



CORPORATION OF THE CITY OF VERNON

ADVISORY PLANNING COMMITTEE

WEDNESDAY, OCTOBER 12, 2022, AT 4:00 PM

VERNON MUSEUM

A G E N D A

1) **CALL TO ORDER**

2) **LAND ACKNOWLEDGEMENT**

As chair of the City of Vernon's Advisory Planning Committee (APC), 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) September 7, 2022 (Attached)

5) **NEW BUSINESS**

- a) ZON00385 / DVP00569 (1609 43RD AVENUE)
- b) DVP00561 (1606 38th AVENUE)
- c) ZON00340 (173 VINEYARD WAY)

6) **INFORMATION ITEMS**

a) Staff Liaison to provide verbal update of APC related items discussed at the last Council meeting.

7) **NEXT MEETING**

The next meeting is tentatively scheduled for **Tuesday, November 15, 2022**

8) **ADJOURNMENT**



THE CORPORATION OF THE CITY OF VERNON
**MINUTES OF THE
ADVISORY PLANNING COMMITTEE MEETING
HELD WEDNESDAY, SEPTEMBER 7, 2022 AT 4:00 PM
COUNCIL CHAMBERS (OKANAGAN LAKE ROOM)**

PRESENT: Don Schuster
Doug Neden
Harpreet Nahal
Joshua Lunn
Mark Longworth
Margaret Jarman
Phyllis Kereliuk
Counselor Quiring

ABSENT: Claire Ishoy
Jamie Paterson
Lisa Briggs
Monique Hubbs-Michiel
Mayor Cumming

STAFF: Craig Broderick, Manager, Current Planning/Approving Officer
Jennifer Pounder, Committee Clerk
Matt Faucher, Current Planner

ORDER The meeting was called to order at 4:00 p.m.

**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.*

**ADOPTION OF THE
AGENDA** Moved by **D. Schuster**, seconded by **P. Kereliuk**:

THAT the agenda of the Advisory Planning Committee meeting for September 7, 2022, be adopted:

CARRIED

ADOPTION OF THE MINUTES

Moved by **D. Neden**, seconded by **M. Jarman**:

THAT the minutes for the ADVISORY PLANNING COMMITTEE meeting of August 16, 2022 be adopted as amended:

CARRIED

H. Nahal entered at 4:02 pm

NEW BUSINESS:

**DVP00556
7567 KLINGER ROAD**

Matt Faucher, Current Planner, provided an overview of the application as follows:

- The application before the Committee is to vary Section 4.5.4 of Zoning Bylaw 5000 to permit construction of a two car garage in the front yard of 7567 Klinger Road.
- They currently have a single car garage that has aged, as well as a fabric structure.
- Driveway access is by easement on neighboring property.
- The zoning bylaw states there are no secondary buildings to be built in the front yard from the property line to the front of the residence. The challenge is the front yard consumes approximately 60% of this property.
- The property is a downward slope from the roadway and the roof of the proposed structure will almost be in line with the road which provides for minimal visual impact.
- Meets all of the setback requirements.

Moved by **D. Schuster**, seconded by **M. Jarman**:

THAT Council support Development Variance Permit Application 00556 (DVP00556) to vary Zoning Bylaw 5000 on LT 4, SEC 19, TWP 9, ODYD, PLAN 18350 (7567 Klinger Road) as follows:

- a) Section 4.5.4 to permit construction of a secondary building or structure in a front yard;

AND FURTHER, that Council’s support of DVP00556 is subject to the following:

- a) That the site plan, building elevations and floor plans, intended to illustrate the size and location of the proposed garage (Attachment 1) in the report titled “Development

Variance Permit Application for 7567 Klinger Road” dated August 29, 2022 and respectfully submitted by the Current Planner, be attached to and form part of DVP00556 as Schedule ‘A’.

CARRIED

**DVP00572
1607 POTTERY ROAD**

Matt Faucher, Current Planner, provided an overview of the application as follows:

- The application before the Committee is to vary Section 9.3.6 of Zoning Bylaw 5000 to permit access to the subject property from Pottery Road.
- The applicant has submitted the variance proposal to permit access to the subject property from Pottery Road to support a proposed bare land strata subdivision (Application SUB00781).
- The subject property contains a single detached dwelling on the northern portion of the lot.
- Zoning Bylaw 5000 requires that when a lot has access to a lane, that the vehicular access to the lot be only permitted from said lane. As the principal building is located at the rear of the site and spans the distance between the side yard setbacks, the majority of the subject property is not accessible from the lane.
- The subject property meets the minimum lot size requirements to be subdivided, however subdivision would not be possible without the second lot having access from Pottery Road.

The following questions / comments were posed by members of the Committee:

- The Committee asked if construction currently being executed west of property is an active permit. Staff confirmed it is active.
- The Committee inquired if the lane could be upgraded to provide easier access to the property. Staff confirmed it is a requirement to have frontage on a roadway in order to subdivide. Possible issues with maintenance, snow plows, etc. having predominate lane access could be problematic.

- Staff also noted they have explored a fee-simple panhandle lot with the owners, however, the lot did not meet the R2 size requirement.
- The Committee inquired regarding emergency access to the property if the both houses have the same address. Staff confirmed the houses will have separate unit numbers. Signage will be required on Pottery Road showing how to access unit 2 via the lane.

Moved by **D. Neden**, seconded by **J. Lunn**:

THAT Council support Development Variance Permit Application 00572 (DVP00572) to vary Zoning Bylaw 5000 on LT 4, SEC 35, TWP 9, ODYD, PLAN 21248 (1607 Pottery Road) as follows:

- a) Section 9.3.6 to permit vehicular access to the subject property from Pottery Road;

AND FURTHER, that Council’s support of DVP00572 is subject to the following:

- b) That the site plan (Attachment 1) in the report titled “Development Variance Permit Application for 1607 Pottery Road” dated August 31, 2022 and respectfully submitted by the Current Planner, be attached to and form part of DVP00572 as Schedule ‘A’.

CARRIED

INFORMATION ITEMS:

Craig Broderick, Manager, Current Planning/Approving Officer, provided a brief overview regarding some of the projects discussed at Council on September 6, 2022, as follows:

- **DVP00545 (6092 OKANAGAN LANDING ROAD)**
The application is a DVP to vary Section 7.1.2, Table 7.1, and Section 7.1.11 of Zoning Bylaw #5000 to allow for a four storey, 80 unit seniors supportive housing building to be constructed.
- **Secondary Suite Review, Proposed Updates and Inclusion in Semi-Detached Dwellings**
Dated August 23, 2022

- **Short Term Rental Regulation Clarifying Memorandum**
Dated August 22, 2022

- **OCP00096/ZON00388 (3903 30 STREET)**
The application is to amend the Official Community Plan land use designation from 'Mixed Use – Medium Density', and rezone the property from 'R2 – Large Lot Residential' to 'RH1 – Low-Rise Apartment Residential' in order to develop a new multi-family housing development.

NEXT MEETING

The next meeting for the Advisory Planning Committee is set for **September 27, 2022, at 4:00 PM.**

ADJOURNMENT

The meeting of the Advisory Planning Committee was adjourned at 4:27 PM by call of the Chair.

CERTIFIED CORRECT:

_____ Chair



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Michelle Austin
Planner, Current Planning

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: November 14, 2022
REPORT DATE: September 29, 2022
FILE: 3360-20 (ZON00385) / (DVP00569)

SUBJECT: ZONING AND DEVELOPMENT VARIANCE PERMIT APPLICATIONS FOR 1609 43RD
AVENUE

PURPOSE:

To present for Council's consideration zoning and development variance permit applications for the property located at 1609 43rd Avenue in preparation for a 16-unit townhouse development.

RECOMMENDATION:

THAT Council support Zoning Application 00385 (ZON00385) to rezone Lot 1, Sec 2, TP 8, ODYD, Plan KAP48497 (1609 43rd Avenue) from R5 – Four-plex Residential to RH2 – Stacked Row Housing Residential as outlined in the report titled "Zoning and Development Variance Permit Applications for 1609 43rd Avenue" dated September 29, 2022 and respectfully submitted by the Current Planner;

AND FURTHER, that Council's support of ZON00385 is subject to the following:

- a) that a combined Multiple Family and Environmental Development Permit is ready for issuance prior to final adoption of a bylaw to rezone the property; and
- b) that a covenant, in favour of the City of Vernon, be registered on title of the land:
 - i. prohibiting health services, personal services, and retail conveniences secondary uses;
 - ii. limiting the maximum number of dwelling units to 16;
 - iii. limiting the maximum height of buildings to the lesser of 10m or 3 storeys; and
 - iv. requiring common outdoor amenity space with a playground structure;

AND FURTHER, that Council hold a public hearing, pursuant to 464(1) of the *Local Government Act*, on a proposed bylaw to rezone Lot 1, Sec 2, TP 8, ODYD, Plan KAP48497 (1609 43rd Avenue) from R5 – Four-plex Residential to RH2 – Stacked Row Housing Residential;

AND FURTHER, that Council be advised that Development Variance Permit Application 00569 (DVP00569) will be brought forward for Council's consideration and public input on the same date as the public hearing, to vary Zoning Bylaw 5000 for Lot 1, Sec 2, TP 8, ODYD, Plan KAP48497 (1609 43rd Avenue) by:

- a) decreasing Section 9.13.6, minimum side yard (east), from 3m to 2m for Building 2;

- b) decreasing Section 9.13.6, minimum side yard (east), from 3m to 2.6m for the portion of Building 4 being ≤ 2.5 storeys;
- c) decreasing Section 9.13.6, minimum side yard (east), from 6m to 2.6m for the portion of Building 4 being > 2.5 storeys;
- d) decreasing Section 9.13.6, minimum rear yard, from 7.5m to 3.7m for the portion of Buildings 3 and 4 ≤ 2 storeys; and
- e) decreasing Section 9.13.6, minimum rear yard, from 9m to 3.7m for the portion of the Buildings 3 and 4 > 2 storeys.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council support Zoning Application 00385 (ZON00385) to rezone Lot 1, Sec 2, TP 8, ODYD, Plan KAP48497 (1609 43rd Avenue) from R5 – Four-plex Residential to RH2 – Stacked Row Housing Residential as outlined in the report titled “Zoning and Development Variance Permit Applications for 1609 43rd Avenue” dated September 29, 2022 and respectfully submitted by the Current Planner;

AND FURTHER, that Council’s support of ZON00385 is subject to the following:

- a) that a combined Multiple Family and Environmental Development Permit is ready for issuance prior to final adoption of a bylaw to rezone the property; and
- b) that a covenant, in favour of the City of Vernon, be registered on title of the land:
 - i. prohibiting health services, personal services, and retail conveniences secondary uses;
 - ii. limiting the maximum number of dwelling units to 16;
 - iii. limiting the maximum height of buildings to the lesser of 10m or 3 storeys; and
 - iv. requiring common outdoor amenity space with a playground structure;

AND FURTHER, that Council not hold a public hearing, pursuant to 464(2) of *the Local Government Act*, on a proposed bylaw to rezone Lot 1, Sec 2, TP 8, ODYD, Plan KAP48497 (1609 43rd Avenue) from R5 – Four-plex Residential to RH2 – Stacked Row Housing Residential;

AND FURTHER, that Council direct Administration to issue a public notice of initial readings and prepare a proposed bylaw to be brought forward for Council’s consideration at the Regular Meeting of **XXX, 2022** to rezone Lot 1, Sec 2, TP 8, ODYD, Plan KAP48497 (1609 43rd Avenue) from R5 – Four-plex Residential to RH2 – Stacked Row Housing Residential;

AND FURTHER, that Council be advised that Development Variance Permit Application 00569 (DVP00569) will be brought forward for Council’s consideration and public input at the Regular Meeting of **XXX, 2022**, to vary Zoning Bylaw 5000 for Lot 1, Sec 2, TP 8, ODYD, Plan KAP48497 (1609 43rd Avenue) by:

- a) decreasing Section 9.13.6, minimum side yard (east), from 3m to 2m for Building 2;
- b) decreasing Section 9.13.6, minimum side yard (east), from 3m to 2.6m for the portion of Building 4 being ≤ 2.5 storeys;

- c) decreasing Section 9.13.6, minimum side yard (east), from 6m to 2.6m for the portion of Building 4 being > 2.5 storeys;
- d) decreasing Section 9.13.6, minimum rear yard, from 7.5m to 3.7m for the portion of Buildings 3 and 4 ≤ 2 storeys; and
- e) decreasing Section 9.13.6, minimum rear yard, from 9m to 3.7m for the portion of the Buildings 3 and 4 > 2 storeys.

Note: This alternative does not allow the public to make representations to Council on the proposed bylaw.

2. THAT Council not support Zoning Application 00385 (ZON00385) to rezone Lot 1, Sec 2, TP 8, ODYD, Plan KAP48497 (1609 43rd Avenue) from R5 – Four-plex Residential to RH2 – Stacked Row Housing Residential as outlined in the report titled “Zoning and Development Variance Permit Applications for 1609 43rd Avenue” dated September 29, 2022 and respectfully submitted by the Current Planner;

AND FURTHER, that Council not support Development Variance Permit Application 00569 (DVP00569) to vary Zoning Bylaw 5000 for Lot 1, Sec 2, TP 8, ODYD, Plan KAP48497 (1609 43rd Avenue) to:

- a) decrease Section 9.13.6, minimum side yard (east), from 3m to 2m for Building 2;
- b) decrease Section 9.13.6, minimum side yard (east), from 6m to 3.9m for the portion of Building 4 being > 2.5 storeys;
- c) decrease Section 9.13.6, minimum rear yard, from 7.5m to 3.7m for the portion of Buildings 3 and 4 ≤ 2 storeys; and
- d) decrease Section 9.13.6, minimum rear yard, from 9m to 3.7m for the portion of the Buildings 3 and 4 > 2 storeys.

Note: This alternative does not support the rezoning and variances and prevents the proposed 16 unit townhouse development from moving ahead. Without rezoning approval, the property could support a maximum of eight dwelling units under the existing R5 zoning.

ANALYSIS:

A. Committee Recommendations:

At its meeting of October 12, 2022, 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 1609 43rd Avenue, across from Vernon Mobile Home Park and adjacent to Vernon Springs (Figures 1 and 2). There is currently one single detached dwelling located on the property planned for demolition to allow for redevelopment (Attachment 1). Development plans are to construct a 16 unit townhouse development consisting of four, four-plex buildings (Attachment 2).

2. The intent of the rezoning and variance applications are to request that Council:

- rezone the subject property from Four-plex Residential (R5) (Attachment 3) to Stacked Row Housing Residential (RH2) (Attachment 4); and
- support the following variance requests for the construction of Buildings 2, 3 and 4 to decrease minimum setbacks:
 - side yard (east), from 3m to 2m for Building 2;
 - side yard (east), from 3m to 2.6m for the portion of Building 4 ≤ 2.5 storeys;
 - side yard (east), from 6m to 2.6m for the portion of Building 4 > 2.5 storeys;
 - rear yard, from 7.5m to 3.7m for the portion of Buildings 3 and 4 ≤ 2 storeys; and
 - rear yard, from 9m to 3.7m for the portion of the Buildings 3 and 4 > 2 storeys.

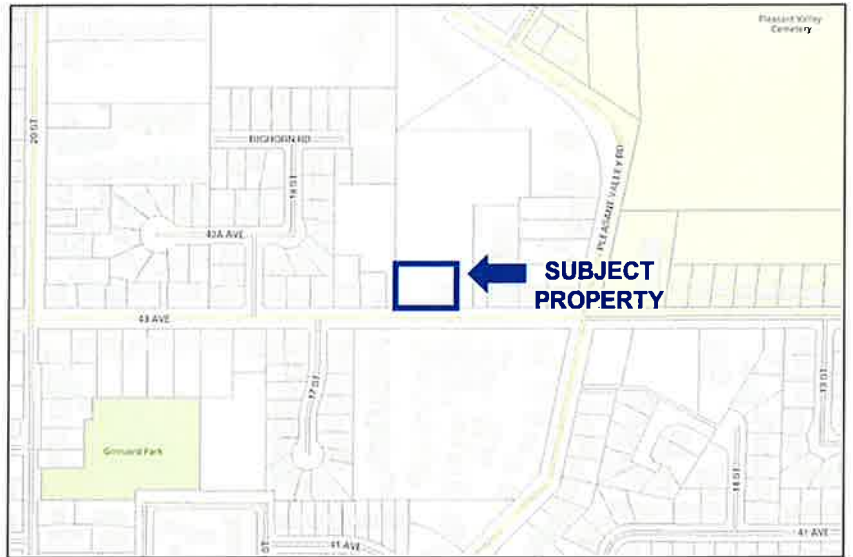


Figure 1: Property Location Map



Figure 2: Aerial Photo of Property

3. The site layout for the project has Buildings 1 and 2 facing 43rd with a pedestrian oriented design including direct pedestrian access to the sidewalk, patios, lighting, landscaping and decorative fencing and garages at the rear. Buildings 3 and 4 front the rear property line, also with patios, lighting, landscaping and decorative fencing and garages front the private driveway. The patio areas would meet the minimum requirement of Zoning Bylaw 5000 for the provision of private open space. Additionally, common outdoor amenity space with a playground structure is being recommended by Administration in the northwest corner of the property. Landscaping would be provided in accordance with Zoning Bylaw 5000.

4. Access to the development would be from 43rd Avenue adjacent to the west side property line. The private driveway is sufficiently designed to accommodate fire and rescue services in the event of an emergency. Garbage, recycling and organics collection would be through a private contractor.

5. Each dwelling has a two car garage, with four units having double garages and 12 units having tandem garages. Adequate visitor parking, accessible parking and bicycle parking would be provided as per Zoning Bylaw 5000.

6. Maximum height for all four buildings would be 10 meters. Buildings 1 and 2 are considered 2.5 storeys and Buildings 3 and 4 are considered three storeys.

7. Dwelling units within Buildings 1 and 2 would have a floor area of approximately 1,238ft² with three bedrooms each. Dwelling units within Buildings 3 and 4 would have floor areas ranging from 1,135ft² to 1,655ft² with two or three bedrooms each.
8. The property is designated as Residential Medium Density (RMD) within the Official Community Plan (OCP) and zoned R5. The density range within the RMD designation is from a minimum of 30 units/ha (12 units/ac) to a maximum 110 units/ha (44.5 units/ac). With a lot area of 2,023.6m² and an allowable density of 30 units/ha, the property can support a maximum of six dwelling units under the existing R5 zoning. In contrast, the property can support up to 22 dwelling units under the existing RMD designation. The proposed RH2 zone allows up to 100 units/ha (40.5 units/ac). The 16 unit project would have a density of 79 units/ha (~31 units/ac) and is within the range allowed by the RMD designation.

