the Foothills Neighbourhood Plan, that would identify the location of a future road network that specifically connects with Mountridge Drive to the north and generally to the road network to the east, respects sensitive areas including seasonal water bodies or drainage courses, and provides for future parks and trail connections;
- b) Registration of a 50 metre radius no-build and no-disturb covenant for the area surrounding the archaeological site;
- c) Payment of water latecomer charges for use of reservoir capacity in the Sun Peaks Reservoir;
- d) Confirmation of the downstream capacity of the existing drainage system to handle flows from the proposed development;
- e) The applicant provide geotechnical information regarding slope, soil and hydrogeological conditions along the edge of the environmentally sensitive area in Phase 1 of the proposed development, including recommendations regarding the location of final lot lines, a no disturb covenant, and safe building setbacks in this area;
- f) Submission of Subdivision and Environmental Development Permit applications for Phase 1 of the development including design of on-site and off-site works and services necessary to service the first phase of development and receipt of a supportable subdivision layout to the satisfaction of the Approving Officer; and
- f) Finalization of a traffic impact assessment which details any necessary off-site improvements as result of the proposed development and registration of any necessary covenants restricting development phases until such improvements are complete

AND FURTHER, that there is pedestrian trail access incorporated into the development that avoids sensitive ecological areas.

CARRIED, with Jamie Paterson opposed.

INFORMATION ITEMS

The Manager, Current Planning reviewed the following APC related applications discussed at the May 25th, 2020, Council meeting:

- **DVP00484** –3417 30th Avenue – issued, once all conditions of Council have been met
- **DVP00477** –1103 35th Avenue - issued, once all conditions of Council have been met.
- **ZON00297** - 5000 20th Street – Request to Waive Rezoning Application condition for reconsideration on June 8, 2020.
- **ZON00343** - 9188 Tronson Road Public Hearing held May 25, 2020 was adjourned to June 8, 2020 with further written submissions being received up to 4pm June 5, 2020
- **2103-39th Street** Rezoning Amendment Public Hearing for June 8 cancelled and rescheduled for June 22, 2020 at Rec Centre Auditorium.

NEXT MEETING

The next meeting of the Advisory Planning Committee is to tentatively scheduled for June 9, 2020.

ADJOURNMENT

The meeting of the Advisory Planning Committee adjourned at: 4:35 p.m.

CERTIFIED CORRECT:

Chair



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Keltie Chamberlain, Planning
Assistant, Current Planning &
Economic Development

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: June 22, 2020
REPORT DATE: June 4, 2020
FILE: ZON00349 / DVP00481

SUBJECT: REZONING AND DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 2109 32ND
AVENUE

PURPOSE:

To review applications to rezone the subject property from R2: Large Lot Residential to R3: Medium Lot Residential, and to vary Zoning Bylaw #5000 to reduce the minimum side yard setback for a flanking street from 4.5m to 3.0m to subdivide the parcel into two lots for residential development at the location at 2109 32nd Avenue.

RECOMMENDATION:

THAT Council support the application to rezone Lot 1, Plan 3421, Sec 35, Tp 9, ODYD (2109 32nd Avenue) from R2: Large Lot Residential to R3: Medium Lot Residential to subdivide the parcel into two lots for residential development at 2109 32nd Avenue;

AND FURTHER, that Council's support of ZON00349 is subject to the following:

- a) that the Preliminary Layout Review be ready for issuance prior to final adoption of the rezoning bylaw;

AND FURTHER, that Council support Development Variance Permit application DVP00479 to vary the following sections of Zoning Bylaw #5000 on Lot 1, Plan 3421, Sec 35, Tp 9, ODYD (2109 32nd Avenue):

- a) To vary Section 9.4.5 to reduce the minimum side yard setback of 4.5m for a flanking street to 3.0m.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support the application to rezone Lot 1, Plan 3421, Sec 35, Tp 9, ODYD (2109 32nd Avenue) from R2: Large Lot Residential to R3: Medium Lot Residential to subdivide the parcel into two lots for residential development;

AND FURTHER, that Council not support Development Variance Permit application DVP00479 to vary the following sections of Zoning Bylaw #5000 on Lot 1, Plan 3421, Sec 35, Tp 9, ODYD (2109 32nd Avenue):

- a) To vary Section 9.4.5 to reduce the minimum side yard setback of 4.5m for a flanking street to 3.0m.

