



CORPORATION OF THE CITY OF VERNON

ADVISORY PLANNING COMMITTEE

TUESDAY, SEPTEMBER 1, 2020 @ 4 P.M.

OKANAGAN LAKE ROOM

A G E N D A

1) ADOPTION OF AGENDA

2) ADOPTION OF MINUTES

August 18, 2020 (attached)

3) NEW BUSINESS:

a) **DVP00493/ZON00357** - Development Variance Permit and Rezoning Applications for 1800 32nd Street

b) **ZON00346** - Rezoning Application for multiple properties in the Okanagan Hills Neighbourhood Plan Area.

4) INFORMATION ITEMS:

5) DATE OF NEXT MEETING:

The next meeting is to tentatively scheduled for Tuesday, September 15, 2020.

6) ADJOURNMENT



THE CORPORATION OF THE CITY OF VERNON

MINUTES OF ADVISORY PLANNING COMMITTEE MEETING

HELD

TUESDAY, AUGUST 18, 2020

PRESENT: VOTING

Mark Longworth, Chair
Phyllis Kereliuk
Jamie Paterson
Bill Tarr
Don Schuster
Lisa Briggs
Mayor Cumming (Alternate Appointed Member)

ABSENT: Monique Hubbs-Michiel

Joshua Lunn
Harpreet Nahal
Doug Neden
Larry Lundgren
Councillor Mund (Appointed Member)

STAFF: Craig Broderick, Manager, Current Planning / Staff Liaison
Keltie Chamberlain, Planning Assistant
Natasha Kositsin, Acting Legislative Committee Clerk

ORDER

The Chair called the meeting to order at 4:10 p.m.

**ADOPTION OF
AGENDA**

Moved by Lisa Briggs, seconded by Jamie Paterson;

THAT the Advisory Planning Committee agenda for August 18, 2020 be adopted.

CARRIED.

**ADOPTION OF
MINUTES**

Moved by Don Schuster, seconded by Phyllis Kereliuk;

THAT the minutes for the Advisory Planning Committee meeting of August 4, 2020 be adopted.

CARRIED.

NEW BUSINESS:

LAND USE CONTRACT APPLICATION FOR 9239 KOKANEE ROAD (LUC00017)

The Manager, Current Planning reviewed the land use application (LUC00017) for 9239 Kokanee Road. The Committee noted the following:

- Garage appears detached but has a shared roof system like a bridge.

Moved by Lisa Briggs, seconded by Bill Tarr;

THAT the Advisory Planning Committee recommends that Council support the application to vary Bylaws #291 and #292 (Regional District of North Okanagan) respecting Land Use Contract (LTO #P2461) for Lot 12, Sec 11, Twp 13, ODYD, Plan 32582 (9239 Kokanee Road) to vary:

- a) Schedule A - Section 5 (a) from a maximum height for residential uses from 8 m to 8.5 m; and
- b) Schedule A - Section 8 (d) for a minimum side yard setback of 8 m to 6.0 m

subject to the following:

- a) That the site plan and building elevation plans generally shown as Attachment 1 in the report titled "Land Use Contract Variance Application for 9239 Kokanee Road" dated August 10, 2020 by the Manager, Current Planning, be attached to and form part of the Land Use Contract Variance (LUC00017) as Schedule 'A'.

CARRIED.

ZONING TEXT AMENDMENT BYLAW #5817, 2020 (HOME BASED BUSINESSES) AND SIGN TEXT AMENDMENT BYLAW #5818 (ZON00354)

The Planning Assistant reviewed the zoning text amendment Bylaw #5817 and the sign text amendment Bylaw #5818. The Committee noted the following:

- Two businesses are allowed in a home (primary or with a secondary suite).
- Legitimate businesses need to have proper licensing, the City does not have the capacity to follow up on people who are operating under no license and if it is added to this Bylaw, officers can follow through with enforcement.

- Clarification on definition of home-based businesses compared to working from home.
- What was the rationale for changing all of this? Important part of our economy, major business with more than one client would require a rezoning application so this will make it less complicated – for example if it is a hair dressing business from home and someone buys that house they need to know there is a covenant on title.
- This simplifies things as you wouldn't have to come before Council for a rezoning application because of this bylaw.
- Noise nuisance not permitted as a residential home-based business, so no mechanic shops or welding for example.
- Home based business and employees working from home for a company are not the same.
- If you are operating without a proper business license and someone complains, the City will shut it down.
- Would like to adjust the hours to allow for home-based businesses to operate from 7am to 7pm instead of 6am to 6pm and to have a good neighbor bylaw that covers the hours of quiet time.

Moved by Don Schuster, seconded by Jamie Paterson;

THAT the Advisory Planning Committee supports that Council give first and second reading consideration to Zoning Text Amendment Bylaw #5817, 2020 (Home Based Businesses) and Sign Bylaw Text Amendment Bylaw #5818; subject to the adjustment of operating hours, clarity on the definition between employees working from home versus an actual home-based business and that contractors should be licensed.

AND FURTHER, that Council direct Administration to schedule a public hearing for Zoning Text Amendment Bylaw #5817, 2020 (Home Based Businesses) as soon as practical.

CARRIED.

INFORMATION ITEMS

The Manager, Current Planning reviewed the following APC related applications discussed at the August 17, 2020, Council meeting:

- DVP00486 – Development Variance Permit for 4501 31st Street – issuance of permit once conditions are satisfied.
- DVP00488 – Development Variance Permit for 7210 Tronson Rd – issuance of permit once conditions are satisfied.
- ZON00349/DVP00481 – Rezoning Application and Development Variance Permit for 2109 32nd Avenue – Public Hearing and Input was held and received third reading.
- ZON000347/LUC00016 – Rezoning Application/Land Use Discharge for 2724 Howser Place – Public Hearing scheduled for September 28, 2020.
- ZON00352 – Rezoning Application for 3405 27th Street – Public Hearing scheduled for September 28, 2020.
- Zoning Text amendment Bylaws #5000 and #5825 – Public Hearing scheduled for September 14, 2020.

NEXT MEETING

The next meeting of the Advisory Planning Committee is tentatively scheduled for a special meeting to be held on Tuesday, September 1, 2020.

ADJOURNMENT

The meeting of the Advisory Planning Committee adjourned at: 5:10 p.m.

CERTIFIED CORRECT:

Chair



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Keltie Chamberlain, Current
Planning & Economic
Development

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: Sept 14, 2020
REPORT DATE: Aug 26, 2020
FILE: DVP00493/ZON00357

SUBJECT: REZONING AND DEVELOPMENT VARIANCE APPLICATIONS FOR 1800 32nd STREET

PURPOSE:

To review applications to rezone the subject property from R2: Large Lot Residential to RM2: Multiple Housing Residential and to vary the minimum unit width to develop four residential rental units at 1800 32nd Street.

RECOMMENDATION:

THAT Council support the application to rezone Blk 10, PI 225, DL 73, ODYD (1800 32nd Street) from R2: Large Lot Residential to RM2: Multiple Housing Residential to develop four residential rental units at 1800 32nd Street;

AND FURTHER, that should Council approve the rezoning of the subject property from R2: Large Lot Residential to RM2: Multiple Housing Residential, that Council support the development variance permit (DVP00493) to reduce the minimum unit width from 6.5m to 4.72m.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support the application to rezone Blk 10, PI 225, DL 73, ODYD (1800 32nd Street) from R2: Large Lot Residential to RM2: Multiple Housing Residential and the development variance permit application to reduce the minimum unit width from 6.5m to 4.72m to develop residential rental units at 1800 32nd Street.

Note: This alternative does not support the rezoning application. The owner would have to develop the property in accordance with the current zoning and comply with Zoning Bylaw #5000.

ANALYSIS:

A. Committee Recommendations:

At its meeting of August 4, 2020, the Advisory Planning Committee passed the following resolution:

“That Council support the application to rezone Blk 10, PI 225, DL 73, ODYD (1800 32nd Street) from R2: Large Lot Residential to RM2: Multiple Housing Residential to develop four residential rental units at 1800 32nd Street;

AND FURTHER, that Council’s support of ZON00357 is subject to the following:

- a) that the Development Permit application be ready for issuance prior to final adoption of the rezoning bylaw. “

At its meeting of September 1, 2020, the Advisory Planning Committee passed the following resolution:

“ ”.

The rezoning application was reviewed by the Advisory Planning Committee prior to the applicant submitting the development variance application (DVP00493) for the reduction in unit width.