	Existing R5	Proposed RH2
Housing Form	<ul style="list-style-type: none"> • Single Detached Housing (SDH) • Duplex/Semi-detached housing • Three-plex housing • Four-plex housing • Secondary suites within SDH 	<ul style="list-style-type: none"> • Apartment Housing • Row Housing • Stacked Row Housing • Semi-detached housing • Seniors Housing (55+, Supportive and Assisted)
Max. Density	30 units/ha = 6 units	100 units/ha = 20 units 110 units/ha = 22 units with housing agreement

Table 1: Zoning Comparison – Residential Uses

9. Surrounding land uses are similar and compatible with the proposed multi family development, as shown in Table 2.

	Zoning	Actual Use
North	R5	Vacant
East	R5	Vernon Springs Multi-Family Development
South	R7 – Mobile Home Residential	Mobile Home Park
West	RH2	Four-plex Housing

Table 2: Surrounding Properties – Zoning & Actual Use

10. The proposed decrease in side and rear yard setbacks are anticipated to have little impact on the surrounding properties to the north and east. The property to the north (rear) contains a no disturb covenant area that cannot be built on and the property to the east (side) is an access road that is not proposed for development.
11. An Environmental Assessment (EA) has been provided (Attachment 5), as the subject property has a “medium” conservation value within an Environmental Management Area. The EA observes that the property has been significantly disturbed resulting in a low conservation value. Of particular importance, the EA states that the site exhibits “substantial near and sub-surface water movement”. At the building permit or subdivision stage, the owner/developer will be required to adequately address any stormwater management issues in accordance with the Subdivision and Development Servicing Bylaw 3843. Administration also recommends that the EA be followed to ensure any existing environmental values be retained. This can be accomplished through the Development Permit process.

12. Administration supports the proposed rezoning and variance requests for the following reasons:

- a) the proposal provides an increase in density (more housing) and maximizes the use of existing city infrastructure within the neighbourhood district, as supported by the OCP;
- b) the units are ground-oriented townhomes with two and three bedrooms suitable for families;
- c) form and character of the project is compatible with the existing neighbourhood character;
- d) the owner compared the medium density zones (Attachment 6) within Zoning Bylaw 5000 and determined that the RH2 Zone was the best fit for the proposed development requiring the least number of variances; and
- e) the proposed decrease in side and rear yard setbacks are anticipated to have little impact on the surrounding properties to the north and east as that these areas are vacant and not proposed for development.

C. Attachments:

Attachment 1 – Photos

Attachment 2 – Residential Development Package

Attachment 3 – R5: Fourplex Housing Residential Zone

Attachment 4 – RH2: Stacked Row Housing Residential Zone

Attachment 5 – Environmental Assessment

Attachment 6 – Medium Density Zoning Comparison

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

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

- N/A

E. Relevant Policy/Bylaws/Resolutions:

1. Official Community Plan Bylaw 5470:

- OCP Designation – Residential Medium Density (RMD)
- Development District – 2 Neighbourhood

2. Zoning Bylaw 5000:

- Sec. 9.13 RH2: Stacked Row Housing Residential

3. *Local Government Act:*

- Division 3 – Public Hearings on Planning and Land Use Bylaws
- Sec. 464 – Requirement for public hearing before adopting bylaw
A local government is not required to hold a public hearing on a proposed rezoning bylaw if an OCP is in effect for the area that is the subject of the zoning bylaw, and the bylaw is consistent with the OCP.

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Approved for submission to Council:

X _____
Michelle Austin
Current Planner

Will Pearce, CAO

Date: _____

X _____
Kim Flick
Director, Community Infrastructure and Development

REVIEWED WITH		
<input type="checkbox"/> Corporate Services	<input checked="" type="checkbox"/> Operations	<input checked="" type="checkbox"/> Current Planning
<input type="checkbox"/> Bylaw Compliance	<input checked="" type="checkbox"/> Public Works/Airport	<input checked="" type="checkbox"/> Long Range Planning & Sustainability
<input type="checkbox"/> Real Estate	<input type="checkbox"/> Facilities	<input type="checkbox"/> Building & Licensing
<input type="checkbox"/> RCMP	<input type="checkbox"/> Utilities	<input checked="" type="checkbox"/> Engineering Development 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 type="checkbox"/> Economic Development & Tourism
<input checked="" type="checkbox"/> COMMITTEE: APC (Oct. 12/22)		
<input type="checkbox"/> OTHER:		

G:\3000-3699 LAND ADMINISTRATION\3360 ZONING AND REZONING\20 Applications\ZON00385\2 PROC\Rpt\APC Report\220929_ma_APC_Rpt_ZON00385_DVP00569.docx



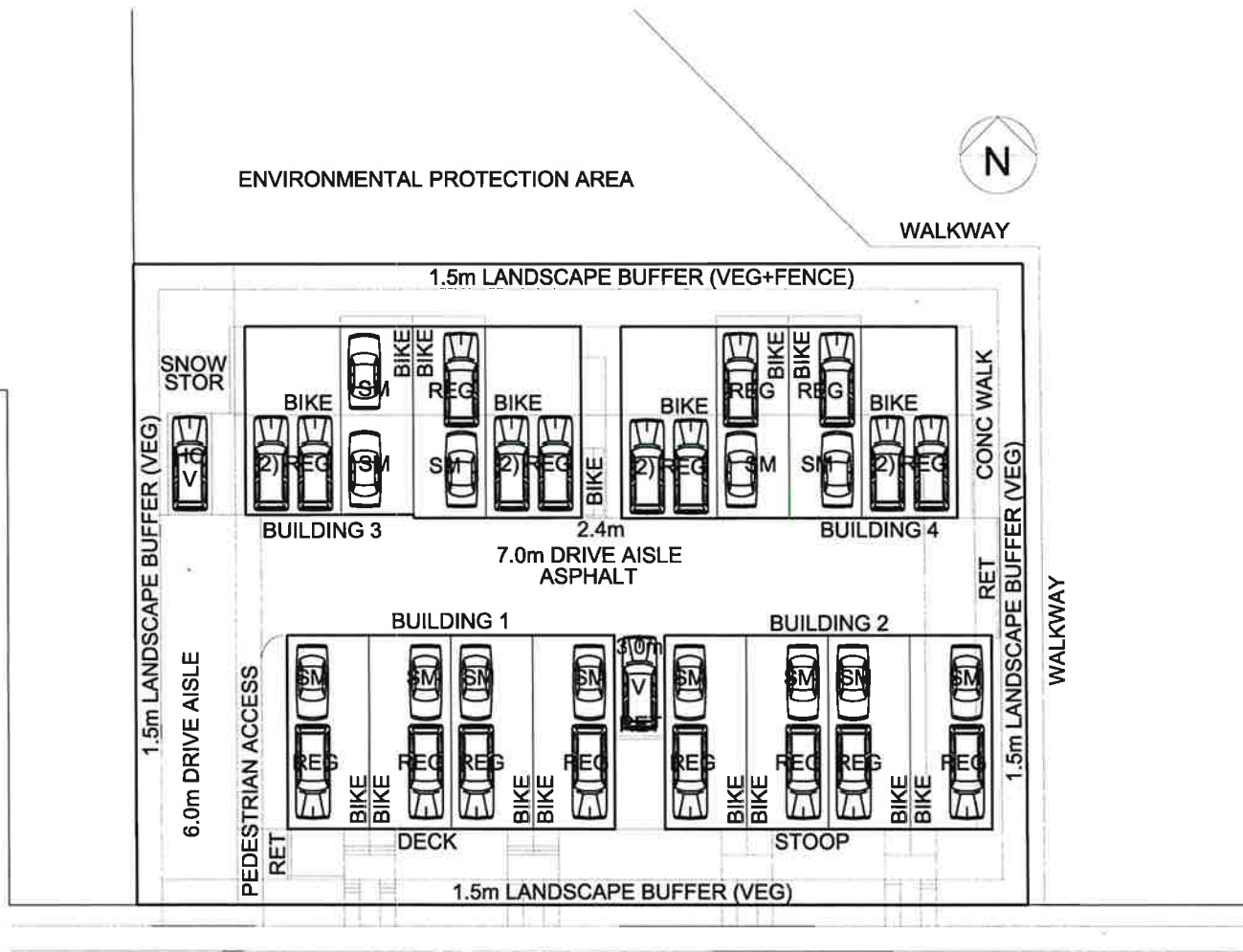
Photo 1: View of property from across 43rd Ave



Photo 2: View of rear of property, facing NE



Photo 3: Vernon Springs entrance/side property line, facing S toward 43rd Ave



43 AVENUE

SITE PLAN SCALE: 3/32"=1'-0"
 PARKING/SNOW STOR/LANDSCAPE BUFFER

DWELL DESIGN STUDIO
 p 250.550.7470
 e dwell@dwelldesign.com

1808 43 Avenue
 Vancouver, BC

Proposed Residential Development

1808 43 Avenue
 Vancouver, BC

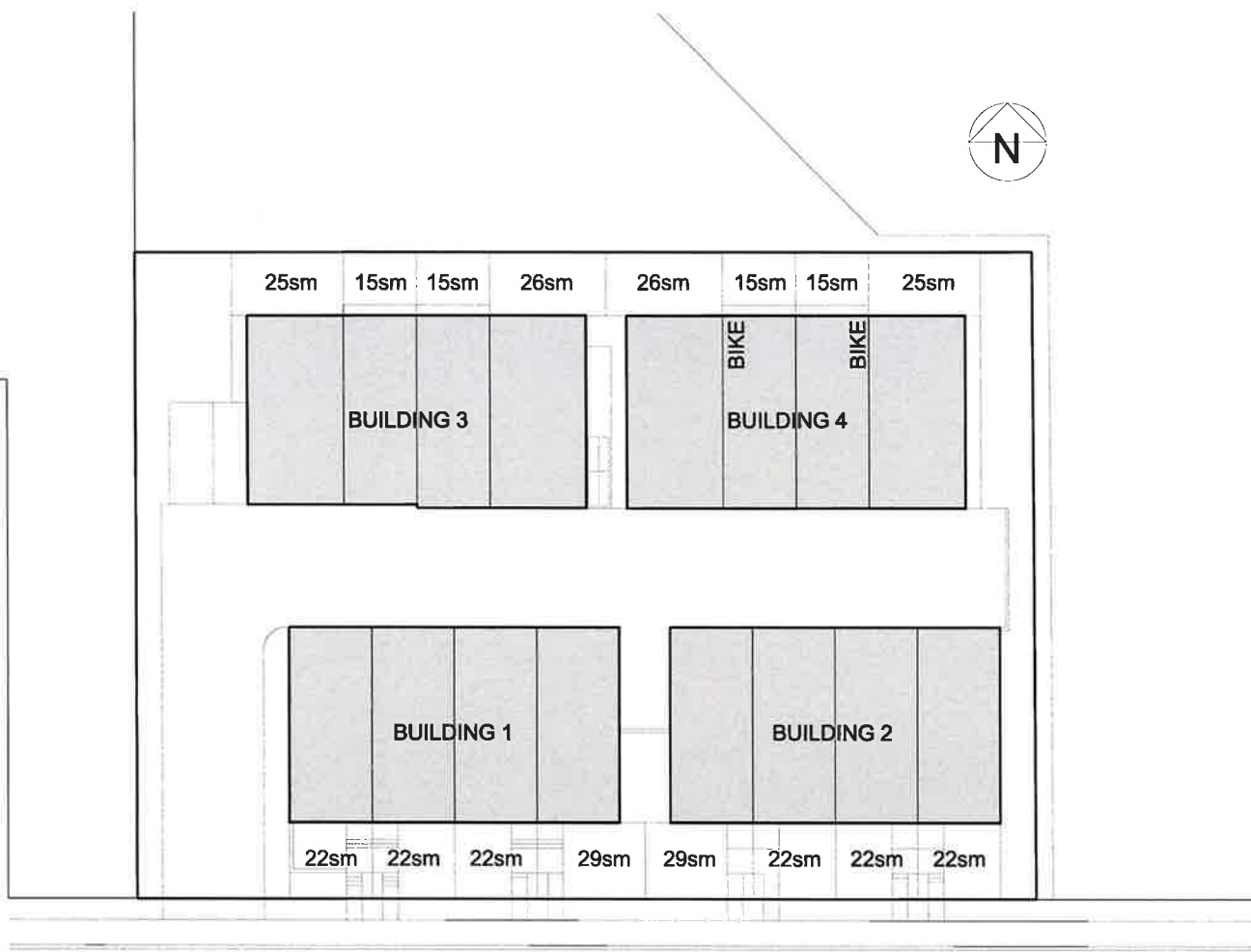
Site Plan Park/Land

BOXFORD HOMES

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Job No: 222-225
 Date: Mar 17, 2022
 Scale: 3/32"=1'-0"
 Drawn: DC
 Checked: DC

SHEET NUMBER
A-101A
 OF



43 AVENUE

SITE PLAN SCALE: 3/32"=1'-0"
 OPENSAPCE

DWELL
 DESIGN STUDIO

250 350 7470
 dwell@kva.net

email:
 Dwell Design Studio
 8837 Caribou Drive
 Vernon, BC, V1H 1N6

NOTES

1. All dimensions are in centimeters unless otherwise specified.

2. The contractor is responsible for obtaining all necessary permits and approvals from the appropriate authorities.

3. The contractor is responsible for ensuring that all work is completed in accordance with the approved plans and specifications.

4. The contractor is responsible for maintaining access to all adjacent properties at all times.

5. The contractor is responsible for protecting all existing utilities and structures on the site.

6. The contractor is responsible for ensuring that all work is completed within the specified time frame.

7. The contractor is responsible for ensuring that all work is completed in accordance with the applicable building codes and regulations.

8. The contractor is responsible for ensuring that all work is completed in accordance with the applicable safety regulations.

9. The contractor is responsible for ensuring that all work is completed in accordance with the applicable environmental regulations.

10. The contractor is responsible for ensuring that all work is completed in accordance with the applicable fire safety regulations.

11. The contractor is responsible for ensuring that all work is completed in accordance with the applicable accessibility regulations.

12. The contractor is responsible for ensuring that all work is completed in accordance with the applicable energy efficiency regulations.

13. The contractor is responsible for ensuring that all work is completed in accordance with the applicable sustainability regulations.

14. The contractor is responsible for ensuring that all work is completed in accordance with the applicable social responsibility regulations.

15. The contractor is responsible for ensuring that all work is completed in accordance with the applicable ethical regulations.

16. The contractor is responsible for ensuring that all work is completed in accordance with the applicable transparency regulations.

17. The contractor is responsible for ensuring that all work is completed in accordance with the applicable accountability regulations.

18. The contractor is responsible for ensuring that all work is completed in accordance with the applicable integrity regulations.

19. The contractor is responsible for ensuring that all work is completed in accordance with the applicable honesty regulations.

20. The contractor is responsible for ensuring that all work is completed in accordance with the applicable fairness regulations.

21. The contractor is responsible for ensuring that all work is completed in accordance with the applicable respect regulations.

22. The contractor is responsible for ensuring that all work is completed in accordance with the applicable responsibility regulations.

23. The contractor is responsible for ensuring that all work is completed in accordance with the applicable care regulations.

24. The contractor is responsible for ensuring that all work is completed in accordance with the applicable diligence regulations.

25. The contractor is responsible for ensuring that all work is completed in accordance with the applicable industry regulations.

26. The contractor is responsible for ensuring that all work is completed in accordance with the applicable best practices regulations.

27. The contractor is responsible for ensuring that all work is completed in accordance with the applicable state-of-the-art regulations.

28. The contractor is responsible for ensuring that all work is completed in accordance with the applicable innovation regulations.

29. The contractor is responsible for ensuring that all work is completed in accordance with the applicable leadership regulations.

30. The contractor is responsible for ensuring that all work is completed in accordance with the applicable excellence regulations.

31. The contractor is responsible for ensuring that all work is completed in accordance with the applicable quality regulations.

32. The contractor is responsible for ensuring that all work is completed in accordance with the applicable performance regulations.

33. The contractor is responsible for ensuring that all work is completed in accordance with the applicable results regulations.

34. The contractor is responsible for ensuring that all work is completed in accordance with the applicable impact regulations.

35. The contractor is responsible for ensuring that all work is completed in accordance with the applicable value regulations.

36. The contractor is responsible for ensuring that all work is completed in accordance with the applicable contribution regulations.

37. The contractor is responsible for ensuring that all work is completed in accordance with the applicable legacy regulations.

38. The contractor is responsible for ensuring that all work is completed in accordance with the applicable reputation regulations.

39. The contractor is responsible for ensuring that all work is completed in accordance with the applicable brand regulations.

40. The contractor is responsible for ensuring that all work is completed in accordance with the applicable image regulations.

41. The contractor is responsible for ensuring that all work is completed in accordance with the applicable perception regulations.

42. The contractor is responsible for ensuring that all work is completed in accordance with the applicable opinion regulations.

43. The contractor is responsible for ensuring that all work is completed in accordance with the applicable belief regulations.

44. The contractor is responsible for ensuring that all work is completed in accordance with the applicable conviction regulations.

45. The contractor is responsible for ensuring that all work is completed in accordance with the applicable faith regulations.

46. The contractor is responsible for ensuring that all work is completed in accordance with the applicable trust regulations.

47. The contractor is responsible for ensuring that all work is completed in accordance with the applicable confidence regulations.

48. The contractor is responsible for ensuring that all work is completed in accordance with the applicable assurance regulations.

49. The contractor is responsible for ensuring that all work is completed in accordance with the applicable certainty regulations.

50. The contractor is responsible for ensuring that all work is completed in accordance with the applicable predictability regulations.

51. The contractor is responsible for ensuring that all work is completed in accordance with the applicable reliability regulations.

52. The contractor is responsible for ensuring that all work is completed in accordance with the applicable dependability regulations.

53. The contractor is responsible for ensuring that all work is completed in accordance with the applicable consistency regulations.

54. The contractor is responsible for ensuring that all work is completed in accordance with the applicable stability regulations.

55. The contractor is responsible for ensuring that all work is completed in accordance with the applicable durability regulations.

56. The contractor is responsible for ensuring that all work is completed in accordance with the applicable longevity regulations.

57. The contractor is responsible for ensuring that all work is completed in accordance with the applicable sustainability regulations.

58. The contractor is responsible for ensuring that all work is completed in accordance with the applicable resilience regulations.

59. The contractor is responsible for ensuring that all work is completed in accordance with the applicable adaptability regulations.

60. The contractor is responsible for ensuring that all work is completed in accordance with the applicable flexibility regulations.

61. The contractor is responsible for ensuring that all work is completed in accordance with the applicable scalability regulations.

