



CORPORATION OF THE CITY OF VERNON

ADVISORY PLANNING COMMITTEE

DECEMBER 13, 2022 AT 4:00 PM

OKANAGAN ROOM (COUNCIL CHAMBER) 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) November 15, 2022 (Attached)

5) NEW BUSINESS

- a) ZON00387 / DVP00595 (5101 Turtle Pond Place)
- b) DVP00604 (7371 Tronson Road)
- c) REZONING CIVIC MEMORIAL PARK (3003 37TH Avenue)

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 **January 10, 2023**

8) ADJOURNMENT



THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF THE
ADVISORY PLANNING COMMITTEE MEETING
HELD TUESDAY, NOVEMBER 15, 2022
OKANAGAN ROOM (COUNCIL CHAMBER) CITY HALL**

PRESENT: Claire Ishoy
Don Schuster
Harpreet Nahal
Jamie Paterson
Joshua Lunn
Lisa Briggs
Margaret Jarman
Mark Longworth
Mayor Cumming
Monique Hubbs-Michiel
Phyllis Kereliuk

ABSENT: Doug Neden

STAFF: Craig Broderick, Manager, Current Planning/Approving Officer
Jennifer Pounder, Committee Clerk
Michelle Austin, Current Planner
Roy Nuriel, Planner, Economic Development

ORDER The meeting was called to order at 4:01 p.m.

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

**ADOPTION OF THE
AGENDA** Moved by **P. Kereliuk**, seconded by **M. Hubbs-Michiel**:

THAT the agenda of the November 15, 2022 meeting for Advisory Planning Committee be adopted:

CARRIED

ADOPTION OF THE MINUTES

Moved by **J. Paterson**, seconded by **P. Kereliuk**:

THAT the minutes for the October 12, 2022 meeting of Advisory Planning Committee be adopted.

CARRIED

NEW BUSINESS:

DVP00581 (4803 PLEASANT VALLEY ROAD)

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

- The application before the Committee is to increase allowable sign area for two street frontages.
- Signage would be placed on the building walls on the north, west and south sides of the building. Two signs on the north side, 5 signs on the west side and 11 signs on the south side.

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

- A member of the Committee asked if the intention of the signage is to attract foot traffic. They are not in support of the application and concerned that the signs pose a danger to vehicular traffic.
- The Committee asked if any samples of the historical photographs intended for use were available to view. Staff did not have any available but did confirm they would be photographs of the site throughout the years in black and white (greyscale).

Moved by **M. Jarman**, seconded by **H. Nahal**:

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.

**CARRIED
with J. Lunn opposed**

M. Austin left the meeting at 4:11 p.m.

Before DVP00576 3708 25th AVENUE was discussed, Committee member Joshua Lunn declared a conflict of interest and left the meeting at 4:12 p.m.

DVP00576 (3708 25th AVENUE)

R. Nuriel, Planner, Economic Development, provided an overview of the application as follows:

- The application before the Committee is to vary the maximum building height as measured in storeys in Zoning Bylaw 5000, Section 9.10.6, in order to support the construction of a six unit multi family development.

C. Ishoy arrived at 4:16 p.m.

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

- The Committee inquired if there will be any guest parking available. Staff confirmed that there will be 1 visitor spot available as per bylaw standards.
- The Committee asked about the “boxy” design of the building. Staff stated that the 2 storey requirement was implemented at a time when the City was mostly dealing with houses on the hillside. Initially, one half storey was used for a walkout basement or for the roof gable. This building is designed to be “boxy” to accommodate a potential third level. Staff is reviewing these regulations related to building height and number of storeys.
- The Committee expressed concern for the black rooftop. The black encourages the building to heat up and suggested that they paint the roof white.
- The Committee also expressed concern with the amount of visitor parking as there is no street parking available in that area. Staff will bring the comments and recommendations to the owners.

Moved by **J. Paterson**, seconded by **M. Hubbs-Michiel**:

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.

CARRIED

**DVP00561 (1606 38TH
AVENUE)**

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

- The application before the Committee is to vary Zoning Bylaw 5000, Section 4.5.6 and Section 4.5.7, to allow for the construction of a detached garage.
- Applicant has work vehicles, RVs and boats they want to store on the property in an enclosed structure.
- The Applicant has reduced the size and height from the original application.
- Road reserve covenant be placed on title to require 5.5m to continue a lane at some point in the future. Staff noted, as per the report, that the applicant is not in favor of the road reserve to be placed on the title of the property.

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

- The Committee asked regarding the impermeable surface and what areas will be paved. Staff clarified that it will be just under 50% as the pool is also included in that calculation.
- The Committee inquired when the lane is built in the future. Staff noted that the lane through the property to connect to the lane to the east is not identified in the 5-year Capital Plan.
- The Committee commented that they are in support of this application as the garage is mostly hidden. Staff stated that part of the proposal is to excavate part of the lawn area to keep the garage roof as low as possible.
- Staff confirmed that the neighbors will be notified and they will have a chance to voice their comments and concerns to Council.

- The Committee asked when the road reserve covenant can be exercised. Staff noted the owners usually receive one year's notice and such stipulations are written into the terms of a road reserve covenant.

Moved by **D. Schuster**, and seconded by **L. Briggs**:

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.

CARRIED

**DVP00588 (4816, 4960
AND 5000 SILVER
STAR ROAD)**

R. Nuriel, Planner, Economic Development, provided an overview of the application as follows:

- The application before the Committee is to vary different sections of Sign Bylaw 4489 to allow for three freestanding signs to be constructed in the business park located at 4816, 4960 and 5000 Silver Star Road.
- 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 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, an additional variance is required in order to install the remaining three identical freestanding signs on the property.

There were no comments / questions posed by members of the Committee.

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

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'.

CARRIED

PROPOSED TEXT AMENDMENTS TO C10A

R. Nuriel, Planner, Economic Development, provided an overview of the application as follows:

- The application before the Committee is to propose text amendments to C10A: Tourist Commercial and Residential zoning district.
- Current C10A zoning in the city is in the Okanagan Landing Waterfront Neighborhood Plan.
- The C10A zoning was initially introduced in 2004 to accommodate more full time residential in a tourist area.
- The new wording will allow more variety of land uses in the areas.

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

- In response to a question, staff confirmed they are not adding new areas to the current zones, only amending the text. If the amendment receives final adoption, staff anticipate to see more applications for rezoning.
- The Committee inquired as to the height maximum in the current bylaw. Staff confirmed it is currently four stories/15m except for nine storeys/30m for apartment and tourist housing.
- Staff confirmed the existing buildings that do not comply with the new zoning will be grandfathered in. Any new builds will have to comply with the new zoning.

Moved by **J. Lunn**, seconded by **C. Ishoy**:

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.

CARRIED

**OCP00098/ZON00391/
DVP00593 (2702 AND
2800 40th STREET)**

R. Nuriel, Planner, Economic Development, provided an overview of the application as follows:

- 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.
- In 2004 the property at 2800 40th Street was approved for a 24-hour senior care facility. The owner has since purchased the property adjacent to it and would like to extend the current facility.
- Since 2004 there have been no nuisances reported from the neighbors, or bylaw complaints regarding the current senior care facility.

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

- The Committee commented that this proposal changes the scale of the neighborhood completely. It is a large building and the neighborhoods input is very important. Staff confirmed that this application will go to a Public Open House and neighbors will be notified as per bylaw requirements.

Moved by **C. Ishory**, seconded by **P. Kereliuk**:

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.

CARRIED

Before the Staff Update, the Chair inquired as to when the Official Community Plan (OCP) is up for revision. Staff commented that the review of the OCP will start in 2023, however, it is going to take a few years to complete.

INFORMATION ITEMS:

STAFF UPDATE

C. Broderick, Manager, Current Planning/Approving Officer, provided a brief overview regarding some of the projects discussed at Council on November 14, 2022, as follows:

- ZON00385 / DVP00569 (1609 43 Avenue) – *Application to rezone the property from R5 to RH2*
Approved by Council for readings on December 12, 2022.
- ZON00340 (173 Vineyard Way) – *Application to rezone the property from RTR and RTC to only RTR*
Approved by Council for readings on December 12, 2022.
- LUC00024 (Mt. Fosthall Drive) – *A bylaw to discharge “City of Vernon Land Use Contract Bylaw Number 2613, 1977”*
Adopted

NEXT MEETING

The next meeting for the Advisory Planning Committee is set for November 29, 2022 at 4:00 PM.

ADJOURNMENT

The meeting of the Advisory Planning Committee adjourned at 5:01 p.m. by call of the Chair

CERTIFIED CORRECT:

_____ Chair



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: January 9, 2023
REPORT DATE: December 8, 2022
FILE: 3340-20 (ZON00387/DVP00595)

SUBJECT: REZONING AND DEVELOPMENT VARIANCE PERMIT APPLICATIONS FOR 5101
TURTLE POND PLACE

PURPOSE:

To review the applications to rezone the property at 5101 Turtle Pond Place from 'R2 – Large Lot Residential', 'R5 – Four-plex Housing Residential' and 'P4 – Utilities' to 'R4 – Small Lot Residential' and 'R5 – Four-plex Housing Residential' and to vary sections of Zoning Bylaw 5000 in order to develop a 77 lot subdivision in the Turtle Mountain Neighbourhood.

RECOMMENDATION:

THAT Council support rezoning application 00387 (ZON00387) to rezone Lot 1, Sec 4, Twp 8, Plan EPP124187, ODYD (5101 Turtle Pond Place) from 'R2 – Large Lot Residential', 'R5 – Four-plex Housing Residential' and 'P4 – Utilities' to 'R4 – Small Lot Residential' and 'R5 – Four-plex Housing Residential', as shown in Attachment 6 and outlined in the report titled "Rezoning And Development Variance Permit Applications for 5101 Turtle Pond Place" dated December 8, 2022 and respectfully submitted by the Economic Development Planner;

AND FURTHER, that prior to final adoption of the rezoning amendment bylaw, the subdivision application is approved and its conditions are registered on all property titles;

AND FURTHER, that Council support Development Variance Permit Application 00595 (DVP00595) to vary the following sections of Zoning Bylaw 5000 to develop a 77 lot subdivision on Lot 1, Sec 4, Twp 8, Plan EPP124187, ODYD (5101 Turtle Pond Place):

- a) to allow the construction of buildings, structures and swimming pools on slopes greater than 30% (Section 4.16.1); and
- b) to vary the maximum building height in 'R4 – Small Lot Residential' zoning district from the lesser of 10.0m or 2.5 storeys to the lesser of 10.0m or 3.0 storeys (Section 9.5.5);

AND FURTHER, that Council's support of DVP00595 is subject to the following:

- a) that the slope analysis plan generally noted as Attachment 9 be attached to and form part of DVP00595.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support rezoning application 00387 (ZON00387) to rezone Lot 1, Sec 4, Twp 8, Plan EPP124187, ODYD (5101 Turtle Pond Place) from 'R2 – Large Lot Residential', 'R5 – Four-plex Housing Residential' and 'P4 – Utilities' to 'R4 – Small Lot Residential' and 'R5 – Four-plex Housing Residential', as shown in Attachment 6 and outlined in the report titled "Rezoning And Development Variance Permit Applications for 5101 Turtle Pond Place" dated December 8, 2022 and respectfully submitted by the Economic Development Planner;

AND FURTHER, that Council not support Development Variance Permit Application 00595 (DVP00595) to vary the following sections of Zoning Bylaw 5000 to develop a 77 lot subdivision on Lot 1, Sec 4, Twp 8, Plan EPP124187, ODYD (5101 Turtle Pond Place):

- a) to allow the construction of buildings, structures and swimming pools on slopes greater than 30% (Section 4.16.1); and
- b) to vary the maximum building height in 'R4 – Small Lot Residential' zoning district from the lesser of 10.0m or 2.5 storeys to the lesser of 10.0m or 3.0 storeys (Section 9.5.5).

Note: Denial of the proposed rezoning and development variance permit applications would require 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 December 13, 2022, the Advisory Planning Committee passed the following resolution:

“as cited by the Advisory Planning Committee.”

B. Rationale:

- 1. The subject property is located at 5101 Turtle Pond Place (Figures 1 and 2) and has a total area of 7.56 hectares (18.7 acres). The subject property is within the Turtle Mountain neighbourhood and the East Bella Vista Highlands Neighbourhood Plan (Attachment 1). The subject property designated 'Hillside Residential' in the Official Community Plan (OCP) (Attachment 2) and zoned 'R2 – Large Lot Residential', 'R5 – Four-plex Housing Residential' and 'P4 – Utilities' in Zoning Bylaw 5000 (Attachment 3).
- 2. The applicant proposes to develop the property into a 77 lot subdivision, consisting of 76 single family lots and one multi family lot (Attachments 4 and 5). The applicant has applied for a rezoning of the property from 'R2 – Large Lot Residential', 'R5 – Four-plex Housing Residential' and 'P4 – Utilities' to 'R4 – Small Lot Residential' and 'R5 – Four-plex Housing Residential' (Attachment 6). The proposed zoning districts are consistent with the existing OCP and the East Bella Vista Highlands Neighbourhood Plan land use designation.

