



CORPORATION OF THE CITY OF VERNON

ADVISORY PLANNING COMMITTEE

TUESDAY, JANUARY 26, 2021 @ 4:00 P.M.

VIA ZOOM

A G E N D A

1) ADOPTION OF AGENDA

2) ADOPTION OF MINUTES

January 12, 2021 (attached)

3) NEW BUSINESS:

- a) **DVP00512** – Development Variance Permit Application for 970 Mt. Burnham Road
- b) **DVP00514** – Development Variance Permit Application for 9415 Eastside Road
- c) **ZON00364** – Rezoning Application for 2700 43 Avenue

4) INFORMATION ITEMS:

The Staff Liaison will provide an update of APC related items discussed at the most recent Council meeting.

5) DATE OF NEXT MEETING:

The next meeting is to tentatively scheduled for **Tuesday, February 9, 2021.**

6) ADJOURNMENT



THE CORPORATION OF THE CITY OF VERNON

MINUTES OF ADVISORY PLANNING COMMITTEE MEETING

HELD

TUESDAY, JANUARY 12, 2021

PRESENT: VOTING

Mark Longworth, Chair
Phyllis Kereliuk
Monique Hubbs-Michiel
Doug Neden
Jamie Paterson
Lisa Briggs
Harpreet Nahal
Bill Tarr
Larry Lundgren

NON-VOTING

Mayor Cumming (Alternate Appointed Member)

ABSENT: Councillor Mund (Appointed Member)
Joshua Lunn
Don Schuster

STAFF: Craig Broderick, Manager, Current Planning/Staff Liaison
Jing Niu, Environmental Planning Assistant
Ellen Croy, Transportation Planner
Janice Nicol, Deputy Corporate Officer
Jade Adams-Longworth, Secretary, Corp. Services

ORDER The Chair called the meeting to order at 4:03 p.m.

ELECTION OF CHAIR AND VICE CHAIR Nominations for the position of Advisory Planning Chair for 2021 were called for three times.

Mark Longworth was nominated.

Moved by Larry Lundgren, seconded by Doug Neden:

THAT Mark Longworth be elected Chair of the Advisory Planning Committee for 2021.

CARRIED.

Nominations for the position of Advisory Planning Vice-Chair for 2021 were called for three times.

Doug Neden was nominated.

Moved by Lisa Briggs, seconded by Larry Lundgren:

THAT Doug Neden be elected Vice-Chair of the Advisory Planning Committee for 2021.

CARRIED.

ADOPTION OF AGENDA

Moved by Doug Neden, seconded by Larry Lundgren:

THAT the Advisory Planning Committee agenda for January 12, 2021 be adopted.

CARRIED.

ADOPTION OF MINUTES

Moved by Phyllis Kereliuk, seconded by Monique Hubbs-Michiel:

THAT the minutes for the Advisory Planning Committee meeting of November 10, 2020 be adopted.

CARRIED.

NEW BUSINESS:

DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 5 - 80 KESTREL PLACE (DVP00503)

The Environmental Planning Assistant reviewed the development variance permit application for 5 – 80 Kestrel Place. The Committee noted the following:

- Concern for how bonding will be secured. Administration advised that security bonding will be part of the development permit process;
- The Committee is in support of the development if the strata members are in support. Administration advised that the adjacent neighbours would have an opportunity to provide input as part of the development permit process.

Moved by Doug Neden, seconded by Bill Tarr:

THAT Council support development variance permit application DVP00503 to vary the following section of Zoning Bylaw #5000 to accommodate a single family dwelling at LT 5 PL KAS2084 DL 297 ODYD (5 – 80 Kestrel PL):

- a) Section 9.5.5 by reducing the front yard setback from 3.5m to 0.45m, reducing the side yard setback from 1.5m to 0.9m and reducing flanking street side yard setback from 3.5m to 1.5m, and
- b) Section 4.13.2 to allow for development within 15m of High Water Mark of Okanagan Lake;

AND FURTHER, that Council's support of DVP00503 is subject to the following:

- a) that the applicant provides confirmation of Strata (KAS2084) support for the proposed development pertaining to the variances requested,
- b) that the building siting and footprint must adhere to the site plan by Dean Thomas Design Group dated October 28, 2020, which will be attached to and form part of DVP00503,
- c) that the Environmental Assessment by Ecoscape Environmental Consultants Ltd. dated December 2020 be attached to and form part of DVP00503, and
- d) that the applicant demonstrates the requirements Provincial Riparian Areas Protection Regulation (RAPR) have been met and that a complete and accepted RAPR Assessment, detailed landscaping plan including all required compensation works, be provided and form part of the associated Development Permit DP000878 (Environmental).

CARRIED.

**REVIEW OF TERMS OF
REFERENCE AND
BULLYING AND
HARASSMENT POLICY**

Committee members were asked to review the Terms of Reference and the City of Vernon Bullying and Harassment Policy and to confirm via email upon completion.

INFORMATION ITEMS:

The Manager, Current Planning reviewed the following APC related applications discussed at the November 23, 2020 Council meeting:

- **DVP00495 – 2000 33 Street** – issue permit once conditions are met
- **OCP00068/ZON00266/DVP00440 – 3903 30 Street** – Second one year extension granted to November 13, 2021
- **OCP00084/ZON00350 – 3398 Davison Road** – PH to be held on December 14, 2020

December 14, 2020 Council meeting:

- **ZON00353 – 3912 and 3914 Alexis Park Drive and 3703 Turtle Mountain Blvd** - PH held December 14, 2020 and reconvened to January 11 for more Public Input
- **OCP00084/ZON00350 – 3398 Davison Road** – PH held December 14, 2020 and reconvened to January 11 for more Public Input

January 11, 2021 Council meeting:

- **DVP00441 – 1999 15th Avenue** – Extension granted until January 11, 2022
- **ZON00353 – 3912, 3914 Alexis Park Drive & 3703 Turtle Mountain Boulevard Rezoning** - PH completed, received third reading
- **OCP00084/ZON00350 – 3398 Davison Road** - - PH completed, received third reading.

NEXT MEETING

The next meeting of the Advisory Planning Committee is tentatively scheduled for Tuesday, January 26, 2021.

ADJOURNMENT

The meeting of the Advisory Planning Committee adjourned at 4:24 p.m.

CERTIFIED CORRECT:

Chair



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Carie Liefke, Planning Assistant

COUNCIL MEETING: REG COW I/C

COUNCIL MEETING DATE: February 22, 2021

REPORT DATE: January 20, 2021

FILE: DVP00512

SUBJECT: DEVELOPMENT VARIANCE APPLICATION FOR 970 MT BURNHAM ROAD

PURPOSE:

To review the development variance application to reduce the lot depth requirement on a portion of the property located at 970 Mt Burnham Road.

RECOMMENDATION:

THAT Council support the development variance application (DVP00512) to Zoning Bylaw #5000 for Lot 3 Section 27 Township 9 ODYD Plan EPP80411 (970 Mt Burnham Rd) as follows:

- a) Section 9.6.4: reduce the minimum lot depth from 30.0m, to: 20.0m in order to accommodate the subdivision of four proposed lots.

AND FURTHER, that Council's support of DVP00512 is subject to the following:

- a) That the site plan, depicting the general location and size of proposed lots A, B, G and H, as shown on Attachment 1 in the report titled Development Variance Application for 970 Mt Burnham Road, dated January 20, 2021 by the Planning Assistant, be attached to and form part of Development Variance Permit #DVP00512 as Schedule 'A'.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support the development variance application (DVP00512) to vary Zoning Bylaw #5000 for Lot 3 Section 27 Township 9 ODYD Plan EPP80411 (970 Mt Burnham Rd) by reducing the minimum lot depth provision of Section 9.6.4.

Note: This alternative would deny the requested variance and would not permit the applicant to proceed with the proposed 8 lot subdivision (SUB00784). The applicant would be able to develop the subject lands with single family or multi-family dwellings within a strata.

ANALYSIS:

A. Committee Recommendations:

At its meeting of January 26, 2021, the Advisory Planning Committee passed the following resolution:

.....

B. Rationale:

1. The subject property is located at 970 Mt Burnham Road (Figures 1 and 2). The land has been designated as HRES – Hillside Residential within the Official Community Plan (OCP) and is in the R5 – Fourplex Residential zoning district of Zoning Bylaw #5000 (Attachment 2).
2. The lot was created through subdivision in May 2020. The land is 2.2 hectares in size and is currently being prepared for subdivision into smaller residential parcels as a preliminary layout review for subdivision (SUB00762) has been granted for 18 single family building lots and one multi-family building lot (Attachment 3).
3. The applicant originally intended to develop the proposed 0.63 hectare Lot 1 (Attachment 3) with 15 multi-family dwelling units. After a market review, the applicant has determined that developing this land with single detached units would better represent the surrounding community and market trends. The development plan was updated to further subdivide (SUB00784) the 0.63 hectare lot into 8 lots for single family development (Attachment 1).
4. In order to achieve the proposed 8 lot subdivision (Attachment 1), the applicant has requested that the Section 9.6.4 of Zoning Bylaw #5000 be varied as follows:

from: minimum lot depth is 30.0m
to: minimum lot depth is 20.0m for four proposed lots (A, B, G, H) as generally shown on Attachment 1.