62. The contractor is responsible for ensuring that all work is completed in accordance with the applicable portability regulations.

63. The contractor is responsible for ensuring that all work is completed in accordance with the applicable interoperability regulations.

64. The contractor is responsible for ensuring that all work is completed in accordance with the applicable compatibility regulations.

65. The contractor is responsible for ensuring that all work is completed in accordance with the applicable compatibility regulations.

66. The contractor is responsible for ensuring that all work is completed in accordance with the applicable compatibility regulations.

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100. The contractor is responsible for ensuring that all work is completed in accordance with the applicable compatibility regulations.

PROPOSED RESIDENTIAL DEVELOPMENT

1202 43 AVENUE
 VERNON, BC

SHEET TITLE

**Site Plan
 Openspace**

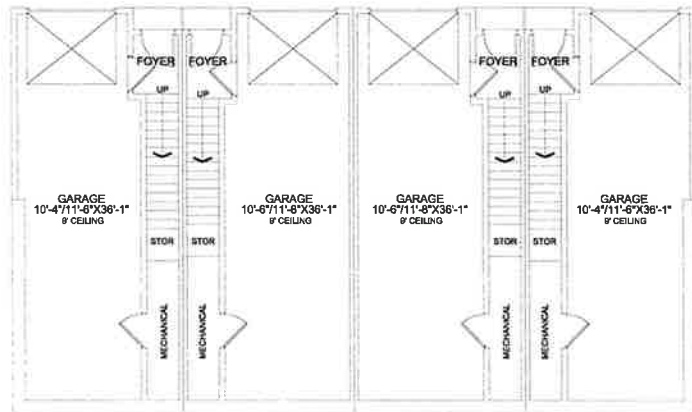
**BOXFORD
 HOMES**

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Job No: 252-2220
 Date: Mar 17, 2022
 Scale: 3/32"=1'-0"
 Drawn: DC
 Checked: DC

SHEET NUMBER

A-101B
 OF



1st EXTERIOR UNIT
GROSS FLOOR AREA = 30sf
GARAGE/MECH AREA = 86sf

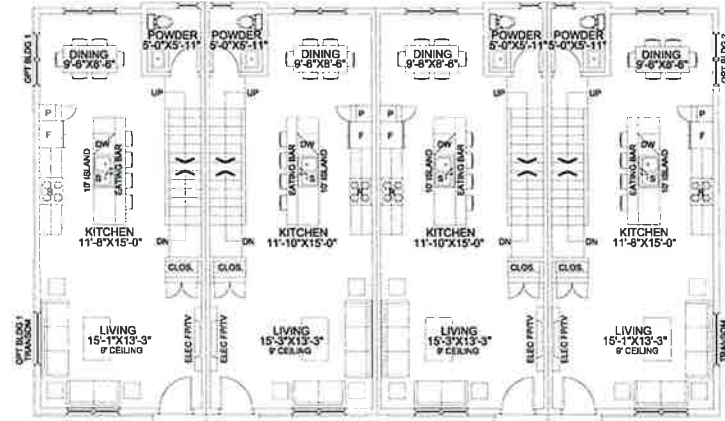
1st INTERIOR UNIT
GROSS FLOOR AREA = 32sf
GARAGE/MECH AREA = 85sf

1st INTERIOR UNIT
GROSS FLOOR AREA = 32sf
GARAGE/MECH AREA = 86sf

1st EXTERIOR UNIT
GROSS FLOOR AREA = 30sf
GARAGE/MECH AREA = 86sf

LOWER FLOOR PLAN

BUILDING 1 & 2



1st EXTERIOR UNIT
GROSS FLOOR AREA = 80sf

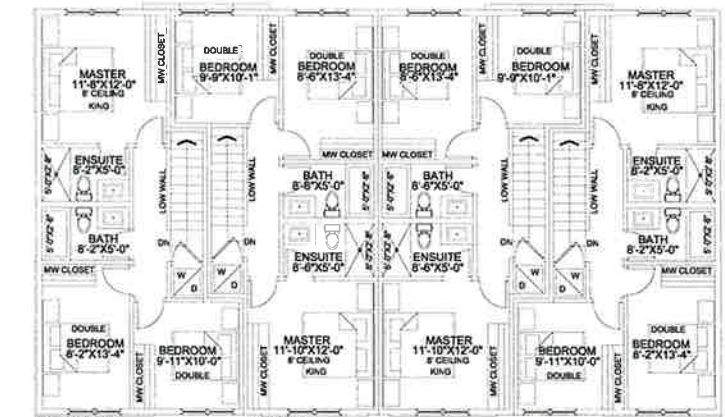
1st INTERIOR UNIT
GROSS FLOOR AREA = 80sf

1st INTERIOR UNIT
GROSS FLOOR AREA = 80sf

1st EXTERIOR UNIT
GROSS FLOOR AREA = 80sf

MAIN FLOOR PLAN

BUILDING 1 & 2



1st EXTERIOR UNIT
GROSS FLOOR AREA = 80sf

1st INTERIOR UNIT
GROSS FLOOR AREA = 80sf

1st INTERIOR UNIT
GROSS FLOOR AREA = 80sf

1st EXTERIOR UNIT
GROSS FLOOR AREA = 80sf

UPPER FLOOR PLAN

BUILDING 1 & 2

TOTAL GROSS FLOOR AREA = 1340sf

DWELL DESIGN STUDIOS

250.590.7478
dwelldesigns.net

email: Dwell Design Studio
8637 Camino Drive
Vernon, BC, V1H 1N8

DATE: _____ Scaled: 1/8" = 1'-0"

PROJECT TITLE:

Proposed Residential Development

1808 43 Avenue
Vernon, BC

SHEET TITLE:

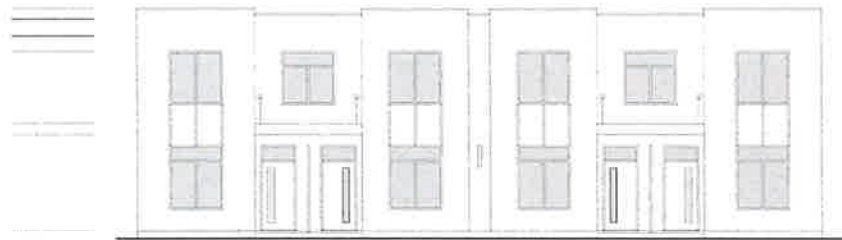
Floor Plans Bldg 1 & 2

BOXFORT HOMES

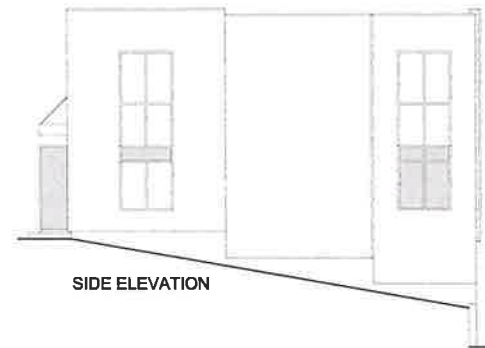
115 215th Street, Kamloops BC, Canada
403-261-0000
403-261-0001
403-261-0002
403-261-0003
403-261-0004

Rev No: 2021-219
Date: Nov 17, 2022
Scale: 3/8" = 1'-0"
Drawn: [Signature]
Checked: [Signature]
SHEET NUMBER

A-102
OF



FRONT ELEVATION

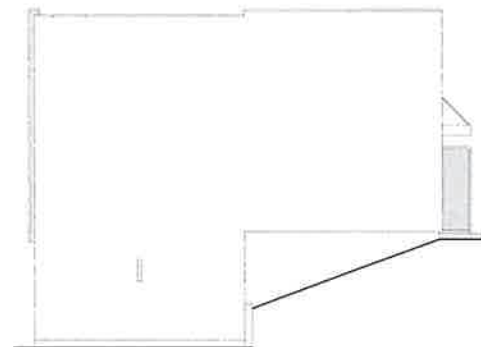


SIDE ELEVATION



REAR ELEVATION

BUILDING 1 & 2



SIDE ELEVATION

DWELL DESIGN STUDIO
 p 250.500.7475
 e dwg@dwells.ca

email:
 Dwell Design Studio
 8837 Caruso Drive
 Vernon, BC, V1H 1H8

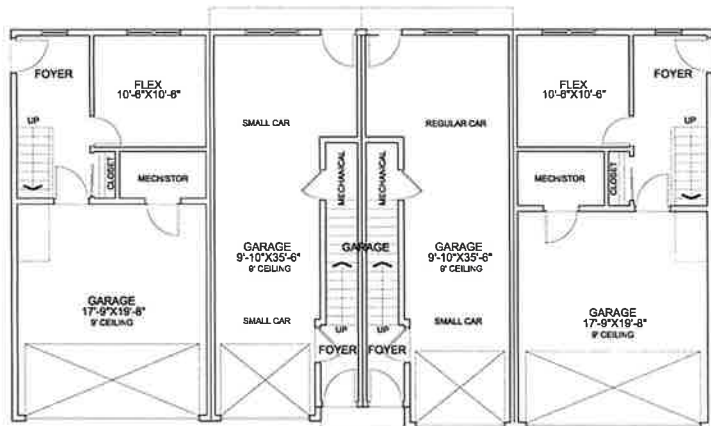
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PROJECT TITLE:
Proposed Residential Development
 1808 43 Avenue
 Vernon, BC

SHEET TITLE:
Elevations Bldg 1 & 2
BOXFORT HOMES

DATE: _____
 DATE: _____
 DATE: _____
 DATE: _____

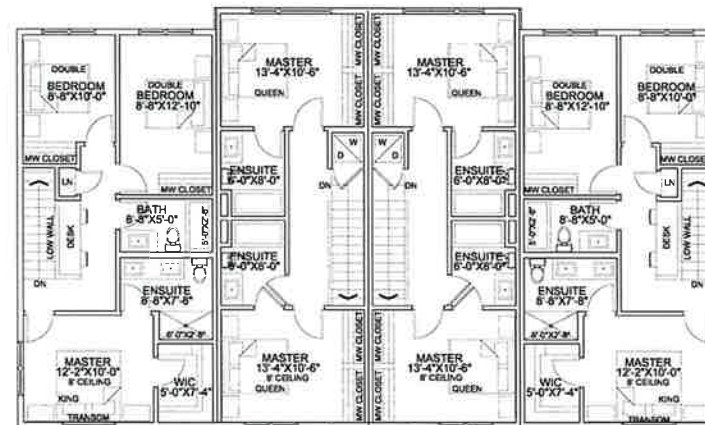
SHEET NUMBER:
A-103
 OF



LOWER FLOOR PLAN
BUILDING 3



MAIN FLOOR PLAN
BUILDING 4



UPPER FLOOR PLAN
BUILDING 4
TOTAL GROSS FLOOR AREA = 1135sf

DWELL DESIGN STUDIO

250.950.7475
dwell@bids.net

1000
Dwell Design Studio
6837 Camino One
Vernon, BC, V1H 1N6

DATE ISSUED PER

PROJECT TITLE

Proposed Residential Development

1806 43 Avenue
Vernon, BC

SHEET TITLE

Floor Plans Bldg 4

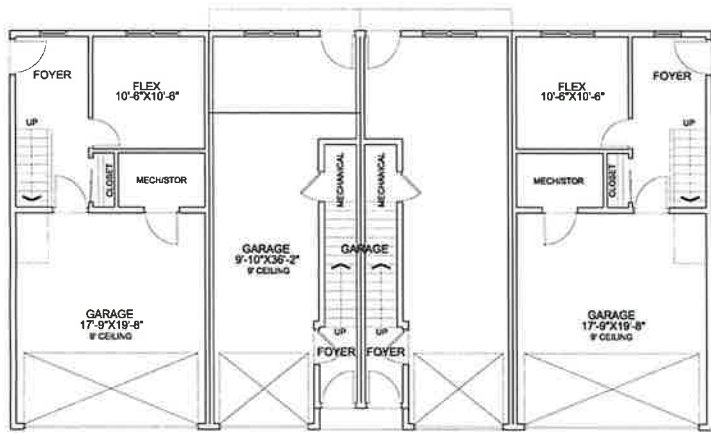
BOXFORD HOMES

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Job No. 100-250
Date: Nov 11, 2022
Scale: 1/8" = 1'-0"
Drawn: [initials]
Checked: [initials]

A-104
OF



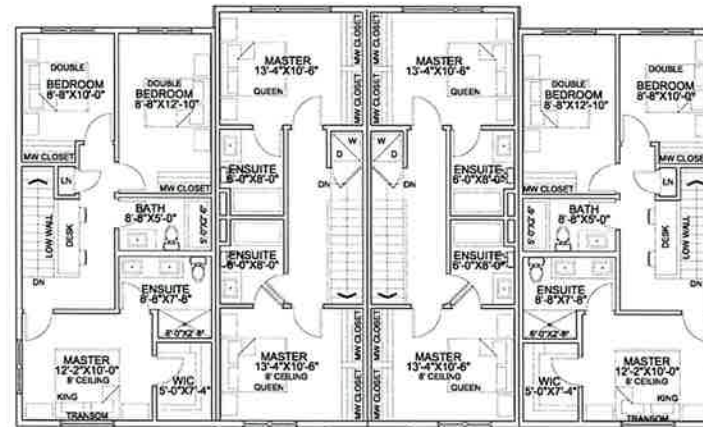
LOWER FLOOR PLAN

BUILDING 3



MAIN FLOOR PLAN

BUILDING 3



UPPER FLOOR PLAN

BUILDING 3

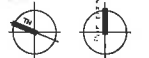
TOTAL GROSS FLOOR AREA = 1554sf

TOTAL GROSS FLOOR AREA = 1144sf



250.552.7470
dwell@dwells.net

Dwell Design Studio
8637 Carno Drive
Vernon, BC, V1H 1N6



DATE: _____ SOLID FOR: _____

PROPOSED TITLE

Proposed Residential Development

1808 43 Avenue
Vernon, BC

SHEET TITLE

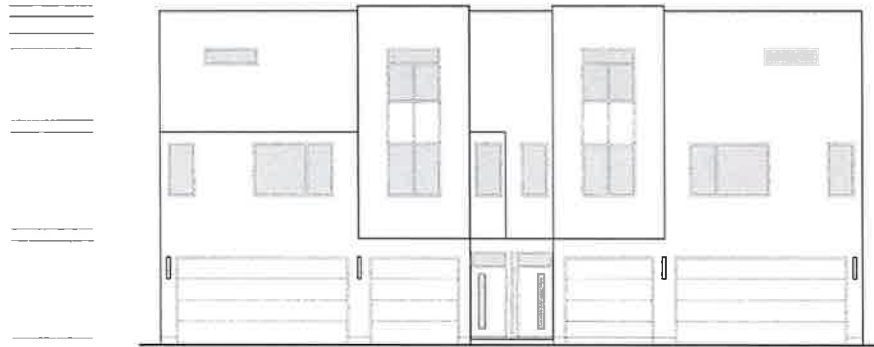
Floor Plans
Bldg 3



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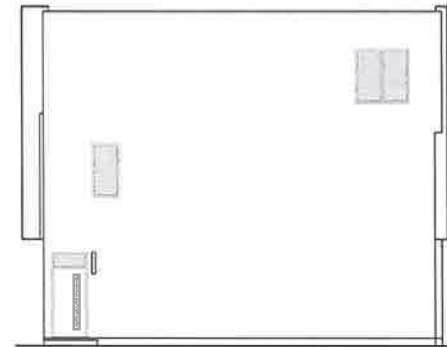
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Date	Mar 11 2022
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Drawn	DL
Checked	DL
Sheet Number	

A-104A
OF

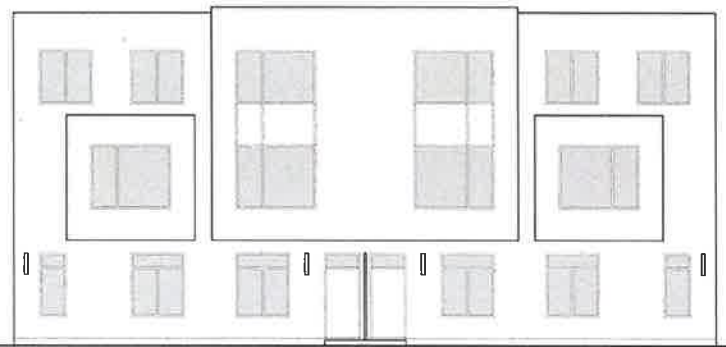


REAR ELEVATION

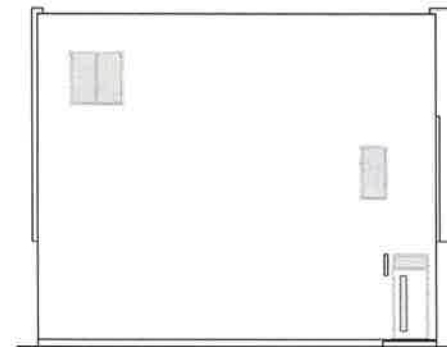
BUILDING 3




SIDE ELEVATION



FRONT ELEVATION



SIDE ELEVATION



DWELL
DESIGN STUDIO

p 252.550.7475
e dwel@dwel.net

www:
Dwell Design Studio
6637 Caruso Drive
Vernon, NC, 28158

DATE: _____ SHEET NO: _____

PROJECT TITLE:

Proposed Residential Development
1806 43 Avenue
Vernon, NC

SHEET TITLE:

Elevations Bldg 3

BOXFORD HOMES

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Job No: 2021-220
Date: Mar 19, 2022
Scale: 1/8" = 1'-0"
Drawn: DC
Checked: DC

SHEET NUMBER:
A-105
OF



VIEW FROM SOUTH WEST ON 43RD AVENUE LOOKING EAST



VIEW FROM 43RD AVENUE LOOKING NORTH



VIEW FROM SOUTH EAST ON 43RD AVENUE LOOKING WEST

**BOXFORT
HOMES**

**DWELL
DESIGN STUDIO**



VIEW FROM NORTH WEST AT REAR LOOKING EAST



VIEW FROM WEST LOOKING EAST - INTERNAL DRIVE AISLE

**DWELL
DESIGN STUDIO**

p 202 550 7475
x dwe@dwelldc.com

1001
Dwell Design Studio
6027 Camino Dine
Vernon, BC, V1H 1M1

DATE: _____ SCALE: 1/8" = 1'-0"

PROJECT TYPE:
Proposed Residential Development
1805 43 Avenue
Vernon, BC

SHEET TITLE:
Renderings

**BOXFORT
HOMES**

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Date: _____ May 18, 2022
User: _____ NTH
Drawn: _____ DC
Checked: _____ DC

