



## Report to Advisory Planning Committee

**To:** Advisory Planning Committee File No: ZON00431  
**Date:** April 28, 2026  
**From:** Michelle Austin, Senior Planner  
**Subject:** Rezoning Application for 6092 Okanagan Landing Road

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### **Purpose:**

To present a Zoning Amendment application for 6092 Okanagan Landing Road to allow for future multi-family development. The Advisory Planning Committee is asked to review the proposal and provide a recommendation to Council.

### **Recommendation:**

THAT the Advisory Planning Committee recommend that Council support Zoning Application ZON00431 to rezone Lot 1, DL 66, ODYD, Plan KAP92604 (6092 Okanagan Landing Road), from AGRS – Agricultural & Rural Small Block (Non-ALR) to MUM – Multi-Unit Medium Scale and PANS – Parks & Natural Spaces;

AND FURTHER, THAT Council's support be subject to registration of a restrictive covenant on title, prior to adoption of the zoning amendment bylaw, securing the following:

- a) Dedication to the City of, at a minimum, the Streamside Protection and Enhancement Area (SPEA), plus up to an additional 10.0 m wide area outside the SPEA to accommodate a future trail, to a combined maximum width of 30.0 m.
- b) Construction of a frontage road and multi-use path from the northeast corner of 6190 Okanagan Landing Road to the northeast corner of the subject property.
- c) Extension of the storm sewer main from the northeast corner of 6190 Okanagan Landing Road to the northeast corner of the subject property.
- d) Registration of a Statutory Right-of-Way over the subject property to provide the City with access for operations and maintenance following land dedication.

AND FURTHER, THAT Council's support be subject to discharge of Covenant LB495954, which restricts the use of the property to a group home and seniors housing.

### **Background:**

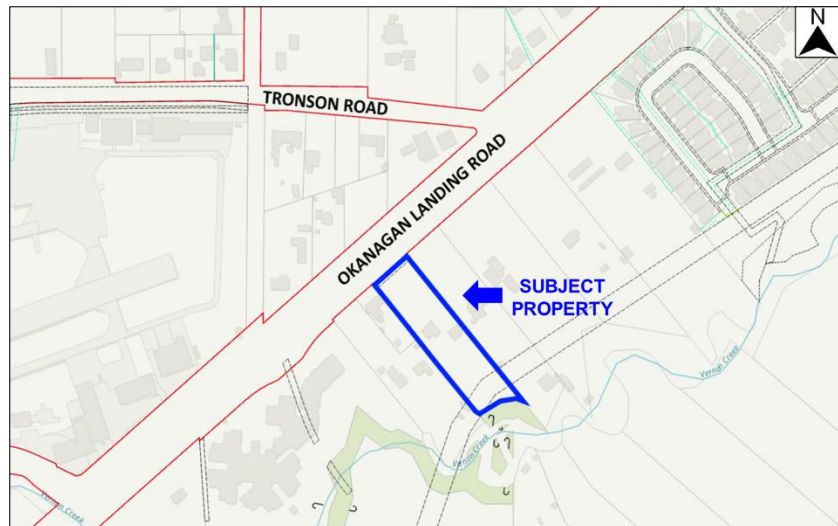
#### **1. Rationale:**

- a) Administration supports the zoning amendment application for the following reasons:
  - i. The site is within the Urban Containment Boundary and a Focused Growth Area, where growth and density are encouraged.
  - ii. The proposed zone is consistent with the Urban Neighbourhood and Parks, Open Space & Natural Areas designation.

- iii. Dedication of the Vernon Creek corridor supports long-term environmental protection and enables future public trail connectivity.
- iv. The site is located on an arterial road with transit and active transportation connections and is serviced with water and sewer.
- v. The site is close to schools, commercial services, and recreational amenities.
- vi. The proposal supports increased housing supply and provincial housing targets.

**2. Overview:**

a) The subject property is located at 6092 Okanagan Landing Road, within the Okanagan Landing Neighbourhood near the Vernon Airport and the intersection of Okanagan Landing Road and Tronson Road (Figures 1 and 2). The property is 0.63 hectares (1.6 acres) and backs onto Vernon Creek.



**Figure 1 - Location**

b) The property is currently designated Urban Neighbourhood and Parks, Open Space & Natural Areas along Vernon Creek (Attachment 1). It is zoned Agriculture & Rural: Small Block (Non-ALR) (AGRS) (Attachment 2). The application proposes to rezone the property to Multi-Unit Medium Scale (MUM) to allow for an apartment building and to rezone the riparian area along the creek to Parks & Natural Spaces (PANS).