5. The four proposed lots (A, B, G, H on Attachment 1) exceed the minimum lot area, 450m², required for single detached housing subdivision within the R5 – Fourplex Housing Residential zoning district. The applicant has demonstrated (Attachment 4) that a typical single family dwelling could be constructed on these lots following all other bylaw requirements. It could therefore be reasonable to grant the variance requested in order to supply a housing form that is consistent with the immediate neighbourhood and meet current market demand.
6. The OCP designation of this property is Hillside Residential, which includes single family detached housing as an acceptable housing form, therefore this variance request is supportable.
7. A mix of housing types is encouraged through policies in the OCP in order to support a range of incomes and lifestyles with the City. The efficient use of municipal infrastructure and the development of sustainable, compact neighbourhoods is also encouraged through policy. In addition, a housing needs assessment for the community suggested that a greater provision of smaller homes, ground oriented multi-family housing and senior’s housing is needed to meet the future needs of the community.

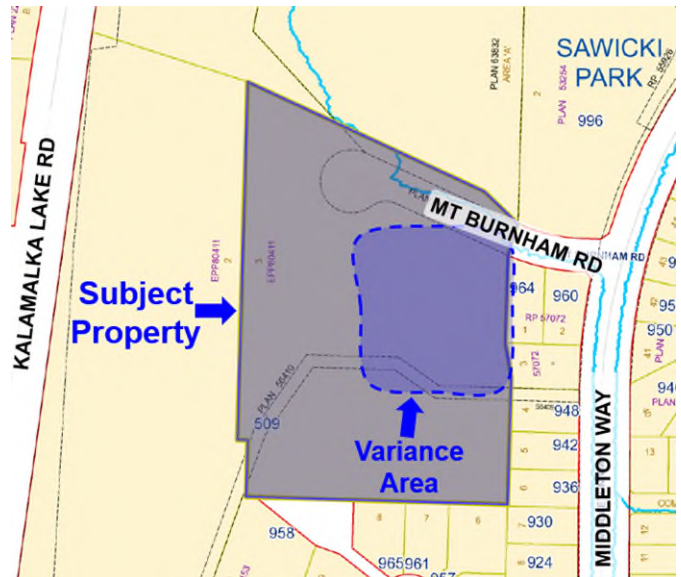


Figure 1: Property Location

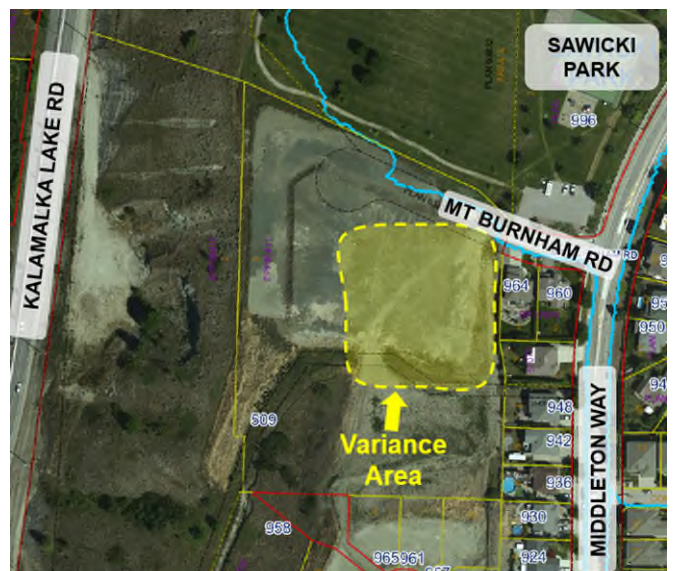


Figure 2: Aerial Photo

From a site specific perspective, these policies of the OCP would not be directly supported by this development if this variance were to be granted.

From a neighbourhood perspective, the Middleton Mountain neighbourhood does offer a range of housing types. While the prevailing housing type within the neighbourhood is single detached homes, there are several townhome developments located north and east area of the neighbourhood.

8. 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, # letters were sent to neighbouring residents, tenants and property owners. At the time of report writing, # written submissions had been received (Attachment 5). 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 – Site plan

Attachment 2 – Zoning Bylaw #5000 R5 – Fourplex Residential zoning district

Attachment 3 – Site plan for proposed subdivision SUB00762

Attachment 4 – Proposed typical single family development layout

Attachment 5 – Public Input to date (written submissions)

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

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

- Promote transit-oriented housing and mixed-use development
- Create accessible and attainable housing for families with annual income below \$70,000
- Streamline the residential development approval process

E. Relevant Policy/Bylaws/Resolutions:

1. RDNO Regional Growth Strategy Goal H-1: Support and Encourage a variety of housing options to meet the diverse housing needs of all residents in the region.
2. The Official Community Plan (OCP) designates the property as Hillside Residential (HRES) which permits a range of housing forms, from single family through to apartments.

Relevant Guiding Principle within the OCP:

- Ensure housing meets the needs of the whole community
A mix of housing types meets the needs of all Vernon residents, reflecting the large variety of household types and incomes in the city. Ever changing housing needs of new and existing residents are anticipated and accommodated.

Relevant policies within the OCP include:

Policy # 5.8 → Discourage the development of new low density greenfield residential subdivisions. When additional lands are needed in the future to meet population growth, ensure that new development is designed to meet the Guiding Principles, as well as the Regional Growth Strategy's goal of development compact, complete communities.

Policy # 6.3 → Include discussion of sustainable decision making in Council and Committees of Council to encourage consideration of social, economic and environmental factors in all discussions and resolutions.

Policy # 7.2 → 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.

Policy # 20.8 → Encourage affordable housing units, either ownership or rental, within the context of market housing developments through the use of covenants for housing agreements.

3. The property is within the R5 – Fourplex Residential zoning district of Zoning Bylaw #5000 which includes the following requirements for subdivision:

- Maximum density is 30 units per gross hectare (12 units per gross acre)
- Minimum lot area is 700m², except it is 800m² for a corner lot; or for single detached housing it is 450m²
- Minimum lot depth is 30.0m
- Minimum lot width is 20.0m, except it is 22.0m for a corner lot; or for single detached housing it is 14.0m, except it is 16.0m for a corner lot

4. The Local Government Act provides Council with the authority to vary local bylaws based on site specific considerations. The granting of such variances does not set precedence within the community for future variances to be based upon, as each variance application must be evaluated on its own merit and potential implications to the whole community and the specific neighbourhood.

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Approved for submission to Council:

X

Signer 1

Will Pearce, CAO

Date: _____

Carie Liefke
Planning Assistant

X

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 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 type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: Advisory Planning Committee | | |
| <input type="checkbox"/> OTHER: | | |