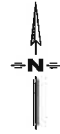
SHEET NUMBER:
A-107
OF

1609 43rd AVENUE VERNON, BC ISSUED FOR DEVELOPMENT VARIANCE PERMIT

LEL PROJECT NO: #246-1
CoV PROJECT NO: DVP00569/ZON00385



SITE LOCATION PLAN
SCALE 1:1000

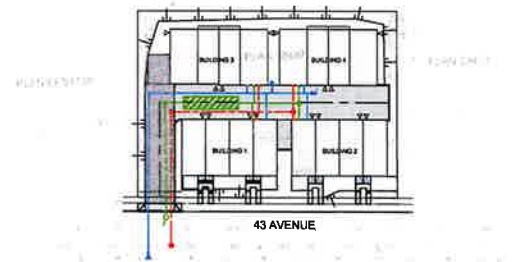


823C LAKESHORE DRIVE W
PO BOX 108 SALMON ARM, BC V1E 4N2
PH. (250) 832-3220



DRAWING INDEX:

- C000 - SHEET 1 OF 5- TITLE PAGE
- C101 - SHEET 2 OF 5- OVERALL SITE SERVICING PLAN
- C102 - SHEET 3 OF 5- OVERALL SITE GRADING PLAN
- C201 - SHEET 4 OF 5- ROADWORKS & UTILITY PLAN/PROFILE
- C801 - SHEET 5 OF 5- GENERAL CONSTRUCTION NOTES



CONTROL DATA LOCATION PLAN
SCALE 1:500

Z:\Projects\14651 - 1609 43rd Ave - Vernon\1 - City Engineering\Drawings\1 - Design\146-1 - 1609 43rd Ave - Vernon - DRW 1609 43rd

18.08.2022

REV. No	DATE	DESIGNED	DRAWN	CHEKED	DESCRIPTION
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2	2/22/2022	shp	shp	ENC	ISSUED FOR DEVELOPMENT VARIANCE PERMIT

ISSUED FOR DEVELOPMENT VARIANCE PERMIT



823C LAKESHORE DRIVE W
PO BOX 108 SALMON ARM, BC V1E 4N2
PH. (250) 832-3220

SCALE
N/A
N/A

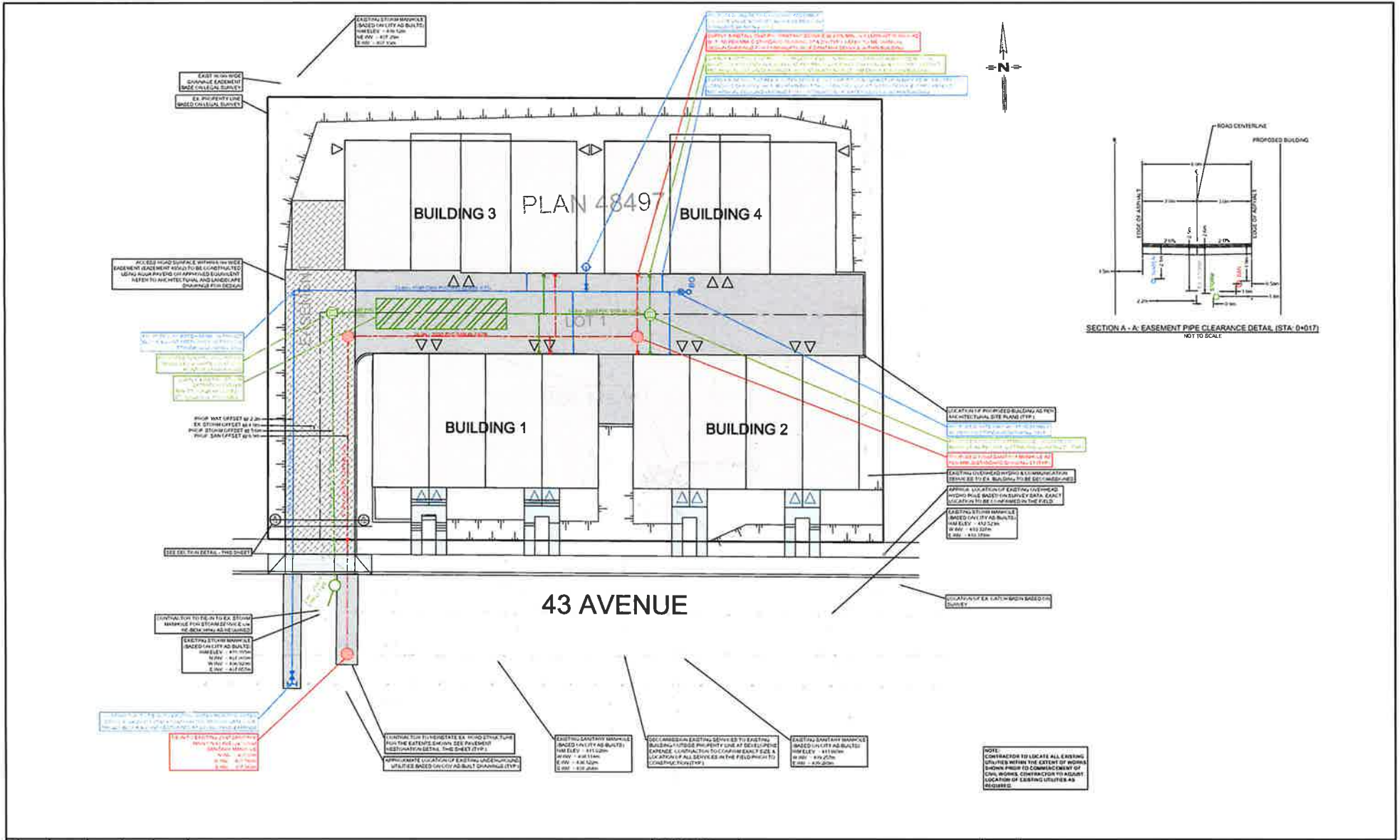
SHEET
1 OF 7

TITLE
TITLE PAGE

DRAWING NUMBER
C000

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18.03.2022



REV. NO.	DATE	DESIGNED	DRAWN	CHECKED	DESCRIPTION
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1	2022/01/11	N/A	N/A	TRC	REVISED FOR DEVELOPMENT VARIANCE PERMIT

PERMIT NO.	ISSUED FOR DEVELOPMENT VARIANCE PERMIT

ISSUED FOR DEVELOPMENT VARIANCE PERMIT

LAWSON
ENGINEERING LTD.

8256 LAKESHORE DRIVE W
PO BOX 108 SALMON ARM, BC V1E 4N2
PH. (250) 832-3220

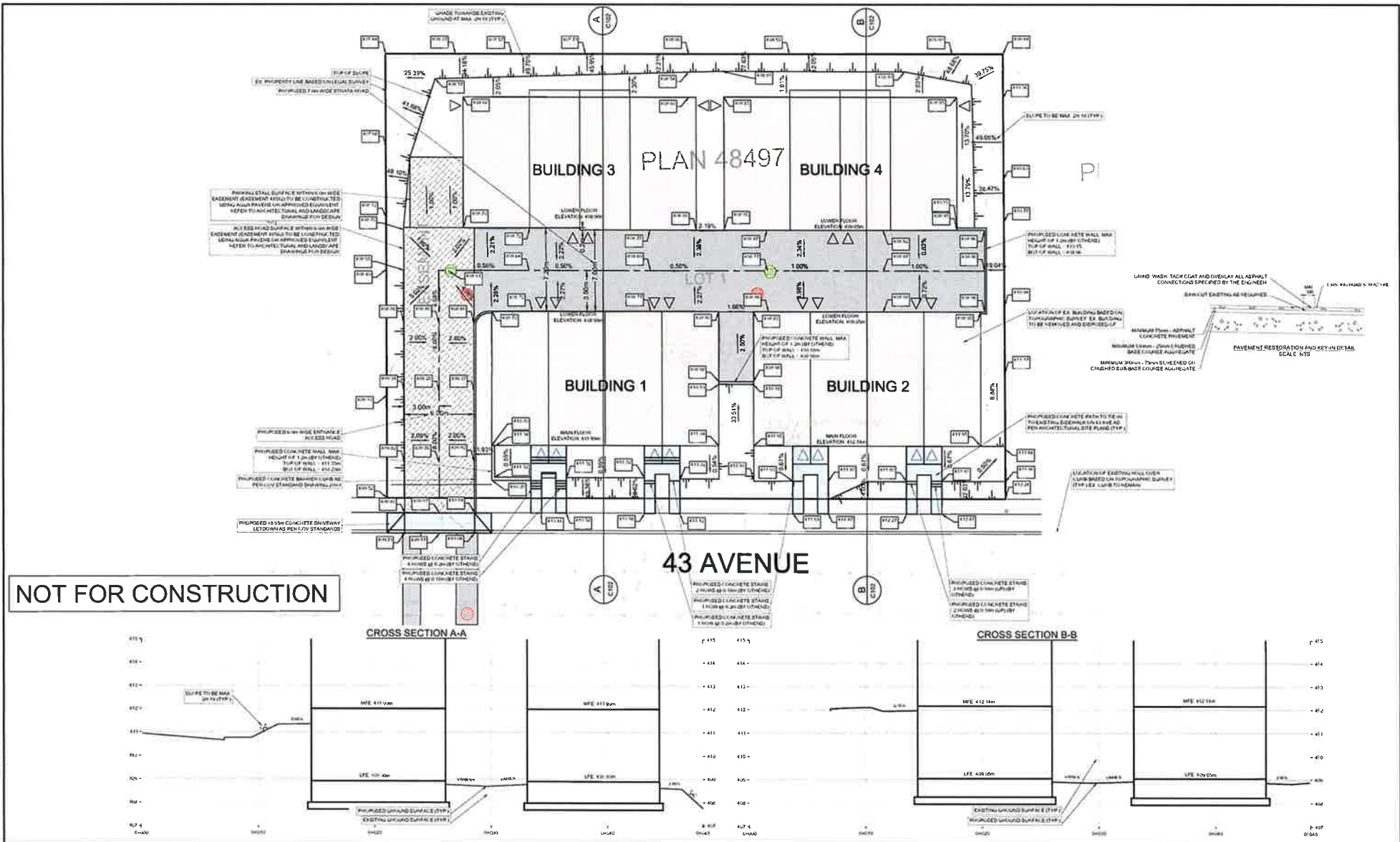
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SHEET
1 OF 7

TITLE
OVERALL SITE SERVICING PLAN

DRAWING NUMBER
C101


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 11/28/2022



NOT FOR CONSTRUCTION

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1					ISSUED FOR DEVELOPMENT VARIANCE PERMIT

ISSUED FOR DEVELOPMENT VARIANCE PERMIT



LAWSON
ENGINEERING LTD

8250 LAKESHORE DRIVE W
PO BOX 106 SALMON ARM, BC V1E 4N2
PH: (250) 632-3220

SCALE
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V: 1:2

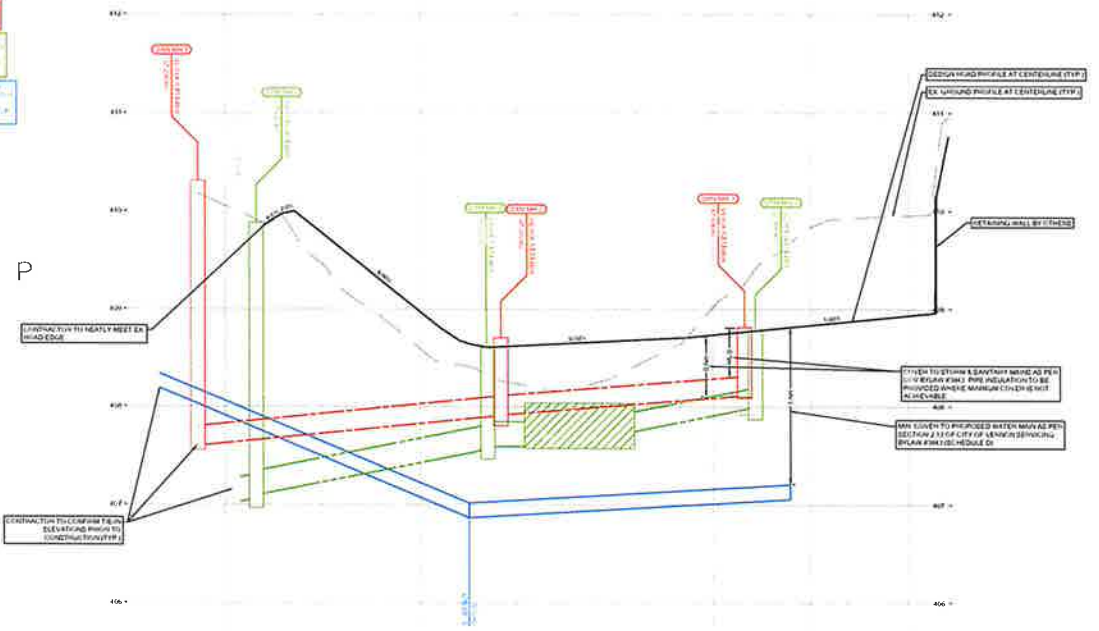
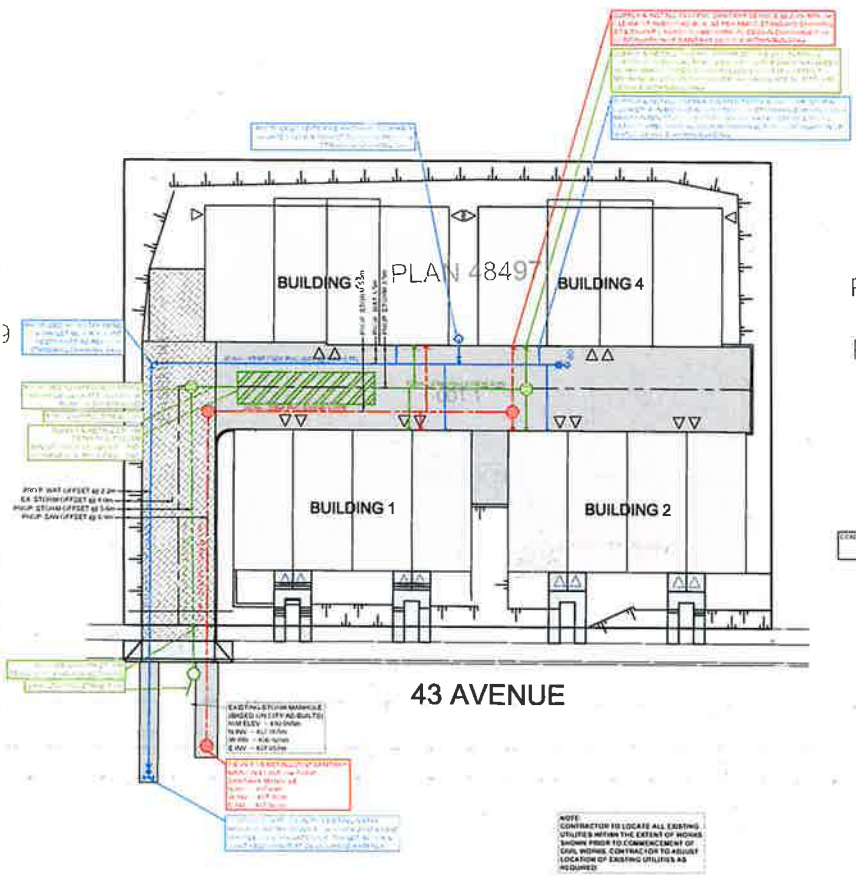
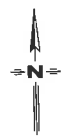
SHEET
OF 7

TITLE
OVERALL GRADING PLAN

DRAWING NUMBER
C102

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18.06.2022



STATION	1+00	1+20	1+40	1+60	1+80	2+00	2+20	2+40	2+60	2+80	3+00
Profile											
Utility											
Structure											

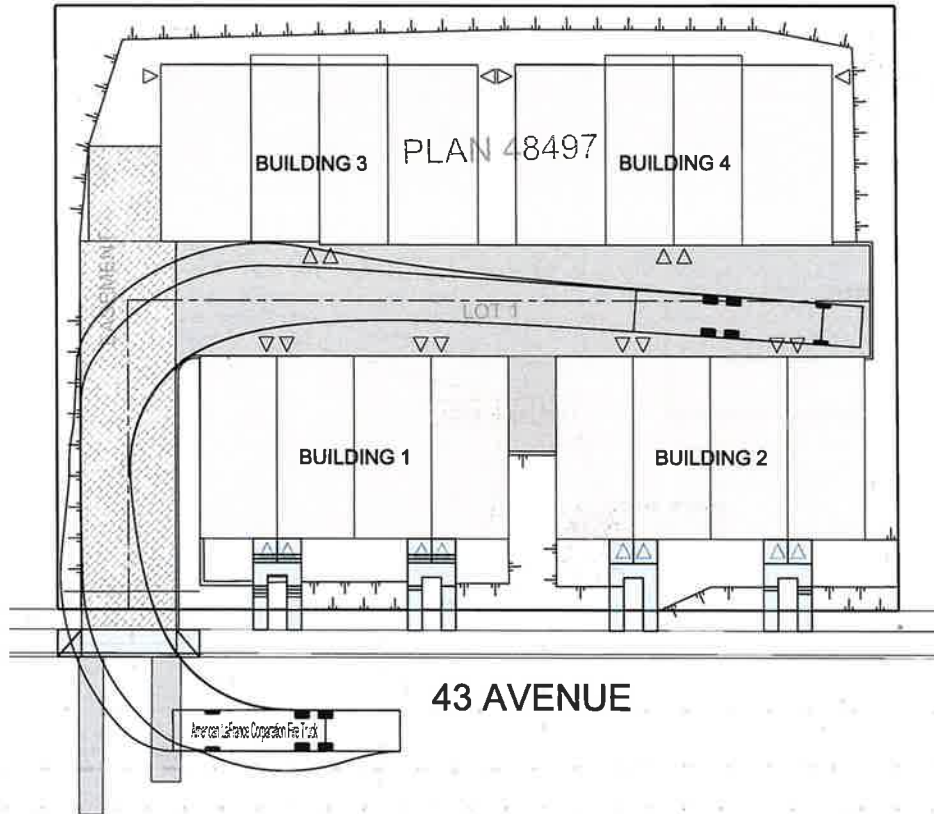
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ISSUED FOR DEVELOPMENT VARIANCE PERMIT


LAWSON
 ENGINEERING LTD.
 8250 LAKESHORE DRIVE W
 PO BOX 106 SALMON ARM, BC V1E 4N2
 PH: (250) 832-3229

SCALE
 H: 1:150
 V: 1:2
 SHEET
 3 OF 7
 TITLE
 ROADWORK & UTILITY LAYOUT
 PLAN/PROFILE
 DRAWING NUMBER
 C201

S1739



P

LEGEND

NOTES:

- 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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- 9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

KEY:

- Red circle: EXISTING
- Green circle: PROPOSED
- Blue circle: TO BE REMOVED
- Yellow circle: TO BE MAINTAINED
- Black circle: TO BE DEMOLISHED
- Red line: EXISTING
- Green line: PROPOSED
- Blue line: TO BE REMOVED
- Yellow line: TO BE MAINTAINED
- Black line: TO BE DEMOLISHED

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DESIGNER:
THE CONSULTANT SHALL CHECK AND VERIFY ALL DIMENSIONS AND UTILITY LOCATIONS AND REPORT ALL ERRORS AND OMISSIONS PRIOR TO COMMENCING WORK.