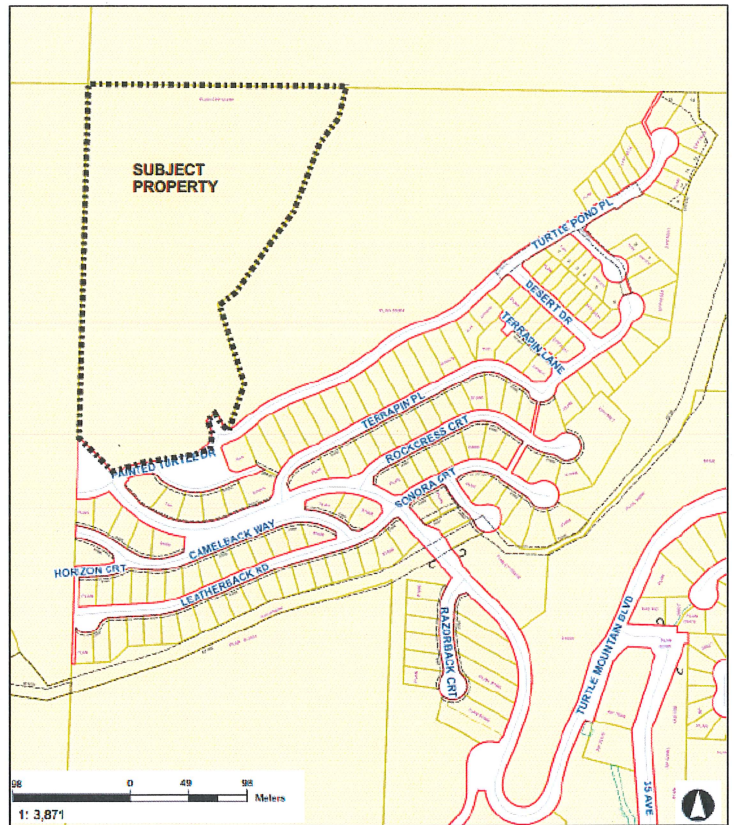


Figure 1 – Location of Subject Property

- 3. Rezoning to 'R4 – Small Lot Residential' (Attachment 7) would allow for single family homes to be developed on narrower small lots, with minimum lot area of 320m², similar to the previous approved subdivisions on the east side of the Turtle Mountain neighbourhood (Figure 3). Rezoning to 'R5 – Four-

plex Housing Residential' (Attachment 8) for the remaining portion of the lot, on the north of the proposed subdivision (Attachments 5 - 6), would allow for ground oriented housing types from single family up to four-plex housing. R4 and R5 zones are consistent with the neighbourhood plan for One and Two Family Residential and Low Density Multiple Family Residential (Attachment 1).

4. In order to allow the proposed 77 lot subdivision on the subject property, the applicant is seeking to vary the following sections of Zoning Bylaw 5000:
 - a) to allow the construction of buildings, structures and swimming pools on slopes greater than 30% (Section 4.16.1); and
 - b) to vary the maximum building height in R4: Small Lot Residential zoning district from the lesser of 10.0m or 2.5 storeys to the lesser of 10.0m or 3.0 storeys (Section 9.5.5).



Figure 2 – Aerial View of Subject Property

5. In support of the requested variance for development of lots within 30% slope area, the applicant provided a slope analysis for the subject property (Attachment 9). The slope analysis is based on the 2004 mapping information, which predated the earth disruption of the lot. Since 2004, much of this area has been used to borrow rock and material to construct retaining walls in earlier phases of the development, and currently this area is no longer within 30% slope. Additionally, further disturbance to the area would be required in order to construct the road access to the existing water reservoir, which is located north east of the property (Figure 2), and to future phases of the Turtle Mountain neighbourhood. Construction of the road will be required as a condition of subdivision approval.

6. Section 9.5.5 in the 'R4 – Small Lot Residential' zoning district limits the maximum height of buildings to the lesser of 10.0m or 2.5 storeys. The application proposes to increase the maximum storey provision of the height regulation for principal structures from 2.5 storeys to 3 storeys in order to reduce grading and retaining requirements needed to achieve the 2.5 story height regulation, and to reduce side wall foundation exposure.



Figure 3 – Turtle Mountain Small Lot Development

in order to reduce grading and retaining requirements needed to achieve the 2.5 story height regulation, and to reduce side wall foundation exposure.

7. A rezoning review includes a review of the existing servicing and infrastructure adjacent to the property. City bylaws require the applicant to construct all non-conforming on-site and off-site infrastructure works and services to current-day standards. This involves either constructing the required works or registering a no-build covenant on the title of the property requiring construction as a condition of future development approval. As the subject property also includes a subdivision application, a detailed list of conditions and land dedication would be included as part of the subdivision approval. Should Council support rezoning application, Administration would recommend that the subdivision and its imposed conditions be approved and registered prior to final adoption of the rezoning bylaw.
8. In summary, Administration supports the rezoning and development variance permit applications for the following reasons:
 - a) The proposed rezoning is consistent with the OCP land use and the East Bella Vista Highlands Neighbourhood Plan for One and Two Family Residential and Low Density Multiple Family Residential. Also, the proposed 'R4 – Small Lot Residential' is one of the primary zoning districts in previous development phases in the Turtle Mountain neighbourhood.
 - b) Since 2004, much of the area within the subject property has been used to borrow rock and material to construct retaining walls in earlier phases of the development, and currently this area is no longer dominated by natural 30% slopes.
 - c) The proposed variance to permit 3 storey homes would reduce the amount of grading and retaining required on the site to meet the 2.5 storey requirement.

C. Attachments:

Attachment 1 – East Bella Vista Highlands Neighbourhood Plan Land Use Map
Attachment 2 – OCP Land Use Designation Map
Attachment 3 – Zoning Map
Attachment 4 – Applicant's Letter Dated April 11, 2022
Attachment 5 – Proposed Subdivision Plan
Attachment 6 – Proposed Zoning Amendment Map
Attachment 7 – R4 – Small Lot Residential Zoning District
Attachment 8 – R5 – Four-plex Housing Residential
Attachment 9 – 2004 Slope Analysis Plan

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 property designated 'Hillside Residential' in the Official Community Plan (OCP) and zoned 'R2 – Large Lot Residential', 'R5 – Four-plex Housing Residential' and 'P4 – Utilities' in Zoning Bylaw 5000. The subject properties are designated in the OCP as 'Residential Small Lot' and zoned 'RM2 – Multiple Housing Residential' in Zoning Bylaw 5000. The East Bella Vista Highlands Neighbourhood Plan, a supplementary plan to the OCP, designated the site as One and Two Family Residential and Low Density Multiple Family Residential.
2. 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

Patricia Bridal, CAO

Date: _____

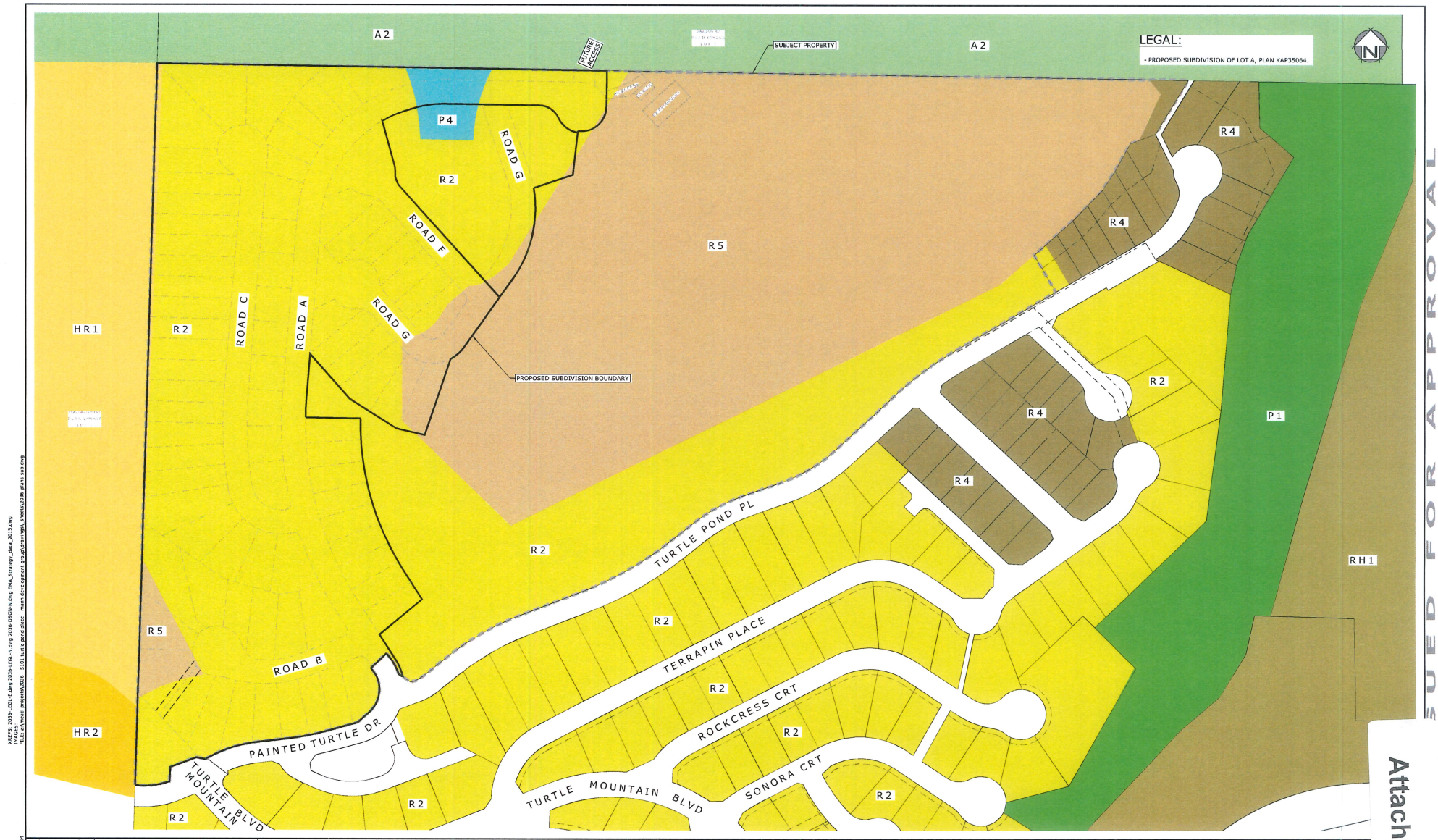
X _____
Kim Flick
Director, Community Infrastructure and Development

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 checked="" type="checkbox"/> Engineering Development Services |
| <input type="checkbox"/> Fire & Rescue Services | <input type="checkbox"/> Recreation Services | <input type="checkbox"/> Infrastructure Management |
| <input type="checkbox"/> Human Resources | <input type="checkbox"/> Parks | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input type="checkbox"/> Economic Development & Tourism |
| <input type="checkbox"/> COMMITTEE: APC (Dec.13/22) | | |
| <input type="checkbox"/> OTHER: | | |

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JPR: dmw
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 PLOT: 2022-02-14, 10:58 AM

SUED FOR APPROVAL

Attachment 3

Rev.	Date	By	Description
A	14 FEB 2022	DCR	ISSUED FOR APPROVAL

LEGEND:			
 R2	 P4	 A2	 HR1
 HR2	 R4	 P1	 R5
 RH1			

3710B 28th Street, Vernon, BC, V1T 9X2
 Ph: (250) 503-1023 Fax: (250) 503-1024

Scale	1:1000
Date	10 FEB 2022
Designed	BGM
Drawn	DCR
Checked	

MANN DEVELOPMENT GROUP	
5101 TURTLE POND PLACE	
EXISTING ZONING	
PLAN	

Project	
Client	
Sheet	
Drawn	ZC
Checked	



April 11, 2022

File 2036

Craig Broderick
The Corporation of the City of Vernon
3400 - 30th Street
Vernon BC, V1B 2Z1

Dear Mr. Broderick,

Re: Rezoning and Subdivision application for Proposed Lot 1 of 5101 Turtle Pond Place

On behalf of our client, we are submitting the following:

- Schedule 3 Appointment of Agent of 1278317 BC Ltd by Turtle Mountain Holdings Ltd.
- Letter from Monaghan Engineering to 1278317 BC Ltd confirming agencies for 1278317 BC Ltd. in this application
- Application for rezoning of Proposed lot 1
- Application for subdivision of Proposed Lot 1
- Variance application for 3 storey building height
- Variance application for development within 30% slope area

Background:

The subject application is for a title (Proposed Lot 1) that is to be created as a result of a subdivision application (SUB00832) by the current owners of the property, Turtle Mountain Holdings Ltd. Their application will create the proposed Lot 1 and remainder lands. It is understood the remainder land is to be acquired by the City and maintained as open space while the proposed lot 1 is intended for development consistent with this application.

The subject lands are within the East Bella Vista Neighbourhood Plan (EBVNP), designated HRES - Hillside Residential within the OCP and are currently zoned R2 – Large Lot Residential. The neighbourhood plan contemplated one and two family residential within the subject land and one and two family cluster residential on the remainder lot. The steeper slopes within the remainder lot were to remain open space and undisturbed.

The earlier phases of the Turtle Mountain development were developed consistent with the neighbourhood plan. Through the development of these first phases, infrastructure including roads, sewers, water systems and shallow utilities were designed and installed to service these lands based on the single-family development. Currently the existing water system pressure zone boundary (PZ585) will allow development of lands up to an elevation of approximately

552m. Lands above that elevation will require improvements to the water system as a condition of development.

The land is currently designated as low sensitivity within the City EMA polygons. The environmental report within the neighbourhood plan, which concentrated on the Turtle Mountain property, indicates the subject lands are consistent with North Okanagan Grasslands. The report identified 2 significant wildlife corridors within the area, however neither of these corridors are within the subject lands. As part of this application an updated report, specific to this property will be undertaken.