Note: This alternative does not support the rezoning and development variance applications. The owner would have to develop the property in accordance with the current zoning and comply with Zoning Bylaw #5000, as well as any other conditions cited by Council.

ANALYSIS:

A. Committee Recommendations:

At its meeting of June 9, 2020, the Advisory Planning Committee passed the following resolution:

“ ”

B. Rationale:

1. The subject property is located at 2109 32nd Avenue (Figures 1 and 2). The land is designated as RLD Residential Low Density (RLD) within the Official Community Plan (OCP) and is in the R2: Large Lot Residential zoning district (Attachment 1). The applicant is proposing to rezone to R3: Medium Lot Residential zoning district (Attachment 2). The property is approximately 973 m² (0.24 acre).
2. The R2: Large Lot Residential and R3: Medium Lot Residential zoning districts permit a primary use of single detached housing.
3. Under the current R2: Large Lot Residential zone, the minimum lot area for subdivision is 557m². The lot area under the current zone is not large enough to subdivide. The proposed R3: Medium Lot Residential zoning designation requires that the minimum lot size is 450m² to subdivide. The proposed rezoning would allow the lot to be subdivided into two lots.
4. The applicant has proposed to rezone the subject property to subdivide the parcel into two lots to construct two new single family dwellings. A survey plan has been provided that shows the proposed Lot A and Lot B layout and housing orientation fronting onto 22nd Street (Attachment 3). Lot A would be 520.5m² (0.13 acre) and Lot B would be 451.8m² (0.11 acre).
5. The maximum density permitted in the RLD land use designation of the OCP is 12 units per acre. The proposed rezoning from R2: Large Lot Residential to R3: Medium Lot Residential would not impact the permitted density, but would permit a smaller lot.
6. Currently, the lot fronts onto 32nd Avenue and is developed with an existing house and detached garage in the rear yard which is accessed from 22nd Street. Both would be removed (Attachment 4).
7. The applicant has provided an example of the housing design that would be constructed for discussion (Attachment 5). The proposed construction is a nod to craftsman style homes, and is development that acknowledges the existing established neighbourhood. The design of the south face of the lot facing 32nd Ave. will be required to present a residential appearance as part of the subdivision review process.