B. Rationale:

1. The subject property is located at 1800 32nd Street (Figures 1 and 2). The land is designated as Residential Medium Density (RMD) 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 RM2: Multiple Housing Residential zoning district (Attachment 2). The property is approximately 696.53 m² (0.17 acre).
2. The R2: Large Lot Residential zoning district allows residential as a primary use in single detached housing form. The RM2: Multiple Housing Residential zoning district allows a variety of housing types, including: duplexes, four-plexes, row housing, semi-detached, three-plexes, and single detached housing as primary uses.
3. Under the current R2: Large Lot Residential zone, the maximum number of units permitted is one. Under the proposed RM2: Multiple Housing Residential zoning, the maximum density is 29.0 units per acre. The 0.17 acre lot would allow a maximum of four units on the site.
4. Should Council support the rezoning application, the applicant has submitted a development variance application to reduce the minimum unit width from 6.5m to 4.72m for the proposed four.
5. The applicant has provided a preliminary site plan (Attachment 3) for discussion purposes. The proposed four-plex housing would be developed to provide rental housing.
6. Currently, the lot is undeveloped and is located on a corner lot, fronting onto 32nd Street with 18th Avenue as the flanking street. There is lane access to the corner lot and it is in close proximity of Jubilee Hospital and the City Centre. There is a mix of uses and density in the area, and the proposed zoning is in alignment with the OCP land use designation.
7. Zoning Bylaw #5000 limits the unit width in multiple zoning districts (Attachment 4). The zoning districts permit a variety of housing types, including: single detached housing, duplex housing, four-plex housing, three-plex housing, row housing, stacked row housing, and semi-detached housing. The RH2 Stacked



Figure 1 – Property Location Map



Figure 2 – Aerial View of Property

Row Housing Residential zoning district in which unit widths are not limited permit row housing and stacked row housing, similar to zones that have a unit width restriction (Attachment 5).

8. Regulations for unit width have been used in the past to limit the use of mobile and modular homes in residential zones that allow single detached housing to ensure the control of the built form. Zoning Bylaw #5000 permits mobile homes in the R7: Mobile Home Residential zoning district and not in other residential zoning districts. Today, modular homes are an accepted building structure in both single detached housing, multi-family housing, and commercial industrial buildings. Modular housing can meet current BC Building Code and is proven to meet design guidelines and have acceptable form and character.
9. Administration is currently reviewing the unit width regulation as it applies to zoning districts and housing types to bring forward a zoning text amendment bylaw to respond to changing market preferences, demographics, development trends and building technologies.
10. Administration supports the rezoning and development variance application for the following reasons:
 - a) The proposed rezoning from R2: Large Lot Residential to RM2: Multiple Housing Residential aligns with the Official Community Plan and the density permitted in the Residential Medium Density land use designation of a maximum of 44.5 units per acre;
 - b) The proposed rezoning would permit development of rental units and provide infill in the Hospital Hill area; and
 - c) Administration anticipates demand for smaller units to continue to grow, as they provide an affordable housing option in the City. The unit width is a constraint to design of small units in this type of row-housing/four-plex housing building.
11. In order to protect the public, Council members, and staff, the City has implemented strict physical distancing measures in all City facilities, which follow the guidelines and Orders of the Provincial Health Officer (PHO).

Until further notice, to support these measures, Council has directed Administration to receive public input for development variance permit applications in written form only, until physical distancing requirements have been lifted by the PHO.

Only those written submissions (or emails to phearings@vernon.ca) received prior to the Public Input Session shall be distributed to Council.

As part of the notification process, [redacted] letters were sent to neighbouring residents, tenants and property owners. At the time of report writing, [redacted] written submissions had been received. As input is received, it is placed on the City of Vernon website Development Variance Permits – Public Input) as well as in a binder at the front counter of the Community Services Building.

C. Attachments:

- Attachment 1 – R2: Large Lot Residential zoning district regulations
- Attachment 2 – RM2: Multiple Housing Residential zoning district regulations
- Attachment 3 – Site Plan for discussion
- Attachment 4 – Excerpts from Zoning Bylaw #5000
- Attachment 5 – Zoning Text Amendment Bylaw #5332

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

The subject application involves the following goal/action items in Council’s Strategic Plan 2019-2022:

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

E. Relevant Policy/Bylaws/Resolutions:

1. The Official Community Plan (OCP) designates the property as RMD Residential Medium Density. The property is within the R2: Large Lot Residential zoning district, and is proposed as RM2: Multiple Housing Residential, which conforms to the OCP.
2. The OCP support the provision of medium density multiple family housing options in and around designated neighbourhood centres.

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 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 type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input checked="" type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Aug 4, Sep 1 2020) | | |
| <input type="checkbox"/> OTHER: | | |

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DEVELOPMENT

VARIANCE

PERMITS\20

APPLICATIONS\DVP00493\2

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**.

- **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)

RM2

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	225m ²	275m ²	7.8m	9.0m
Three-Plex Housing	150m ²	200m ²	6.5m	7.8m
Four-Plex Housing	150m ²	200m ²	6.5m	7.8m
Row Housing	150m ²	200m ²	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

is not accommodated completely beneath the habitable space of a primary **building** or useable common amenity areas, the additional density permitted shall be determined through multiplying the additional 15.0 units per gross hectare (6 units/gross acre) by the percentage of parking proposed to be provided beneath habitable space of a primary **building** or useable common amenity areas.

- Maximum **site coverage** is 50% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 55%.
- 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** to the back of curb or sidewalk for vehicular entry.
- Minimum **side yard** is 1.2m, except it is 2.5m 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. The minimum **side yard** is 0.0m for fee simple **three-plex, four-plex, row housing** and **semi-detached dwellings**.
- Minimum **rear yard** is 7.5m, except it is 1.0m for **secondary buildings**.
- Maximum six **dwelling** units located in a **building**, with each unit having a minimum width of 6.5m.
- Maximum density is 60.0 units per gross hectare (24.5 units/gross acre).