**Figure 2 – Aerial**

c) The conceptual plans (Attachment 3) show a four-storey, 62-unit apartment building with surface parking at the front and rear, and an outdoor amenity area adjacent to the riparian area along Vernon Creek. The conceptual plans (Attachment 3) are for illustration only and have not been reviewed for compliance with the Zoning Bylaw or

OCP DP guidelines. Compliance would be confirmed through a future Development Permit (DP) application.

### 3. Policy Analysis:

#### a) Key Official Community Plan Policies:

- i. The property is within the Urban Containment Boundary (OCP, Map 1.2), where growth is directed to support compact, walkable communities and protect rural and agricultural lands.
- ii. The property is within a Focused Growth Area (OCP, Map 1.3), where the City prioritizes infrastructure, transportation, parks, and amenities, and supports medium to high residential density development.
- iii. The property is designated Urban Neighbourhood (OCP, Map 5.1), which supports low to medium density residential development, including a range of housing types up to 6 storeys.
- iv. The property is within the Airport Operational Height Limit Area (OCP, Map 3.2) and must comply with applicable height restrictions.
- v. Section 4.4.1.1 requires up to 30 m dedication to protect the riparian area along Vernon Creek.
- vi. A future trail is planned along Vernon Creek (OCP, Map 4.4); Section 4.4.1.2 requires up to 10 m wide dedication for the trail outside of the riparian area.
- vii. The property is located within several Development Permit (DP) Areas, including Aquatic Ecosystem, Flood Hazard, and Form & Character. Prior to development, the owner must obtain a DP that addresses riparian protection, flood hazards, and includes architectural and landscape plans addressing site layout, building design, and landscaping.

#### b) Consistency with Official Community Plan Policies:

- i. The proposed MUM zone aligns with the Urban Neighbourhood a designation by permitting a range of low to medium density residential uses, including apartments. The maximum building height of 18 m (4 storeys) is within the Urban Neighbourhood supported range of 1 to 6 storeys.
- ii. The proposed PANS zone aligns with the Parks, Open Space and Natural Areas designation, which is intended to preserve and enhance natural spaces and support outdoor recreation, while limiting development.
- iii. The site is located along an arterial road with transit service and a multi-use path, and is close to key amenities, including the Okanagan Landing commercial area (~400 m), Ellison Elementary (~600 m), and Fulton Secondary (~1 km). Marshall Fields (<1 km) and Lakeshore Park & Beach (<2 km) are also nearby, with many amenities within walking or cycling distance.

- c) To secure land for riparian protection and a future public pathway, the recommended covenant approach provides flexibility while meeting City objectives. The covenant allows the rezoning to proceed but restricts development until the required dedications are completed. It provides the option to dedicate the full 30 m riparian area or complete a Riparian Areas Protection Regulation (RAPR) assessment to determine a reduced dedication. In both cases, the total dedication for riparian protection and a future pathway

would be limited to 30 m. The public pathway is not expected to be constructed until the City assembles the necessary lands along this section of the creek over the mid- to long-term. A Statutory Right-of-Way would also be required to provide the City with access for operations and maintenance following dedication, and this is included in the recommendation.

- d) As part of the off-site works and servicing requirements for the proposed development, Engineering Development Services and Transportation departments have identified the following, which are included in the recommendation (Attachment 4):
  - i. Construction of a frontage road and multi use path from the northeast corner of 6190 Okanagan Landing Road to the northeast corner of the subject property. The recommended frontage road is based on access management best practices that consider safety, adjacent land uses and future growth. It would provide access to the development while maintaining the function of Okanagan Landing Road in terms of capacity, traffic flow and active transportation safety.
  - ii. Extension of the storm sewer main from the northeast corner of 6190 Okanagan Landing Road to the northeast corner of the subject property.
- e) There is an existing restrictive covenant (LB495954) registered on title from a previous development proposal (2011). This covenant restricts the land use to seniors housing (Attachment 5). Administration is recommending the discharge of the covenant to align with the owner’s current proposal for market housing.
- f) AGRS & MUM Comparison:
  - i. The MUM zone supports medium-density, multi-unit residential development, including apartments and townhouses up to 4 storeys, while the AGRS zone is intended for low-density rural and agricultural uses.
  - ii. MUM is primarily residential in nature, whereas AGRS allows a broader range of agricultural, rural, and limited commercial uses.
  - iii. Overall, rezoning from AGRS to MUM represents a transition from low-density rural use to higher-density urban residential development.
- g) Table 1 below indicates the surrounding zoning and land uses.