SKETCH PLAN OF PROPOSED SUBDIVISION OF LOT 1 SECTION 27 TOWNSHIP 9 OSOYOOS DIVISION YALE DISTRICT PLAN EPP

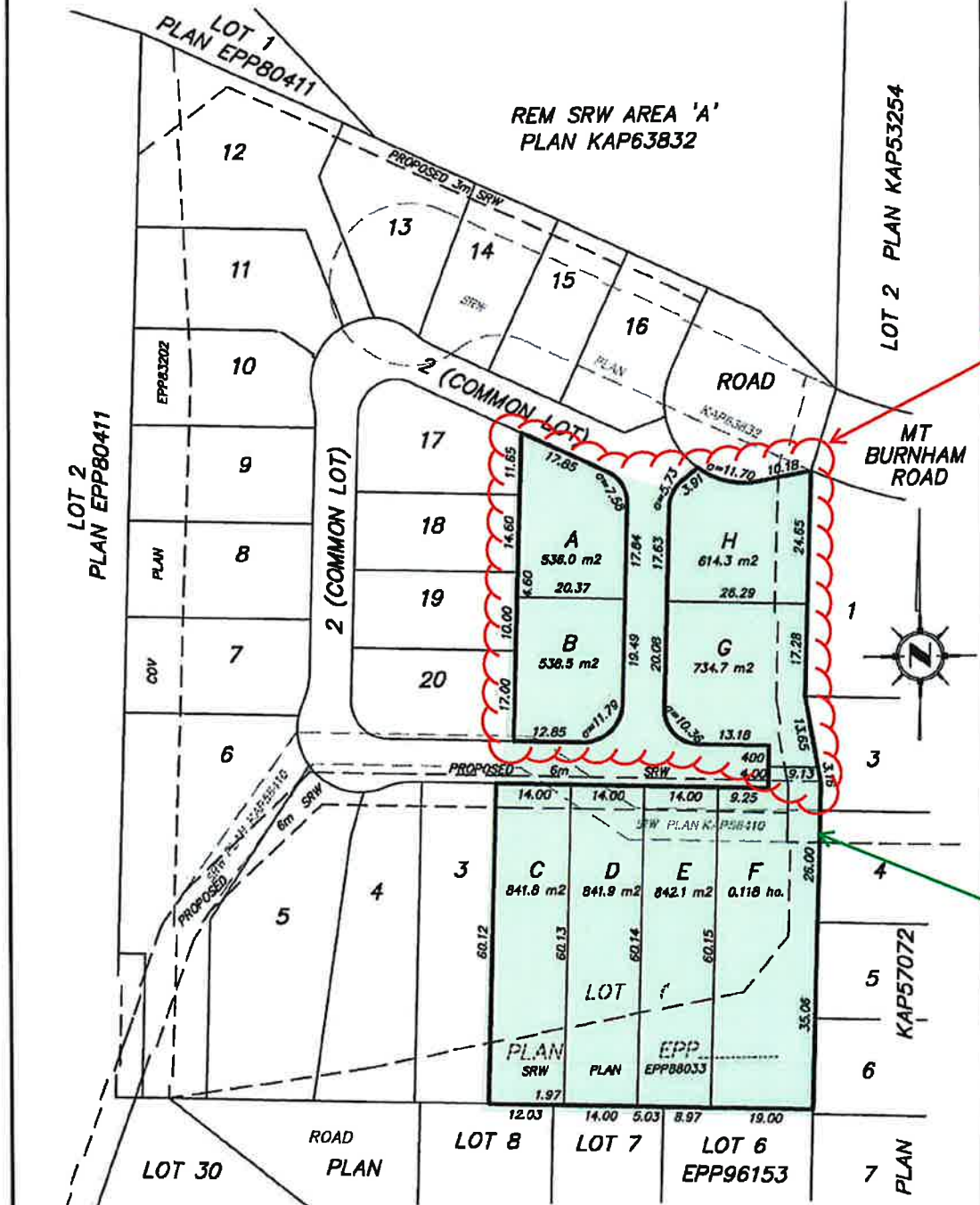


SCALE: 1:750

THE INTENDED PLOT SIZE OF THIS PLAN IS 280mm IN WIDTH BY 432mm IN HEIGHT (B SIZE) WHEN PLOTTED AT A SCALE OF 1:750

LEGEND

ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.



DVP00512

SUB00784

FILE: 7216
DRAWING: 7216 SUB #2 R2.DWG



Fax (850) 645 8012
Tel. (850) 645 8000

8710A 28th Street Vernon, B.C. V1T 0C2



9.6 R5 : Four-plex Housing Residential

9.6.1 Purpose

The purpose is to provide a **zone** for the **development** of a maximum of four ground oriented **dwelling** units in the form of **single detached, semi-detached, duplex, three-plex or four-plex housing** on urban services. The R5c sub-zoning district allows for **care centre, major** as an additional use. The R5h sub-zoning district allows for **home based business, major** as an additional use. *(Bylaw 5467)*

9.6.2 Primary Uses⁴

- **care centre, major** *(use is only permitted with the R5c sub-zoning district)*
- **duplex housing**
- **four-plex housing**
- **group home, major**
- **semi-detached housing**
- **single detached housing**
- **three-plex housing**
- **seniors housing**

9.6.3 Secondary Uses

- **boarding rooms**
- **care centres, minor**
- **home based businesses, minor**
- **home based businesses, major** *(in single detached housing only) (use is only permitted with the R5h sub-zoning district)*
- **secondary suites (in single detached housing only)**
- **seniors assisted housing**
- **seniors supportive housing**

9.6.4 Subdivision Regulations

- Minimum **lot width** is 20.0m, except it is 22.0m for a **corner lot**.
- Minimum **lot depth** is 30.0m.
- Minimum **lot width** for single detached housing is 14.0m, except it is 16.0m for a **corner lot**.
- Minimum **lot area** for single detached housing is 450m².
- Minimum **lot area** is 700m², except it is 800m² for a **corner lot**, or 10,000m² if not serviced by a **community sewer system**. *(Bylaw 5339)*

9.6.5 Party Wall Subdivision Regulations

Lot Type	Minimum Lot area		Minimum Lot Width	
	interior	corner	interior	corner
Semi-Detached Housing	350m ²	400m ²	10.0m	12.0m
Three-Plex Housing	235m ²	285m ²	7.0m	9.0m
Four-Plex Housing	175m ²	225m ²	7.0m	9.0m

9.6.6 Development Regulations

- Maximum **site coverage** is 40% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 50%.

- Maximum **floor space ratio** is 0.6.
- 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 for a garage or **carport** to the back of curb or sidewalk for a front entry garage, 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.
- Minimum **side yard** is 2.0m for a 1 or 1.5 **storey** portion of a **building** or a **secondary building or structure** and 2.5m for a 2 or 2.5 **storey** portion of a **building**, except it is 4.0m from a **flanking street** unless there is a garage accessed from the **flanking street**, it is 4.0m or it is 2.6m to the building for a side-entry garage and driveway from a flanking street and at least 6.0m from the back of curb or sidewalk. 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** setback for shared interior **party walls** shall be 0.0m. The minimum **side yard** setback for **single detached housing** is 1.5m, except it is 4.0m from a **flanking street** unless there is a garage accessed from the **flanking street**, it is 4.0m or it is 2.6m to the building for a side-entry garage and driveway from a **flanking street** and at least 6.0m from the back of curb or sidewalk.
- Minimum **rear yard** is 6.0m for a 1 or 1.5 **storey** portion of a **building** and 7.5m for a 2 or 2.5 **storey** portion of a **building**, except it is 1.0m for **secondary buildings**.
- 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.
- Maximum **density** is 30 units per gross hectare (12 units/gross acre).
- Maximum four **dwelling** units located in a **building**, with each unit having a minimum width of 6.5m. (*Bylaw 5339*)

9.6.7 Other Regulations

- In order for bareland strata **developments** 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 25m² of **private open space** shall be provided per **dwelling**.
- Where **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**.
- 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** as specified in each **zone**.
- 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**.
- 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*)

SKETCH PLAN OF PROPOSED SUBDIVISION OF LOT 3 SECTION 27 TOWNSHIP 9 OSOYOOS DIVISION YALE DISTRICT PLAN EPP96153

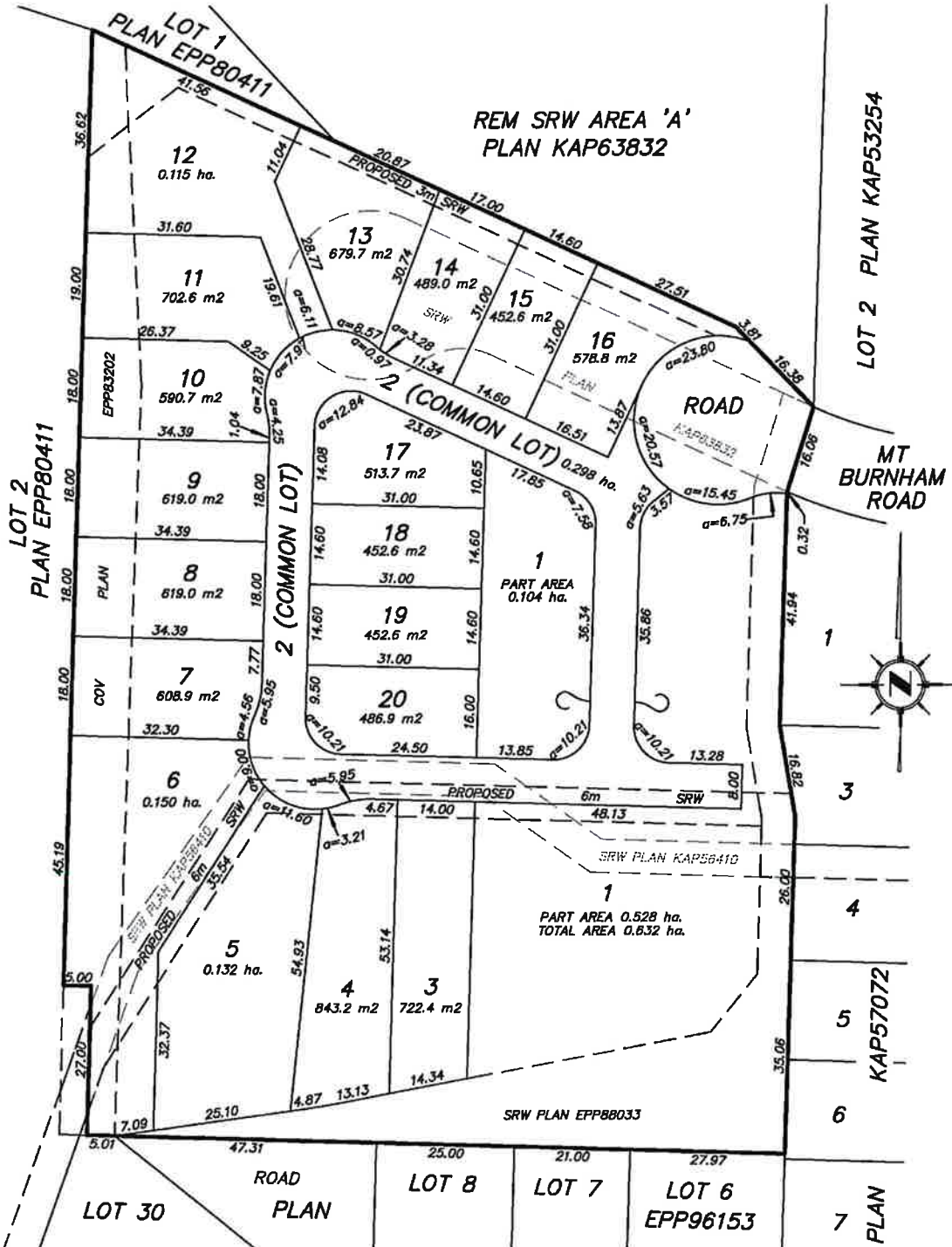
LEGEND

ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.