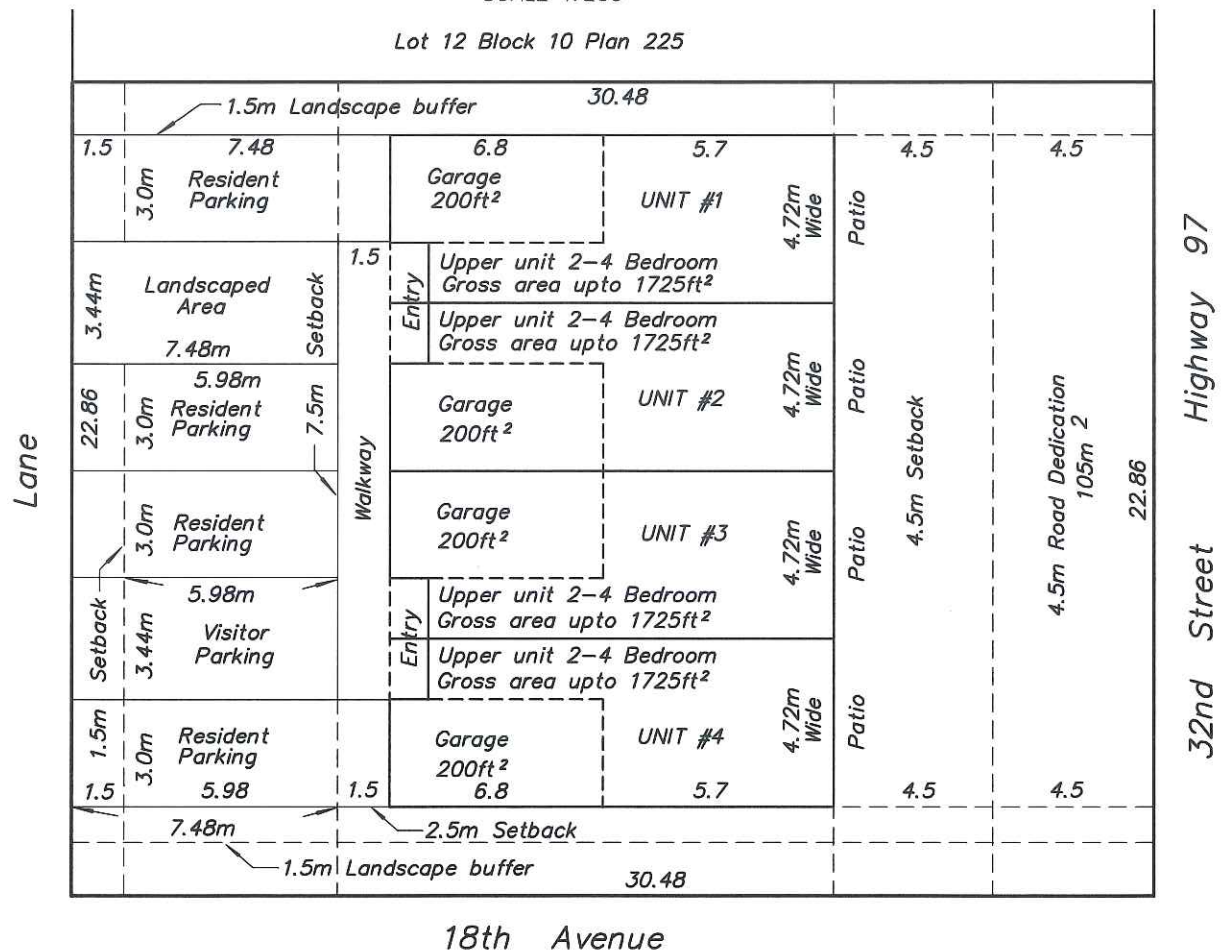
9.11.7 Other Regulations

- For multi-unit residential housing, one **office** may be operated for the sole purpose of the management and operation of the multi-unit residential **development**.
(Bylaw 5440)
- In order for bareland strata **development** to be consistent with the character of the surrounding neighborhood, the strata plan shall be considered as one **site** for defining the overall use, **density** and **site coverage**.
- The above noted **subdivision** and **development** regulations shall be applied to each strata **lot** within the strata plan.
- For strata developments, common recreation buildings, facilities and amenities may be included in the strata plan. Recreational buildings shall be treated as **secondary buildings** for the purpose of determining the **height** and **setbacks** of the **building**.
- 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**.
- Vehicular access to the **development** is only permitted through either a driveway shared by at least 3 units or a rear **lane**.
- For **seniors assisted housing, seniors housing** and **seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development, yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- 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 Development Site Plan of Parcel B Block 10 Plan 225

1800-32nd Street

SCALE 1:200



LEGAL DESCRIPTION: PCL. B, BLOCK 10, PLAN 225
ADDRESS: 1800 - 32nd STREET, VERNON

RM2 Development Details

Proposed development: 4 Units

Site Area Gross = 697m² (0.17Ac)

Density = $4 \div 697 \times 10000 = 57.4$ units per Ha

Variance for unit width required

Max. Height = 2.5 Storeys/10.0m (3 Stories of Living)

Building Area = $12.5 \times 18.88 = 236.0$ m²

Building Site Coverage = $236.0 \div 697 = 33.9\%$

Area covered by impermeable surfaces = building area +
driveway + parking areas + walkways etc. = 379.8m²

Site Coverage of impermeable surfaces = $379.8 \div 697 = 54.5\%$

Zoning Bylaw #5000 Excerpts

9.19 RST2: Residential Single and Two Family

9.19.6 Other Regulations

- A minimum area of 5.0m² of usable private open space shall be provided per **dwelling** unit. Usable private open space must have a slope angle of 12% or less and must be accessible from the **dwelling unit** it is provided for.
- Minimum width of each residential unit is 5.0m.
- No projections into the **front yard, side yard, and flanking street side yard** areas shall be permitted except for cornices, leaders, gutters, belt courses and sills.
- 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 5473)*

9.10: RM1: Row Housing Residential

9.10.6 Development Regulations

- With a housing agreement pursuant to Section 4.9, the maximum **density** shall be 60.0 units per gross hectare (24.5 units/gross acre).
- Where **parking spaces** are provided completely beneath habitable space of a primary **building** or beneath useable common amenity areas, providing that in all cases the **parking spaces** are screened from view, the maximum **density** shall be 60.0 units per gross hectare (24.5 units/gross acre). Where all the required parking is not accommodated completely beneath the habitable space of a primary **building** or useable common amenity areas, the additional density permitted shall be determined through multiplying the additional 12.0 units per gross hectare (5 units/gross acre) by the percentage of parking proposed to be provided beneath habitable space of a primary **building** or useable common amenity areas.
- Maximum **site coverage** is 50% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 55%.
- 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 4.0m, except it is 6.0m from a garage or **carport** to the back of curb or sidewalk for vehicular entry.
- Minimum **side yard** is 1.2m, or 0.0m for shared interior **party walls** except it is 4.5m 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. The **side yard** is 0.0m for fee simple **row housing** and **semi-detached dwellings**.
- Minimum **rear yard** is 6.0m, except it is 1.0m for **secondary buildings**.
- Maximum six **dwelling** units located in a **building**, with each row housing unit having a minimum width of 6.5m and 7.5m for semi-detached housing units.

9.11: RM2: Multiple Housing Residential

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 is not accommodated completely beneath the habitable space of a primary **building** or useable common amenity areas, the additional density permitted shall be determined through multiplying the additional 15.0 units per gross hectare (6 units/gross acre) by the percentage of parking proposed to be provided beneath habitable space of a primary **building** or useable common amenity areas.
- Maximum **site coverage** is 50% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 55%.
- 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** to the back of curb or sidewalk for vehicular entry.
- Minimum **side yard** is 1.2m, except it is 2.5m 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. The minimum **side yard** is 0.0m for fee simple **three-plex, four-plex, row housing** and **semi-detached dwellings**.
- Minimum **rear yard** is 7.5m, except it is 1.0m for **secondary buildings**.
- Maximum six **dwelling** units located in a **building**, with each unit having a minimum width of 6.5m.
- Maximum density is 60.0 units per gross hectare (24.5 units/gross acre).

9.15: Hillside Residential Single and Two Family

9.15.2 Development Regulations

- Maximum **site coverage** is 40% and together with driveways, parking areas and all other **impermeable surfaces** shall not exceed 45%. That portion of the **lot** with a slope exceeding 30% shall be excluded from site coverage calculations.
- 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 4.0m, and it is 6.0m from a garage or **carport** to the back of curb or sidewalk for vehicular entry, or it is 0.6m to the side of the garage and 4.0m to the front building façade for side-entry garage and driveway layouts.
- **Semi-detached housing** shall have a minimum **side yard** is 2.5m, or 0.0m for the shared interior **party wall**, except it is 4.0m from a **flanking street** and 6.0m from the back of curb or sidewalk to the garage where driveway access is from the **flanking street**.
- **Single detached housing** and **duplex housing developments** shall have a minimum **side yard** of 1.5m, however the combined width of both **side yards** must

be a minimum of 5.0m (ie. one **side yard** of 1.5m, then the other **side yard** shall be a minimum of 3.5m for a total combined minimum **side yard** of 5.0m)

- 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.
- Maximum one **dwelling** unit located on a **lot**, except for **duplex** and **semi-detached housing** types where a maximum of two **dwelling** units per **lot** shall be permitted.
- **Each dwelling unit shall have a minimum width of 6.0m.**

9.18 RST1: Residential Single and Two Family

9.18.6 Other Regulations

- A minimum area of 5.0m² of usable private open space shall be provided per **dwelling** unit. Usable private open space must have a slope angle of 12% or less and must be accessible from the **dwelling** unit it is provided for.
- **Minimum width of each residential unit is 5.0m.**
- 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)

9.6 R5: Four-plex Residential

- Maximum four **dwelling** units located in a **building**, with each unit having a **minimum width** of 6.5m. (Bylaw 5339)

9.9 RTR: Resort Residential

- Maximum six **dwelling** units located in a **building**, with each unit having a **minimum width** of 6.5m, except it is twelve dwelling units for buildings greater than 2.5 storeys, with each unit having a **minimum width** of 6.5m. (Bylaw 5723)

10.3 C3: Mixed-Use Commercial

10.3.5 Party Wall Subdivision Regulations

Lot Type	Minimum Lot Area		Minimum Lot Width	
	interior	corner	interior	corner

<i>Semi-Detached Housing</i>	225m ²	275m ²	7.8m	9.0m
<i>Four-Plex Housing</i>	150m ²	200m ²	6.5m	7.8m
<i>Row Housing</i>	135m ²	185m ²	6.5m	7.8m

- Minimum **lot area** is 10,000m² if not serviced by **community sewer system**.
- Maximum **site coverage** is 65% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 85%.
- Maximum **density** is 48 units per gross hectare (19.5 units/gross ac).
- Maximum **height** is the lesser of 12.0m or 2.5 **storeys**, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 3.0m, except it is 6.0m from a garage or **carport** to the back of curb or sidewalk for vehicular entry, or it is 0.6m to the side of the garage and 2.6m to the front façade for side-entry garage and driveway layouts.
- Minimum **side yard** is 1.2m, or 0.0m for shared interior **party walls**, except it is 2.4m from a **flanking street**.
- Minimum **rear yard** is 6.0m, except it is 1.5m for **secondary buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5m.
- Maximum 6 **dwelling** units located in a **building**, with each unit having a minimum width of 6.5m.
- No primary **building** shall be closer than 3.0m to another primary **building**.