	<b>Zoning</b>	<b>Actual Use</b>
<b>North</b>	INDA – Airport Industrial	Okanagan Landing Road Recreational vehicle rentals, boat storage and repair
<b>East</b>	AGRS – Agriculture & Rural: Small Block (Non-ALR)	Residential acreage
<b>South</b>	PANS – Parks & Natural Spaces	Vernon Creek
<b>West</b>	AGRS	Residential acreage

**Table 1: Surrounding Properties – Zoning & Actual Use**

Surrounding land uses include light industrial, rural residential, and undeveloped parkland along the creek (Attachments 1 and 2). The proposed rezoning and multi-family development may not appear fully compatible with surrounding land uses at this time. However, the proposal is consistent with the OCP, and compatibility is expected to improve as the area redevelops, and additional higher-density development occurs. This is one of the first applications under the new OCP, and this transition is anticipated.

**4. Relevant Policy/Bylaw/Resolutions/Legislative Authority:**

- a) Official Community Plan Bylaw 6200
- b) Zoning Bylaw 6000
- c) Regional Airport Zoning Regulations Bylaw 4578

**5. Council's Strategic Plan Alignment:**

- |   |  |
|---|--|
| <input type="checkbox"/> Governance & Organizational Excellence       | <input checked="" type="checkbox"/> Livability |
| <input checked="" type="checkbox"/> Recreation, Parks & Natural Areas | <input type="checkbox"/> Vibrancy              |
| <input checked="" type="checkbox"/> Environmental Leadership          | <input type="checkbox"/> Not Applicable        |

**Financial Implications:**

There would be future capital and maintenance costs to construct a trail along the creek. There may also be future capital and maintenance costs for off-site works and services along the frontage.

