



THE CORPORATION OF THE CITY OF VERNON

A G E N D A

PUBLIC HEARING
RECREATION CENTRE AUDITORIUM
DECEMBER 14, 2020
5:30 PM

1. CALL TO ORDER

MAYOR Cumming will call the meeting to order and advise that the purpose of the Public Hearing is to consider:

- A. “3912, 3914 Alexis Park Drive and 3703 Turtle Mountain Boulevard Rezoning Amendment Bylaw Number 5839, 2020”
- B. “3398 Davison Road Official Community Plan Amendment Bylaw Number 5841, 2020”
- C. “3398 Davison Road Rezoning Amendment Bylaw Number 5842, 2020”

2. CONFIRMATION OF PUBLICATION

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

3. BYLAW

**REZONING
APPLICATION FOR
3912, 3914 ALEXIS
PARK DRIVE AND 3703
TURTLE MOUNTAIN
BOULEVARD
(ZON00353)
(P. 3, 6)**

- A. “3912, 3914 Alexis Park Drive and 3703 Turtle Mountain Boulevard Rezoning Amendment Bylaw Number 5839, 2020”

A Bylaw:

To rezone the subject properties from “RM2 – Residential Medium Density” to “RH1 – Low Rise Apartment Residential” in order to provide for a future residential development.

**OFFICIAL COMMUNITY
PLAN AMENDMENT
APPLICATION FOR 3398
DAVISON ROAD
(OCP00084)
(P. 12, 19)**

- B. “3398 Davison Road Official Community Plan Amendment Bylaw Number 5841, 2020”

A Bylaw:

To re-designate the subject property from “Public and Institutional”, “Hillside Residential”, “Parks and Open Space” and “ALR Lands” to “Hillside Residential” and “Parks and Open

Space” to accommodate a future subdivision development and the creation of a riparian corridor and parkland.

**REZONING
APPLICATION FOR
3398 DAVISON ROAD
(ZON00350)
(P. 16, 19)**

C. “3398 Davison Road Rezoning Amendment Bylaw Number 5842, 2020”

A Bylaw:

To rezone the subject property from “A1 – Agriculture in the ALR” to “HR1 – Hillside Residential Single and Two Family”, “HR2 – Hillside Residential Multi-Family” and “P1 – Parks and Open Space” to permit future subdivision development and the creation of a riparian corridor and parkland.

4. PROCEDURE FOR EACH BYLAW:

- a) Brief description of the application by City Staff.
- b) Mayor will request the Corporate Officer to indicate any correspondence/petitions received, for the record.
- c) Mayor will call for representation from the public in attendance.
 - i. Microphones are provided for any person(s) wishing to make representation to the meeting.
 - ii. The Chair will recognize ONLY speakers at the microphones. Speakers may be requested to limit the length of time they speak until all present, who wish to be heard, have been given an opportunity. Thereafter speakers may take another opportunity to speak.
 - iii. The public and members of Council may ask questions of the applicant and / or City staff in order to clarify details of the project, etc.
 - iv. Final calls for representation.

5. ADJOURNMENT

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5839

A bylaw to amend the City of Vernon
Zoning Bylaw Number 5000

WHEREAS the Council of The Corporation of the City of Vernon has determined to amend the City of Vernon Zoning Bylaw Number 5000;

AND WHEREAS all persons who might be affected by this amendment bylaw have, before the passage thereof, been afforded an opportunity to be heard on the matters herein before the said Council, in accordance with the provisions of Section 464 of the *Local Government Act*, and all amendments thereto;

NOW THEREFORE the Council of The Corporation of the City of Vernon, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the **"3912, 3914 Alexis Park Drive and 3703 Turtle Mountain Boulevard Rezoning Amendment Bylaw Number 5839, 2020"**.
2. Pursuant to the Official Zoning Map, Schedule "A" attached to and forming part of Bylaw Number 5000, is hereby amended as follows:

That the following legally described lands be rezoned from **"RM2 – Residential Medium Density"** to **"RH1 – Low-Rise Apartment Residential"**.

Legal Descriptions:

**LOT 1, PLAN 14564, SEC 3, TWP 8, ODYD
(3912 Alexis Park Drive)**

**PLAN 4233, SEC 3, TWP 8, ODYD
(3914 Alexis Park Drive)**

**LOT 2, PLAN 14564, SEC 3, TWP 8, ODYD
(3703 Turtle Mountain Boulevard)**

BYLAW NUMBER 5839

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

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

READ A FIRST TIME this 9th day of November, 2020
READ A SECOND TIME this 9th day of November, 2020
PUBLIC HEARING held this day of _____, 2020
READ A THIRD TIME this day of _____, 2020

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

for Minister of Transportation & Infrastructure
BYLAW 5839 / eDAS File 2020-02750

ADOPTED this _____ day of _____, 2020.

Mayor:

Corporate Officer:



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Craig Broderick, Manager,
Current Planning

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: November 9, 2020
REPORT DATE: October 28, 2020
FILE: ZON00353 (3360-20)

SUBJECT: REZONING APPLICATION FOR 3912, 3914 ALEXIS PARK DRIVE AND 3703 TURTLE MOUNTAIN BOULEVARD

PURPOSE:

To review the application to rezone the subject properties from RM2 – Residential Medium Density to RH1-Low Rise Apartment Residential in order to provide for a future residential development.

RECOMMENDATION:

THAT Council support the application (ZON00353) to rezone Plan 4233, Sec 3, Twp 8, ODYD (3914 Alexis Park Drive); Lot 1, Plan 14564, Sec 3, Twp 8, ODYD Except Plan KAP83464 (3912 Alexis Park Drive); and Lot 2, Plan 14564, Sec 3, Twp 8, ODYD (3703 Turtle Mountain Boulevard) from RM2 – Residential Medium Density to RH1 – Low Rise Apartment Residential;

AND FURTHER, that Council's support of ZON00353 be subject to the following:

- a) Consolidation of Plan 4233, Sec 3, Twp 8, ODYD (3914 Alexis Park Drive); Lot 1, Plan 14564, Sec 3, Twp 8, ODYD Except Plan KAP83464 (3912 Alexis Park Drive); and Lot 2, Plan 14564, Sec 3, Twp 8, ODYD (3703 Turtle Mountain Boulevard) into a single title or register a restrictive covenant on all titles to ensure development of the properties is planned in a comprehensive manner;

AND FURTHER, that prior to final adoption of the zoning amendment bylaw, the Development Permit be ready for issuance and that any required variance for the proposed development be evaluated by Council and approved if appropriate.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support the application (ZON00353) to rezone Plan 4233, Sec 3, Twp 8, ODYD (3914 Alexis Park Drive); Lot 1, Plan 14564, Sec 3, Twp 8, ODYD Except Plan KAP83464 (3912 Alexis Park Drive); and Lot 2, Plan 14564, Sec 3, Twp 8, ODYD (3703 Turtle Mountain Boulevard) from RM2 – Residential Medium Density to RH1 – Low Rise Apartment Residential.

Note: Denial of the rezoning application is would have the properties retain the RM2 – Residential Medium Density zoning district.

ANALYSIS:

A. Committee Recommendations:

At its meeting of October 27, 2020, the Advisory Planning Committee passed the following resolution:

“THAT Council support the application (ZON00353) to rezone Plan 4233, Sec 3, Twp 8, ODYD (3914 Alexis Park Drive); Lot 1, Plan 14564, Sec 3, Twp 8, ODYD Except Plan KAP83464 (3912 Alexis Park Drive); and Lot 2, Plan 14564, Sec 3, Twp 8, ODYD (3703 Turtle Mountain Boulevard) from RM2 – Residential Medium Density to RH1 – Low Rise Apartment Residential;

AND FURTHER, that Council's support of ZON00353 be subject to the following:

- a) Consolidation of Plan 4233, Sec 3, Twp 8, ODYD (3914 Alexis Park Drive); Lot 1, Plan 14564, Sec 3, Twp 8, ODYD Except Plan KAP83464 (3912 Alexis Park Drive); and Lot 2, Plan 14564, Sec 3, Twp 8, ODYD (3703 Turtle Mountain Boulevard) into a single title or register a restrictive covenant on all titles to ensure development of the properties is planned in a comprehensive manner;

AND FURTHER, that prior to final adoption of the zoning amendment bylaw, the Development Permit be ready for issuance and that any required variance for the proposed development be evaluated by Council and approved if appropriate.”

B. Rationale:

1. The subject property is located at 3912 and 3914 Alexis Park Drive and 3703 Turtle Mountain Boulevard (Figures 1 and 2) and is approximately 4,450 sq.m. (1.1 ac) in area. The 3914 Alexis Park Drive lot is vacant as an older house was demolished in 2019. The 3912 Alexis Park Drive and 3703 Turtle Mountain Boulevard lots are currently developed with a single-family home on each.
2. The application proposes to rezone the properties from RM2 – Residential Medium Density to RH1 – Low Rise Apartment Residential.
3. The land is designated as Medium Density Residential within the Official Community Plan (OCP), which could allow up to a maximum of 110 units per hectare (44.5 units per acre). The proposed rezoning to RH1 complies with the Medium Density Residential designation.
4. The RH1 zoning district would permit a range of development options including an apartment development of up to 4.5 storeys.

The RM2 zoning district has a maximum base density of 60 units per hectare (24.5 units per acre) without under-building parking or a housing agreement. As such, the maximum density under the existing zoning would be 26 units. The RH1 zone does not have a units per acre regulation. The Floor Space Ratio in that

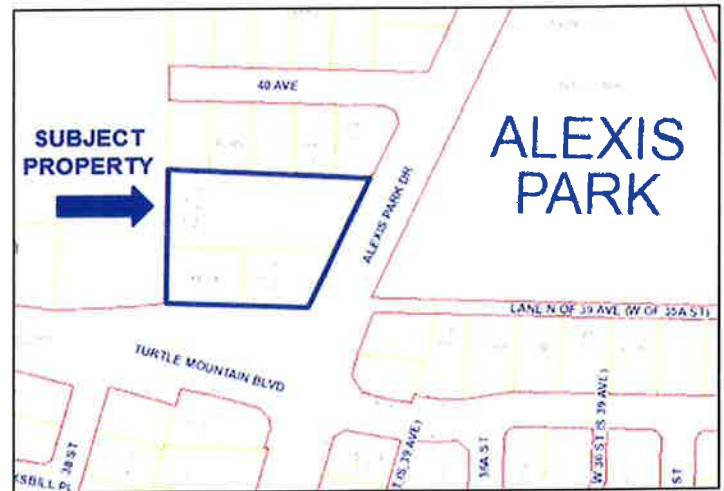


Figure 1: Property Location Map



Figure 2: Aerial View of Property

zone is the density regulation. The OCP establishes a guide of up to 110 units per hectare (44.5 units per acre) with the ultimate unit count being determined at the Development Permit stage. Based on the OCP, the approximate number of units would be in the order of 48.