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5332

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 890 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 (RH2 & RH3 Secondary Uses) Amendment Bylaw Number 5332, 2011**".
2. That Zoning Bylaw 5000 – Section 9.13 RH2 : Stacked Row Housing Residential be amended as follows:
 - a. Sections 9.13.2 and 9.13.3 be amended as shown in **red** on attached '**Schedule A**' to correctly alphabetize the Primary and Secondary Uses.
 - b. Section 9.13.6 be amended as shown in **red** on attached '**Schedule A**' to amend 'maximum site coverage area' and 'impermeable surface area' coverages **AND** to remove the requirement for a maximum of six dwelling units with a minimum width of 6.5 m.
 - c. Section 9.13.7 be amended as shown in **red** on attached '**Schedule A**' to remove reference to **convenience retail services, health services and personal services**.

BYLAW NUMBER 5332

3. That Zoning Bylaw 5000 – Section 9.14 RH3 : High-Rise Apartment Residential be amended as follows:

- a. Section 9.14.3 be amended as shown in **red** on attached '**Schedule B**' to remove reference to 'within a multiple residential unit' for **personal services and retail, convenience.**

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

READ A FIRST TIME this 12 day of September , 2011.

READ A SECOND TIME this 12 day of September, 2011.

PUBLIC HEARING held this 11 day of October , 2011.

READ A THIRD TIME, this 24^t day of October, 2011.

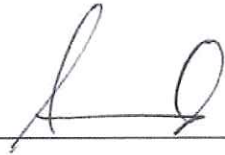
APPROVED pursuant to the Transportation Act this 17th day of November, 2011.

'D. Solberg'

Dave Solberg
Ministry of Transportation & Infrastructure

ADOPTED this 22 day of June, 2015.

Mayor:



Corporate Officer



9.13 RH2 : Stacked Row Housing Residential

9.13.2 Primary Uses

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

9.13.3 Secondary Uses

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

9.13.4 Subdivision Regulations

- Minimum lot width is 30.0m. For fee simple row housing, the minimum lot width is 7.5m for interior lots and 12.0m for corner lots.
- Minimum lot area is 1400m², or 10,000m² if not serviced by a community sewer system.

9.13.5 Party Wall Subdivision Regulations

Lot Type	Minimum Lot area		Minimum Lot width	
	interior	corner	interior	corner
Row Housing	135m ²	185m ²	6.5m	7.8m

9.13.6 Development Regulations

- With a housing agreement pursuant to Section 4.9, the maximum density shall be 110.0 units per gross hectare (44.5 units/gross acre).
- Where parking spaces are provided completely beneath habitable space of a primary building or beneath useable common amenity areas, providing that in all cases the parking spaces are screened from view, the maximum density shall be 125.0 units per gross hectare (51

units/gross acre). Where all the required parking is not accommodated completely beneath the habitable space of a primary **building** or useable common amenity areas, the additional density permitted shall be determined through multiplying the additional 25.0 units per gross hectare (10 units/gross acre) by the percentage of parking proposed to be provided beneath habitable space of a primary **building** or useable common amenity areas.

- Maximum **site coverage** is ~~55~~65% and together with driveways, parking areas and **impermeable surfaces** shall not exceed ~~60~~75%.
- Maximum **height** is the lesser of 16.5m or 4.5 **storeys**, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 6.0m, except it is 4.5m for any portion 2 **storeys** or less.
- Minimum **side yard** is 3.0m for a **building** not over 2.5 **storeys**, and 6.0m for portions of a **building** in excess of 2.5 **storeys**, and 6.0m from a **flanking street**. The minimum **side yard** is 0.0m for shared interior **party walls**.
- Minimum **rear yard** is 7.5m for a **building** not over 2.0 **storeys** and it is 9.0m for any part of a **building** over 2 **storeys**. It is 1.0m for **secondary buildings**.
- ~~Maximum six **dwelling** units located in a **building**, with each unit having a minimum width of 6.5m.~~
- Maximum **density** is 100.0 units per gross hectare (40.5 units/gross acre).

9.13.7 Other Regulations

- **Convenience retail services, health services and personal services** are limited to a maximum floor area of 300m² total or 50% of the gross floor area of the ground storey of the primary building, whichever is the lesser, and only permitted when developed as an integral component of and within the primary **building**. These uses are not permitted above the ground **storey**.
- In order for bareland strata **development** to be consistent with the character of the surrounding neighborhood, the strata plan shall be considered as one **site** for defining the overall use, **density** and **site coverage**.
- The above noted **subdivision** and **development** regulations shall be applied to each strata **lot** within the strata plan.
- For multi-unit residential housing, one **office** may be operated for the sole purpose of the management and operation of the multi-unit residential **development**.
- Vehicular access to the **development** is only permitted through either a driveway shared by at least 3 units or a rear **lane**.
- A minimum area of 5.0m² 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

'Schedule A'

Attached to and Forming Part of Bylaw 5332

"Zoning Text (RH2 & RH3 Secondary Uses) Amendment Bylaw Number 5332, 2011"

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 45.0m for a 2 to 4 **storey building**. The **building** must be designed so as to be within one **storey** to neighbouring **development**. The **building** must be designed so the portion **adjacent** to neighbouring **development** is no more than 0.5 story higher.
- Parking shall not be constructed in the **front yard** of the property. Where the **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- For **seniors assisted housing, seniors housing and seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development, yards, projections into yards, lighting, agricultural setbacks, etc.**); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.

9.14 RH3 : High-Rise Apartment Residential

RH3

9.14.1 Purpose

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

9.14.2 Primary Uses

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

9.14.3 Secondary Uses

- health services
- home based businesses, minor
- hotel/motel accommodation within a multiple residential unit
- personal services ~~within a multiple residential unit~~
- real estate sales centres (in apartment and stacked row housing only)
- retail, convenience ~~within a multiple residential unit~~
- seniors residential care



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Daniel Sturgeon
Long Range Planner

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: September 14, 2020
REPORT DATE: August 28, 2020
FILE: ZON00346

SUBJECT: REZONING APPLICATION FOR MULTIPLE PROPERTIES IN THE OKANAGAN HILLS
NEIGHBOURHOOD PLAN AREA

PURPOSE:

To review the application to rezone the subject properties from RTC, RTR, P1 and P5 to RTR, RTCA, P1 and P5 in order to permit full-time/year-round residential land use and to align zoning boundaries with parcel boundaries and OCP designations.

RECOMMENDATION:

THAT Council support the application to rezone the following properties, as outlined in the report titled "Rezoning Application for Multiple Properties in the Okanagan Hills Neighbourhood Plan Area" dated August 28, 2020 by the Long Range Planner, as follows:

- a) Lot 1 Plan KAP89223 Section 31 Township 9 ODYD from 'RTC' and 'P1' to 'RTCA' and 'P1';
- b) Lot 2 Plan KAP89223 Section 31 Township 9 ODYD from 'RTC', 'RTR' and 'P1' to 'RTCA', 'RTR' and P1;
- c) Lot 2 Plan KAP87536 Section 31 Township 9 ODYD Except Plan KAP88166 EPP48289 EPP55183 from 'RTC', 'RTR', 'P1' and 'P5' to 'RTCA', 'RTR', 'P1' and 'P5';
- d) Lot 3 Plan KAP89223 Section 31 Township 9 ODYD from 'RTC' and 'RTR' to 'RTCA';
- e) Lot 4 Plan KAP89223 Section 31 Township 9 ODYD from 'RTC' and 'RTR' to 'RTR';
- f) Lot A Plan KAP88166 Section 31 Township 9 ODYD from 'RTC', 'RTR' and 'P5' to 'RTCA', 'RTR' and 'P5'; and
- g) Lot D Plan EPP19505 Section 6 Township 8 ODYD & SEC 31 TWP 9 from 'RTC' and 'P5' to 'RTCA' and 'P5'.

AND FURTHER, that final adoption of a rezoning bylaw be subject to:

- a) Finalization of a revised traffic impact assessment which details any necessary off-site improvements as a result of the proposed rezoning and registration of any necessary covenants restricting development phases until such improvements are complete.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support the application to rezone Lots 1-4 Plan KAP89223 Section 31 Township 9 ODYD, Lot 2 Plan KAP87536 Section 31 Township 9 ODYD Except Plan KAP88166 EPP48289 EPP55183, Lot A Plan KAP88166 Section 31 Township 9 ODYD, and Lot D Plan EPP19505 Section 6 Township 8 ODYD & SEC 31 TWP 9 from 'RTC', 'RTR', 'P1' and 'P5' to 'RTR', 'RTCA', 'P1' and 'P5' as outlined in the report titled "Rezoning Application for Multiple Properties in the Okanagan Hills Neighbourhood Plan Area" dated August 28, 2020 by the Long Range Planner.

Note: This alternative does not support the rezoning application. The current RTR, RTC, P1 and P5 zoning of the subject properties would remain.

