



CORPORATION OF THE CITY OF VERNON

ADVISORY PLANNING COMMITTEE

NOVEMBER 15, 2022, AT 4:00 PM

OKANAGAN ROOM (COUNCIL CHAMBERS) CITY HALL

A G E N D A

1) CALL TO ORDER

2) LAND ACKNOWLEDGEMENT

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

3) ADOPTION OF AGENDA

4) ADOPTION OF MINUTES

a) October 12, 2022 (Attached)

5) NEW BUSINESS

a) DVP00581 (4803 Pleasant Valley Road)

b) DVP00576 (3708 25th Avenue)

c) DVP00561 (1606 38th Avenue)

d) DVP00588 (4816, 4960 and 5000 Silver Star Road)

e) Text Amendments to C10A: Tourist Commercial and Residential Zoning District

f) OCP00098/ZON00391/DVP00593 (2702 and 2800 40th Street)

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 **November 29, 2022**

8) ADJOURNMENT



THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF THE
ADVISORY PLANNING COMMITTEE MEETING
HELD WEDNESDAY, OCTOBER 12, 2022 AT 4:00 PM
GREATER VERNON MUSEUM & ARCHIVES**

PRESENT: Claire Ishoy
Don Schuster
Doug Neden
Jamie Paterson
Joshua Lunn
Margaret Jarman
Mark Longworth
Mayor Cumming
Monique Hubbs-Michiel
Phyllis Kereliuk

ABSENT: Harpreet Nahal
Lisa Briggs

STAFF: Craig Broderick, Manager Current Planning/Approving Officer
Jennifer Pounder, Committee Clerk
Michael Olubiyi, Current Planner
Michelle Austin, Planner

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

**LAND
ACKNOWLEDGEMENT** *As Chair of the City of Vernon's Advisory Panel 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.*

Before the start of the meeting the Chair advised Committee members that the applicant for DVP00561 (Item 5, B) requested to withdraw their item from discussion.

Therefore, it is in order for the agenda of the October 12, 2022 Advisory Planning Committee meeting to be adopted as amended.

ADOPTION OF THE AGENDA

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

THAT the agenda of the Advisory Planning Committee meeting for October 12, 2022 be adopted as amended:

CARRIED

The agenda was varied

ADOPTION OF THE MINUTES

Moved by **M. Hubbs-Michiel**, seconded by **P. Kereliuk**:

THAT the minutes for the Advisory Planning Committee meeting of September 7, 2022 be adopted.

CARRIED

Mayor Cumming and C. Ishoy arrived at 4:05 p.m.

NEW BUSINESS:

**ZON00385 / DVP00569
(1609 43RD AVENUE)**

M. Austin, Planner, provided an overview of the application as follows:

- The application before the Committee is for rezoning and development variance permit applications for the property located at 1609 43rd Avenue.
- The applicants would like to rezone the property from R5 to RH2 and vary Zoning Bylaw 5000, Section 9.13.6, side yard and rear yard setbacks in preparation for a 16-unit townhouse development.
- There is currently a single-family home on the property that will be demolished when the property is developed.

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

- The Committee expressed concern regarding the water on the property and questioned where the source is. Staff is not aware of an active stream near the property. There is a drain on the property that was installed by a previous owner, and all water

issues will be dealt with at the building permit stage to ensure they coincide with the bylaws.

- The Committee inquired if the playground is required. Staff confirmed it is a recommendation.
- Staff confirmed the owner considered utilizing rooftop patios but decided against these as they are trying to keep the units affordable.
- The Committee confirmed the location of the playground is where the snow removal will be located.
- Staff confirmed that recycling and garbage services will be contracted privately and the cost will be included in the strata fees.
- The Committee recommended staff be clearer about what is happening with the development of the lots surrounding the property when the application is presented to Council.
- Staff confirmed there is an easement registered where the future driveway will be located. According to the easement agreement, concrete or pavement will not be used, but instead a type of permeable surface will be installed. This has already been dealt with by the engineer.

Moved by **D. Schuster**, seconded by **M. Hubbs-Michiel**:

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.

CARRIED

M. Austin left at 4:30 p.m.

**ZON00340
(173 VINEYARD WAY)**

C. Broderick, Manager, Current Planning/Approving Officer, provided an overview of the application as follows:

- The application before the Committee is 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, ie. Townhouses, for permanent occupancy.
- The original application was to change zoning to RTCA, however staff recommend supporting the rezoning to RTR to stay away from the commercial component permitted in the RTCA zone.

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

- Staff confirmed RTR zoning will allow single family, townhouse buildings and a range of other housing forms.
- The Committee inquired about the slopes on the property being over 30%. Staff confirmed where the buildings will be located is 25-30% slope.
- The Committee inquired if the current right of way will be turned into a roadway connecting Pinto Place to Vineyard Way. Staff confirmed there are currently no plans to connect them other than for active transportation uses (ie. path, trail).
- Staff confirmed the entire property will be rezoned to RTR.
- The Committee inquired as to why no public hearing will be held. Staff confirmed if the zoning is compliant with the Official Community Plan, a public hearing is not required. The neighboring property owners will be notified of the proposed rezoning. The Committee discussed having a public hearing as the property is going to be significantly changed from the existing vineyard. There is also a trail currently on the property that is used regularly by members of the public and they should be made aware of the proposed changes.
- Staff confirmed that a bed and breakfast is part of the RTR zoning. Staff further confirmed that suites are not allowed with the new zoning.

- The Committee inquired about a care center minor. Staff confirmed it is for a home-based business care center. RTR zoning allows for a daycare for youth or adults.

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

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).

CARRIED

INFORMATION ITEMS:

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

- **DVP00556 (7567 KLINGER ROAD)**
CARRIED
- **DVP00572 (1607 POTTERY ROAD)**
CARRIED
- **ZON00329 (5661 OKANAGAN LANDING ROAD)**
Request for extension granted

NEXT MEETING

The next meeting for the Advisory Planning Committee is set for **Tuesday, November 15, 2022 at 4:00 p.m.**

ADJOURNMENT

The meeting of the Advisory Planning Committee adjourned at 5:05 p.m. by call of the Chair.

CERTIFIED CORRECT:

_____ Chair



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Michelle Austin
Current Planner

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: December 12, 2022
REPORT DATE: November 10, 2022
FILE: 3090-20 (DVP00581)

SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 4803 PLEASANT VALLEY ROAD

PURPOSE:

To review a development variance permit application to increase allowable sign area for two street frontages.

RECOMMENDATION:

THAT Council support Development Variance Permit 00581 (DVP00581) to vary Sign Bylaw 4489, Part III, Section A.1. for Lot A, Sec 11, TP 8, ODYD, Plan EPP21497 (4803 Pleasant Valley Road) as outlined in the report titled "Development Variance Permit Application for 4803 Pleasant Valley Road" dated November 10, 2022 and respectfully submitted by the Current Planner, by increasing the maximum sign area of Fascia Signs on a building wall for two street frontages from 28m² to 68.8m², in addition to existing business name signs, as follows:

- a) 11 signs each 4ft² for a combined sign area of 44ft² (4.1m²) on the South Elevation (fronting Silver Star Road);
- b) 5 signs each 105.8ft² for a combined sign area of 529.1ft² plus 2 signs each 41.9ft² for a combined sign area of 83.8ft² for a total area of 612.9ft² (56.9m²) on the West Elevation (fronting Pleasant Valley Road); and
- c) 2 signs each 41.9ft² for a combined sign area of 83.8ft² (7.8m²) on the North Elevation (fronting the parking lot);

AND FURTHER, that Council's support of DVP00581 is subject to the following:

- a) That the signage generally complies with the elevation drawings (Attachment 3) to be attached to and form part of DVP00581.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support Development Variance Permit 00581 (DVP00581) to vary Sign Bylaw 4489, Part III, Section A.1. for Lot A, Sec 11, TP 8, ODYD, Plan EPP21497 (4803 Pleasant Valley Road), as outlined in the report titled "Development Variance Permit Application for 4803 Pleasant Valley Road" dated November 10, 2022 and respectfully submitted by the Current Planner, to increase the maximum sign area of Fascia Signs on a building wall for two street frontages from 28m² to 68.8m², in addition to existing business name signs, as follows:

- a) 11 signs each 4ft² for a combined sign area of 44ft² (4.1m²) on the South Elevation (fronting Silver Star Road);
- b) 5 signs each 105.8ft² for a combined sign area of 529.1ft² plus 2 signs each 41.9ft² for a combined sign area of 83.8ft² for a total area of 612.9ft² (56.9m²) on the West Elevation (fronting Pleasant Valley Road); and

- c) 2 signs each 41.9ft² for a combined sign area of 83.8ft² (7.8m²) on the North Elevation (fronting the parking lot).

Note: Alternative 1 would prohibit the addition of any more fascia signs as the existing total area of all fascia signs on the building exterior exceed the maximum allowable sign area of 28m² (301.39ft²).

ANALYSIS:

A. Committee Recommendations:

At its meeting of November 15, 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 4803 Pleasant Valley Road, at the intersection of Pleasant Valley Road and Silver Star Road (Figures 1 and 2). It is the site of the Butcher Boys Food Store and Silver Star Liquor Store.

2. The owners have applied for a development variance permit to increase the area of all fascia signs on a building wall from 28m² to 68.8m², apportioned as follows:

- 11 signs each 4ft² for a combined sign area of 44ft² (4.1m²) on the South Elevation (fronting Silver Star Road);
- 5 signs each 105.8ft² for a combined sign area of 529.1ft² plus 2 signs each 41.9ft² for a combined sign area of 83.8ft² for a total area of 612.9ft² (56.9m²) on the West Elevation (fronting Pleasant Valley Road); and
- 2 signs each 41.9ft² for a combined sign area of 83.8ft² (7.8m²) on the North Elevation (fronting the parking lot).

3. Section 498 of the *Local Government Act* (LGA) gives a local government the authority to issue, by resolution, a development variance permit that varies the provision of a sign bylaw. Section 526 of the LGA gives a local government the authority to regulate signs, by bylaw, including the



number, size, type, form, appearance and location. The City regulates signs on private property under Sign Bylaw 4489 (Attachment 1). This Bylaw limits the total area of all fascia signs on a building wall to 1m² (10.76ft²) per 1m (3.28ft) of lineal building wall to which the sign is affixed, up to a maximum sign area of 14m² (150.69ft²). Only the street frontage of the business on which the sign is located is used for sign area calculations.

4. In 2019, Council approved DVP00460 for the subject property to vary the maximum sign area permitted for company name signs on the north (facing the parking lot), south (facing Silver Star Road) and west (facing Pleasant Valley Road) building elevations based on drawings provided. A maximum sign area was not included in the approval. These signs have been installed as shown in Attachment 2.
5. For this variance application, the owner would like to add signage to the north (facing the parking lot), south (facing Silver Star Road) and west (facing Pleasant Valley Road) building elevations. The existing building has approximately 53 lineal meters on the elevation facing Silver Star Road and 52m on the elevation facing Pleasant Valley Road, significantly greater than the maximum 14 lineal meter measurement used to determine the maximum sign area of 14m² per street frontage. Because the building has frontage along two streets, the total area of all fascia signs on the walls can be doubled to 28 m². Further, the location of signs is not limited to building elevations facing a public street. The signs can be located on all elevations.
6. The location and examples of the proposed signage are shown on Attachment 3 and Attachment 4. For the South Elevation (fronting Silver Star Road), using the aluminum frames that are currently in place, the concept is to install black and white historical images reflecting the Butcher Boys business and surrounding community, such as aerials of agricultural lands, the evolution of the site development, etc. For the West Elevation (fronting Pleasant Valley Road), colorful photos of fresh fruits and vegetables, deli products and other foods are being proposed to help identify the building as a grocer to passersby. Images reflecting seasonal changes (e.g. Christmas, Thanksgiving, summer produce) are proposed for the North Elevation (fronting the parking lot).
7. The existing building facades fronting Silver Star Road and Pleasant Valley Road have little architectural detail to break up the mass. The proposed signage would add colorful visual elements that draw attention to the commercial business and create more interest from the street.
8. Administration supports the variance request to increase sign area for the following reasons:
 - a) The existing building consists of large relatively blank walls. Additional colorful signage would improve the aesthetics of the building.
 - b) The proposed signage would highlight the history of Butcher Boys, local farms and orchards, and local fresh fruits, vegetables, meats, etc.
 - c) A building with 14m of frontage along two streets would be allowed to have the same size sign area as the Butcher Boys building, which is substantially larger (Approximately 52m by 53m). It seems logical that a much larger building would be afforded additional sign area. The size and scale of the proposed signage is appropriate for the size of the existing building.

C. Attachments:

- Attachment 1: Sign Regulations
- Attachment 2: Building Photos
- Attachment 3: Elevations
- Attachment 4: Example Photos for Signage

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

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

- N/A

E. Relevant Policy/Bylaws/Resolutions:

Sign Bylaw 4489, Part III – General Specifications, A. Fascia Signs

1. Sign Area

- a) The total area of all fascia signs on a building wall shall not exceed 1 m² (10.76 ft²) per 1 m (3.28 ft) of lineal building wall to which the sign is affixed, up to a maximum sign area of 14 m² (150.69 ft²).
- b) Only the street frontage of the business on which the sign is located shall be used for sign area calculations.

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by: _____ Approved for submission to Council: _____

X _____
 Signer 1
 Michelle Austin
 Planner, Current Planning

 Will Pearce, CAO
 Date: _____

X _____
 Signer 2
 Kim Flick
 Director, Community Infrastructure and Development

| REVIEWED WITH | | |
|---|---|---|
| <input type="checkbox"/> Corporate Services | <input type="checkbox"/> Operations | <input type="checkbox"/> Current Planning |
| <input type="checkbox"/> Bylaw Compliance | <input type="checkbox"/> Public Works/Airport | <input type="checkbox"/> Long Range Planning & Sustainability |
| <input type="checkbox"/> Real Estate | <input type="checkbox"/> Facilities | <input type="checkbox"/> Building & Licensing |
| <input type="checkbox"/> RCMP | <input type="checkbox"/> Utilities | <input type="checkbox"/> Engineering Development Services |
| <input type="checkbox"/> Fire & Rescue Services | <input type="checkbox"/> Recreation Services | <input type="checkbox"/> Infrastructure Management |
| <input type="checkbox"/> Human Resources | <input type="checkbox"/> Parks | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Nov. 15/22) | | |
| <input type="checkbox"/> OTHER: | | |

PART III - GENERAL SIGN SPECIFICATIONS**A. FASCIA SIGNS****1. Sign Area**

- a) The total area of all fascia signs on a building wall shall not exceed 1.0 m² (10.76 ft.²) per 1.0 m (3.28 ft.) of lineal building wall to which the sign is affixed, up to a maximum sign area of 14.0 m² (150.69 ft.²).
- b) Only the street frontage of the business on which the sign is located shall be used for sign area calculations.

2. Projection

- a) A fascia sign shall not project more than 0.3 m (0.98 ft.) horizontally from the building face to which it is attached.
- b) Where more than one fascia sign is permitted, the signs may be extended horizontally along each street frontage to meet at the corner of the building common to both signs.
- c) A fascia sign shall not extend above the roof line of a building to which it is affixed.

3. Clearance

- a) A fascia sign shall have a minimum vertical clearance from grade of 2.75 m (9.0 ft.)

B. PROJECTING SIGNS**1. Sign Area**

- a) The area of a projecting sign shall not exceed 2.8 m² (30.13 ft.²).

2. Projection

- a) A projecting sign shall not project more than 3.0 m (9.84 ft.) horizontally from the exterior wall of a building face to which it is attached.



Photo 1: North Exterior – facing the parking lot

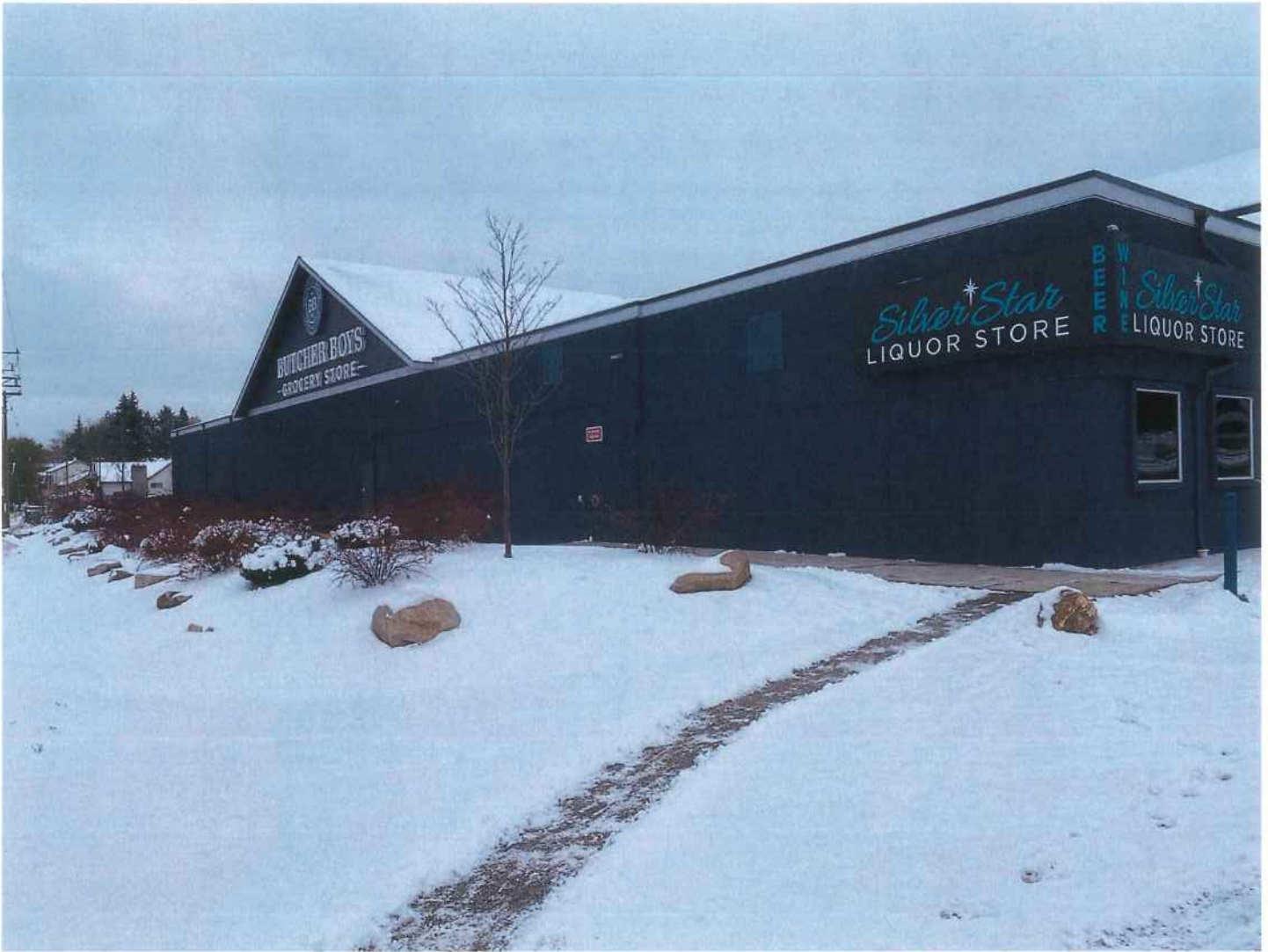
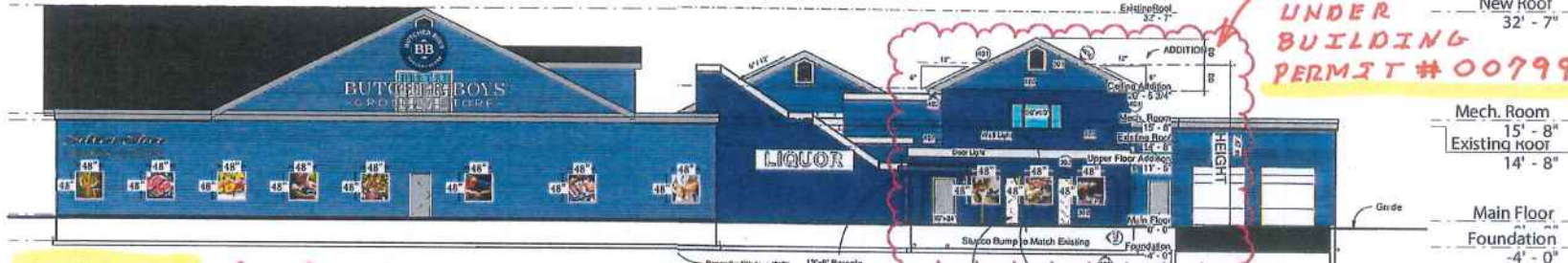


