



Report to Council

To: Mayor and Council
Date: May 26, 2025
From: Trisa Atwood, Senior Planner
Subject: Zoning Text (General Updates) Amendment Bylaw 6012

Purpose:

For Council to consider Zoning Text (General Updates) Amendment Bylaw 6012, being a bylaw to amend Zoning Bylaw 6000, as part of Phase 2 – Refine of the implementation plan for Zoning Bylaw 6000.

Recommendation:

THAT Bylaw 6012, “Zoning Text (General Updates) Amendment Bylaw 6012, 2025”, a bylaw to amend Zoning Bylaw 6000, be read a 1st and 2nd time;

AND FURTHER, that a Public Hearing be scheduled for Bylaw 6012 on June 23, 2025 at 5:30 pm in Council Chambers;

AND FURTHER, that final adoption of Bylaw 6012 be considered subsequent to the approval of the Ministry of Transportation and Transit.

Analysis:

A. Rationale:

1. Background:

Zoning Bylaw 6000 was adopted on June 24, 2024 to repeal and replace previous Zoning Bylaw 5000. The purpose of the bylaw replacement was to implement Provincial legislative amendments related to Bill 35 (Short-Term Rentals Accommodations Act), Bill 44 (Housing Statutes – Residential Development), and Bill 47 (Housing Statutes – Transit-Oriented Areas). A highlight of other objectives that were achieved with the new bylaw include:

- Consolidation of definitions and regulations;
- Reorganization of the document to be more user-friendly and easier to interpret;

- Consolidation of zones to streamline development processes and reduce minor rezoning applications;
- Implementation of Council's direction to allow the Agricultural Land Commission to govern uses on land within the Agricultural Land Reserve; and
- Adjustments to regulations to reduce the number of commonly supported variance requests.

To meet the timelines set by the Province for adoption of the new bylaw, a three phased approach was initiated:

- Design: Create Zoning Bylaw 6000 (completed June 24, 2024).
- Refine: Update sections in the bylaw not covered by Provincial housing legislation, review feedback from the community, correct potential errors or unintended outcomes (in progress).
- Align: Update Zoning Bylaw 6000 after the adoption of the Official Community Plan (OCP), Transportation Plan (TP), and Housing Needs Report (HNR), to ensure alignment between the bylaws to support the City's growth over the next 20 years (late 2025 – early 2026).

As part of the implementation plan to correct mapping errors (Phase 2), Council adopted two Zoning Bylaw 6000 map amendment bylaws in March 2025. These were for projects that were in-stream when the Zoning Bylaw was adopted, and to reassign the zoning of specific properties.

2. Overview:

The proposed Zoning Bylaw amendments in Bylaw 6012 (General Amendments) are part of Phase 2 of the implementation plan, **Refine**. The objective of this phase is to adjust regulations based on feedback from the community, to correct errors or unintended outcomes, and to update sections of the bylaw that were not covered by Provincial housing legislation.

Administration have identified more than five in-stream development applications that would be positively impacted by these proposed changes by improving regulations related to built form, permitted uses, and parking and loading.

This amendment package focuses on general updates to the Zoning Bylaw including:

- Refining definitions and purpose statements to improve clarity for different forms of housing and intended building types in each zone;
- Updating amenity space requirements to ensure development in the community provides adequate private and common amenity space;

- Refining parking and bike parking regulations that are prohibitive to new housing developments due to cost or feasibility;
- Improving regulations in mixed-use zones that were prohibitive to achieving new housing developments;
- Refining access requirements for properties with laneways or secondary streets; and
- Updating imagery to be more reflective of the purpose of each zone.

An additional amendment package proposing updates to Section 6 – Landscaping & Screening will be brought forward for Council consideration at a later date.

3. **Project Details:**

Following Council's resolution on May 12, 2025, Administration has prepared Bylaw 6012 for consideration. Based on Council feedback, the following changes have been made:

- Revise regulation 4.2.1** pertaining to projections into setbacks, by revising the portion of the regulation based on a percentage of wall area to be a percentage of wall length to a maximum of 3.0 m. This will improve the clarity and interpretation of the regulation while limiting the total size of projections into setbacks.
- Revise regulations 5.4.1.4 and 5.4.2.4** pertaining to barrier-free pathways for secondary suites and accessory dwelling units, to only permit barriers such as stairs on properties where the natural topography prevents an appropriate grade for the pathway.
- Revise regulation 6.5.1** pertaining to the maximum height of fences for housing and mixed-use zones, by adding an exception to permit one pedestrian gate to be up to 2.0 m in height and 1.0 m in width when located on a lot line or within the setback abutting a street.