DRAWINGS ARE NOT TO BE SCALED.

NO.	DATE	DESCRIPTION	BY	CHKD.

REVISIONS	
DESIGN	SPH
DRAWN	DP
DATE	2022-08-19
CHECKED	TRC

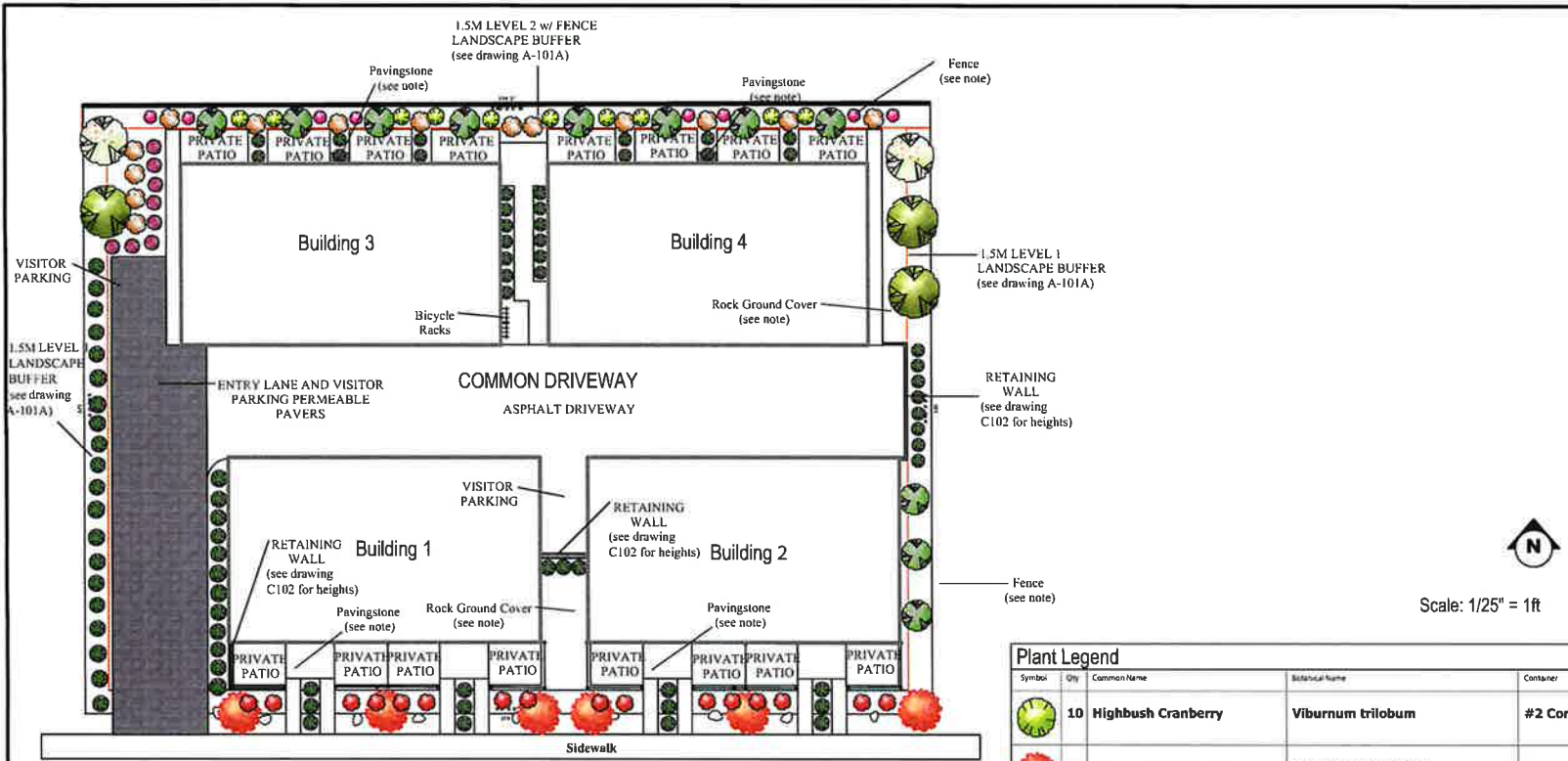
SCALE: 1:100

LAWSON
ENGINEERING LTD.
8250 LAKESHORE DRIVE W
PO BOX 156 SALMON ARM BC V1E 4N2
P: (250) 842-0200

1609 43rd AVENUE
VERNON, BC

FIRE TRUCK
TRACKING
WESTBOUND ON
43rd AVENUE

PROJECT NO.	246-1
SHEET	3 OF 3
DRAWING NO.	C903
DATE	0



DRAWING NOTES

ROCK GROUND COVER:
The contractor shall supply and place rock ground cover to those areas shown on the drawings. Product shall be 1"-3" in diameter for areas with 20% or less slope and 4"-6" for all areas greater than 20% to stop erosion. Product to be verified by owner prior to purchase and installation. All Rock areas to have weed barrier fabric beneath them. See drawing C102 for grading details.

PLANTS:
All plant material to receive sufficient soil and install according to city standards.

EDGING:
The contractor shall supply and install 150mm depth heavy-duty edging to separate Rock areas.

IRRIGATION:
The contractor shall supply and place irrigation system. All work and products shall meet the Irrigation Association of B.C. standards and specifications. All planting areas are to be irrigated with an automatically timed drip irrigation system.

FENCE:
The contractor shall supply and install fence as shown in drawings. All Fence areas to be a 3 rail fence. Products to be verified by owner prior to purchase and installation.

PAVINGSTONE:
The contractor shall supply and install patios according to drawings. Products to be verified by owner prior to purchase and installation.

PRIVATE AMENITY SPACE:
See A-101B - Site Plan Open space for amenity space sizes.

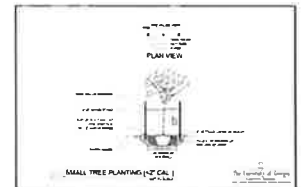
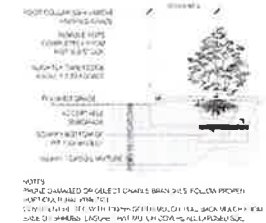
Symbol	Qty	Common Name	Botanical Name	Container
	10	Highbush Cranberry	Viburnum trilobum	#2 Cont.
	6	Autumn Blaze Maple	Acer freeman Sienica	2" cal.
	3	Columnar Norway Maple	Acer platanoides 'Columnare'	2" cal.
	8	Hidcote English Lavender	Lavandula angustifolia 'Hidcote'	#1 Cont.
	80	Karl Foerster Feather Reed Grass	Calamagrostis acutiflora 'Karl Foerster'	#2 Cont.
	14	Kesselringi Dogwood	Cornus alba 'Kesselringi'	#5 Cont.
	16	Rosy Glow Barberry	Berberis thunbergii 'Rosy Glow'	#2 Cont.
	11	Swedish Columnar Aspen	Populus tremula 'Erecta'	2" cal.
	2	Chokecherry	Prunus virginiana	2@ cal.
	8	Wild Rose	Rosa acicularis	#2 Cont.



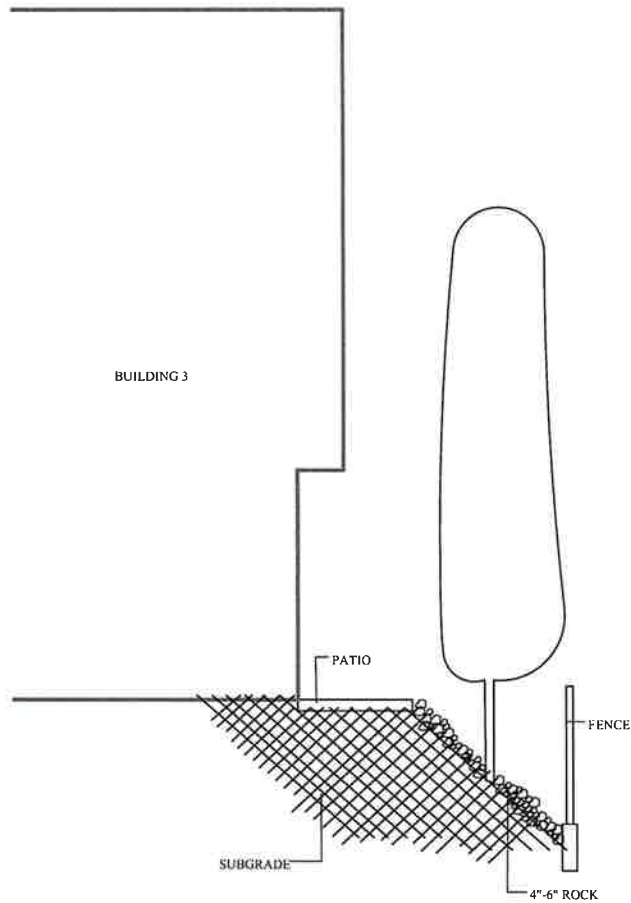
8904 ORCHARD RIDGE DRIVE
COLDSTREAM, BC
V1B 1Z7
TEL. (780)581 5101
creativeedgelandscapingtd@gmail.com

General Notes:

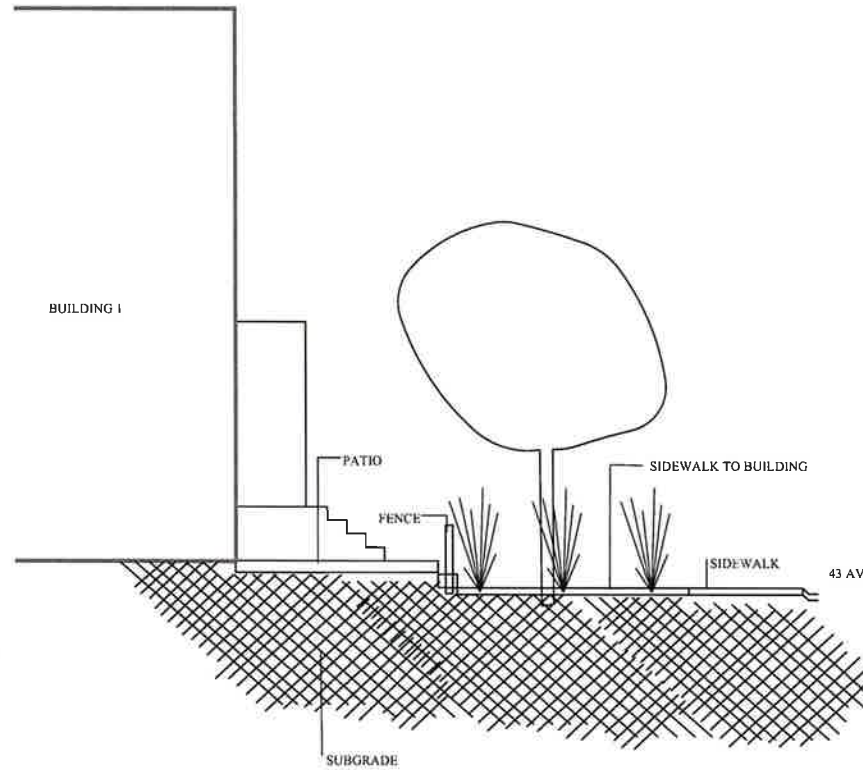
- Contractor to provide 1 year warranty on all plant material and workmanship
- Owner to verify all products prior to purchase.
- Check and verify all critical details prior to the start of construction and contact this office if any clarification is required. Contractor is responsible to notify owner about any conflicting design instructions. Costs to remediate such work completed before owner can issue revisions are the sole responsibility of the Contractor.



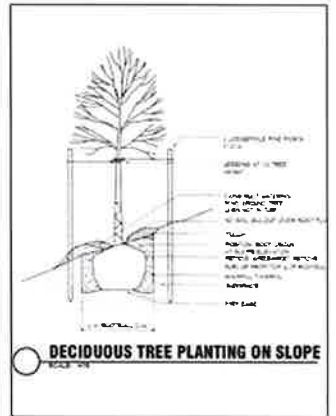
BOXFORD HOMES
1609 43rd AVENUE
VERNON, BC
LANDSCAPE PLAN



 **LANDSCAPE SECTION REAR PROPERTY**
 SCALE: NTS



 **LANDSCAPE SECTION FRONT PROPERTY**
 SCALE: NTS



CHRIS POLLEN
 1609 43rd AVENUE
 VERNON, BC

DETAILS

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*)



9.13 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)*



Phone: 250.307.2038
Email: mark@canyonwren.ca

March 29, 2022

City of Vernon
3400 – 30 Street
Vernon, BC V1T 5E6

Via: Chris Pollen
Email: chris@boxfort.ca

RE: Environmental Assessment for 1609 43rd Avenue, Vernon, BC (PID: 017-995-388)

To Jack Shipton,

Canyon Wren Consulting Inc. was retained by Chris Pollen of 1609 43 Ave GP Ltd. (the Proponent), to conduct an environmental site assessment for the following development proposal. The development area consists of a single lot located at 1609 43rd Ave. The Proponent is proposing to rezone from R5 to RH2 and develop a 16 unit ground-oriented townhouse project. As part of the proposal, a DVP will be sought to allow for two setback variances. First, a side yard reduction along the East property line from 3.0/6.0 m to 2.01/3.97 m. Second, a rear yard reduction along the North property line from 9.0 to 3.71 m.

Canyon Wren's role was to complete a site investigation and prepare a letter identifying environmental impacts likely to arise from proposed development, along with appropriate mitigation's.

The proposed development is located within the Cities Neighbourhood District (MA 2) and therefore requires identification and review of the following features, as per the Cities Environmental Management Areas (EMA) Strategy.

Neighbourhood District – Management Area 2

1. Identification of natural habitats, habitat values and features on the subject property
2. Waterbody identification, and Riparian Areas Protection Regulation assessment if necessary
3. Tree identification, protection and inclusion on a site plan
4. Wildlife corridor identification and protection as appropriate (based on SEI polygon data and mapping)
5. Identification of stormwater drainage and percentage of impervious surfaces
6. Landscaping requirements i.e. irrigation demand, landscaping type

OBSERVATIONS AND ASSESSMENT

Site visits conducted on November 26th, 2021 and March 17th, 2022 revealed the following, which are described in the same order as the Management Area 2 requirements identified above:

- Based on existing Terrestrial Ecosystem Mapping (TEM) and Sensitive Ecosystem Inventory (SEI) mapping, the subject property is covered by a single EMA habitat polygon (Figures 1 and 2), which is rated as having moderate conservation value (CV). Those mapping products, were prepared at a 1:20,000 mapping scale. As such, that polygon is identified as consisting of 80% IDFxh1 exposed soil (ES), 10% IDFxh1 cattail marsh (CT) and 10% IDFxh1 bulrush marsh (BM, see Table 1 below). CV rankings in mapping products of this scale, are intended to be conservative in nature. The moderate value observed in this CV ranking is a function of the two most valuable habitat components of the identified polygon, the 20% of marsh habitat. The remaining 80% is exposed soil habitat of extremely low conservation value.

Table 1. Historically observed vegetation communities within the habitat polygon encompassing the subject property and several surrounding areas.

Biogeoclimatic Zone	Site Series	Common Name	Polygon %	Status	Habitat
IDFxh1	CT	Cattail Marsh	10	Blue listed	Typically occurs on level sites with deep, medium-textured soils. Sites are dominated by cattails with few other species.
IDFxh1	BM	Bulrush Marsh	10	Blue listed	Typically occurs on level sites with deep, fine-textured soils. Vegetation species diversity is unique but low.
IDFxh1	ES	Exposed Soil	80	NA	Areas of exposed soils and typically include recent disturbances.

- At the much finer spatial scale (1:250) of this assessment, it was observed that currently the entire subject property exists in a highly disturbed state. Site disturbance takes the form of a lawn and residence, along with what appears to be the recent creation of a large gravel parking pad with subsurface drainage leading moisture off site to the NE (Photos 1-6). An area of cattail is regenerating in the SW corner of the subject property, due to continued near-surface water flow (Photo 2). Given its extremely small size, poor condition and isolation, this area, along with the other habitats observed on site, currently have very low Conservation Value.
- A review of google earth imagery shows that in 2013 (Figure 1) approximately half the lot, with the exception of the residence, was vegetated with what appears to be a low lying wet area surrounded by dense riparian trees and shrubs. In discussions with the previous owner, he described it as a wet peat moss area with shrubs. He contends that installation by the City, of an elevated storm drain within the subject properties western boundary (visible in Fig 1 and Photo 2), has led to a blocking of subsurface water flow through the subject property, and resulted in the observed condition. In 2018, the Cities orthophotos show the active removal of vegetation (Figures 2 and 3) along with the start of gravel fill placement. Note the excavator positioned in the SW corner of the subject property.

It appears the entire area within the EMA polygon in question, has undergone the slow and deliberate removal of wetland habitats and attempted drainage redirection. During the site investigation it was noted that a "Stop Work" order had been issued for the property to the North, after recent excavation appeared to have removed riparian shrub vegetation (Figure 2 vs Photos 6 and 7). Furthermore, the presence of a small man-made bermed wetland, located just north of the subject property in a covenanted green space (Figure 3), appears to be where much of the areas near-surface water is haphazardly being re-directed (Photo 8).

- Although surface water may show in the created sedge/cattail depression, especially after rain or spring melt events, this is not a Riparian Areas Protection Regulation (RAPR) feature as it does not connect by overland flow to a RAPR feature.
- Given the quantity of near and subsurface water on the site, it is anticipated, but not confirmed that amphibian breeding may occur in the man-made bermed wetland immediately north of the subject property.
- Aside from lawn, the only vegetation present on the subject property are 2 cottonwood trees adjacent to the property line in the NE corner of the property (Photo 4), a non-native chestnut tree with 2 stems, located on the street side of the existing residence, and the sedges and cattails that are beginning to colonize the depression in the SW corner of the property, from where material was formerly removed (Photo 2). None of the trees on the subject property or any observed within the vicinity of the subject property, contain cavities or stick-nests.
- A regional wildlife corridor is located approximately 500 m to the north of the proposed development. Given the poor CV of the subject property, connectivity to this area is not considered critical.

