



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Roy Nuriel
Economic Development Planner

COUNCIL MEETING: REG ☒ COW ☐ I/C ☐
COUNCIL MEETING DATE: November 28, 2022
REPORT DATE: November 16, 2022
FILE: 6450 (Projects / C10A)

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

PURPOSE:

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

RECOMMENDATION:

THAT Council support the preparation of a text amendment to zoning district C10A: Tourist Commercial and Residential as outlined in the report titled "Proposed Text Amendments to C10A: Tourist Commercial and Residential Zoning District" dated November 16, 2022 and respectfully submitted by the Economic Development Planner.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council receive the report titled "Proposed Text Amendments to C10A: Tourist Commercial and Residential Zoning District" dated November 16, 2022 and respectfully submitted by the Economic Development Planner, for information.

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

ANALYSIS:

A. Committee Recommendations:

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

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.

B. Rationale:

1. At its Regular Meeting of December 13, 2010, Council adopted two new tourist and resort commercial zones: 1) C10A: Tourist Commercial and Residential, and 2) RTCA: Resort Commercial and Residential (Bylaw 5275). These zones were created in order to allow for unrestricted permanent residency, without the maximum 180 day limitation, as in C10: Tourist Commercial and RTC: Resort Commercial zones. As shown in the zoning maps (Attachment 1, Attachment 2, and Attachment 3), C10A is the primary zone in the Waterfront Neighbourhood Centre and RTCA is one of the primary zones in the Predator Ridge and The Rise Neighbourhoods.

2. The intent of the C10A zoning district is to “designate and preserve land for the development of destination commercial visitor accommodation and to allow for permanent residences”. Currently the zoning district allows a mix of residential dwellings with commercial uses and community service (i.e. mixed use) generally at street level, when commercial activities are designated to support recreation and tourism.
3. Over time, the development needs of the community change due to market demands, demographics, development trends and building technologies. As such, Zoning Bylaw 5000 needs to be reviewed and amended periodically to encourage a range of development styles that would assist in meeting these changing needs. The C10A zoning is approximately 12 years old and Administration believes that the proposed minor amendments would improve the C10A zoning by including additional commercial uses and updating the development regulations. These proposed changes would contribute to more successful tourist residential, mixed use, compact and walkable neighbourhoods as envisioned in the City’s resort residential neighbourhood plans.
4. The proposed changes to the C10A zoning district are provided in Attachment 4 and include amendments to three sections of the C10A: Primary Uses (10.10a2), Secondary Uses (10.10a3) and Development Regulations (10.10a5):

Primary Uses (10.10a2):

Additional Primary Use	Zoning Bylaw 5000 Definition
Brewing or Distilling, Class A	The use of a building for the brewing or distilling of alcoholic beverages or alcoholic products with alcoholic content exceeding 1% by volume, where the use may involve the milling of grain, rice, or malt.
Business Support Services	Development providing support services to businesses and which are characterized by one or more of the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; secretarial services; the provision of office maintenance or custodial services; the provision of office security; and the sale, rental, repair, or servicing of office equipment, furniture and machines. Typical uses include but are not limited to printing establishments, testing, laboratories, film processing establishments, janitorial firms and office equipment sales, repair establishments, and sign shops.
Educational Services, Private	Development for education, training or instruction which is not publicly administrated and which may or may not offer courses of study equivalent to those offered in a public school or private instruction as a home occupation. This use includes dormitory and secondary buildings. This use does not include commercial schools.
Employee Housing, Self Contained Dwelling	A dwelling unit provided by and regulated by an employer for occupancy by employees and the employees’ household. This use may include but is not limited to apartment housing, four-plex housing, row housing, semi-detached housing, single detached housing or three-plex housing.
Farmers Market	A temporary or seasonal market for the display and sale of farm produce and products.
Financial Services	The provision of financial and investment services by a bank, trust company, investment dealer, credit union, mortgage broker, insurance company or related business. This use does not include insurance companies that cater to a specific sector of the commercial or industrial business community and do not offer personal, financial, investment or insurance services.