SCALE: 1:750

THE INTENDED PLOT SIZE OF THIS PLAN IS 280mm IN WIDTH BY 432mm IN HEIGHT (B SIZE) WHEN PLOTTED AT A SCALE OF 1:750



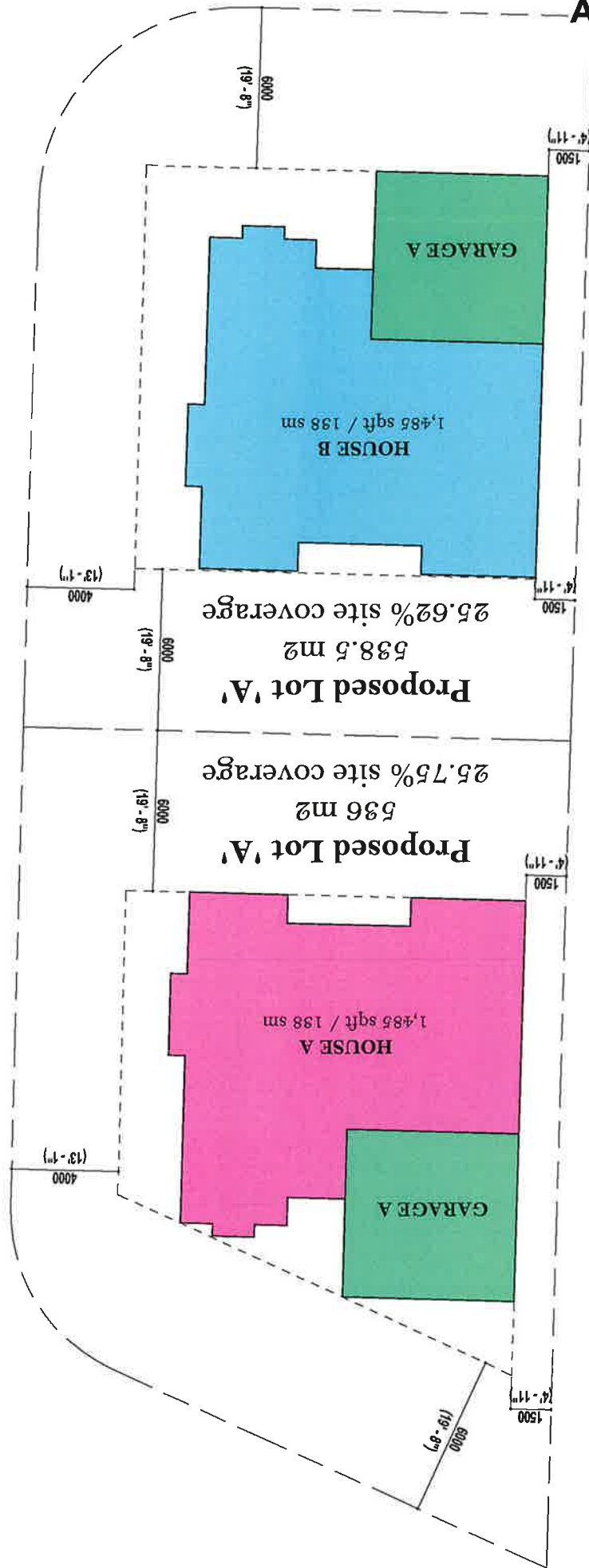
FILE: 7216
DRAWING: 7216 PRE SUB.DWG



Fax (250) 646 5012

3710A 28th. Street Vernon, B.C. V1T 8K2 Tel. (250) 646 5000

ATTACHMENT 4



D1
 Lot /
 Drawn By: KM
 Date: 10/12/2020
 Copyright 2020 - Musgrave Agencies



Sunscapes on Middleton Mountain
 Lot Layout

ATTACHMENT 5

Public Input to be Inserted as Received



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Jing Niu, Environmental Planning
Assistant

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: February 22, 2021
REPORT DATE: January 20, 2021
FILE: DVP00514

SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 9415 EASTSIDE ROAD

PURPOSE:

To review the development variance permit application to vary sections of Zoning Bylaw #5000 in order to accommodate the development of a single family dwelling at 9415 Eastside Road.

RECOMMENDATION:

THAT Council support Development Variance Permit Application DVP00514 to vary the following sections of Zoning Bylaw #5000 to accommodate a single family dwelling at LT B PL EPP91826 SEC 10 TWP 13 ODYD (9415 Eastside Road):

- a) Section 4.16.1 to permit a portion of a single family dwelling to be constructed on slopes greater than 30%,
- b) Section 6.5.11 to increase the maximum height of a retaining wall on a residential lot from 1.2m to 2.5m, measured from grade on the lower side, and
- c) Section 9.2.5 to increase the maximum height restriction from 10m or 2.5 stories to 15.4m and 3 stories.

AND FURTHER, that Council's support of DVP00514 is subject to the following:

- a) the site plan illustrating the general siting, layout, form and character of the proposed development, be attached to and form part of DVP00514;
- b) the retaining wall material selection be attached to and form part of DVP00514; and
- c) that the issuance of a Building Permit under Building and Plumbing Bylaw #4900 for the subject development is conditional upon the applicant providing an acceptable geohazard report by a Registered Professional, as may be required, to provide design and plan certification and field review supported by Letters of Assurance.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council support Development Variance Permit Application DVP00514 to vary the following sections of Zoning Bylaw #5000 in order to accommodate a single family dwelling at LT B PL EPP91826 SEC 10 TWP 13 ODYD (9415 Eastside Road):

- a) Section 4.16.1 to permit a portion of a single family dwelling to be constructed on slopes greater than 30%,
- b) Section 6.5.11 to increase the maximum height of a retaining wall on a residential lot from 1.2m to 2.5m, measured from grade on the lower side, and
- c) Section 9.2.5 to increase the maximum height restriction from 10m or 2.5 stories to 15.4m and 3 stories.

AND FURTHER, that Council support of DVP00514 is subject to the following:

- a) the site plan illustrating the general siting, layout, form and character of the proposed development, be attached to and form part of DVP00514;
- b) the retaining wall material selection be attached to and form part of DVP00514;
- c) that the issuance of a Building Permit under the Building and Plumbing Bylaw #4900 for the subject development is conditional upon the applicant providing an acceptable geohazard report by a Registered Professional, as may be required, to provide design and plan certification and field review supported by Letters of Assurance; and
- d) *any conditions that may be cited by Council.*

Note: This alternative supports the development variance permit application and provides for additional conditions as may be cited by Council.

2. THAT Council not support Development Variance Permit Application DVP00514 to vary the following sections of Zoning Bylaw #5000 to accommodate a single family dwelling at LT B PL EPP91826 SEC 10 TWP 13 ODYD (9415 Eastside Road):

- a) Section 4.16.1 to permit a portion of a single family dwelling to be constructed on slopes greater than 30%,
- b) Section 6.5.11 to increase the maximum height of a retaining wall on a residential lot from 1.2m to 2.5m, measured from grade on the lower side, and
- c) Section 9.2.5 to increase the maximum height restriction from 10m or 2.5 stories to 15.4m and 3 stories.

Note: Denial of the development variance permit application would restrict the siting of any proposed structure to meet the existing provisions of Zoning Bylaw #5000. The applicant would be required to revise the proposal and future development on the subject property to meet the prevailing zoning provisions.

ANALYSIS:

A. Committee Recommendations:

At its meeting of January 26, 2021, the Advisory Planning Committee passed the following resolution:

“(to be cited by the Advisory Planning Committee).”

B. Rationale:

1. The subject property is located at 9415 Eastside Road as shown on Figures 1 and 2. The property is 2,230m² in size and is bound by Okanagan Lake to the north-west, City lake access to the north-east, and Eastside Road and private access to the south and south east.



Figure 1 - Property Location Map



Figure 2: Aerial Location Map

2. The subject property is zoned R1 – Estate Lot Residential and the subject application pertains to development regulations within Section 4.16.1, Section 6.5.11 and Section 9.2.5 of Zoning Bylaw #5000.
3. The subject application proposes to vary the following sections of Zoning Bylaw #5000 in order to accommodate a single family dwelling:
 - a) Section 4.16.1 to permit a portion of a single family dwelling to be constructed on slopes greater than 30%,
 - b) Section 6.5.11 to increase the maximum height of a retaining wall on a residential lot from 1.2m to 2.5m, measured from grade on the lower side, and
 - c) Section 9.2.5 to increase the maximum height restriction from 10m or 2.5 stories to 15.4m and 3 stories.
4. The proposed single family dwelling is generally sited within areas less than 30% slope, with the deck extending into areas greater than 30% slope (Attachment 1). Steeper slopes and riparian areas extend below the and to the north of the dwelling towards Okanagan Lake.
5. General geotechnical considerations were provided by a geotechnical engineering professional and notes that given the bedrock expected within the area of the house, and the overall gradual slopes across the property, the site appears suitable for the proposed house (Attachment 2).
6. The proposed increases to maximum allowed structural height to 15.4m and 3 stories incorporates the height of a retaining wall that supports the proposed deck. The building height itself is approximately 9.6m. The southern retaining wall would be less than 2.5m at its maximum height. This retaining wall would allow the lower garage entrance to be set into the hillside and for a greater landscape buffer above the development.
7. The applicant is proposing to use rock stamped concrete as external cladding of the retaining wall to better integrate visually into the surrounding area (Attachment 3).
8. A concurrent Development Permit application (DP000862) for development within the Riparian Assessment Area with the proposed siting has been reviewed and accepted by the Provincial Riparian Areas Protection Regulation review system.
9. Administration supports the requested variances for the following reasons:
 - a) The subject property is restrained by riparian setbacks and steep slopes. The proposed structure gives considerations towards thoughtful hillside development by minimizing the elevation of the overall dwelling and keeping the structure out of the riparian setback. The applicant has balanced these restraints by siting the proposed structure into the hillside while working with existing bedrock substrates.
 - b) A geotechnical memorandum has provided general guidance on safe development on this site, and additional geotechnical review would be required during Building Permit and construction to confirm that conditions are satisfactory to support the structure.
 - c) The applicant has provided thorough consideration to minimize visual impacts to the surrounding area. The dwelling has been designed to blend into the existing site topography, with the top of the roof below Eastside Road and the lake elevation stepping back to ensure articulation in design. Rock stamped concrete would be used as external cladding of the retaining wall to naturalize and integrate the development into the surrounding area and reduce the visual impact of increased height.
10. 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 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, XX letters were sent to neighbouring residents, tenants and property owners. At the time of report writing, XX 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 – Site Plan and Layout