Photo 2: West Exterior – facing Pleasant Valley Road



Photo 3: South Exterior – facing Silver Star Road



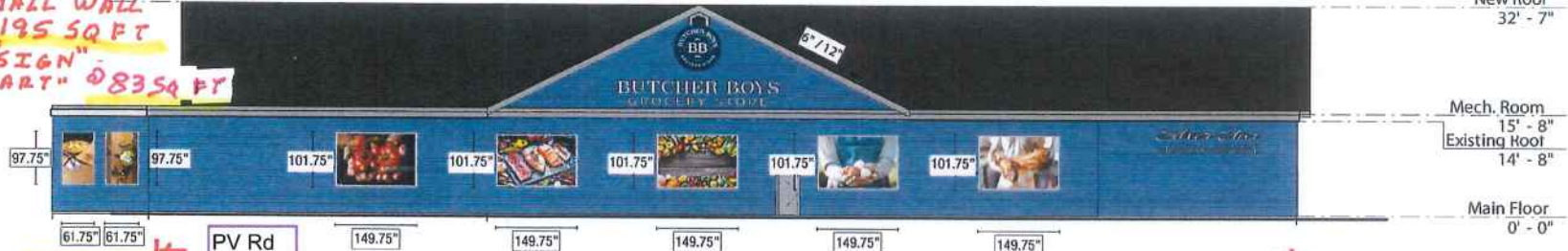
THIS AREA UNDER BUILDING PERMIT # 007999

1 South Exterior
1/16" = 1'-0"
Silver Star Rd

AS PER BUILDING PERMIT WE INSTALLED 11 WINDOWS, WE WOULD LIKE TO INSTALL PRODUCE PICTURES IN THE FRAMES. 32 sq.ft

1 South Addition
1/8" = 1'-0"

SMALL WALL @ 195 SQ FT
2X "SIGN" "ART" @ 83 SQ FT



2 West Exterior
1/16" = 1'-0"
PV Rd

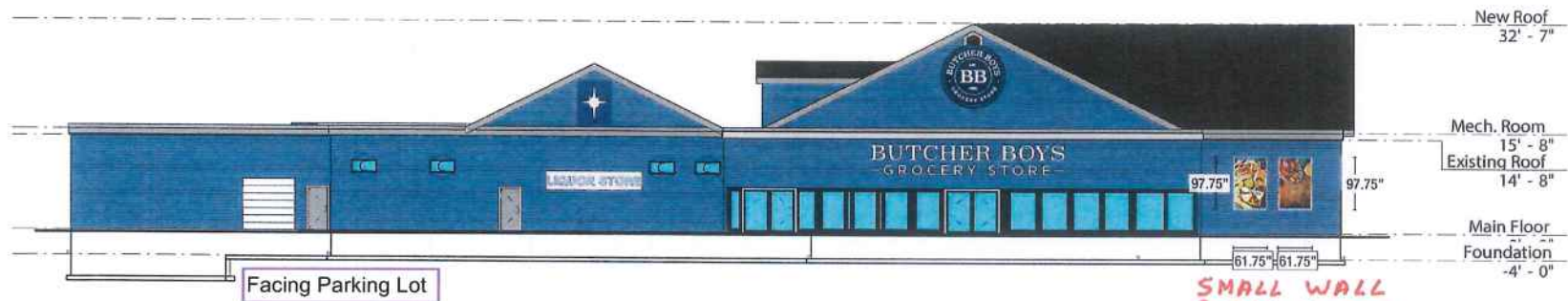
LARGE WALL @ 176' LONG 13' HIGH 2288 SQ FT.
5X "SIGN" AREA @ 520 SQ FT
"OR" "ART"



Butcher Boys
4803 PV Road

| No. | Description | Date | Exterior South and West | | Page 2 of 2 |
|-----|-------------|------|-------------------------|--------------|---------------------------------|
| | | | Date | Oct 23, 2018 | Drawn by LJ Scale 1/16" = 1'-0" |

2018.10.23 11:29:54 AM



① North Exterior
1/16" = 1'-0"



② East Exterior
1/16" = 1'-0"

| No. | Description | Date |
|-----|-------------|------|
| | | |





THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Matt Faucher
Current Planner

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: TBD
REPORT DATE: November 7, 2022
FILE: 3090-20 (DVP00576)

SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 3708 25TH AVENUE

PURPOSE:

To review Development Variance Permit Application 00576 (DVP00576) to vary the maximum building height as measured in storeys in Zoning Bylaw 5000 in order to support the construction of a six unit multi family development at 3708 25th Avenue.

RECOMMENDATION:

THAT Council support Development Variance Permit application 00576 (DVP00576) to vary the following sections of Zoning Bylaw 5000 to permit the construction of a multi family development on LT 1 DL 71 ODYD PL 20017 (3708 25th Avenue) as outlined in the report titled "Development Variance Permit Application for 3708 25th Avenue" dated November 7, 2022 and respectfully submitted by the Current Planner:

- a) Section 9.10.6 maximum height from the lesser of 10m or 2.5 storeys to 10m or 3 storeys;

AND FURTHER, that Council's support of DVP00576 is subject to the following:

- a) the site plan, floor plan and building elevations (Attachment 1) illustrating the general siting, layout and dimensions of the proposed development be attached to and form part of DVP00576; and
- b) that prior to issuance of DVP00576 a Development Permit is ready for issuance.

ALTERNATIVES & IMPLICATIONS:

THAT Council not support Development Variance Permit application 00576 (DVP00576) to vary the following sections of Zoning Bylaw 5000 to permit the construction of a multi family development on LT 1 DL 71 ODYD PL 20017 (3708 25th Avenue) as outlined in the report titled "Development Variance Permit Application for 3708 25th Avenue" dated November 7, 2022 and respectfully submitted by the Current Planner:

- a) Section 9.10.6 maximum height from the lesser of 10m or 2.5 storeys to 10m or 3 storeys.

Note: Denial of the Development Variance Permit application would restrict the height of the proposed structure to meet the existing provisions of Zoning Bylaw 5000. The applicant would be required to revise the proposal and future development on the subject property to meet the prevailing zoning provisions.

ANALYSIS:

A. Committee Recommendations:

At its meeting of November 15, 2022, the Advisory Planning Committee passed the following resolution:
"As cited by the Committee."

B. Rationale:

1. The subject property is located at 3708 25th Avenue (Figures 1 and 2) and is approximately 1,180m² (0.29 ac) in size.
2. The subject application pertains to development regulations within Section 9.10.6 of Zoning Bylaw 5000 (Attachment 2). The application proposes to increase the maximum building height, as measured in storeys, for principal structures from 2.5 to 3 in order to reduce grading and retaining requirements needed to achieve the maximum height of 2.5 storeys.



Figure 1 - Property Location Map

3. The subject property is designated as Residential Medium Density in the Official Community Plan (OCP). The site currently contains a single detached dwelling. The RM1 (Row Housing Residential) zone allows for a maximum of 24.5 units per gross acre. Given the size of the subject property, a maximum of seven units is permitted. The application proposes to construct a six unit multi family development. The RM1 zone allows for a maximum of six dwelling units in a building.



Figure 2: Aerial Photo of Property

4. The application proposes to vary the maximum height as measured in storeys only. The proposed development meets the maximum height of 10m for principal structures. The subject property has minimal amounts of slope over 12%. For the proposed development to meet the 2.5 storey height measurement, retaining walls and additional fill would be required which would not align with the general character of the area or the grade of neighbouring properties.
5. Administration supports the requested variances for the following reasons:
 - a) The proposed structure meets the maximum height as measured in metres.
 - b) Approval of the variance would reduce the amount of grading and retaining wall required on the site, solely to meet the 2.5 storey maximum height requirement.
 - c) Given the grade of the subject property, adding additional fill and retaining walls to meet the 2.5 storey maximum height regulation would not be aligned with the character of the area or grade of neighbouring properties.
 - d) The application is otherwise compliant with Zoning Bylaw 5000 and the OCP.

C. Attachments

Attachment 1 – Site Plan, Floor Plans and Elevations dated April 08, 2022
Attachment 2 – RM1 – Row Housing Residential Zone

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

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

- Increasing the number of new units in existing neighbourhoods with close proximity to services.
- Increasing attainable housing by supporting multi-family developments with close proximity to services.

E. Relevant Policy/Bylaws/Resolutions:

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

- Zoning Bylaw 5000:

Section 9.10.6 Maximum height is the lesser of 10.0m or 2.5 storeys.

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Approved for submission to Council:

X _____
Matt Faucher
Current Planner

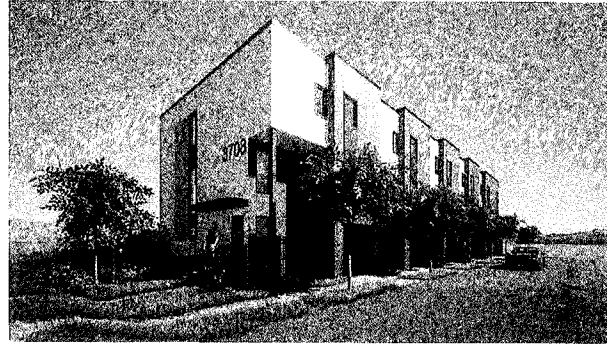
Will Pearce, CAO

Date: _____

X _____
Kim Flick
Director, Community Infrastructure and Development

REVIEWED WITH

- | | | |
|--|---|--|
| <input type="checkbox"/> Corporate Services | <input type="checkbox"/> Operations | <input checked="" type="checkbox"/> Current Planning |
| <input type="checkbox"/> Bylaw Compliance | <input type="checkbox"/> Public Works/Airport | <input checked="" type="checkbox"/> Long Range Planning & Sustainability |
| <input type="checkbox"/> Real Estate | <input type="checkbox"/> Facilities | <input checked="" type="checkbox"/> Building & Licensing |
| <input type="checkbox"/> RCMP | <input type="checkbox"/> Utilities | <input checked="" type="checkbox"/> Engineering Development Services |
| <input checked="" type="checkbox"/> Fire & Rescue Services | <input type="checkbox"/> Recreation Services | <input type="checkbox"/> Infrastructure Management |
| <input type="checkbox"/> Human Resources | <input type="checkbox"/> Parks | <input checked="" type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Nov 15/22) | | |
| <input type="checkbox"/> OTHER: | | |



PROJECT:
3708 6-Flax
3708 25th Ave., Vernon, BC

CONSULTANT TEAM:
ARCHITECTURAL
LAKE MONSTER STUDIO
ARCHITECTURE + DESIGN
Contact: Kim Fuller
778-506-4567

ARCHITECTURAL

| | |
|------|-----------------------------|
| A0.1 | COVER SHEET |
| A1.1 | SITE PLAN |
| A2.1 | FULL FLOOR PLANS |
| A2.2 | UNIT 1 FLOOR PLANS |
| A2.3 | UNIT 2, 3, 4, 5 FLOOR PLANS |
| A2.4 | UNIT 6 FLOOR PLANS |
| A3.1 | ELEVATIONS |
| A3.2 | PERSPECTIVE VIEWS |

LAKE MONSTER STUDIO
ARCHITECTURE + DESIGN
3004 PR St., Vernon, BC V1T 6A7 778-506-4567

SITE
The drawings shall be the property of Lake Monster Studio. All drawings are subject to change without notice and shall be the property of the client.

CONSULTANT

OWNER

DATE

ISSUED FOR DEVELOPMENT PERMIT

CLIENT

PROJECT

3708 6th Ave

ADDRESS

3708 25th Ave, Vernon BC

PROJECT NO.

015-2014

COVER SHEET

RECEIVED APR 12 2022

DP975

A0.1

3.1 - RMI - ROW HOME RESIDENTIAL

3.10.2 PRIMARY USES

ROW HOUSING

PROP: ROW HOUSING

3.10.6 DEVELOPMENT REGULATIONS

MAX. DENSITY 10.5 UNITS/ACRE
 MAX. SITE COVERAGE 50%
 BUILDINGS & DRIVEWAYS 50%
 MAX. BUILDING HEIGHT 10m or 2.5 STOREYS
 MIN. FRONT YARD 4.0m
 MIN. SIDE YARD (REAR DRIVE ALSE) 1.2m
 MIN. REAR YARD 3.0m ONE SIDE
 MIN. REAR YARD 6.0m
 MAX. DWELLINGS / BUILDINGS 6
 MIN. DWELLING WIDTH 8.5m

MAX. # UNITS 6
 PROP: 34.37%
 PROP: 34.37% (17.82 - 52.11%)
 PROP: 2.0 STOREYS (VARIANCE)
 PROP: NORTH 4.0m
 PROP: EAST 1.2m
 PROP: WEST 9.87m
 PROP: SOUTH 6.5m
 PROP: # DWELLINGS / BUILDING 6
 PROP: 6.72m

3.10.7 OTHER REGULATIONS

25.0m² OF PRIVATE OPEN SPACE SHALL BE PROVIDED PER DWELLING.

PROP: 18.9m² PATIO & BACKYARD & 8.6m² DECK = 27.5m²

7.0 - PARKING AND LOADING

7.1.11 DIMENSIONS OF PARKING SPACES

MIN. LENGTH 8.0m
 MIN. WIDTH 2.5m
 MIN. 90° PARKING ANGLE WIDTH 7.0m
 DRIVE AISLE 7.0m

PROP: 8.0m
 PROP: 3.0m
 PROP: 7.0m+ @ OH DOOR OPENINGS
 PROP: 5.0m

7.1 PARKING SCHEDULE

(TABLE 7.1)

ROW HOUSING
 MIN. VISITOR PARKING STALLS
 TOTAL PARKING STALLS

0 / 3 BED DWELLING
 1.0 STALL / 7 DWELLING
 MIN. 13 STALLS

PROP: 12 STALLS (6 TANDEM GARAGES)
 PROP: 1 STALL
 PROP: 13 STALLS

6.0 - LANDSCAPE BUFFER

MINIMUM LANDSCAPE BUFFER - RMI:

FRONT YARD (LEVEL 1)
 SIDE YARD WEST (LEVEL 1)
 SIDE YARD EAST (LEVEL 1)
 REAR YARD (LEVEL 2)

1.5m (VEG OR FENCE)
 1.5m (VEG OR FENCE)
 1.5m (VEG OR FENCE)
 1.5m (VEG & FENCE)

PROP: VEGETATION
 PROP: 6' TALL FENCE & VEGETATION
 PROP: 8' TALL FENCE & VEGETATION
 PROP: 8' TALL FENCE & VEGETATION

AREAS

SITE AREA

1191.25m² (12712.11%)

BUILDING FOOTPRINTS

BUILDING # UNITS

403.96m² (4369.74%)

% COVERAGE

34.37%

PAVED SURFACES

SHARED DRIVEWAY

234.55m² (2524.68%)

% COVERAGE

21.41%

TOTAL AREA

IMPERMEABLE SURFACES

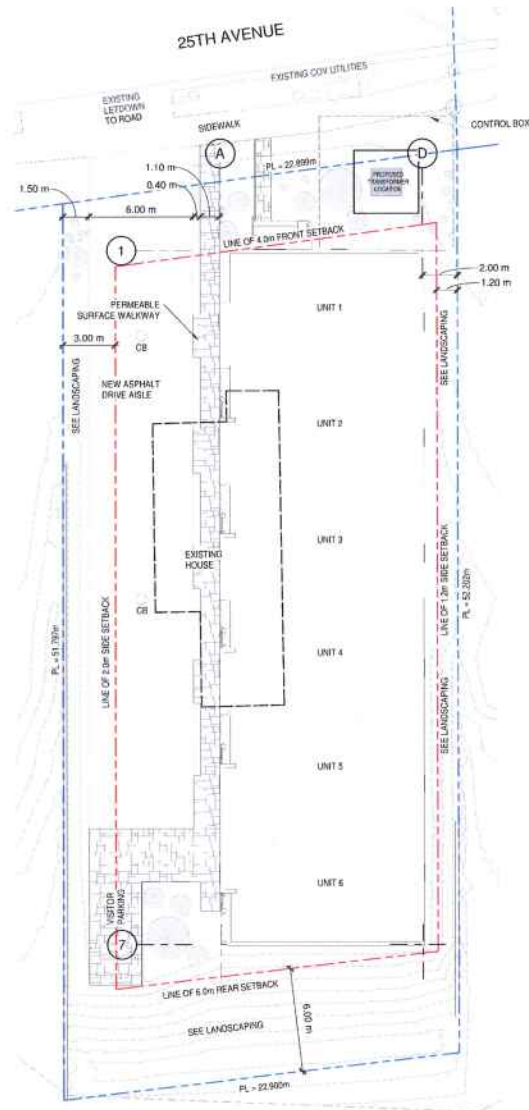
640.51m² (684.39%)

TOTAL % COVERAGE

54.22%

PERMEABLE SURFACES:

113.72m² (1224.68%)



| | | | |
|--|-------------------------------|--|------------------------|
| | PROPERTY LINE | | PERMEABLE HARD SURFACE |
| | SETBACK LINE | | ASPHALT DRIVEWAY |
| | 3m LANDSCAPED BUFFER (EFFECT) | | |
| | CONTROL LINE (1'-0" INTERVAL) | | |

1 SITE PLAN
 A1.1 3/32" = 1'-0"

LAKE MONSTER STUDIO
 ARCHITECTURE + DESIGN
 3004 29 St., Vernon, BC V1T 5A7 778.506.4567

This drawing remains the exclusive property of Lake Monster Studio Architecture + Design and may not be used without the Architect's consent. Copyright reserved.