The Hillside Guidelines are applicable to the subject lands as the slopes are generally in excess of 12% with some areas in excess of 30%

Proposed Development

The development concept is shown on the proposed subdivision lot plan. Approximately 77 lots will be created consisting of 76 single family lots to be developed under the R4 designation while lot 77 is intended to be developed under the R5 designation. The R4 designation is consistent with the land use adopted for the north end of Turtle Pond Place on the east side of Turtle Mountain. This land use provided for narrower lots, many of which were built to 3 storeys, which is the preferred form of development for this site.

We have included a slope analysis of the property based on the 2004 DEM file from the City of Vernon mapping. Although there is more recent mapping information for the site, the subject lands were used for a borrow and stockpile area for the development of the earlier phases of Turtle Mountain. This work started in 2007 and has carried on through today, resulting in significant alterations to the site, which are not representative of the original ground conditions.

The development concept proposes a main road through the site that will provide access to the reservoir and to the future parkland at the top of the mountain. Development is proposed along this main road, on both the high and low sides of the road as well as 2 roads within the existing water service area that connects to this main road. This road will also provide access to the proposed lots in the upper pressure zone of the site and access to the upper elevations of the adjacent lands to the north. As previously noted, the lots within the upper pressure zone can only be developed once upgrades to the water system have been completed.

Variance

Development with 30% slope area

Some of the lots proposed are within an area of 30% or greater slope, based on the 2004 mapping information. Much of this area was used as a borrow area for rock material to construct walls in the earlier phases of the development and now is no longer a 30% slope area. Since there was this disturbance of the area and there will be further disturbance to this area in order to achieve the road access, we believe it is appropriate to build this area out with lots and take advantage of the infrastructure which will have to be constructed in the adjacent road. These lots (approximately 11) are also necessary in order to make the development feasible.

3 Storey building height

The current R4 building height is a maximum of 2.5 storeys. To achieve this, a side yard on the buildings will typically have to have a 1.0m high wall at either the front or rear building elevation to minimize the side wall foundation exposure to a maximum of 2.2m. With this requirement, access to either the lower floors or the garage, through a side yard doorway is possible, yet there is still a 3-storey exposed face on the building. As both of these side yard accesses are very desirable on the homes, our variance request is to allow for a 3-storey building height.

Summary

The development as proposed is consistent with the original neighbourhood plan, is in close proximity to the City Center, and will build out the mountain taking advantage of much of the infrastructure that has been previously designed and installed to accommodate these lands. All these items are consistent with the goals of development within the City of Vernon and therefore we look to the support of the City for this application.

Should you have any questions or require further clarification, please do not hesitate to contact the undersigned at your convenience.

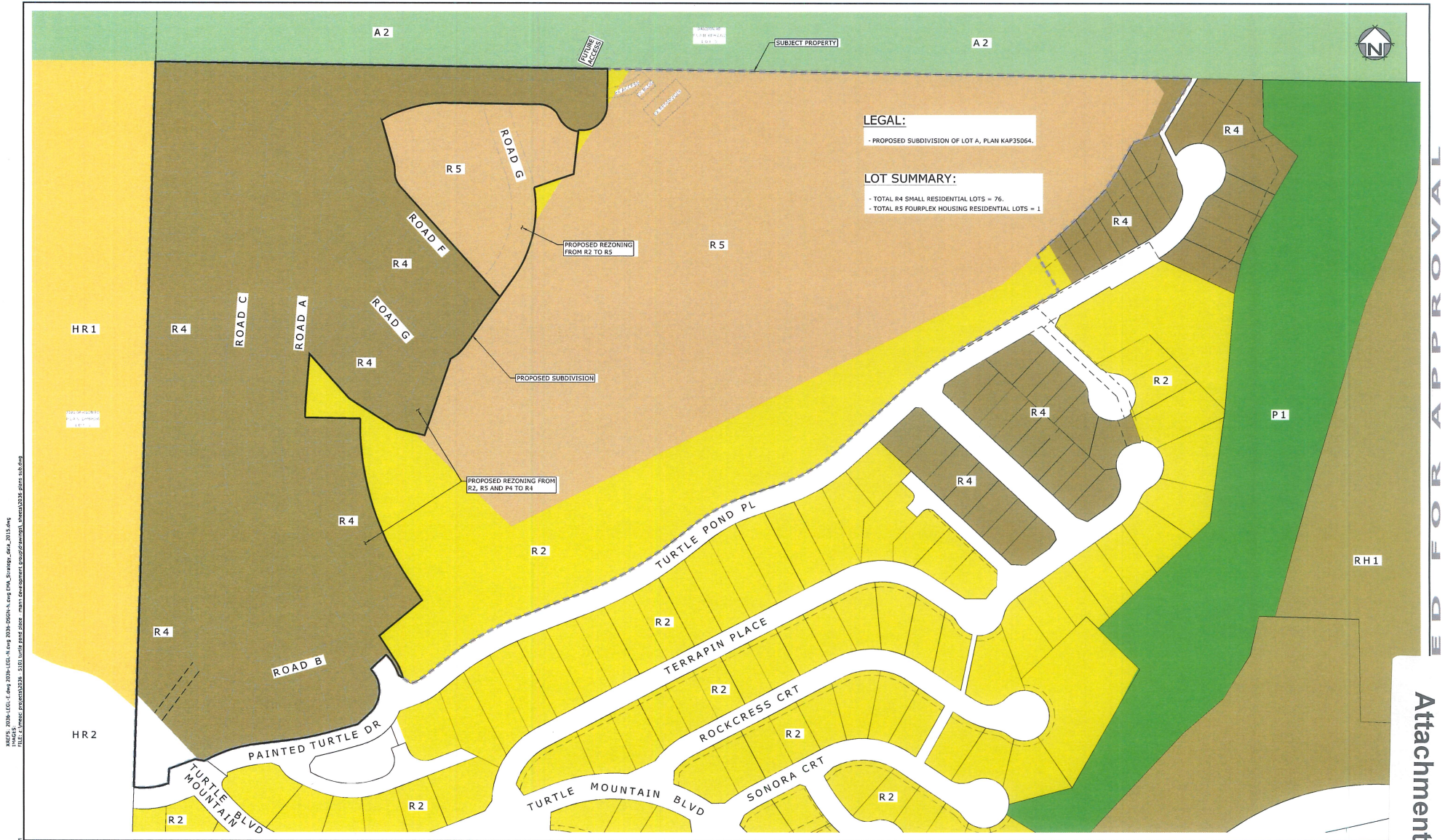
Sincerely,

Monaghan Engineering & Consulting Ltd.



Brian Monaghan, P.Eng
Project Manager

Attachment



USER: dcr\m...
 C:\Users\dcr\...
 14 FEB 2022 11:05 AM

ED FOR APPROVAL

Attachment 6

Rev.	Date	By	Description
A	14 FEB 2022	DCR	ISSUED FOR APPROVAL

LEGEND:

R2	R4	R5
HR1	HR2	RH1
A2	P1	

3710B 28th Street, Vernon, BC, V1T 9X2
 Ph: (250) 503-1023 Fax: (250) 503-1024

Scale	1:1000
Date	10 FEB 2022
Design	BGM
Drawn	DCR
Checked	

MANN DEVELOPMENT GROUP
 5101 TURTLE POND PLACE
 PROPOSED ZONING
 PLAN

Project No.	
Client File	
Sheet No.	04
Drawing No.	ZON-3
Rev.	A



9.5 R4 : Small Lot Residential

9.5.1 Purpose

The purpose is to provide a **zone** for **single detached housing**, and compatible uses, on smaller urban serviced **lots**. The R4c sub-zoning district allows for **care centre, major** as an additional use. The R4h sub-zoning district allows for **home based business, major** as an additional use. (*Bylaw 5467*)

9.5.2 Primary Uses

- **care centre, major** (*use is only permitted with the R4c sub-zoning district*)
- **single detached housing**
- **semi-detached housing** (*Bylaw 5715*)

9.5.3 Secondary Uses

- **boarding rooms**
- **bed and breakfast homes** (in single detached housing only) (*Bylaw 5498*)
- **care centres, minor**
- **home based businesses, minor**
- **home based businesses, major** (*use is only permitted with the R4h sub-zoning district*)
- **secondary suites (in single detached housing only)**

9.5.4 Subdivision Regulations

- Minimum **lot width** is 10.0m, except it is 14.0m for a **corner lot**.
- Minimum **lot area** is 320m², or 10,000m² if not serviced by a **community sewer system**.

9.5.5 Development Regulations

- Maximum **site coverage** is 40% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 50%.
- Maximum **height** is the lesser of 10.0m or 2.5 **storeys**, except it is 4.5m for **secondary buildings and structures**.
- Minimum **front yard** is 3.5m.
- Minimum **side yard** is 1.2m for a 1 or 1.5 **storey** portion of a **building** and 1.5m for a 2 or 2.5 **storey** portion of a **building**, except it is 3.5m 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.
- For **party wall semi-detached housing** one **side yard**, not **flanking a street**, may be reduced to 0.0m. There shall be no windows or doors on the side of the **dwelling** without the **side yard**.
- Minimum **rear yard** is 6.0m for a 1 or 1.5 **storey** portion of a **building** and 7.5m for a 2 or 2.5 **storey** portion of a **building**, except it is 1.0m for **secondary buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5m provided that one **side yard** shall have a minimum width of 4.5m.
- The maximum **height** of any vertical wall element facing a **front, flanking or rear yard** (including **walkout basements**) is the lesser of 6.5m or 2.5 **storeys**, above which the **building** must be **set back** at least 1.2m.

9.5.6 Other Regulations

- There shall be no more than one **single detached house** or one **semi-detached unit per lot**. *(Bylaw 5715)*
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- One garage or **carport**, or the location for one, shall be provided on the **lot**.
- For strata developments, common recreation buildings, facilities and amenities may be included in the strata plan. Recreational buildings shall be treated as **secondary buildings** for the purpose of determining the **height** and **setbacks** of the **building** as specified in each **zone**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development**, **yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- As per Section 4.10.2 - All **buildings** and **structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".
(Bylaw 5440)



9.6 R5 : Four-plex Housing Residential

9.6.1 Purpose

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

9.6.2 Primary Uses4

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

9.6.3 Secondary Uses

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

9.6.4 Subdivision Regulations

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

9.6.5 Party Wall Subdivision Regulations

Table with 5 columns: Lot Type, Minimum Lot area (interior, corner), Minimum Lot Width (interior, corner). Rows include Semi-Detached Housing, Three-Plex Housing, and Four-Plex Housing.

9.6.6 Development Regulations

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

- Maximum **floor space ratio** is 0.6.
- Maximum **height** is the lesser of 10.0m or 2.5 **storeys**, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 4.0m, except it is 6.0m for a garage or **carport** to the back of curb or sidewalk for a front entry garage, or it is 0.6m to the side of the garage and 2.6m to the front building façade for side-entry garage and driveway layouts.
- Minimum **side yard** is 2.0m for a 1 or 1.5 **storey** portion of a **building** or a **secondary building or structure** and 2.5m for a 2 or 2.5 **storey** portion of a **building**, except it is 4.0m from a **flanking street** unless there is a garage accessed from the **flanking street**, it is 4.0m or it is 2.6m to the building for a side-entry garage and driveway from a flanking curb and at least 6.0m from the back of curb or sidewalk. Where there is no direct vehicular access to the **rear yard** or to an attached garage or **carport**, one **side yard** shall be at least 3.0m. The minimum **side yard** setback for shared interior **party walls** shall be 0.0m. The minimum **side yard** setback for **single detached housing** is 1.5m, except it is 4.0m from a **flanking street** unless there is a garage accessed from the **flanking street**, it is 4.0m or it is 2.6m to the building for a side-entry garage and driveway from a **flanking street** and at least 6.0m from the back of curb or sidewalk.
- Minimum **rear yard** is 6.0m for a 1 or 1.5 **storey** portion of a **building** and 7.5m for a 2 or 2.5 **storey** portion of a **building**, except it is 1.0m for **secondary buildings**.
- The maximum **height** of any vertical wall element facing a **front, flanking or rear yard** (including **walkout basements**) is the lesser of 6.5m or 2.5 **storeys**, above which the **building** must be **set back** at least 1.2m.
- Maximum **density** is 30 units per gross hectare (12 units/gross acre).
- Maximum four **dwelling** units located in a **building**, with each unit having a minimum width of 6.5m. (*Bylaw 5339*)

9.6.7 Other Regulations

- In order for bareland strata **developments** to be consistent with the character of the surrounding neighborhood, the strata plan shall be considered as one **site** for defining the overall use, **density** and **site coverage**.
- The above noted **subdivision** and **development** regulations shall be applied to each strata **lot** within the strata plan.
- A minimum area of 25m² of **private open space** shall be provided per **dwelling**.
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- For **seniors assisted housing, seniors housing and seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- For strata developments, common recreation buildings, facilities and amenities may be included in the strata plan. Recreational buildings shall be treated as **secondary buildings** for the purpose of determining the **height** and **setbacks** of the **building** as specified in each **zone**.
- For multi-unit residential housing, one **office** may be operated for the sole purpose of the management and operation of the multi-unit residential **development**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development, yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- As per Section 4.10.2 - All **buildings and structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B". (*Bylaw 5440*)



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Michelle Austin
Planner, Current Planning

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: TBD
REPORT DATE: December 7, 2022
FILE: 3090-20 (DVP00604)

SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 7371 TRONSON ROAD

PURPOSE:

To present, for Council's consideration, a development variance permit application for the property located at 7371 Tronson Road in preparation for a semi-detached housing development consisting of 24 units (12 semi-detached buildings).