ANALYSIS:

A. Committee Recommendations:

At its meeting of September 14, 2020, the Advisory Planning Committee adopted the following resolution:

“ ”

B. Rationale:

1. The subject properties are located within the Okanagan Hills Neighbourhood Plan area, also known as the Rise. The application includes seven properties totalling 121.5 acres (49 hectares) (Attachment 1). Figures 1 and 2 show the properties' location generally.
2. The current owner purchased the majority of the undeveloped lands within the Okanagan Hills Neighbourhood Plan in 2017, excluding the golf course, and has rebranded the development area as "Grandview at the Rise". The subject properties are undeveloped but previously disturbed. Portions of the southerly properties contain active vineyards which the owner leases to wine producers.
3. The subject properties are designated Tourist Commercial, Hillside Residential and Parks and Open Space in the Official Community Plan (Attachment 2). They are zoned RTR (Resort Residential), RTC (Resort Tourist Commercial), P1 (Parks and Open Space) and P5 (Private Park) (Attachment 3).
4. The RTC ('Resort Commercial') Zone allows a range of residential housing types, that are limited to a maximum of 180 days per year occupancy, as well as commercial visitor accommodations and services. The RTR ('Resort Residential') Zone allows a range of housing types without any occupancy limit. The proposed 'RTCA' zone does not limit occupancy. These zoning districts are included in Attachment 4.
5. This zoning proposal (Attachment 5) is primarily to allow permanent year-round residential occupation by changing RTC to RTCA. Other than the 180-day maximum, the RTC and RTCA zones have identical uses and a maximum density of 12 units per acre.

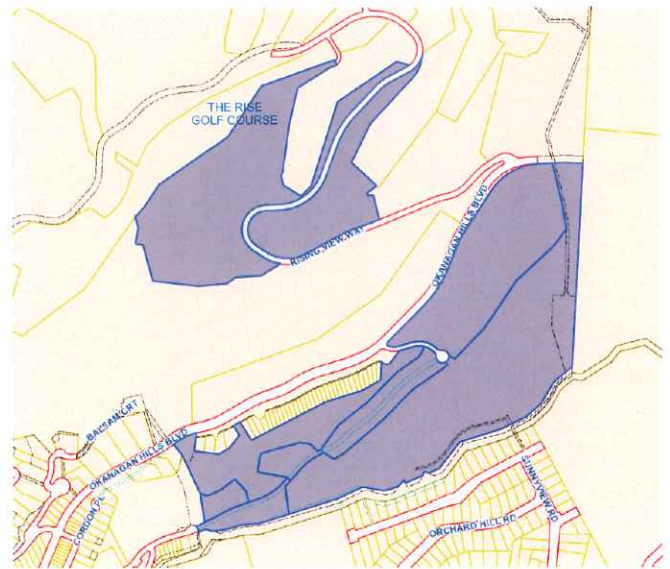


Figure 1: Property Location Map



Figure 2: Aerial Photo of Property

6. The proposed zoning also includes changing small areas of the subject properties from RTR zoning to RTCA Zoning and vice-versa. These proposed changes would eliminate split-zoned parcels and align zoning boundaries with current parcel boundaries and OCP designations. The applicant also proposes adding park zoning to some parcels to bring the zoning into conformance with the OCP designations, as well as the parkland agreement covenant registered on title of the subject properties. Most of these park locations incorporate sensitive ecosystems, steep slopes, and future trail locations.
7. All proposed zoning changes are consistent the Official Community Plan.
8. The Okanagan Hills Neighbourhood Plan, completed in 2004, envisioned a tourist-oriented community with a variety of housing and tenure types, commercial land uses, and a destination golf-course. The Neighbourhood Plan incorporated an infrastructure servicing strategy and Master Development Agreement, a Parkland Agreement (detailing locations and timing of parkland conveyance and trail construction), and detailed Environmental, conservation, mitigation and enhancement reports. These agreements remain in place and are registered on the titles of all undeveloped lands. The existing 'Park' land-use designations in the Official Community Plan and Zoning Bylaw respond to the original environmental impact assessment undertaken in 2004 and the location of parkland to be dedicated at various phases of development within the Neighbourhood Plan.
9. The original vision for the Okanagan Hills Neighbourhood Plan has not been realized and the demand for tourist housing in this area did not materialize. The proposed rezoning positions the property owner to offer their lands to market driven development interests for housing. While there are no proposals for any specific developments at this time, the flexibility in the RTCA (and RTR) zoning districts allow for a broad range of housing types that can contribute housing and better establish the neighbourhood as a permanent residential community. Additionally, the allowable commercial uses in the RTCA zone offer that land use opportunity should it be proposed.
10. Future developments on these lands are subject to Development Permit processes for form and character, hillside developments, and environmentally sensitive areas as required. Lot and road layouts are addressed at subdivision stage. Additionally, the covenants registered on title with respect to the locations of servicing, environmental protection and parkland provide clarity to future development and also ensure consistency with the original layout intent of the Neighbourhood Plan.
11. The applicant has provided a Traffic Impact Assessment (TIA) which confirms the capacity of the existing road network to serve the development. Staff have requested that the applicant revise their TIA to identify if any off-site improvements would be necessary over the course of development phases.
12. The applicant has submitted a memo from their environmental consultant which confirms that the environmentally sensitive areas identified in the 2004 Neighbourhood Plan have not changed. This confirms that the boundaries of park zoning do not need to be re-evaluated at this time. A detailed analysis would be undertaken at subdivision and/or Development Permit as necessary.
13. The applicant voluntarily undertook a notification process and provided a mail-out to surrounding properties within 30 metres to elicit any neighbourhood feedback and concerns. A comment period was available online and by mail for six weeks. The applicant also consulted with The Rise Community Association for the same purpose. The below topics were raised as issues; the italicized text is comment from Administration to address these issues. The applicant's summary package of consultation is included (Attachment 6).
 - a. *Traffic Volumes and Traffic Calming: The Traffic Impact Assessment provided by the applicant indicates that there is sufficient capacity on the existing road network to accommodate the estimated additional traffic. Traffic calming measures could be implemented, if warranted, per the City's Neighbourhood Traffic Management Policy. Any off-site improvements that need to*

be coordinated as Development Cost Charge (DCC) projects would be identified in a TIA revision and incorporated into development phasing accordingly.

- b. Development of Vineyards: *While the vineyards are aesthetically pleasing, the current zoning permits development in this location and has since the completion of the neighbourhood plan. Development of these lands is subject to the Development Permit Areas Policies and subdivision process, alongside existing covenants as noted previously.*
- c. Environment and Wildlife: *The City's Environmental Management Areas Strategy (EMA) and Development Permit process serve to protect sensitive areas and wildlife corridors. Additionally, the parkland agreement covenant registered on title of all development properties establishes wildlife (and riparian) corridors.*
- d. Form and Character: *The City's Form and Character Development Permit Guidelines are applicable to all commercial developments and residential buildings with 3 or more units. Use and enforcement of Building Design guidelines for single family homes are at the discretion of the developer and subsequent landowners.*

4. In reviewing this proposal, Administration has uncovered a number of inconsistencies and contradictions between the 2004 Okanagan Hills Neighbourhood Plan and the Official Community Plan. Furthermore, the Zoning and Official Community Plan designations in many areas of the Okanagan Hills Neighbourhood are mis-aligned with parcel boundaries, due to historical development events and a subsequent court-ordered subdivision re-plot of the lands. To resolve conflicting language between plan documents and ambiguous land-use designations, Administration will bring forward recommendations to Council to resolve these issues with proposed amendments to the land-use designations and Okanagan Hills Neighbourhood Plan. This will be undertaken as staffing capacity allows.