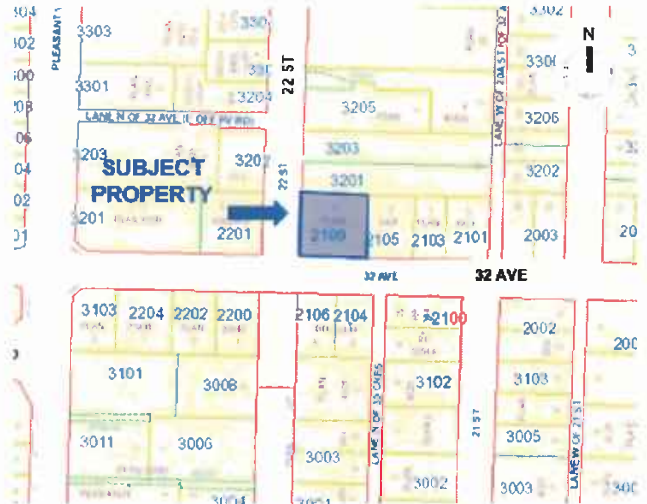


Figure 1 – Property Location Map



Figure 2 – Aerial View of Property

8. In order to proceed with the proposal, the applicant has applied for the following variance:
 - a. To vary Section 9.4.5 to reduce the minimum side yard setback from 4.5m for a flanking street to 3.0m.
9. The applicant has provided a rationale letter (Attachment 6) to support the rezoning and variance application. The applicant states the infill development under the proposed R3: Medium Lot Residential would be two residences that front onto 22nd Street. They are intended to be family homes based on the proximity to schools, transit, and walkability. The proposed new lot configuration identifies 32nd Avenue as the flanking street and would require a reduction to the side yard setback on the south side. This would allow driveways off 22nd Street to access the carport or garage of the proposed homes on the north side of the properties and provide the necessary area to build the proposed residence.
10. Administration supports the rezoning and variance applications for the following reasons:
 - a) The proposed rezoning to from R2: Large Lot Residential to R3: Medium Lot Residential aligns with the Official Community Plan and the density permitted in the Residential Low Density land use designation of a maximum of 12 units per acre.
 - b) The proposed rezoning would permit a two-lot subdivision and provide a sensitive infill development in East Hill that is respectful of existing housing and neighbourhood character.
 - c) The reduction to the side yard setback would provide the area required for a single detached unit on the proposed future Lot A (Attachment 4).

C. Attachments:

Attachment 1 – R2: Large Lot Residential zoning district regulations
Attachment 2 – R3: Medium Lot Residential zoning district regulations
Attachment 3 – Survey Plan
Attachment 4 – Current access to property
Attachment 5 – Housing example for discussion
Attachment 6 – Rationale Letter

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

N/A

E. Relevant Policy/Bylaws/Resolutions:

1. The Official Community Plan (OCP) designates the property as RLD Low Density Residential. The property is within the R2: Large Lot Residential zoning district, which conforms to the OCP.
 - Note that no change to use or density is being proposed.
2. The following section of Zoning Bylaw #5000 applies to the subject DVP application:
 - 9.4.4 Subdivision Regulations
 - 9.4.5 Development Regulations, Minimum side yard for a flanking street is 4.5m.
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 precedence 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

Will Pearce, CAO

Keltie Chamberlain
Planning Assistant, Current Planning &
Economic Development

Date: _____

X

Signer 1

Kim Flick
Director, Community Infrastructure and Development

REVIEWED WITH

- | | | |
|---|---|--|
| <input type="checkbox"/> Corporate Services | <input type="checkbox"/> Operations | <input checked="" type="checkbox"/> Current Planning |
| <input type="checkbox"/> Bylaw Compliance | <input type="checkbox"/> Public Works/Airport | <input type="checkbox"/> Long Range Planning & Sustainability |
| <input type="checkbox"/> Real Estate | <input type="checkbox"/> Facilities | <input type="checkbox"/> Building & Licensing |
| <input type="checkbox"/> RCMP | <input type="checkbox"/> Utilities | <input type="checkbox"/> Engineering Development Services |
| <input type="checkbox"/> Fire & Rescue Services | <input type="checkbox"/> Recreation Services | <input type="checkbox"/> Infrastructure Management |
| <input type="checkbox"/> Human Resources | <input type="checkbox"/> Parks | <input checked="" type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input checked="" type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Jun.9/20) | | |
| <input type="checkbox"/> OTHER: | | |



9.3 R2 : Large Lot Residential

9.3.1 Purpose

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

9.3.2 Primary Uses

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

9.3.3 Secondary Use

- **boarding rooms**
- **bed and breakfast homes** *(in single detached housing only) (Bylaw 5498)*
- **care centres, minor**
- **group home, minor**
- **home based businesses, minor**
- **home based businesses, major** *(use is only permitted with the R2h sub-zoning district)*
- **secondary suites**
- **seniors supportive housing**

9.3.4 Subdivision Regulations

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

9.3.5 Development Regulations

- Maximum **site coverage** is 40% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 50%.
- Maximum **height** is the lesser of 10.0m or 2.5 **storeys**, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 5.0m.
- Minimum **side yard** is 1.5m, except it is 5.0m from a **flanking street**. Where there is no direct vehicular access to the **rear yard** or to an attached garage or **carport**, one **side yard** shall be at least 3.0m.
- Minimum **rear yard** is 7.5m, except it is 1.0m for **secondary buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5m provided that one **side yard** shall have a minimum width of 4.5m.
- The maximum **height** of any vertical wall element facing a **front, flanking** or **rear yard** (including **walkout basements**) is the lesser of 6.5m or 2.5 **storeys**, above which the **building** must be **set back** at least 1.2m.

