



CORPORATION OF THE CITY OF VERNON
ADVISORY PLANNING COMMITTEE

Tuesday, November 09, 2021 at 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL (OKANAGAN LAKE ROOM)

A G E N D A

1) **CALL TO ORDER**

2) **LAND ACKNOWLEDGEMENT**

As chair of the City of Vernon's Advisory Planning Committee, and in the spirit of this gathering, I recognize the City of Vernon is located in the traditional territory of the Syilx people of the Okanagan nation.

3) **ADOPTION OF AGENDA**

4) **ADOPTION OF MINUTES**

- a) October 26, 2021 (attached)

5) **NEW BUSINESS:**

- a) OCP00085/ZON00363 (5975 Lefoy Rd; 6141 Hwy 97; 6162 PV Rd)

6) **INFORMATION ITEMS:**

- a) The Staff Liaison to provide verbal update of APC related items discussed at the most recent Council meeting.

7) **NEXT MEETING:**

The next meeting is tentatively scheduled for **Tuesday, November 23, 2021.**

8) **ADJOURNMENT**



THE CORPORATION OF THE CITY OF VERNON

MINUTES OF THE ADVISORY PLANNING COMMITTEE MEETING HELD ON WEDNESDAY, October 26, 2021 at 4:00 PM **VIA ZOOM and IN-PERSON** COUNCIL CHAMBERS (OKANAGAN LAKE ROOM)

PRESENT: VOTING

Mark Longworth, Chair
Don Schuster (**via ZOOM**)
Doug Neden (**via Zoom**)
Jamie Paterson
Monique Hubbs-Michiel
Phyllis Kereliuk
Harpreet Nahal (**via ZOOM**)

NON-VOTING

Mayor Cumming (Appointed Member)

ABSENT: Joshua Lunn
Bill Tarr
Lisa Briggs

STAFF: Ally Campbell, Planning Assistant
Carson Mackona, Planning Assistant
Craig Broderick, Manager, Current Planning
Michelle Austin, Planner
Roy Nuriel, Economic Development Planner
Tracy Mueller, Committee Clerk

ORDER The Chair called the meeting to order at 4:07 PM.

**LAND
ACKNOWLEDGMENT** *As Chair of the City of Vernon's Advisory Planning Committee, and in the spirit of this gathering, I recognize the City of Vernon is located in the traditional territory of the Syilx people of the Okanagan Nation.*

ADOPTION OF AGENDA Moved by Jaime Paterson, seconded by Phyllis Kereliuk:

THAT the Advisory Planning Committee agenda of October 26, 2021, be adopted.

CARRIED.

ADOPTION OF MINUTES Moved by Monique Hubbs-Michiel, seconded by Phyllis Kereliuk:

THAT the minutes for the Advisory Planning Committee meeting of October 13, 2021 be adopted.

CARRIED.

NEW BUSINESS:

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION FOR
DVP00502 (8092
Okanagan Landing Road)**

Craig Broderick, Manager, Current Planning, reviewed the Development Variance Permit Application for 8092 Okanagan Landing Road as follows:

- Some of the site is in excess of 30%; there was a future road dedication that forced the home to the upslope and reduced building area.
- It was previously a lake front lot that pre-dated Okanagan Road dating 1904.
- The Applicant has provided background information from an Engineering firm providing detail for slope conditions with the plans to develop the site.
- Part of the requirement is that the remaining site be left undisturbed.

The Committee noted the following:

- The Advisory Planning Committee is receiving a lot of percent slope applications; further consideration could be given to amending the bylaw in order to allow some more flexibility.
 - In response, the Mayor clarified for members of the Committee that there are significant changes in both precipitation and liability regarding the use of retaining walls and that it is good practice that requests of this nature are being brought forward to Council for review.

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

THAT Council support Development Variance Permit Application DVP00502 to vary the following section of Zoning Bylaw 5000 to construct a new home on LT 2 PL KAP83830 DL 6 0DYD (8092 Okanagan Landing Road).

- a) Section 4.16.1 is varied to allow construction of buildings, structures or swimming pools on a maximum slope of 30%;

AND FURTHER, that Council support of DVP00502 is subject to the following:

- a) the site plan generally illustrating the proposed siting of the structure in Attachment 1, contained in the report titled "Development Variance Application for 8092 Okanagan Landing Road", dated October 20, 2021, respectfully submitted by the Manager, Current Planning, be attached to and form part of DVP00502 as "Schedule A"; and
- b) the Restrictive Covenant be registered on title to ensure that the recommendations of the geotechnical report are implemented at the building permit stage and that the areas that are not to be developed remain undisturbed.

CARRIED.

**DEVELOPMENT
VARIANCE PERMIT
APPLICATION DVP00532
(Mt. Fosthall Drive)**

Michelle Austin, Planner, reviewed the Development Variance Permit Application for Mt. Fosthall Drive as follows:

Before the presentation to the Committee, staff clarified that there was an error in the report included in the agenda packages regarding the alternative proposal; staff provided an "on-table" amended version to the Committee for consideration.

- Staff provided an overview of the project and noted that the recommendation in the report is to not approve the requested variances.
- Without the variance the Applicant can still create 5 lots.
- The subject area is located in an environmentally sensitive area.
- The Application, as presented, does not provide enough buildable area in accordance with the current bylaw.

Committee questions and comments were as follows:

- The Committee asked if there is something in the geotechnical report that would allow the lots to work without causing harm.
 - Staff, in response, clarified that the geotechnical report received was high level and did not suitably address issues of rainwater and run-off that the area is known for.
 - Staff further noted that the alternate recommendation included within Planning Report suggested the inclusion of both geotechnical and environmental considerations to address concerns.
- The Committee expressed concern regarding Lot 1 and requested further clarification regarding proposed access and how it would be handled on the site.
 - Staff confirmed that the only access available is through Hawks Landing to the subject site.
 - Staff confirmed that, should the requested variance go forward to Council, surrounding residents within the public notification radius would be notified.
 - Further, staff explained that the owner of the subject lot has an easement with the owners of Hawks Landing which allows the Applicant access to the subject site.
- It was discussed by the Committee that further consideration should be given to engaging with the District of Coldstream, and surrounding landowners in order to suitably negotiate access through to Middleton Mountain Park and the natural area located behind the subject site.
 - In response staff clarified that the application is located on "private" property.

Moved by Monique Hubbs-Michiel, and seconded by Jaime Paterson:

THAT Council not approve Development Variance Permit Application #DVP00532 on Lot B, Sec 26, Tp 9, ODYD, Plan KAP77864 (Mt Fosthall Drive) to vary the Zoning Bylaw #5000, Section 4.16 – Hillside Development Areas regulations for Proposed Strata Lot 1.

CARRIED

with Don Schuster and Harpreet Nahal opposed.

INFORMATION ITEMS

Staff shared the following:

- Craig Broderick, Manager, Current Planning, introduced the three (3) newest members of staff as follows:
 1. Ally Campbell, Planning Assistant
 2. Tracy Mueller, Records / Committee Clerk; and
 3. Carson Mackonka, Planning Assistant
- An overview of projects discussed at Council on October 25, 2021 was provided:
 - **DVP000541** - Variance of a carport on Jade Road went to Council. There was no input from Council or members of the Public; the project was approved.
 - **LUC00024** - There is a Land Use Contract discharge application for Mt. Fosthall Drive that impacts the zoning / variance (DVP00532).
 - **Rescinded Heritage Revitalization Agreement Bylaw Number 586** - There was a Heritage Revitalization for a Health Services clinic on 26 Street (south of 30th Avenue). The Applicant advised they no longer wished to proceed; therefore, the bylaw was rescinded.
 - **Rezoning** for 35 Avenue / 32 Avenue (upper site on Turtle Mountain). Moved to final and adoption.

NEXT MEETING

The next meeting of the Advisory Planning Committee is tentatively scheduled for **Tuesday, November 09, 2021 at 4:00 PM.**

ADJOURNMENT

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

THAT the Advisory Planning Committee meeting of October 26, 2021 be adjourned.

CARRIED.

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

CERTIFIED CORRECT:

Chairperson



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Matt Faucher, Planner

COUNCIL MEETING: REG COW I/C

COUNCIL MEETING DATE: TBD

REPORT DATE: November 9, 2021

FILE: 3340-20 (OCP00085 & ZON00363)

SUBJECT: OFFICIAL COMMUNITY PLAN AND ZONING AMENDMENT APPLICATIONS FOR
6141 HIGHWAY 97, 6162 PLEASANT VALLEY ROAD AND 5975 LEFOY ROAD

PURPOSE:

To review the Official Community Plan and Zoning Amendment applications for the properties located at 6141 Highway 97, 6162 Pleasant Valley Road and 5975 Lefoy Road in the Harwood neighbourhood which proposes to in order to permit future development, accommodate a future road network.

RECOMMENDATION:

THAT Council support presenting the proposed Official Community Plan and zoning amendment applications at a public open house in order to seek public input prior to the Public Hearing in accordance with Section 4 of *Official Community Plan Amendment Applications Policy* and Section 475 of the *Local Government Act (Consultation during development of official community plan)*, as follows:

- Amend the Official Community Plan Land Use designations from 'Community Commercial', 'RES (NORD)', 'Residential Medium Density' and 'Parks and Open Space' to 'Community Commercial', 'Residential Medium Density' and 'Parks and Open Space'; and
- Rezone from A3 (Rural Small Holdings), R4 (Small Lot Residential) and R1 (NORD – Single Family Residential) to C3 (Mixed Use Commercial), C11 (Service Commercial), P1 (Parks and Open Space), R5 (Fourplex Residential Housing), RM2 (Multiple Housing Residential), RH1 (Low Rise Apartment Residential) and RH2 (Stacked Row Housing Residential);

for the properties located at 6141 Highway 97, 6162 Pleasant Valley Road and 5975 Lefoy Road.

ALTERNATIVE RECOMMENDATION:

THAT Council not support presenting the proposed Official Community Plan and zoning amendment applications at a public open house in order to seek public input prior to the Public Hearing in accordance with Section 4 of *Official Community Plan Amendment Applications Policy* and Section 475 of the *Local Government Act (Consultation during development of official community plan)*, as follows:

- Amend the Official Community Plan Land Use designations from 'Community Commercial', 'RES (NORD)', 'Residential Medium Density' and 'Parks and Open Space' to 'Community Commercial', 'Residential Medium Density' and 'Parks and Open Space'; and
- Rezone from A3 (Rural Small Holdings), R4 (Small Lot Residential) and R1 (NORD – Single Family Residential) to C3 (Mixed Use Commercial), C11 (Service Commercial), P1 (Parks and Open Space), R5 (Fourplex Residential Housing), RM2 (Multiple Housing Residential), RH1 (Low Rise Apartment Residential) and RH2 (Stacked Row Housing Residential);

for the properties located at 6141 Highway 97, 6162 Pleasant Valley Road and 5975 Lefoy Road.

ANALYSIS:

A. Committee Recommendations:

At its meeting of November 9, 2021, the Advisory Planning Committee passed the following resolution:

“As cited by the committee”.