Participant Recreation Services, Outdoor	Facilities that are available to the public at large for sports and active recreation conducted outdoors. Typical uses include but are not limited to golf courses and playing fields.
Real Estate Sales Centre	A permanent or temporary building or structure located on a lot for the purpose of marketing residential lots and/or buildings, for a limited period of time.
Retail Stores, Licensee	A retail store licensed by the <i>Province of British Columbia Liquor Control and Licensing Branch</i> to sell beer, wine, cider, coolers and spirits to the public. This use does not include the retail sale of cannabis or cannabis products. (Bylaw 5731)
Spectator Entertainment Establishments	An enclosed building designed specifically for the presentation of live artistic performances or the showing of motion pictures. Typical uses include but are not limited to auditoria, cinemas, theatres, and concert halls.
Wineries and Cideries	A farm winery, an estate winery, or an estate cidery that is licensed under the <i>Liquor Control and Licensing Act</i> .

Secondary Uses (10.10a3):

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

- retail stores, licensee
- spectator entertainment establishments

Development Regulations (10.10a5):

The proposed amendments to the Development Regulations include:

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

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

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

C. Attachments:

Attachment 1 – RTCA and C10A Zoning Districts Map

Attachment 2 – Waterfront C10A and The Rise RTCA Map

Attachment 3 – Predator Ridge RTCA Map

Attachment 4 – Proposed Zoning Text Amendment to C10A: Tourist Commercial and Residential Zoning District

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

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

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

E. Relevant Policy/Bylaws/Resolutions:

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

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

BUDGET/RESOURCE IMPLICATIONS:

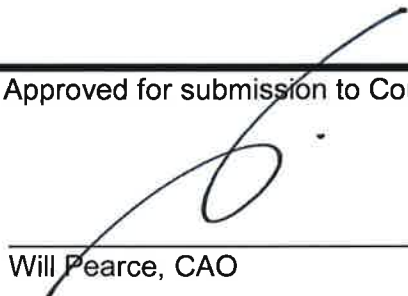
N/A

Prepared by:



X
Roy Nuriel
Economic Development Planner

Approved for submission to Council:



Will Pearce, CAO

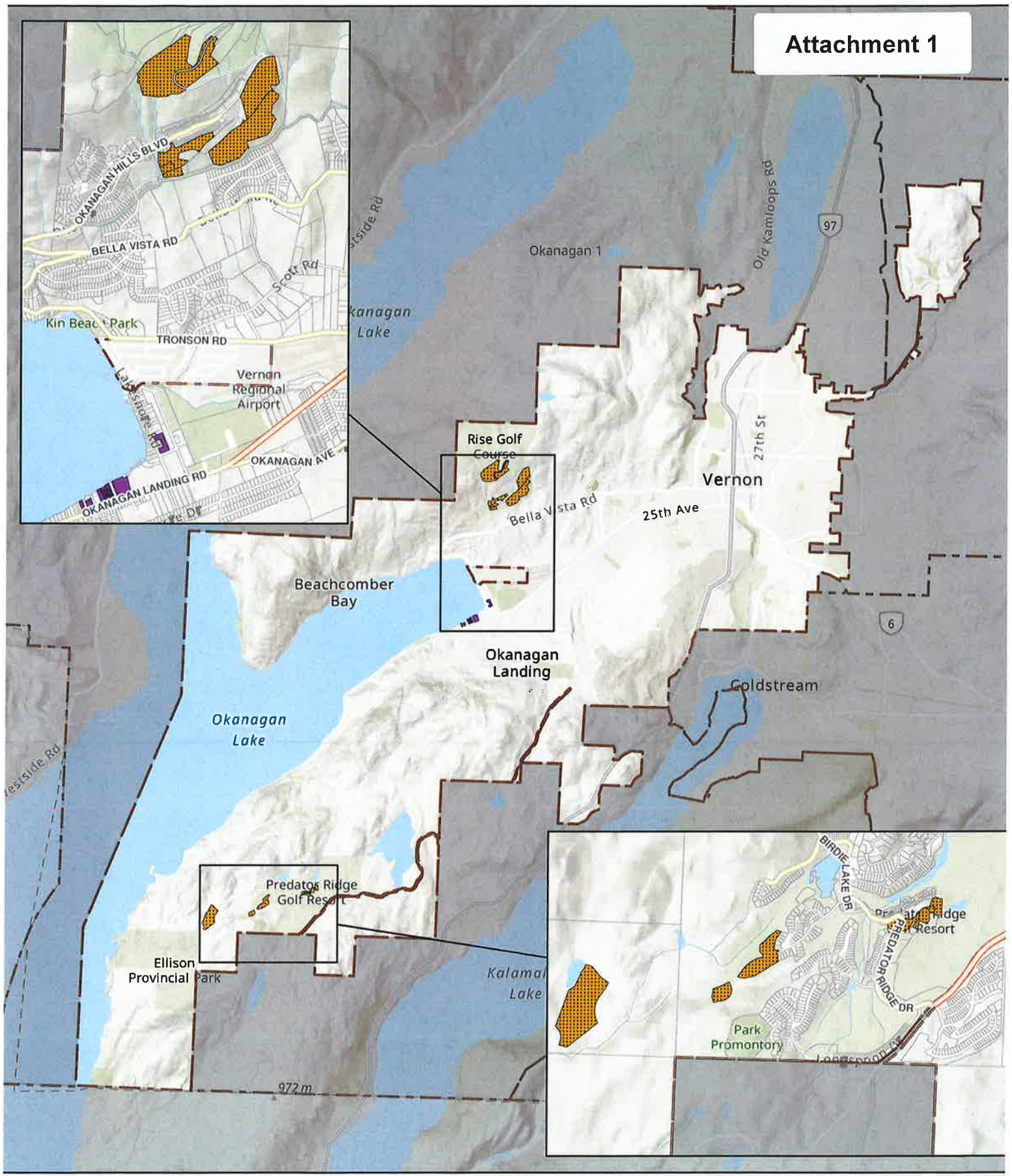
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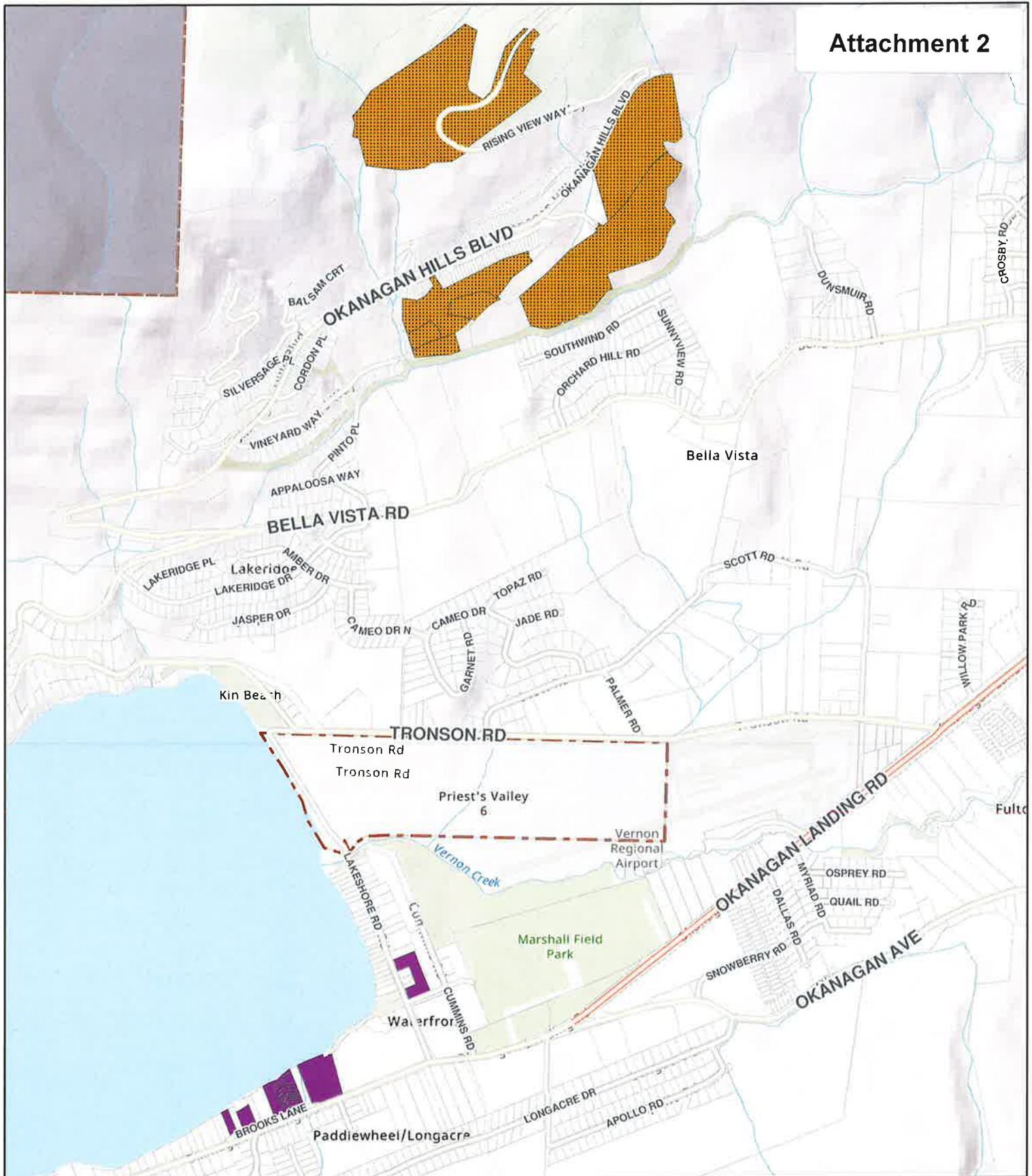
FOR X 