DATE: 11/01/2022

SCALE: 3/32" = 1'-0"

PROJECT: 25th Ave Row

ISSUED FOR DEVELOPMENT PERMIT

DATE: 11/01/2022

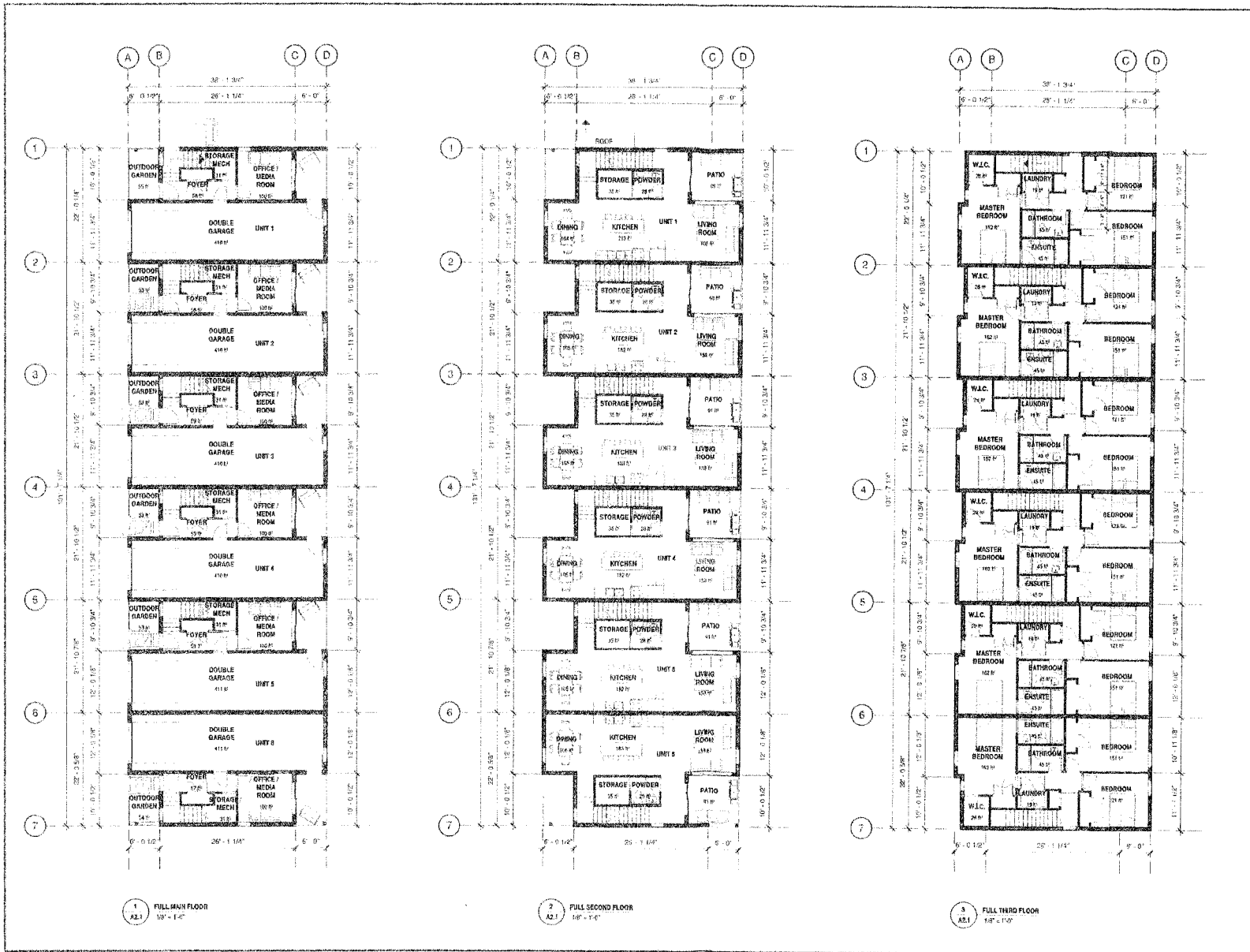
DRAWN BY: [Name]

PROJECT: 25th Ave Row

3004 29th Ave., Vernon BC

LAKE MONSTER STUDIO

SITE PLAN



JANI MONSTER FILIPPO
ARCHITECTURE + DESIGN
 3024 29 St., Victoria, BC V8T 5A7 778 606 4567

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

ISSUED FOR DEVELOPMENT PERMIT

DATE: 17th APR 22

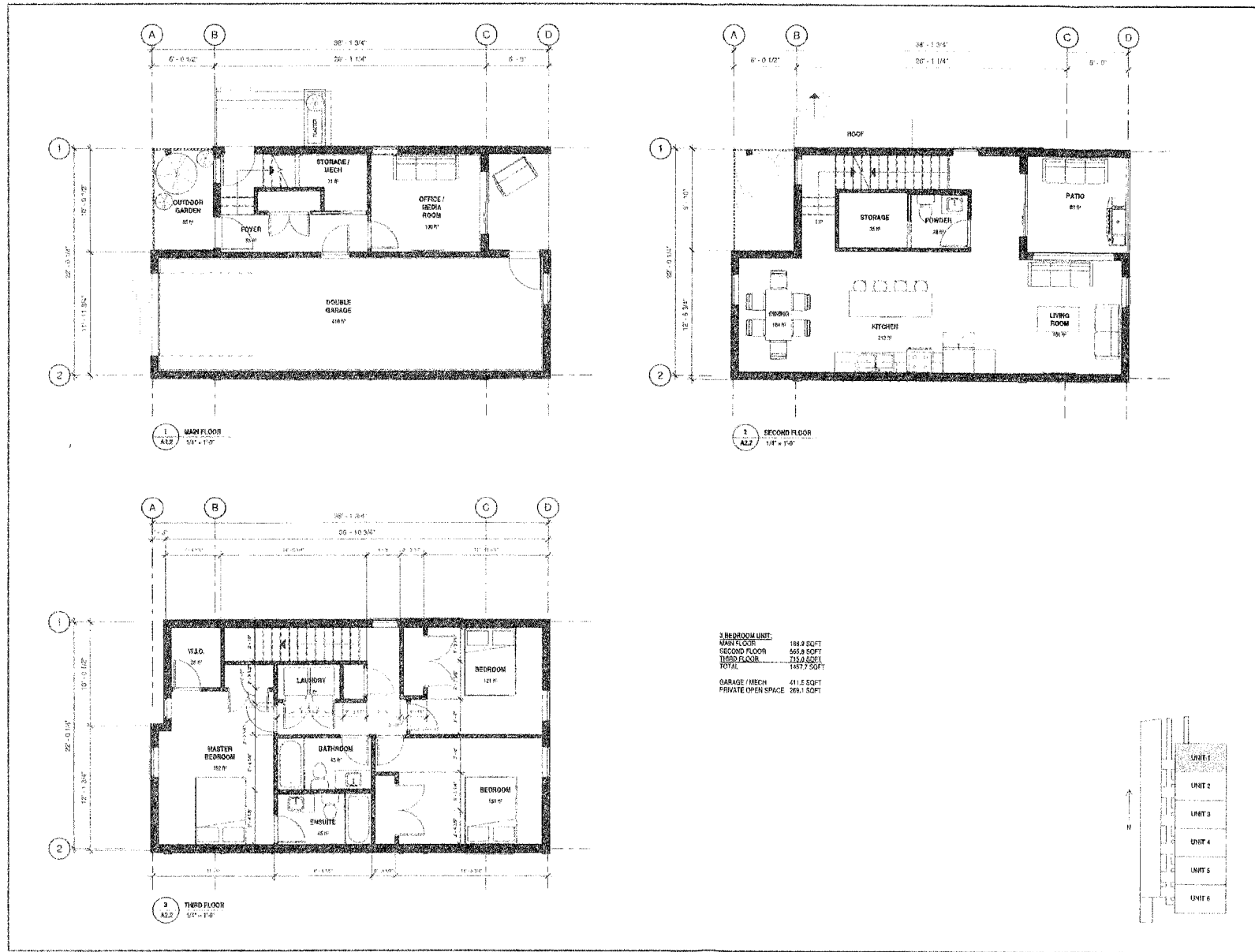
PROJECT NO: 1704 APC23

PREPARED BY: JMF

DATE: 17th APR 22

FULL FLOOR PLANS

A2.1



LAKEMONSTERSTUDIO
 ARCHITECTURE + DESIGN
 3301 28 St. Vernon, BC V1T 5A7 779.906.4587

NOTES
 1. THIS DOCUMENT IS THE PROPERTY OF LAKEMONSTERSTUDIO ARCHITECTURE + DESIGN. ALL RIGHTS ARE RESERVED. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF LAKEMONSTERSTUDIO ARCHITECTURE + DESIGN.

APPROVED:

SCALE:

DATE:

ISSUED FOR DEVELOPMENT PERMIT

PROJECT:

DATE:

PROJECT NO:

1704-44-01

ADDRESS:

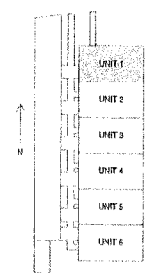
3301 28th Ave. Vernon BC

PROJECT NO:

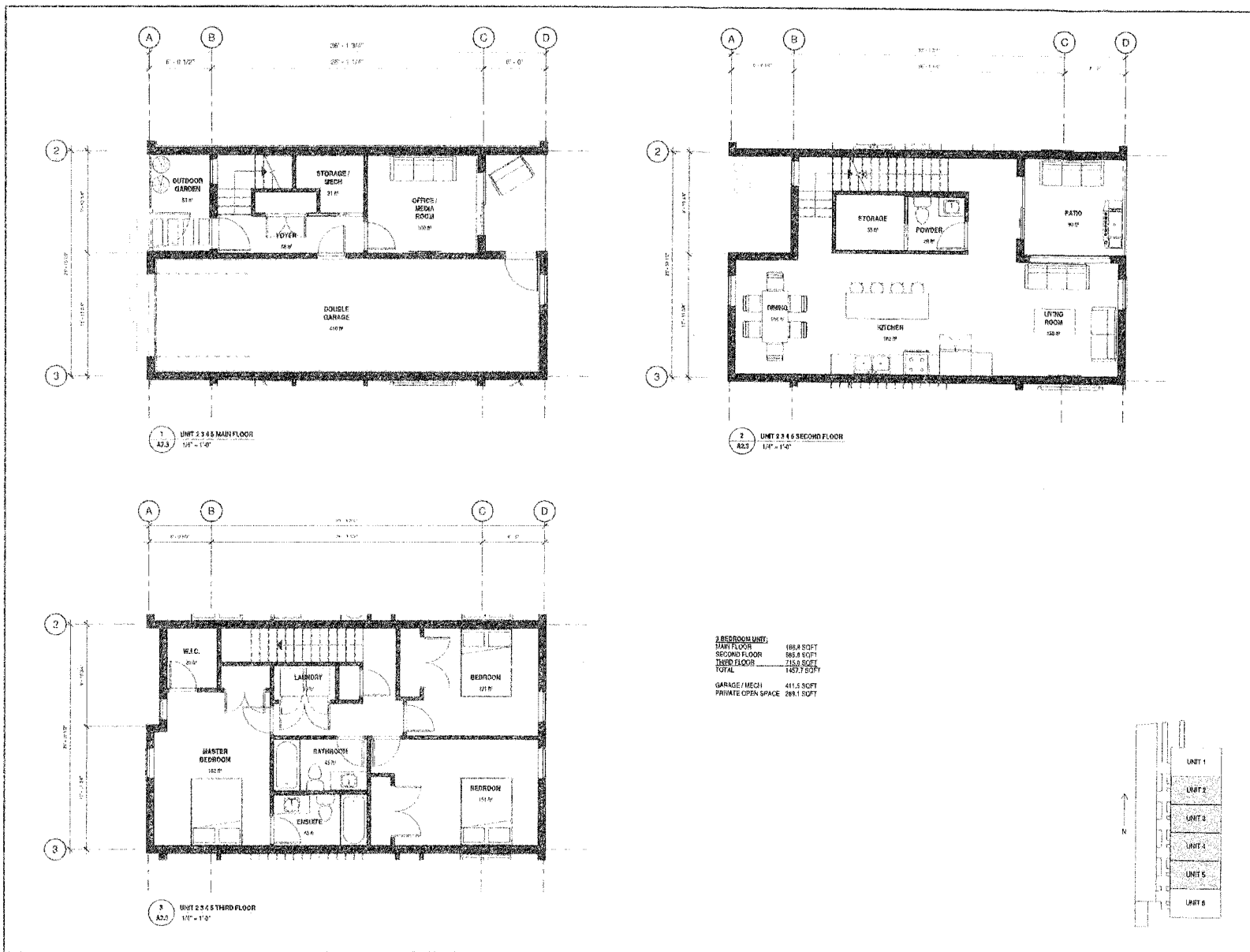
1704-44-01

TITLE

UNIT 1 FLOOR PLANS



A2.2



LARK MONSTER STUDIO
 ARCHITECTURE + DESIGN
 3054 08 St., Vernon, NC 27157 919.378.5064/5067

DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 PROJECT NO.: _____
 TITLE: **UNIT 2, 3, 4, & 5 FLOOR PLANS**

ISSUED FOR DEVELOPMENT PERMIT

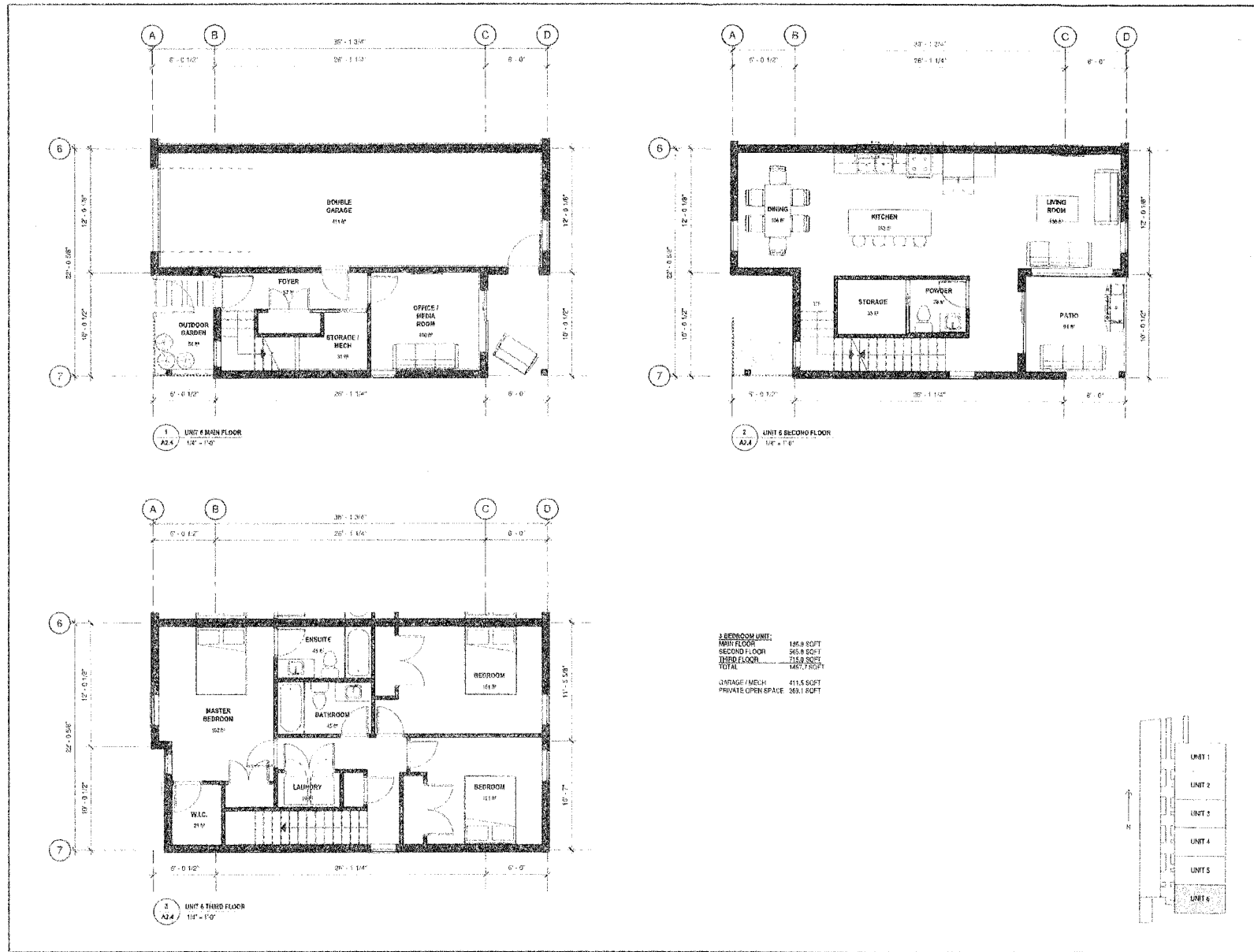
CLIENT: _____
 1700 _____

ARCHITECT: _____
 1748 4th St.