Attachment 2 – Geotechnical Memo Excerpt

Attachment 3 – Photo of Proposed Example Retaining Wall Finishing

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

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

- Review and streamline residential development process.

E. Relevant Policy/Bylaws/Resolutions:

1. Official Community Plan

- The Hillside Guidelines address retaining walls in the following manner (excerpts):

The use of retaining walls is not encouraged. These are only supported where they preserve native undisturbed areas, address unstable native slopes or rock faces, or form part of the neighbourhood character. Where provided, the following criteria should be considered in their design:

- d. Retaining wall height should not exceed 3.0m for roads and site specific works, 1.2m for yards. Higher walls may be appropriate where they are articulated, have a surface texture/pattern, or where sufficient landscaping is provided to screen the wall.
- g. All retaining walls over 1.2m tall require a building permit to ensure all professional documentation has been undertaken and provided to the City. Final acceptance and approval of the development for issuance of house building permits includes completion and acceptance of all retaining wall building permit requirements.

2. The following provisions of Zoning Bylaw #5000 and Building and Plumbing Bylaw #4900 is relevant to the subject application:

- Zoning Bylaw #5000:

Section 4.16.1 Vernon's Official Community Plan (OCP) establishes Development Permit Areas (DPAs) for all areas within the City of Vernon. Vernon's Hillside Guidelines and Regulations Policy defines hillsides and provides Goals and Objectives for development of lands on hillsides and slopes under 30%. No construction of a building, structure or swimming pool is permitted on slopes 30% or greater.

Section 6.5.11 Retaining walls on all residential lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2m measured from grade at the lower side, and must be constructed to that multiple retaining walls are spaced to provide a least a 1.2m horizontal separation between them.

Section 9.2.5 R1: Estate Lot Residential Development Regulations

- Maximum height is the lesser of 10.0m or 2.5 storeys, except it is 4.5m for secondary buildings and secondary structures.

- Building and Plumbing Bylaw #4900

Section 2.3 The provisions of this Bylaw apply to retaining walls, to stacked rock walls, and to retaining structures that in the opinion of a Building Official require a plan certified by a registered professional due to siting conditions.

Section 3.1.1 No person shall commence or continue any construction, alteration, extension, structural repair, health or safety repair, placement of any building or structure or other work related to construction, including work described in Section 1.1.2 of the Building Code, unless a valid and subsisting permit has been issued for the work by a Building Official.

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Approved for submission to Council:

X

Signer 1

Will Pearce, CAO

Jing Niu
Environmental Planning Assistant

Date: _____

X

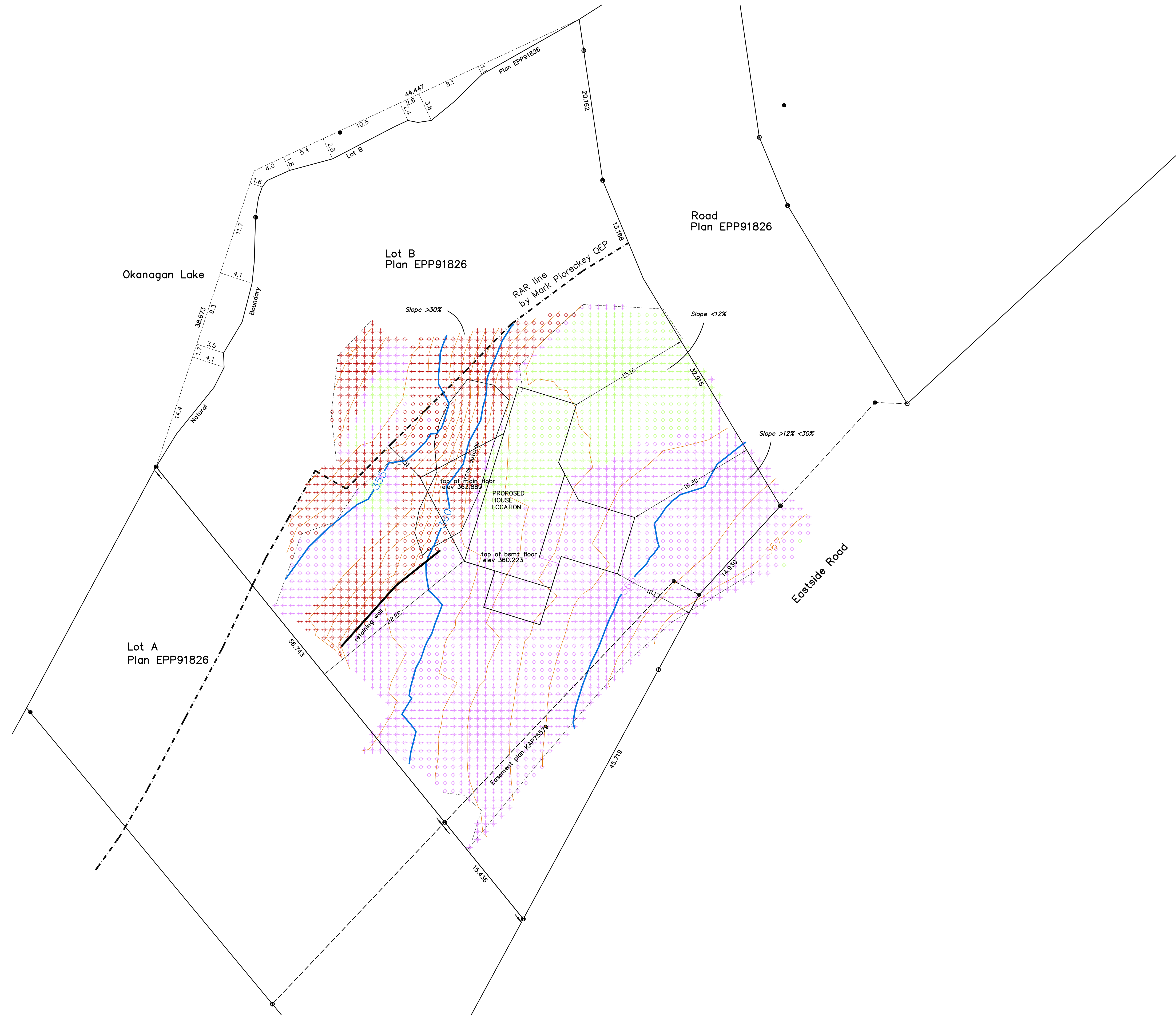
Signer 2

Kim Flick
Director, Community Infrastructure and Development

REVIEWED WITH

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| <input type="checkbox"/> Corporate Services | <input type="checkbox"/> Operations | <input checked="" type="checkbox"/> Current Planning |
| <input type="checkbox"/> Bylaw Compliance | <input type="checkbox"/> Public Works/Airport | <input checked="" type="checkbox"/> Long Range Planning & Sustainability |
| <input type="checkbox"/> Real Estate | <input type="checkbox"/> Facilities | <input checked="" type="checkbox"/> Building & Licensing |
| <input type="checkbox"/> RCMP | <input type="checkbox"/> Utilities | <input checked="" 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 (Jan 12/21) | | |
| <input type="checkbox"/> OTHER: | | |

Attachment 1



Site Plan of Proposed House on Lot B, Sec 10, Tp 13, ODYD, Plan EPP91826.