5. Surrounding land uses and zoning include:

- North – Single Family (R2 zoning)
- East – Alexis Park (P1 zoning)
- South – Single Family (R2 and R5 zoning)
- West – Stacked Townhouses (RH1 zoning)

6. The intersection of Alexis Park Drive and Turtle Mountain Boulevard may be converted to a roundabout over the long term. As such, the access to the proposed development may be impacted by the future intersection improvement. Access to the proposed development may be limited to right-in, right-out from Alexis Park Drive as part of the Development Permit process. The proposed roundabout may require property acquisition (Figure 3). At this time, any upgrade of the intersection would not be considered a Development Cost Charge (DCC) eligible project as this improvement is not currently in the DCC Bylaw.

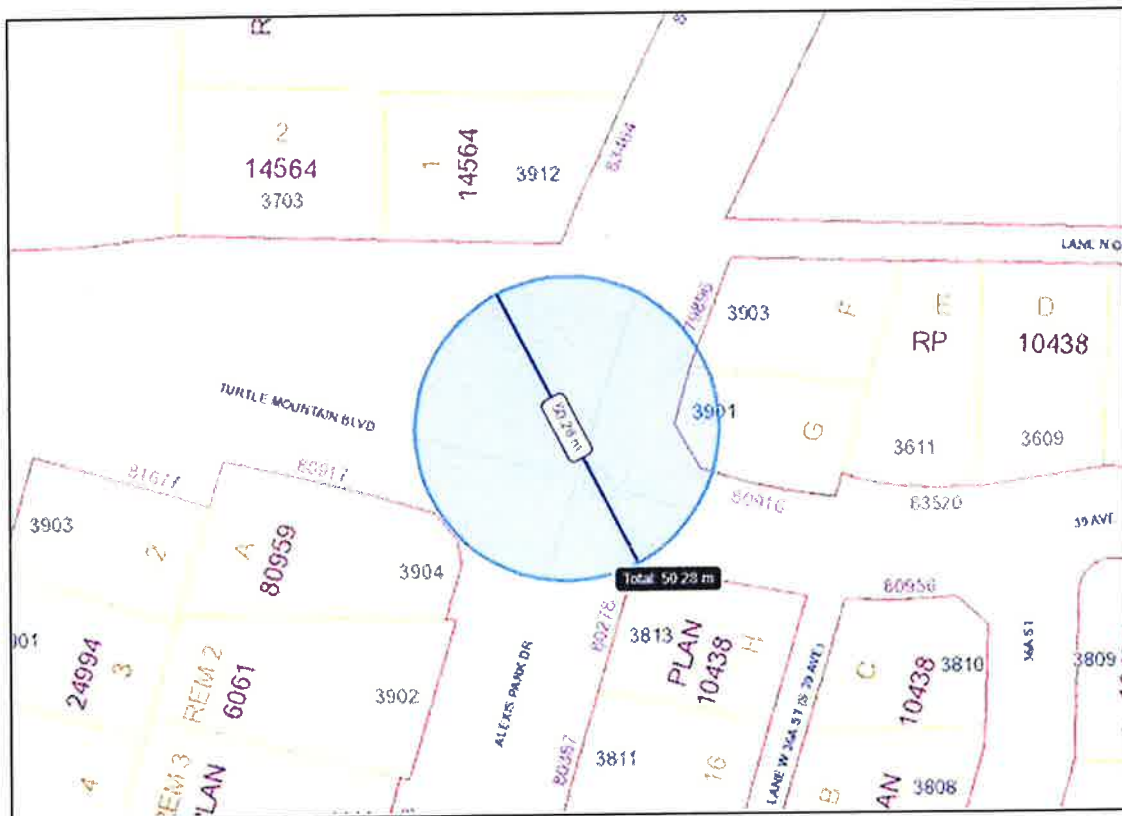


Figure 3 - Potential Roundabout

7. The subject properties are located at the north-west corner of Alexis Park Drive and Turtle Mountain Boulevard. Combined, they represent an important and prominent cluster of land in the Alexis Park neighbourhood. Further, this intersection forms the entrance to the Turtle Mountain neighbourhood and to development lands beyond that area. As such, the development of this corner is of key importance to the overall area.
8. At this time, the owner does not have a specific development planned for the properties. A preliminary layout of a potential apartment project has the buildings located close to the intersection with most parking and amenities behind (Attachment 1). This site plan is very preliminary and would be refined

through the Development Permit process. The applicant's desire is to secure support for the rezoning and move forward with a development for the site based on the proposed RH1 zoning district. Until such time that a development is proposed for the site, Administration recommends that Final Reading of a rezoning not be considered until a Development Permit is ready for issuance and that any required variance to Zoning Bylaw #5000, as amended, be evaluated by Council and approved if appropriate.

9. In order to encourage a comprehensively designed development, Administration supports the three properties being developed as one parcel or in such a manner that will result in the appearance of one development. As such, Administration recommends consolidation of the subject properties or registration of a restrictive covenant that requires the properties to be planned and developed in a comprehensive manner. Depending upon the ultimate development configuration, consolidation or a boundary adjustment may be required to facilitate development of the subject properties.

C. Attachments:

Attachment 1 – Potential Site Plan

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

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

- Streamline red tape to facilitate more development
- Work towards a sustainable Vernon environmentally, economically and socially

E. Relevant Policy/Bylaws/Resolutions:

1. The Official Community Plan (OCP) designates the property as Residential Medium Density and the requested RH1 – Low Rise Apartment Residential zoning district conforms to this OCP designation. Supporting OCP policies include:

Policy # 7.3 → Support the development of designated multiple family areas to the densities outlined in the OCP to build compact, complete neighbourhood areas within the community and to achieve the maximum use of municipal infrastructure.

BUDGET/RESOURCE IMPLICATIONS:

N/A


Prepared by:

Oct 29 2020 3:28 PM

X  
Craig Broderick 

Craig Broderick
Manager, Current Planning

Approved for submission to Council:



Will Pearce, CAO
Date: 02. NOV. 2020

Oct 29 2020 3:31 PM





 Kim Flick
 

Kim Flick
 Director, Community Infrastructure and Development

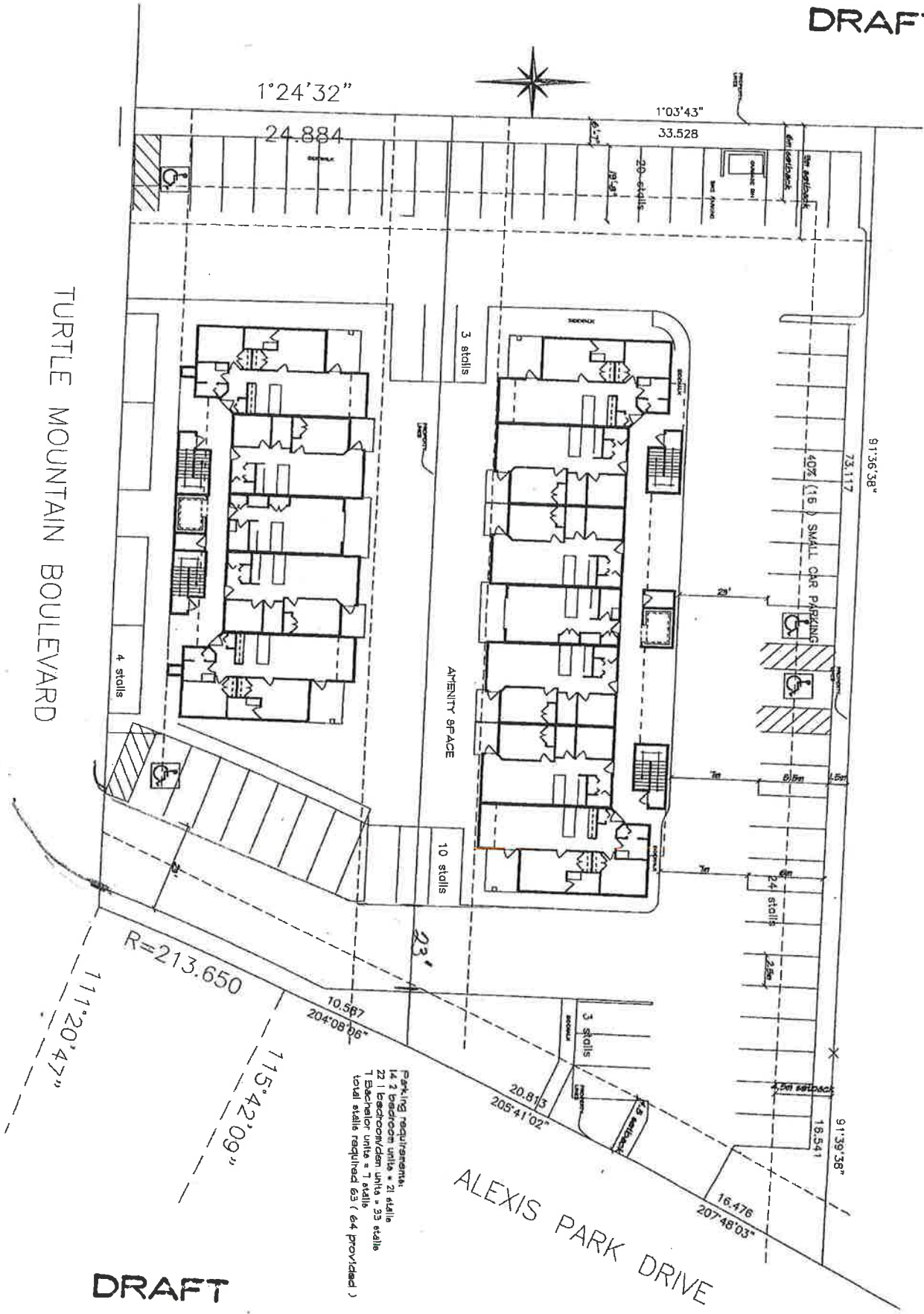
REVIEWED WITH		
<input type="checkbox"/> Corporate Services	<input type="checkbox"/> Operations	<input checked="" type="checkbox"/> Current Planning
<input type="checkbox"/> Bylaw Compliance	<input type="checkbox"/> Public Works/Airport	<input type="checkbox"/> Long Range Planning & Sustainability
<input checked="" 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 type="checkbox"/> Economic Development & Tourism
<input checked="" type="checkbox"/> COMMITTEE: APC (Oct.27/20)		
<input type="checkbox"/> OTHER:		

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DRAFT

TURTLE MOUNTAIN BOULEVARD

ALEXIS PARK DRIVE



Parking requirements:
 14 2 bedroom units = 21 stalls
 21 1 bedroom/condo units = 33 stalls
 1 Bachelor units = 7 stalls
 Total stalls required 63 (64 provided)

DRAFT

DRAFT

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5841

A bylaw to amend the City of Vernon's Official
Community Plan Bylaw Number 5470

WHEREAS the Council of The Corporation of the City of Vernon has determined to amend the "Official Community Plan Bylaw Number 5470, 2013";

AND WHEREAS all persons who might be affected by this amending bylaw have, before the passage thereof, been afforded an opportunity to be heard on the matters herein before the said Council, in accordance with the provisions of Section 464 of the *Local Government Act*, and all amendments thereto;

NOW THEREFORE the Council of The Corporation of the City of Vernon, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as **"3398 Davison Road Official Community Plan Amendment Bylaw Number 5841, 2020"**.