B. Rationale:

1. The subject properties, located at 6141 Highway 97, 6162 Pleasant Valley Road and 5975 Lefoy Road (Figure 1 and 2), are approximately 6.2 ha (15.4 ac), 0.53 ha (1.3 ac) and 3.4 ha (8.4 ac) respectively, for a total area of approximately 10.12 ha (25 ac). 6162 Pleasant Valley Road was brought into the City through a boundary extension process in 2014 and retains its Regional District of North Okanagan (RDNO) Official Community Plan (OCP) and zoning designations. The subject properties are located in the North Vernon Neighbourhood Plan Area and are commonly know as the former Anderson Ranch site.
2. The subject properties contain the following designations in the OCP Land Use map:
 - i. 6141 Highway 97:
 - i. CCOM – Community Commercial
 - ii. RMD – Residential Medium Density
 - iii. PARK – Parks and Open Space
 - ii. 6162 Pleasant Valley Road:
 - i. NORD-RES – Single Family Residential
 - iii. 5975 Lefoy Road:
 - i. RMD – Residential Medium Density
 - ii. PARK – Parks and Open Space
3. 6141 Highway 97 and 5975 Lefoy Road have frontage and access along 20th Street, as well as along Stickle Frontage Road with 6162 Pleasant Valley Road having frontage and access from Pleasant Valley Road. Both 6141 Highway 97 and 5975 Lefoy Road have active Demolition Permits (BP007160 and BP007161 respectively). 6162 Pleasant Valley Road contains a single-family dwelling.
4. The subject properties are located at the northern boundary of the City with Highway 97 and Stickle Frontage Road, as well as BX Creek to the west, RDNO commercial properties to the north, RDNO rural residential properties and Pleasant

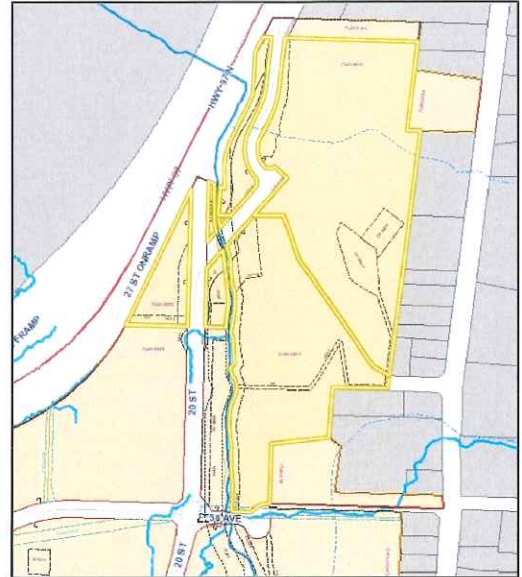


Figure 1 – Subject Properties Location

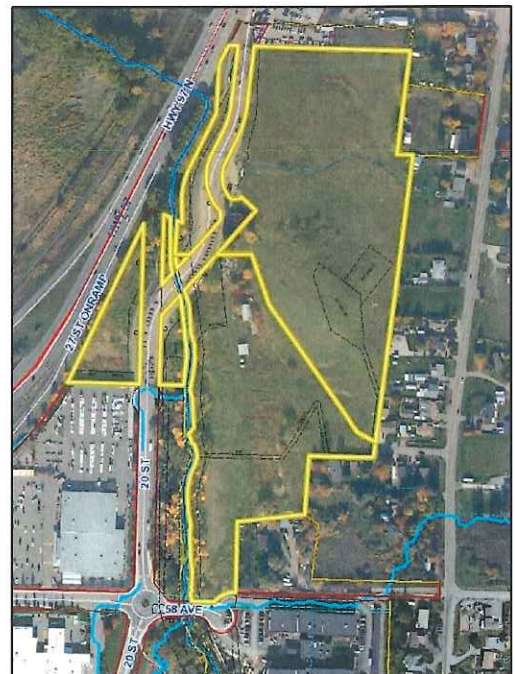


Figure 2 – Subject Properties Aerial

Valley Road to the east, with a mix of residential, park and commercial properties within City boundaries to the south.

5. The Ministry of Transportation and Infrastructure (MoTI) has undertaken an environmental assessment as a part of the 20th Street Connector (Stickle intersection project), and any future development of 20th Street (DCC TR27 road improvement) will require regulatory approvals. Additionally, MoTI requires the following to provide support for the application:
 - Registration of a restrictive covenant prohibiting the development of any fast food restaurants or gas services stations
 - The new intersection of the 20th Street extension and Pleasant Valley Road is to be designed and constructed
 - 20th Street is upgraded to a two-lane paved roadway.
6. The subject properties are encumbered by a number of rights-of-way and Covenants that will need to be reviewed and potentially amended or discharged through the subdivision process. This will include alignment of dedicated lands to the existing and proposed roadways, as well as to accommodate the multi-use pathway and trails to the park located on top of the knoll.

Proposed Official Community Plan Amendments

7. The applicant is proposing to amend the OCP and zoning districts which would create split future land use and zoning districts on the subject properties. Should the proposed changes be approved, the owner intends to make application to subdivide the properties along the boundaries of the proposed zoning districts. For purposes of this report, and for ease of discussion, the split zone areas will be referred to as their proposed lot identifier. The existing and proposed OCP designations are illustrated in Attachment 1. The existing and proposed zoning districts are illustrated in Attachment 2.
8. Information on the existing land use designations, as well as the proposed amendments are summarized in Table 1 using the following abbreviations:

OCP Designations (alphabetically):

- **CCOM** – Community Commercial
- **RES (NORD)** – Residential (Regional District of North Okanagan)
- **RMD** – Residential Medium Density
- **PARK** – Parks and Open Space

Zoning Designations (lowest to highest density / intensity of use):

- P1 – Parks and Open Space
- A3 – Rural Small Holdings
- R1 (NORD) – Residential Single Family (Regional District of North Okanagan)
- R4 – Small Lot Residential
- R5 – Fourplex Housing Residential
- RM2 – Multiple Housing Residential
- RH1 – Low Rise Apartment Residential
- RH2 – Stacked Row Housing Residential
- C3 – Mixed Use Commercial
- C11 – Service Commercial

Table 1: Summary of Proposed OCP and Zoning Designations

Proposed Lot ID	Current OCP	Proposed OCP	Current Zoning	Proposed Zoning
Lot A	RMD PARK	PARK to RMD (58 Ave) RMD to PARK (BX Creek)	A3	RH2 P1 (SPEA*)
Lot C	RMD PARK CCOM	PARK to RMD (Pathway) RMD to PARK (BX Creek) CCOM to RMD (Adjustment to align with proposed lot boundary)	A3	RH1 P1 (SPEA*)
Lot D1	RMD PARK	PARK to RMD (Pathway)	A3 R4	RM2
Lot D2	RMD	No Change	A3	RM2
Lot E	RMD PARK	PARK to RMD (Adjustment to align with parcel boundary)	R4	R5
Lot F	RMD PARK	PARK to RMD (Adjustment to align with ESA** and knoll slope)	A3	RM2
Lot G	RMD PARK CCOM	PARK to RMD RMD to PARK (Adjustment to align with ESA** and knoll slope) CCOM to RMD (Adjustment to align with parcel boundary)	A3	RH1
Lot H	CCOM PARK	CCOM to PARK (BX Creek)	A3	C3
Lot J	CCOM PARK	CCOM to PARK (BX Creek)	A3	C3
Lot K	CCOM	CCOM to RMD	A3	RM2
Lot L	CCOM	CCOM to RMD	A3	RM2
Lot M	RES (NORD)	RES (NORD) to RMD	R1 (NORD)	RM2
Lot N	CCOM	No Change	A3	C11
Lot P	PARK	No Change	A3	P1
Lot Q	PARK	No Change	A3	P1
Lot R	CCOM	No Change	A3	C11
Knoll	RMD PARK	RMD to PARK (Adjustment to align with ESA** and knoll slope)	A3	P1

* Streamside Protection and Enhancement Area (SPEA)

** Environmentally Sensitive Area (ESA)

9. Attachment 3 provides a copy of each zone proposed as part of the amendment application.

10. OCP Amendment Application #00085 proposes a mix of densities on the subject properties, as well as identifies areas to be designated as parks to protect environmentally sensitive areas and create amenity space for public and future residents. The Residential Medium Density land use designation allows for up to 110 units/ha (44.5 units/ac) with a mix of forms including townhouse, low-rise apartment (up to 16.5m in height) and mixed-use structures. While the OCP land use designations broadly govern the maximum densities in each area, the proposed zoning districts refine the form and densities of permitted development on the site.

11. The applicant has completed an environmental assessment of the site to identify environmentally sensitive areas surrounding the knoll, as well as along BX Creek and an unnamed tributary running

through the site from Pleasant Valley Road into BX Creek. The proposed OCP amendment realigns the park designation surrounding the knoll to incorporate the identified environmentally sensitive areas, as well as slopes greater than 30%. Additionally, the Park designation along BX Creek is proposed to be realigned in accordance with the results of the environmental assessment to protect the area from future development pressures and preserve natural ecosystem values.

12. The application proposes to change the existing NORD OCP designation of 'Residential' to the City's OCP designation of Residential Medium Density on 6121 Pleasant Valley Road. Additionally, the application proposes to change a part of the Core Commercial OCP designation on proposed lots K and L to Residential Medium Density.
13. Zoning Amendment Application #00363 proposes a mix of densities and built forms on the subject properties in alignment with the existing and proposed OCP future land use designations. The highest densities proposed in the application are RH1 – Low-Rise Apartment Residential (maximum density of 1.5 FSR plus possible density bonusing) and RH2 – Stacked Row Housing Residential (maximum density of 110 units/ha plus possible density bonusing) which are situated to the south side of the proposed 20th Street extension (Lot G – RH1) and between proposed 'Road A' to the east, the Park designation along BX Creek to the west and 58th Avenue to the south (Lots A – RH2 and C – RH1).
14. To the east of 'Road A', Lots D1 and D2 are proposed as RM2 – Multiple Housing Residential (maximum density of 72 units per ha plus possible density bonusing) with an adjustment on the eastern portion of Lot D1 to align the existing R4 zone with the proposed property line of Lot E.
15. The application proposes to change the zoning district of Lot E from R4 – Small Lot Residential to R5 – Fourplex Housing Residential with a maximum density of 30 units/ha, a maximum of 0.6 FAR and a maximum of four (4) dwelling units per building.
16. The north eastern portion of the subject properties (Lots F, K, L and M) are proposed as RM2 – Multiple Housing Residential with a maximum density of 72 units/ha plus possible density bonusing.
17. To the north of the 20th Street extension, Lot J is proposed as C3 – Mixed Use Commercial which is in accordance with the existing OCP designation of Community Commercial. The P1 – Parks and Open Space zoning district is proposed along the western property line of Lot J abutting BX Creek. The application also proposes the construction of 'Road B' providing an additional buffer from BX Creek and creating street frontage for mixed use structures along the west side of the lot.
18. Along 20th Street, Lots P and Q are proposed to be zone P1 – Parks and Open Space, as well as the western portions of Lots A and C abutting BX Creek. The application proposes the C11 – Service Commercial zoning district on Lots N and R. The applicant has agreed to register a restrictive covenant on Lots N and R prohibiting the uses of drive-through services, drive-through vehicle services and gas bar from being established on the site.
19. Should the OCP and zoning amendment bylaws be approved, the applicant proposes to subdivide the properties and commence construction of a phased development. At full buildout, which is anticipated to be completed over the next decade, the applicant proposes to construct approximately 419 residential dwellings and 2,140 m² of commercial space as stated in the Anderson Ranch Master Development Plan, dated May 11, 2021, prepared by of WSP.
20. The applicant proposes to adjust the existing trail network on the subject properties to support the development as well as public access to the parkland surrounding the knoll. Details on the proposed plan would be confirmed as part of the subdivision process. Additionally, the applicant has provided RDNO with a right-of-way through the subject properties for the development and use of a trail along the eastern side of BX Creek to the Highway Frontage Road. As part of that agreement, RDNO is

responsible to develop the trail and assume all liability for the right-of-way and trail. RDNO has requested to extend the trail across the 20th street extension and along the east side of proposed 'Road B' as illustrated in Attachment 4. As part of the agreement (Attachment 5), the City has agreed to include the land contained in the existing right-of-way along BX Creek as part of the 5% park dedication calculation as required under Section 510 of the *Local Government Act* (park dedication requirement of subdivision). It is noted in the agreement that the ROW granted to RDNO on lot 4 exceeds the maximum amount of 5% required to be dedicated under Section 510(5) of the *Local Government Act* whereas the area provided on Lot 5 does not meet the 5% threshold. The additional land requested by RDNO would be secured as part of the dedication for 'Road B' allowing for the continuation of the multi-use trail to the boundary of the City. It is Administration's position that any additional parkland acquisition, including the area surrounding and on top of the knoll would be dedicated to the City at no cost as a condition of adoption of the zoning amendment bylaw. However, the applicant has indicated that they wish to be compensated at fair market value for any lands that exceed the 5% dedication requirement at subdivision. In order to quantify the amount of land in question that would exceed the 5% requirement, surveys of the land would need to be completed. This would take place and a resolution reached prior to consideration of adoption of the OCP and zoning amendment bylaws.