Client: Richbuilt Homes

SCALE 1:250



The intended plot size of this plan is 864mm in width by 559mm in height (ANSI D) when plotted at a scale of 1:250

Contour interval = 1m
Elevations are shown in metres, and are based on lake level observations, derived from wateroffice.ec.gc.ca

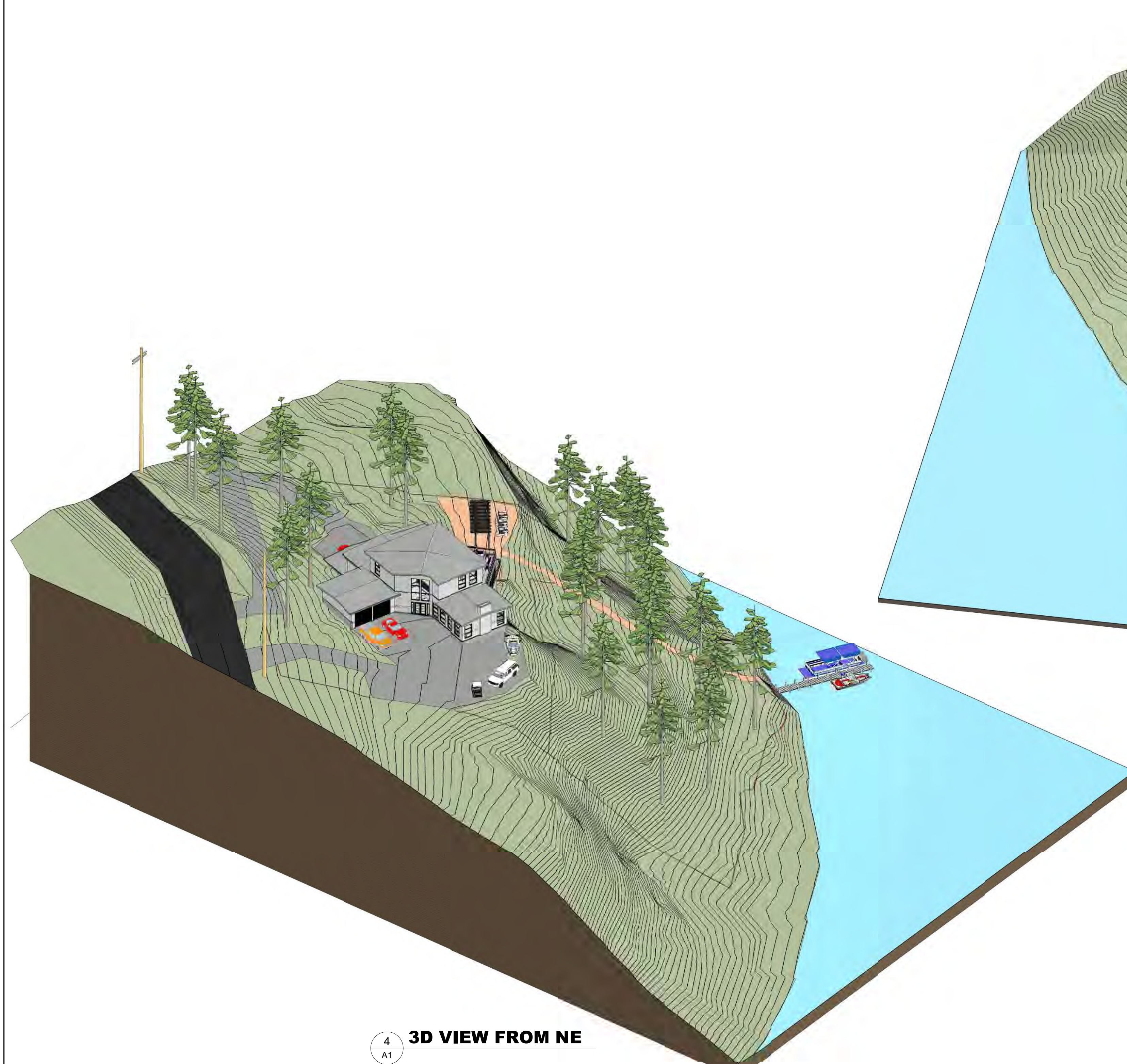
This plan was prepared for design purposes and is for the exclusive use of Richbuilt Homes.
No visible encroachments exist on the property from any improvements situated on an adjoining property unless noted otherwise.
Distances are shown in metres and decimals thereof.
Parcel dimensions are derived from Plan EPP91826 and field survey.
This plan shows horizontal ground level distances except where otherwise noted. To compute grid distances multiply ground level distances by the combined factor of 0.9999074.
Bearings and distances are derived from field survey observations and are referred to the central meridian of UTM zone 11N, NAD83 CSRS
This plan has been prepared based on Land Title and Survey Authority records and a field survey completed on Sept. 4, 2019. Unregistered interests have not been included or considered.

This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described above. This document shall not be used to define property lines or property corners.
Jason R. Shortt accepts no responsibility for and hereby disclaim all obligations and liabilities for damages including, but not limited to, direct, indirect, special, and consequential damages arising out of or in connection with and direct or indirect use or reliance upon the Plan beyond its intended use.

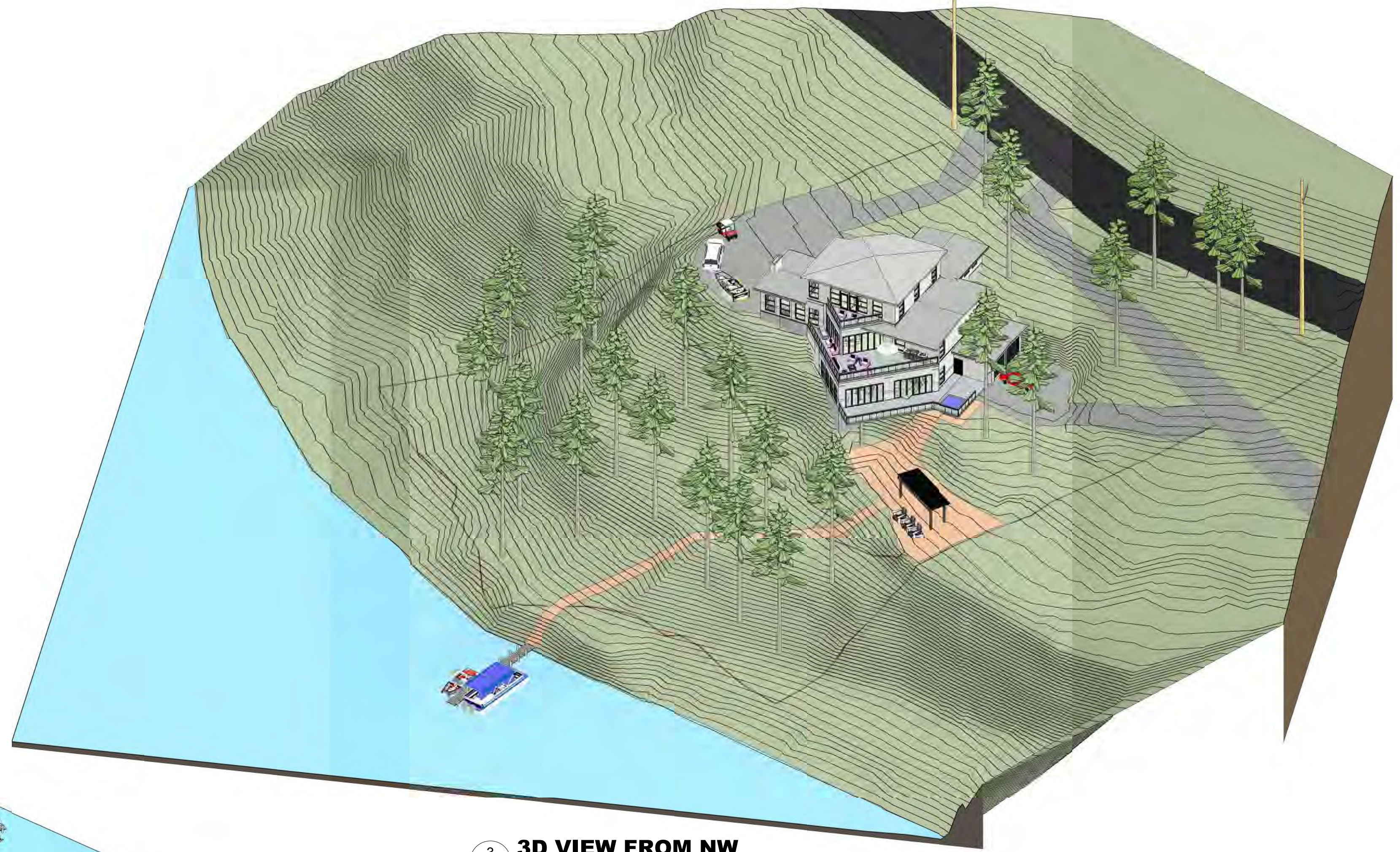
Sept 4, 2020 - add slope shades
June 12, 2020 - layout
June 11, 2020 - prop hse loc

russell shortt
land SURVEYORS
2801-32nd Street, Vernon, B.C. V1T 5L8
Phone: (250)545-0511 Email: jasons@rshortt.ca

FILE: 29392
F.B. 1302 p116



4
A1
3D VIEW FROM NE



3
A1
3D VIEW FROM NW

Zoning Statistics

Current Zoning: R1
 Site Coverage Max: 40%
 Maximum Height: 10.0m
 Front Yard Setback: 7.5m
 Side Yard Setback: 2.5m except facing flanking street 7.5m
 Rear Yard Setback: 7.5m
 Area of Lot: 24,090 sq feet
 Ground Footprint of Residence: 4076 sq feet
 % Lot Coverage: 16.9%

Spatial Separation Requirements

East Property Line: True Setback 49'-10"
 South Property Line: True Setback 33'-4"
 West Property Line: True Setback 72'-3"
 All Wall Areas >100sq m area
 Required FRR East: None, Facing Street LD>20m to CL Street
 Required FRR South: None, Facing Street LD >20m to CL Street
 Required FRR West: None, LD >65.61' (20m)
 Required FRR North: None, Lake