- The total area of the subject property is 2025 m². Given the current development layout, the project will result in an area of approximately 1402 m² or 69.2 percent, of impervious surface as a result of proposed driveway, parking and residences (Figure 3). Stormwater will be directed into storm-drains.

RECOMMENDATIONS

As described in the observations and assessment section above, the proposed development site is largely disturbed with native vegetation being limited to two cottonwoods located along the NW property line. As such, impacts to wildlife habitat values and rare or sensitive plant communities will be low. To ensure that impacts to the environment from the proposed development are minimized, and do not extend beyond the existing subject property, the following mitigation measures will be adhered to:

- An environmental monitor will be retained by the Proponent, to ensure that the recommendations identified within this report are fulfilled. Site inspection frequency will be timed to key construction activities, relevant wildlife timing windows and based on weather events (e.g. after periods of intense rainfall). The monitor has the authority to halt construction activities if impacts to sensitive species, habitat features or habitats are likely to occur.
- Prior to site development, the Proponent will conduct the clearing of necessary ornamental and native trees between August 16 and March 15, to discourage nesting of migratory birds, by removing suitable habitat.

Active migratory bird nests are fully protected under the B.C. Wildlife Act and the federal Migratory Birds Convention Act; it is an offence to destroy nests occupied by a bird, its eggs or it's young. Vegetation disturbance or removal activities during this nesting period will require an intensive series of pre-construction nesting bird surveys by a qualified wildlife biologist.

- Prior to site development, amphibian breeding or use of available habitats immediately north of the subject property should be confirmed. Should Western toads (*Anaxyrus boreas*) or Great Basin spadefoots (*Spea intermontana*) be observed, an amphibian management plan should be created. The plan would address issues such as appropriate works timing restrictions, site isolation, salvage / removal, and required permitting, as necessary.
- As identified earlier, the subject property and entire EMA polygon, exhibit substantial near and sub-surface water movement. This has historically manifest as small patches of wetland habitats. These wetlands have experienced what appears to be deliberate removal. It is recommended that as land manager, the City take responsibility to ensure that the flow and movement of near-surface water through this property and adjacent ones occurs in a coordinated fashion. It appears a triangular portion of the property to the north has already been covenanted for this purpose. Its current design and function however, appear lacking. Perhaps the existing bermed wetland located within that covenanted triangle could be redesigned, such that it becomes more capable of: accommodating flow from surrounding developments, acting as storm-water retention, supporting trees that contribute to climate resilience and creating diverse permanent wetland habitat for amphibians, birds and wildlife. Provided the Proponent of this project is given suitable design specifications, they could ensure near-surface flow through their site contributes to these off-site goals.
- Given the volume of near-surface water moving through the site, the Proponent will take the following precautions during construction to ensure that water is not contaminated:
 - Ensure equipment and machinery is in good operating condition, clean (power washed off-site) and free of leaks, excess oil and grease.
 - All hydraulic machinery entering the property will be equipped with environmentally sensitive hydraulic fluids that are non-toxic to aquatic life and that are readily or inherently biodegradable (e.g. Chevron Clarity AW, Enviro-Plus 46 AW, etc).
 - Equipment refuelling or servicing will be conducted off-site or over an approved drip pan.

- Spill containment kits will be readily accessible on-site in the event of a release of a deleterious substance to the environment and on-site staff will be trained in their use.
- Contractors will immediately report any spill of a substance that is toxic, polluting, or deleterious to aquatic life of report-able quantities to the Provincial Emergency Program 24-hour phone line at 1-800-663-3456
- Weeds and invasive plant species are not particularly abundant within the subject property, as little vegetation exists. However, throughout construction the Proponent will:
 - Ensure equipment and machinery is clean and power washed off-site prior to site entry
 - Implement the Environmental Monitors treatment recommendations as observations of invasive species are noted.
- Upon construction completion, it is recommended that the rear and side-yard setbacks be landscaped with primarily native trees and shrubs. This along with weed and invasive species management will help enhance the diversity and integrity of the transition between the subject property and the existing bermed wetland to the north. Suitable trees and shrubs include, but are not limited to the following: aspen, cottonwood, birch, hawthorn, pin cherry, choke cherry, dogwood, oceanspray, wildrose, highbush-cranberry, black twinberry and ninebark. A proposed landscape plan has been created and is included in Appendix I.
- All patios and sidewalks will be constructed of semi-permeable paving stones, to limit the amount of impervious surface to the greatest extent possible.
- A post-development report, outlining the degree of compliance with the above mitigation's and reviewing the success of migrations implemented during construction, will be produced and submitted to the City.

CONCLUSION

In summary, the subject property has experienced significant historical site disturbance, resulting in its low Conservation Value. The proposed development will make maximal use of this disturbance. With the identified mitigation's of; implementing wildlife timing windows, surveying and managing for at-risk amphibians, coordinating management of near-surface water movement thorough surrounding properties, implementing precautions to minimize potential contamination of near-surface ground water, directing habitat enhancement within the identified green space and native tree/shrub vegetation adjacent to its transition, the proposed development will minimize potential impacts to the greatest extent possible. Please contact the undersigned if you have any questions or to discuss this in further detail.

Sincerely,



Mark Piorecky, M.Sc., R.P.Bio.
Senior Wildlife Biologist
Canyon Wren Consulting Inc.



Figure 1. Subject Property in relation to surrounding land-use and wetland habitats in 2013.



Figure 2. Subject Property in relation to surrounding land-use and wetland habitats in 2018.

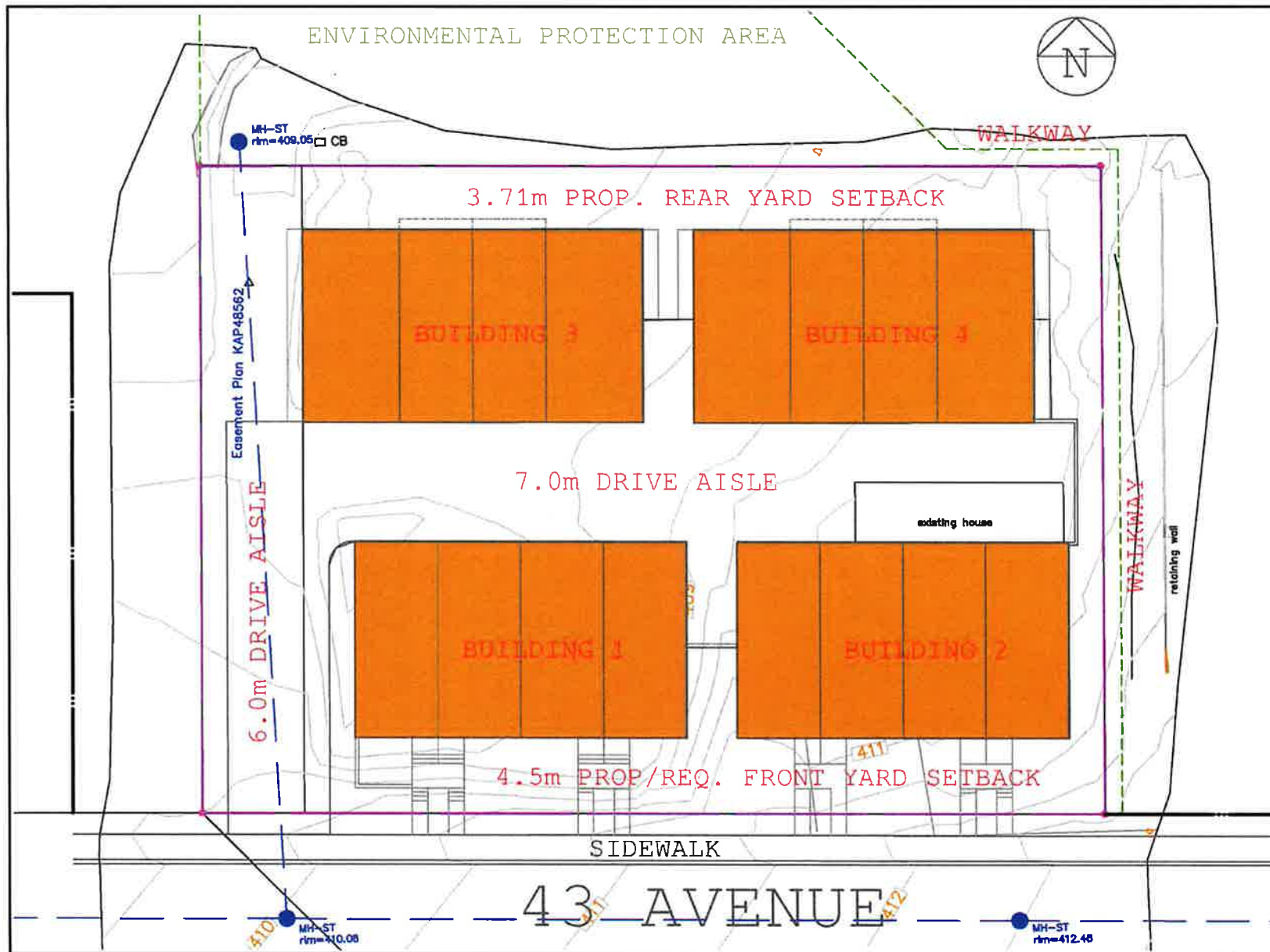


Figure 3. Subject Property proposed development plan in relation to property boundaries, contours and existing residence.



Photo 1. Wide angle view from the centre of subject property standing on the N property line (looking S) – Nov 26, 2021.



Photo 2. View of subject property from SW corner, berm containing City installed storm drain along west property boundary (small trailer parked on north end) and limiting water movement through the subject property, damp depression with cattails located right of centre and chestnut tree beyond (looking NE) – Mar 17, 2022.



Photo 3. View of subject property from SW corner, existing driveway, residence and lawn (facing NW) – Mar 17, 2022.



Photo 4. Standing near NE corner of property looking SW. Shed positioned very near N property boundary – Nov 26, 2021.



Photo 5. View of subsurface site drainage in neighbouring property (facing S) – Nov 26, 2021.



Photo 6. View of disturbed wetland area into which water temporarily drains on the property to the NE (facing SE) – Nov 26, 2021.

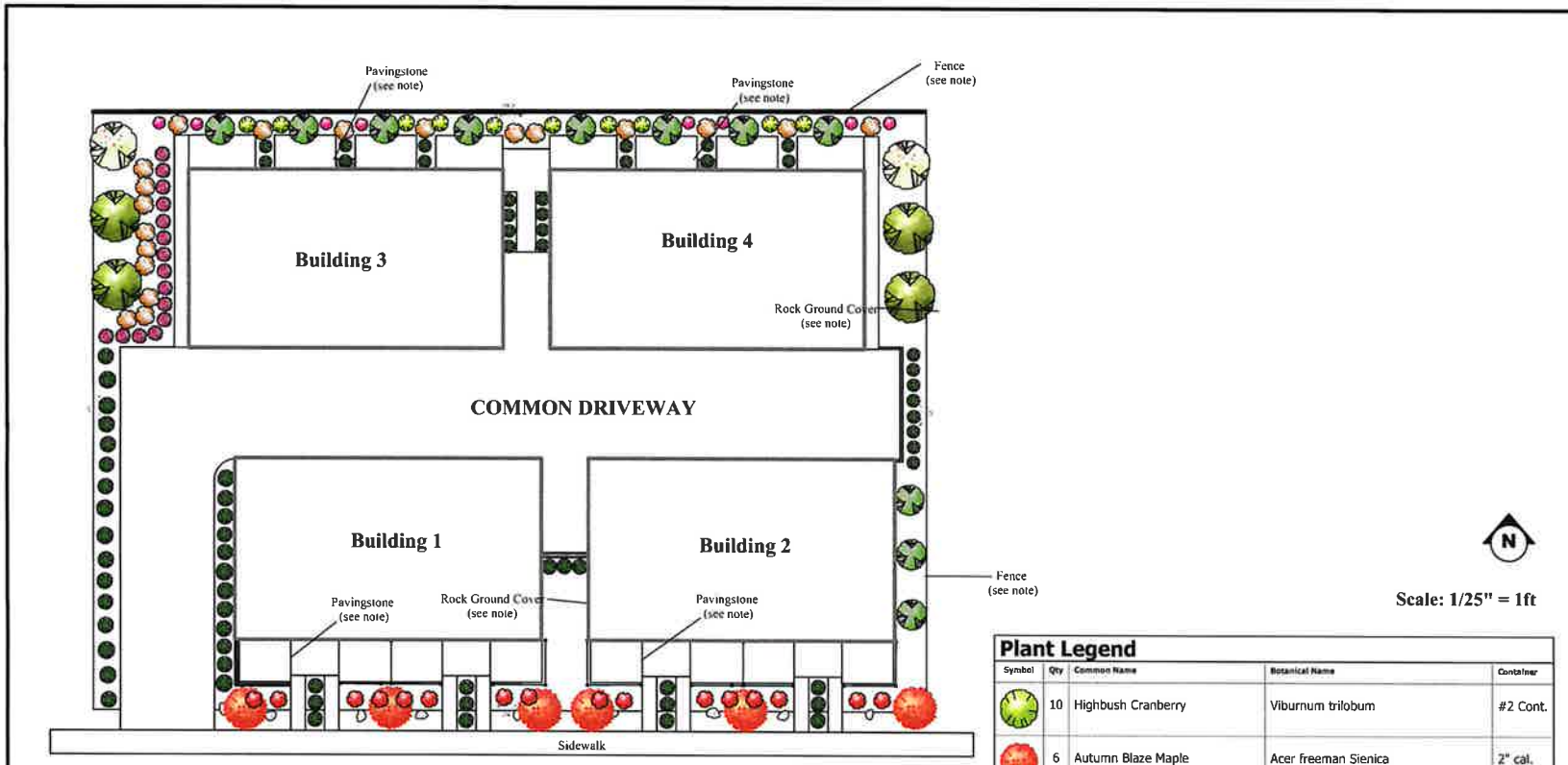


Photo 7. Recently disturbed wetland area at the far N end of the property to the N (facing N) – Nov 26, 2021.



Photo 8. Bermed wetland area immediately north of subject property, into which it appears water is being directed (facing NW) – Mar 17, 2022.

APPENDIX I. Proposed Landscape Plan



43 AVENUE

DRAWING NOTES

ROCK GROUND COVER:
 The contractor shall supply and place rock ground cover to those areas shown on the drawings. Product shall be 1"-3" in diameter for areas with 20% or less slope and 4"-6" for all areas greater than 20% to stop erosion. Product to be verified by owner prior to purchase and installation. All Rock areas to have weed barrier fabric beneath them.

PLANTS:
 All plant material to receive sufficient soil and install according to city standards.

EDGING:
 The contractor shall supply and install 150mm depth heavy-duty edging to separate Rock areas.

IRRIGATION:
 The contractor shall supply and place irrigation system. All work and products shall meet the Irrigation Association of B.C. standards and specifications. All planting areas are to be irrigated with an automatically timed drip irrigation system.

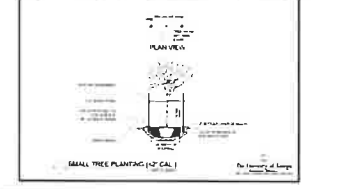
FENCE:
 The contractor shall supply and install fence as shown in drawings. All Fence areas to be a 3 rail fence. Products to be verified by owner prior to purchase and installation.

PAVINGSTONE:
 The contractor shall supply and install patios according to drawings. Products to be verified by owner prior to purchase and installation.

Plant Legend				
Symbol	Qty	Common Name	Botanical Name	Container
	10	Highbush Cranberry	Viburnum trilobum	#2 Cont.
	6	Autumn Blaze Maple	Acer freeman Sienica	2" cal.
	4	Columnar Norway Maple	Acer platanoides 'Columnare'	2" cal.
	15	Hidcote English Lavender	Lavandula angustifolia 'Hidcote'	#1 Cont.
	71	Karl Foerster Feather Reed Grass	Calamagrostis acutiflora 'Karl Foerster'	#2 Cont.
	19	Kesselringi Dogwood	Cornus alba 'Kesselringi'	#5 Cont.
	16	Rosy Glow Barberry	Berberis thunbergii 'Rosy Glow'	#2 Cont.
	11	Swedish Columnar Aspen	Populus tremula 'Erecta'	2" cal.
	2	Chokecherry	Prunus virginiana	2@ cal.
	8	Wild Rose	Rosa acicularis	#2 Cont.

8904 ORCHARD RIDGE DRIVE
COLDSTREAM, BC
V1B 1Z7
TEL. (780)581 5101
creativeedlandscapingltd@gmail.com

- General Notes:
1. Contractor to provide 1 year warranty on all plant material and workmanship
 2. Owner to verify all products prior to purchase.
 3. Check and verify all critical details prior to the start of construction and contact this office if any clarification is required. Contractor is responsible to notify owner about any conflicting design instructions. Costs to remediate such work completed before owner can issue revisions are the sole responsibility of the Contractor.



CHRIS POLLEN
1609 43rd AVENUE
VERNON, BC
LANDSCAPE PLAN

Medium Density Zoning Comparison Chart
 ZON00385/DVP00569

Site Size	0.202												
Current Zoning	R5												
OCP	RMD (between 31-110 units/ha)												
By-law Review	Description	Density	Units	Bonus	Bonus Units	Site Coverage	Impermeable Surfaces	Height	Storeys	Front	Side	Rear	
R5	Four-plex housing Residential	30	8	None	None	40%	50%	10	2.5		4	2.5	7.5
RM1	Row Housing residential	48	10	60	12	65%	85%	10	2.5		4	1.2	6
RM2	Multiple Housing Residential	60	12	75	15	50%	55%	10	2.5		4.5	1.2	7.5
RH1	Low-Rise Apartment Residential	1.5 FAR		1.75 FAR		65%	85%	16.5	4.5		4.5		9
RH2	Stacked Row Housing Residential	100	20	125	25	65%	75%	16.5	4.5	4.5/6 (over 2 storeys)	3/6 (over 2.5 storeys)	7.5/9 (over 2 storeys)	
PROJECT		79	16			45%	72%	10	3	4.5 (2 storey)	2.04/3.97 (variance)	3.71 (variance)	



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Craig Broderick
Approving Officer

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: November 14, 2022
REPORT DATE: October 3, 2022
FILE: 3090-20 (DVP00561)

SUBJECT: DEVELOPMENT VARIANCE PERMIT FOR 1606 38th AVENUE

PURPOSE:

To review Development Variance Permit Application 00561 (DVP00561) for a detached garage at 1606 38th Avenue.