C. Attachments:

- Attachment 1 – Subject Properties Location Map and Aerial Map
- Attachment 2 – OCP Designation Map
- Attachment 3 – Existing Zoning map
- Attachment 4 – RTC Zone
 - RTR Zone
 - RTCA Zone
- Attachment 5 – Proposed Zoning Map
- Attachment 6 – Consultation Summary provided by Applicant

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

The subject rezoning 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:

N/A

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Approved for submission to Council:

X

Signer 1

Daniel Sturgeon
Long Range Planner

Will Pearce, CAO

Date: _____

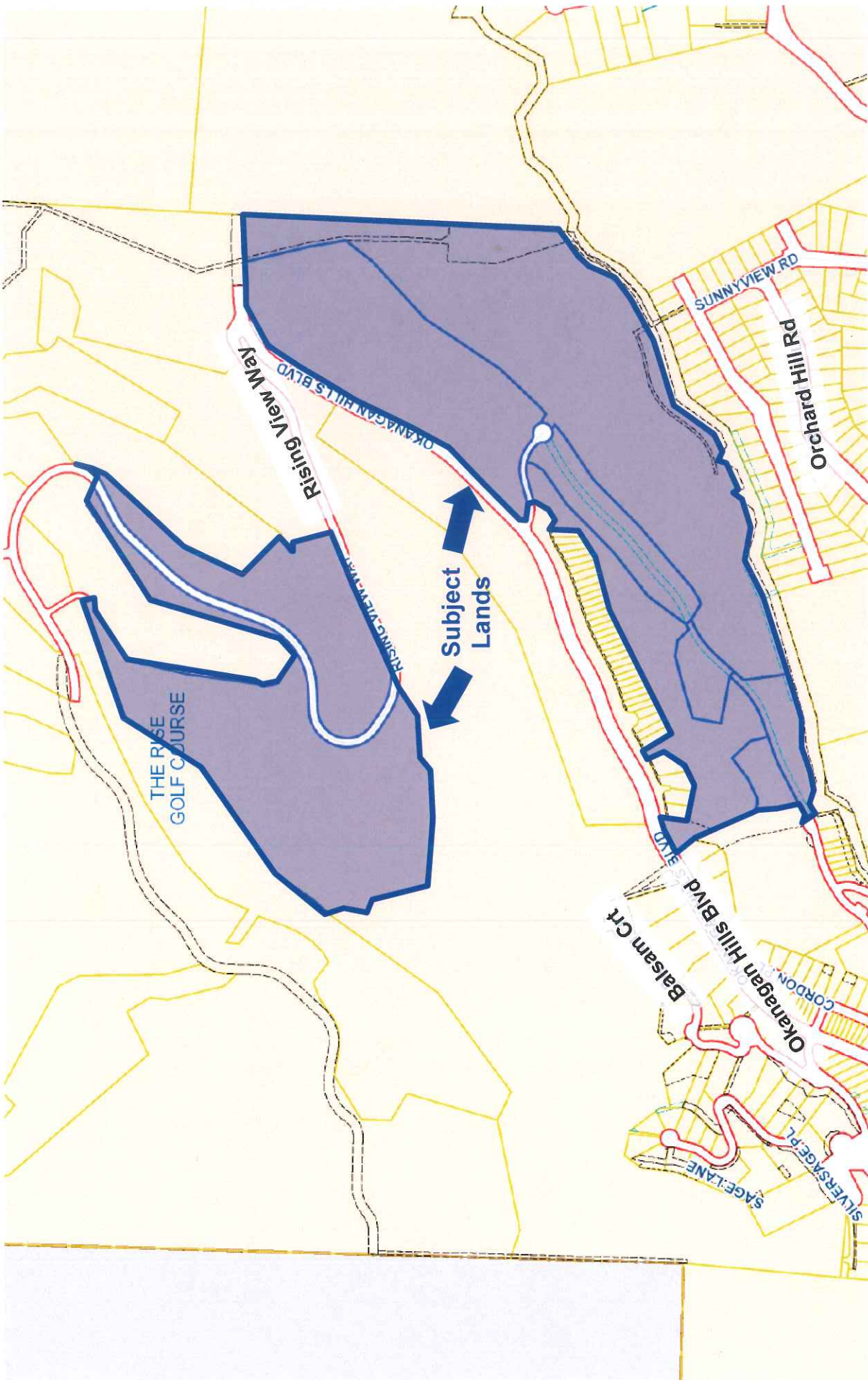
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Signer 2

Kim Flick
Director, Community Infrastructure and Development

REVIEWED WITH

- | | | |
|--|---|--|
| <input type="checkbox"/> Corporate Services | <input type="checkbox"/> Operations | <input checked="" type="checkbox"/> Current Planning |
| <input type="checkbox"/> Bylaw Compliance | <input type="checkbox"/> Public Works/Airport | <input checked="" type="checkbox"/> Long Range Planning & Sustainability |
| <input type="checkbox"/> Real Estate | <input type="checkbox"/> Facilities | <input type="checkbox"/> Building & Licensing |
| <input type="checkbox"/> RCMP | <input type="checkbox"/> Utilities | <input checked="" type="checkbox"/> Engineering & Development |
| <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 (Sep. 1/20) | | |
| <input type="checkbox"/> OTHER: | | |