DRAWING LIST

- A1- SITE 3D/ TITLE PAGE
- A2- SURVEYOR PROVIDED PLAN
- A3- SITE PLAN ANNOTATED
- A4- SITE SECTIONS
- A5- BASEMENT FLOOR PLAN
- A6- MAIN FLOOR PLAN
- A7- SECOND FLOOR PLAN
- A8- SECTIONS 1
- A9- SECTIONS 2
- A10- SECTIONS 3
- A11- TYPICAL DETAILS 1
- A12- WEST / FRONT ELEVATIONS
- A13- LAKESIDE ELEVATION
- A14- EAST ELEVATION
- A15- TYPICAL DETAILS 2

OKANAGAN LAKE RESIDENCE

GWEN AND JOHN SHIPTON

LOT 1, PLAN KAP75578

9427 EASTSIDE ROAD

#	DATE	REVISION DESCRIPTION
1	4/20/2020	FOR DEVELOPMENT PERMIT APPLICATION
2	8/10/2020	FOR DP APPLICATION
3	8/26/2020	FOR BUILDING PERMIT

consultant

keyplan



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project
 GWEN AND JOHN SHIPTON
 OKANAGNA LAKE RESIDENCE

VERNON, B.C.
 FOR BUILDING PERMIT

drawing title
 SITE 3D / TITLE PAGE

drawn by: MAZ
 checked by: MAZ
 sheet scale: 1" = 1'-0"
 electronic file:
 project number 43411 drawing number A1
 SHEET OF



#1 – 1965 MOSS COURT
KELOWNA, B.C. V1Y 9L3
250-860-6540
INFO@INTERIORTESTING.COM

Richbuilt Homes Ltd.
6835 Foothills Drive
Vernon, B.C. V1B 3W2

November 10, 2020
Job 20.253

Attention: Mr. Darren Richmond

Dear Sir:

Re: **Geotechnical Considerations**
Proposed House, 9415 Eastside Road
Vernon, B.C.

As requested, Interior Testing Services Ltd. (ITSL) has reviewed the above noted lot with respect to the proposed house. We attach a site plan as provided by Russell Shortt Land Surveyors as well as a copy of our two page "Terms of Engagement", which has been previously signed and accepted. Our general comments are as follows.

We visited the site on November 2, 2020. We understand that comments with respect to slope stability are desired to supplement your development permit application. We identify the City of Vernon as authorized users of this report, also subject to our "Terms of Engagement".

Based on our site visit and the plans provided, the house site is to be set within a gently sloping area, with steeper slopes below, extending down to the beach of Okanagan Lake. The steeper lower slopes appear to consist of thin soil veneers overlying competent bedrock, as many outcrops and/or bedrock faces were observed. It is anticipated that foundations for the proposed house will often bear directly on the competent bedrock. Further guidance with respect to pinning footings to the bedrock can be provided at the time of construction.

There appears to be a localized fill area near the east side of the property adjacent to the road easement. This fill is expected to be well outside of the house footprint, but it

should be noted that settlement of this fill may occur, as it does not appear to have been placed in a controlled manner.

Given the bedrock expected within the area of the house, and the overall gradual slopes across the site, it appears reasonable, in our opinion, to conclude that the site is suitable for the proposed house. To confirm that conditions are satisfactory for support of the house, we recommend additional geotechnical review during construction.

All finished cut and fill soil slopes should be no steeper than 2 Horizontal to 1 Vertical and vegetated with hydro-seeding, landscaping or similar to reduce the potential for surface erosion. If any retaining walls are required to achieve the desired grades, further design guidance can be provided at the time of construction.

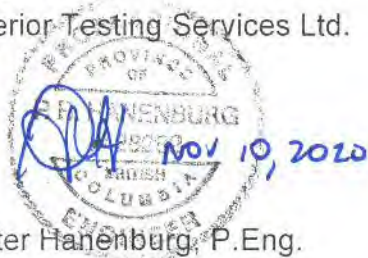
Standard perimeter drainage should be provided and directed to a suitable disposal location. Roof drainage should be directed well away and downhill from the residence. In addition, finished grades should be directed away from the house to reduce the potential for surface water infiltration into the backfill zone.

Based on the plans provided and our site visit to view the existing conditions, construction of the proposed house appears feasible for this site. Several municipalities within the Okanagan Valley have adopted a 2% probability in a 50-year period as an acceptable level of landslide safety with respect to building construction. The landslide risk for the subject property appears to be within the noted level of safety. To that end, it appears reasonable, in our opinion to conclude that the property may be safely used for the residential-use intended.

As above, please call for a site inspection once any required excavations are completed so ITSL can verify bearing conditions and slope setbacks.

We trust this will assist you. Please call if you have any questions.

Yours truly,
Interior Testing Services Ltd.



The image shows a circular professional seal for Peter Hanenburg, a Professional Engineer in British Columbia. The seal contains the text "PROVINCE OF BRITISH COLUMBIA" around the perimeter, "PETER HANENBURG" in the center, and "No. 10, 2020" written in blue ink across the seal.

Peter Hanenburg, P.Eng.



Photo of example retaining wall finishing

The proposed colour would be granite grey to match the surrounding rock faces. The upper wall is proposed to either be clad in stucco to match the granite colour or a stamp used to give a similar rock look to the photo provided.



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: February 8, 2021
REPORT DATE: January 21, 2021
FILE: 3360-20 (ZON00364)

SUBJECT: REZONING TEXT AMENDMENT TO THE P1 (PARKS AND OPEN SPACE) ZONE

PURPOSE:

To review a rezoning text amendment which proposes to add 'educational services, public' as a permitted secondary use in the P1 Zone. This amendment would facilitate a lease to School District #22 of the 'clubhouse' at MacDonald Park for classroom education of Seaton Secondary Students and facilitate future arrangements for educational activities within municipal parks.

RECOMMENDATION:

THAT Council support an amendment to Zoning Bylaw #5000 by adding "educational services, public" as a Secondary Use in the P1 (Parks and Open Space) Zone, as described in the report titled "Rezoning Text Amendment to the P1 (Parks and Open Space) Zone" dated January 21, 2021 by the Long Range Planner;

AND FURTHER, that Council waive the Public Hearing for the proposed zoning text amendment bylaw in accordance with Section 464(2) of the *Local Government Act*;

AND FURTHER, that completion of a lease agreement with School District #22 for use of the clubhouse at MacDonald Park be subject to the receipt of a fire safety plan from School District #22 to the satisfaction of the City of Vernon Fire Chief.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support an amendment to Zoning Bylaw #5000 by adding "educational services, public" as a Secondary Use in the P1 (Parks and Open Space) Zone as described in the report titled "Rezoning Text Amendment to the P1 (Parks and Open Space) Zone" dated January 21, 2021 by the Long Range Planner;

Note: This alternative does not support the proposed Zoning Bylaw Text Amendment. As 'educational services, public' are not a permitted use in the P1 (Parks and Open Space) Zone, the use of the clubhouse by the School District and corresponding lease would not be able to proceed.

ANALYSIS:

A. Committee Recommendations:

“ ”

B. Rationale:

1. The subject property is McDonald Park, a 6.4 acre (2.6 hectare) municipal property located at the southwest corner of 43 Avenue and 27 Street. The location is shown in Figure 1 and also in Attachment 1.
2. North and east of the subject site, across 43rd Avenue and 27th Street respectively, are commercial land uses. West are single family homes. Immediately south is Seaton Secondary School.
3. The subject site designated ‘Park’ in the Official Community Plan and is zoned P1 (Parks and Open Space) in Zoning Bylaw No. 5000.
4. Macdonald Park contains open fields, tennis courts, a basketball court and two buildings. The single storey building is used for storage. The second building, known as ‘the Clubhouse’, is a 2-storey structure containing washrooms, changerooms, concession and storage areas on the first floor. The second floor contains a large multi-purpose room, washrooms and small kitchen (Figure 2).
5. The secondary storey of the Clubhouse was constructed and jointly funded by the Vernon Soccer Association (VSA) and the Greater Vernon Parks and Recreation District (GVPRD) (while the former parks operating agreement was in place). Following completion of construction in 2001, VSA entered into a 20 year use agreement with the Regional District of North Okanagan. The agreement was assigned to the City in 2014 with the termination of the GVPRD. VSA surrendered the use agreement in October 2019. The second floor of the building has been unused since.
6. School District #22 proposes to lease the second storey of the Clubhouse to supplement classroom education space at Seaton Secondary. Council approved a lease agreement, in principle, at their In-Camera meeting of October 26, 2020 as detailed in the declassified motion in Section “E” of this report.