21. The application proposes to add two additional roads on the subject properties (Roads 'A' and 'B'), as well as upgrade Stickle Frontage Road and complete the 20th Street extension to Pleasant Valley Road including intersection upgrades (identified as a DCC project). To provide access to Lot E, the applicant proposes to extend Lefoy Road and create a cul-de-sac with the required turning radius for emergency service's vehicles. Emergency access would also be provided from the end of Road 'A' to 58th Avenue through Lot A and 5902 Pleasant Valley Road. The property owner of 5902 Pleasant Valley Road has indicated they agree with the proposal and are working out the details with the applicant.
22. An Archaeological Overview Assessment (AOA) and Preliminary Field Review (PFR) was conducted by Ursus Heritage Consulting in conjunction with Zach Wilson (Okanagan Indian Band) on August 24, 2020. The report dated September 25, 2020, identifies one (1) confirmed archaeological site, EbQt-139, located within the development area and five (5) areas within the development area are assessed as having high potential for the presence of archaeological sites (Attachment 6). The remainder of the subject properties are considered to have low archaeological potential.
23. To support the applications for OCP and Zoning Amendment, the applicants prepared the following reports and studies:
 - i. Anderson Ranch Master Development Plan – May 11, 2021, prepared by WSP
 - ii. Archaeological Overview Assessment and Preliminary Field Reconnaissance – September 25, 2020, prepared by Ursus Heritage Consulting
 - iii. Anderson Ranch Environmentally Sensitive Area Assessment – November 2020, prepared by Triton Environmental Consultants
 - iv. Anderson Ranch Traffic Engineering Review – April 16, 2021, prepared by CTQ Consultants

C. Attachments:

- Attachment 1 – Existing and Proposed OCP Designations
- Attachment 2 – Existing and Proposed Zoning Districts
- Attachment 3 – Proposed Zones
- Attachment 4 – RDNO Multi-Use Path Location Map
- Attachment 5 – ROW Agreement for RDNO Multi-Use Pathway
- Attachment 6 – Identified Archaeological and Potential Archaeological Sites

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:

- Acquisition of natural park areas on mountaintops
- Work with RDNO on the acquisition of natural parkland in the City
- Promote transit oriented mixed-use development

E. Relevant Policy/Bylaws/Resolutions:

1. The subject property is in the North Vernon Neighbourhood Plan area, October, 1999.
2. 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.

The OCP also identifies the following *maximum* densities and associated housing forms for the Low and Medium Density Residential land use designations:

- Low Density Residential: 30 units per hectare (12 units per acre) – includes single family, semi-detached and rowhouses
- Medium Density Residential: 110 units per hectare (44.5 units per acre) – includes townhouses, low-rise apartments and mixed-use developments

3. Zoning Bylaw #5000:

- 8.03 – A3 – Rural Small Holdings
- 9.06 – R5 – Fourplex Housing Residential
- 9.11 – RM2 – Multiple Housing Residential
- 9.12 – RH1 – Low Rise Apartment Residential
- 9.13 – RH2 – Stacked Row Housing Residential
- 10.03 – C3 – Mixed Use Commercial
- 10.11 – C11 – Service Commercial
- 12.01 – P1 – Parks and Open Space

BUDGET/RESOURCE IMPLICATIONS:

Staff resources for the coordination of the public consultation and public hearing, and associated advertising costs, all of which are provided for in the development application fees and the City's Financial Plan.

Additional costs for land acquisition and the implementation of legal instruments may be required as determined during the subdivision approval process.

Prepared by:

Approved for submission to Council:

X

Signer 1

Will Pearce, CAO

Date: _____

Matt Faucher
Planner

X

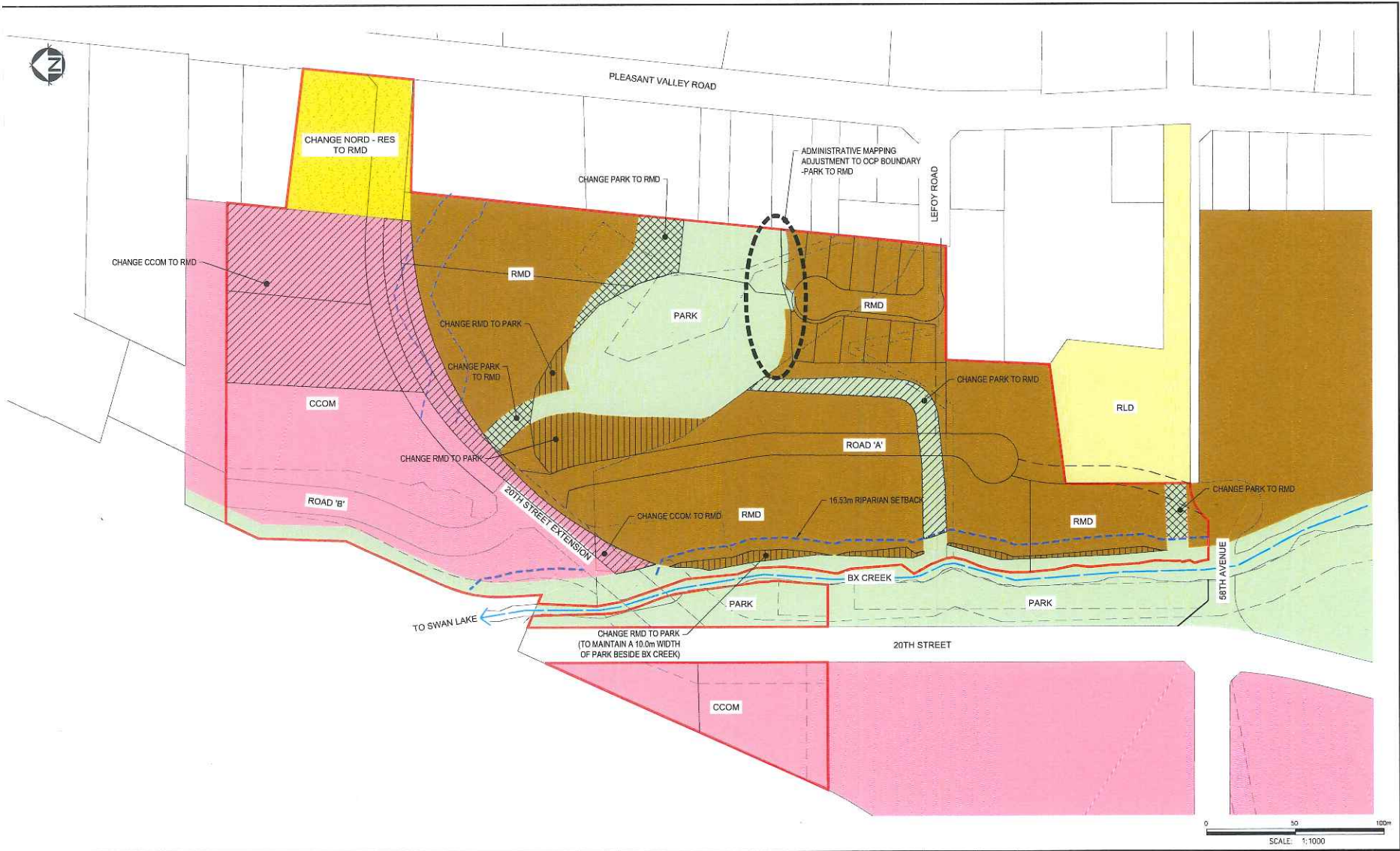
Signer 2

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 checked="" type="checkbox"/> Building & Licensing |
| <input type="checkbox"/> RCMP | <input type="checkbox"/> Utilities | <input checked="" type="checkbox"/> Engineering Development Services |
| <input checked="" type="checkbox"/> Fire & Rescue Services | <input type="checkbox"/> Recreation Services | <input type="checkbox"/> Infrastructure Management |
| <input type="checkbox"/> Human Resources | <input type="checkbox"/> Parks | <input checked="" type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input checked="" type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Nov 9/21) | | |
| <input type="checkbox"/> OTHER: | | |

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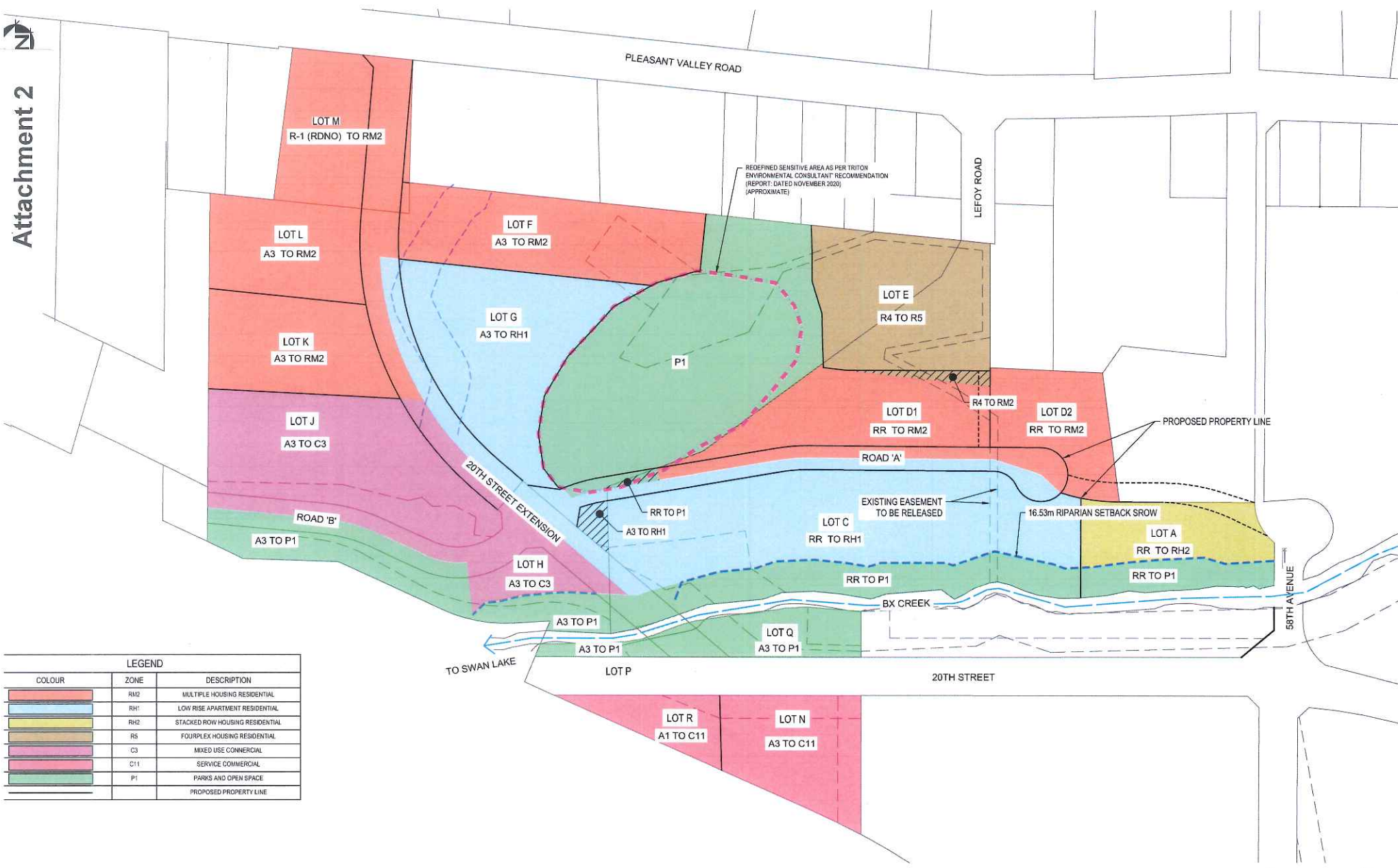