RECOMMENDATION:

THAT Council support Development Variance Permit Application 00604 (DVP00604) to vary Zoning Bylaw 5000 for Lot A, DL 56, ODYD, Plan EPP31445 (7371 Tronson Road) as outlined in the report titled "Development Variance Permit Application for 7371 Tronson Road" dated December 7, 2022 and respectfully submitted by the Current Planner, to:

- a) decrease (Section 9.6.6) flanking street setbacks (Bella Vista Road), from 4m to 2m for Unit 15;
- b) decrease (Section 9.6.6) rear yard setbacks (Ogata Way), from 6m to 3.2m for the 1 or 1.5 storey portion of Unit 22;
- c) decrease (Section 9.6.6) rear yard setbacks (Ogata Way), from 7.5m to 3.2m for the 2 or 2.5 storey portion of Unit 22;
- d) decrease (Section 9.6.6) rear yard setbacks (Ogata Way), from 6m to 2.5m for the 1 or 1.5 storey portion of Unit 24; and
- e) decrease (Section 9.6.6) rear yard setbacks (Ogata Way), from 7.5m to 2.5m for the 2 or 2.5 storey portion of Unit 24.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support Development Variance Permit Application 00603 (DVP00604) to vary Zoning Bylaw 5000 for Lot A, DL 56, ODYD, Plan EPP31445 (7371 Tronson Road) as outlined in the report titled "Development Variance Permit Application for 7371 Tronson Road" dated December 7, 2022 and respectfully submitted by the Current Planner, to:
 - a) decrease (Section 9.6.6) flanking street setbacks (Bella Vista Road), from 4m to 2m for Unit 15;
 - b) decrease (Section 9.6.6) rear yard setbacks (Ogata Way), from 6m to 3.2m for the 1 or 1.5 storey portion of Unit 22;

- c) decrease (Section 9.6.6) rear yard setbacks (Ogata Way), from 7.5m to 3.2m for the 2 or 2.5 storey portion of Unit 22;
- d) decrease (Section 9.6.6) rear yard setbacks (Ogata Way), from 6m to 2.5m for the 1 or 1.5 storey portion of Unit 24; and
- e) decrease (Section 9.6.6) rear yard setbacks (Ogata Way), from 7.5m to 2.5m for the 2 or 2.5 storey portion of Unit 24.

Note: This alternative does not support the variance requests and prevents the 24-unit development from moving ahead as proposed. The site layout would need to be redesigned, with the loss of at least two units (one semi-detached building).

ANALYSIS:

A. Committee Recommendations:

At its meeting of December 13, 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 7371 Tronson Road, bordered by Tronson Road, Bella Vista Road and Ogata Way (Figures 1 and 2). It is a vacant parcel with development plans for 12 semi-detached buildings for a total of 24 dwelling units (Attachments 1 and 2).
2. The property is zoned R5 – Four-plex Housing Residential (Attachment 3). The intent of the variance application is to request that Council support the following requests to decrease the minimum setbacks for Units 15, 22 and 24 as follows:

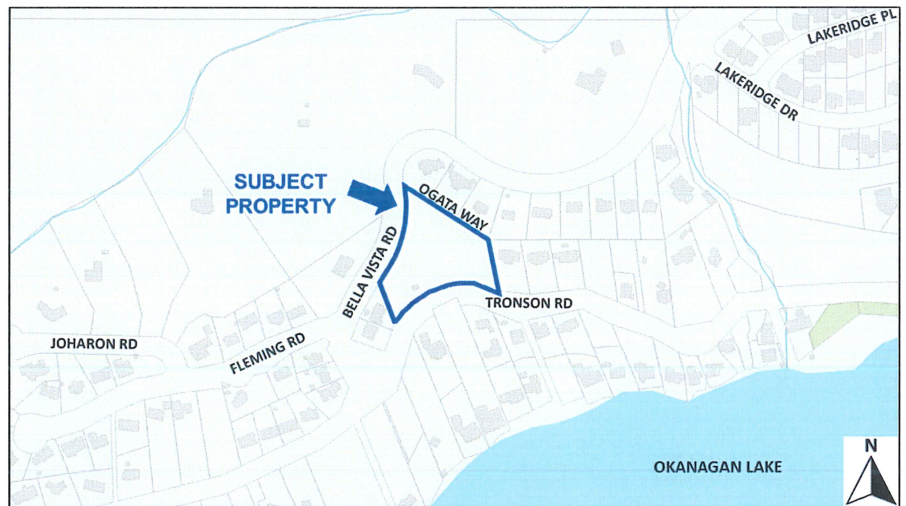


Figure 1: Property Location Map

- flanking street (Bella Vista Road), from 4m to 2m for Unit 15;
 - rear yard (Ogata Way), from 6m to 3.2m for the 1 or 1.5 storey portion of Unit 22;
 - rear yard (Ogata Way), from 7.5m to 3.2m for the 2 or 2.5 storey portion of Unit 22;
 - rear yard (Ogata Way), from 6m to 2.5m for the 1 or 1.5 storey portion of Unit 24; and
 - rear yard (Ogata Way), from 7.5m to 2.5m for the 2 or 2.5 storey portion of Unit 24.
3. Administration confirms that the proposed development plans conform to the floor space ratio, density, site coverage, impermeable coverage and front and side yard setback regulations of Zoning Bylaw 5000.

4. An associated Development Permit was also applied for in October 2021. Through the standard project review process, Administration identified the need for the above-noted setback variances to allow the proposed siting of Units 15, 22 and 24.
5. In 2013, the previous owner applied for a development permit (DP000521) to develop the property with an identical site layout for 12 semi-detached buildings. DP000521 was issued by Administration on January 29, 2014 (Attachment 4). The permittee did not commence the development within the 24-month timeframe allotted, therefore the permit expired on January 29, 2016. A one-year extension was granted, which expired January 29, 2017. In late 2020, the owner was informed that, in order to proceed with development of the property, a new development permit application, meeting current City bylaws, would be required.
6. Since the original application was made in 2013, development regulations within the R5 zone have not changed with respect to setbacks. Based on this, the new owner purchased the property believing that the site layout and development permit would be approved by Administration without the need for any variance approvals. Unfortunately, the previous interpretation applied a 4m front yard setback along the property line with Tronson Road and a 2m side yard setback around the remainder of the property. This is inconsistent with the Zoning Bylaw provisions.
7. Administration interprets yards in strict accordance with Zoning Bylaw 5000 and any deviation must be considered by Council. Figure 2 shows which yards apply to the subject property.
8. The proposed decrease in flanking and rear yard setbacks are anticipated to have minimal impact on the surrounding properties. Lands across Bella Vista Road are rural in nature with no existing homes directly across from Unit 15. Homes across Ogata Way are buffered by Ogata Way. Approximately a 10m distance would be between Units 22 and 24 and the north edge of Ogata Way.

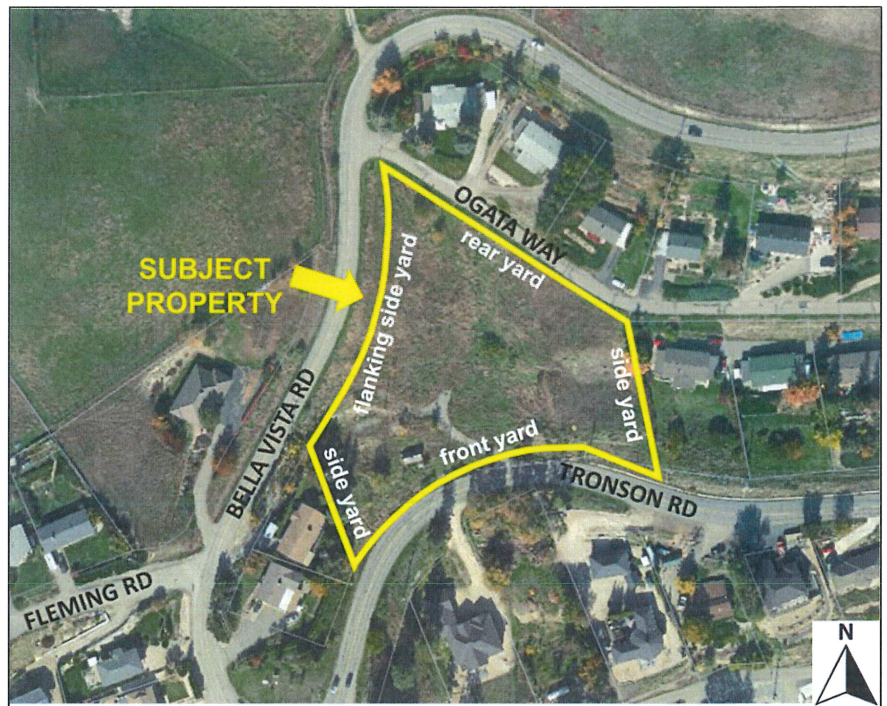


Figure 2: Aerial Photo of Property with Current Yards Interpretation

C. Attachments:

- Attachment 1 – Site Plan
- Attachment 2 – Design Drawings
- Attachment 3 – R5: Fourplex Housing Residential Zone
- Attachment 4 – Development Permit 000521 (DP000521)

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

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

- N/A

E. Relevant Policy/Bylaws/Resolutions:

1. Official Community Plan (OCP) Bylaw 5470:
 - OCP Designation – Residential Low Density (RLD)
 - Development District – 2 Neighbourhood
2. Zoning Bylaw 5000, Section 9.6 R5: Four-plex Housing Residential
3. *Local Government Act*, Division 9 – Development Variance Permits

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Approved for submission to Council:

X _____
 Michelle Austin
 Current Planner

 Patricia Bridal, 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 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 (Dec. 13/22)		
<input type="checkbox"/> OTHER:		

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LEGAL DESCRIPTION
 PROPOSED DEVELOPMENT OF LOT A,
 PLAN EPP31445, D.L. 56, O.D.Y.D.
 CIVIC ADDRESS: 7371 TRONSON ROAD
 VERNON BC

EXISTING ZONING: RS FOUR-FLEX HOUSING RESIDENTIAL
CITY OF VERNON FILE: SUB00551

NOTES

1. ALL WORK TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF VERNON DEVELOPMENT BYLAWS AND THE BC BUILDING CODE.

2. THE ENGINEER SHALL BE NOTIFIED A MINIMUM OF 24 HOURS IN ADVANCE OF POURING CURB, DUTTER, OR SIDEWALK TO NEW STRING-LINES OR FORMS.

3. THE ENGINEER SHALL BE NOTIFIED A MINIMUM OF 24 HOURS IN ADVANCE OF ANY OTHER CONSTRUCTION ACTS THAT MAY AFFECT THE CONSTRUCTION OF THE PROJECT.

4. THE ENGINEER SHALL BE NOTIFIED A MINIMUM OF 24 HOURS IN ADVANCE OF ANY OTHER CONSTRUCTION ACTS THAT MAY AFFECT THE CONSTRUCTION OF THE PROJECT.

5. THE ENGINEER SHALL BE NOTIFIED A MINIMUM OF 24 HOURS IN ADVANCE OF ANY OTHER CONSTRUCTION ACTS THAT MAY AFFECT THE CONSTRUCTION OF THE PROJECT.

6. THE ENGINEER SHALL BE NOTIFIED A MINIMUM OF 24 HOURS IN ADVANCE OF ANY OTHER CONSTRUCTION ACTS THAT MAY AFFECT THE CONSTRUCTION OF THE PROJECT.

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9. THE ENGINEER SHALL BE NOTIFIED A MINIMUM OF 24 HOURS IN ADVANCE OF ANY OTHER CONSTRUCTION ACTS THAT MAY AFFECT THE CONSTRUCTION OF THE PROJECT.

10. THE ENGINEER SHALL BE NOTIFIED A MINIMUM OF 24 HOURS IN ADVANCE OF ANY OTHER CONSTRUCTION ACTS THAT MAY AFFECT THE CONSTRUCTION OF THE PROJECT.

SITE COVERAGE		
ROAD/BLDG AREA	LOT AREA	SITE COVERAGE
LOT A	4138m ²	8408m ² 49.2%

* SITE COVERAGE & AREA CALCULATIONS DO NOT INCLUDE DECKS OR PATIOS.

ARDA CONSULTANTS LTD.

DAVID R. PAULS, P. ENG.