2. That Schedule "A" of Official Community Plan Bylaw Number 5470 is hereby amended as follows:

That the following legally described lands be redesignated from **"Public Institutional"**, **"Parks & Open Space"**, **"ALR Lands"** and **"Hillside Residential"** as shown on Schedule "A" to **"Hillside Residential"** and **"Parks & Open Space"** as shown on Schedule "B" attached hereto and forming part of this bylaw.

Legal Description:

**LOT 1, EPP80986, SEC 4, TWP 8, ODYD
(3398 Davison Road)**

BYLAW 5841

3. Official Community Plan Bylaw Number 5470 is hereby ratified and confirmed in every other respect.

READ A FIRST TIME this 23rd day of November, 2020.

READ A SECOND TIME this 23rd day of November, 2020.

PUBLIC HEARING held this day of , 2020.

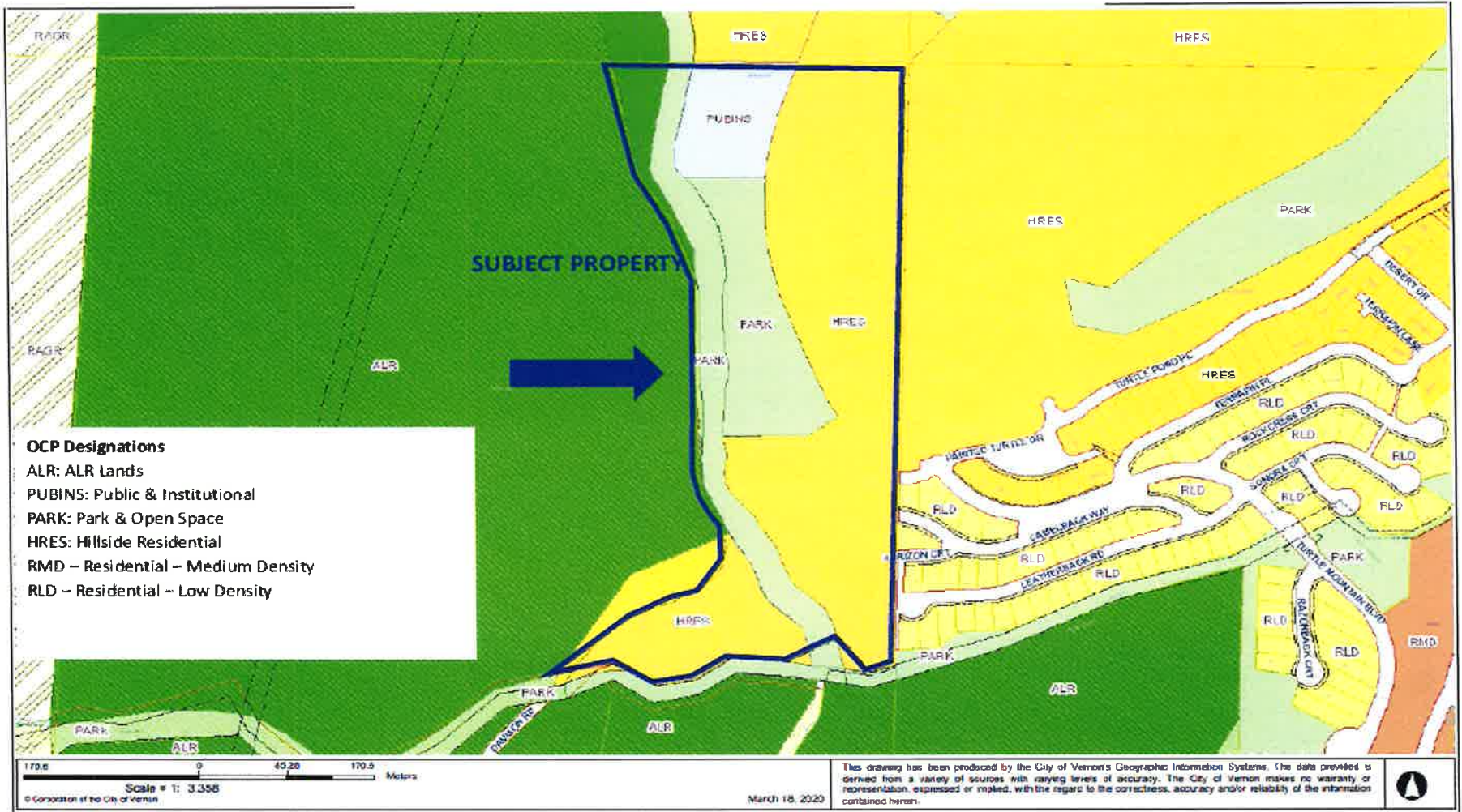
READ A THIRD TIME this day of , 2020.

ADOPTED this day of , 2020.

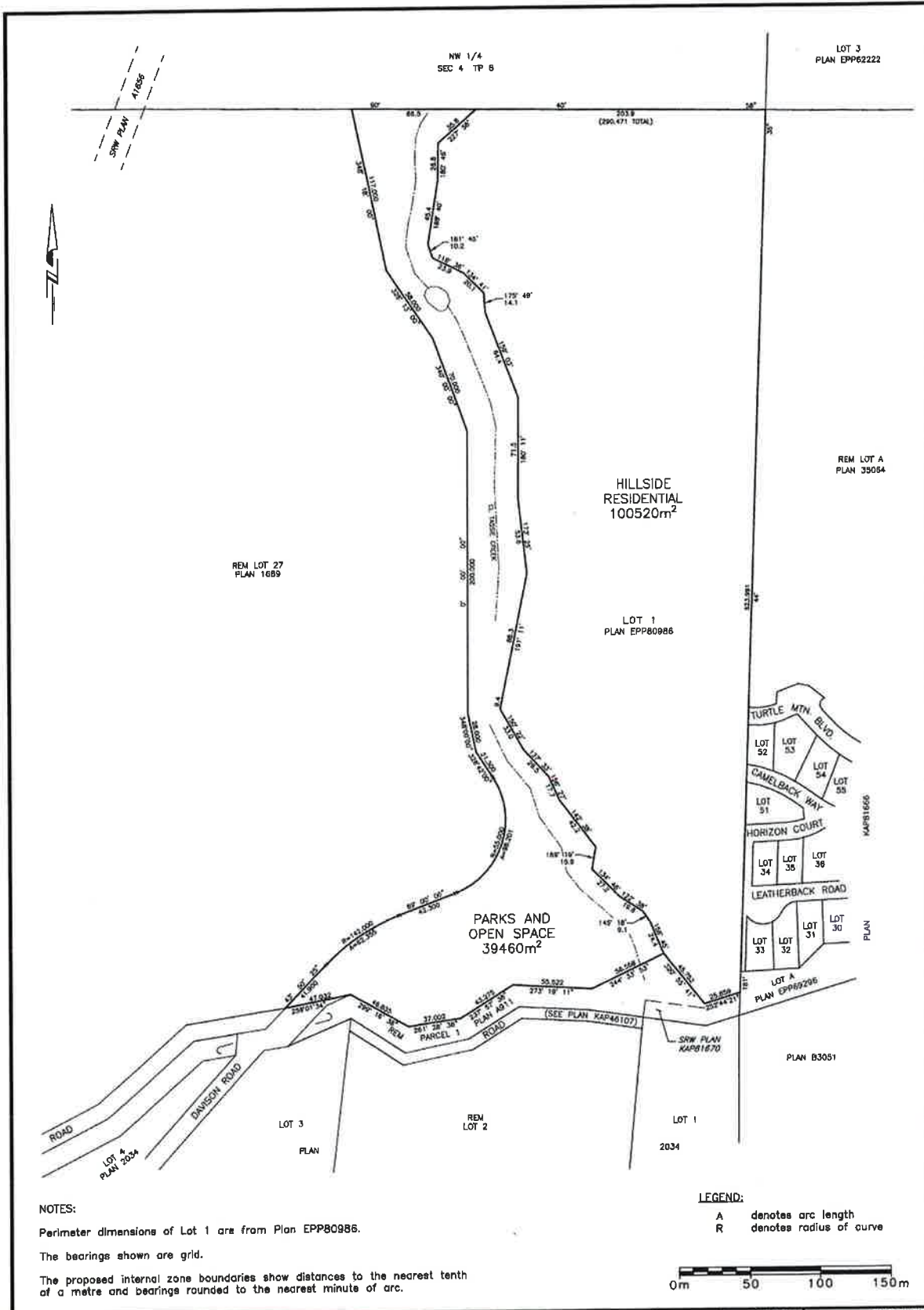
Mayor

Corporate Officer

Schedule A: Existing OCP Designation



Schedule 'B'
Attached to and forming Part of Bylaw 5841
"3398 Davison Road Official Community Plan Amendment Bylaw Number 5841, 2020"



NOTES:
 Perimeter dimensions of Lot 1 are from Plan EPP80986.
 The bearings shown are grid.

The proposed internal zone boundaries show distances to the nearest tenth of a metre and bearings rounded to the nearest minute of arc.