DATE: _____
 3054 08 St. Vernon, NC

PROJECT NO.: _____
 UNIT 2, 3, 4, & 5 FLOOR PLANS

A2.3



ALL MONSTER ARCHITECTURE & DESIGN
 3664 25 St., Vienna, VA 22182
 703.858.1222

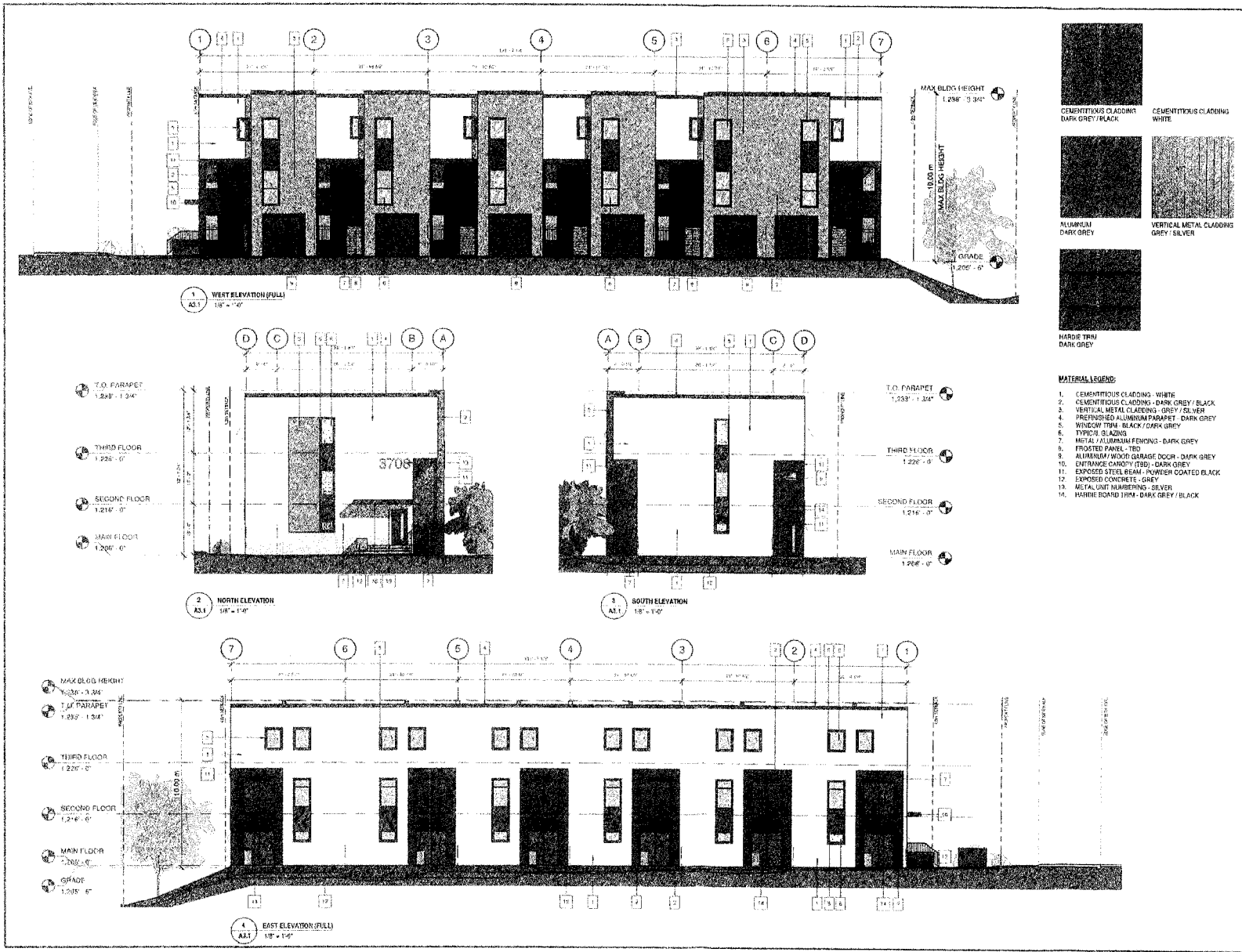
DATE: 08/20/21
 PROJECT: 2754 25th St. - Unit 6
 SHEET: A2.4

ISSUED FOR DEVELOPMENT PERMIT

PROJECT NO.: 2754 25th St. - Unit 6
 SHEET NO.: A2.4

UNIT 6 FLOOR PLANS

A2.4



1 MONSTER DESIGN
ARCHITECTURE + DESIGN
3001 29th St., Vernon, NC 27787 547-776-5064 #567

PROJECT:
3708 29th Ave., Vernon, NC

ISSUED FOR DEVELOPMENT PERMIT

DATE:
1/20/22

PROJECT NO: 188-2014

TITLE:
ELEVATIONS

A3.1



2 FRONT PERSPECTIVE
A3.3 1/2" = 1'-0"



1 REAR PERSPECTIVE
A3.3 1/2" = 1'-0"

LAKE MONSTER STUDIO
ARCHITECTURE + DESIGN
3008 29 St, Vernon, BC V1T 5A7 782.864.557

DATE: _____
DRAWN BY: _____
CHECKED BY: _____

DATE: _____

SCALE: _____

PROJECT: _____

PROJECT NUMBER: _____

ISSUED FOR DEVELOPMENT PERMIT

CLIENT: _____

DATE: _____

PROJECT NO: _____

3700 J.P.E. Ex

ADDRESS: _____

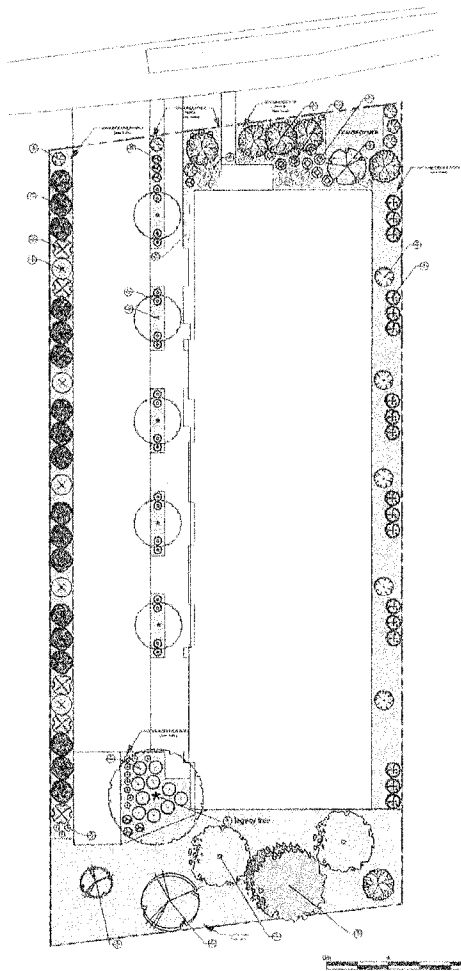
3748 25th Ave, Vernon BC

PROJECT NO: _____

TITLE: _____

PERSPECTIVE VIEWS

A3.3



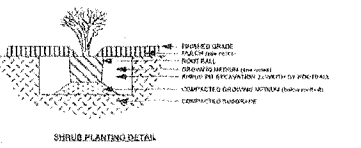
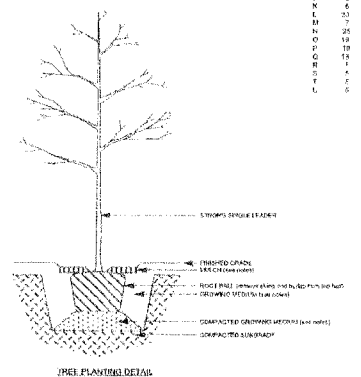
PLANNING NOTES
 1. The landscape plan is a conceptual plan and is not intended to be a construction document. It is intended to provide a visual representation of the proposed landscape design.
 2. The landscape plan is based on the information provided by the client and is subject to change without notice.
 3. The landscape plan is not intended to be used as a legal document.

GENERAL NOTES
 1. All plantings shall be installed in accordance with the manufacturer's instructions.
 2. All plantings shall be installed in accordance with the applicable codes and regulations.
 3. All plantings shall be installed in accordance with the applicable codes and regulations.

LANDSCAPE SYMBOLS
 1. The landscape symbols are used to identify the various plantings shown on the plan.
 2. The landscape symbols are used to identify the various plantings shown on the plan.

ABBREVIATIONS
 1. The abbreviations are used to identify the various plantings shown on the plan.
 2. The abbreviations are used to identify the various plantings shown on the plan.

| ID | QTY | COMMON NAME | BOTANICAL NAME | NOTE |
|----|-----|--------------------------|------------------------|-----------|
| A | 1 | Scout Pine | Pinus strobus | 1.8M |
| B | 1 | Creeping Juniper | Juniperus horizontalis | 1.8M |
| C | 2 | Amelanchier | Amelanchier | 4.0M CAL. |
| D | 1 | Purple Spine Loropetalum | Loropetalum chinense | 4.0M CAL. |
| E | 3 | Eastern White Pine | Pinus strobus | 4.0M CAL. |
| F | 1 | Shady Bluetop | Hydrangea | 4.0M CAL. |
| G | 1 | Royal Star Magnolia | Magnolia stellata | 4.0M CAL. |
| H | 10 | Caroline's Jasmine | Yucca filamentosa | 1.2M CAL. |
| I | 5 | Woolly Mock Orange | Philadelphus | 4.0M CAL. |
| J | 5 | Penstemon | Penstemon | 4.0M CAL. |
| K | 6 | Concord Berry | Berberis thunbergii | 4.0M CAL. |
| L | 2 | Male Forestar Redwoods | Calochortus | 4.0M CAL. |
| M | 2 | Hibiscus | Hibiscus | 4.0M CAL. |
| N | 20 | Purple Emperor | Salix purpurea | 4.0M CAL. |
| O | 10 | Jack Frost | Hydrangea | 4.0M CAL. |
| P | 10 | Chopin | Mahonia | 4.0M CAL. |
| Q | 10 | Harriet | Hydrangea | 4.0M CAL. |
| R | 1 | Blue Arrow | Juniperus | 4.0M CAL. |
| S | 4 | Kormoran | Hydrangea | 4.0M CAL. |
| T | 5 | Emilia | Hydrangea | 4.0M CAL. |
| U | 5 | Royal Palm | Quercus | 4.0M CAL. |



SWAN LAKE MARKET & Garden

7030 HIGHLAND RD.
VERNON, BC
V3B 2S9

TEL: (250) 542-7614
FAX: (250) 542-7492
admin@swanlakemarket.com

DATE: _____

PROJECT: _____

3708 25th Avenue
VERNON, BC

LANDSCAPE PLAN

DATE: 4/20/2022

SCALE: 1/4" = 1'-0"

CHECKED: _____

DATE: _____

PROJECT NUMBER: _____

L1.0



9.10 RM1 : Row Housing Residential

9.10.1 Purpose

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

9.10.2 Primary Uses

- care centre, major
- duplex housing
- four-plex housing
- group home, major
- row housing
- semi-detached housing
- seniors housing
- single detached housing

9.10.3 Secondary Uses

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

9.10.4 Subdivision Regulations

- Minimum **lot width** is 26.0m, except it is 7.5m for fee simple **row housing** and **semi-detached dwellings**.
- Minimum **lot area** is 800m², or 10,000m² if not serviced by a **community sewer system**.
- Maximum **density** is 48.0 units per gross hectare (19.5 units/gross acre).
- Maximum **site coverage** is 65% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 85%.

9.10.5 Party Wall Subdivision Regulations

| Lot Type | Minimum Lot Area | | Minimum Lot Width | |
|------------------------------|-------------------|-------------------|-------------------|--------|
| | interior | corner | interior | corner |
| Semi-Detached Housing | 225m ² | 275m ² | 7.5m | 9.0m |
| Row Housing | 150m ² | 200m ² | 6.5m | 7.8m |

9.10.6 Development Regulations

- With a housing agreement pursuant to Section 4.9, the maximum **density** shall be 60.0 units per gross hectare (24.5 units/gross acre).
- Where **parking spaces** are provided completely beneath habitable space of a primary **building** or beneath useable common amenity areas, providing that in all cases the **parking spaces** are screened from view, the maximum **density** shall be 60.0 units per gross hectare (24.5 units/gross acre). Where all the required parking is not accommodated completely beneath the habitable space of a primary **building** or useable common amenity areas, the additional density permitted shall be

determined through multiplying the additional 12.0 units per gross hectare (5 units/gross acre) by the percentage of parking proposed to be provided beneath habitable space of a primary **building** or useable common amenity areas.

- Maximum **site coverage** is 50% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 55%.
- Maximum **height** is the lesser of 10.0m or 2.5 **storeys**, except it is 4.5m for **secondary buildings and secondary structures**.
- Minimum **front yard** is 4.0m, except it is 6.0m from a garage or **carport** to the back of curb or sidewalk for vehicular entry.
- Minimum **side yard** is 1.2m, or 0.0m for shared interior **party walls** except it is 4.5m from a **flanking street**. Where there is no direct vehicular access to the **rear yard** or to an attached garage or **carport**, one **side yard** shall be at least 3.0m. The **side yard** is 0.0m for fee simple **row housing** and **semi-detached dwellings**.
- Minimum **rear yard** is 6.0m, except it is 1.0m for **secondary buildings**.
- Maximum six **dwelling** units located in a **building**, with each row housing unit having a minimum width of 6.5m and 7.5m for semi-detached housing units.

9.10.7 Other Regulations

- For multi-unit residential housing, one **office** may be operated for the sole purpose of the management and operation of the multi-unit residential **development**.
(Bylaw 5540)
- In order for bareland strata **development** to be consistent with the character of the surrounding neighborhood, the strata plan shall be considered as one **site** for defining the overall use, **density** and **site coverage**.
- The above noted **subdivision** and **development** regulations shall be applied to each strata **lot** within the strata plan.
- For strata developments, common recreation buildings, facilities and amenities may be included in the strata plan. Recreational buildings shall be treated as **secondary buildings** for the purpose of determining the size, **height** and **setbacks** of the **building** as specified in each **zone**.
- A minimum area of 25m² of private open space shall be provided per **dwelling**.
- Vehicular access to the **development** is only permitted through either a driveway shared by at least 3 units or a rear **lane**.
- For **seniors assisted housing, seniors housing and seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- No more than 6 **dwellings** may be located in a **row house building**.
- 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)



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: December 12, 2022
REPORT DATE: November 8, 2022
FILE: 3090-20 (DVP00561)

SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 1606 38th AVENUE

PURPOSE:

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

RECOMMENDATION:

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 Application for 1606 38th Avenue" dated November 8, 2022 and respectfully submitted by the Approving Officer:

- a) maximum allowable height for a secondary building to the mid-point of the roof structure, Section 4.5.6 from 4.5m to 5.0m up to a total building height of 5.7m; and
- b) maximum allowable building area of a secondary building, Section 4.5.7 from 90m² to 105m² and a cumulative total area of 187m²;

AND FURTHER, that Council's 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) a Road Reserve Covenant be registered on title that will allow the City to acquire the needed land to connect 38th Avenue/lane in the future at no cost and ensures no buildings are built on the future alignment.

Note: The variance would allow 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.

ALTERNATIVES & IMPLICATIONS:

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 Application for 1606 38th Avenue" dated November 8, 2022 and respectfully submitted by the Approving Officer:

- a) maximum allowable height for a secondary building, Section 4.5.6 from 4.5m to 5.0m; and

- b) maximum allowable building area of a secondary building, Section 4.5.7 from 90m² to 105m² and a total area of 187m².

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. The applicant would be required to revise the proposal and future development on the subject property to meet the prevailing zoning requirements.

ANALYSIS:

A. Committee Recommendations:

At its meeting of November 15, 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 a terminus of 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 4.5.6 and 4.5.7 of Zoning Bylaw 5000. The application proposes to vary the height restriction, the area of a secondary building and the sum of the secondary buildings on-site.
3. The application proposes to vary the height of the proposed secondary structure from 4.5m to 5.0m as measured from the mid-point of the roof structure. The overall height of the proposed secondary structure is 5.7m at its highest point (i.e. roof ridge).

The application also proposes to vary the maximum area of a secondary building from 90m² to 105m². The proposed garage, in addition to other structures (garden shed, pool shed and pool), would bring the total area of the secondary buildings on the subject property to



Figure 1 - Property Location Map



Figure 2 - Aerial View of Subject Property

187m². This will result in 97m² variance above the total secondary building area that would be permitted as per the Zoning Bylaw.

4. The subject property sits in the centre of a future transportation connection between 38th Avenue and the lane west of 38th Avenue. The lack of connection between 38th Avenue and the lane to the west is a transportation network concern. Future connection would provide operational benefits (i.e. snow plowing, garbage, recycling collections, utility options) and connectivity benefits for vehicles as well as pedestrians and cyclists. 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 to the east and the lane. The proposed road reserve would protect a 5.5m alignment plus setbacks for future buildings. The applicant is not in favour of providing the road reserve covenant.
5. Administration support the development variance application for the following reasons:
 - a) The proposed 5.0m building height to the mid-point of the roof structure and a total height of 5.7m is not a substantial variance above the 4.5m bylaw regulation. The proposed secondary building is 0.53m below the neighbouring house to the south and 1.60m above primary building peak (on-site).
 - b) The height of the proposed building would not impact the neighbour's view and privacy of adjacent neighbour towards the south of the property line.
 - c) The proposed size of the secondary building and the cumulative size of the other secondary buildings is in keeping with size and private setting of the unique lot.
 - d) That the proposed road reserve covenant protects the potential to connect 38th Avenue to the lane to the west.

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.