31.09.2021: E:\Vista\Anderson Ranch\151-0125 - SUBDIVISION_2021 - 04 - 25 - 10000.dwg
 USER: JENNIFER.MORRISON

REV. No.	DATE	DESIGNED	DRAWN	CHECKED	DESCRIPTION
1	2021-09-01	AC	AC	AC	MDP
2	2021-08-31	AC	AC	AC	MDP - UPDATE



SCALE H: 1:1000 V:	TITLE ANDERSON RANCH	DRAWING NUMBER SP-103_2
SHEET 4 OF 13	CURRENT OCP DESIGNATIONS WITH PROPOSED AMENDMENTS	



LEGEND		
COLOUR	ZONE	DESCRIPTION
[Red]	RM2	MULTIPLE HOUSING RESIDENTIAL
[Light Blue]	RH1	LOW RISE APARTMENT RESIDENTIAL
[Yellow]	RH2	STACKED ROW HOUSING RESIDENTIAL
[Brown]	R5	FOURPLEX HOUSING RESIDENTIAL
[Pink]	C3	MIXED USE COMMERCIAL
[Light Pink]	C11	SERVICE COMMERCIAL
[Green]	P1	PARKS AND OPEN SPACE
[Dashed Line]		PROPOSED PROPERTY LINE

DATE	DESIGNED	DRAWN	CHECKED	DESCRIPTION
1-06-01	AC	AC	AC	MDP
1-08-03	AC	AC	AC	RE-ISSUED FOR MDP (CITY COMMENTS)
1-08-31	AC	AC	AC	RE-ISSUED FOR MDP (CITY COMMENTS)
1-10-07	AC	AC	AC	RE-ISSUED FOR MDP (CITY COMMENTS)

40-160 BIRCHDALE AVENUE
 REDDING, BC
 CANADA V1Y 6E5
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CITY OF
Vernon
 ENGINEERING AND GIS SERVICES

SCALE H: 1:1000 V:	TITLE ANDERSON RANCH
SHEET 8 OF 13	PROPOSED ZONING

8.3 A3 : Rural – Small Holdings

8.3.1 Purpose

The purpose is to provide a **zone** for rural areas and agricultural **uses**, as well as other complementary **uses** suitable in a rural setting. The A3c sub-zoning district allows for **care centre, major** as an additional use. (*Bylaw 5467*)

8.3.2 Primary Uses

- agriculture
- animal clinics, major
- animal clinics, minor
- aquaculture
- campsites, tourist
- care centre, major (*use is only permitted with the A3c sub-zoning district*)
- emergency protective services
- farmers' market
- golf courses
- greenhouses and plant nurseries
- guide and tour services
- single detached housing
- stables and riding academies
- utility services, minor impact
- zoo or botanical gardens

8.3.3 Secondary Uses

- agricultural or garden stands
- agricultural dwellings, additional
- bed and breakfast homes (in single detached housing only) or agri-tourist accommodation
- boarding rooms (*Bylaw 5440*)
- brewing or distilling, Class A
- care centres, minor
- home based businesses, rural
- home based businesses, minor
- home based businesses, major
- kennels
- second kitchens
- secondary suites (*Bylaw 5715*)
- wineries and cideries

8.3.4 Subdivision Regulations

- Minimum lot width is 24.0m
- Minimum lot area is 2.0ha (5 acres)

8.3.5 Development Regulations

- The maximum **site coverage** is 10% for residential **development**, and it is 35% for agricultural **structures** except it may be increased to 75% for greenhouses with closed wastewater and storm water management systems.
- The maximum **height** is the lesser of 9.5m or 2.5 **storeys**, except it is 13.0m for **secondary buildings** and 16.0m for agricultural **structures**.

- The minimum **front yard** is 6.0m.
- The minimum **side yard** is 3.0m, except it is 6.0m from a **flanking street**.
- The minimum **rear yard** is 10.0m, except it is 3.0m for **secondary buildings**.
- No more than one residential unit per lot.
- **Buildings** housing more than 4 animals, used for **processing animal products** or for **agriculture** and **garden stands** shall be located no closer than 15.0m to any **lot line**, except no closer than 30.0m to a **lot** in **residential zones**.

8.3.6 Other Regulations

- Farm and **animal products processing** is allowed provided that a minimum of 50% of the products are produced on-site.
- When a **home based business** of any type involves the cutting and wrapping of wild game and/or the butchering of domestic meat, the **lot** must have a minimum **lot area** greater than 0.33ha (0.6 acre).
- Single wide **mobile homes** shall not be located on **lots** smaller than 2.0ha (5 acres) and double wide **mobile homes** shall not be located on **lots** smaller than 0.8ha (2 acres).
- **Major animal clinics** or **kennels** as well as **stables** and **riding academies** shall not be located on parcels less than 2.0ha (5 acres).
- **Agricultural and garden stands** selling produce grown on the **site** or another **site** operated by the same producer do not have a maximum area. The maximum **gross floor area** of stands selling produce that is produced off-site shall be 50.0m². For **sites** within the **Agricultural Land Reserve**, the maximum **gross floor area** of **agricultural and garden sales** for produce off-site shall be lesser of 33% of the total floor area of the **agricultural or garden stand** or 50.0m².
- Retail sales and other **uses** are subject to the *BC Agricultural Land Commission Act* and regulations where in the **ALR**.
- **Agri-tourist accommodation** shall not be located on **lots** smaller than 2.0ha (5 acres) and shall not exceed 10 bedrooms, campsites or recreational **vehicle pads**.
- 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. Lands within the **ALR** may also be affected by additional regulations of the *Agricultural Land Commission*.
- As per Section 4.10.2 - All **buildings** and **structures**, excluding **perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".
(Bylaw 5440)

9.6 R5 : Four-plex 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*)

9.11 RM2 : Multiple Housing Residential

9.11.1 Purpose

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

9.11.2 Primary Uses

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

9.11.3 Secondary Uses

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

9.11.4 Subdivision Regulations

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

9.11.5 Party Wall Subdivision Regulations

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

9.11.6 Development Regulations

- With a housing agreement pursuant to Section 4.9, the maximum **density** shall be 72.0 units per gross hectare (29.0 units/gross acre).
- Where **parking spaces** are provided completely beneath habitable space of a primary **building** or beneath useable common amenity areas, providing that in all cases the **parking spaces** are screened from view, the maximum **density** shall be 75.0 units per gross hectare (30.5 units/gross acre). Where all the required parking

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

- Maximum **site coverage** is 50% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 55%.
- Maximum **height** is the lesser of 10.0m or 2.5 **storeys**, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 4.5m, except it is 6.0m from a garage or **carport** to the back of curb or sidewalk for vehicular entry.
- Minimum **side yard** is 1.2m, except it is 2.5m from a **flanking street**. Where there is no direct vehicular access to the **rear yard** or to an attached garage or **carport**, one **side yard** shall be at least 3.0m. The minimum **side yard** is 0.0m for fee simple **three-plex, four-plex, row housing** and **semi-detached dwellings**.
- Minimum **rear yard** is 7.5m, except it is 1.0m for **secondary buildings**.
- Maximum six **dwelling** units located in a **building**, with each unit having a minimum width of 6.5m.
- Maximum density is 60.0 units per gross hectare (24.5 units/gross acre).

9.11.7 Other Regulations

- For multi-unit residential housing, one **office** may be operated for the sole purpose of the management and operation of the multi-unit residential **development**.
(Bylaw 5440)
- In order for bareland strata **development** to be consistent with the character of the surrounding neighborhood, the strata plan shall be considered as one **site** for defining the overall use, **density** and **site coverage**.
- The above noted **subdivision** and **development** regulations shall be applied to each strata **lot** within the strata plan.
- For strata developments, common recreation buildings, facilities and amenities may be included in the strata plan. Recreational buildings shall be treated as **secondary buildings** for the purpose of determining the **height** and **setbacks** of the **building**.
- A minimum area of 5.0m² of private open space shall be provided per **bachelor dwelling, congregate housing bedroom** or group home **bedroom**, 10.0m² of private open space shall be provided per 1 **bedroom dwelling**, and 15.0m² of private open space shall be provided per **dwelling** with more than 1 **bedroom**.
- Vehicular access to the **development** is only permitted through either a driveway shared by at least 3 units or a rear **lane**.
- For **seniors assisted housing, seniors housing and seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development, yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- As per Section 4.10.2 - All **buildings and structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".
(Bylaw 5440)

9.12 RH1 : Low-Rise Apartment Residential

9.12.1 Purpose

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

9.12.2 Primary Uses

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

9.12.3 Secondary Uses

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

9.12.4 Subdivision Regulations

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

9.12.5 Development Regulations

(a) Density:

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

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

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

(b) Building Regulations:

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

- Minimum **front yard** is 4.5m.
- Minimum **side yard** is 4.5m, except it is 4.5m from a **flanking street**.
- Minimum **rear yard** is 9.0m, except it is 1.0m for **secondary buildings**. *(Bylaw 5661)*

9.12.6 Other Regulations

- A minimum area of 5.0m² of private open space shall be provided per **bachelor dwelling, congregate housing bedroom** or group home **bedroom**, 10.0m² of private open space shall be provided per 1 **bedroom dwelling**, and 15.0m² of private open space shall be provided per **dwelling** with more than 1 **bedroom**.
- No continuous **building frontage** shall exceed 40.0m for a 3 to 4.5 **storey building**, or 65.0m for a 2 **storey building**. If the frontage is interrupted by an open courtyard equivalent in depth and width to the **building height**, the maximum continuous 4.5 **storey building frontage** may be 80.0m provided that no **building** section exceeds 40.0m.
- For multi-unit residential housing, one **office** may be operated for the sole purpose of the management and operation of the multi-unit residential **development**. *(Bylaw 5440)*
- For **seniors assisted housing, seniors housing and seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development, yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7. *(Bylaw 5339)*
- As per Section 4.10.2 - All **buildings and structures, excluding perimeter fencing (garden walls and fences)** on lots **abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B". *(Bylaw 5440)*

9.13 RH2 : Stacked Row Housing Residential

9.13.1 Purpose

The purpose is to provide a **zone** primarily for medium **density row housing** on urban services to front major **streets** and civic spaces.