LEGEND:
 A denotes arc length
 R denotes radius of curve



PLAN OF PROPOSED OCP AMENDMENT FOR LOT 1, PLAN EPP80986, SEC 4, TP 8, ODYD

SCALE: 1 : 2500	OUR FILE: R10174
DATE: 6 Nov 2020	DRAWN: SM
Westco Properties Inc.	
MADDOX & COMPANY	
LAND SURVEYORS	
3500 - 30th STREET	
VERNON, BC V1T 5E9	
TELEPHONE: (250) 642-4343	

101740K01

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5842

A bylaw to amend the City of Vernon
Zoning Bylaw Number 5000

WHEREAS the Council of The Corporation of the City of Vernon has determined to amend the City of Vernon Zoning Bylaw Number 5000;

AND WHEREAS all persons who might be affected by this amendment bylaw have, before the passage thereof, been afforded an opportunity to be heard on the matters herein before the said Council, in accordance with the provisions of Section 464 of the *Local Government Act*, and all amendments thereto;

NOW THEREFORE the Council of The Corporation of the City of Vernon, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the **"3398 Davison Road Rezoning Amendment Bylaw Number 5842, 2020"**.
2. Pursuant to the Official Zoning Map, Schedule "A" attached to and forming part of Bylaw Number 5000, is hereby amended as follows:
 - a) That the following legally described land be rezoned from **"A1 – Agriculture Within ALR"** to **"HR1 - Hillside Residential Single and Two Family"**, **"HR2 – Hillside Residential Multi Family"** and **"P1 – Parks and Open Space"**

Legal Description:

**LOT 1, PLAN EPP80986, SEC 4, TWP 8, ODYD
(3398 Davison Road)**

BYLAW 5842

PAGE 2

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

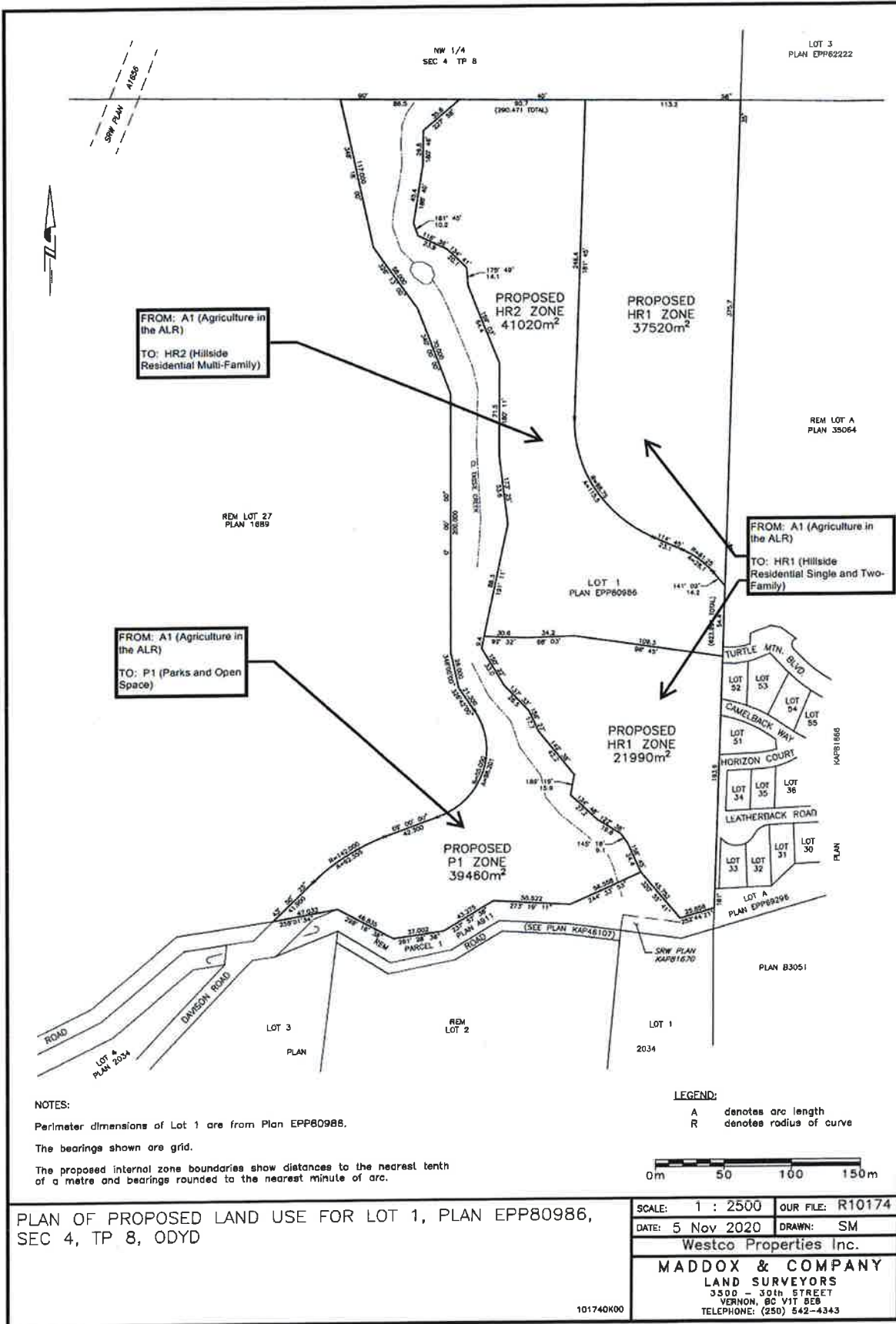
3. Zoning Bylaw Number 5000 is hereby ratified and confirmed in every other respect.

READ A FIRST TIME this 23rd day of November, 2020
READ A SECOND TIME this 23rd day of November, 2020
PUBLIC HEARING held this day of , 2020
READ A THIRD TIME this day of , 2020
ADOPTED this day of , 2020.

Mayor:

Corporate Officer:

SCHEDULE 'A'
Attached to and Forming Part of Bylaw 5842
"3398 Davison Road Rezoning Amendment Bylaw Number 5842, 2020"





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: November 23, 2020
REPORT DATE: November 12, 2020
FILE: 3340-20 (OCP00084, ZON00350)

SUBJECT: OFFICIAL COMMUNITY PLAN AMENDMENT AND REZONING APPLICATION FOR
3398 DAVISON ROAD

PURPOSE:

To review an application for the property located at 3398 Davison Road in the East Bella Vista Highlands (Turtle Mountain) Neighbourhood Plan which proposes to:

- Amend the Official Community Plan Future Land Use designation from 'Public and Institutional', 'Hillside Residential', 'Parks and Open Space' and 'ALR Lands' to 'Hillside Residential' and 'Parks and Open Space';
- Rezone from A1 (Agriculture in the ALR) to HR1 (Hillside Residential Single and Two Family), HR2 (Hillside Residential Multi-Family) and P1 (Parks and Opens Space);

in order to permit future development, accommodate a future road network, and facilitate the acquisition of parkland on the 34.6-acre (14 hectare) parcel.

RECOMMENDATION:

THAT Council support the application to amend the Official Community Plan land use designation for Lot 1, Plan EPP80986, Section 4, Township 8, Osoyoos Division Yale District (3398 Davison Road) from 'Public Institutional', 'Parks & Open Space', 'ALR Lands' and 'Hillside Residential' to 'Hillside Residential' and 'Parks & Open Space' as outlined in the report titled "Official Community Plan Amendment and Rezoning Application for 3398 Davison Road" dated November 12, 2020 by the Long Range Planner;

AND FURTHER, that Council support the application to rezone the subject property from A1 (Agriculture in the ALR) to HR1 (Hillside Residential Single and Two Family), HR2 (Hillside Residential Multi-Family) and P1 (Parks and Opens Space), as described in the report titled "Official Community Plan Amendment and Rezoning Application for 3398 Davison Road" dated November 12, 2020 by the Long Range Planner;

AND FURTHER, that Council support waiving the open house for the proposed Official Community Plan Amendment application as per the corporate OCP Amendment Applications Policy and proceed directly to First and Second Readings and scheduling of a Public Hearing;

AND FURTHER, that Council consider the referral process already undertaken with persons, organizations and authorities which are considered to be affected by the proposed amendment to the Official Community Plan to be appropriate and sufficient to meet the requirements of Section 475 of the *Local Government Act*;

AND FURTHER, that final adoption of the Official Community Plan amendment and rezoning bylaws be subject to the following:

- a) Completion of a purchase and sale agreement for a portion of the subject property in order to provide for additional park land as detailed in the report titled "Official Community Plan Amendment and Rezoning Application for 3398 Davison Road" dated November 12, 2020 by the Long Range Planner;

- b) Submission of a subdivision application for the subject lands to create a park lot, which aligns with the proposed Official Community Plan amendment and conceptual plan, and a remainder lot, to the satisfaction of the Approving Officer;
- c) Registration of a statutory right-of-way in favour of the City of Vernon over the Streamside Protection and Enhancement Area that is required under the Riparian Areas Protection Regulation and which includes public trail access;
- d) Registration of a 'no-build' restrictive covenant on the remainder of the development lands which is to remain in place until such time that a future subdivision application which incorporates an extension and connection of the road network and trail network across the site is completed;
- e) Registration of a restrictive covenant which prohibits any subdivision of the property until emergency egress to Davison Road is provided, and specifically limits such access to Davison Road for emergency egress only, and specifies the crossing width over Tassie Creek to be a maximum of 4.0 metres;
- f) Registration of a restrictive covenant requiring the installation of fencing or appropriate barriers along the western property line of the subject property at the subdivision stage in order to protect against trespass and interference with adjacent agricultural operations;
- g) Completion of a purchase and sale agreement for the lands described as Plan A911, Section 4 Township 8, Osoyoos Division Yale District, Parcel 1 (3301 Davison Road), in order to facilitate acquisition of a missing link in the Grey Canal Trail, as detailed in the report titled "Official Community Plan Amendment and Rezoning Application for 3398 Davison Road" dated November 12, 2020 by the Long Range Planner.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support the applications for an Official Community Plan land use designation amendment and rezoning for Lot 1, Plan EPP80986, Section 4, Township 8, Osoyoos Division Yale District (3398 Davison Road).

Note: This alternative does not support the Official Community Plan Amendment and rezoning applications. The current A1 zoning of the subject property would remain and the applications would be closed.