**Alternatives & Implications:**

N/A

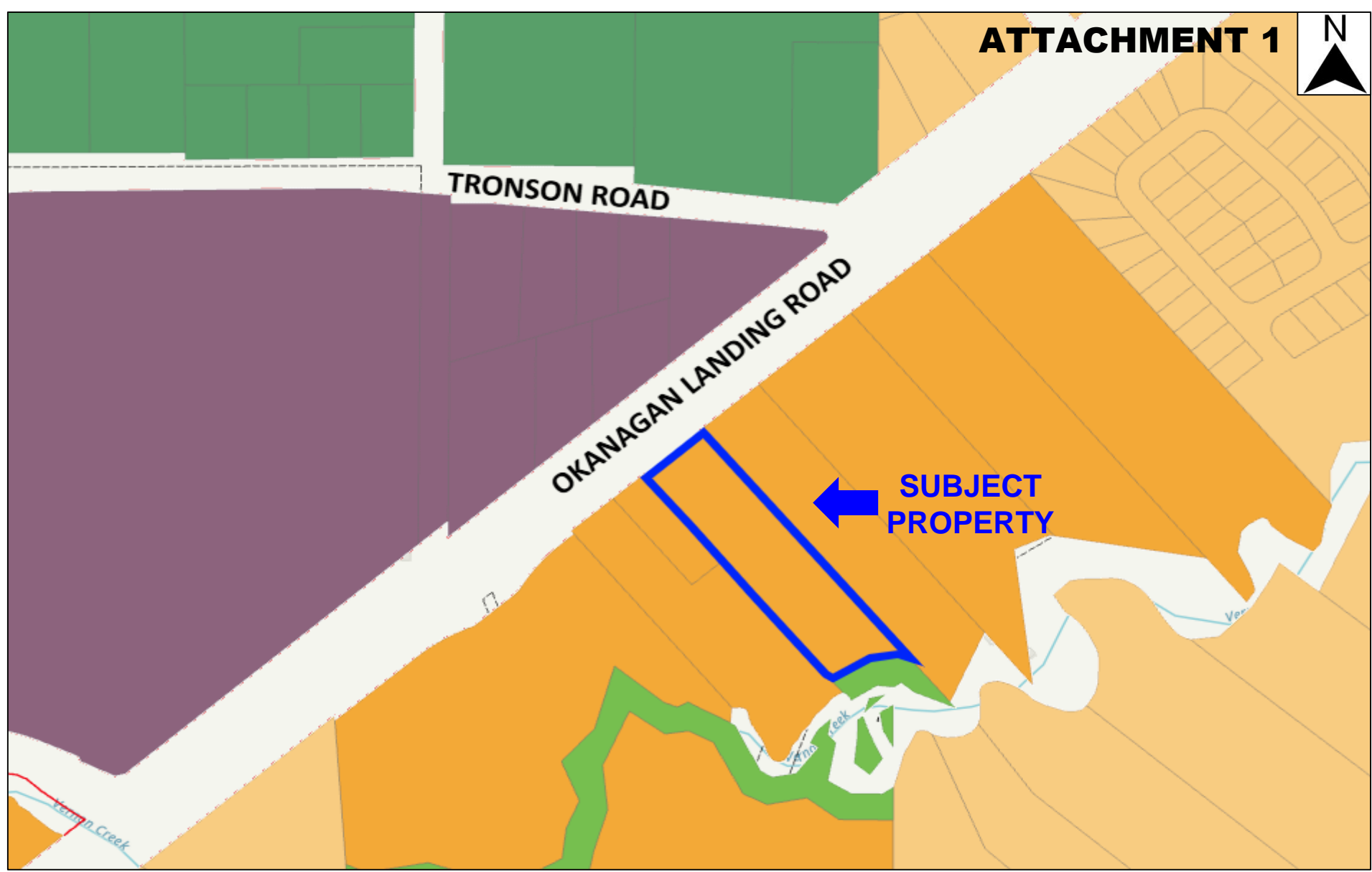
**Communication:**

N/A

**Attachments:**

- Attachment 1 – OCP Map
- Attachment 2 – Zoning Map (Existing)
- Attachment 3 – Conceptual Plans
- Attachment 4 – Off-site Works & Services Maps
- Attachment 5 – Restrictive Covenant LB495954

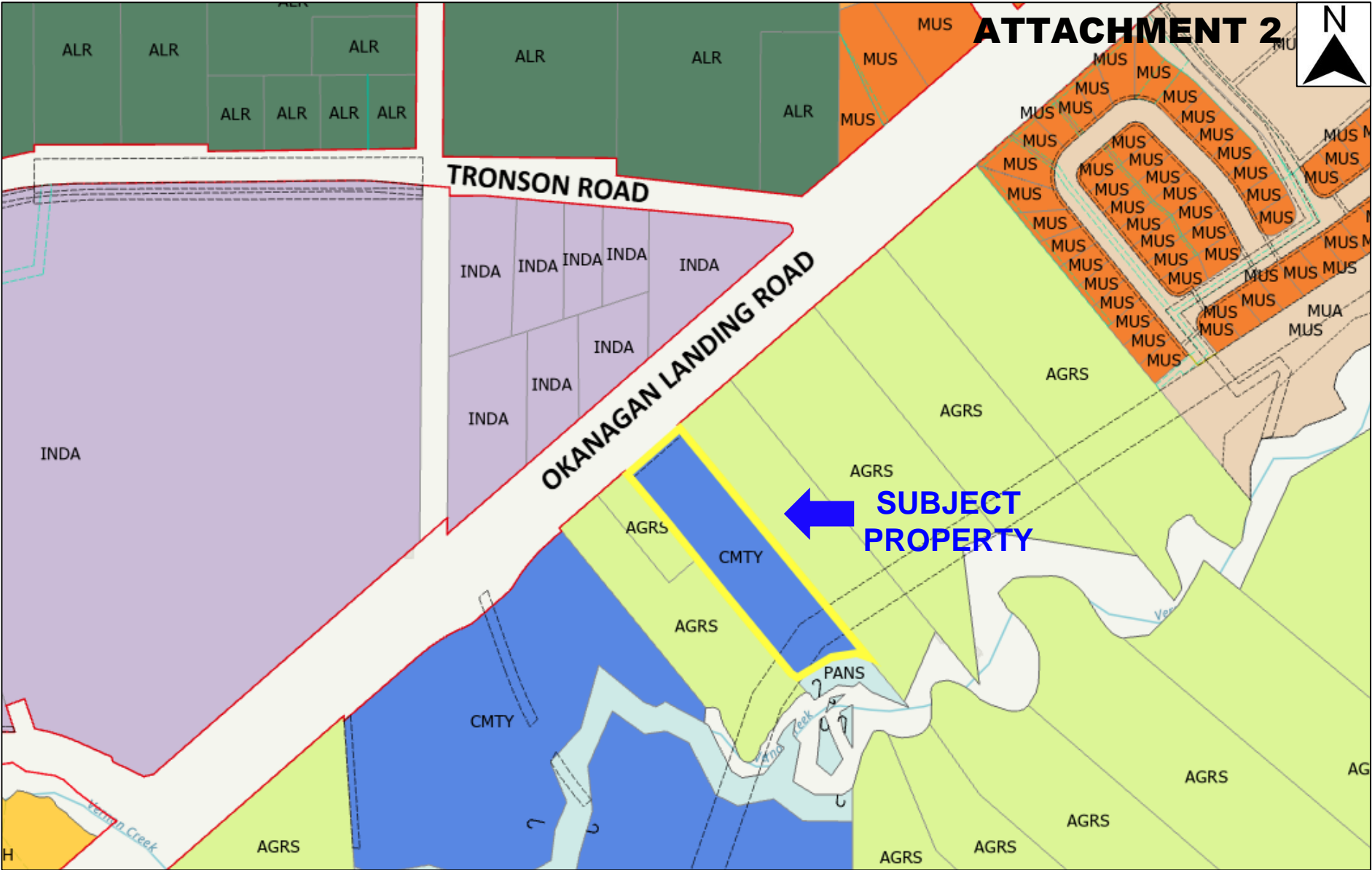
Reviewed by: Lydia Korolchuck, Manager, Current Planning  
Reviewed by: Roy Nuriel, Director, City Planning  
Approved by: Sue Wood, Director, Corporate Services