9.13.2 Primary Uses

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

9.13.3 Secondary Uses

- **health services**
- **home based businesses, minor**
- **personal services**
- **real estate sales centres** (in apartment and stacked row housing only)
- **retail, convenience** *(Bylaw 5332)*

9.13.4 Subdivision Regulations

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

9.13.5 Party Wall Subdivision Regulations

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

9.13.6 Development Regulations

- With a housing agreement pursuant to Section 4.9, the maximum **density** shall be 110.0 units per gross hectare (44.5 units/gross acre).
- Where **parking spaces** are provided completely beneath habitable space of a primary **building** or beneath useable common amenity areas, providing that in all cases the **parking spaces** are screened from view, the maximum **density** shall be 125.0 units per gross hectare (51 units/gross acre). Where all the required parking is not accommodated completely beneath the habitable space of a primary **building** or useable common amenity areas, the additional density permitted shall be determined through multiplying the additional 25.0 units per gross hectare (10 units/gross acre) by the percentage of parking proposed to be provided beneath habitable space of a primary **building** or useable common amenity areas.
- Maximum **site coverage** is 65% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 75%. *(Bylaw 5332)*

- Maximum **height** is the lesser of 16.5m or 4.5 **storeys**, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 6.0m, except it is 4.5m for any portion 2 **storeys** or less.
- Minimum **side yard** is 3.0m for a **building** not over 2.5 **storeys**, and 6.0m for portions of a **building** in excess of 2.5 **storeys**, and 6.0m from a **flanking street**. The minimum **side yard** is 0.0m for shared interior **party walls**.
- Minimum **rear yard** is 7.5m for a **building** not over 2.0 **storeys** and it is 9.0m for any part of a **building** over 2 **storeys**. It is 1.0m for **secondary buildings**.
- Maximum **density** is 100.0 units per gross hectare (40.5 units/gross acre).

9.13.7 Other Regulations

- **Convenience retail services, health services and personal services** are limited to a maximum floor area of 300m² total or 50% of the gross floor area of the ground storey of the primary building, whichever is the lesser, and only permitted when developed as an integral component of and within the primary **building**. These uses are not permitted above the ground **storey**. *(Bylaw 5332)*
- In order for bareland strata **development** to be consistent with the character of the surrounding neighborhood, the strata plan shall be considered as one **site** for defining the overall use, **density** and **site coverage**.
- The above noted **subdivision** and **development** regulations shall be applied to each strata **lot** within the strata plan.
- For multi-unit residential housing, one **office** may be operated for the sole purpose of the management and operation of the multi-unit residential **development**. *(Bylaw 5440)*
- Vehicular access to the **development** is only permitted through either a driveway shared by at least 3 units or a rear **lane**.
- A minimum area of 5,0m² of private open space shall be provided per **bachelor dwelling, congregate housing bedroom** or group home **bedroom**, 10.0m² of private open space shall be provided per 1 **bedroom dwelling**, and 15.0m² of private open space shall be provided per **dwelling** with more than 1 **bedroom**.
- No continuous **building frontage** shall exceed 45.0m for a 2 to 4 **storey building**. The **building** must be designed so as to be within one **storey** to neighbouring **development**.
- Parking shall not be constructed in the **front yard** of the property. Where the **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- For **seniors assisted housing, seniors housing and seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development, yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7. *(Bylaw 5339)*
- As per Section 4.10.2 - All **buildings and structures, excluding perimeter fencing (garden walls and fences)** on lots **abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B". *(Bylaw 5440)*

10.3 C3 : Mixed-Use Commercial

10.3.1 Purpose

The purpose is to provide a **zone** for the **development** of a cultural precinct with a mixture of pedestrian oriented commercial and residential **uses**.

10.3.2 Primary Uses

- apartment housing
- artist studios
- care centre, major
- commercial schools
- community recreation centres
- cultural exhibit, private
- custom indoor manufacturing
- duplex housing
- food primary establishments
- four-plex housing
- group home, major
- hostels (*Bylaw 5788*)
- liquor primary establishment, minor
- offices
- parks, public
- personal services
- retail stores, general
- retail store, licensee
- row housing
- second-hand dealerships
- seniors assisted housing
- seniors residential care
- seniors supportive housing
- semi-detached housing
- single detached housing
- temporary shelter services

10.3.3 Secondary Uses

- **bed and breakfast homes** (in single detached housing or semi-detached housing or duplex housing only) (*Bylaw 5498*)
- **brewing or distilling, Class A**
- care centres, minor
- health services
- home based business, minor
- home based business, major

10.3.4 Subdivision Regulations

- Minimum lot width is 12.0m.
- Minimum lot area is 380m².

10.3.5 Party Wall Subdivision Regulations

Lot Type	Minimum Lot Area		Minimum Lot Width	
	interior	corner	interior	corner
Semi-Detached Housing	225m ²	275m ²	7.8m	9.0m
Four-Plex Housing	150m ²	200m ²	6.5m	7.8m
Row Housing	135m ²	185m ²	6.5m	7.8m

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

10.3.6 Development Regulations

- Maximum commercial **floor space ratio** is 0.4. In addition, a residential **floor space ratio** of 0.3 is permitted for a total **floor space ratio** of 0.7.
- Where **parking spaces** are provided completely beneath habitable space of a primary **building** or beneath useable common amenity areas, providing that in all cases the **parking spaces** are screened from view, an additional **floor space ratio** of 0.2 is permitted. Where all the required parking is not accommodated completely beneath the habitable space of a primary **building** or useable common amenity areas, the **floor space ratio** permitted shall be determined through multiplying the additional 0.2 **floor space ratio** by the percentage of parking proposed to be provided beneath habitable space of a primary **building** or useable common amenity areas.
- Maximum **site coverage** is 65% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 85%.
- Maximum **height** is the lesser of 10.0m or 2.5 **storeys**.
- Minimum **front yard** is 4.5m, except it is 6.0 for a garage.
- Minimum **side yard** is 2.0m for a **buildings** or **secondary building or structure**, except it is 4.5m from a **flanking street**.
- Minimum **rear yard** is 6.0, except it is 1.5m for **secondary buildings**.

10.3.7 Other Regulations

- **Apartment housing, seniors assisted housing and seniors supportive housing** are only allowed above the **first storey** and requires a separate at-grade access from the **commercial uses**.
- A minimum area of 5.0m² of private open space shall be provided per **bachelor dwelling, seniors assisted housing or seniors supportive housing** unit or group home **bedroom**, 10.0m² of private open space shall be provided per 1 **bedroom**

dwelling, and 15.0m² of private open space shall be provided per **dwelling** with more than 1 **bedroom**.

- Individual **commercial uses** shall not have a **gross floor area** greater than 300m².
- While vehicular access to a **lot** is permitted from the front, parking areas shall not be constructed in the **front yard**, but on the side or rear of the **lot**.
- For **seniors assisted housing, seniors residential care and seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development, yards**, projections into **yards**, lighting, agricultural setbacks, temporary shelters, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
(Bylaw 5788)
- As per Section 4.10.2 - All **buildings and structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".
(Bylaw 5440)

10.11 C11 : Service Commercial

10.11.1 Purpose

The purpose is to designate and preserve land for the accommodation of a mix of **commercial uses**, including vehicular oriented areas, not provided for in other **zones**.

10.11.2 Primary Uses

- amusement arcades, major
- animal clinics, minor
- animal clinics, major
- auctioneering establishments
- autobody repair and paint shops
- automotive and equipment repair shops
- automotive and recreation vehicle services
- broadcasting studios
- business support services (*Bylaw 5441*)
- call centres
- clubs, private
- commercial storage
- convenience vehicle rentals
- contractor services, limited
- custom indoor manufacturing (*Bylaw 5441*)
- drive-through services
- drive-through vehicle services
- emergency protective services
- equipment rentals
- flea markets
- fleet services
- food primary establishments
- funeral services
- gaming facilities (*Bylaw 4967*)**
- gas bar
- government agencies
- high technology research and product design (*Bylaw 5441*)
- household repair services
- kennels (*Bylaw 5339*)
- limited contractor services
- liquor primary establishment, minor
- non-accessory parking
- offices, construction and development
- participant recreation services, indoor
- pawn shops
- recycled materials drop-off centres
- retail cannabis sales (*Bylaw 5731*)
- retail stores, service commercial
- service stations, minor
- truck and mobile home sales/rentals
- used goods stores
- utility services, minor impact
- vehicle and equipment sales/rentals, industrial and agricultural
- warehouse sales

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

10.11.3 Secondary Uses

- **amusement arcades, minor**
- **carnival**
- **outdoor storage**
- **residential security/operator unit**
- **real estate sales office**
- **retail store, licensee**

10.11.4 Subdivision Regulations

- Minimum **lot width** is 30.0m.
- Minimum **lot area** is 1000m².

10.11.5 Development Regulations

- Maximum commercial **floor space ratio** is 1.8.
- Maximum **site coverage** is 60%.
- Maximum **height** is the lesser of 12.0m or 3.0 **storeys**.
- Minimum **front yard** is 2.0m.
- Minimum **side yard** is 0.0m, except it is 2.0m for any **flanking street**, and 4.5m when **adjacent** to a residential, agricultural or institutional **zone**.
- Minimum **rear yard** is 0.0m, except it is 6.0m where the **abutting** land is zoned or designated Residential.

10.11.6 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.

10.11.7 Temporary Commercial Use Permits

- In addition to the Primary and Secondary Uses permitted by Sections 10.11.2 and 10.11.3, Temporary Commercial Use Permits may be issued in respect of the land legally described as Lot 26, Sec. 27, Tp. 9, Plan B4869, ODYD to permit administrative offices and the retail sale of dog food and related products.
- 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)

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**
- **educational services, public** (*Bylaw 5849*)
- **food primary establishments**
- **residential security/operator unit**
- **retail stores, convenience**
- **retail street sales**
- **utility services, minor impact**