RECOMMENDATION:

THAT Council not support Development Variance Permit Application 00561 (DVP00561) to vary the following sections of Zoning Bylaw 5000 to allow for the construction of a detached garage on LOT 8 PLAN 474 SEC 2 TWP 8 ODYD OF S 156.14' EXC PL B1275 (1606 38th Avenue) as outlined in the report titled "Development Variance Permit for 1606 38th Avenue" dated October 3, 2022 and respectfully submitted by the Approving Officer:

- a) maximum allowable height for a secondary building, Section 4.5.6 from 4.5m to 6.25m;
- b) maximum allowable building area of a secondary building, Section 4.5.7 from 90m² to 131m² and a total area of 211m²; and
- c) maximum allowable impermeability coverage in R2 zone, Section 9.3.5 from 50% to 52.4%.

Note: Denial of the Development Variance Permit Application would restrict the height and building area of the proposed structures to meet the existing provisions of Zoning Bylaw 5000 and limit construction above the impermeable surface coverage. The applicant would be required to revise the proposal and future development on the subject property to meet the prevailing zoning requirements.

ALTERNATIVES & IMPLICATIONS:

THAT Council support Development Variance Permit Application 00561 (DVP00561) to vary the following sections of Zoning Bylaw 5000 to allow for the construction of a detached garage on LOT 8 PLAN 474 SEC 2 TWP 8 ODYD OF S 156.14' EXC PL B1275 (1606 38th Avenue) as outlined in the report titled "Development Variance Permit for 1606 38th Avenue" dated October 3, 2022 and respectfully submitted by the Approving Officer:

- a) maximum allowable height for a secondary building, Section 4.5.6 from 4.5m to 6.25m;
- b) maximum allowable building area of a secondary building, Section 4.5.7 from 90m² to 131m² and a total area of 211m²; and
- c) maximum allowable impermeability coverage in R2 zone, Section 9.3.5 from 50% to 52.4%;

AND FURTHER, that Council support of DVP00561 is subject to the following:

- a) the site plan, floor plan, building elevations and renderings illustrating the general siting, layout and dimensions of the proposed development be attached to and form part of DVP00561; and
- b) Road Reserve Covenant be registered on title that will allow the City to acquire the needed land in the future at no cost and ensures no buildings are built on a future alignment.

Note: This alternative is not consistent with Zoning Bylaw 5000 requirements for secondary buildings in residential zones and development regulations for R2 zone. This alternative allows the proposal to proceed subject to drawings being attached to the permit and the registration of a restrictive covenant guaranteeing future road dedications for the alignment of 38th Avenue/lane.

ANALYSIS:

A. Committee Recommendations:

At its meeting of October 12, 2022, the Advisory Planning Committee passed the following resolution:

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

B. Rationale:

1. The applicant has proposed to develop a detached garage for recreational vehicles and storage (Attachment 1). The subject property is LT 7 PL 474 SEC 2 TWP 8 ODYD (1606 38th Avenue) (Figures 1 and 2) and is 1980.3801m² (~0.49ac) which fronts on 38th Avenue. The subject property is designated Residential Low Density (RLD) in the Official Community Plan (OCP) and zoned R2 – Large Lot Residential in Zoning Bylaw 5000.
2. The subject application pertains to development regulations within Sections 4.5.7 and 9.3.5 of Zoning Bylaw 5000. The application proposes to vary the height restriction to 6.25m, the sum of the secondary building's site coverage to a maximum of 211m² and the total impermeable surface to a maximum of 52.4% of the total lot area.
3. The subject property sits in the centre of a future road connection (between 38th Avenue and the lane west of 38th Avenue.)
4. Administration does not support the development variance application for the following reasons:
 - a) The proposed 6.25m building intended to store recreational vehicles is a substantial variance above the 4.5m bylaw regulation. The proposed 6.25m structure would not

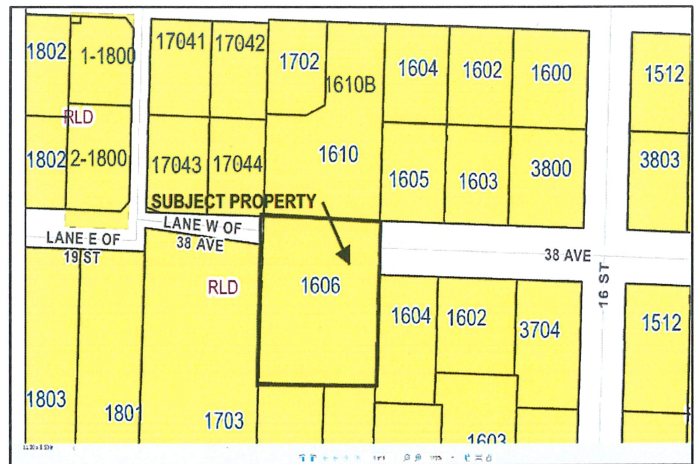


Figure 1 - Property Location Map



Figure 2 - Aerial View of Subject Property

be consistent with the adjacent buildings. The proposed secondary building is 2.18m above the primary building peak (ie on-site house) and 0.05m above the peak of the neighbouring house to the south.

- b) Building is 2.18m above the primary building peak and 0.05m above the neighbour's peak.
 - c) The application proposes to vary the maximum area of a secondary building from 90m² to 131m². The proposed garage, in addition to other structures (garden shed, pool shed, and pool), would bring the total site coverage on the subject property to 211m². This will result in 121m² variance above the total secondary building area that would be permitted as per the Zoning Bylaw.
 - d) The application proposes to vary maximum allowable impermeability coverage in R2 zone, Section 9.3.5 from 50% to 52.4%. The proposed cumulative area of 211m² of secondary building area is substantial given the residential nature of the area.
 - e) Given the proposed size of the structure (130.61m²) and the height of (6.25m), the proposed building may impact the neighbour's view and privacy of adjacent neighbour towards the south of the property line.
5. The property alignment between 38th Avenue to the east and the lane west of 38th Avenue is a major concern. If the Development Variance is approved, Administration recommends that the proposed drawings be attached to the permit and the registration of a restrictive covenant guaranteeing future road dedications for the alignment of 38th Avenue/lane be registered on-title.
6. The proposed variance is not consistent with the general intent and purpose of the Zoning Bylaw and sound planning principles, based on:
- a) the lot in question does not have any peculiar physical conditions, such as small lot size, irregular lot shape, exceptional topographical conditions, or other features, which make it impractical to develop in strict conformity with the bylaw standards;
 - b) strict application of the bylaw standards would not impose undue hardship on the owner by excluding them from the rights and privileges for reasonable use of the lot as enjoyed by other owners in the same zone;
 - c) the proposed variance may impact unduly on the enjoyment of adjacent properties; and
 - d) while the subject property is large at 1,980m² (0.49ac), the proposed garage, when considered in conjunction with other on-site buildings, is too large for the site and area.

C. Attachments:

Attachment 1 – Site Plan, Floor Plans, and Renderings

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

N/A

E. Relevant Policy/Bylaws/Resolutions:

1. Official Community Plan Bylaw 5470:
 - OCP Designation – Residential Low Density (RLD)

- Development District – Neighbourhood District

2. The following provisions of City of Vernon Bylaws are relevant to the subject application:

- Zoning Bylaw 5000:

Section 4.5.6 A secondary building or structure shall not exceed 4.5m or one storey in height, whichever is the lesser, unless specified otherwise in the development regulations of a particular zone or unless it is a Secondary Suite in which case Section 5.5 shall apply (Bylaw 5851).

Section 4.5.7 Lot coverage of secondary buildings or structures shall not exceed 14% or a maximum area of 90m² for secondary buildings in the residential zones.

Section 9.3.5 Maximum site coverage is 40% and together with driveways, parking areas and impermeable surfaces shall not exceed 50%.

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Approved for submission to Council:

X

 Craig Broderick
 Approving Officer

 Will Pearce, CAO

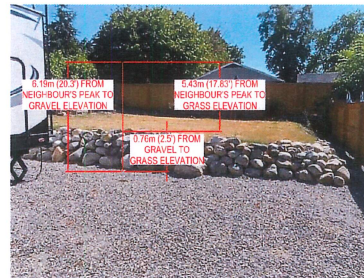
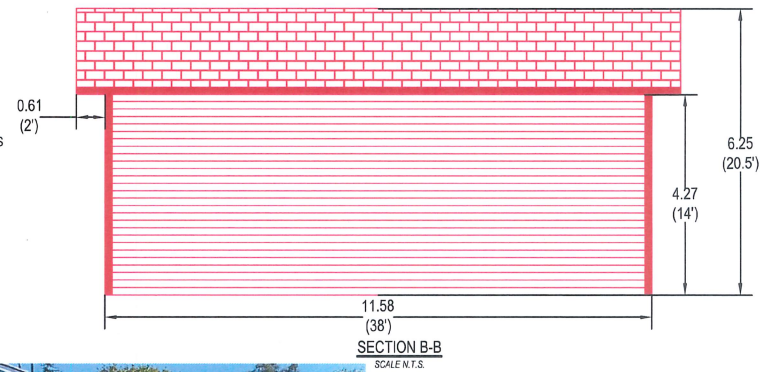
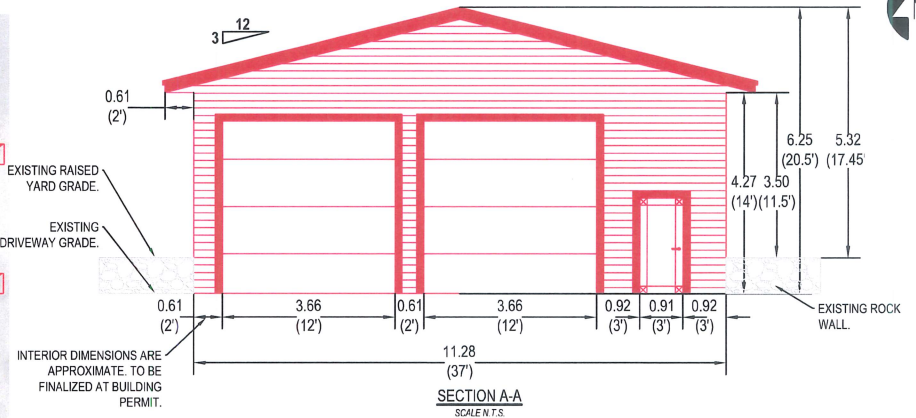
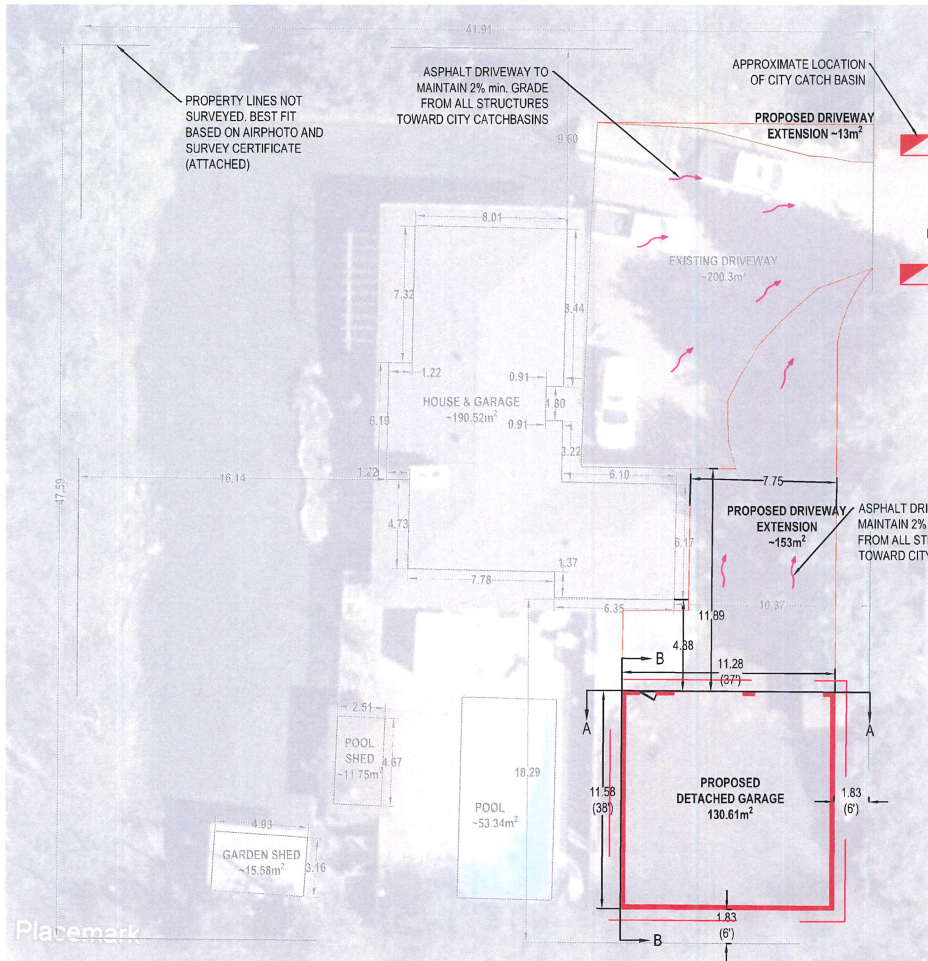
Date: _____

X

 Kim Flick
 Director, Community Infrastructure and Development

REVIEWED WITH

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| <input type="checkbox"/> Bylaw Compliance | <input type="checkbox"/> Public Works/Airport | <input type="checkbox"/> Long Range Planning & Sustainability |
| <input type="checkbox"/> Real Estate | <input type="checkbox"/> Facilities | <input type="checkbox"/> Building & Licensing |
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| <input type="checkbox"/> Human Resources | <input type="checkbox"/> Parks | <input checked="" type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Oct.12/22) | | |
| <input type="checkbox"/> OTHER: | | |



- PRIMARY BUILDING PEAK IS 4.06m (13.3') ABOVE THE GRAVEL ELEVATION.
- NEIGHBOURS PEAK IS 2.13m (7') ABOVE THE PEAK OF THE PRIMARY BUILDING
- PROPOSED SECONDARY BUILDING (GARAGE) IS 0.05m (2") ABOVE NEIGHBOURS PEAK
- PROPOSED SECONDARY BUILDING (GARAGE) IS 2.18m (7.16') ABOVE PRIMARY BUILDING PEAK

Impermeable Area Table (including eaves)		
Type	Area (m ²)	Required Variance
House & Deck	288.7	
Garden Shed	20.63	
Pool Shed	19.01	
Pool & Concrete Deck	196.74	
Existing Asphalt Driveway	200.31	
PROPOSED GARAGE	130.96	
PROPOSED ASPHALT DRIVEWAY EXTENSION	166.2	
Total Impermeable Area	1044.55	
Lot Size - 47.59m x 41.91m	1994.49	
Percentage Impermeable	52.4%	2.4%

PLAN VIEW
EXISTING/PROPOSED STRUCTURE LAYOUT
SCALE N.T.S.

Site Coverage Table			
Type	Description	Area (m ²)	Required Variance (m ²)
Primary	House & Deck	217.96	
Total Primary Site Coverage		217.96	N/A
Secondary	Garden Shed	15.58	
Secondary	Pool Shed	11.75	
Secondary	Pool	53.34	
Secondary	PROPOSED GARAGE	130.96	
Total Secondary Site Coverage		211.63	121.28
Total Site Coverage		429.59	
Lot Size - 47.59m x 41.91m		1994.49	
Percent Site Coverage		21.5%	N/A

Approximate Center Lot Coordinates:

UTM ZONE 11:
N: 5571009.63 LATITUDE: 50° 16' 9.6"
E: 339335.25 LONGITUDE: -110° 15' 16.4"

DESIGN: N/A	1606 38 AVENUE, VERNON BC, V1T 2Z2	DATE: 2022-02-13
DRAWN: R.S.		PROJECT No: N/A
CHECK: A.S.	CHRIS & AMANDA SWALES VARIANCE FOR NEW DETACHED GARAGE BUILD	DWG No: N/A
APPROVAL: N/A		SHEET No: N/A
SCALE: N/A		SHEET No: 1 of 1

Attachment 1



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Craig Broderick
Approving Officer

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: November 14, 2022
REPORT DATE: October 5, 2022
FILE: 3360-20 (ZON00340)

SUBJECT: REZONING APPLICATION FOR 173 VINEYARD WAY

PURPOSE:

To review the application to rezone the subject property from RTR: Resort Residential and RTC: Resort Commercial to RTR: Resort Residential. The applicant intends to develop multi-family buildings for permanent occupancy.

RECOMMENDATION:

THAT Council support the zoning application 00340 (ZON00340) LT 1, SEC 31, TWP 9, ODYD, PL EPP48289 (173 Vineyard Way) from RTR: Resort Residential and RTC: Resort Commercial to RTR: Resort Residential and a refinement of the zoning boundary along the easterly side of the property to align the P1: Parks and Open Space with the natural drainage course and existing covenant boundaries (i.e. CA792809, EPP55321) as outlined in the report titled "Rezoning Application for 173 Vineyard Way" dated October 5, 2022 and respectfully submitted by the Approving Officer;

AND FURTHER, that Council's support of ZON00340 be subject to the following:

- a) a no-build, no-disturb covenant be registered on title until such time that a Development Permit (multi-family, hillside) is ready to be issued; and that a statutory right-of-way is secured as a condition of future development to protect future water main looping through the property (as required to conform to Regional District of North Okanagan Bylaw 2650 B.23);

AND FURTHER, that Council direct Administration to prepare a proposed bylaw and public notice of initial readings to rezone LT 1, SEC 31, TWP 9, ODYD, PL EPP48289 (173 Vineyard Way) from RTR: Resort Residential and RTC: Resort Commercial to RTR: Resort Residential and a refinement of the zoning boundary along the easterly side of the property to align the P1: Parks and Open Space with the natural drainage course and existing covenant boundaries (i.e. CA792809, EPP55321);

AND FURTHER, that Council not hold a public hearing on a proposed bylaw, pursuant to 464(1) of the *Local Government Act*, on a proposed bylaw to rezone LT 1, SEC 31, TWP 9, ODYD, PL EPP48289 (173 Vineyard Way) from RTR: Resort Residential and RTC: Resort Commercial to RTR: Resort Residential and a refinement of the zoning boundary along the easterly side of the property to align the P1: Parks and Open Space with the natural drainage course and existing covenant boundaries (i.e. CA792809, EPP55321).

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support the zoning application 00340 (ZON00340) to rezone LT 1, SEC 31, TWP 9, ODYD, PL EPP48289 (173 Vineyard Way) from RTR: Resort Residential and RTC: Resort Commercial to RTR: Resort Residential as outlined in the report titled "Rezoning Application for 173 Vineyard Way" dated October 5, 2022 and respectfully submitted by the Approving Officer.