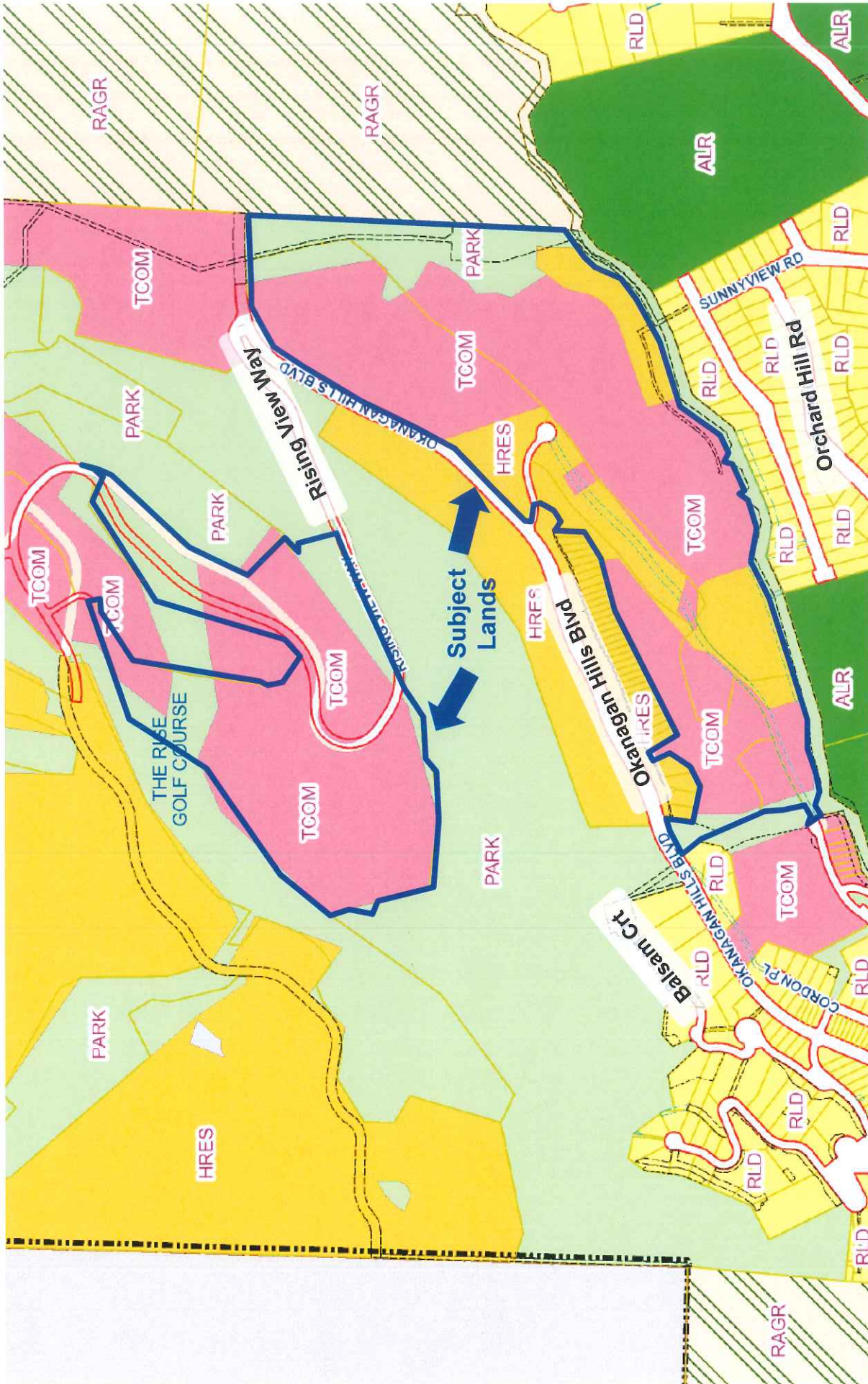
Location Map





Location Map - Aerial

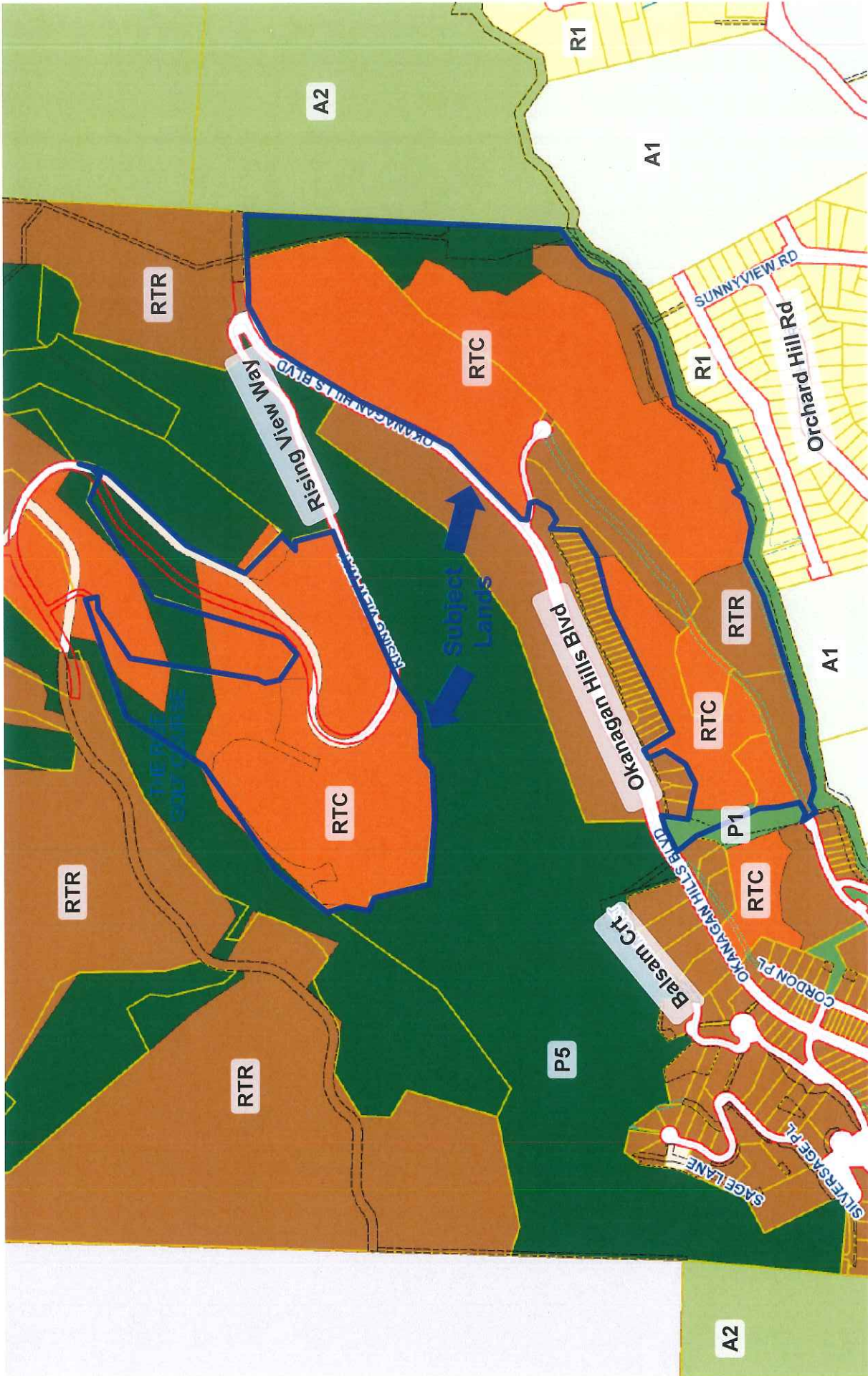




- ALR – ALR Lands
- HRES – Hillside Residential
- PARK – Park and Open Space
- RAGR – Rural / Agricultural
- RLD – Residential Low Density
- TCOM – Tourist Commercial

Official Community Plan





Zoning Bylaw

- A1 – Agriculture within the ALR
- A2 – Rural – Large Holdings
- P1 – Parks and Open Space
- P5 – Private Park
- R1 – Estate Lot Residential
- RTC – Resort Commercial
- RTR – Resort Residential



10.13 RTC : Resort Commercial

10.13.1 Purpose

The purpose is to designate and preserve land for the **development** of destination commercial visitor accommodation in a pedestrian oriented environment providing a mixture of recreational, cultural, retail, and entertainment services

10.13.2 Primary Uses

- amusement arcades, major
- artist studios
- apartment housing, tourist
- business support services
- clubs, private
- community recreation centres
- cottage tourist (*Bylaw 5275*)
- cultural exhibits, private
- emergency protective services
- employee housing, dormitory (*Bylaw 5493*)
- employee housing, self-contained dwelling (*Bylaw 5493*)
- exhibition and convention facilities
- financial services
- food primary establishments
- four-plex, tourist housing
- health services
- hostels
- hotels
- liquor primary establishments, minor
- non-accessory parking
- offices
- participant recreation services, indoor
- participant recreation services, outdoor
- personal services
- parks, public
- real estate sales centre
- retail cannabis sales (*Bylaw 5731*)
- retail stores, convenience
- retail stores, general
- retail stores, licensee
- retail street sales
- row housing, tourist
- semi-detached, tourist housing
- single detached housing, tourist (*Bylaw 5275*)
- spectator entertainment establishments
- three-plex, tourist housing
- wineries and cideries

10.13.3 Secondary Uses

- amusement arcades, minor
- brewing or distilling, Class A
- care centre, minor
- docks, community
- docks, private
- gaming facilities **
- home based businesses, minor

- marinas
- marina fuel facilities
- utilities, minor impact
 - ** refer to definition for “gaming facilities” in Section 2.3.3. for limitation on number of slot machines permitted within the City of Vernon boundaries

10.13.4 Subdivision Regulations

- Minimum lot width is 7.6 m.
- Minimum lot area is 232 m²

10.13.5 Development Regulations

- Maximum Commercial floor space ratio is 3.0.
- Maximum gross tourist residential density is 30.0 units/hectare (12 units/acre).
- Maximum gross employee housing density is 30.0 units/hectare (12 units/acre) *(Bylaw 5493)*
- Maximum height is the lesser of 24.0m or 7.0 storeys, except that the maximum employee housing height is the lesser of 14.0m or 3 storeys, except it is 4.5m for secondary buildings and secondary structures. *(Bylaw 5493)*
- Maximum site coverage is 60% and together with driveways, parking areas and impermeable surfaces shall not exceed 65%. *(Bylaw 5493)*
- Minimum front yard is 0.0m, except it is 4.5m from employee housing. *(Bylaw 5493)*
- Minimum side yard is 0.0m, except it is 2.0m for any flanking street and 4.5m when adjacent to a residential, agricultural or institutional zone.
- Minimum rear yard is 4.0m, except it is 6.0m where the abutting land is zoned or designated Residential.

10.13.6 Other Regulations

- The maximum commercial floor area, excluding hotels, recreation facilities/amenities and resort accommodation, shall be 2,230.0 m².
- 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)*

9.9 RTR : Resort Residential

9.9.1 Purpose

The purpose is to provide a **zone** for the **development** of a variety of housing forms for use within a comprehensively planned resort residential community. The RTRc sub-zoning district allows for **care centre, major** as an additional use. *(Bylaw 5467)*

9.9.2 Primary Uses

- **care centre, major** *(use is only permitted with the RTRc sub-zoning district)*
- **cottages**
- **duplex housing**
- **four-plex housing**
- **row housing**
- **semi-detached housing**
- **single detached housing**
- **stacked row housing**
- **three-plex housing**

9.9.3 Secondary Uses

- **bed and breakfast homes** *(in single detached housing only)*
- **care centres, minor**
- **docks, private**
- **home based businesses, minor**
- **office**
- **parks, public**
- **real estate sales centres**

9.9.4 Subdivision Regulations

Lot Type	Minimum Lot area		Minimum Lot Width	
	interior	corner	interior	corner
Cottage Lot	125m ²	N/A	7.0m	7.0m
Single Detached Housing	300m ²	340m ²	10.0m	11.3m
Duplex Housing	300m ²	340m ²	10.0m	11.3m
Semi-Detached Housing	450m ²	500m ²	15.5m	16.8m
Three-Plex Housing	450m ²	500m ²	19.5m	20.8m
Four-Plex Housing	600m ²	650m ²	26.0m	27.8m
Row Housing	800m ²	850m ²	26.0m	27.8m
Stacked Row Housing				

- Minimum lot area is 10,000m² if not serviced by **community sewer system**.

9.9.5 Party Wall Subdivision Regulations

Lot Type	Minimum Lot area		Minimum Lot Width	
	interior	corner	interior	corner

Semi-Detached Housing	225m ²	275m ²	7.8m	9.0m
Three-Plex Housing	150m ²	200m ²	6.5m	7.8m
Four-Plex Housing	150m ²	200m ²	6.5m	7.8m
Row Housing	135m ²	185m ²	6.5m	7.8m

- Minimum lot area is 10,000m² if not serviced by **community sewer system**.