12.1.4 Subdivision Regulations

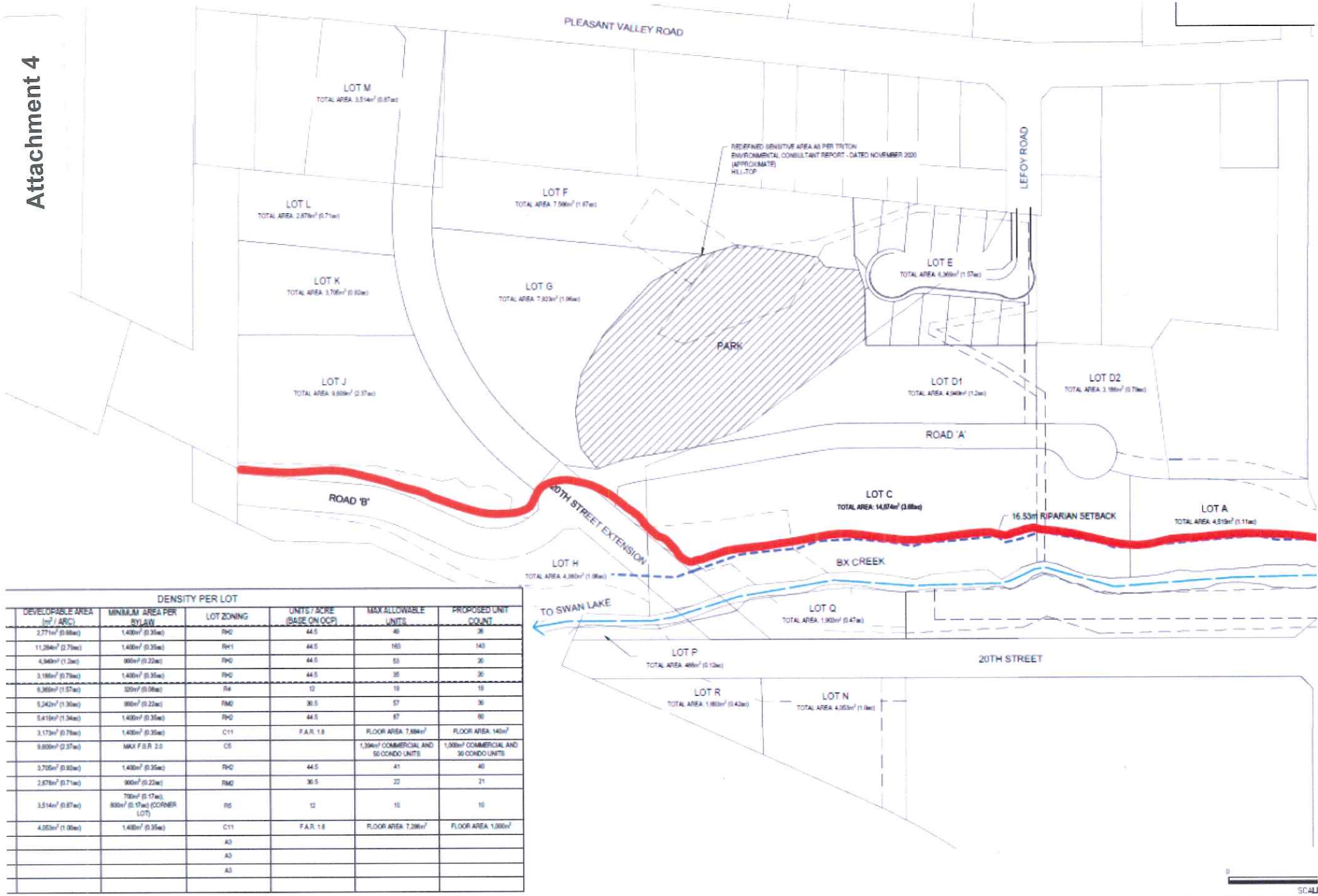
- Minimum **lot width** is N/A.
- Minimum **lot area** is N/A.

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)



DENSITY PER LOT					
DEVELOPABLE AREA (m ² / ACRE)	MINIMUM AREA PER SY/LAW	LOT ZONING	UNITS/ACRE (BASE ON OCCP)	MAX ALLOWABLE UNITS	PROPOSED UNIT COUNT
2,271m ² (0.56ac)	1,400m ² (0.35ac)	RHO	44.5	40	28
11,284m ² (2.70ac)	1,400m ² (0.35ac)	RH1	44.5	165	140
4,340m ² (1.06ac)	900m ² (0.22ac)	RHO	44.5	53	26
3,180m ² (0.78ac)	1,400m ² (0.35ac)	RHO	44.5	35	26
6,360m ² (1.52ac)	300m ² (0.07ac)	R4	12	18	16
5,040m ² (1.23ac)	900m ² (0.22ac)	RMO	36.5	57	36
5,410m ² (1.34ac)	1,400m ² (0.35ac)	RHO	44.5	67	66
3,173m ² (0.78ac)	1,400m ² (0.35ac)	C11	F.A.R. 1.8	FLOOR AREA 7,884m ²	FLOOR AREA 140m ²
9,600m ² (2.37ac)	MAX F.O.R. 2.0	C5		1,304m ² COMMERCIAL AND 50 CONDO UNITS	1,000m ² COMMERCIAL AND 36 CONDO UNITS
3,705m ² (0.92ac)	1,400m ² (0.35ac)	RHO	44.5	41	40
2,876m ² (0.71ac)	900m ² (0.22ac)	RMO	36.5	22	21
3,514m ² (0.87ac)	700m ² (0.17ac) 800m ² (0.19ac) (CORNER LOT)	R5	12	10	10
4,853m ² (1.20ac)	1,400m ² (0.35ac)	C11	F.A.R. 1.8	FLOOR AREA 7,280m ²	FLOOR AREA 1,000m ²
		A3			
		A3			
		A3			

DRAWN	CHECKED	DESCRIPTION
AC	AC	ISSUED FOR INFORMATION



SCALE
H: 1:1000
V:
SHEET
1 OF 1

TITLE
ANDERSON RANCH
LOT DENSITY MAP



REGIONAL DISTRICT OF NORTH OKANAGAN

MEMBER MUNICIPALITIES:

CITY OF ARMSTRONG
DISTRICT OF COLDSTREAM
CITY OF ENDERBY

VILLAGE OF LUMBY
TOWNSHIP OF SPALLUMCHEEN
CITY OF VERNON

ELECTORAL AREAS:

B – SWAN LAKE
C – B.X. DISTRICT
D – LUMBY (RURAL)

E – CHERRYVILLE
F – ENDERBY (RURAL)

OFFICE OF: PARKS, RECREATION AND CULTURE

OUR FILE No.: 6300_BXCreekFraserHall

May 19, 2015

Avanti Investments Ltd.
101-1865 Dilworth Drive, Box 374
Kelowna, BC V1Y 9T1

Attention: Don Searle

Parkwood Retirement Resort Holding Corporation Ltd.
1277 Gordon Drive
Kelowna, BC V1Y4W4

Attention: Fraser Hall

City of Vernon
3400-30th Street
Vernon, BC V1T 5E6

Attention: Dale Rintoul

Re: Letter of Agreement
58th Avenue Extension / Sale of portion of Lot 3, Plan KAP68038, Sec 11, TP8, ODYD
(5601-20th Street) to enable 58th Avenue public road extension

Here is the outline of our agreement with respect to preparation and execution of the various legal documents and timing of the land title office registrations to conclude our agreement with respect to your parkland dedication requirements under the applicable:

1. Parkwood Retirement Resort Holding Corporation Ltd. (the "**Developer**") will enter into a Development Agreement with the City of Vernon (the "**City**") in respect of the construction of the proposed 58th Avenue bridge across BX Creek (the "**Bridge**"), with the Bridge to be constructed in accordance with approved layout described in **Appendix A and B**, with the Developer posting security in accordance with the City's Subdivision & Servicing Bylaw; and

Regional District of North Okanagan
9848 Aberdeen Road
Coldstream, BC V1B 2K9

Phone: 250-550-3700
Fax: 250-550-3701
Web: www.rdno.ca
E-Mail: info@rdno.ca

2. On a concurrent basis, the following would be submitted for registration at the LTO:
 - (a) a road dedication plan whereby the Regional District of North Okanagan ("RDNO") dedicates road over that portion of Lot 3, Plan KAP68038 to west of the Bridge as shown on **Appendix C**;
 - (b) a SRW granted by Avanti Investments Ltd. ("Avanti") in favour of RDNO as a component of the BX Creek public pathway in Lots 4 and 5, Plan KAP68038 as shown **Appendix E**, with the SRW terms as outlined and agreed between the City and Avanti and which will form part of the 5% land dedication requirement of Lots 4 and 5 under section 941 of the *Local Government Act* (see note 3 below);
 - (c) a SRW in favour of RDNO as an additional component of the BX Creek public pathway in Lot 5, Plan KAP68038 as shown **Appendix F** and having an approximate area of 0.16 ha, and which will be purchased by RDNO from Avanti on previously agreed terms and conditions; and
 - (d) a subdivision plan in respect of Lot 4, Plan KAP68038 and Lot 1, Plan 20768 which will:
 - (i) dedicate road as generally shown on **Appendix A** for that portion of 58th Avenue from the road dedicated by RDNO (described in item 2(a) above) across BX Creek to its end at the cul-de-sac with a connection to the Rimer Road right-of-way.
 - (ii) create a separate parcel for the area shown on **Appendix D** which will be simultaneously transferred by the Developer to RDNO in exchange for the RDNO land being dedicated as road (described in item 2(a) above); and
 - (iii) consolidate the then remaining portion of Lot 4, Plan KAP68038 lying to the south of the newly dedicated portion of 58th Avenue with Lot 1, Plan 20768.


Please also note the following:

1. the terms of this letter agreement are binding on Avanti and the Developer despite the fact that either of them may only have an option or some similar right to purchase some or all of the lands described above;
2. the foregoing sets out the requirements of RDNO only; the Developer and Avanti must also satisfy the requirements of the City;
3. the actual areas of the road dedications and SRWs will be confirmed by a BCLS, working in conjunction with the parties and their advisors;
4. Avanti and the Developer acknowledge and agree the SRW to be granted in accordance with item 2(b) will, upon registration of the plans and documents contemplated by this

letter, will constitute more than 5% of the area of Lot 4 and that despite section 941 of the *Local Government Act*, after the registration of such plans and documents neither RDNO nor the City will have any financial or other obligation to Avanti or the Developer, or either of them, whatsoever if the Developer or Avanti, or either of them, cease development, for any reason, of Lots 4 and 5 prior to such time as the area of the BX Creek public pathway SRW granted in accordance with item 2(b) constitutes 5% of the total area of the developed portion of Lots 4 and 5;

5. the SRW described in 2(b) and the separate parcel described in 2(d)(ii) must abut and connect to the area dedicated as road as described in 2(d)(i);
6. RDNO will be responsible for Items 2 (a), (b) and (c), including the costs of preparation and registration of survey plans and supporting documents;
7. the Developer will be responsible for Items 1 and 2 (d), including the costs of preparation and registration of survey plans and supporting documents;
8. despite the granting of the BX Creek public pathway SRW as described in this letter, Avanti and the Developer (to be allocated amongst them as they shall agree) must pay to the appropriate governmental authority all development cost charges as may be payable in accordance with all applicable law;
9. terms of all SRW documents subject to approval of RDNO and City, acting reasonably and using standard RDNO documentation where applicable; and
10. all documents are to be registered in priority to all financial charges.

REGIONAL DISTRICT OF NORTH OKANAGAN

Per:  _____
Authorized Signatory

David Sewell
Chief Administrative Officer

We accept and agree to the foregoing terms and conditions set out in this letter, this ___ day of May, 2015.

AVANTI INVESTMENTS LTD.

Per:  _____
Authorized Signatory

Don Searle

File No.: 6300_BXCreekFraserHall
Dated: May 19, 2015
Page 4 of 4

PARKWOOD RETIREMENT RESORT LTD.

