



THE CORPORATION OF THE CITY OF VERNON

MEMORANDUM

TO: Patricia Bridal, Chief Administrative Officer **FILE:** OCP00098/ZON00391

PC: Terry Barton, Director of Planning and Community Services **DATE:** November 15, 2023
Roy Nuriel, Acting General Manager, Planning

FROM: Matt Faucher, Planner

**SUBJECT: OFFICIAL COMMUNITY PLAN AND ZONING AMENDMENT ADOPTION
REQUEST FOR 2800 40TH STREET**

BACKGROUND:

Council, at their Regular Meeting of February 13, 2023 gave third reading to Bylaw 5935, "2702 and 2800 40 Street Official Community Plan Amendment Bylaw 5935, 2022", and Bylaw 5936, "2702 and 2800 40 Street Rezoning Amendment Bylaw Number 5936, 2022."

Prior to final adoption of the rezoning bylaw all conditions imposed on this application must be completed. The conditions are outlined in the following resolution adopted by Council at the January 9, 2023 Regular Meeting:

"THAT Council support Official Community Plan Amendment application 00098 (OCP00098) to amend the Official Community Plan land use designation of Lot 3, Plan 3761, DL 71, ODYD (2702 40th Street) and Lot A, Plan KAP73789, DL 71, ODYD (2800 40th Street) from 'Residential Small Lot' to 'Public and Institutional', as outlined in the report titled "Official Community Plan Amendment, Rezoning and Development Variance Permit Applications for 2702 and 2800 40th Street" dated December 22, 2022 and respectfully submitted by the Economic Development Planner;

AND FURTHER, that Council direct Administration to bring forward the "2702 and 2800 40 Street Official Community Plan Amendment Bylaw 5935, 2022", for initial readings and scheduling of a Public Hearing;

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

AND FURTHER, that Council direct Administration to bring forward the "2702 and 2800 40 Street Rezoning Amendment Bylaw Number 5936, 2022", for initial readings and scheduling of a Public Hearing;

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):

- 1. 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*
- 2. 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.”*

RATIONALE:

The applicant has addressed Council's requirements for adoption of the OCP and zoning amendments as follows:

- i. The existing lots have been consolidated.*
- ii. The applicant has entered into a development agreement and provided securities for all offsite requirements.*

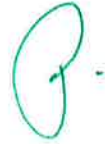
RECOMMENDATION:

THAT 2702 and 2800 40 Street Official Community Plan Amendment Bylaw 5935, 2022 and 2702 and 2800 40 Street Rezoning Amendment Bylaw 5936, 2022 be adopted.

Respectfully submitted:

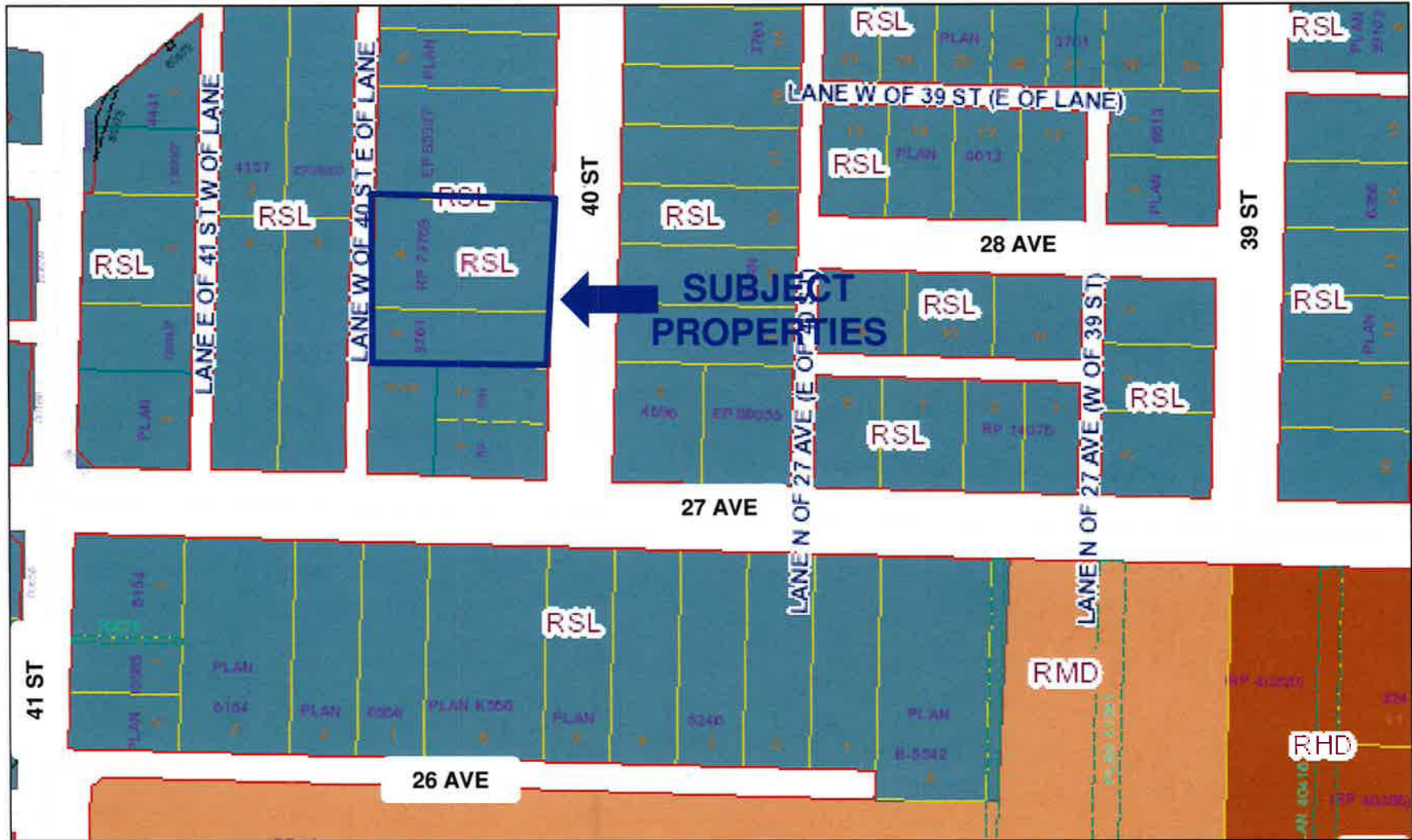


Matt Faucher
Planner



Attachment 1: Proposed OCP & Zoning Maps

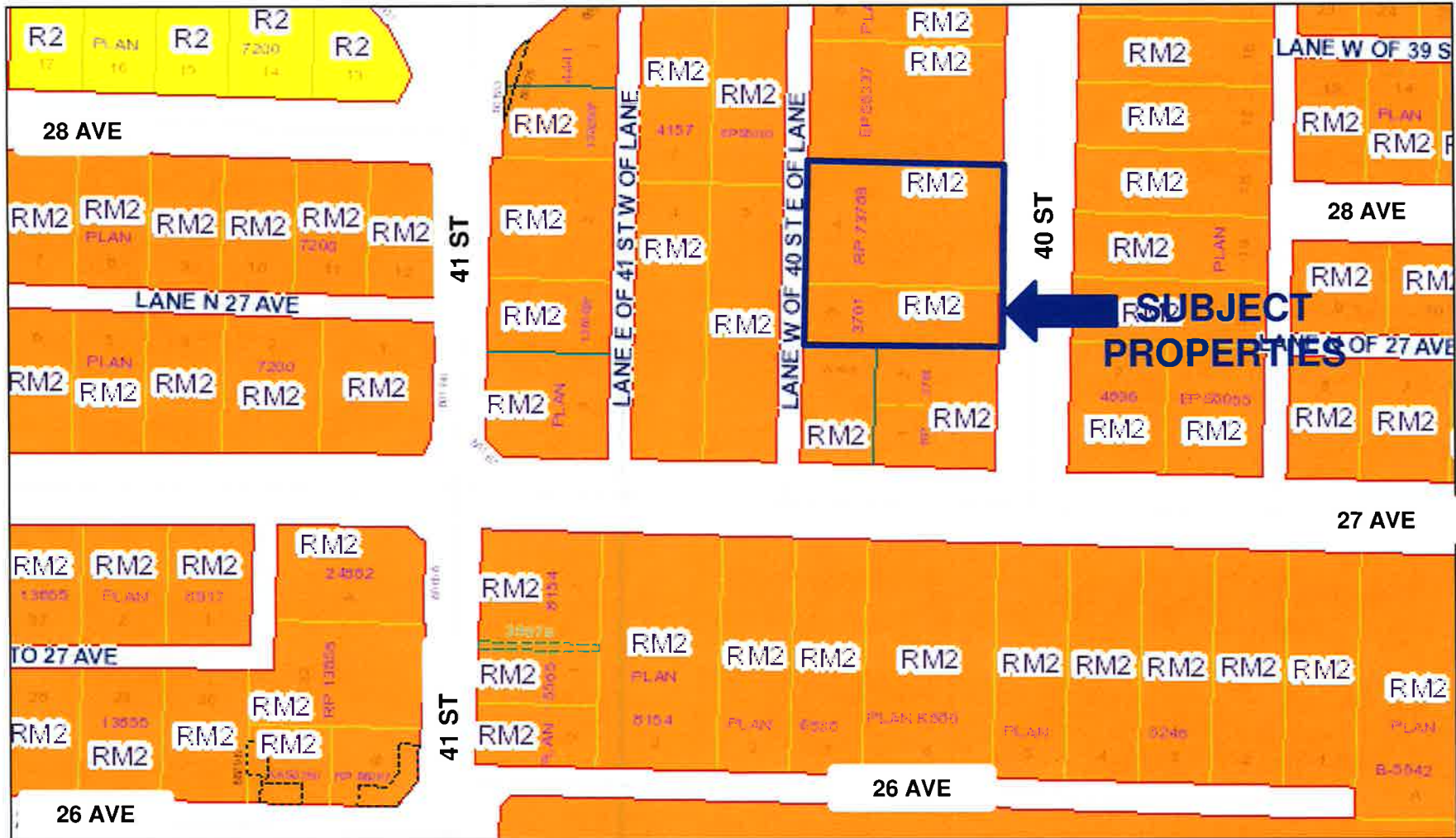
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-  RSL – Residential Small Lot – Single & Two Family Dwelling
-  RMD – Residential – Medium Density
-  RHD – Residential – High Density

OCP Designation

OCP00098/ZON00391/DVP00593



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

Zoning Designation

OCP00098/ZON00391/DVP00593