-  Agricultural Land Reserve
-  Industrial
-  **Urban Neighbourhood**
-  Suburban Neighbourhood
-  Parks, Open Space, & Natural Areas

**OCP Designation**  
ZON00431

# ATTACHMENT 2



-  ALR – Agricultural Land Reserve
-  AGRS – Agricultural & Rural: Small Block (Non-ALR)
-  MUS – Multi-Unit: Small Scale
-  MUA – Multi-Unit Acreage: Small Scale

-  INDA – Airport Industrial
-  CMTY – Community
-  PANS – Parks & Natural Spaces

**Zoning Map**  
ZON00431





EDEN

6092 OKANAGAN LANDING RD, VERNON BC

SCHEMATIC RENDERING

Ankenman Associates Architects Inc.  
12321 Beecher St., Crescent Beach, BC V4A 3A7 604.536.1600

Dev. For ZEN GROUP

2012

REV.	DATE	DESCRIPTION	BY
SCALE: ISSUED FOR DP JUNE 18, 2021			

A1.1



**SUBJECT  
PROPERTY**

  Frontage Road & Pathway

**Frontage Road & Pathway**  
ZON00431





OKANAGAN LANDING ROAD

**SUBJECT  
PROPERTY**



- Existing Storm Mains
- - - Proposed Storm Mains

# Storm Mains

ZON00431



**ATTACHMENT 5**

LAND TITLE ACT  
FORM C  
(Section 233)

LB495955

22 DEC 2011 11 02

LB495954

C7346  
C7346  
PA

Province of British Columbia

**GENERAL INSTRUMENT-PART 1** (This area for Land Title Office use)

PAGE 1 of 7 pages

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

LTO#10560 NIXON WENGER, Barristers and Solicitors,  
4th Fl, 3201 - 30th Ave, Vernon, BC, V1T 2C6  
(250) 542-5353

City of Vernon Permitted Use Covenant

File Ref. No: DGL:jf/trl 37209-001

Applicant's Agent/Agent for Subsequent Chargee

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND: \*  
(PID) (LEGAL DESCRIPTION)

SEE SCHEDULE

3. NATURE OF INTEREST: \*

DESCRIPTION

DOCUMENT REFERENCE  
(page and paragraph)

PERSON ENTITLED TO INTEREST

SEE SCHEDULE

4. TERMS: Part 2 of this Instrument consists of (select one only)

- (a) Filed Standard Charge Terms D.F. No.
- (b) Express Charge Terms x Annexed as Part 2
- (c) Release There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. TRANSFEROR(S):\*