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Approved for submission to Council:

X

Craig Broderick
Approving Officer

Will Pearce, CAO

Date: _____

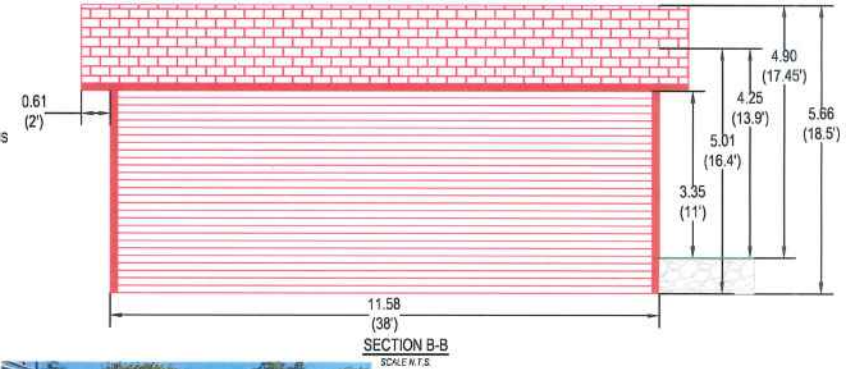
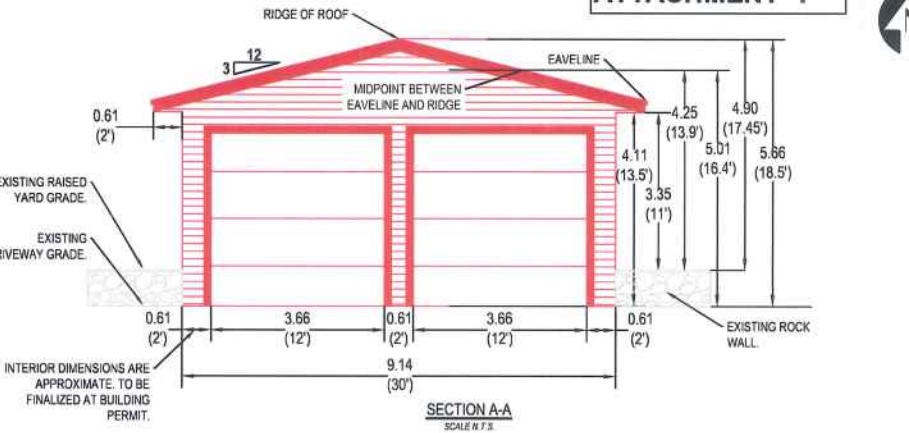
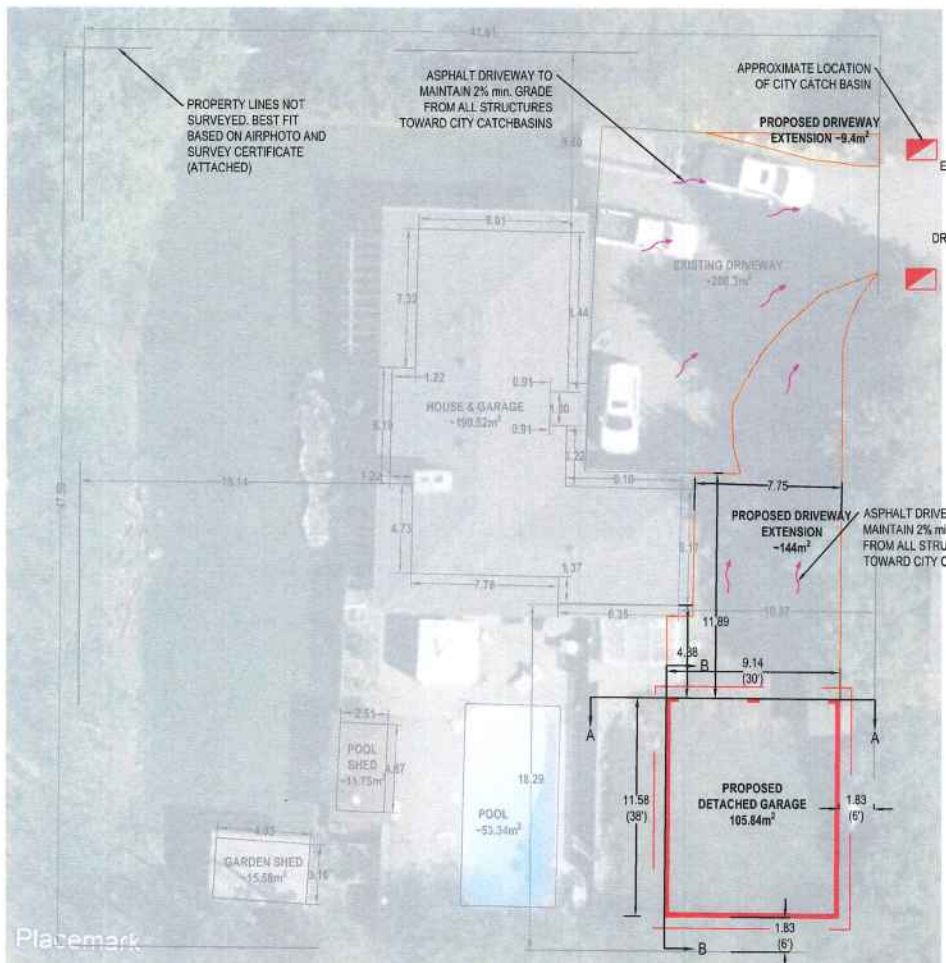
X

Kim Flick
Director, Community Infrastructure and Development

REVIEWED WITH

- | | | |
|--|---|---|
| <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 |
| <input type="checkbox"/> RCMP | <input type="checkbox"/> Utilities | <input type="checkbox"/> Engineering Development Services |
| <input type="checkbox"/> Fire & Rescue Services | <input type="checkbox"/> Recreation Services | <input type="checkbox"/> Infrastructure Management |
| <input type="checkbox"/> Human Resources | <input type="checkbox"/> Parks | <input checked="" type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Nov.15/22) | | |
| <input type="checkbox"/> OTHER: | | |

ATTACHMENT 1



- 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 0.53m (20.8") BELOW NEIGHBOURS PEAK
- PROPOSED SECONDARY BUILDING (GARAGE) IS 1.60m (5.24') ABOVE PRIMARY BUILDING PEAK

| Impermeable Area Table (including eaves) | | |
|--|------------------------|-------------------|
| Type | Area (m ²) | Required Variance |
| House & Deck | 698.5 | |
| Garden Shed (to be removed) | 20.61 | |
| Pool Shed | 19.01 | |
| Pool & Concrete Deck | 286.74 | |
| Existing Asphalt Driveway | 208.51 | |
| PROPOSED DRIVEWAY | 132.84 | |
| PROPOSED ASPHALT DRIVEWAY EXTENSION | 353.33 | |
| Total Impermeable Area w/o Garden Shed | 993.94 | |
| Lot Size - 47.59m x 41.91m | 1994.49 | |
| Percentage Impermeable | 49.3% | N/A |

PLAN VIEW
EXISTING/PROPOSED STRUCTURE LAYOUT
SCALE: 1/4" = 1'-0"

| Site Coverage Table | | | |
|---------------------|--|------------------------|-------------------------------------|
| Type | Description | Area (m ²) | Required Variance (m ²) |
| Primary | House & Deck | 217.96 | N/A |
| | Total Primary Site Coverage | 217.96 | |
| Secondary | Garden Shed | 15.28 | |
| Secondary | Pool Shed | 13.30 | |
| Secondary | Pool | 53.34 | |
| | PROPOSED DRIVEWAY | 132.84 | |
| | Total Secondary Site Coverage | 186.51 | 56.51 |
| | Total Secondary Site Coverage w/o Pool & Garden Shed | 117.98 | 27.98 |
| | Total Site Coverage | 426.17 | |
| | Lot Size - 47.59m x 41.91m | 1994.49 | |
| | Permit Site Coverage | 35.9% | 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"

| | | |
|--------------|---|-------------------|
| BOOK: N/A | 1606 38 AVENUE, VERNON BC, V1T 2Z2 | DATE: 2022-09-20 |
| DRAWN: E.S. | | PROJECT No.: N/A |
| DESIGN: A.S. | CHRIS & AMANDA SWALES VARIANCE FOR NEW DETACHED GARAGE BUILD | DATE: N/A |
| REVISED: N/A | | SHEET No.: 1 of 1 |
| STATUS: N/A | | |
| RE: N.T.S. | | |
| BY: N.T.S. | | |



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Roy Nuriel
Economic Development Planner

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: December 12, 2022
REPORT DATE: October 24, 2022
FILE: 3090-20 (DVP00588)

SUBJECT: DEVELOPMENT VARIANCE PERMIT FOR 4816, 4960 AND 5000 SILVER STAR ROAD

PURPOSE:

To review Development Variance Permit Application 00588 (DVP00588) for three freestanding signs for the business park located at 4816, 4960 and 5000 Silver Star Road.

RECOMMENDATION:

THAT Council support Development Variance Permit Application 00588 (DVP00588) to vary the following sections of Sign Bylaw 4489 to allow for three freestanding signs to be constructed on Lots 1 and 2, Plan EPP91551, Sec 2, Twp 8, ODYD (4816 and 5000 Silver Star Road) and on Lot B, Plan 39472, Sec 2, Twp 8, ODYD (4960 Silver Star Road):

- a) to vary the minimum clearance of freestanding signs from 2.75m to 1.6m (Part III Section C.3.a); and
- b) to vary the freestanding signs location to be 1.0m from the property line and the signage area to be located from 1.6m instead of 2.75m (Part III Section C.3.b);

AND FURTHER, that Council support of DVP00588 is subject to the following:

- a) the site plan and signs elevation generally noted as Attachments 2 and 3 contained in the report titled "Development Variance Permit for 4816, 4960 and 5000 Silver Star Road" dated October 24, 2022 and respectfully submitted by the Economic Development Planner be attached to and form part of DVP00588 as Schedule 'A'.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support Development Variance Permit Application 00588 (DVP00588) to vary the following sections of Sign Bylaw 4489 to allow for three freestanding signs to be constructed on Lots 1 and 2, Plan EPP91551, Sec 2, Twp 8, ODYD (4816 and 5000 Silver Star Road) and on Lot B, Plan 39472, Sec 2, Twp 8, ODYD (4960 Silver Star Road) as outlined in the report titled "Development Variance Permit for 4816, 4960 and 5000 Silver Star Road" dated October 24, 2022 and respectfully submitted by the Economic Development Planner:

- a) to vary the minimum clearance of freestanding signs from 2.75m to 1.6m (Part III Section C.3.a); and
- b) to vary the freestanding signs location to be 1.0m from the property line and the signage area to be located from 1.6m instead of 2.75m (Part III Section C.3.b).

Note: This alternative does not support the development variance permit application for the remaining three freestanding signs of the business park. The owner would need to redesign the signage in accordance with the bylaw.

ANALYSIS:

A. Committee Recommendations:

At its meeting of November 15, 2022, the Advisory Planning Committee passed the following resolution:

“ ”

B. Rationale:

1. The subject properties are located at 4816, 4960 And 5000 Silver Star Road (Figures 1 and 2). The total area of the lots is 2.71 hectares (6.7 acres). The subject properties are designated Light Industrial/Service Commercial (4960 and 5000 Silver Star Road) and Community Commercial (4816 Silver Star Road) in the Official Community Plan (OCP) and zoned I1: Light Industrial (5000 Silver Star Road), RR: Rural Residential (4960 Silver Star Road) and C5: Community Commercial (top of the bank, 4816 Silver Star Road) in Zoning Bylaw 5000. The properties are used for the Silver Star Gateway Business Park, a master planned, three phased industrial and commercial development. The first phase of the business park was completed, and currently the work on phase two is underway.

2. The applicant is proposing to erect three freestanding signs, one on each property, in the front yard for the business park (Attachments 2 and 3). Signs within the city are subject to the regulations of Sign Bylaw 4489. The applicant is seeking to vary the following sections of Sign Bylaw 4489:

- a) to vary the minimum clearance of freestanding signs from 2.75m to 1.6m (Part III Section C.3.a); and
- b) to vary the freestanding signs location to be at 1.0m from the property line and the signage area to be located from 1.6m instead of 2.75m (Part III Section C.3.b).



Figure 1 - Location of Subject Property



Figure 2 - Aerial View of Subject Property

In their letter (Attachment 1), the applicant has provided a rationale for the requested variances.

3. As illustrated in Attachments 2 and 3, the signs are proposed to be 7.3m (24ft) high, 3.2m (10.4ft) wide, and 0.6m (2.2ft) deep. The proposed siting at 1.0m from the front property line does not meet the bylaw requirement of 3.0m, and the proposed vertical clearance of the tenant sign panels at 1.6m above grade do not meet the bylaw requirement of 2.75m. The rationale behind Section C.3 for Clearance in Sign Bylaw 4489 is to eliminate the impact of freestanding signs on site lines to the road. However, due the width of the road right away along Silver Star Road, which includes a multi-use path and a drainage corridor, the actual buffer between the proposed freestanding signs and the edge of the road would be over 8.0m, which will not restrict the visibility of motorists and active transportation users.

4. At their hearing held on July 28, 2020, the Board of Variance reviewed a similar application from the applicant to install a freestanding sign for phase one of the business park. With the application, the applicant has presented rationale for hardship and the requested variance was supported by the Board. As the Board of Variance's resolution included only one freestanding sign on phase one of the business park (Figure 3), an additional variance is required in order to install the remaining three identical freestanding signs of the business park.

5. The Sign Bylaw requires updating to reflect new design and technology. That update will include a review of best practices and consideration of safety issues, and will be brought forward to Council for its consideration in the future. This is on Administration's work plan, to be undertaken as time permits.

6. Administration supports the development variance application for the following reasons:

- a) Traffic and Active Transportation: The proposed freestanding signs are to be located at least 8.0m back from the road along Silver Star Road and would not restrict the visibility of motorists and active transportation users leaving the property.
- b) Site Aesthetics: The proposal for lowering the clearance of the freestanding signs would allow the installation of identical freestanding signs to the one that was erected in phase one and supported by the Board of Variance on July 28, 2020. Having the freestanding signage look different for the remaining phases of the business park would detract from the aesthetic appeal and consistent design of the business park along Silver Star Road.
- c) Sign Bylaw 4489: The Sign Bylaw requires updating to reflect new design and technology. That update will include a review of best practices and consideration of safety issues, and will be brought forward to Council for its consideration in the future.

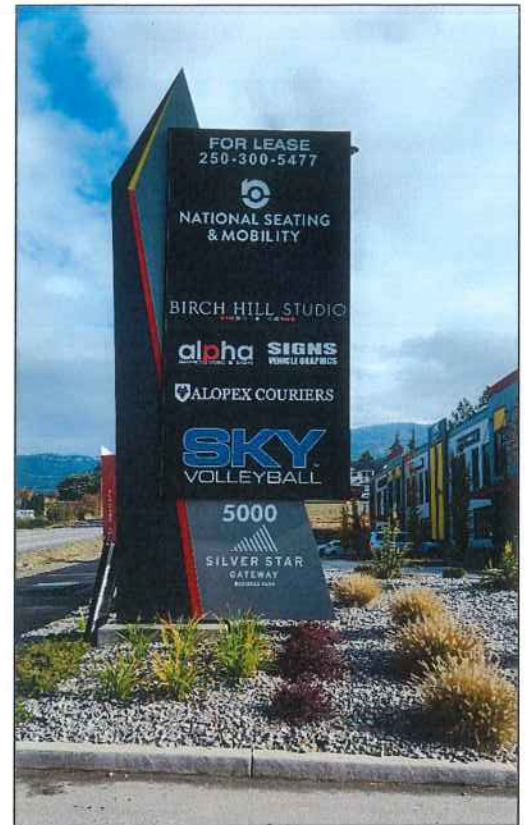


Figure 3 – Silver Star Gateway Business Park Phase One Freestanding Sign

C. Attachments:

- Attachment 1 – Applicant's letter dated September 1, 2022
- Attachment 2 – Site plan
- Attachment 3 – Proposed freestanding signage

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

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

- Work towards a sustainable Vernon – environmentally, economically and socially
- Be a leader in economic development

E. Relevant Policy/Bylaws/Resolutions:

1. Sign Bylaw 4489
Part III Sections C.3a and C.3b state the following:

“3. Clearance

- a) A freestanding sign shall have a minimum clearance of 2.75m (9.0 ft).
- b) A freestanding sign located within 3.0m (9.84ft) of a road right-of-way shall have no signage other than the supporting structure located between 1.0m (3.28ft) and 2.75m (9.0ft) above grade”.

2. At their hearing held on July 28, 2020, the Board of Variance passed the following resolution for 5000 Silver Star Road:

‘BE IT RESOLVED’ that the Board of Variance approve the application submitted by the owners of 5000 Silver Star Road to allow variance of Part III, Sections C.3.a and b of Sign Bylaw 4489 to allow a freestanding sign with a minimum clearance of 1.6m, sited between 3.0m but not less than 1.0m of the road right of way provided that no signage other than the supporting structure is located less than 1.6m above grade.

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

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Approved for submission to Council:

X _____
Roy Nuriel
Economic Development Planner

Will Pearce, CAO

Date: _____

X _____
Kim Flick
Director, Community Infrastructure and Development

REVIEWED WITH

- | | | |
|--|---|---|
| <input type="checkbox"/> Corporate Services | <input type="checkbox"/> Operations | <input checked="" type="checkbox"/> Current Planning |
| <input type="checkbox"/> Bylaw Compliance | <input type="checkbox"/> Public Works/Airport | <input type="checkbox"/> Long Range Planning & Sustainability |
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| <input type="checkbox"/> Financial Services | | <input type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Nov.15/22) | | |
| <input type="checkbox"/> OTHER: | | |

G:\3000-3699 LAND ADMINISTRATION\3090 DEVELOPMENT VARIANCE PERMITS\20 Applications\DVP00588\2 PROC\Rpt\221024_rn_APC_Rpt_DVP00588.docx



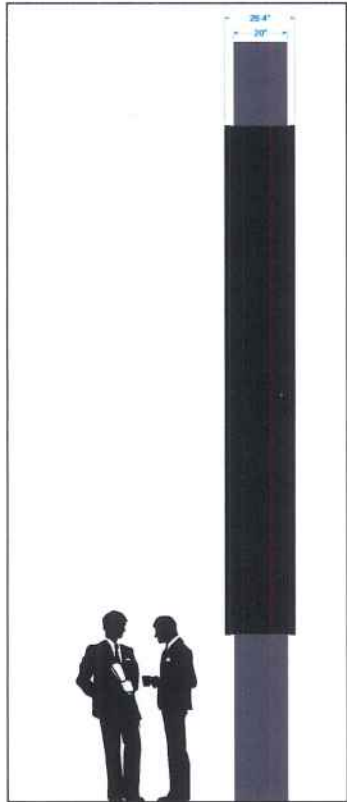
#505 - 2950 GLEN DRIVE
 COQUITLAM, BC V3B 0J1
 TEL (604) 420-2244
 FAX (604) 420-1133
 EMAIL accounts@oballa.com

Development Variance Permit Application Rationale for Variance

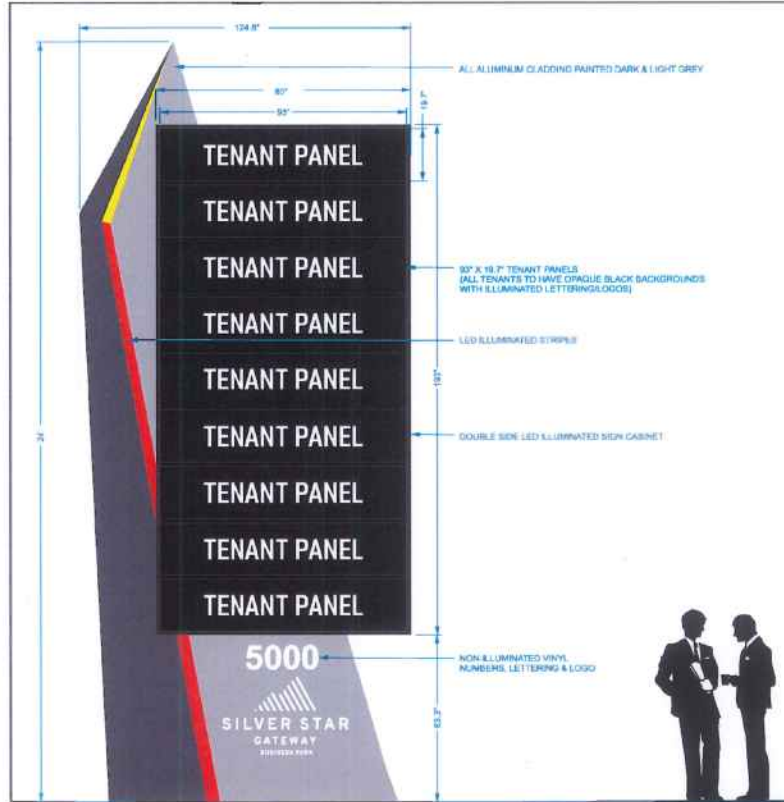
The rationale for the variances requested in our DVP Application dated September 1st, 2022 are described below:

- On July 28, 2020 we successfully appealed to the board of variance regarding the same signage variance requested in this DVP application.
- It was our intent in the original board of variance application to have these variances apply to all pylon signs to be erected in each of the phases of Silver Star Gateway Business Park, but I have been informed that due to an error in the documentation, parts of the plan were cut off and only the phase 1 lot was shown to the board of variance at that time.
- Our original master plan presented to the City as well as our submitted and accepted development permit have always shown the freestanding signs in the same location, orientation, and style of signage.
- The phase 1 freestanding signage was installed in 2020 as a result of the board of variance's decision on July 28, 2020 and it was our understanding that all future freestanding signs would be identical in form and character as well as in location to what was erected in phase 1.
- Having the freestanding signage look different for the remaining phases of this project would detract from aesthetic appeal. Our vision for signage had always been promoted to have multiple freestanding signs on Silver Star Road so that they all line up in an aesthetic and consistent manner when traveling westbound on Silver Star Road.
- The requested location for the pylon sign is 1.0m from the property line but is actually over 8 meters from the road's edge as there is a bike lane, city storm culvert, drainage and a pathway between the property and the road. Given the significant distance between our proposed sign location and the road, site lines to the road will not be impacted.
- The signage bylaw appears to favour old-style freestanding signs – ones that contemplate a two-post design with a cabinet suspended between the posts with clearance required of 2.75m under the cabinet. Our intended design provides a modern appearance utilizing one vertical support structure with a cantilevered signage cabinet. Modern freestanding signs that are lower rather than higher are favoured by tenants as they prefer their signage to be closer to eye level. If we were to simply widen the base of our design, we could circumvent this bylaw but the result would reduce site line visibility, affect the modern aesthetic, and would incur additional and unnecessary cost.