9.3.6 Other Regulations

- There shall be no more than one **single detached house** per **lot**.
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- For **seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.

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



9.4 R3 : Medium Lot Residential

9.4.1 Purpose

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

9.4.2 Primary Uses

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

9.4.3 Secondary Uses

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

9.4.4 Subdivision Regulations

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

9.4.5 Development Regulations

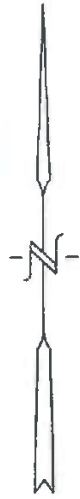
- Maximum **site coverage** is 40% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 50%.
- Maximum **height** is the lesser of 10.0m or 2.5 **storeys**, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 4.5m, except it is 6.0m from a garage or **carport** having vehicular entry from the front.
- Minimum **side yard** is 1.5m for a 1 or 1.5 **storey** portion of a **building** and 1.8m for a 2 or 2.5 **storey** portion of a **building**, except it is 4.5m from a **flanking street**, and 6.0m from a garage or **carport** having vehicle entry from a **flanking street**.
- Minimum **rear yard** is 6.0m for a 1 or 1.5 **storey** portion of a **building** and 7.5m for a 2 or 2.5 **storey** portion of a **building**, except it is 1.0m for **secondary buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5m provided that one **side yard** shall have a minimum width of 4.5m.
- The maximum **height** of any vertical wall element facing a **front, flanking or rear yard** (including **walkout basements**) is the lesser of 6.5m or 2.5 **storeys**, above which the **building** must be **set back** at least 1.2m.

9.4.6 Other Regulations

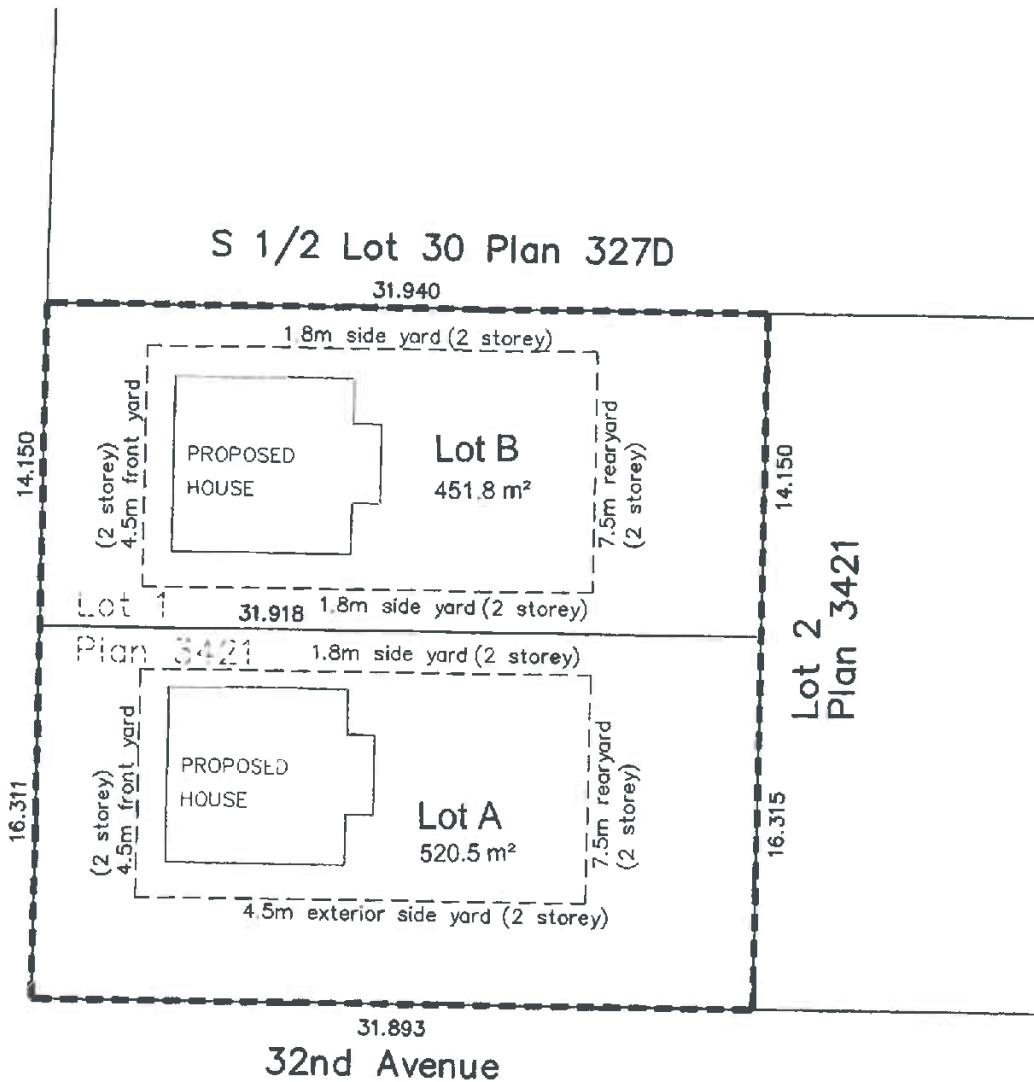
- There shall be no more than one **single detached house** per **lot**.
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.