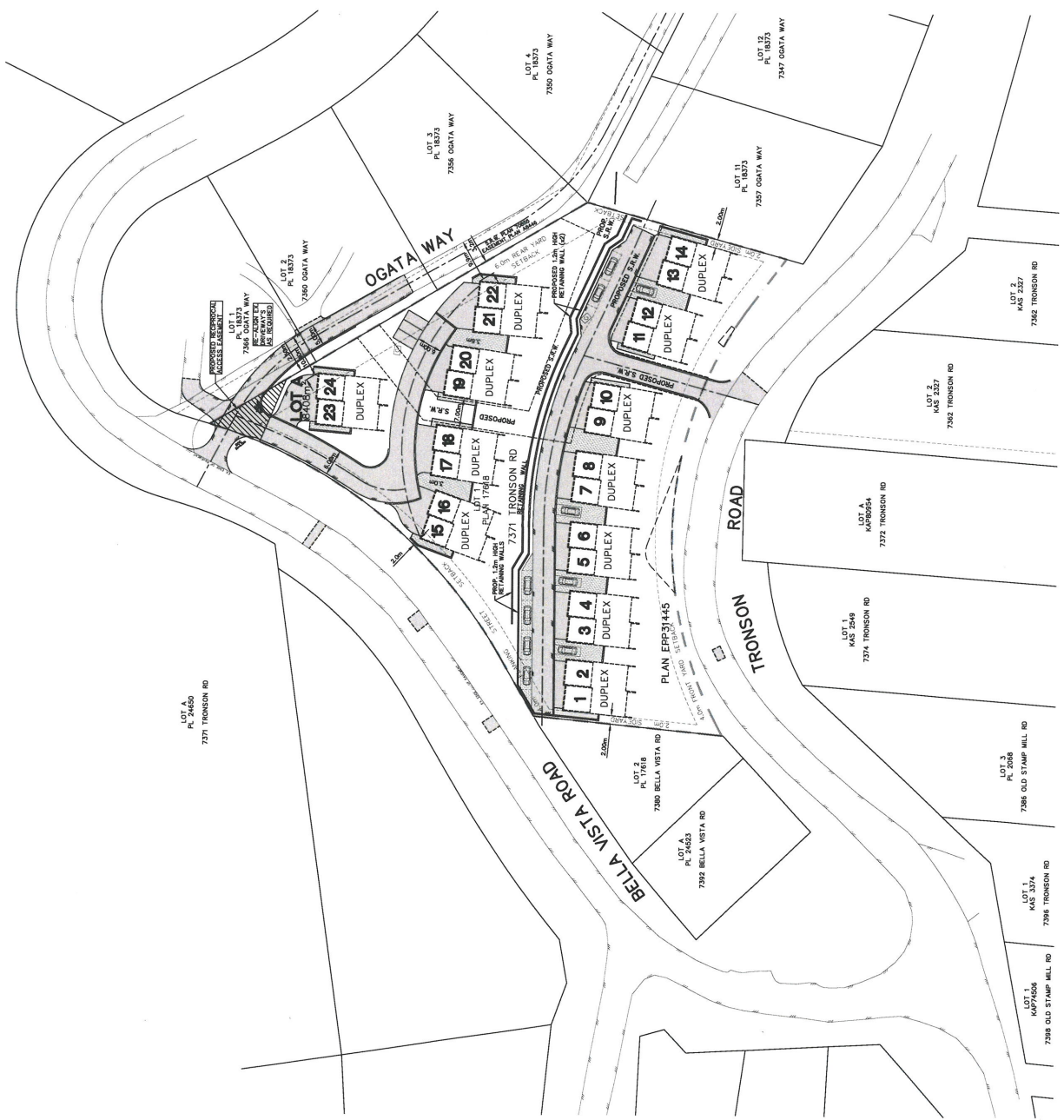
1446 Connelley's Ltd.
 273 Nova Road
 Sidney BC, V1V 1J9
 TEL: 250-807-7803
 1518@ardacanada.com

REVISIONS	
DATE	REVISIONS
2022/02/08	GENERAL REVISIONS
2022/02/03	GENERAL REVISIONS

THE CORPORATION OF THE CITY OF VERNON
 ENGINEERING DEPARTMENT

TITLE
 TRONSON ROAD & BELLA VISTA
 SITE DEVELOPMENT
 PROPOSED STRATA DEVELOPMENT

DESIGNED	DRAWN	CHECKED	SCALE
G.E.R.	G.E.R.	D.R.P.	
REVISION	DATE	BY/APPROVED	SHEET 8 OF 10
2	2022/02/08		13



No.	Description	Date
DP2	DEVELOPMENT PERMIT	Sept 23 2021
1	Roof Removed (CoRV)	Jan 19 2022
2	Privacy Wall (CoRV)	Mar 15 2022

Bella Vista Multi
7371 Tronson
Road

Cover S

Date	
Drawn by	
Project No.	
Scale	

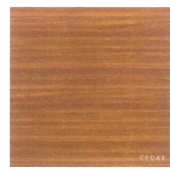
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Attachment 2

COLOUR BOARD



Stucco - Beige



Horizontal Metal Siding - Lux Cedar

Windows / Guardrails / Downspouts - Black Aluminum

Fascia / Trim - Smart Trim - Black

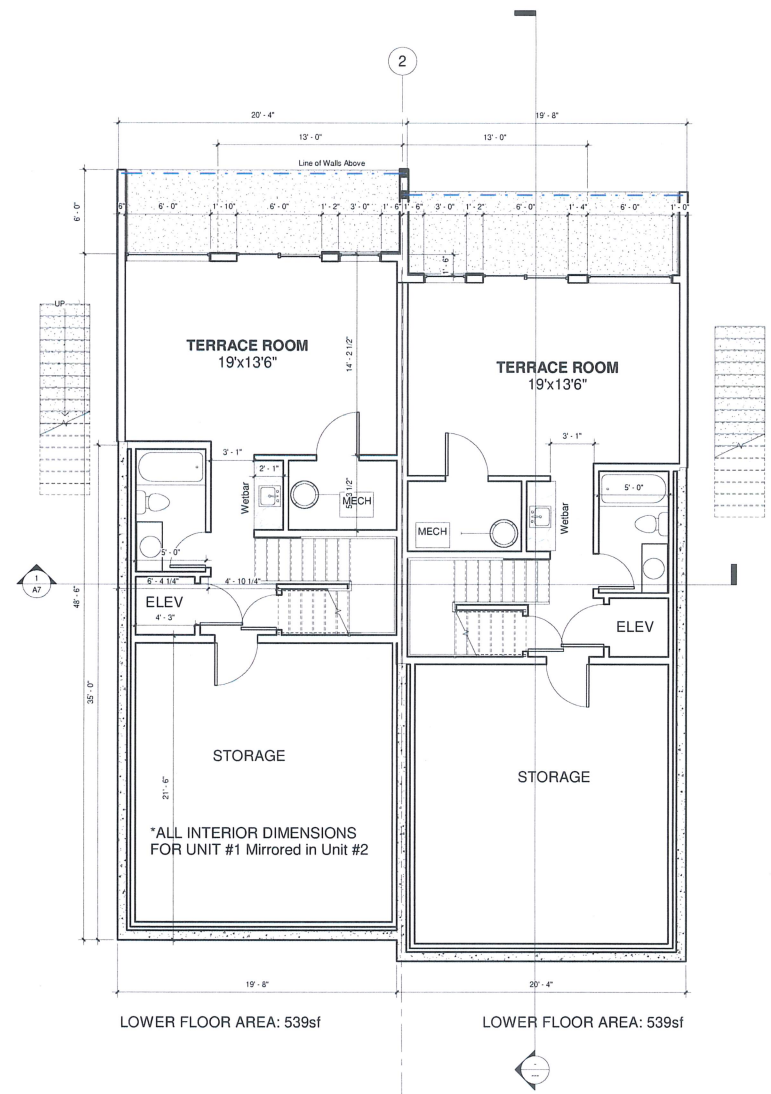


① Front



② Back

No.	Description	Date
DP2	DEVELOPMENT PERMIT	Sept 23 2021
1	Roof Removed (CoV)	Jan 19 2022
2	Privacy Wall (CoV)	Mar 15 2022



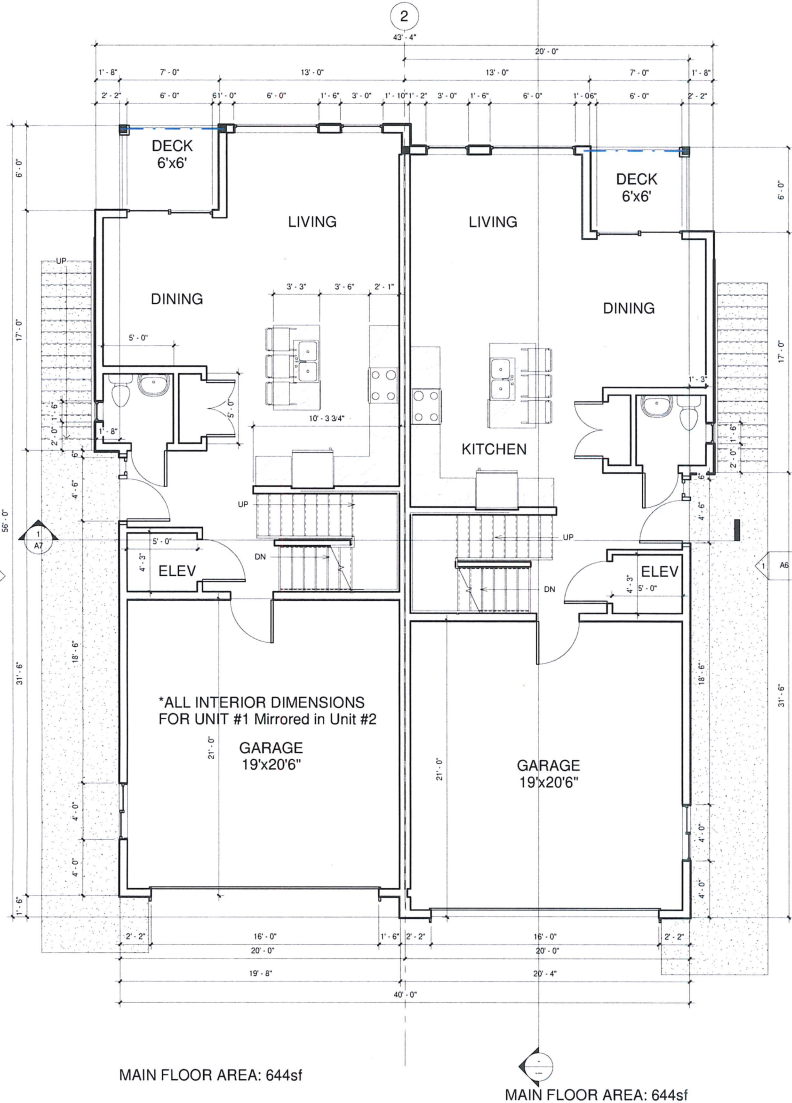
Bella Vista Multi
7371 Tronson
Road

Foundation /
Lower Plan

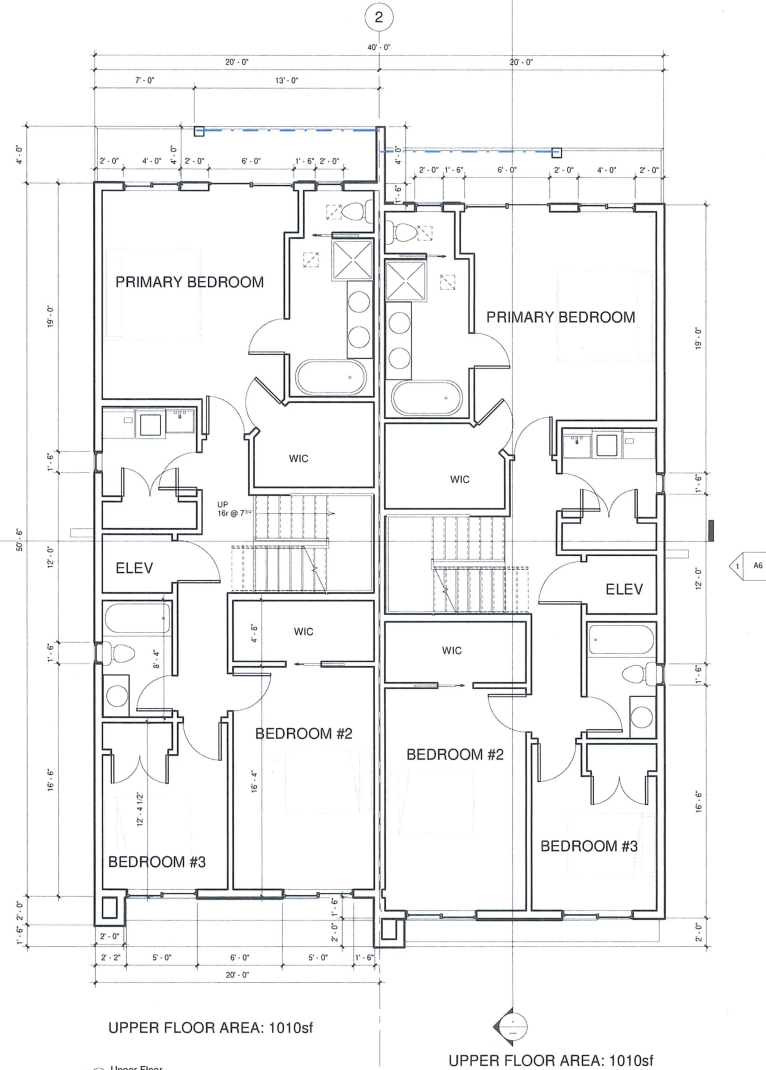
Date	Mar 15, 2022
Drawn by	M.L.
Project No.	925RDI_21038
Scale	1/4" = 1'-0"

A2

250.307.6818 - 925RDesign.com		
No.	Description	Date
DP2	DEVELOPMENT PERMIT	Sept 23 2021
1	Roof Removed (CofV)	Jan 19 2022
2	Privacy Wall (CofV)	Mar 15 2022