ANALYSIS:

A. Committee Recommendations:

At its meeting of November 9, 2020, the Advisory Planning Committee adopted the following resolution:

"THAT Council support the application to amend the Official Community Plan land use designation for portions of Lot 1, Plan EPP80986, Section 4, Township 8, Osoyoos Division Yale District (3398 Davison Road) from 'Public Institutional', 'Parks & Open Space', 'ALR Lands' and 'Hillside Residential' to 'Hillside Residential' and 'Parks & Open Space' as outlined in the report titled "Official Community Plan Amendment and Rezoning Application for 3398 Davison Road" dated November 6, 2020 by the Long Range Planner;

AND FURTHER, that Council support the application to rezone the subject property from A1 (Agriculture in the ALR) to HR1 (Hillside Residential Single and Two Family), HR2 (Hillside

Residential Multi-Family) and P1 (Parks and Opens Space), as described in the report titled "Official Community Plan Amendment and Rezoning Application for 3398 Davison Road" dated November 6, 2020 by the Long Range Planner;

AND FURTHER, that Council consider the referral process already undertaken with persons, organizations and authorities which are considered to be affected by the proposed amendment to the Official Community Plan to be appropriate and sufficient to meet the requirements of Section 475 of the *Local Government Act*;

AND FURTHER, that final adoption of the OCP amendment and rezoning bylaws be subject to the following:

- a) Completion of a purchase and sale agreement for a portion of the subject property in order to provide for additional park land as detailed in the report titled "Official Community Plan Amendment and Rezoning Application for 3398 Davison Road" dated November 6, 2020 by the Long Range Planner;
- b) Submission of a subdivision application for the subject lands to create a park lot, aligning with the proposed OCP amendment, and a remainder lot, to the satisfaction of the Approving Officer;
- c) Registration of a statutory right-of-way in favour of the City of Vernon over the Streamside Protection and Enhancement Area that is required under the Riparian Areas Protection Regulation which includes public trail access;
- d) Registration of a 'no-build' restrictive covenant on the remainder of the development lands which is to remain in place until such time that a future subdivision application which incorporates an extension and connection of the road network and trail network across the site is completed;
- e) Registration of a restrictive covenant which prohibits any subdivision of the property until emergency egress to Davison Road is provided, and specifically limits such access to Davison Road for emergency egress only, and specifies the crossing width over Tassie Creek to be a maximum of 4.0 metres;
- f) Registration of a restrictive covenant requiring the installation of fencing or appropriate barriers along the western property line of the subject property at the subdivision stage in order to protect against trespass and interference with adjacent agricultural operations;
- g) Completion of a purchase and sale agreement for the lands described as Plan A911, Section 4 Township 8, Osoyoos Division Yale District, Parcel 1 (3301 Davison Road), in order to facilitate acquisition of a missing link in the Grey Canal Trail, as detailed in the report titled "Official Community Plan Amendment and Rezoning Application for 3398 Davison Road" dated November 6, 2020 by the Long Range Planner."

B. Rationale:

1. The 34.6 acre (14 hectare) subject property is located within the East Bella Vista Highlands (Turtle Mountain) Neighbourhood Plan area and is shown in Figures 1 and 2 and also in Attachment 1.

2. The subject property is designated 'Public and Institutional', 'Hillside Residential', 'ALR Lands', and 'Parks and Open Space' in the Official Community Plan (OCP) Land Use Map. The entire parcel is currently zoned A1 (Agriculture in the ALR). Despite the name of the zone, the subject parcel is not in the ALR (Attachments 2 and 3).
3. The subject property has frontage and road access onto Davison Road. It contains a single family dwelling with several farming and livestock outbuildings. The subject property, none of which is in the ALR, was subdivided from the neighbouring lands to the west, along the ALR boundary, in 2017.
4. North and east of the subject property are undeveloped lands within the East Bella Vista (Turtle Mountain) Neighbourhood Plan. Lands to the east also contain existing Turtle Mountain developments, where several roads terminate at the subject property line. Tassie Creek is located on the west side of the subject property with Agricultural Land Reserve (ALR) lands beyond.
5. Immediately south of the subject property is a narrow parcel which contains an undeveloped portion of the Grey Canal. This narrow parcel extends west of the subject property for nearly 500 metres as shown in Figure 3. All of this linear parcel is currently under the same ownership as the subject property.

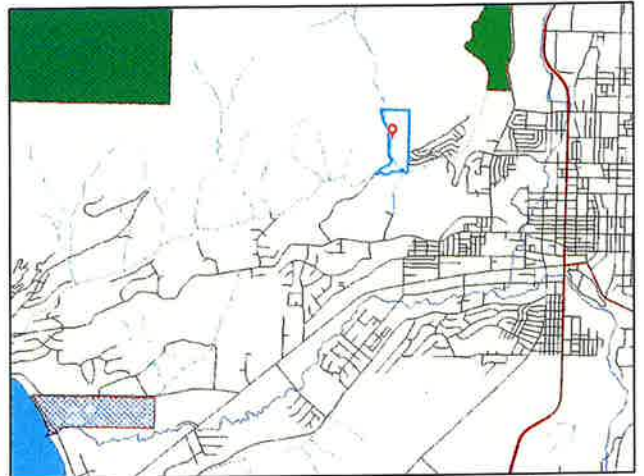


Figure 1: Location

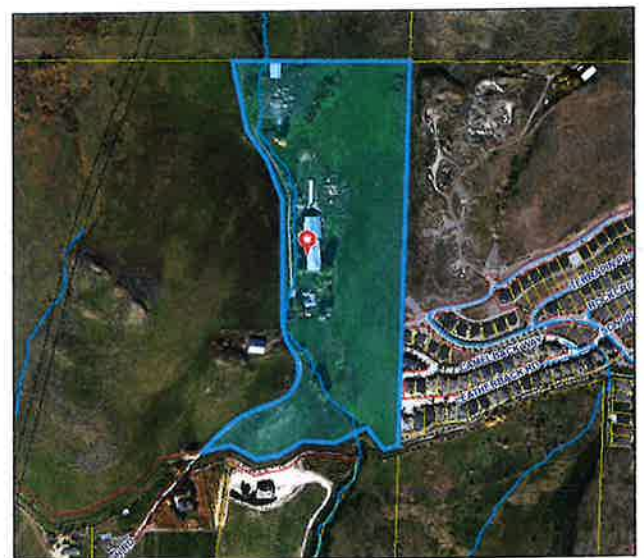


Figure 2: Aerial Photo of Property

Proposed Official Community Plan Amendments

5. The applicant proposes an Official Community Plan amendment to remove the 'Public & Institutional' designation entirely from the subject site and reconfigure the location of the 'Parks & Open Space' designation.
6. The OCP designation of 'Public Institutional' and some of the adjacent 'Parks and Open Space' were anticipated in the neighbourhood plan to provide land for a future school site and associated playing fields.
7. Administration has consulted with School District No.22 on the proposed removal of the School Site. It was determined that a school site is not required in this location. School District No. 22 has no objection to the proposal (Attachment 4).

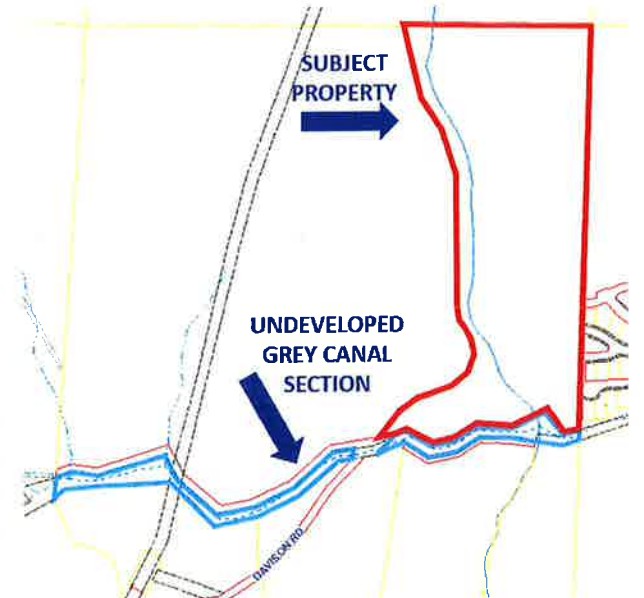


Figure 3: Grey Canal Parcel

8. The reconfiguration of 'Parks and Open Space' includes relocating the portion that was to be associated with the school site to the southwest corner of the subject property. This is an appropriate change, as follows:

- a. The existing OCP designation of 'Hillside Residential' in the southwest corner is impractical due to the cost of extending services to this location and the need for a significant road crossing over Tassie Creek.
- b. Residential development in the southwest location would likely place additional pressure on Davison Road, which is not built to standard and has insufficient capacity for additional traffic. Expansion of Davison Road is unlikely due to it being within the ALR.
- c. This alternative location in the southwest corner for the 'Parks and Open Spaces' designation creates a parkland location with superior views and access.
- d. The location is adjacent to what will be a continuous Grey Canal trail, providing both a stop of interest or a beginning/end point for users.
- e. Access to the park location will still be available to all residents of Turtle Mountain via future road and trail crossings over Tassie Creek and the future expansion of the Grey Canal trail.
- f. The proposed change is consistent with the intent of the Parks Master Plan and as well as the East Bella Vista Neighbourhood Plan.

9. The existing 'Parks & Open Space' OCP designation along Tassie Creek would remain, but would be modified to align with the Streamside Protection and Enhancement Area (SPEA) setbacks required according to the *Riparian Areas Protection Regulation*. This results in an increase in the area of the 'Parks and Open Space Designation'.

10. A small portion of the north-west corner of the subject property is currently designated in the OCP as 'ALR Lands', however is not actually within the ALR. This portion of the subject property is not within the required SPEA setbacks of Tassie Creek, but is undevelopable due to its isolated location. The proposed amendment would re-designate this area more appropriately as 'Parks and Open Space'. This is shown as the solid green area in Figure 4.



Figure 4: Existing A1 OCP Designation

11. A referral response from the Agricultural Land Commission indicated that the interface with adjacent ALR should be considered. The riparian area along Tassie Creek would serve as an appropriate buffer. The installation of fencing or other suitable means to prevent trespassing onto the adjacent ALR lands will be required at the subdivision phase.

12. The current area designated in the OCP for Parks on the subject property is 9.5 acres (3.8 hectares) and the proposed amount is 9.7 acres (3.9 hectares), resulting in a net increase in land designated 'Parks & Open Space'.

13. The remainder of the subject property would be designated as "Hillside Residential" to accommodate development as per the neighbourhood plan. The proposed OCP designations are shown in Attachment 5.