SEE SCHEDULE

MM 12/22/2011 11:05:04 AM  
Charge 2 \$148.80

6. TRANSFEREE(S): (Including occupation(s), postal address(es) and postal code(s))\*

THE CORPORATION OF THE CITY OF VERNON, 3400 - 30<sup>th</sup> Street, Vernon, B.C. V1T 5E6

7. ADDITIONAL OR MODIFIED TERMS:\*


NIL

8. EXECUTION(S): \*\*This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

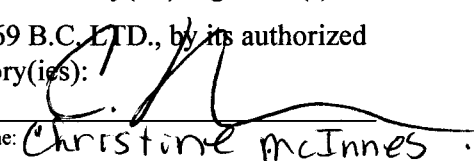
Execution Date

Party(ies) Signature(s)

  
**DOUGLAS G. LEMISKI**  
 Barrister and Solicitor  
 #301 2706-30 Avenue  
 Vernon BC V1T 2B6  
 Telephone (250) 542-5353  
 (as to all signatures)

Y	M	D
11	07	15

0889769 B.C. LTD., by its authorized signatory(ies):

Print name:  Christine McInnes

Print name:

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, s. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

\* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

\*\* If space insufficient, continue executions on additional page(s) in Form D.

KAMLOOPS  
AGENT  
#10588  
Gillespie Renkema  
Barnett Broadway LLP

LAND TITLE ACT  
FORM D  
EXECUTIONS CONTINUED

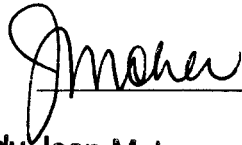
Execution Date

Officer Signature(s)

Y	M	D
11	07	26

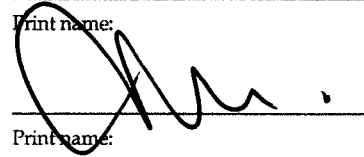
Transferor/Borrower/Party  
Signature(s)

The Toronto-Dominion Bank, by  
its authorized signatory(ies):



Jody Jean Moher  
Barrister, Solicitor and Notary Public  
14718 - 48 Avenue  
Edmonton, Alberta T6H 5N2

Print name:



Print name:

MONICA TSE  
Discharge Administrator  
Credit Administration Services

As to All Signatures

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124 to take affidavits for use in British Columbia and certifies the matters set out of the *Land Title Act* as they pertain to the execution of this instrument.

LAND TITLE ACT  
**FORM E**  
 SCHEDULE

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM OR GENERAL DOCUMENT FORM.

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND: \*  
 (PID) (LEGAL DESCRIPTION)

Lot A, D1 66, ODYD, Plan KAP 092602

3. NATURE OF INTEREST: \*  
 DESCRIPTION

DOCUMENT REFERENCE  
 (page and paragraph)

PERSON ENTITLED TO INTEREST

3.1 Covenant

Entire Instrument

Transferee

3.2 Priority Agreement granting the within Covenant priority over Mortgage CA1786149

Page 6

Transferee

5. TRANSFEROR(S):\*

- 5.1 0889769 B.C. LTD., (Inc. no. BC00889769), granting the Covenant; and
- 5.2 The Toronto-Dominion Bank, granting the priority agreement;

## TERMS OF INSTRUMENT - PART 2

This Covenant granted the 15 day of July, 2011.

## BETWEEN:

**0889769 B.C. LTD., (Inc. no. BC0889769), c/o #1 – 3009 – 43<sup>rd</sup> Avenue,  
Vernon, British Columbia, V1T 3L4**

(the "Transferor")

## AND:

**THE CORPORATION OF THE CITY OF VERNON, a Municipal Corporation,  
having its offices at 3400 – 30<sup>th</sup> Street, Vernon, British Columbia, V1T 5E6**

(the "City")

## WHEREAS:

- A. The Transferor is the registered owner in fee simple of lands in the City of Vernon, in the Province of British Columbia, legally described as:

Lot A, District Lot 66, Osoyoos Division Yale District, Plan KAP 092602

(hereinafter called the "Lands");

- B. Section 219 of the *Land Title Act* R.S.B.C. 1996, c. 250 provides that the Transferor may grant a covenant to the City of a negative or positive nature respecting the use of the Lands;
- C. The Transferor has applied to the City to amend the Official Community Plan and to re-zone the Lands to permit further development of the Lands;
- D. The use of the Lands will be limited to certain primary uses contained within the Zoning Bylaws of the City from time to time;
- E. The Transferor has asked the City to accept the covenant created by this Agreement so that approval of the amendment to the Official Community Plan and the re-zoning application sought by the Transferor can proceed more expeditiously;