1 Main Floor
1/4" = 1'-0"



2 Upper Floor
1/4" = 1'-0"

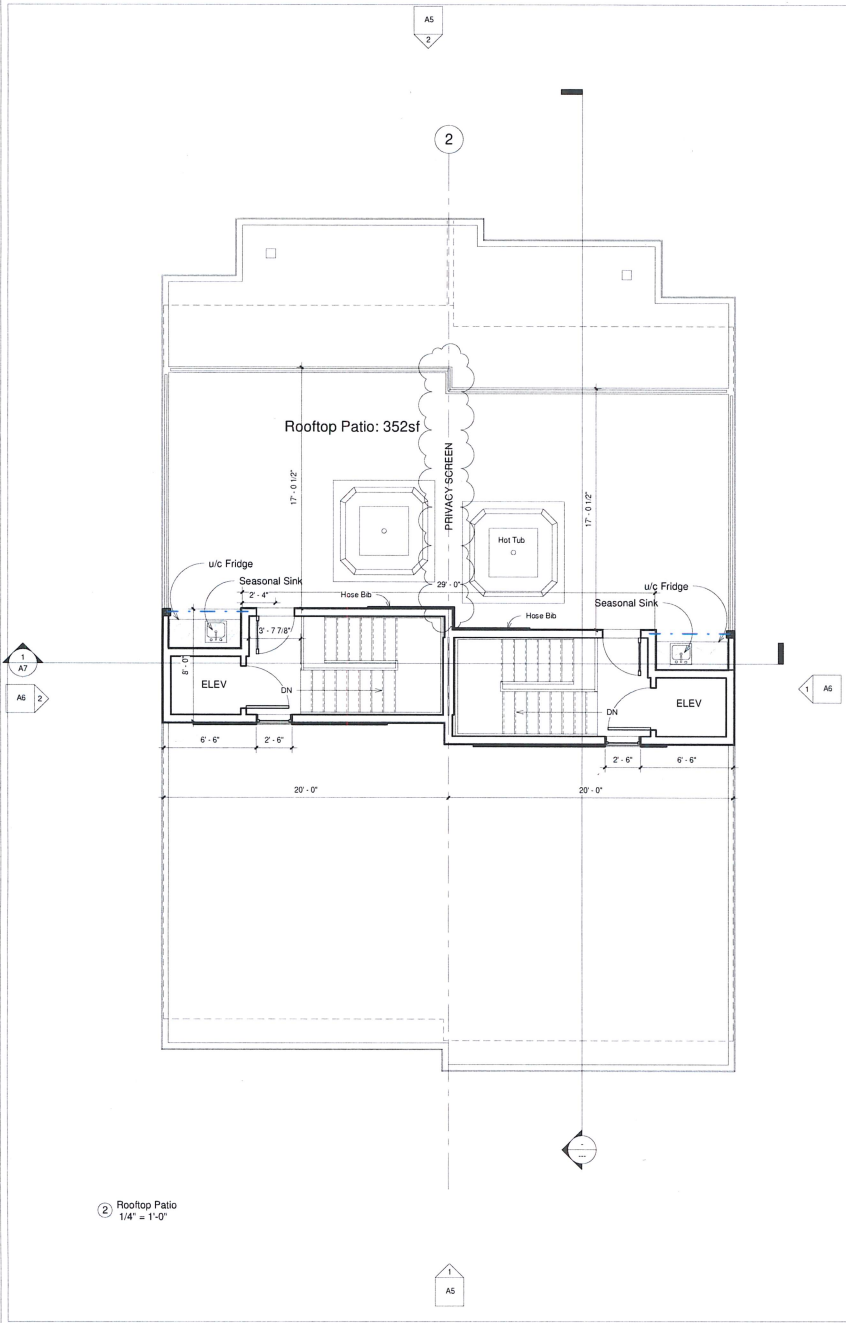
Bella Vista Multi
7371 Tronson
Road

Main / Upper
Floor

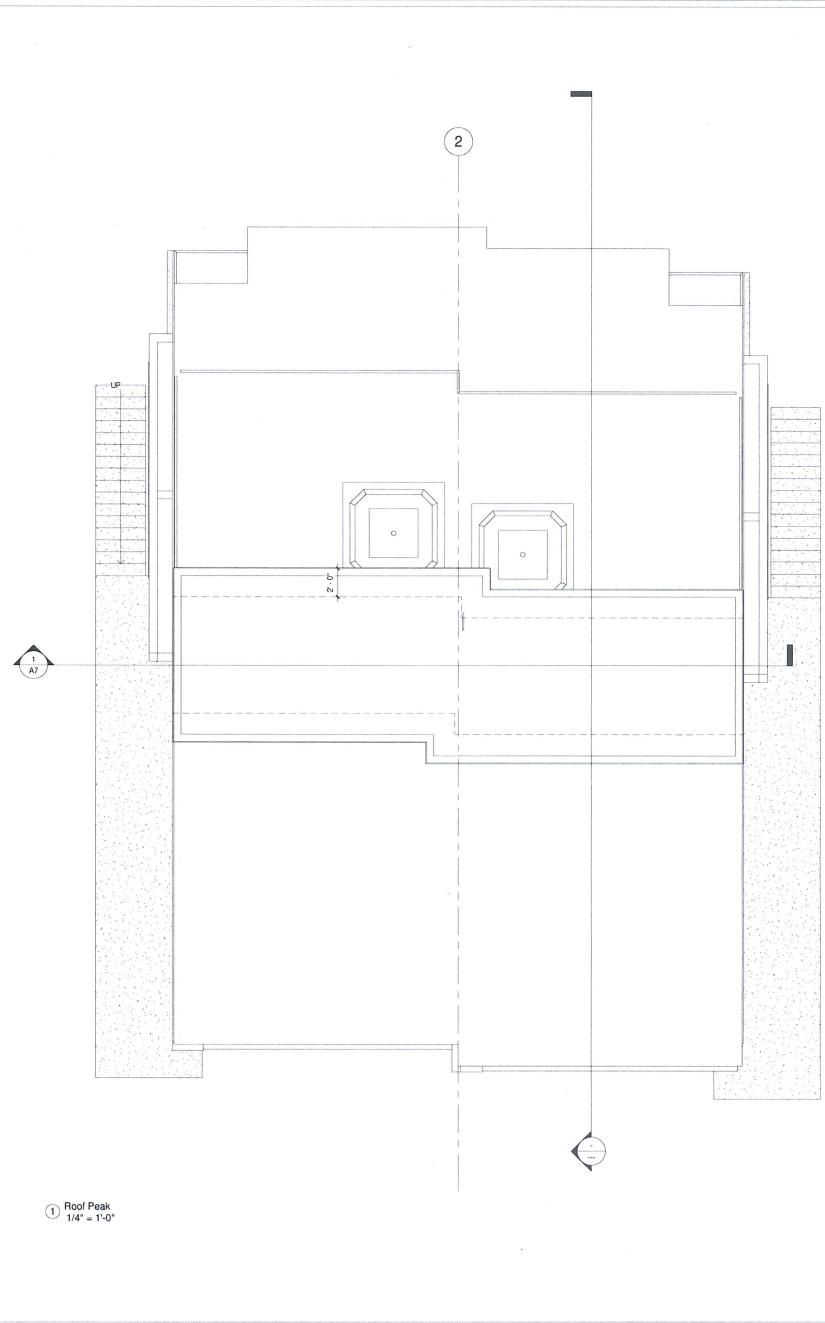
Date	Mar 15, 2022
Drawn by	ML
Project No.	925RDI_210308
Scale	1/4" = 1'-0"

A3

No.	Description	Date
DP2	DEVELOPMENT PERMIT	Sep 22 2021
1	Roof Removal (CoFv)	Jan 18 2022
2	Privacy Wall (CoFv)	Mar 15 2022



② Rooftop Patio
1/4" = 1'-0"



① Roof Peak
1/4" = 1'-0"

Bella Vista Multi
7371 Tronson
Road

Roof

Date	Mar 15, 2022
Drawn by	M.L.
Project No.	925RDI 21038
Scale	1/4" = 1'-0"

A4

COLOUR BOARD



Stucco - Beige



Horizontal Metal Siding - Lux Cedar

Windows / Guardrails / Downspouts - Black Aluminum

Fascia / Trim - Smart Trim - Black



250.307.6818 - 925RDesign.com		
No.	Description	Date
1	DEVELOPMENT PERMIT	Sept 23 2021
1	Roof Removal (CoV)	Jan 18 2022
2	Privacy Wall (CoV)	Mar 15 2022

Bella Vista Multi
7371 Tronson
Road

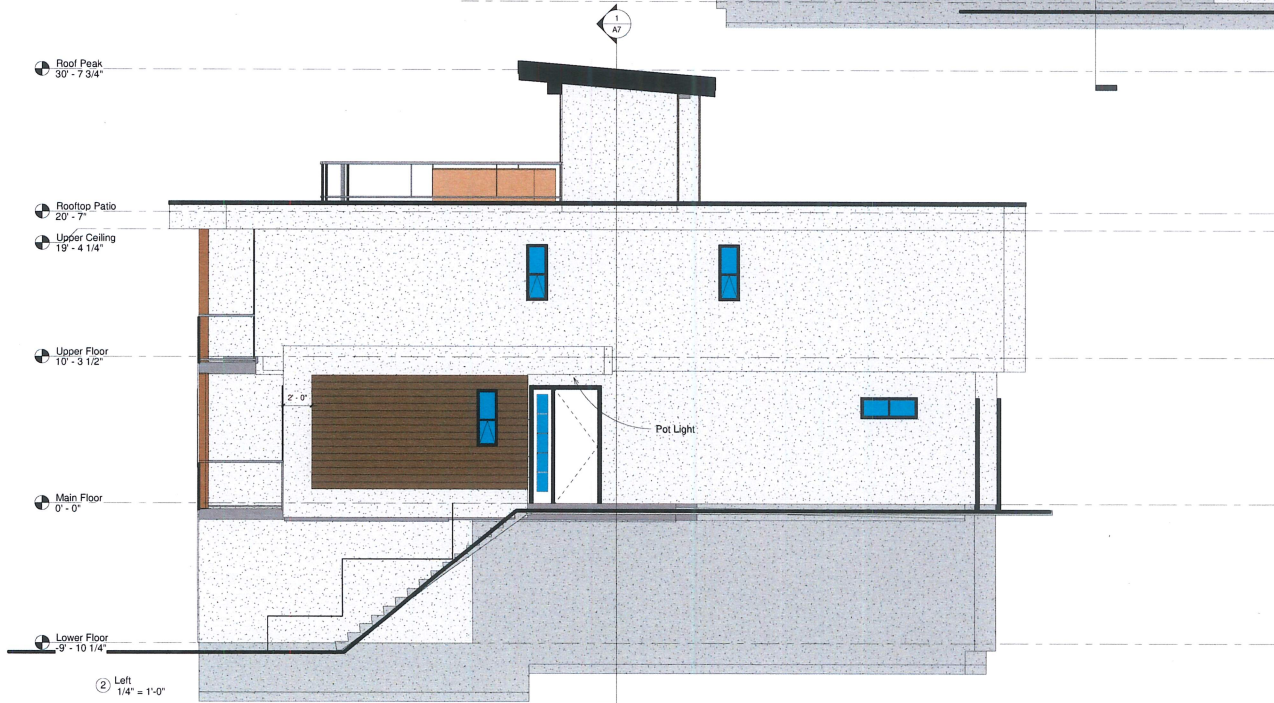
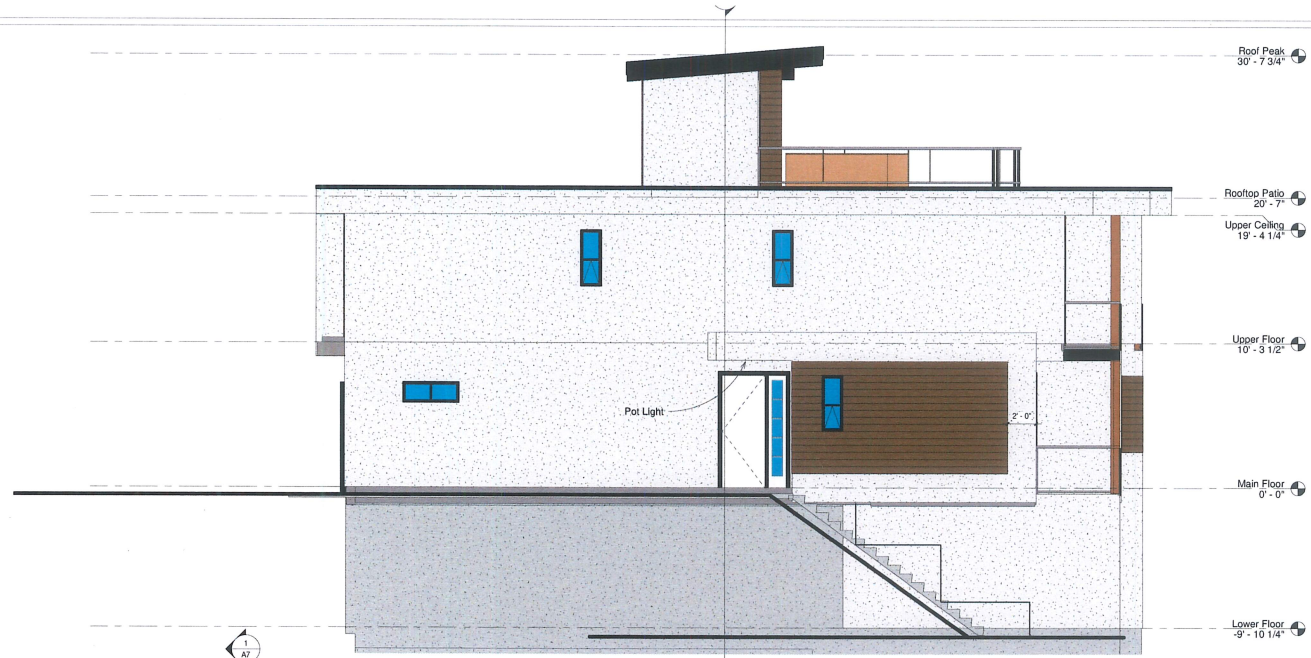
Front/Back
Elevations