9.9.6 Development Regulations

- The **office use** is limited to one **office** for the management and operation of the resort and/or multi-unit residential **developments**.
- Maximum **site coverage** is 50%, except it is 65% for Stacked Row Housing greater than 2.5, and together with driveways, parking areas and **impermeable surfaces** shall not exceed 65% except it shall not exceed 65% for Stacked Row Housing greater than 2.5 **storeys**. *(Bylaw 5723)*
- Maximum **height** is the lesser of 12.0m or 2.5 **storeys**, except it is the less of 15.0m or 3.5 **storeys** for Stacked Row Housing and it is 4.5m for **secondary buildings** and **secondary structures**. *(Bylaw 5723)*
- Minimum **front yard** is 4.0m, except it is 6.0m for buildings greater than 2.5 **storeys**, for buildings 2.5 **storeys** or less it is 6.0m from a garage or **carport** to the back of curb or sidewalk for vehicular entry, or it is 0.6m to the side of the garage and 2.6m to the front building façade for side-entry garage and driveway layouts. *(Bylaw 5723)*
- Minimum **side yard** is 1.2m, except it is 6.0m for buildings greater than 2.5 **storeys**, or 0.0m for shared interior **party walls**, except it is 2.6m from a **flanking street** for buildings 2.5 **storeys** or less and 6.0m for buildings greater than 2.5 **storeys** and 6.0m from the back of curb or sidewalk to the garage where driveway access is from the **flanking street**. *(Bylaw 5723)*
- Minimum **rear yard** is 6.0m, except it is 9.0m for buildings greater than 2.5 **storeys**, and it is 1.0m for **secondary buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5m for buildings 2.5 **storeys** or less. *(Bylaw 5723)*
- Maximum six **dwelling** units located in a **building**, with each unit having a minimum width of 6.5m, except it is twelve dwelling units for buildings greater than 2.5 storeys, with each unit having a minimum width of 6.5m. *(Bylaw 5723)*
- Maximum **density** is 30.0 units per gross hectare (12 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 37.0 units per gross hectare (15 units/gross acre). Where all the required parking is not accommodated completely beneath the habitable space of a primary building or useable common amenity areas, the additional 7.0 units per gross hectare (3 units/gross acre) by the percentage of parking proposed to be provided beneath habitable space of a primary building or useable common amenity areas. *(Bylaw 5723)*
- The maximum height of any vertical wall element is 2.5 **storeys** facing front, flanking or rear year (including walkout basements) and must be set back at least 1.2m in addition to the required setbacks. *(Bylaw 5723)*

9.9.7 Other Regulations

- In order for bareland strata **development** to be consistent with the character of the surrounding neighborhood, the strata plan shall be considered as one **site** for defining the overall use, **density** and **site coverage**.
- The above noted **subdivision** and **development** regulations shall be applied to each strata **lot** within the strata plan.

- A minimum area of 5.0m² of private open space shall be provided per **bachelor dwelling** 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 2.5 **storey building**. If the frontage is interrupted by an open courtyard equivalent in depth and width to the **building height**, the maximum continuous 2.5 **storey building frontage** may be 80.0m provided that no **building** section exceeds 12.0m.
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- 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; except that buildings greater than 2.5 **storeys** require a Level 1 **Landscape Buffer** for the Front Yard, rear Yard and Side Yard, as according to Section 6; and, the parking and loading regulations of Section 7. (*Bylaw 5723*)
- 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*)

10.13a RTCA: Resort Commercial and Residential

RTCA

10.13a.1 Purpose

The purpose is to designate and preserve land for the **development** of destination commercial visitor accommodation in a pedestrian oriented environment providing a mixture of recreational, cultural, retail, and entertainment services, and to allow for permanent residences. *(Bylaw 5275)*

10.13a.2 Primary Uses

- amusement arcades, major
- artist studios
- apartment housing
- apartment hotel
- apartment housing, tourist
- business support services
- clubs, private
- community recreation centres
- cottages
- cottage tourist
- cultural exhibits, private
- emergency protective services
- exhibition and convention facilities
- financial services
- food primary establishments
- four-plex housing
- four-plex, tourist housing
- health services
- hostels
- hotels
- liquor primary establishments, major
- liquor primary establishments, minor
- non-accessory parking
- offices
- participant recreation services, indoor
- participant recreation services, outdoor
- personal services
- parks, public
- real estate sales centre
- retail stores, convenience
- retail stores, general
- retail stores, licensee
- retail street sales
- row housing

- row housing, tourist
- semi-detached housing
- semi-detached, tourist housing
- single detached housing
- single detached housing, tourist
- stacked row housing
- spectator entertainment establishments
- three-plex housing
- three-plex, tourist housing
- wineries and cideries

10.13a.3 Secondary Uses

- amusement arcades, minor
- brewing or distilling, Class A
- care centre, minor
- docks, community
- docks, private
- gaming facilities **
- home based businesses, minor
- marinas
- marina fuel facilities
- utilities, minor impact

** refer to definition for "gaming facilities" in Section 2.3.3. for limitation on number of slot machines permitted within the City of Vernon boundaries

10.13a.4 Subdivision Regulations

- Minimum **lot width** is 7.6 m.
- Minimum **lot area** is 232 m²

10.13a.5 Development Regulations

- Maximum commercial **floor space ratio** is 3.0.
- Maximum gross **density** is 30.0 units/hectare (12 units/acre).
- Maximum **height** is the lesser of 24.0m or 7.0 **storeys**.
- Minimum **front yard** is 0.0m.
- Minimum **side yard** is 0.0m, except it is 2.0m for any flanking street and 4.5m when **adjacent** to a **residential, agricultural or institutional zone**.
- Minimum **rear yard** is 4.0m, except it is 6.0m where the **abutting** land is zoned or designated Residential.

10.13a.6 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, 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)



GRANDVIEW

Live with Perspective

PUBLIC CONSULTATION SUMMARY

August, 2020

CONSULTATION APPROACHES AT-A-GLANCE:



ONLINE PUBLIC ENGAGEMENT HUB



ADJACENT LANDOWNERS NOTIFICATION



ONLINE SURVEY



EMAIL FOR COMMENTS

BREAKOUT ANALYSIS:

60 INVITED ADJACENT LANDOWNERS

5 WEEK COMMENT PERIOD

9 RESPONSES

Given the COVID-19 pandemic, the project team followed mandated provincial regulations and was unable to hold any in-person consultation meetings. However, the team encouraged participating residents to share consultation links and contents with others, and to provide their feedback through all consultation platforms.

NOTIFICATION & ONLINE SURVEY

A Letter of Notification, informally approved by the City of Vernon, was mailed to approximately 60 adjacent landowners on Tuesday, June 30, 2020. The letter included the following information:



Rezoning Intent



Online Survey



FAQ



Email Address to Submit Comments

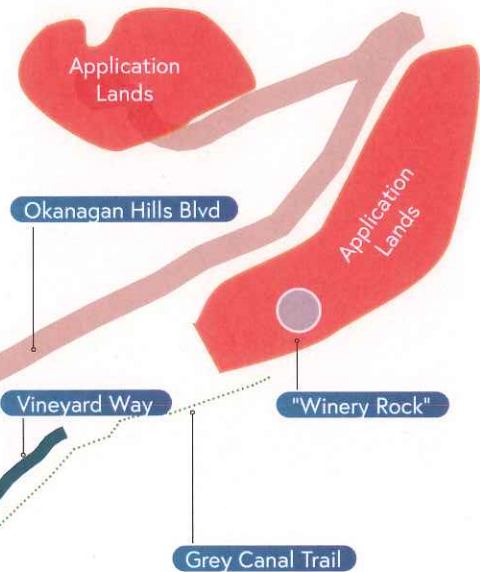
Due to an email address error on Page 2 of the notification letter, a revised letter of notification was redistributed to residents noting the error and corrected. The comment deadline was extended from July 31, 2020, to August 7, 2020.

FEEDBACK SUMMARY

1

Traffic Volumes & Traffic Calming

Three participants expressed concern that the development will result with increased traffic volumes on Vineyard Way. In addition, existing traffic safety concerns were noted, including the lack of existing traffic calming measures (i.e. speed bumps, 4-way stop intersections).



2

Land Development

Three responses express concern for development on the lands that currently host the vineyards and/or "Winery Rock".

3

Environment

One participant noted the need for wildlife protection, while citing concerns for a loss of resident privacy.

4

Form and Character

One participant indicated that any new residential developments within the neighbourhood should follow *The Rise Design Guidelines* to ensure compatibility with the environment and respect of the rich landscape while keeping the regional character of the Okanagan and the planned character of The Rise.

5

Other

Only one participating resident noted their non-support the proposed rezoning application. The landowner indicated their preference for temporary occupation by tourists, as it was believed full-time residents would result in increased traffic on roads and the Grey Canal Trail.

<https://tinyurl.com/grandviewattherise>

GRANDVIEW AT THE RISE ENGAGEMENT HUB

The project has an online engagement hub at <https://tinyurl.com/grandviewattherise>. The website was published to public on July 8, 2020. The purpose is to communicate and conduct engagement activities such as online surveys and provide interactive maps with the public and project stakeholders.