14. Section 475 of the *Local Government Act* (LGA) specifies that Council should provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers affected. In addition, the City's corporate OCP Amendment Applications Policy requires that an open house be held to provide community residents with an additional opportunity to consider the application.
15. Administration undertook a referral process with numerous external agencies and recommends that Council consider this to be sufficient to meet the requirements of Section 475 of the LGA. Responses from agencies have been incorporated into the proposal and discussed herein. Additionally, Section 476 of the *Local Government Act* specifies that Council must consult with the Boards of Education for the School District for OCP amendments impacted by the proposal. Consultation with the School District was undertaken as described.
16. Holding an open house - in addition to the above consultation and the required Public Hearing - is not considered necessary in this instance. Increasingly, Council has supported waiving the open house in adopted neighbourhood plan areas (including the Foothills and Predator Ridge). The proposed reconfiguration of parkland does not impact any adjacent residents and neighbourhood residents have an opportunity to provide comment at the Public Hearing, should Council grant First and Second Readings.

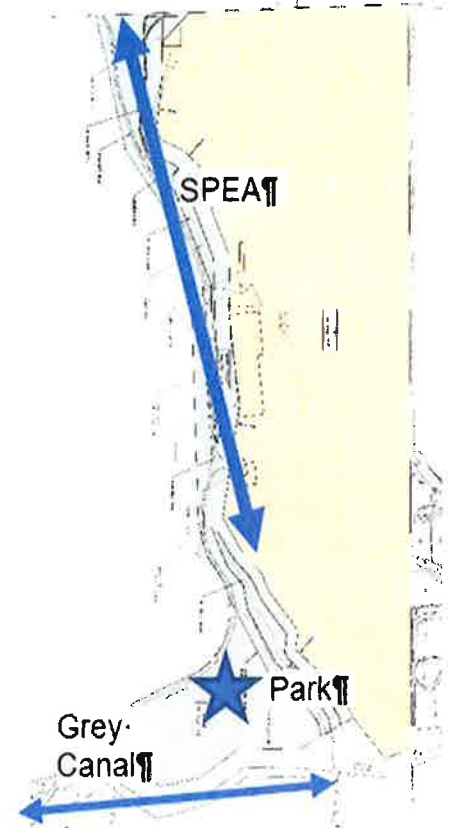
Proposed Zoning Amendments

17. The proposed zoning amendments would result in a mixture of HR1 (Hillside Residential Single and Two-Family) and HR2 (Hillside Residential Multi-Family) on the east side of Tassie Creek. P1 (Parks & Open Space) zoning is proposed to align with the proposed OCP designations along the creek corridor and the portion of the property on the west side of Tassie Creek. The proposed zoning is shown in Attachment 6 and is broken down as follows:
 - a. HR1 zoning for single and two-family dwellings is proposed for 14.7 acres (5.9 hectares) of the site with a maximum density of 10 units per acre.
 - b. HR2 zoning for multi-family (semi-detached and row-housing) is proposed for 10.2 acres (4.1 hectares) of the site with a maximum density of 22 units per acre.
 - c. P1 (Parks and Open Space) zoning is proposed for 9.7 acres (3.9 hectares) of the site. 3.6 acres (1.5 hectares) would comprise land that could be developed for an active park, and 6.1 acres would comprise a passive park within the creek corridor.
18. The applicant has submitted a conceptual subdivision plan (Attachment 7). The plan includes the following:
 - a. An extension of existing dead-end roads through the subject property and to lands beyond.
 - b. A total of 90 HR1 (Hillside Residential Single and Two Family) lots.
 - c. The number of HR2 units will depend upon design and tenure (fee-simple or strata); the applicant has indicated a concept of approximately 95 units.
 - d. Trails along the riparian corridor and pedestrian connections through the site to existing points on the adjacent lands.
 - e. An extension of Davison Road across Tassie Creek to the development site. This road would only be used to provide emergency egress for Turtle Mountain developments.

- f. Road dedication, minimum lot size, functionality, and topographical constraints will limit the total number of units on the site. These details would be determined at the subdivision stage according to the Zoning Bylaw, Subdivision Development and Servicing Bylaw, and at the discretion of the Approving Officer. The conceptual plan is subject to change within the confines of the proposed zoning.

Proposed Parkland

19. Parkland dedication is typically completed at subdivision, in accordance with Section 510 of the *Local Government Act* (allowing for up to 5% of the land to be taken). The amount of parkland proposed by the OCP amendment (Figure 5 and Attachment 5) for this site, not including the riparian/SPEA corridor, is 3.64 acres (14,723m²). This is more than the 5% amount of 1.4 acres (5,766m²).
20. The applicant has agreed to enter into a contract of purchase and sale with the City for the balance of 2.21 acres (8,957m²) of parkland shown in the proposed OCP amendment and rezoning maps. A subdivision application would be initiated, following the public hearing if the applications proceeds, to accommodate this.
21. The applicant has also agreed to enter into a contract of purchase and sale for the undeveloped portion of the Grey Canal Trail (Figure 3) south of the subject site. While the rest of the Grey Canal Trail is owned and operated by the Regional District of North Okanagan, Administration would facilitate this transaction as part of the application process. Funding for this acquisition has been secured and will be discussed in detail in a separate report.



Miscellaneous Development Items

22. There will be increased traffic on Turtle Mountain Boulevard as result of the proposal. The applicant has provided a Traffic Impact Assessment (TIA) which confirms the capacity of the existing road network to serve the development. No off-site improvements or changes are anticipated or necessary.
23. There is currently only one means of egress for the existing Turtle Mountain developments which was raised as a concern by Vernon Fire and Rescue Service. To ensure secondary emergency egress is provided at subdivision stage, restrictive covenants would limit future development and require a secondary access (crossing Tassie Creek and connecting to Davison Road). Emergency egress would be constructed in accordance with the minimum requirements as specified in the Subdivision and Development Servicing Bylaw.
24. Some public feedback has been received throughout the course of the application process relating to concerns regarding increased traffic on local roads within the developed Turtle Mountain area. The majority of new traffic generated by this development would be directed along Turtle Mountain Boulevard, which is a collector road. Approximately 20-25 single family lots are expected to take access from Camelback Road, a local road, which is not expected to have a significant impact.
25. The applicant has submitted a detailed report from their environmental consultant which identifies the required SPEA. The report was filed with the Province of British Columbia and accepted, confirming that the boundaries of the proposed OCP amendment and rezoning are appropriate. A detailed analysis of mitigation and compensation measures would be undertaken at subdivision and Development Permit

stages in accordance with the Development Permit Guidelines and Environmental Management Strategy.

C. Attachments:

- Attachment 1 – Location Map
- Attachment 2 – Existing OCP Designation Map
- Attachment 3 – Existing Zoning Map
- Attachment 4 – Letter from School District No. 22
- Attachment 5 – Proposed Official Community Plan Designations Map
- Attachment 6 – Proposed Zoning Map
- Attachment 7 – Subdivision Development Concept

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

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

- Support sustainable neighbourhoods by implementing neighbourhood plans and the OCP.
- Continued implementation of the Parks Master Plan.

E. Relevant Policy/Bylaws/Resolutions:

The OCP has the following applicable policies related to the subject application:

- 7.3 Support the development of the City Centre District, neighbourhood centres and designated multiple family areas to the densities outlined in the OCP to build compact, complete neighbourhood areas within the community and to achieve the maximum use of municipal infrastructure.
- 10.5 Require development to design and construct all offsite infrastructure including roads, water, wastewater and storm systems with consideration for life cycle costs, sustainability and maintenance.

BUDGET/RESOURCE IMPLICATIONS:

Funds for purchase will be taken from the Parkland Acquisition account and detailed further in a separate report.

Required amounts for parks improvements will be brought forward in budget discussion as is necessary.

Prepared by:

Approved for submission to Council:

X
Signer 1

For Daniel Sturgeon
Long Range Planner

Will Pearce, CAO

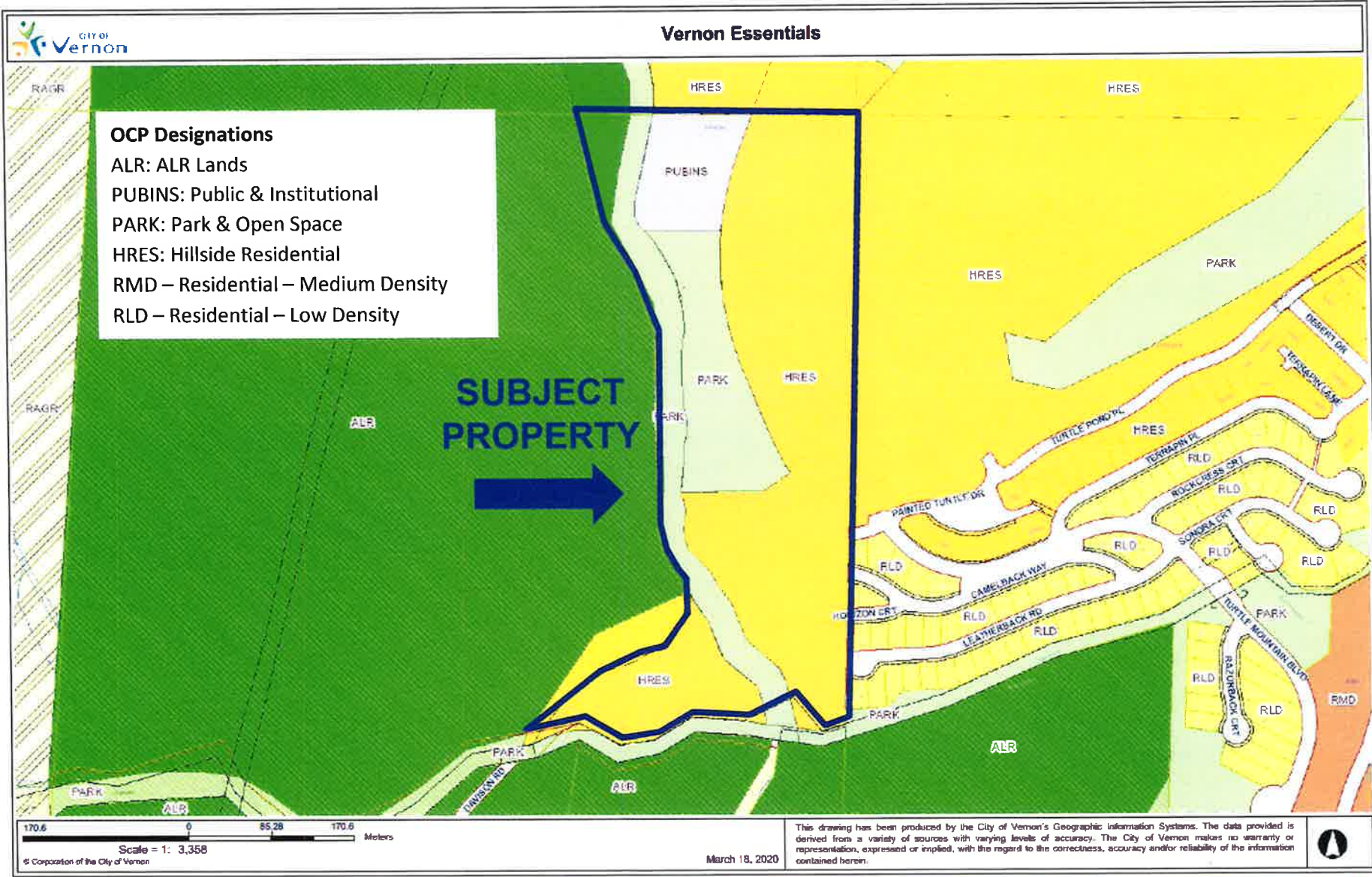
Date: 19. NOV. 2020

X 
Signer 2

Kim Flick
Director, Community Infrastructure and Development

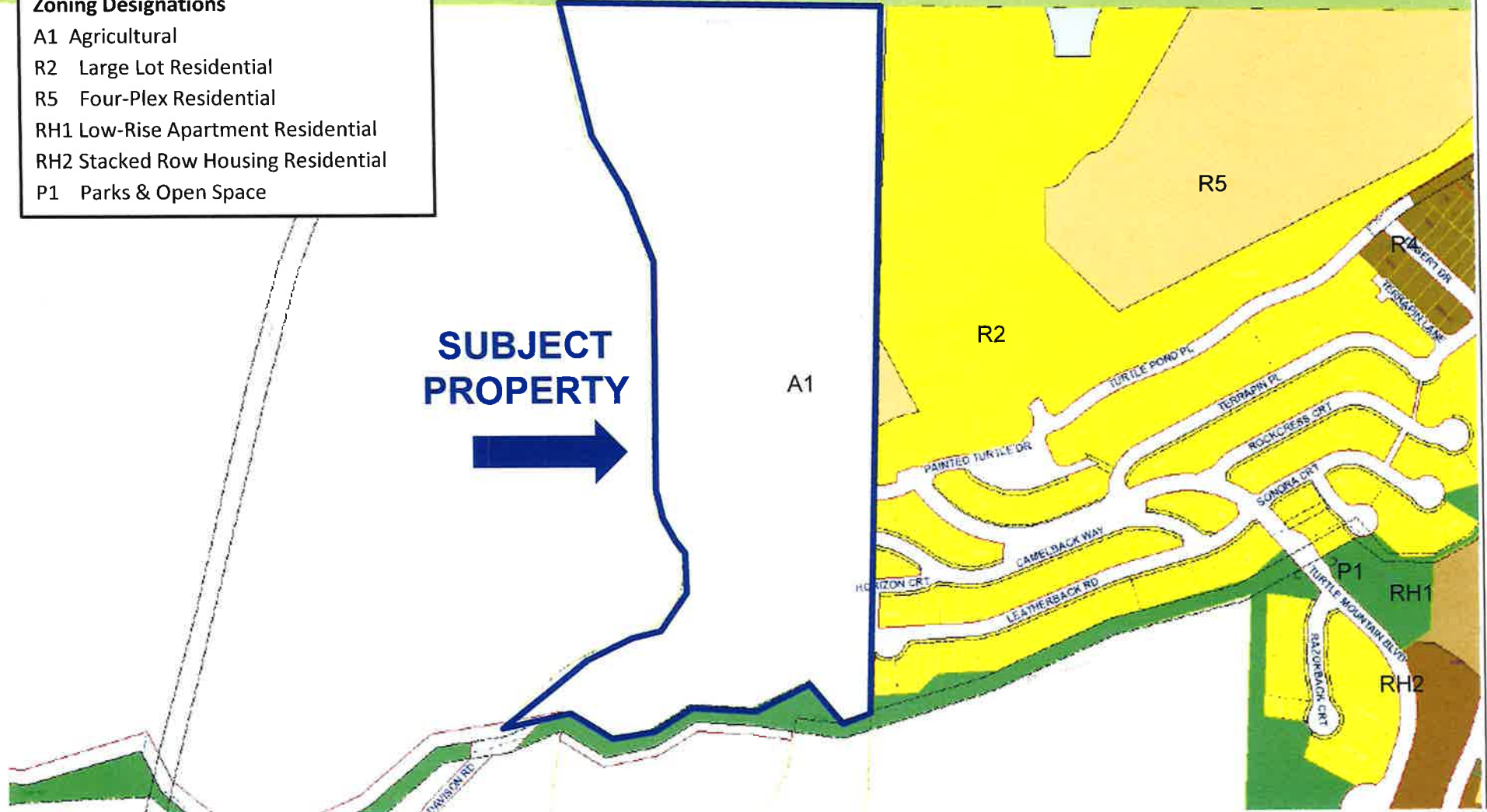
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<input type="checkbox"/> Human Resources	<input checked="" type="checkbox"/> Parks	<input checked="" type="checkbox"/> Transportation
<input type="checkbox"/> Financial Services		<input type="checkbox"/> Economic Development & Tourism
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<input type="checkbox"/> OTHER:		

\\gw1\groups\3000-3699 LAND ADMINISTRATION\3340 OFFICIAL COMMUNITY PLAN - AMENDMENTS\20 Applications\OCP00084\2
PROC\Rpt\201112_rpt_councilreport_ds_OCP00084_ZON00350.docx



Existing OCP Designation

- Zoning Designations**
- A1 Agricultural
 - R2 Large Lot Residential
 - R5 Four-Plex Residential
 - RH1 Low-Rise Apartment Residential
 - RH2 Stacked Row Housing Residential
 - P1 Parks & Open Space



Existing Zoning Designation



Attachment 4



Board of Education School District No. 22 (Vernon)

1401 – 15th Street, Vernon, BC V1T 8S8

May 8, 2020

Daniel Sturgeon
Long Range Planner
City of Vernon

By email: DSturgeon@vernon.ca

Dear Mr. Sturgeon:

RE: OCP00084 & ZON00350 Referral Package (3398 Davison Road)

The school district is not opposed to the proposed amendment regarding the above property.

Sincerely,

A handwritten signature in black ink, appearing to be "S Olson", written over a light blue circular stamp.

Sterling Olson
Secretary Treasurer

A Great Place to Learn

(250) 542-3331 www.sd22.bc.ca

Attachment 5

U.C. Telephone _____
 U.C. Electrical _____

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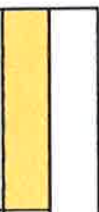

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 Phone 800-1771
 Fax 800-1591

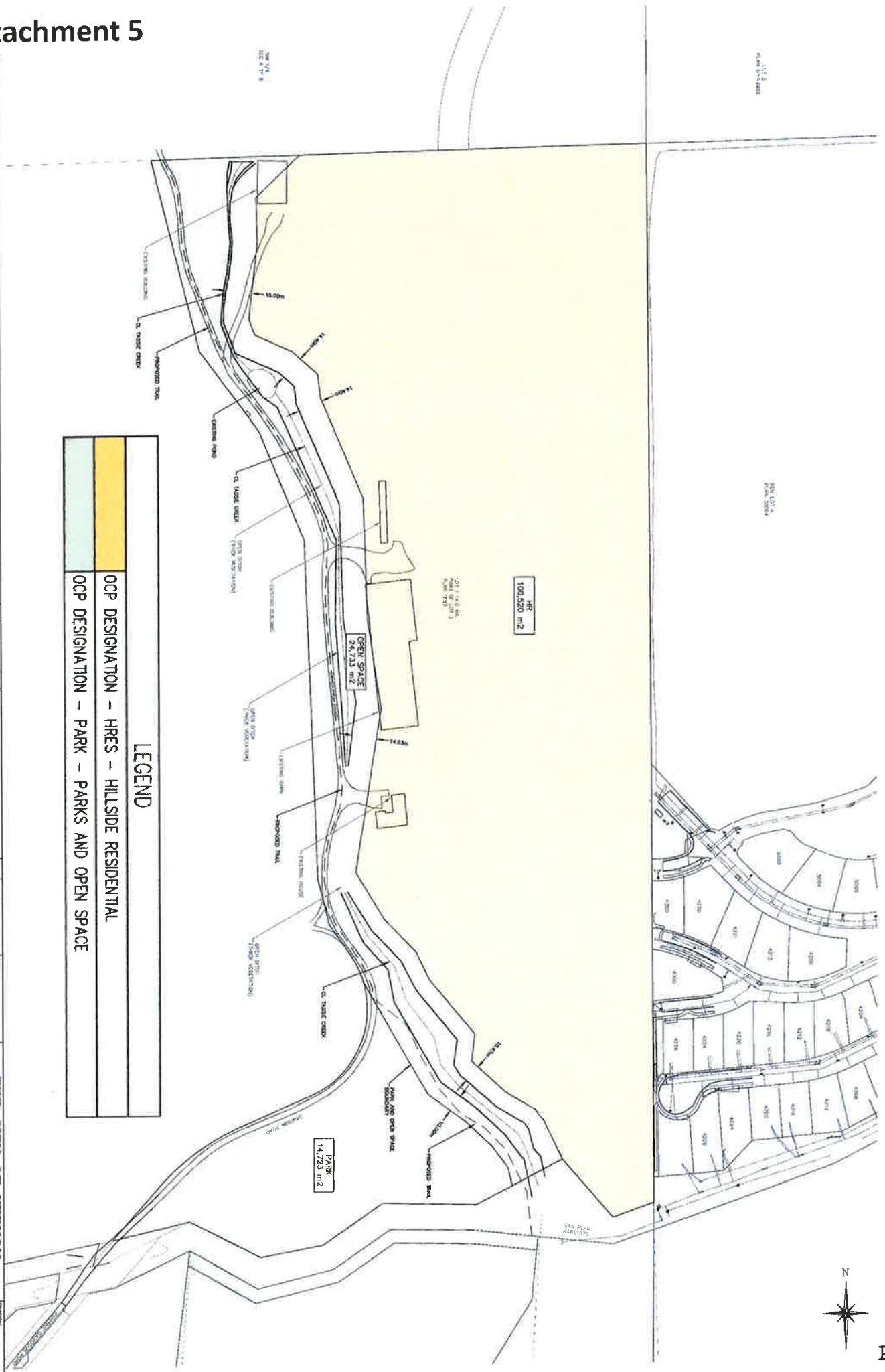
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DESIGN: KCL
 APPROVED: OR
 DATE: FEB 2010
 SCALE: 1:1000