- F. The Transferor wishes to grant and the City accepts, the Section 219 Covenant contained in this Agreement over the Lands; and
- G. In this Covenant:
- (a) Group Home, Major means: a residential premise licensed as required under the *Community Care Facilities Act* intended to provide residential care to children, youth or adults;
  - (b) Seniors Assisted Housing means: Housing in the form of either multiple sleeping units where residents are provided with common living facilities; or apartment housing, where residents do not require 24 hour care and supervision but require personal care (meal assistance or provision, transportation for residents, medication management, dressing or bathing assistance), hospitality services (laundry and housekeeping) and on-site emergency monitoring and emergency response services. This housing type is wholly or partially targeted to individuals receiving income assistance or eligible for a rental subsidy, and subject to the conditions of a Housing Agreement.
  - (c) Seniors Residential Care means: Housing intended for residents, who on account of age, infirmity or their physical, mental or psychiatric condition, require 24 hour care and supervision as well as assistance with the performance of the personal functions and activities necessary for daily living.
  - (d) Seniors Supportive Housing means: Housing in the form of either multiple sleeping units where residents are provided with common living facilities; or apartment housing, both of which provide some combination of personal care (meal assistance or provision, transportation for residents, medication management, dressing or bathing assistance) and/or hospitality services (laundry and housekeeping), but which does not require onsite medical personnel, and where common amenity spaces and dining facilities are provided for the residents. This housing may or may not be licensed as required under the *Community Care Facilities Act*.

THIS AGREEMENT is evidence that in consideration of payment of \$10.00 by the City to the Transferor (the receipt and sufficiency of which is acknowledged by the Transferor), and in consideration of the promises exchanged below, the Transferor covenants and agrees with the City in accordance with Section 219 of the *Land Title Act* as follows:

- 1) The Transferor covenants and agrees with the City that, without the prior written consent of the City, the

use of the Lands will be limited to the following primary uses contained within the zoning designation as set out in the Zoning Bylaws of the City, namely:

- a) Group Home, Major;
- b) Seniors Assisted Housing;
- c) Seniors Residential Care;
- d) Seniors Supportive Housing;

- 2) This Covenant is granted voluntarily by the Transferor to the City pursuant to Section 219 of the *Land Title Act* of the Province of British Columbia and shall run with the Lands.
- 3) The Transferor hereby releases, indemnifies and saves the City, its elected officials, officers, employees and agents harmless from and against any and all actions, causes of action, losses, damages, costs, claims, debts and demands whatsoever by any person, arising out of or in any way due to the granting or existence or enforcement of this Covenant.
- 4) Nothing in this Covenant affects the City's rights and powers in the exercise of its statutory functions under its statutes, bylaws, resolutions, orders and regulations, all of which may be fully exercised in relation to the Lands as if this Covenant had not been granted.
- 5) The Transferor shall, forthwith after execution hereof by it, do or cause to be done all acts or things reasonably necessary to give proper effect to the intentions of this Covenant and to ensure that this Covenant may be registered against the title to the Lands in the Land Title Office.
- 6) Notwithstanding anything contained herein, neither the Transferor nor any future owner of the Lands shall be liable under any of the covenants or agreements contained herein where such liability arises by reason of an act or omission occurring after the Transferor or such future owner ceases to have any further interest in the Lands.

7) Whenever the singular or masculine is used herein, the same shall be construed as meaning the plural, feminine or body corporate or politic where the context or the parties so require; this Covenant runs with the Lands; every reference to each party hereto shall be deemed to include the officers, employees, elected officials, agents, servants, successors and assigns of that party; this Covenant and each and every provision hereof shall enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns, as the case may be, NOTWITHSTANDING any rule of law or equity to the contrary; and if any section, subsection, clause or phrase of this Covenant is for any reason held to be invalid by the decision of a Court of competent jurisdiction the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

IN WITNESS WHEREOF the parties hereby acknowledge that this Agreement has been duly executed and delivered by executing the Forms C and D attached hereto.

#### **CONSENT & PRIORITY**

The Toronto-Dominion Bank hereby consents to the within Covenant and grants priority over its Mortgage registered under number CA1786149.

**END OF DOCUMENT**