SILVER STAR GATEWAY BUSINESS PARK - ALL FUTURE PHASES - PYLON SIGN - CONCEPT SKETCH



END VIEW



FACE VIEW



3-D VIEW



UFOs MADE HERE
 T 604.552.3521
 TF 1.877.523.2500
 58 Glacier Street | Coquitlam
 B.C. V3K 5V9 Canada
 West Coast Near-Works DBA

CLIENT:
 OBALLA PROPERTIES

ADDRESS:
 VERNON B.C.

CONTACT:
 MARCO OBALLA

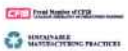
APPROVED:
 DATE:

LANDING APPROVAL:
 DATE:

WEB DESIGN REPRESENTATIVE:
 APPROVE:

JUNE 13 2022
 DRAWING DATE:

REVISION DATE:



UFOs MADE HERE
 Creators of Unique Fabricated Objects





THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Roy Nuriel
Economic Development Planner

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: November 28, 2022
REPORT DATE: October 25, 2022
FILE: 6450 (Projects / C10A)

SUBJECT: PROPOSED TEXT AMENDMENTS TO C10A: TOURIST COMMERCIAL AND RESIDENTIAL ZONING DISTRICT

PURPOSE:

To propose text amendments to C10A: Tourist Commercial and Residential zoning district.

RECOMMENDATION:

THAT Council support the preparation of a text amendment to zoning district C10A: Tourist Commercial and Residential as outlined in the report titled "Proposed Text Amendments to C10A: Tourist Commercial and Residential Zoning District" dated October 25, 2022 and respectfully submitted by the Economic Development Planner.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council receive the report titled "Proposed Text Amendments to C10A: Tourist Commercial and Residential Zoning District" dated October 25, 2022 and respectfully submitted by the Economic Development Planner, for information.

Note: Should Council choose this alternative, the C10A zoning district would remain unchanged.

ANALYSIS:

A. Committee Recommendations:

At its meeting of November 15, 2022, The Advisory Planning Committee adopted the following resolution:

"(to be cited by the Advisory Planning Committee)"

B. Rationale:

1. At its Regular Meeting of December 13, 2010, Council adopted two new tourist and resort commercial zones: 1) C10A: Tourist Commercial and Residential, and 2) RTCA: Resort Commercial and Residential (Bylaw 5275). These zones were created in order to allow for unrestricted permanent residency, without the maximum 180 day limitation, as in C10: Tourist Commercial and RTC: Resort Commercial zones. As shown in the zoning map (Attachment 1), C10A is the primary zone in the Waterfront Neighbourhood Centre and RTCA is one of the primary zones in the Predator Ridge and The Rise Neighbourhoods.
2. The intent of the C10A zoning district is to "designate and preserve land for the development of destination commercial visitor accommodation and to allow for permanent residences". Currently the zoning district allows a mix of residential dwellings with commercial uses generally at street level together with community services, recreation and tourism.

3. Over time, the development needs of the community change due to market demands, demographics, development trends and building technologies. As such, Zoning Bylaw 5000 needs to be reviewed and amended periodically to encourage a range of development styles that would assist in meeting these changing needs. The C10A zoning is approximately 12 years old and Administration believes that the proposed minor amendments would improve the C10A zoning by including additional commercial uses and updating the development regulations. These proposed changes would contribute to more successful tourist residential, mixed use, compact and walkable neighbourhoods as envisioned in the City's resort residential neighbourhood plans.
4. The proposed changes to the C10A zoning district are provided in Attachment 2 and include amendments to three sections of the C10A: Primary Uses (10.10a2), Secondary Uses (10.10a3) and Development Regulations (10.10a5):

Primary Uses (10.10a2):

| Additional Primary Use | Zoning Bylaw 5000 Definition |
|---|--|
| Brewing or Distilling, Class A | The use of a building for the brewing or distilling of alcoholic beverages or alcoholic products with alcoholic content exceeding 1% by volume, where the use may involve the milling of grain, rice, or malt. |
| Business Support Services | Development providing support services to businesses and which are characterized by one or more of the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; secretarial services; the provision of office maintenance or custodial services; the provision of office security; and the sale, rental, repair, or servicing of office equipment, furniture and machines. |
| Educational Services, Private | Development for education, training or instruction which is not publicly administrated and which may or may not offer courses of study equivalent to those offered in a public school or private instruction as a home occupation. This use includes dormitory and secondary buildings. This use does not include commercial schools. |
| Employee Housing, Self Contained Dwelling | A dwelling unit provided by and regulated by an employer for occupancy by employees and the employees household. This use may include but is not limited to apartment housing, four-plex housing, row housing, semi-detached housing, single detached housing or three-plex housing. |
| Farmers Market | A temporary or seasonal market for the display and sale of farm produce and products. |
| Financial Services | The provision of financial and investment services by a bank, trust company, investment dealer, credit union, mortgage broker, insurance company or related business. This use does not include Insurance companies that cater to a specific sector of the commercial or industrial business community and do not offer personal, financial, investment or insurance services. |
| Participant Recreation Services, Outdoor | Facilities that are available to the public at large for sports and active recreation conducted outdoors. Typical uses include but are not limited to golf courses and playing fields. |
| Real Estate Sales Centre | A permanent or temporary building or structure located on a lot for the purpose of marketing residential lots and/or buildings, for a limited period of time. |

| | |
|--|---|
| Retail Stores, Licensee | A retail store licensed by the <i>Province of British Columbia Liquor Control and Licensing Branch</i> to sell beer, wine, cider, coolers and spirits to the public. This use does not include the retail sale of cannabis or cannabis products. (Bylaw 5731) |
| Spectator Entertainment Establishments | An enclosed building designed specifically for the presentation of live artistic performances or the showing of motion pictures. Typical uses include but are not limited to auditoria, cinemas, theatres, and concert halls. |
| Wineries and Cideries | A farm winery, an estate winery, or an estate cidery that is licensed under the <i>Liquor Control and Licensing Act</i> . |

Secondary Uses (10.10a3):

Removal of the following two secondary uses which are already permitted as primary uses:

- retail stores, licensee
- spectator entertainment establishments

Development Regulations (10.10a5):

The proposed amendments to the Development Regulations include:

- Adding the “hotels” use to the same development category for permitted floor space ratio and height as apartment housing.
- Reducing the setback requirements for ground floor commercial uses to 0.0m.

These changes would allow for a better scale of urban and resort development and support more vibrant, pedestrian focused, mixed land uses along the street level.

5. If Council is supportive of this amendment to the C10A zoning district, the appropriate bylaw will be drafted and a suggested Public Hearing date will be brought forward for Council’s consideration.
6. Administration supports an amendment to the C10A zoning district in response to the changing needs of the market and the community by enhancing the permitted uses in the zone and improve its development regulations to support a vibrant mixed use urban environment.

C. Attachments:

Attachment 1 – RTCA and C10A Zoning Districts Map

Attachment 2 – Proposed Zoning Text Amendment to C10A: Tourist Commercial and Residential Zoning District

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

The subject proposed text amendment to the C10A: Tourist Commercial and Residential zoning district involves the following goals/action items in Council’s Strategic Plan 2019 – 2022:

- Promote transit oriented and mixed use development
- Work towards a sustainable Vernon – environmentally, economically and socially
- Be a leader in economic development

E. Relevant Policy/Bylaws/Resolutions:

1. At its Regular Meeting of December 13, 2010, Council passed the following resolution:

THAT Bylaw 5275, "Zoning Text (New Tourist & Resort Commercial Zones) Text Amendment Bylaw Number 5275, 2010" – a bylaw to amend definitions and create two new Tourist and Resort commercial zones (C10A and RTCA), be adopted. (City of Vernon)

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Approved for submission to Council:

X

Roy Nuriel
Economic Development Planner

Will Pearce, CAO

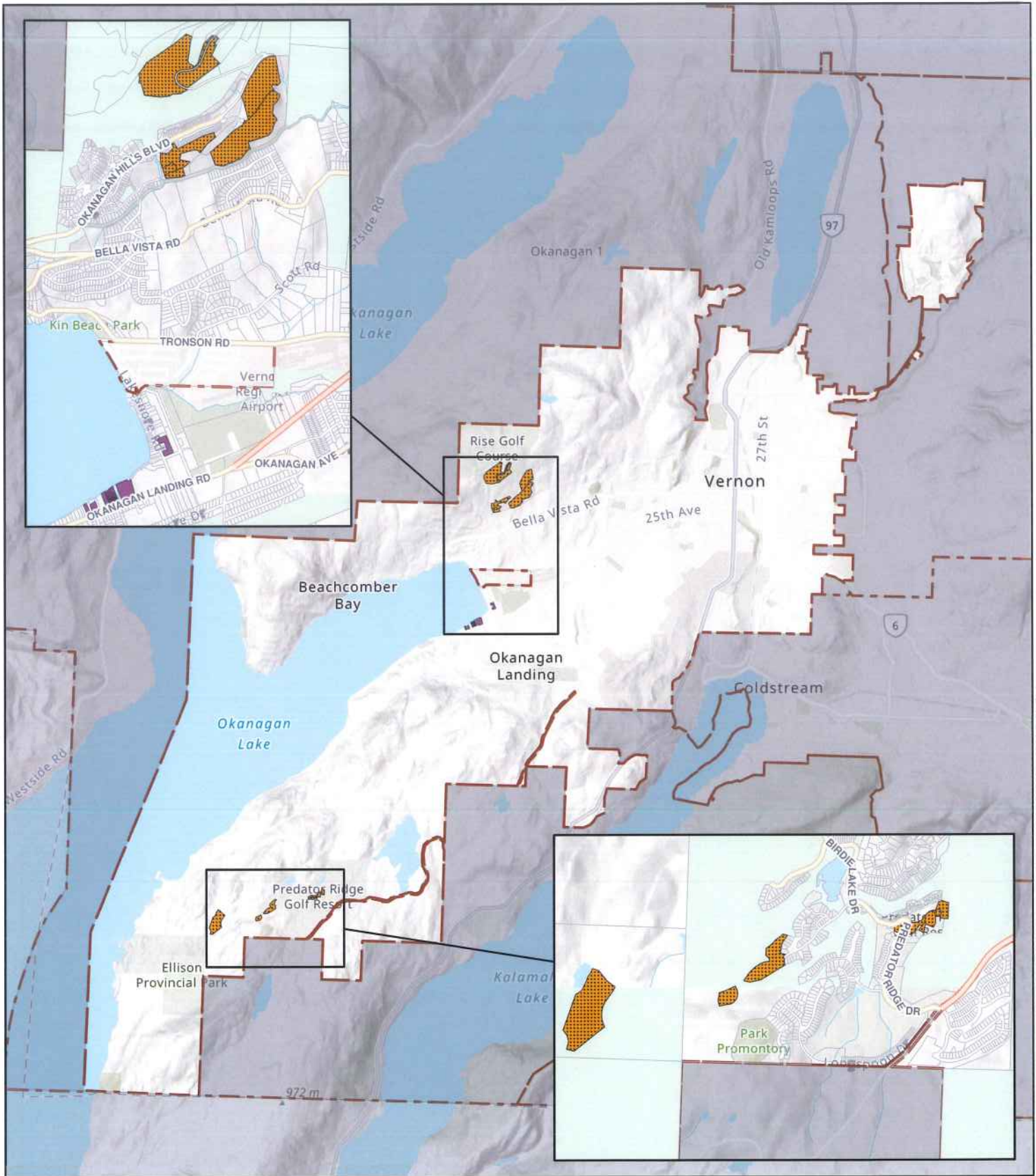
Date: _____

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Kim Flick
Director, Community Infrastructure and Development

REVIEWED WITH

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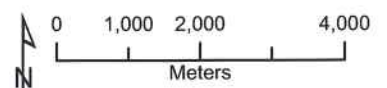


RTCA and C10A Zoning Districts

Zoning:

 C10A

 RTCA



Data Source: 11/2/2022 Park GIS 08/01/2022 SECURAPPHIC INFORMATION SYSTEMS 15 MAPS 14 Planning/01 Zoning/COUNCIL REPORTS/RTCA/C10A_Zoning.aprx

10.10a C10A: Tourist Commercial and Residential

C10A

10.10a.1 Purpose

The purpose is to designate and preserve land for the **development** of destination commercial visitor accommodation and to allow for permanent residences. *(Bylaw 5275)*

10.10a.2 Primary Uses

- amusement arcades, major
- apartment hotel
- apartment housing, tourist
- apartment housing
- artist studios
- **brewing or distilling, Class A**
- **business support services**
- clubs, private
- convenience vehicle rentals *(Bylaw 5013)*
- cottages
- cottages, tourist
- cultural exhibits, private
- drive-through services
- duplex housing
- duplex tourist housing *(Bylaw 5325)*
- **educational services, private**
- **employee housing, self contained dwelling**
- **farmers market**
- **financial services**
- four-plex housing
- four-plex tourist housing *(Bylaw 5325)*
- hotels
- liquor primary establishment, minor
- liquor primary establishment, major
- marinas
- motels
- primary food establishments
- 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

SECTION 10.10A : TOURIST COMMERCIAL AND RESIDENTIAL
C10A - 1 OF 4

ZONING BYLAW NO. 5000 (2003)

CITY OF VERNON

- row housing
- row housing, tourist (Bylaw 4883)
- semi-detached housing
- semi-detached tourist housing (Bylaw 5325)
- single detached housing
- single detached tourist housing (Bylaw 5325)
- **spectator entertainment establishments**
- stacked row housing
- three-plex housing
- three-plex tourist housing (Bylaw 5325)
- **wineries and cideries**

10.10a.3 Secondary Uses

- amusement arcades, minor
- bed & breakfast homes (in single detached housing or semi-detached housing or duplex housing only) (Bylaw 5498)
- care centre, minor
- carnival
- docks, community
- docks, private
- home based businesses, minor
- marina equipment rentals
- marina fuel facilities
- marina sani-dump facilities
- offices
- residential security/operator unit
- ~~retail stores, licensee~~
- ~~spectator entertainment establishments~~
- utility services, minor impact

10.10a.4 Subdivision Regulations

- For fee simple subdivisions the minimum lot width is 30.0m and the minimum lot area is 1800m², except it is 10,000m² if not services by a **community sewer system**.
- For bare land strata subdivisions the following table applied:

| Use (per unit) | Minimum Lot area | | Minimum Lot Width | |
|--|-------------------|-------------------|-------------------|--------|
| | interior | corner | interior | corner |
| Cottages, Cottages Tourist | 125m ² | N/A | 7.0m | 7.0m |
| Single Detached Housing, Single Detached Tourist Housing | 200m ² | 250m ² | 10.0m | 11.3m |
| Duplex Housing, Duplex Tourist Housing | 300m ² | 350m ² | 10.0m | 11.3m |
| Semi-Detached Housing, Semi-Detached Tourist Housing | 150m ² | 200m ² | 7.0m | 8.0m |
| Three-Plex Housing, Three- Plex Tourist Housing | 150m ² | 200m ² | 6.5m | 7.5m |
| Four-Plex Housing, Four-Plex Tourist Housing | 140m ² | 190m ² | 6.0m | 7.0m |
| Row Housing, Row Housing Tourist, Stacked Row Housing, Stacked Row Housing Tourist | 135m ² | 185m ² | 6.0m | 7.0m |

(Bylaw 5325)

10.10a.5 Development Regulations

- Maximum commercial floor space ratio is 2.0, except it is 5.0 for apartment housing, tourist and apartment housing **and Hotels**.
- Maximum site coverage is 60% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 85%.
- Maximum height is the lesser of 15.0m or 4 storeys, except for apartment housing, tourist and apartment housing **and Hotels** where the height shall be the lesser of 30.0m or 9 storeys. ~~and in accordance with the RH3 zone.~~
- Minimum front yard is 4.5m, **except it is 0m for ground floor commercial uses.**
- Minimum side yard is 3.0m, except it is 4.5m for any flanking street **and it is 0m for ground floor commercial uses.**
- Minimum **side yard** for shared interior **party walls** is 0.0m. (Bylaw 5325)
- Minimum rear yard is 3.0m, except it is **0m for ground floor commercial uses and 4.5m** where the abutting land is zoned or designated Residential.