Note: This alternative does not support the rezoning application. The current, RTC and P1 zoning of the subject properties would remain as they are currently. The rezoning application, and as a result, the application submitted would not be able to proceed.

ANALYSIS:

A. Committee Recommendations:

At its meeting of October 12, 2022, 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 173 Vineyard Way (Figures 1 and 2) and is approximately 33,116m² (8.2 ac) in area. The property is a vacant in terms of structures and has been used a vineyard for many years.
2. The original application proposes to rezone the property from a multi-zone configuration of RTR: Resort Residential and RTC: Resort Commercial (Attachment 1) to RTCA: Resort Commercial and Residential (Attachment 2) for permanent multi-family dwellings.
3. The land is designated TCOM (Tourist Commercial) and PARK (Parks and Open Space) within the Official Community Plan (OCP), and zoned RTR (Resort Residential), RTC (Resort Commercial), and P1 (Parks and Open Space in the Zoning) Bylaw 5000.
4. The existing RTC (Resort Commercial) zone permits a range of residential housing types that are limited to a maximum of 180 days per year occupancy. It also allows commercial visitor accommodations and services. The RTC and RTCA zones allow a substantial amount of development that may be inappropriate for the site and area in general. It allows tourist apartment housing, hotels, food primary, conventional facilities and other intense uses up to a height of seven storeys/24m at a substantial floor space ratio of 3.0. As such, rezoning to RTCA for this specific site is not supported by Administration.



Figure 1: Property Location Map

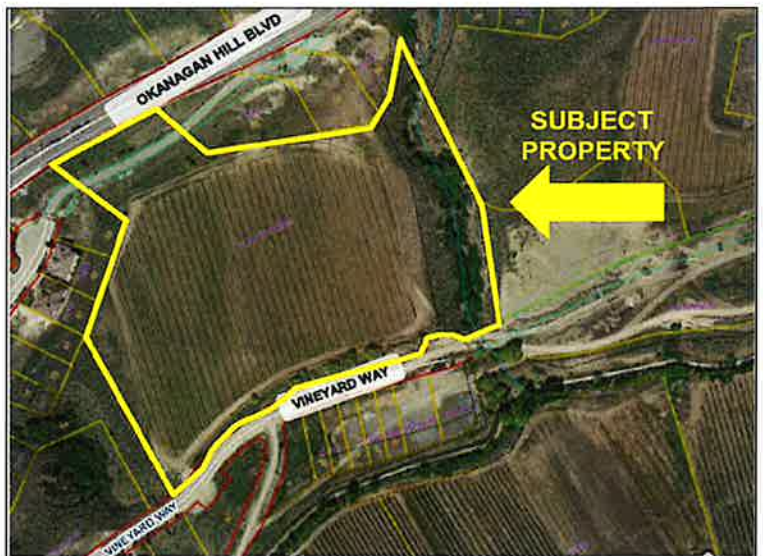


Figure 2: Aerial View of Property

5. Based on a review of the variety of zoning districts available for The Rise/Okanagan Hills, Administration recommend that the entire site be rezoned to RTR: Resort Residential and a refinement of the zoning boundary along the easterly side of the property to align the P1: Parks and Open Space with the natural drainage course and existing covenant boundaries (i.e. CA792809, EPP55321). The RTR: Resort Residential would allow for the permanent year-round residential occupation while limiting potentially disruptive land uses adjacent to existing residential properties. The RTR: Resort Residential would limit the type of development to residential up to 12m or 2.5 storeys and a maximum density of 30 units/ha (12units/ac). This is in keeping with the applicant's intent to develop a full-time permanent residential community. The existing RTR (Resort Residential) zone allows a range of housing types (i.e. single family, two-family, three-plex, row, stacked row and four-plex) without any seasonal occupancy restrictions.
6. The proposed rezoning to entirely RTR: Resort Residential complies with the OCP. The Tourist Commercial section of the OCP notes "This designation supports tourist-oriented uses such as hotels, restaurants and shops, as well as full and part time residential living" (Section 8.0 Commercial).
7. The proposed rezoning for permanent housing would contribute to the needed housing stock and better establish the neighbourhood as a permanent residential community. This is also in keeping with the trend of the lower portions of the The Rise development transitioning to more of a permanent residential neighbourhood and away from a tourist commercial resort development.
8. The applicant received a Preliminary Layout Approval (SUB00780) to subdivide their property into four pre-development lots. The intent is to subsequently develop townhouse type strata developments (i.e. 24 units of four-plex in Lot 1 and 2, and 24 units of six-plex in Lot 3, Lot 4 as common right of way). Lots and road layouts are to be addressed at subdivision stage (Attachment 3). Additionally, the covenants registered on title, as well as the requirements of the Development Permit review process, will ensure development considerations are addressed with respect to the locations of servicing, environmental protection, traffic circulation and parkland and are consistent with the original intent of the Neighbourhood Plan.
9. Surrounding land uses and zoning:
 - North – RTR (existing single family residential, vacant lots)
 - East – P1, RTCA (vacant and vineyard)
 - South – RTR, P1 (two-family dwellings)
 - West – RTR (existing single family residential, vacant lots)
10. Administration supports the proposed zoning application as the changes are generally consistent with the Okanagan Hills Neighbourhood Plan and Official Community Plan. The Neighbourhood Plan incorporated an infrastructure servicing strategy and Master Development Agreement, traffic study, a Parkland Agreement, and detailed environmental, conservation, mitigation and enhancement reports. These agreements remain in place and are registered on the titles of all undeveloped lands.
11. The proposed rezoning is coherent and complimentary with the neighbourhood character.
12. Administration further recommends that Council not hold a public hearing on a proposed bylaw as it is consistent with the Official Community Plan. This is consistent with and pursuant to 464(1) of the *Local Government Act*, on a proposed bylaw to rezone LT 1, SEC 31, TWP 9, ODYD, PL EPP48289 (173 Vineyard Way) from RTR: Resort Residential and RTC: Resort Commercial to RTR: Resort Residential and a refinement of the zoning boundary along the easterly side of the property to align the P1: Parks and Open Space with the natural drainage course and existing covenant boundaries (i.e. CA792809, EPP55321).

C. Attachments:

- Attachment 1 – RTR: Resort Residential and RTC: Resort Commercial
- Attachment 2 – RTCA: Resort Commercial and Residential
- Attachment 3 – Proposed Pre-Development Site Plan and Lot Layout (SUB00780)

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

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

- Support sustainable neighbourhoods by implementing neighbourhood plans and the OCP
- Increase affordable and attainable housing

E. Relevant Policy/Bylaws/Resolutions:

1. Official Community Plan Bylaw 5470:
 - OCP Designation – Tourism Commercial (TCOM)
 - Development District – 2 Neighbourhood
2. Zoning Bylaw 5000:
 - Sec. 10.13a RTCA: Resort Commercial and Residential
3. *Local Government Act:*
 - Division 3 – Public Hearings on Planning and Land Use Bylaws
 - Sec. 464 – Requirement for public hearing before adopting bylaw
A local government is not required to hold a public hearing on a proposed rezoning bylaw if an OCP is in effect for the area that is the subject of the zoning bylaw, and the bylaw is consistent with the OCP.

BUDGET/RESOURCE IMPLICATIONS:

A Public Hearing would not be required to be held as part of the public consultation process identified in s. 464 of the *Local Government Act*.

Prepared by:

Approved for submission to Council:

X _____
Craig Broderick
Approving Officer

Will Pearce, CAO

Date: _____

X _____
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 type="checkbox"/> Long Range Planning & Sustainability |
| <input type="checkbox"/> Real Estate | <input type="checkbox"/> Facilities | <input type="checkbox"/> Building & Licensing |
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| <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: APC (Oct.12/22) | | |
| <input type="checkbox"/> OTHER: | | |

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Attachment 1





9.9 RTR : Resort Residential

9.9.1 Purpose

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

9.9.2 Primary Uses

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

9.9.3 Secondary Uses

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

9.9.4 Subdivision Regulations

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

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

9.9.5 Party Wall Subdivision Regulations

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

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

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

9.9.6 Development Regulations

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

9.9.7 Other Regulations

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

- A minimum area of 5.0m² of private open space shall be provided per **bachelor dwelling** or group home **bedroom**, 10.0m² of private open space shall be provided per 1 **bedroom dwelling**, and 15.0m² of private open space shall be provided per **dwelling** with more than 1 **bedroom**.
- No continuous **building frontage** shall exceed 40.0m for a 2.5 **storey building**. If the frontage is interrupted by an open courtyard equivalent in depth and width to the **building height**, the maximum continuous 2.5 **storey building frontage** may be 80.0m provided that no **building** section exceeds 12.0m.
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development**, **yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; except that buildings greater than 2.5 **storeys** require a Level 1 **Landscape Buffer** for the Front Yard, rear Yard and Side Yard, as according to Section 6; and, the parking and loading regulations of Section 7. *(Bylaw 5723)*
- As per Section 4.10.2 - All **buildings** and **structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B". *(Bylaw 5440)*

10.13 RTC : Resort Commercial

10.13.1 Purpose

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

10.13.2 Primary Uses

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

10.13.3 Secondary Uses

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

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

10.13.4 Subdivision Regulations

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

10.13.5 Development Regulations

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

10.13.6 Other Regulations

- The maximum commercial floor area, excluding **hotels**, recreation facilities/amenities and resort accommodation, shall be 2,230.0 m².
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development, yards**, projections into yards, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- As per Section 4.10.2 - All **buildings and structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule “B” shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule “B”. *(Bylaw 5440)*

10.13a RTCA: Resort Commercial and Residential

RTCA

10.13a.1 Purpose

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

10.13a.2 Primary Uses

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

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

10.13a.3 Secondary Uses

- amusement arcades, minor
 - brewing or distilling, Class A
 - care centre, minor
 - docks, community
 - docks, private
 - gaming facilities **
 - home based businesses, minor
 - marinas
 - marina fuel facilities
 - utilities, minor impact
- ** refer to definition for “gaming facilities” in Section 2.3.3. for limitation on number of slot machines permitted within the City of Vernon boundaries

10.13a.4 Subdivision Regulations

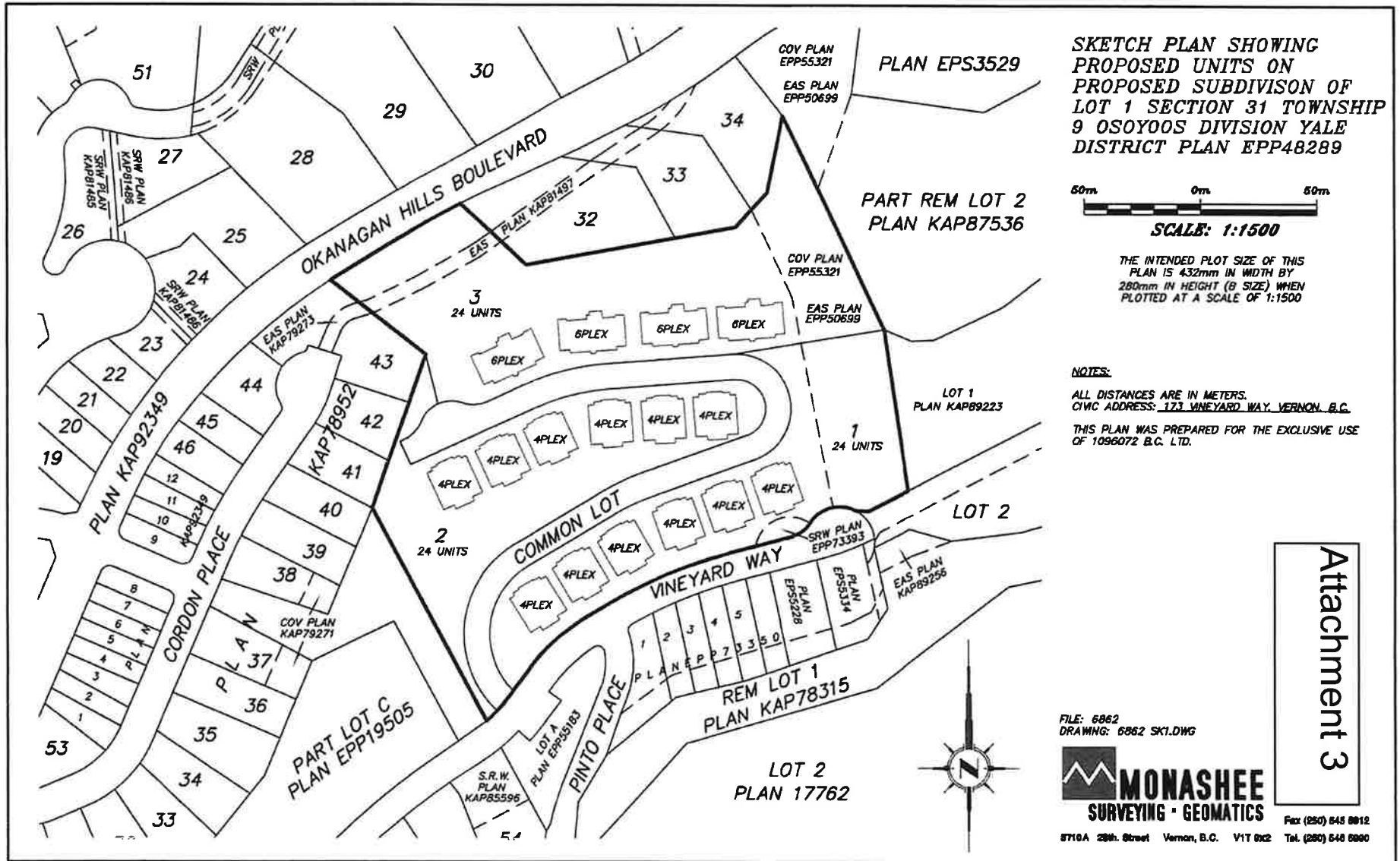
- Minimum lot width is 7.6 m.
- Minimum lot area is 232 m²

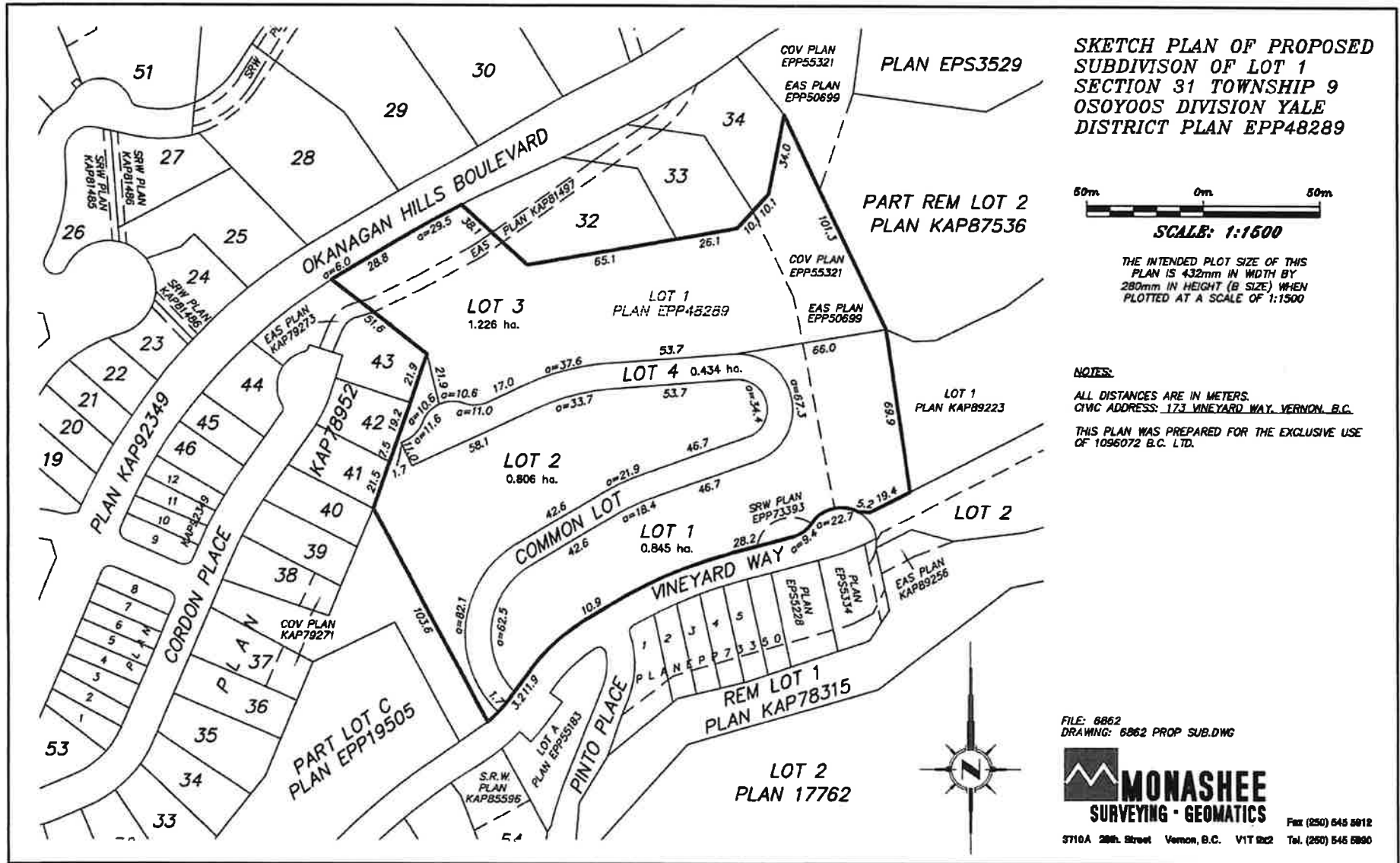
10.13a.5 Development Regulations

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

10.13a.6 Other Regulations

- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development**, **yards**, projections into yards, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- As per Section 4.10.2 - All **buildings** and **structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".
(Bylaw 5440)





**SKETCH PLAN OF PROPOSED
SUBDIVISION OF LOT 1
SECTION 31 TOWNSHIP 9
OSOYOOS DIVISION YALE
DISTRICT PLAN EPP48289**

60m 0m 60m
SCALE: 1:1500

THE INTENDED PLOT SIZE OF THIS
PLAN IS 432mm IN WIDTH BY
280mm IN HEIGHT (B SIZE) WHEN
PLOTTED AT A SCALE OF 1:1500

NOTES:
ALL DISTANCES ARE IN METERS.
CIVIC ADDRESS: 173 VINEYARD WAY, VERNON, B.C.
THIS PLAN WAS PREPARED FOR THE EXCLUSIVE USE
OF 1096072 B.C. LTD.

FILE: 6862
DRAWING: 6862 PROP SUB.DWG

MONASHEE
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