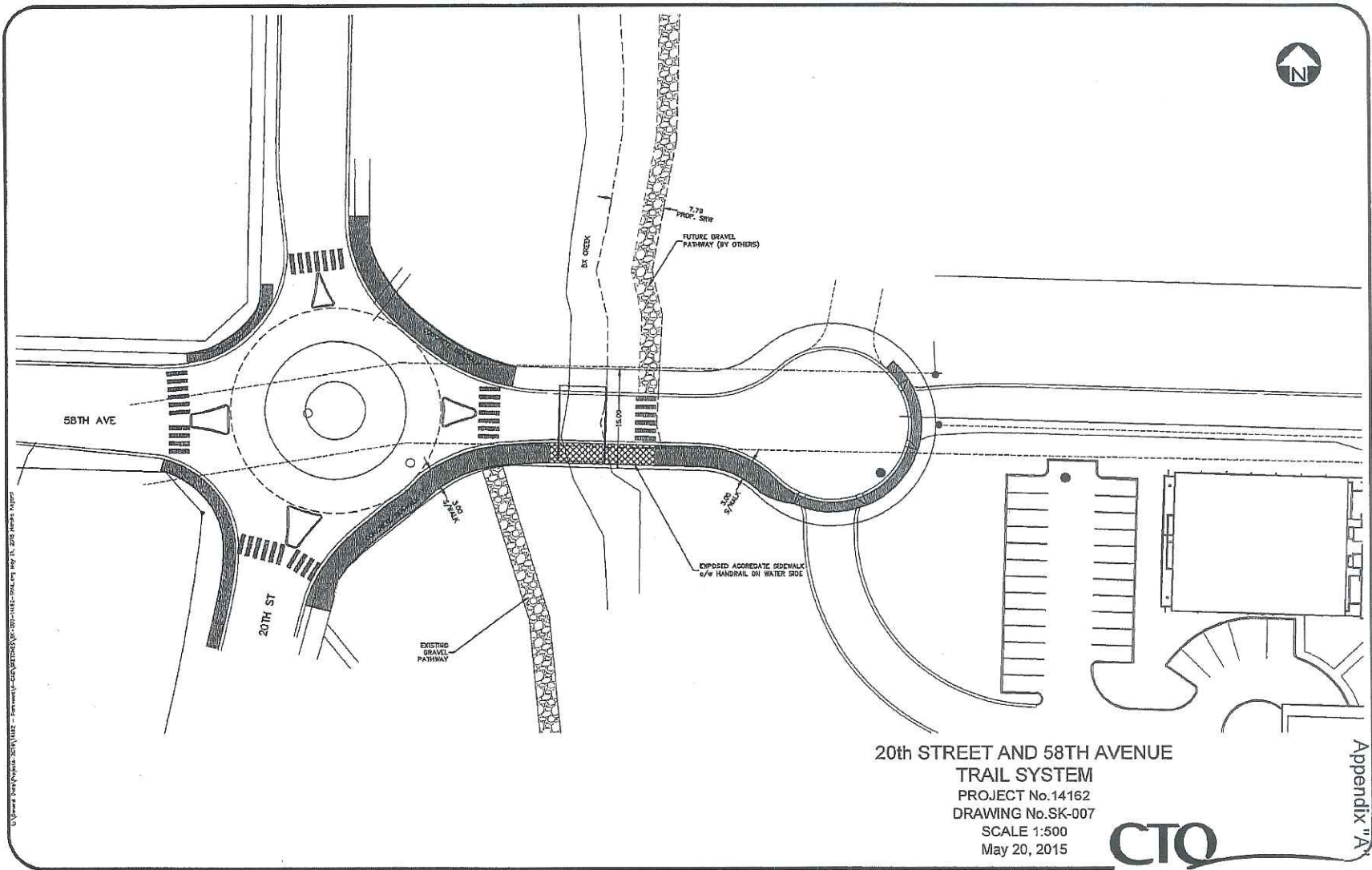
Per: 
Authorized Signatory
Fraser Hall

THE CORPORATION OF THE CITY OF VERNON

Per: 
Authorized Signatory
Will Pearce, CAO

Yours truly;


Keith Pinkoski
Manager, Parks



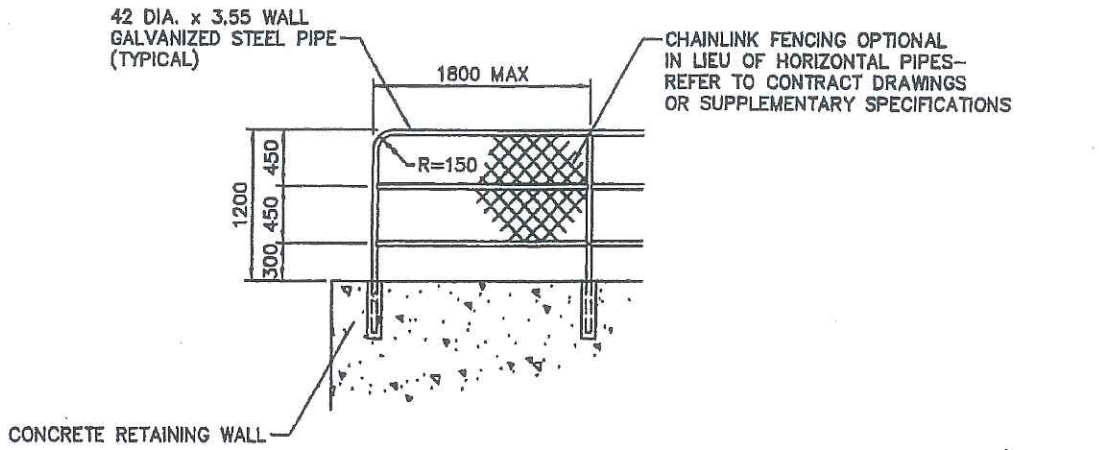
20th STREET AND 58TH AVENUE
TRAIL SYSTEM
PROJECT No. 14162
DRAWING No. SK-007
SCALE 1:500
May 20, 2015



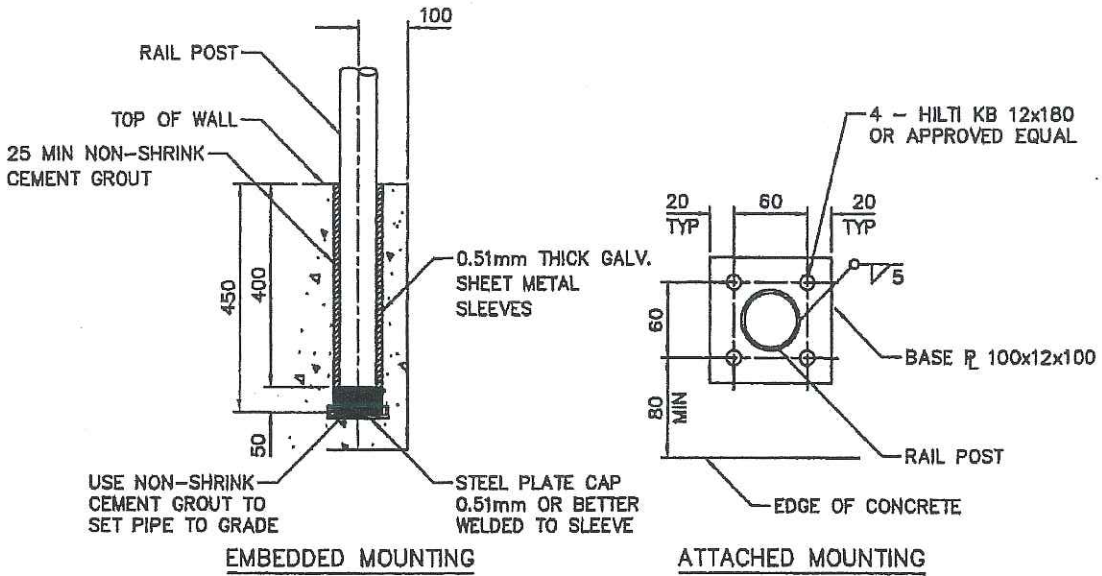
Appendix "A"

MMCD

STANDARD DETAIL DRAWINGS



GENERAL ARRANGEMENT



CONNECTION DETAILS

- NOTE: 1. ALL JOINTS MITRED, WELDED ALL AROUND AND SMOOTHED.
 2. ALL COMPONENTS TO BE HOT DIPPED GALVANIZED AFTER FABRICATION.
 3. REFER TO CONTRACT DRAWINGS AND SECTION 02B31 FOR DETAILED SPECIFICATIONS.

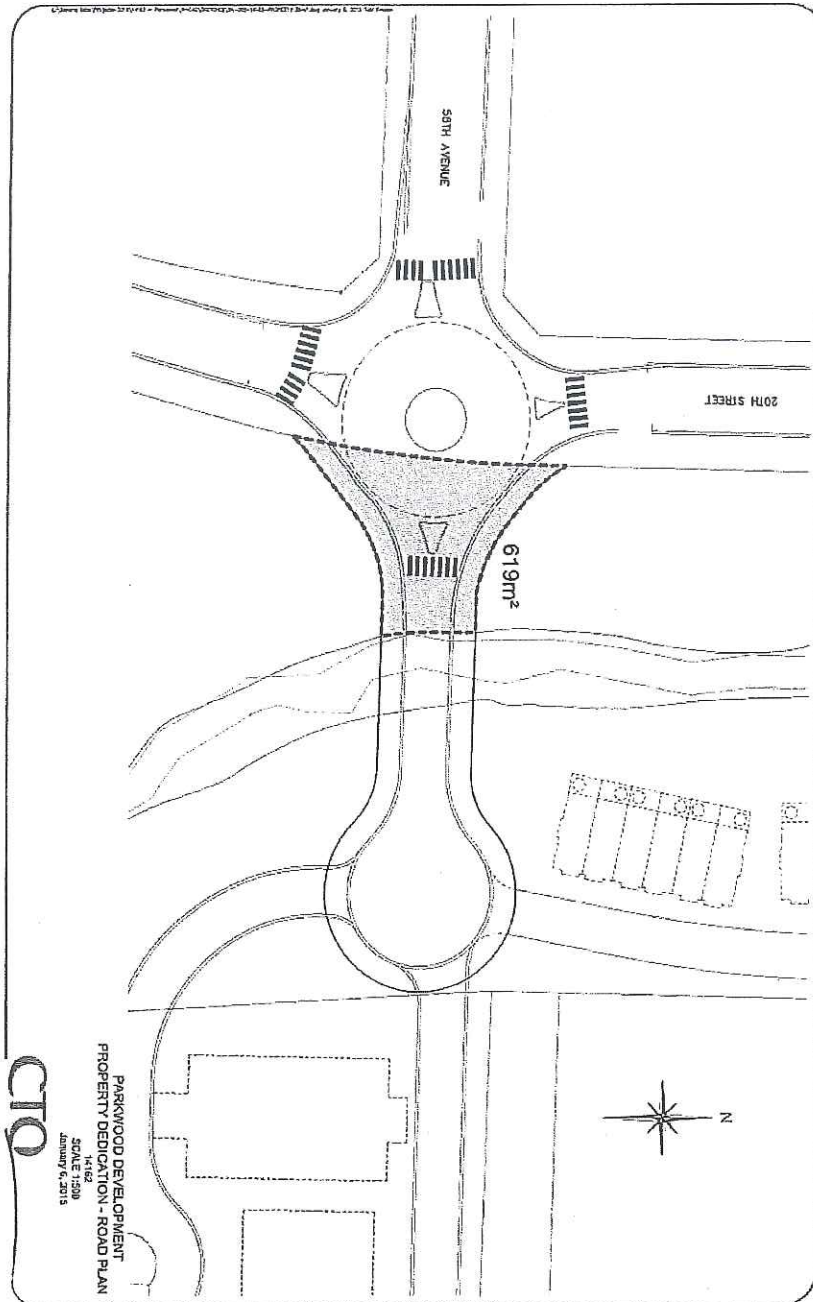
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HANDRAIL ON CONCRETE RETAINING WALL