10.10a.6 Other Regulations

- Only one residential security/operator unit is permitted on a site.
- A minimum area of 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. For bareland strata developments an additional 10.0m² per unit of common **open space** shall be provided in addition to the private **open space** on each lot.
- Boat storage use is only permitted on property that abuts or is within 100m of a public or private boat launch facility.
- 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)



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Roy Nuriel
Economic Development Planner

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: November 28, 2022
REPORT DATE: November 9, 2022
FILE: 3340-20 (OCP00098/ZON00391/DVP00593)

SUBJECT: OFFICIAL COMMUNITY PLAN AMENDMENT, REZONING AND DEVELOPMENT
VARIANCE PERMIT APPLICATIONS FOR 2702 AND 2800 40TH STREET

PURPOSE:

To review the applications to amend the Official Community Plan land use designation at 2702 and 2800 40th Street from 'Residential Small Lot' to 'Public and Institutional', to rezone the properties from 'RM2 – Multiple Housing Residential' to 'P3 – Private Institutional' and to vary sections of Zoning Bylaw 5000 in order to expand and upgrade an existing seniors residential care facility.

RECOMMENDATION:

THAT Council support, in principle, Official Community Plan Amendment application 00098 (OCP00098) to amend the Official Community Plan land use designation of Lot 3, Plan 3761, DL 71, ODYD (2702 40th Street) and Lot A, Plan KAP73789, DL 71, ODYD (2800 40th Street) from 'Residential Small Lot' to 'Public and Institutional', as outlined in the report titled "Official Community Plan Amendment, Rezoning and Development Variance Permit Applications for 2702 and 2800 40th Street" dated November 9, 2022 and respectfully submitted by the Economic Development Planner;

AND FURTHER, that Council support presenting the proposed Official Community Plan Amendment application at a public open house in order to seek public input prior to the Public Hearing;

AND FURTHER, that Council support, in principle, rezoning application 00391 (ZON00391) to rezone Lot 3, Plan 3761, DL 71, ODYD (2702 40th Street) and Lot A, Plan KAP73789, DL 71, ODYD (2800 40th Street) from 'RM2 – Multiple Housing Residential' to 'P3 – Private Institutional' in order to expand an existing seniors residential care facility;

AND FURTHER, that Council support Development Variance Permit Application 00593 (DVP00593) to vary the following sections of Zoning Bylaw 5000 to allow for the expansion of a seniors residential care facility on Lot 3, Plan 3761, DL 71, ODYD (2702 40th Street) and Lot A, Plan KAP73789, DL 71, ODYD (2800 40th Street):

- a) to vary the maximum projections for the patio roof in the front yard setback from 1.5m to 3.96m (Section 4.4.2); and
- b) to vary the minimum south side yard setback for the building wall from 6.0m to 3.0m and 1.83m for the roof overhang (Section 12.3.5);

AND FURTHER, that Council's support of DVP00593 is subject to the following:

- a) that Lot 3, Plan 3761, DL 71, ODYD (2702 40th Street) and Lot A, Plan KAP73789, DL 71, ODYD (2800 40th Street) be consolidated into one lot;

- b) the owner is to build or enter into a Development Agreement for the construction of the curb, gutter and sidewalk along the frontage of Lot 3, Plan 3761, DL 71, ODYD (2702 40th Street);
- c) the owner is to pave the laneway for the remaining ~30m south of the property to 27th Avenue; and
- d) that the site plan, floor plan, building elevations and landscaping plans generally noted as Attachments 6–8 be attached to and form part of DVP00593.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support Official Community Plan Amendment application 00098 (OCP00098) to amend the Official Community Plan land use designation of Lot 3, Plan 3761, DL 71, ODYD (2702 40th Street) and Lot A, Plan KAP73789, DL 71, ODYD (2800 40th Street) from 'Residential Small Lot' to 'Public and Institutional', as outlined in the report titled "Official Community Plan Amendment, Rezoning and Development Variance Permit Applications for 2702 and 2800 40th Street" dated November 9, 2022 and respectfully submitted by the Economic Development Planner;

AND FURTHER, that Council not support rezoning application 00391 (ZON00391) to rezone Lot 3, Plan 3761, DL 71, ODYD (2702 40th Street) and Lot A, Plan KAP73789, DL 71, ODYD (2800 40th Street) from 'RM2 – Multiple Housing Residential' to 'P3 – Private Institutional' in order to expand an existing seniors residential care facility;

AND FURTHER, that Council not support Development Variance Permit application 00593 (DVP00593) to vary the following sections of Zoning Bylaw 5000 to allow for the expansion of a seniors residential care facility on Lot 3, Plan 3761, DL 71, ODYD (2702 40th Street) and Lot A, Plan KAP73789, DL 71, ODYD (2800 40th Street):

- a) to vary the maximum projections for the patio roof in the front yard setback from 1.5m to 3.96m (Section 4.4.2); and
- b) to vary the minimum south side yard setback for the building wall from 6.0m to 3.0m and 1.83m for the roof overhang (Section 12.3.5).

Note: This alternative does not support the proposed amendments. As such, the existing seniors residential care facility will remain as a nonconforming use on Lot A, Plan KAP73789, DL 71, ODYD (2800 40th Street) and the expansion of the facility into Lot 3, Plan 3761, DL 71, ODYD (2702 40th Street) would not be permitted.

ANALYSIS:

A. Committee Recommendations:

At its meeting of November 15, 2022, the Advisory Planning Committee passed the following resolution:

"as cited by the Advisory Planning Committee."

B. Rationale:

1. The subject properties are located at 2702 and 2800 40th Street (Figures 1 and 2) and have a total area of 0.22 hectares (0.55 acres). The subject properties are designated 'Residential Small Lot' in the Official Community Plan (OCP) and zoned 'RM2 – Multiple Housing Residential' in Zoning Bylaw 5000, which does not allow for the current use of a seniors residential care facility.

2. In 2004, the property located at 2800 40th Street was redeveloped as a seniors residential care facility with 16 beds/units – Hearthstone Manor Vernon (Figure 3 and Attachment 10). In order to permit the development of the facility on the property, in December 17, 2003 the City's Board of Variance supported to reduce setback requirements, as in the previous Zoning Bylaw 2458. Although, since the adoption of the current Zoning Bylaw 5000 in 2004, the status of the property is nonconforming, as it does not comply with the current OCP land use and zoning. The applicant is now proposing to upgrade and to expand the facility into the south lot with the construction of a new two storey building that will provide an additional 14 beds/units and amenity space (Attachment 1).

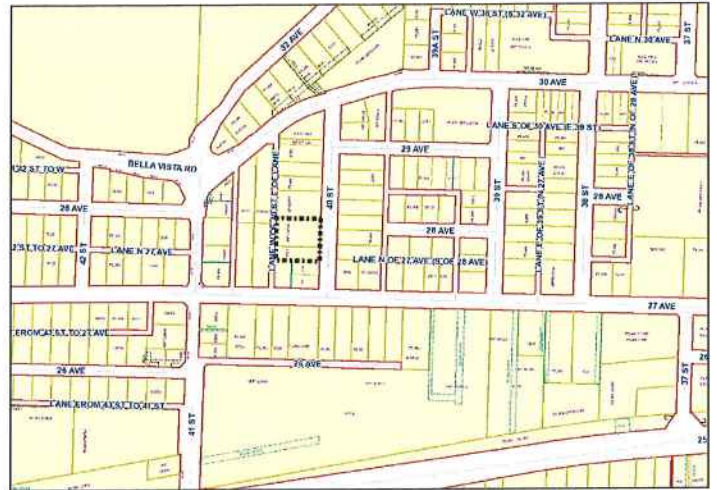


Figure 1 – Location of Subject Property

3. The applicant is seeking an Official Community Plan (OCP) amendment to change the land use designation on the subject properties from 'Residential Small Lot' to 'Public and Institutional'. The purpose of the amendment is to support rezoning the properties from 'RM2 – Multiple Housing Residential' to 'P3 – Private Institutional' in order to bring the existing use to comply with the OCP and zoning and also to accommodate the expansion of the seniors residential care facility. The current OCP land use and zoning of the subject property and neighbouring properties are shown in Attachments 2 and 3.



Figure 2 – Aerial View of Subject Property

4. As shown in Attachment 2, the existing OCP land use designation on the subject property is 'Residential Small Lot', which supports development of small lot single and two family residential units. Seniors residential care is not one of the permitted lands uses within the 'Residential Small Lot' OCP designation. In 2004, the property at 2800 40th Street was redeveloped intentionally for a seniors residential care facility and since then, the facility has been operating peacefully with the neighbouring residential properties. As such, Administration is supportive of the proposed OCP amendment and the expansion of the facility to the south lot at 2702 40th Street.



Figure 3 – Hearthstone Manor Vernon 2800 40th St

5. The proposed rezoning from 'RM2 – Multiple Housing Residential' (Attachment 4) to 'P3 – Private Institutional' (Attachment 5) is consistent with the proposed OCP land use of 'Public and Institutional'.

6. In order to allow the expansion of the seniors care facility to the south lot at 2702 40th Street, the applicant is seeking to vary the following sections of Zoning Bylaw 5000 for the proposed two storey building addition and patio space:
 - a) to vary the maximum projections for the patio roof in front yard setback from 1.5m to 3.96m (Section 4.4.2); and
 - b) to vary the minimum south side yard setback for the building wall from 6.0m to 3.0m and 1.83m for the roof overhang (Section 12.3.5).
7. As illustrated in Attachments 6–9, the proposed upgrade and expansion of the seniors care facility includes a new two storey building with additional 14 beds/units, shower rooms, dining area and main kitchen. The new building will be attached to the existing building by a wide corridor. The new building addition has been designed with respect to the existing building and using low elevation and pitched roof. The vehicular access and additional three parking spaces and loading space remain in the rear of the property via the existing laneway. In total, 11 parking spaces and one loading space will be provided in the rear, which meet parking requirements in Zoning Bylaw 5000 for 30 beds/sleeping units and five on duty staff members. As part of the proposal, the existing building will be upgraded to meet the new addition using modern farmhouse style exterior finishes and other architectural features. Landscaping includes grass, shrubs and large trees for shade, privacy and path definition. An enhanced tenant common covered patio space is proposed for the front yard and between the buildings, including a water feature, pergolas and raised planters.
8. Section 4.4.2 in Zoning Bylaw 5000 allows for projections of a covered patio into the front yard setback to a maximum of 1.5m. The applicant is asking to vary the permitted projection to 3.96m for the front yard covered patio located on the south of the property. As shown in Attachments 6 and 8, the proposed covered patio in the front was part of the landscaping design and would function as an important amenity for the tenants and visitors. The covered patio would also enhance the aesthetics of the facility and the frontage boulevard.
9. Section 12.3.5 in Zoning Bylaw 5000 for the proposed 'P3 – Private Institutional' zoning district (Attachment 5), requires a minimum 6.0m for a side yard setback, where the property is abutting to residential zones. The applicant is asking to vary the side yard setback on the south side for the building wall from 6.0m to 3.0m and 1.83m for the roof overhang. The request for a reduction to the south side yard setback would have limited impact on the adjacent property. As shown in Attachments 6, 8 and 9, the design of the building facing the south side yard includes a cantilever roof and changing wall line, which breaks the mass of the building and compliments the residential area. The landscaping plan includes wood fencing to provide additional privacy to the facility and the adjacent neighbours.
10. These applications also include a review of the existing condition of servicing and infrastructure adjacent to the property. City bylaws require the applicant to construct all nonconforming on-site and off-site infrastructure works and services. Should Council support the applications, the following conditions are recommended:
 - a) that Lot 3, Plan 3761, DL 71, ODYD (2702 40th Street) and Lot A, Plan KAP73789, DL 71, ODYD (2800 40th Street) be consolidated into one lot;
 - b) the owner is to build or enter into a Development Agreement for the construction of the curb, gutter and sidewalk along the frontage of Lot 3, Plan 3761, DL 71, ODYD (2702 40th Street); and
 - c) the owner is to pave the laneway for the remaining ~30m south of the property to 27th Avenue.
11. Should Council support proceeding with the OCP amendment application, the first step as per the OCP Amendment Application Policy (Attachment 11), would be to provide an opportunity for the public and

other affected agencies to review and comment on the proposed amendment. Staff would host a public open house to allow residents to comment on the proposed amendment. Following this, staff would report back to Council with the results of the open house and provide the associated bylaws for Council's consideration.

12. In summary, Administration supports, in principle, the OCP amendment, rezoning and development variance permit applications for the following reasons:

- a) The proposed applications are to expand and upgrade an existing seniors residential care facility with 16 beds/units into the south lot and to construct a new two storey building with additional 14 beds/units and amenity space. Also, these applications are in order to bring the existing nonconforming use of a seniors residential care facility on the property to comply with the OCP and zoning.
- b) The proposed new two storey building addition and the upgrade to the existing building has been designed with respect to the residential character of the neighbourhood and enhance the aesthetics of the boulevard. The combination of proposed height and massing of the building with landscaping and a 2.0m height wood fence, would minimize the impact to neighbouring properties.
- c) In December 17th, 2003, the City's Board of Variance supported a variance request to the subject property at 2800 40th Street in order to allow the construction for the seniors residential care facility.

C. Attachments:

- Attachment 1 – Applicant's letter dated July 22, 2022
- Attachment 2 – OCP land use designation map
- Attachment 3 – Zoning map
- Attachment 4 – RM2 – Multiple Housing Residential zoning district
- Attachment 5 – P3 – Private Institutional zoning district
- Attachment 6 – Site and landscaping plan
- Attachment 7 – Floor plans
- Attachment 8 – Building elevations
- Attachment 9 – 3D renderings
- Attachment 10 – Photos of Hearthstone Manor Vernon
- Attachment 11 – OCP Amendment Applications Policy

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

The subject rezoning application involves the following objectives in Council's Strategic Plan 2019 - 2022:

- Work towards a sustainable Vernon – environmentally, economically and socially

E. Relevant Policy/Bylaws/Resolutions:

1. The subject properties are designated in the OCP as 'Residential Small Lot' and zoned 'RM2 – Multiple Housing Residential' in Zoning Bylaw 5000. In 2004, the property located at 2800 40th Street was developed for a seniors residential care facility. Since then, the status of the property is nonconforming as it does not comply with the existing OCP land use and zoning.
2. At their hearing held on December 13, 2003, the Board of Variance passed the following resolution for 2800 40th Street:

BE IT RESOLVED' that the Board of Variance application from Comfort Living For Seniors, requested that Division 4, Section 9.07, Part A, which requires side yard setback of not less than 3 meters (9.8 feet) BE VARIED in order to construct a rest home to lock up stage, with south side yard setbacks of 2.96 meters (9.71 feet), and north side yard setback of 2.97 meters (9.74 feet), on the property located at 2800 – 40th Street (Lot A, Plan KAP73789, DL 7, ODYD) be approved.

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

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Approved for submission to Council:

X _____
Roy Nuriel
Economic Development Planner

Will Pearce, CAO

Date: _____

X _____
Kim Flick
Director, Community Infrastructure and Development

| REVIEWED WITH | | |
|---|---|--|
| <input type="checkbox"/> Corporate Services | <input type="checkbox"/> Operations | <input checked="" type="checkbox"/> Current Planning |
| <input type="checkbox"/> Bylaw Compliance | <input type="checkbox"/> Public Works/Airport | <input checked="" type="checkbox"/> Long Range Planning & Sustainability |
| <input type="checkbox"/> Real Estate | <input type="checkbox"/> Facilities | <input checked="" type="checkbox"/> Building & Licensing |
| <input type="checkbox"/> RCMP | <input type="checkbox"/> Utilities | <input type="checkbox"/> Engineering Development Services |
| <input type="checkbox"/> Fire & Rescue Services | <input type="checkbox"/> Recreation Services | <input type="checkbox"/> Infrastructure Management |
| <input type="checkbox"/> Human Resources | <input type="checkbox"/> Parks | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input type="checkbox"/> Economic Development & Tourism |
| <input type="checkbox"/> COMMITTEE: APC (Nov 15/22) | | |
| <input type="checkbox"/> OTHER: | | |

TROIKA

Friday, July 22, 2022

Attention to: Roy Nuriel, MA
Economic Development Planner
Community Services Building, 3001 – 32 Avenue, Vernon, B.C., V1T 2L8

Subject Property: 2800 & 2702 40th Street, Vernon

Dear Mr. Nuriel,

Troika Management Corp. and HEARTHSTONE MANOR Care Facility Ltd., the owners of the subject property at 2800 & 2702 40th St., have partnered to develop an addition on 2702 40th St. connected the existing Long Term Care Facility on 2800 40th St.

Our current development plans make a tremendous effort to minimize the impact to the neighborhood by maintaining a two-story height and placing the building’s parking in the rear of the property access via the existing laneway. We have made consideration for both the neighbors and our resident’s privacy through architecture that protects the surrounding nature and compliments the surrounding developments. The architecture is a combination of farmhouse modern with a nod to a bit of seaside aesthetic and generous landscaping. The plans include improvements to the frontage boulevard and rear lane.

We are applying for a Development Permit, Rezoning and OCP Amendment based on the following:

- Current zoning is **Small Lot Residential**, we propose to amend its zoning to **P3 Private Institutional**
- Current OCP designation is **RSL**.

We look forward to bringing another successful community to Vernon.