Figure 1: Location



Figure 2: Macdonald Park Clubhouse

7. School District #22 and City of Vernon have a longstanding informal agreement which facilitates the use of MacDonald Park facilities by Seaton Secondary students and staff.
8. The existing P1 Zoning does not include educational services as a permitted use. The proposed lease is technically contrary to the existing P1 (Parks and Open Space Zone).
9. Under the previous Zoning Bylaw No. 2458 (repealed in 2005), MacDonald Park was zoned P2 (Park and Public Use District). The P2 Zone of Zoning bylaw No. 2458 listed 'Schools, public' as a permitted use. Upon adoption of Zoning Bylaw No. 5000, the lands become zoned P1 (Parks and Open Space). This rendered the use of MacDonald Park for school purposes non-conforming. A similar scenario exists for Grahame Park (next to Clarence Fulton Secondary School).
10. This proposed text amendment is initiated by Administration to facilitate the lease. The zoning amendment would add 'educational services, public' to the P1 Zone as a secondary use would apply city-wide. This use is limited to educational activities and associated structures which are publicly funded. Private associations and for-profit enterprise are not included in this use. Given that parks are owned by the City, discretion is available as to which users or groups in the future may construct buildings within or use parks for formal education programs.
11. As the purpose and primary uses of the P1 Zone are not impacted, the proposed zoning amendment is considered by Administration to be consistent with the Official Community Plan.
12. Administration is recommending that the public hearing be waived for this zoning amendment, as there are no anticipated negative impacts and no functional changes to the operation or appearance of lands zoned P1.
13. The proposed zoning amendment was referred to various internal departments for review. The only concern raised was ensuring that a fire safety plan would be coordinated with the remainder of Seaton Secondary School fire and emergency procedures. Administration recommends that this be a condition of the lease to the School District.

C. Attachments:

- Attachment 1 – Location Map
- Attachment 2 – Existing Zoning Map
- Attachment 3 – Aerial View
- Attachment 4 - Clubhouse Photos
- Attachment 5 – P1 (Parks and Open Space) Zone (Existing).

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

Not applicable.

E. Relevant Policy/Bylaws/Resolutions:

At their In-Camera meeting of October 26, 2020, Council passed the following *declassified* motion:

“THAT Council direct Administration to lease to School District 22 the approximately 1,700 square foot former soccer clubhouse at MacDonald Park for an initial term of five years commencing on November 1, 2020, with a gross monthly rent of \$365.67 from November 1, 2020 to February 28, 2021 and annual gross rent of \$14,564 for the balance of the initial term, SD22 will maintain \$5M in liability insurance and the lease will include two five year renewal options;”

“AND FURTHER, that Council declassify the resolution and remove from in-camera.”

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

18.2 Support and participate in cooperative efforts with School District #22, Okanagan College, UBCO and other education service providers in the community to expand opportunities for the residents of Vernon.

BUDGET/RESOURCE IMPLICATIONS:

As indicated in the above November 26, 2020 Council resolution.

Prepared by:

Approved for submission to Council:

Will Pearce, CAO

Date: _____

Daniel Sturgeon
Long Range Planner

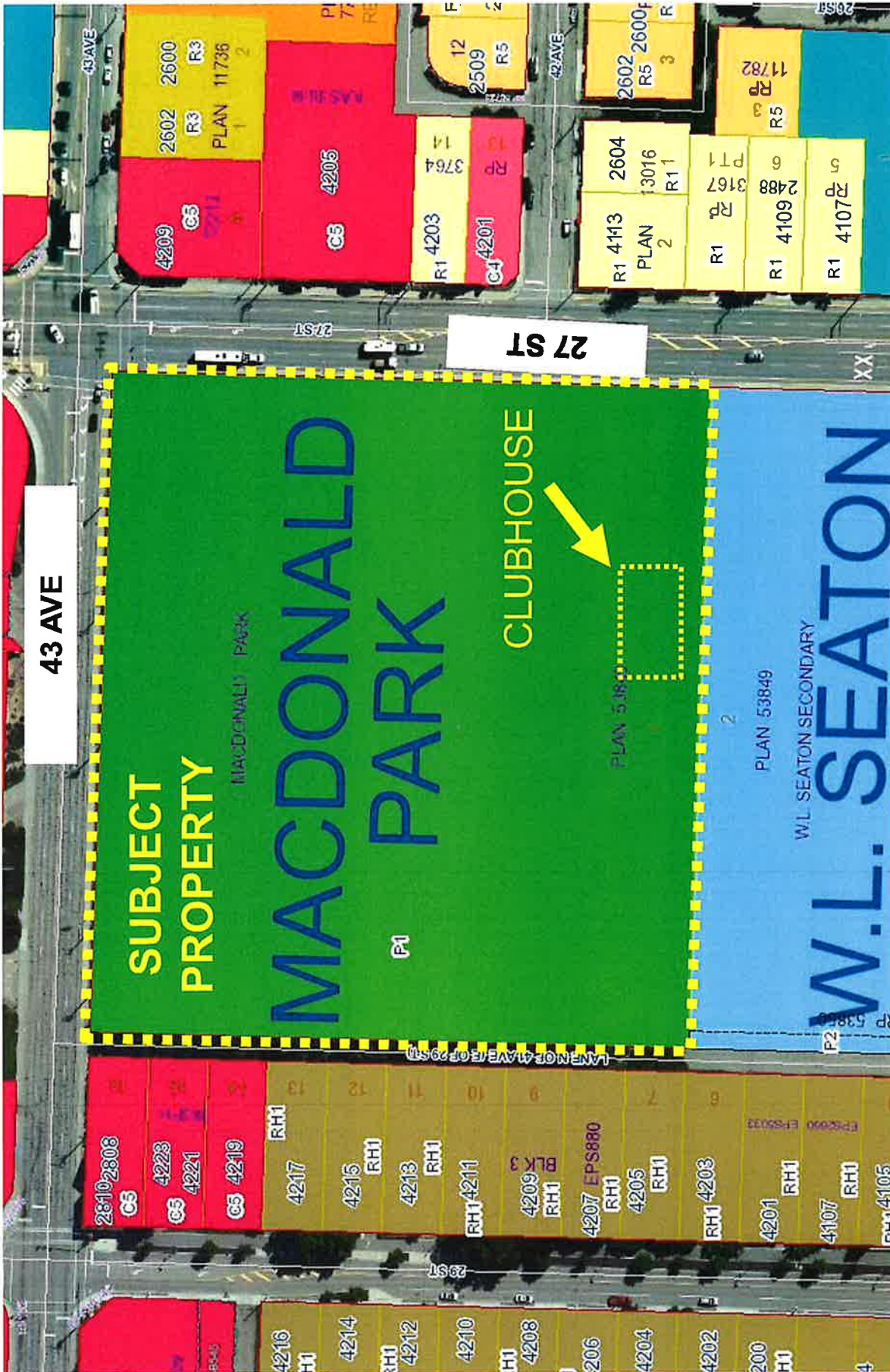
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Signer 2

Kim Flick
Director, Community Infrastructure and Development

REVIEWED WITH

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| <input checked="" type="checkbox"/> Corporate Services | <input type="checkbox"/> Operations | <input type="checkbox"/> Current Planning |
| <input type="checkbox"/> Bylaw Compliance | <input type="checkbox"/> Public Works/Airport | <input checked="" type="checkbox"/> Long Range Planning & Sustainability |
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| <input type="checkbox"/> RCMP | <input type="checkbox"/> Utilities | <input type="checkbox"/> Engineering & Development |
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| <input type="checkbox"/> Human Resources | <input checked="" type="checkbox"/> Parks | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Nov.9/20) | | |
| <input type="checkbox"/> OTHER: | | |



Zoning Map

ZON00364

- P1 – Parks and Open Space
- P2 – Public Institutional
- P3 – Private Institutional
- C4 – Street Oriented Commercial
- C5 – Community Commercial
- RH1 – Low Rise Apartment Res.
- R1 – Estate Lot Residential
- R3 – Medium Lot Residential
- R5 – Fourplex Housing Residential





Aerial
ZON00364



Looking south from 27th Street.



Looking south from MacDonalld Park.



MacDonalld Park Clubhouse Location

12.1 P1 : Parks and Open Space

12.1.1 Purpose

The purpose is to provide a **zone** primarily for the preservation and enhancement of **open space**, for the protection of sensitive or endangered species habitat and identified cultural **sites**, and for limited public facilities.

12.1.2 Primary Uses

- **cemeteries**
- **cultural exhibits, public**
- **docks, community**
- **libraries and museums, public**
- **marinas**
- **participant recreation services, indoor**
- **participant recreation services, outdoor**
- **parks, public**

12.1.3 Secondary Uses

- **boat launches**
- **boat lifts**
- **boating**
- **care centres, major**
- **carnival**
- **community recreation centres**
- **food primary establishments**
- **residential security/operator unit**
- **retail stores, convenience**
- **retail street sales**
- **utility services, minor impact**

12.1.4 Subdivision Regulations

- Minimum **lot width** is N/A.
- Minimum **lot area** is N/A.

12.1.5 Development Regulations

- Maximum **floor space ratio** is 1.0.
- Maximum **height** is 15.0m or 4 **storeys**; which ever is the lesser.
- Minimum **front yard** is 6.0m.
- Minimum **side yard** is 3.0m, except it is 4.5m for any **flanking street** or where the **abutting** land is zoned or designated Residential or Agriculture.
- Minimum **rear yard** is 3.0m, except it is 4.5m for any **flanking street** or where the **abutting** land is zoned or designated Residential or Agriculture.

12.1.6 Other Regulations

- Only one **residential security/operator unit** is permitted on a **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.
- **Outdoor storage** shall be screened from view of any **street** or **lane** and from **adjacent** properties. There shall be no **outdoor storage** of toxic, noxious, explosive, or odorous materials.
- 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)