Kim Flick
Director, Community Infrastructure and Development

REVIEWED WITH

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





Waterfront C10A and The Rise RTCA Map

Zoning:

 C10A

 RTCA

0 250 500
Meters
Scale: 1:15,000

10.10a C10A: Tourist Commercial and Residential**C10A****10.10a.1 Purpose**

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

10.10a.2 Primary Uses

- amusement arcades, major
- apartment hotel
- apartment housing, tourist
- apartment housing
- artist studios
- **brewing or distilling, Class A**
- **business support services**
- clubs, private
- convenience vehicle rentals *(Bylaw 5013)*
- cottages
- cottages, tourist
- cultural exhibits, private
- drive-through services
- duplex housing
- duplex tourist housing *(Bylaw 5325)*
- **educational services, private**
- **employee housing, self contained dwelling**
- **farmers market**
- **financial services**
- four-plex housing
- four-plex tourist housing *(Bylaw 5325)*
- hotels
- liquor primary establishment, minor
- liquor primary establishment, major
- marinas
- motels
- primary food establishments
- participant recreation services, indoor
- **participant recreation services, outdoor**
- personal services
- parks, public
- **real estate sales centre**
- retail stores, convenience
- retail stores, general
- **retail stores, licensee**
- retail street sales

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

10.10a.3 Secondary Uses

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

10.10a.4 Subdivision Regulations

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

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

(Bylaw 5325)

10.10a.5 Development Regulations

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

10.10a.6 Other Regulations

- Only one residential security/operator unit is permitted on a site.
- A minimum area of 10.0m² of private open space shall be provided per 1 bedroom dwelling, and 15.0m² of private open space shall be provided per dwelling with more than 1 bedroom. For bareland strata developments an additional 10.0m² per unit of common **open space** shall be provided in addition to the private **open space** on each lot.
- Boat storage use is only permitted on property that abuts or is within 100m of a public or private boat launch facility.
- In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 4 (secondary development, yards, projections into yards, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the landscaping and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- As per Section 4.10.2 - All **buildings and structures, excluding perimeter fencing (garden walls and fences) on lots abutting City Roads** as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".

(Bylaw 5440)

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