Sincerely,



 Stephen Duke

Stephen Duke
Development Manager



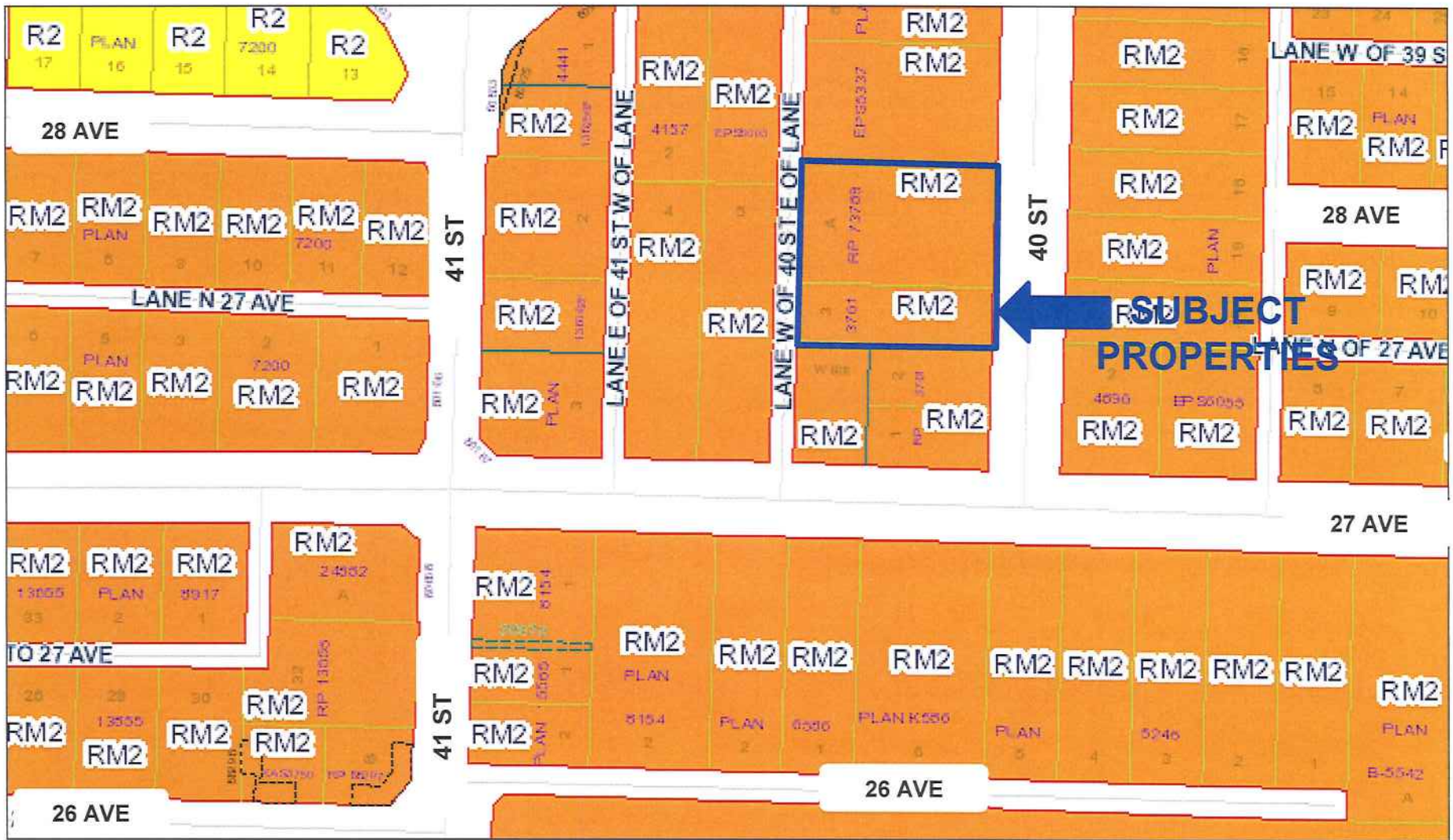
Troika Management Corp.
302-554 Leon Ave | Kelowna, BC | V1Y 6J6
Phone: 250.869.4945 | Fax: 1.866.824.9417



- RSL – Residential Small Lot – Single & Two Family Dwelling
- RMD – Residential – Medium Density
- RHD – Residential – High Density

OCP Designation

OCP00098/ZON00391/DVP00593



- RM2 – Multiple Housing Residential
- R2 – Large Lot Residential

Zoning Designation

OCP00098/ZON00391/DVP00593



9.11 RM2 : Multiple Housing Residential

9.11.1 Purpose

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

9.11.2 Primary Uses

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

9.11.3 Secondary Uses

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

9.11.4 Subdivision Regulations

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

9.11.5 Party Wall Subdivision Regulations

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

9.11.6 Development Regulations

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

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

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

9.11.7 Other Regulations

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



12.3 P3 : Private Institutional

12.3.1 Purpose

The purpose is to provide a **zone** primarily for major and minor privately funded institutional uses and secondary **commercial uses**.

12.3.2 Primary Uses

- care centres, major
- educational services, private
- exhibition and convention facilities
- extended medical treatment services
- group home, major
- health services
- participant recreation services, indoor
- participant recreation services, outdoor
- religious assembly
- seniors assisted housing
- seniors residential care
- seniors supportive housing
- utility services, minor impact

12.3.3 Secondary Uses

- food primary establishments
- parks, public
- personal services
- residential security/operator unit
- retail store, general (*Bylaw 5339*)

12.3.4 Subdivision Regulations

- Minimum **lot width** is 18.0m.
- Minimum **lot area** is 860m².

12.3.5 Development Regulations

- Maximum **floor space ratio** is 3.0.
- Maximum **site coverage** is 80%.
- Maximum **height** is 18.0m or 4.5 **storeys, whichever is the lesser**.
- Minimum **front yard** is 6.0m.
- Minimum **side yard** is 4.5m, except it is 6.0m for a **flanking street** or where the **abutting** land is zoned or designated Residential or Agriculture.
- Minimum **rear yard** is 7.5m.

12.3.6 Other Regulations

- Only one **residential security/operator unit** is permitted on a **site**.
- For **seniors assisted housing, seniors residential care and seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.

- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development**, **yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- **Outdoor storage** shall be screened from view of any **street** or **lane** and from **adjacent** properties. There shall be no **outdoor storage** of toxic, noxious, explosive, or odorous materials.
- As per Section 4.10.2 - All **buildings** and **structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".
(Bylaw 5440)



BLUEGREEN
www.bluegreen.com

4700 South Street
Lansing, MI 48210

ISSUE FOR DEVELOPMENT PERMIT

THE DRAWING IS NOT TO BE CONSIDERED A CONTRACT. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF THE PROJECT BEFORE COMMENCING WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES UNLESS OTHERWISE NOTED.

DESIGN: **TROIKA DEVELOPMENT**
CONSULTANT: **ecora**
cto



PROJECT: HEARTHSTONE MANOR CARE FACILITY
3800 W. 47th Street

SHEET TITLE: **SITE PLAN**

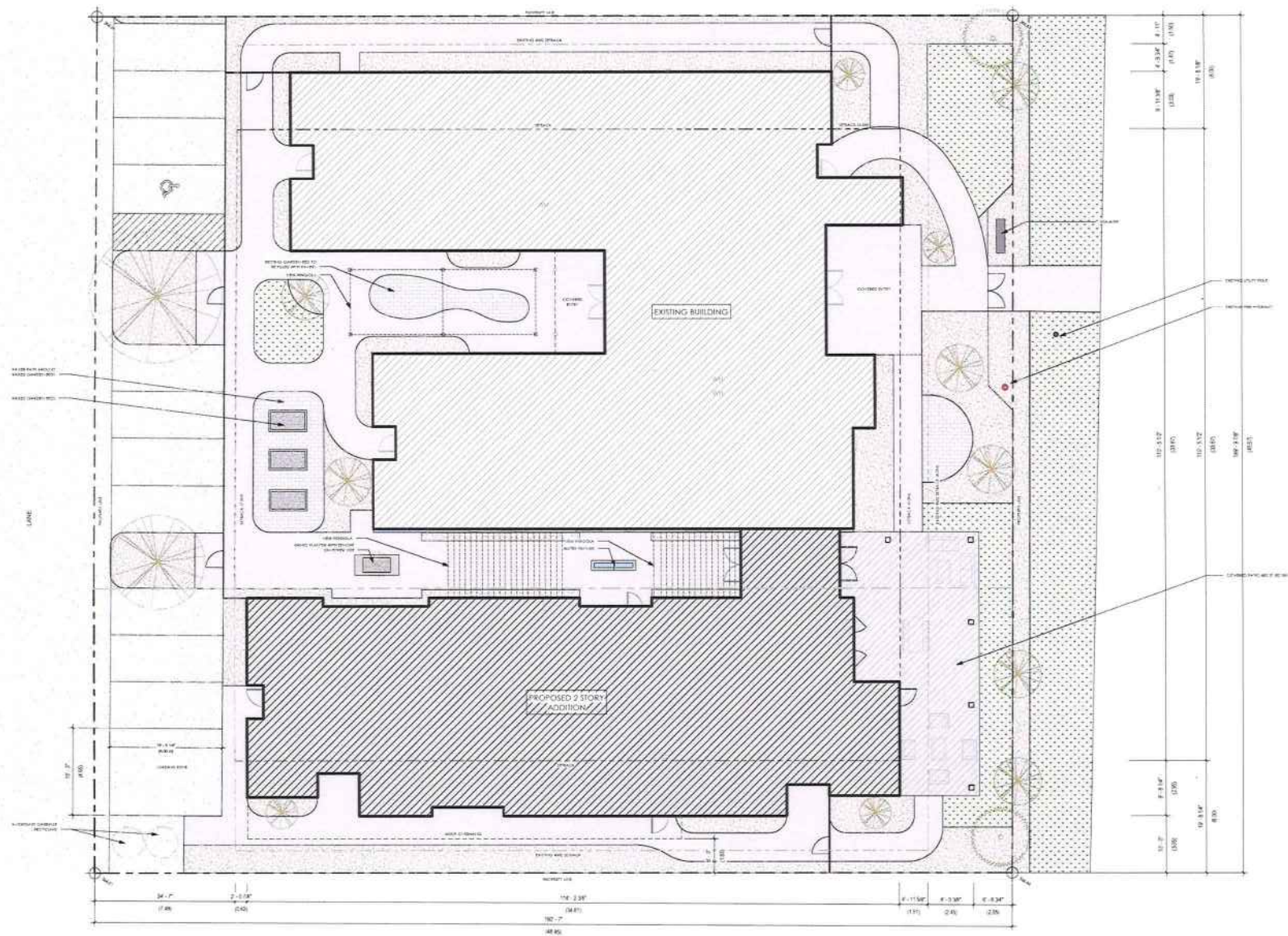
DATE: 11/15/22

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

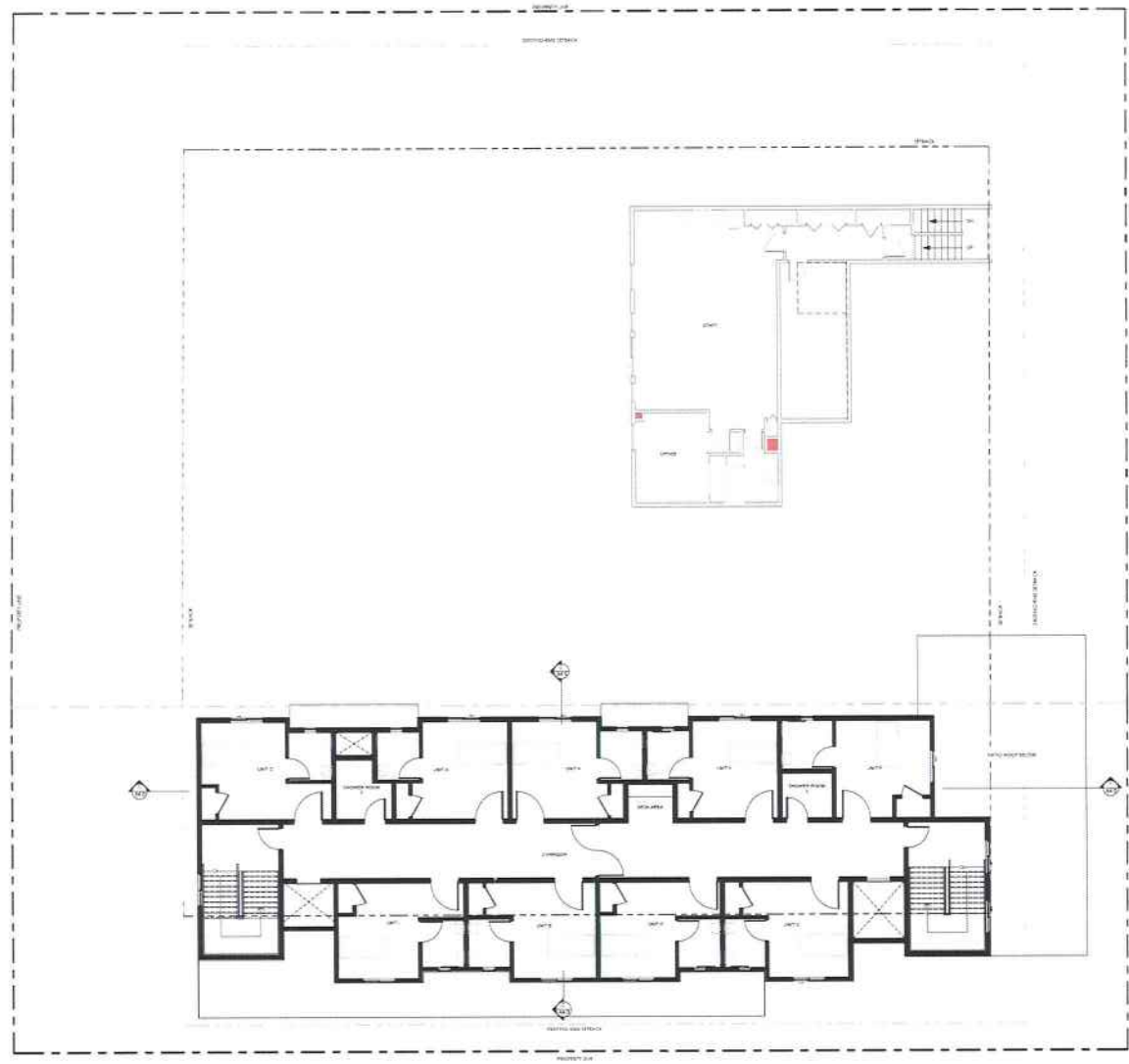
DATE: 11/15/22
SCALE: 1/8" = 1'-0"

Attachment 6

A1.1



| ROOM SCHEDULE - LEVEL 2 | |
|-------------------------|----------|
| NAME | AREA SQM |
| CORRIDOR | 26.00 |
| DESK AREA A | 13.00 |
| OFFICE | 18.00 |
| SHOWER ROOM 2 | 7.00 |
| SHOWER ROOM 3 | 5.00 |
| STAFF | 20.00 |
| UNIT A | 24.00 |
| UNIT B | 24.00 |
| UNIT C | 24.00 |
| UNIT D | 24.00 |
| UNIT E | 24.00 |
| UNIT F | 24.00 |
| UNIT G | 24.00 |
| UNIT H | 23.00 |
| UNIT I | 24.00 |



1 LEVEL 2
A2.2 1/8" = 1'-0"



BLUEGREEN
ARCHITECTURE

ISSUE FOR
DEVELOPMENT
PERMIT

THE DRAWINGS MUST NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

Client
TROIKA DEVELOPMENTS

Consultant
ecora
CTO



Project
HEARTHSTONE MANOR CARE FACILITY

3000 AC ST WYNDHAM-NC

Project Title
LEVEL 2 - FLOOR PLAN

Job Number 22-1044
Date 08/24/22
Scale 1/8" = 1'-0"
Revision Number 1
Drawing Number

A2.2



1 EAST ELEVATION
A3.1 1/8" = 1'-0"



2 WEST ELEVATION
A3.1 1/8" = 1'-0"

ELEVATION LEGEND

- 01 CHIMNEY BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 02 CHIMNEY BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 03 CHIMNEY BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 04 CHIMNEY BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 05 BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 06 BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 07 BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 08 BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 09 BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 10 BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 11 BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 12 BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 13 BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 14 BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 15 BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 16 BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 17 BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 18 BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 19 BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT
- 20 BRICK FACED - 12" MIN. THICK - UNLESS OTHERWISE SPECIFIED BRICK FACED - WHITE GROUT
COLOR - WHITE GROUT
TEXT - WHITE GROUT



BLUEGREEN
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THESE PLANS ARE TO BE USED ONLY FOR THE DEVELOPMENT OF THE PROJECT AND ARE NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF BLUEGREEN ARCHITECTURE.

TROIKA
CONSTRUCTION

ecora
CTO

PROJECT DEVELOPMENT PERMIT

HEARSTSTONE MANOR CONSTRUCTION

2022-01-10

PROJECT NO. 2022-01-10

DATE: 2022-01-10

SCALE: AS SHOWN

PROJECT NUMBER: 2022-01-10

PROJECT NAME: HEARSTSTONE MANOR CONSTRUCTION

PROJECT ADDRESS: 12345 MAIN ST, ANYTOWN, CA 90210

PROJECT CONTACT: 555-555-5555

PROJECT ARCHITECT: BLUEGREEN ARCHITECTURE

PROJECT ENGINEER: TROIKA CONSTRUCTION

PROJECT CTO: ECORA

PROJECT PERMIT: 2022-01-10

PROJECT SHEET: A3.1



ISSUE FOR DEVELOPMENT PERMIT

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PROJECT: HEARTHSTONE MANOR

3800 47th STREET

DATE: 2022-07-27

PROJECT: SURVEY PHOTO

Scale: 1:500

A1.

Attachment 10



THE CORPORATION OF THE CITY OF VERNON
 3400 – 30th Street, Vernon, B.C. V1T 5E6
 Telephone: (250) 545-1361 Fax: (250) 545-4048
 website: www.vernon.ca

Corporate Policy

| | | |
|--------------|--------------------------------|--|
| Section: | Planning and Building Services | |
| Sub-Section: | | |
| Title: | OCP Amendment Applications | |

RELATED POLICIES

| Number | Title |
|--------|-------|
| | |
| | |

APPROVALS

| POLICY APPROVAL: | AMENDMENT APPROVAL: | SECTION AMENDED |
|--|--|---|
| Approved by: "WAYNE LIPPERT" Mayor Date: February 9, 2009 | Amendment Approved by:  Mayor Date: September 12, 2011 | <ul style="list-style-type: none"> • Exceptions to Annual Review added |

POLICY

In order to ensure that the intent of the Official Community Plan (OCP) 2008 is not eroded, and to enhance public awareness of proposed changes to the OCP, OCP amendment applications will be reviewed on an annual basis, with the exception of amendments that result in significant public amenities and community benefit. All OCP amendment applications will be reviewed subject to the criteria identified below.

DEFINITIONS

PROCEDURES

1. Pursuant to Section 895(2)(a) of the *Local Government Act*, a local government must consider every application for an amendment to an OCP. Further, pursuant to Section 895(1) of the *Local Government Act*, the *City's Development Application Procedure Bylaw Number 4103, 1995*, specifies the process for applications for OCP amendments. Council may, upon receipt of the required report specified in Section 6A of that bylaw, proceed with an amendment bylaw or reject the application.
2. Applications for OCP amendments will be processed annually. All complete applications received on or before March 01 will be considered during that calendar year.
3. The report to Council on the amendment application will assess whether that application is contrary to any of the Guiding Principles of the OCP 2008, as follows:

- Protect and preserve green spaces and sensitive areas
- Ensure housing meets the needs of the whole community
- Create a culture of sustainability
- Protect agricultural land
- Create strong, compact and complete neighbourhoods
- Provide alternative transportation
- Revitalize the Downtown
- Ensure development pays for itself
- Create a youth friendly city

Applications which are contrary to the Guiding Principles will receive a negative recommendation by staff.

4. A public open house will be hosted by the City of Vernon, in addition to the legislated official Public Hearing process, to provide community residents with an additional opportunity to consider the amendment applications.

5. The following OCP amendments will be considered at any time during the year, as approved by Council:
 - a) Neighbourhood Plan reviews;
 - b) Minor amendments in adopted neighbourhood plan areas that do not result in a change to Land Use Designations except where the Parks and Open Space Designation is being created or reallocated;
 - c) Amendments resulting in significant public amenities and community benefit.