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

Proposed Subdivision of Lot 1, Sec 35,
Tp 9, ODYD, Plan 3421.
SCALE 1: 300 (ALL DISTANCES IN METRES)



22nd Street



OCP - Residential low density
Current zoning is R2
Proposed zoning is R3

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russell shortt

land SURVEYORS

2801-32nd Street, Vernon, B.C.
Phone (250)545-0511 email: jasons@jrshortt.ca

FILE: 29493

Feb 20, 2020

THIS PLAN IS PREPARED FOR THE USE OF:
Parson Family Homes



brace & pole





TAHO VENTURES INC.

748 Upland Heights, Vernon, BC V1B 2X9
Tel/Fax: 250-545-3971 ~ Cell: 250-558-9441

Our company has recently purchased 2109 32nd Ave. It is our intent to rezone the property from the present R2 to R3 to facilitate the development of two residential lots.

The present OCP designation is low density residential.

We wish to orient the lots to face 22nd Street. This is a dead end street with very little traffic and a much safer entry and exit point for the driveways of the two houses. This also allows us to keep the 32nd Ave. hedge and trees for privacy and sound control.

The present house and garage will be removed to make way for two attainable type homes. We have built this home before at 4607 20th Street. This is an expandable home with garage, carport, covered deck and basement suite options. This location is close to schools, bus routes and easy walking distance to town. The style and price point will appeal to working class families. We have enclosed a picture of the proposed home.

The lot is fairly level with a slight three foot slope to the east.

We also wish to alter the southern or 32nd Ave. setback on Lot A from the present 4.5 meters to 3 meters.

On Lot A, under the present guidelines, we do not have enough room to put a house and carport or garage on the northern side of the property with a 4.5 meter setback on the southern side.

If we place the driveway on the southern side entering off 22nd street we have a fire hydrant and a hydro pole brace partially blocking the entry. Also it is very unsafe to back out onto a corner, especially on busy 32nd.

The new houses are far enough away from the adjoining houses on 32nd that this will not look out of place for alignment.

We believe that the new houses will enhance the neighborhood and provide two new SFD homes as an alternative to townhouse and condominium living.

Thank you

Gavin & Taylor Parsons

Parsons Family Homes