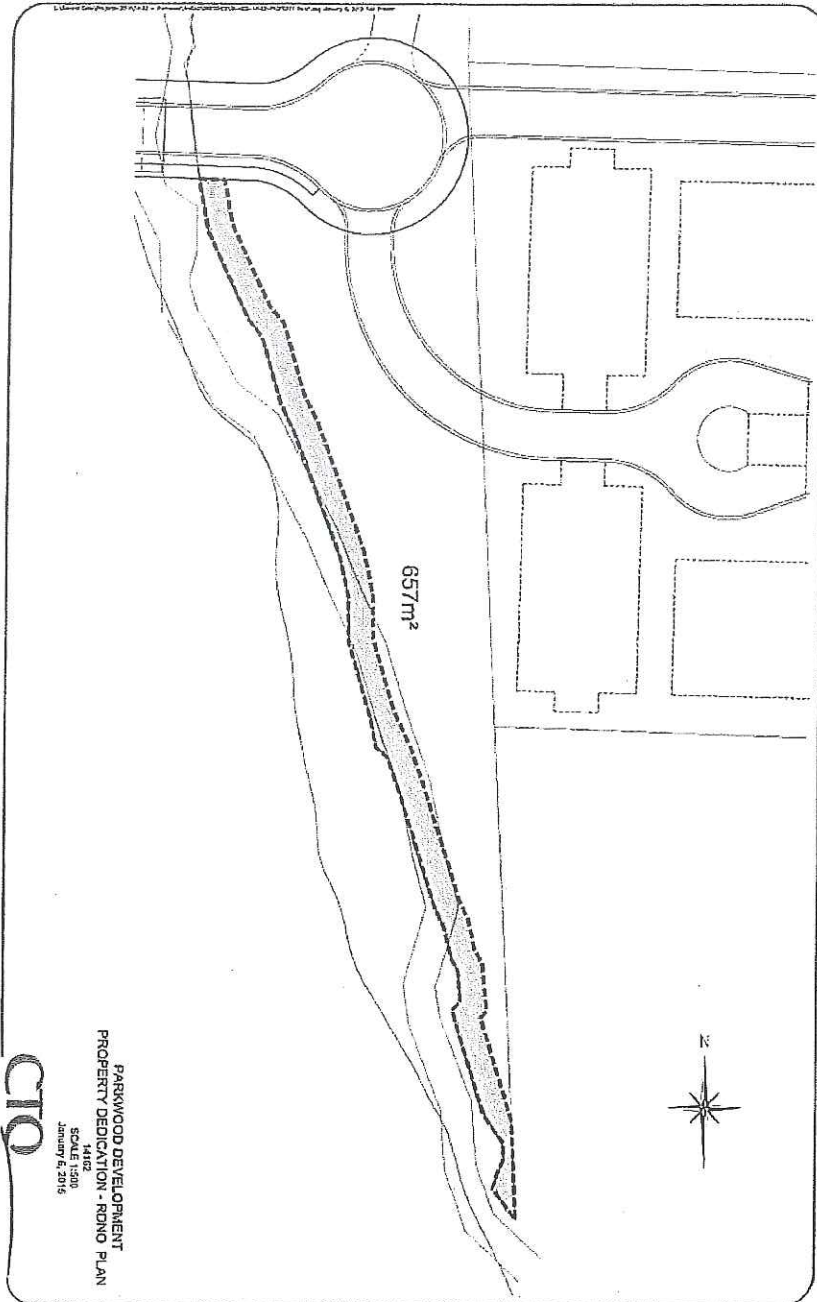
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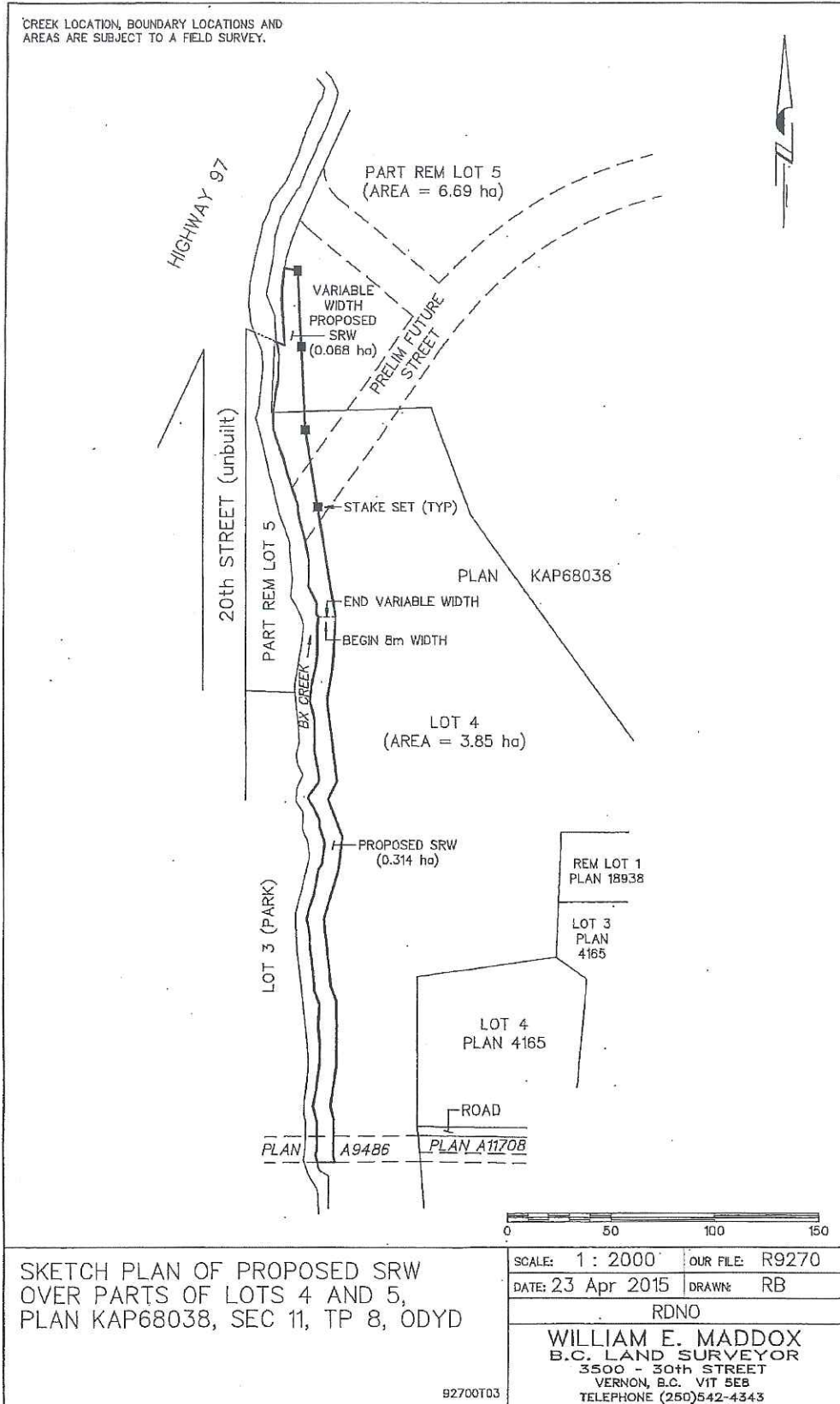
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Appendix D

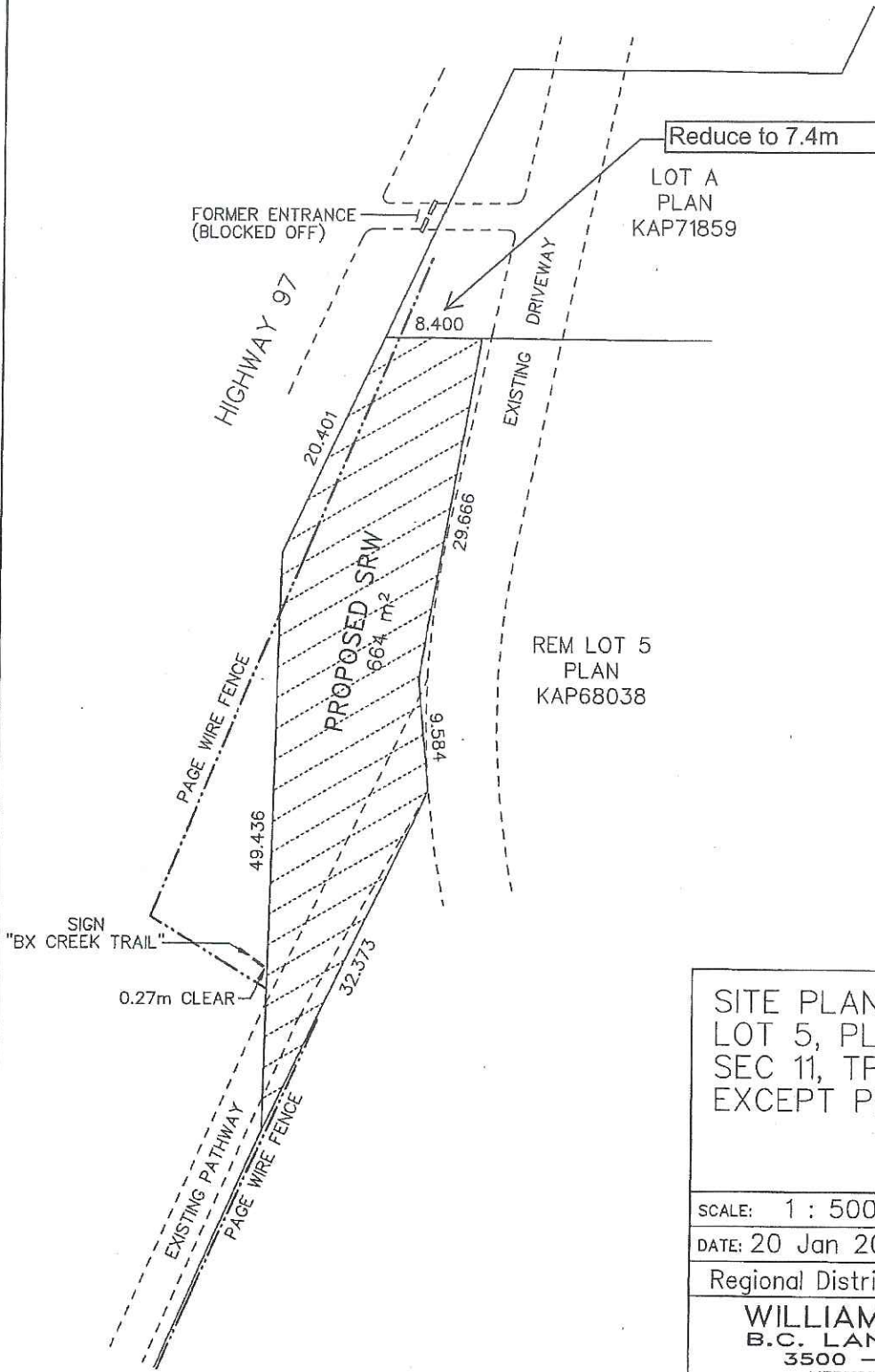


Appendix E





ALL DISTANCES ARE IN METRES.



Reduce to 7.4m

LOT A
PLAN
KAP71859

REM LOT 5
PLAN
KAP68038

PROPOSED SRW
664 m²

SITE PLAN OF PART OF
LOT 5, PLAN KAP68038,
SEC 11, TP 8, ODYD
EXCEPT PLAN KAP71859

SCALE: 1 : 500 OUR FILE: R9270

DATE: 20 Jan 2012 DRAWN: RB

Regional District of North Okanagan

WILLIAM E. MADDOX
B.C. LAND SURVEYOR
3500 - 30th STREET
VERNON, B.C. V1T 5E8
TELEPHONE (250)542-4343

92700T01