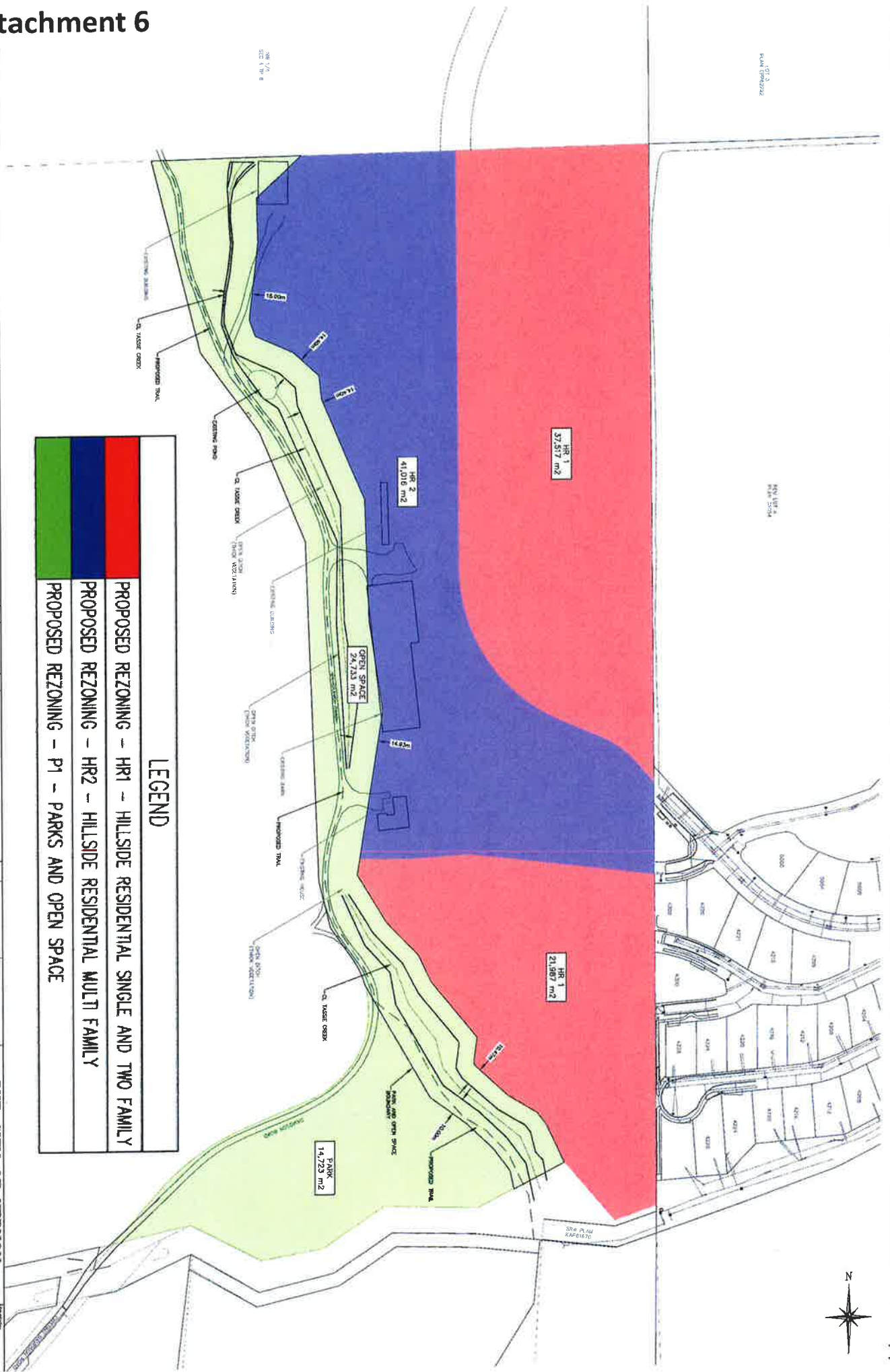
THE CITY OF VERNON
 ENGINEERING DIVISION
 WESTCO PROPERTIES INC.
 3399 DAVIDSON ROAD, VERNON
 PROPOSED OCP

DRAWING NO. 19021-0CP2

LEGEND	
	OCP DESIGNATION - HRES - HILLSIDE RESIDENTIAL
	OCP DESIGNATION - PARK - PARKS AND OPEN SPACE



Attachment 6



LEGEND

	PROPOSED REZONING - HR1 - HILLSIDE RESIDENTIAL SINGLE AND TWO FAMILY
	PROPOSED REZONING - HR2 - HILLSIDE RESIDENTIAL MULTIFAMILY
	PROPOSED REZONING - P1 - PARKS AND OPEN SPACE

- 1 sewer
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- 5 U.G. Electrical
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PROTECH CONSULTING 2012

300 - 14th St. West Street, Kelowna B.C.
Phone 800-1271-1946 FAX 800-194-1271

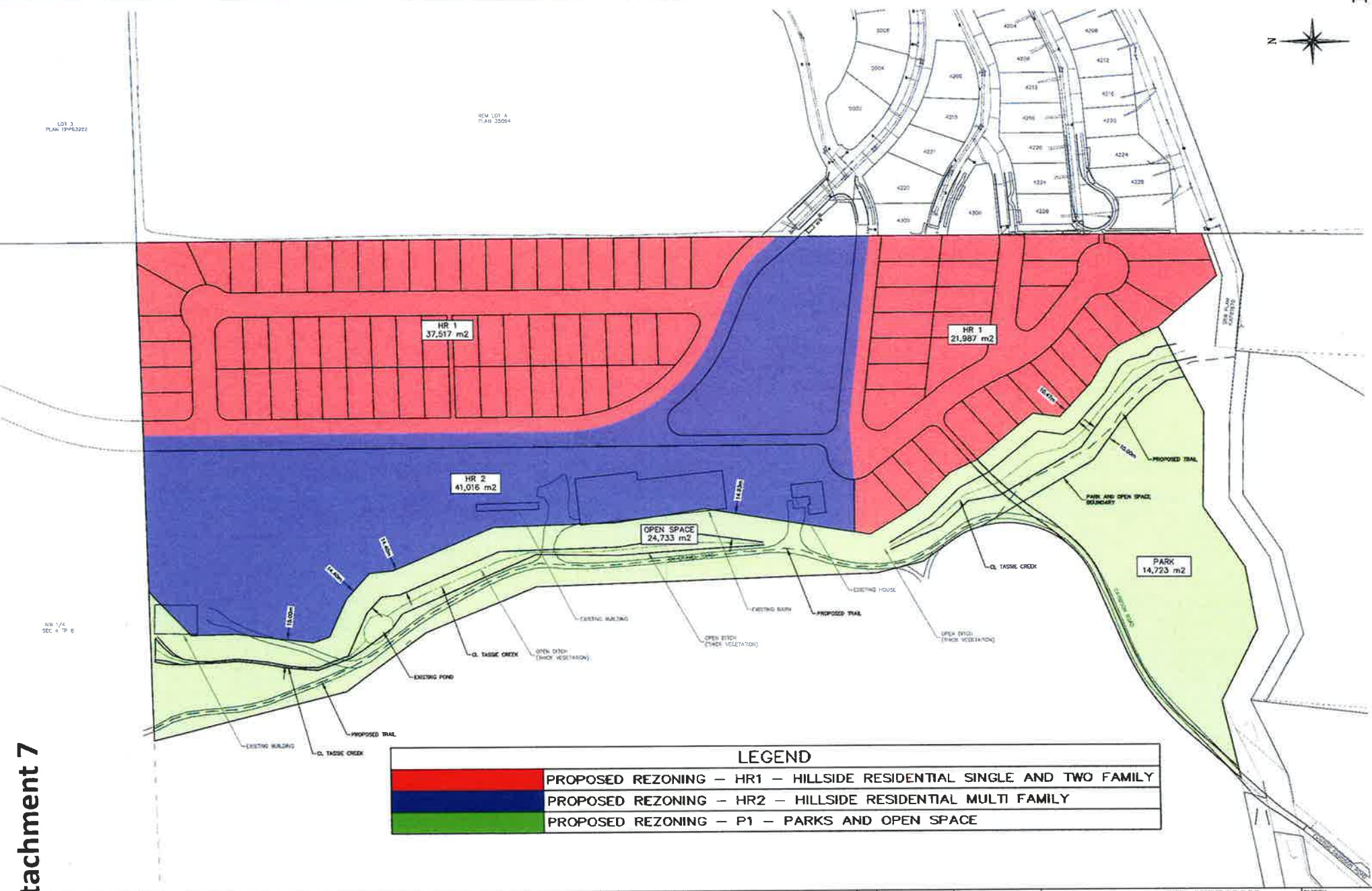
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2	2010/02/04	MC	ISSUED FOR CONSTRUCTION
3	2010/02/06	MC	ISSUED FOR CONSTRUCTION

NO.	DATE	BY	REVISION
1	2010/06/12	BT	ISSUED FOR CONSTRUCTION
2	2010/02/04	MC	ISSUED FOR CONSTRUCTION
3	2010/02/06	MC	ISSUED FOR CONSTRUCTION

THE CITY OF VERNON
ENGINEERING DEPARTMENT

WESTCO PROPERTIES INC.
3399 DAVIDSON ROAD, VERNON
PROPOSED REZONING

DRAWING NO. 19021-RZ



LEGEND	
	PROPOSED REZONING - HR1 - HILLSIDE RESIDENTIAL SINGLE AND TWO FAMILY
	PROPOSED REZONING - HR2 - HILLSIDE RESIDENTIAL MULTI FAMILY
	PROPOSED REZONING - P1 - PARKS AND OPEN SPACE

Attachment 7

Gas U.G. Telephone U.G. Electrical

Manhole Power Pole Lamp Standard Catch Basin Hydrant Trees

L.C. (SAN)
 L.C. (STM)
 C.S.
 LPT
 SERVICE BOX

PROTECH CONSULTING 2012

200 - 1461 St. Paul Street Kelowna B.C. Phone 860-1771 Fax 860-1994

NO.	DATE	BY	REVISION	CHKD
3	2020/10/08	KCL	ISSUED FOR COORDINATION	
2	2020/10/04	KCL	ISSUED FOR COORDINATION	
1	2020/06/12	KCL	ISSUED FOR COORDINATION	

DRAWN	KCL
DESIGN	GM
APPROVED	
DATE	FEB 2020
SCALE	1:1000

THE CITY OF VERNON
ENGINEERING DEPARTMENT

WESTCO PROPERTIES INC.
3399 DAVIDSON ROAD, VERNON
PROPOSED REZONING

DRAWING NO.	REV.
19021-RZ	2