Date	Mar 15, 2022
Drawn by	ML
Project No.	925RDI_21036
Scale	1/4" = 1'-0"

A5

250.307.6818 - 925RDesign.com

No.	Description	Date
DP2	DEVELOPMENT PERMIT	Sept 23, 2021
1	Roof Removed (CoF)	Jan 19, 2022
2	Privacy Wall (CoF)	Mar 15, 2022



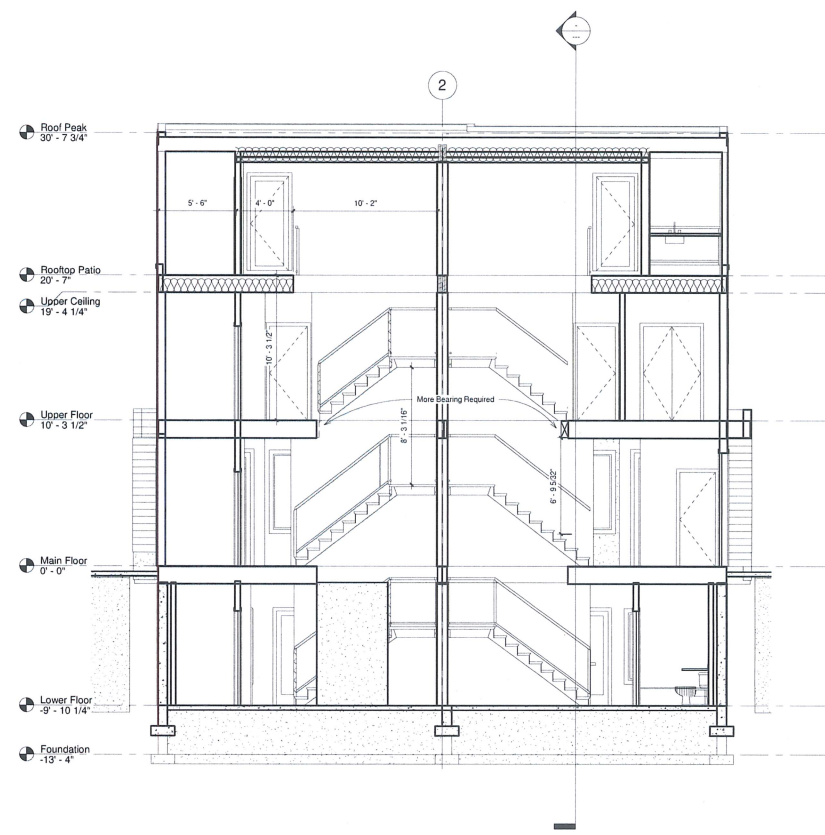
Bella Vista Multi
7371 Tronson
Road

Left/Right
Elevations

Date	Mar 15, 2022
Drawn by	ME
Project No.	925RDI_21039
Scale	1/4" = 1'-0"

A6

No.	Description	Date
DP2	DEVELOPMENT PERMIT	Sept 23 2021
1	Roof Removed (CoF)	Jan 19 2022
2	Privacy Wall (CoF)	Mar 15 2022



Bella Vista Multi
7371 Tronson
Road

Sections

Date	Mar 15, 2022
Drawn by	ML
Project No.	925RDI 21039
Scale	1/4" = 1'-0"

A7

R5

9.6 R5 : Four-plex Housing Residential

9.6.1 Purpose

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

9.6.2 Primary Uses⁴

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

9.6.3 Secondary Uses

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

9.6.4 Subdivision Regulations

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

9.6.5 Party Wall Subdivision Regulations

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

9.6.6 Development Regulations

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

- Maximum **floor space ratio** is 0.6.
- Maximum **height** is the lesser of 10.0m or 2.5 **storeys**, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 4.0m, except it is 6.0m for a garage or **carport** to the back of curb or sidewalk for a front entry garage, or it is 0.6m to the side of the garage and 2.6m to the front building façade for side-entry garage and driveway layouts.
- Minimum **side yard** is 2.0m for a 1 or 1.5 **storey** portion of a **building** or a **secondary building or structure** and 2.5m for a 2 or 2.5 **storey** portion of a **building**, except it is 4.0m from a **flanking street** unless there is a garage accessed from the **flanking street**, it is 4.0m or it is 2.6m to the building for a side-entry garage and driveway from a flanking street and at least 6.0m from the back of curb or sidewalk. Where there is no direct vehicular access to the **rear yard** or to an attached garage or **carport**, one **side yard** shall be at least 3.0m. The minimum **side yard** setback for shared interior **party walls** shall be 0.0m. The minimum **side yard** setback for **single detached housing** is 1.5m, except it is 4.0m from a **flanking street** unless there is a garage accessed from the **flanking street**, it is 4.0m or it is 2.6m to the building for a side-entry garage and driveway from a **flanking street** and at least 6.0m from the back of curb or sidewalk.
- Minimum **rear yard** is 6.0m for a 1 or 1.5 **storey** portion of a **building** and 7.5m for a 2 or 2.5 **storey** portion of a **building**, except it is 1.0m for **secondary buildings**.
- The maximum **height** of any vertical wall element facing a **front, flanking or rear yard** (including **walkout basements**) is the lesser of 6.5m or 2.5 **storeys**, above which the **building** must be **set back** at least 1.2m.
- Maximum **density** is 30 units per gross hectare (12 units/gross acre).
- Maximum four **dwelling** units located in a **building**, with each unit having a minimum width of 6.5m. (*Bylaw 5339*)

9.6.7 Other Regulations

- In order for bareland strata **developments** to be consistent with the character of the surrounding neighborhood, the strata plan shall be considered as one **site** for defining the overall use, **density** and **site coverage**.
- The above noted **subdivision** and **development** regulations shall be applied to each strata **lot** within the strata plan.
- A minimum area of 25m² of **private open space** shall be provided per **dwelling**.
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- For **seniors assisted housing, seniors housing and seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- For strata developments, common recreation buildings, facilities and amenities may be included in the strata plan. Recreational buildings shall be treated as **secondary buildings** for the purpose of determining the **height** and **setbacks** of the **building** as specified in each **zone**.
- For multi-unit residential housing, one **office** may be operated for the sole purpose of the management and operation of the multi-unit residential **development**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development, yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- As per Section 4.10.2 - All **buildings** and **structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B". (*Bylaw 5440*)

ORIGINAL

THE CORPORATION OF THE CITY OF VERNONDEVELOPMENT PERMIT

NO. DP000521

TO: Arda Consultants Ltd.
 #7 – 3304 Appaloosa Road
 Kelowna, B.C.
 V1V 2W5

1. This Development Permit is issued subject to compliance with all of the bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by the Permit.
2. This Development Permit applies to and only to those lands within the Municipality described below, and any and all buildings, structures and other development thereon:

for: LOT 1, PLAN 17618, DL 56, O. D. Y.D.
 and having a civic address at 7371 – Tronson Road.

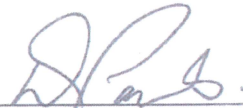
3. All landscaping, screening, curbing, paving and exterior finish of buildings shall be constructed strictly in compliance with and according to the plans and specifications set out in Schedule 'A' attached hereto and relevant Municipal bylaws.
4. As a condition of the issuance of this Permit, The City of Vernon is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the conditions of this Permit within the time provided, the Municipality may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permittee; or should the Permittee carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly security of 125% of the estimated cost to install the landscaping and irrigation works.
5. If the Permittee commences the development but does not commence the landscaping and irrigation works installation within twenty-four (24) months of the date of this Permit, the Municipality shall use the security to carry out the work by its servants, agents or contractors. If the Permittee does commence the development as permitted by this Permit, then the Permit will remain valid for twenty-four (24) months from the date of development commencement. After twenty-four (24) months from the date of development commencement, this Permit shall lapse. If the Permittee does not commence the development within twenty-four (24) months of the January 29, 2014 Development Permit Issuance date the permit shall lapse as of January 29, 2016.
6. This is not a Building Permit.

PURSUANT TO CITY OF VERNON DELEGATION BYLAW #4825, SECTION 3, Development Permit #DP000521 is approved for issuance as of the 29th day of January, 2014.



Dale Rintoul, City Planner
City of Vernon

I ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE TO THE TERMS AND CONDITIONS UPON WHICH THIS PERMIT IS ISSUED:



Applicant (or Authorized Agent or
Representative of Applicant)

G:\3000-3699 LAND ADMINISTRATION\3060 DEVELOPMENT PERMITS\20 Applications\501-600\000521 7371 Tronson Road\140129_rm_DP000521_Development Permit.docx

ORIGINAL

ORIGINAL



PLANT LIST	QTY	COMMON NAME	POTENTIAL NAME	SIZE
A	12	Palmare Ash	Fraxinus pennsylvanica 'Palmare'	60x CAL.
B	23	Redmond Linden	Tilia americana 'Redmond'	60x CAL.
C	9	Sweetheart Mayday	Prunus media 'Sweetheart'	60x CAL.
D	5	Globe Blue Spruce	Picea pungens 'Globeblue'	#10 CONT.
E	23	Red Cedar Decepted	Campanula scabra	#02 CONT.
F	91	Iron Blue Juniper	Juniperus horizontalis 'Iron Blue'	#02 CONT.
G	31	Calgary Carpet Juniper	Juniperus sibirica 'Calgary Carpet'	#02 CONT.
H	59	Dwarf Mugo Pine	Pinus Mugo 'Pumilio'	#02 CONT.
I	56	Rosa Glow Blackberry	Rubus idaeus 'Rosa Glow'	#02 CONT.
J	43	Sumation Barbary	Berberis thunbergii 'Sumation'	#02 CONT.
K	14	Maple Carpet Spruce	Sorbus japonica 'Maple Carpet'	#02 CONT.
L	42	Stella de Oro Daylily	Hemerocallis 'Stella de Oro'	#01 CONT.
M	44	Karl Foerster Reed Grass	Calamagrostis canadensis 'Karl Foerster'	#01 CONT.
N	48	Lavender	Levisticum sp.	#01 CONT.

DRAWING NOTES

TURFGRASS SOG:
The contractor shall supply and place turfgrass sod to these areas shown on the drawing. Turfgrass sod product and method of installation shall conform to B.C. Landscape Standard 7th Edition.

GRANULAR MULCH:
The contractor shall supply and place granular mulch to these areas shown on the drawing. Depth of granular mulch to be 100mm. Product shall be 20mm diameter. Colour of product to be verified by owner prior to purchase and installation.

All granular mulch areas come with weed barrier fabric beneath them.

BARK MULCH:
The contractor shall supply and place bark mulch to these areas shown on the drawing. Depth of granular mulch to be 100mm. Product shall be verified by owner prior to purchase and installation.

OGO GROW MULCH:
The contractor shall supply and place Ogo Grow mulch to these areas shown on the drawing. Depth of granular mulch to be 100mm. Product shall be verified by owner prior to purchase and installation.

GROWING MEDIUM:
All planting medium shall be new or amended topsoil capable of promoting healthy plant growth for three plants specified on the plant list.

LANDSCAPE EDGING:
The contractor shall supply and place landscape edging to separate granular mulch, turfgrass sod, Ogo Grow mulch and bark mulch areas. Landscape edging product to be approved by owner prior to purchase and installation.

IRRIGATION:
The contractor shall supply and place irrigation system. All work and products shall meet or exceed the Irrigation Association of B.C. standards and specifications.

All tree, shrub beds and groundcover areas are to be irrigated with an automatically timed drip irrigation system.


All bedded areas are to be irrigated with an automatically timed spray irrigation system.

Schedule "A"


Attached to and forming part of Development Permit #000521 between the City of Vernon and Arda Consultants Ltd.

Dale Rintoul

Dale Rintoul, City Planner



SWAN LAKE NURSERY LTD.
7820 HIGHLAND RD.
VERNON, BC
V8B 2V8
TEL: (250) 842 7814
FAX: (250) 842 7852
admin@swanlakenu.com



DATE: _____ DESIGNED BY: _____
 IN CHARGE: _____ CHECKED BY: _____
 # DATE: _____ REVISION: _____

PROJECT TITLE:
T371 TRONSON ROAD
VERNON, BC

SHEET TITLE:
LANDSCAPE PLAN

DATE: _____ SCALE: 1/8" = 1'-0"
 DRAWN BY: _____ CHECKED BY: _____
 SHEET NO.: 101
L1.0

ORIGINAL



Kristy Home Design
 design@kristyhomedesign.com
 PH: 778-753-1081

NO.	DESCRIPTION	DATE

COMPLIANT: THE INFORMATION CONTAINED HEREIN IS THE PROPERTY OF KRISTY HOME DESIGN AND SHALL 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.

PROJECT TITLE:
**ASANA RESIDENCES
 VERNON B.C.
 SKYLEVEL OFFSET**

DATE:
 2/11/2013

SCALE:
 3/16" = 1'

SHEET:
 4/6

Schedule "A"
 Attached to and forming part of Development Permit #000521
 between the City of Vernon and Arda Consultants Ltd.