Fences can negatively impact the urban environment by reinforcing territoriality, and can contribute to urban fragmentation and social exclusion by creating a clear distinction between public and private spaces. A 1.2 m (4 ft) fence creates openness and can create a boundary without being overly obstructive, making it appropriate in front yards and along street frontages. This height regulation for front yard fencing is typical in cities throughout BC including West Kelowna, Kelowna, Burnaby, Surrey, Abbotsford, Salmon Arm, Penticton, and Campbell River. Regional Districts and rural areas of the province generally allow higher fence heights.

- Revise regulation 7.2.12** pertaining to vehicle spaces accessed directly from a laneway, to require that space to be regular or oversized. This eliminates the requirement for additional length of the vehicle space, while ensuring that larger vehicles can be accommodated.

No changes were made to the following:

- i. **Regulation 1.12.4** that states “Where a calculation for residential density based on units per hectare results in a number with a fraction or a decimal place, the value must be rounded down to the nearest whole number.” This regulation aligns with *Local Government Act* Sections (490(1)(a) and 498(2)(a)), which prohibit a local government from varying density without a bylaw amendment.
- ii. **Regulation 7.3.7** that states “Visitor parking spaces must be provided for all housing **Uses** and the **Use of Housing Care Centre** in addition to the required minimum number of **Vehicle** parking spaces, as specified in Table 7.3. In **Mixed-Use Housing**, and mixed-use developments the parking spaces required for commercial **Uses** can be shared with the required visitor parking spaces.” This regulation only applies to mixed-use housing and mixed-use developments to allow commercial and visitor stalls to overlap. The visitor parking requirements for Housing Care Centres remains the same as when Zoning Bylaw 6000 was adopted in June 2024.

Generally, increasing parking regulations can negatively impact the City in several ways. They can lead to increased car ownership, higher housing costs and reduced development. Furthermore, they can create more traffic and pollution, and may not necessarily lead to the desired outcomes of improving traffic flow and safety. Alternative approaches such as investing in public transportation and promoting walking and cycling may be more effective in achieving the City’s long-term sustainability goals.

Attachment ‘1’ includes Schedules ‘A’ to ‘G’ and provides a detailed comparison of the current wording, proposed wording, and rationale for each proposed change to Zoning Bylaw 6000. Attachment ‘2’ is Bylaw 6012, “Zoning Text (General Updates) Amendment Bylaw 6012, 2025, incorporating the complete redlined version of the Zoning Bylaw 6000.

B. Relevant Policy/Bylaws/Resolutions:

1. Zoning Bylaw 6000, 2024
2. At its Regular Meeting of June 24, 2024, Council passed the following resolution:

THAT Bylaw 6000, “City of Vernon Zoning Bylaw 6000, 2024”, a bylaw to manage the use of land within the corporate boundaries of the City of Vernon in accordance with Part 14 of the Local Government Act be adopted.
3. At its Regular Meeting of March 10, 2025, Council passed the following resolution:

THAT Bylaw 6010, “Housing Zone Map Amendment Bylaw 6010, 2025”, a bylaw to amend Zoning Bylaw 6000, be adopted.

4. At its Regular Meeting of March 10, 2025, Council passed the following resolution:

THAT Bylaw 6031, “Commercial Zone and Downzoning Map Amendment Bylaw 6031, 2025”, a bylaw to amend Zoning Bylaw 6000, be adopted.

5. At its Regular Meeting of May 12, 2025, Council passed the following resolution:

THAT Council directs Administration to prepare Bylaw 6012 (General Amendments), being a bylaw to amend Zoning Bylaw 6000, for consideration.

C. Council’s Strategic Plan Alignment:

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

Financial Implications:

n/a

Communication:

The following internal departments reviewed the proposed Zoning Bylaw amendments:

- Long Range Planning & Sustainability
- Building & Licensing
- Engineering Development Services
- Transportation
- Economic Development & Partnerships
- Tourism
- Parks

Attachments:

Attachment 1 – Schedules A-G detailed changes*

Attachment 2 – Bylaw 6012, 2025 with Redlined Zoning Bylaw 6000

*Note: Attachment 1 - Schedules A-G will be posted on the website as a reference document

Reviewed by: Lydia Korolchuk, Manager, Current Planning

Reviewed by: Roy Nuriel, General Manager, City Planning

Reviewed by: Terry Barton, Director, Planning & Community Services

Reviewed by: Kevin Poole, Director, Corporate Administration

Approved by: Peter Weeber, Chief Administrative Officer