Dale Rintoul
 Dale Rintoul, City Planner

ORIGINAL



Artistry Home Design
design@artistryhomedesign.com
PH: 778-753-1051

ISSUED PLANS:	
NO.	DESCRIPTION

CONTRACTOR TO BE EXCLUSIVELY RESPONSIBLE FOR ALL AS-BUILT RECORDS AND TO MAINTAIN RECORDS FOR 10 YEARS

PROJECT TITLE:
ASANA RESIDENCES
VERNON B.C.
SKYLEVEL OFFSET

DATE:
2/13/2013

SCALE:
3/16" = 1'

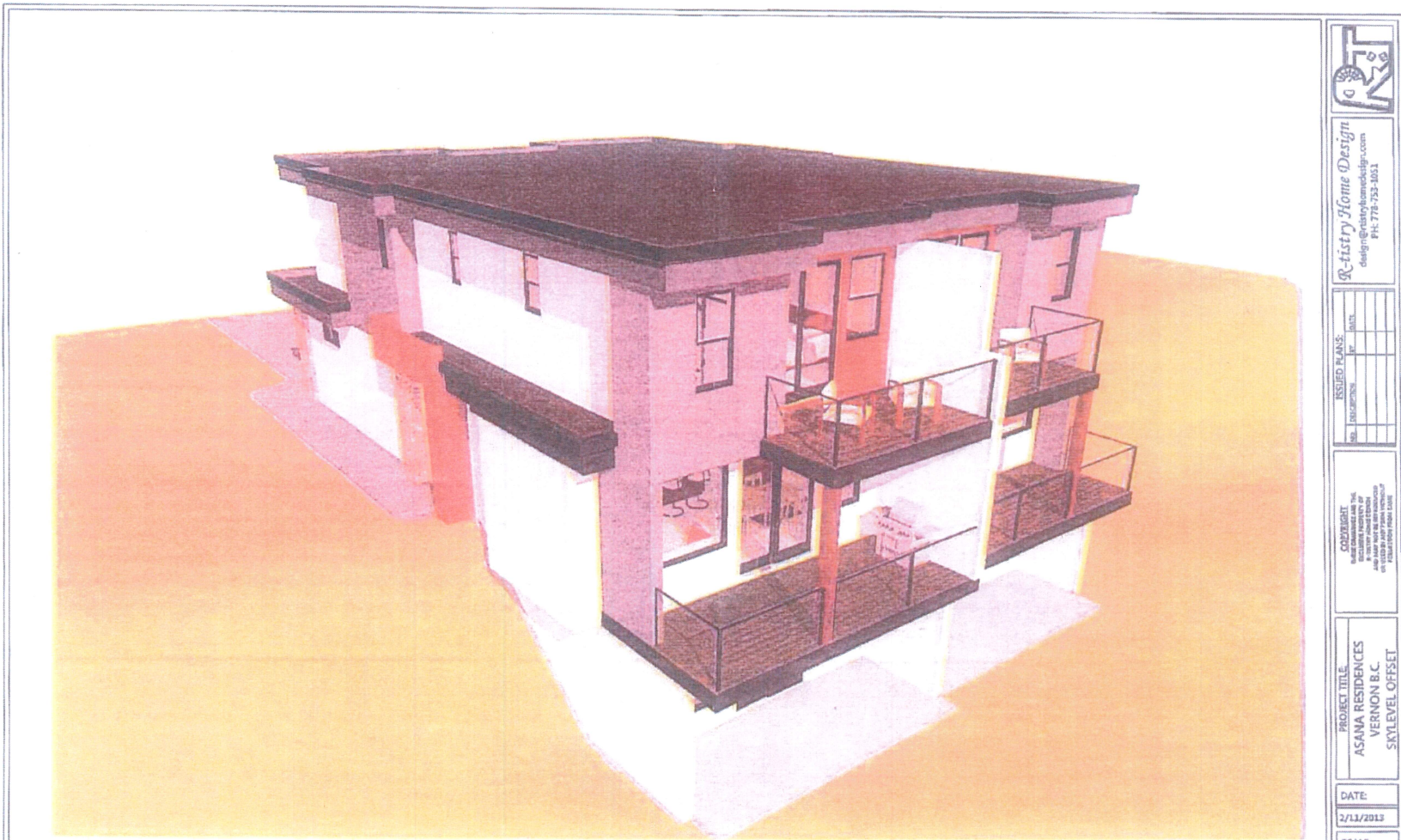
SHEET:
5/6

Schedule "A"

Attached to and forming part of Development Permit #000521 between the City of Vernon and Arda Consultants Ltd.

Dale Rintoul, City Planner

ORIGINAL



Kristy Home Design
 design@kristyhomedesign.com
 PH: 778-753-1051

ISSUED PLANS:	DATE:
NO.	
1	
2	
3	
4	
5	
6	

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 OR BY ANY MEANS, ELECTRONIC
 OR MECHANICAL, INCLUDING
 PHOTOCOPYING, RECORDING,
 OR BY ANY INFORMATION
 STORAGE AND RETRIEVAL
 SYSTEM.

PROJECT TITLE
 ASANA RESIDENCES
 VERNON B.C.
 SKYLEVEL OFFSET

DATE
 2/11/2013

SCALE
 3/16" = 1'

SHEET
 6/6

Schedule "A"

Attached to and forming part of Development Permit #000521
 between the City of Vernon and Arda Consultants Ltd.

Dale Rintoul

Dale Rintoul, City Planner



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Barbara Everdene,
Long Range Planner
Erik Mustonen,
Parks Planner

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: January 9, 2023
REPORT DATE: December 7, 2022
FILE: 6135-03 (Civic Park)

SUBJECT: REZONING OF CIVIC MEMORIAL PARK (3003 37TH AVENUE)

PURPOSE:

To align the zoning of Civic Memorial Park to reflect its primary use as a public park by requesting Council consideration of rezoning 3003 37th Avenue from 'C4: Street Oriented Commercial' and 'P2: Public Institutional' to 'P1: Parks and Open Space'.

RECOMMENDATION:

THAT Council support in principle the rezoning of LOT 1 SECTION 3 TOWNSHIP 8 OSOYOOS DIVISION YALE DISTRICT PLAN EPP114413 (3003 37th Avenue) from 'C4: Street Oriented Commercial' and 'P2: Public Institutional' to 'P1: Parks and Open Space' to complete the Civic Memorial Park project as outlined in the report titled "Rezoning of Civic Memorial Park (3003 37th Avenue) dated December 7, 2022 and respectfully submitted by the Long Range Planner and Parks Planner.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support the rezoning of LOT 1 SECTION 3 TOWNSHIP 8 OSOYOOS DIVISION YALE DISTRICT PLAN EPP114413 (3003 37th Avenue) from 'C4: Street Oriented Commercial' and 'P2: Public Institutional' to 'P1: Parks and Open Space' to complete the Civic Memorial Park project as outlined in the report titled "Rezoning of Civic Memorial Park (3003 37th Avenue) dated December 7, 2022 and respectfully submitted by the Long Range Planner and Parks Planner.

Note: This alternative would mean that there are multiple underlying zonings for one lot (3003 37th Avenue) that do not align with the current use.

ANALYSIS:

A. Committee Recommendations:

At its meeting of December 13, 2022, the Advisory Planning Committee passed the following resolution:

(To be cited by the Advisory Planning Committee)

B. Rationale:

1. Council endorsed the final design concept for Civic Memorial Park at its Regular Meeting of June 14, 2021. The plan outlined the redevelopment of the former Civic Memorial Arena that served the community from 1937 to 2018 at 3003 37th Avenue. The site is designated as park in the Official Community Plan, the Parks Master Plan and the City Centre Neighbourhood Plan.

- The creation of Civic Memorial Park included the assembly of three residential lots (3006 and 3008 39th Avenue and 3805 31st Street, all zoned 'C4: Street Oriented Commercial') in the northwest corner of the park site. The intent was to complete the land assembly of the City block formerly occupied by the arena and Tourism Information Centre, currently occupied by the City of Vernon Emergency Operations Centre. The acquisition of the residential lots was a lengthy process. The City purchased the last of the three lots (3006 39th Avenue) on August 27, 2021, but was not able to take possession and incorporate it into the park until after March 25, 2022, when the park construction was already in progress.

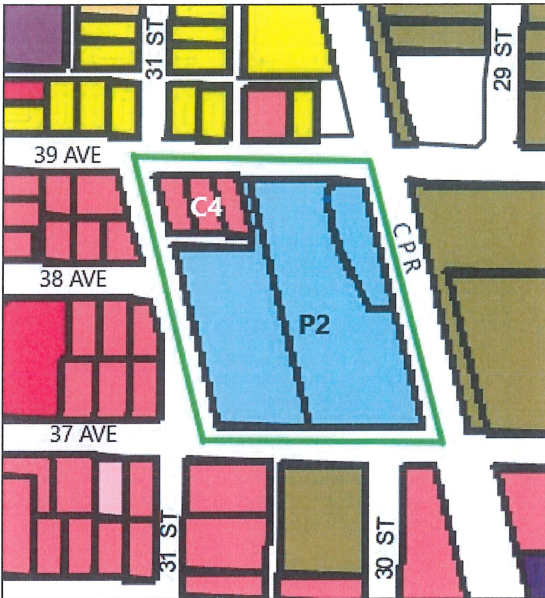


Figure 1: Park Location and Zoning

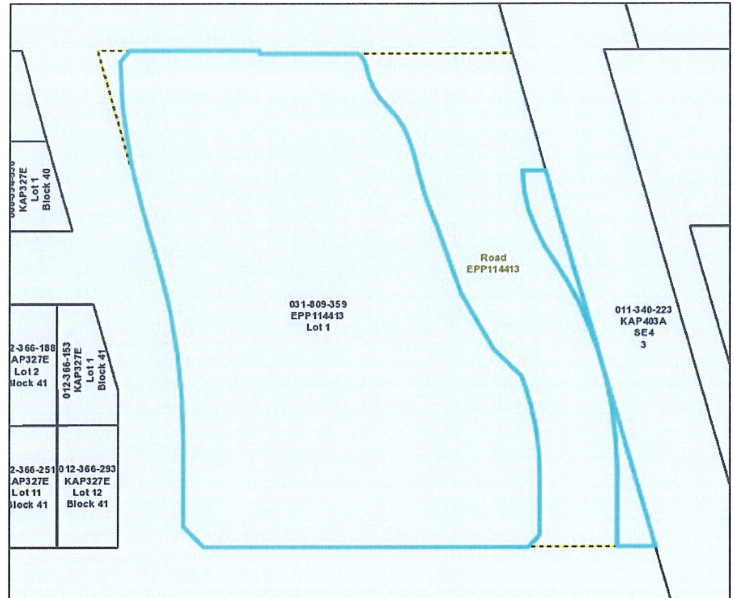


Figure 2: Newly Consolidated Civic Park Lot

- Prior to lot consolidation, zoning included three 'C4: Street Oriented Commercial' lots and one 'P2: Public Institutional' lot, as depicted in Figure 1, above. Given that the primary use of the lot will be for a public park (Civic Memorial Park), rezoning of the entire lot to 'P1: Parks and Open Space' is recommended. The site also hosts the Emergency Operations Centre building; however, approximately half of this building is to be set aside for community space, which fits with the definition of public park in Zoning Bylaw 5000, which includes "buildings and structures consistent with the general purpose of parkland".
- The registration and approval for the consolidation of the lot was completed on October 24, 2022 (Figure 2). A further adjustment of the street right-of-way was required to conform to the extended and realigned 30th Street, which has been connected to 29th Street with a double roundabout. This was completed on October 31, 2022. The final step in this process is to rezone the new consolidated lot to P1 zoning.

C. Attachments:

N/A

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 2022:

- Implementation of the Parks Master Plan
- Redevelopment of the Civic Arena site
- Work towards a sustainable Vernon – environmentally, economically and socially

E. Relevant Policy/Bylaws/Resolutions:

1. At its Regular Meeting of June 14, 2021, Council endorsed the following resolution:

THAT Council endorse the final design concept for the new park on the site of the former Civic Arena to proceed to detailed design and construction as outlined in the report titled “New Park in the City Centre Neighbourhood – Public Engagement Summary and Final Design Concept for Approval” dated June 4, 2021, respectfully submitted by the Long Range Planner and Parks Planner.

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Approved for submission to Council:

X

Erik Mustonen
Parks Planner

Patricia Bridal, CAO

Date: _____

X

Barbara Everdene
Long Range Planner

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 checked="" type="checkbox"/> Real Estate | <input type="checkbox"/> Facilities | <input type="checkbox"/> Building & Licensing |
| <input type="checkbox"/> RCMP | <input type="checkbox"/> Utilities | <input type="checkbox"/> Engineering Development Services |
| <input type="checkbox"/> Fire & Rescue Services | <input type="checkbox"/> Recreation Services | <input type="checkbox"/> Infrastructure Management |
| <input type="checkbox"/> Human Resources | <input checked="" type="checkbox"/> Parks | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Financial Services | | <input type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Dec.13/22) | | |
| <input type="checkbox"/> OTHER: | | |

G:\5800-6399 PARKS ADMINISTRATION\6135 PARKS - PLANNING\03 Capital Projects\Civic Park\Council\221207_be_APC Rpt_Civic Memorial Park Rezoning.docx