



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Matt Faucher
Planner, Planning

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: November 6, 2023
REPORT DATE: October 23, 2023
FILE: 3360-20 (ZON00398) / 3090-20 (DVP00563)

SUBJECT: ZONING AND DEVELOPMENT VARIANCE PERMIT APPLICATIONS FOR TRONSON ROAD

PURPOSE:

To present for Council's consideration zoning and development variance permit applications for the property located on Tronson Road in preparation for a residential subdivision.

RECOMMENDATION:

THAT Council support Zoning Application 00398 (ZON00398) to rezone Lot A, DL 298, ODYD, Plan KAP62807 Except Plans KAP84737, KAP86381, KAP91703 and EPP81537 (Tronson Road) from R2 – Large Lot Residential to R3 – Medium Lot Residential as outlined in the report titled "Zoning and Development Variance Permit Applications for Tronson Road" dated October 23, 2023 and respectfully submitted by the Planner;

AND FURTHER, that Council direct Administration to hold a public hearing, pursuant to 464(1) of *the Local Government Act*, on a proposed bylaw to rezone Lot A, DL 298, ODYD, Plan KAP62807 Except Plans KAP84737, KAP86381, KAP91703 and EPP81537 (Tronson Road) from R2 – Large Lot Residential to R3 – Medium Lot Residential;

AND FURTHER, that Council support Development Variance Permit Application 00563 (DVP00563) to vary Zoning Bylaw 5000 for Lot A, DL 298, ODYD, Plan KAP62807 Except Plans KAP84737, KAP86381, KAP91703 and EPP81537 (Tronson Road), as follows:

- a) Section 4.15.1, to permit construction of buildings, structures and swimming pools on slopes greater than 30%.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council not support Zoning Application 00398 (ZON00398) to rezone Lot A, DL 298, ODYD, Plan KAP62807 Except Plans KAP84737, KAP86381, KAP91703 and EPP81537 (Tronson Road) from R2 – Large Lot Residential to R3 – Medium Lot Residential as outlined in the report titled "Zoning and Development Variance Permit Applications for Tronson Road" dated October 23, 2023 and respectfully submitted by the Planner;

AND FURTHER, that Council not support Development Variance Permit Application 00563 (DVP00563) to vary Zoning Bylaw 5000 for Lot A, DL 298, ODYD, Plan KAP62807 Except Plans KAP84737, KAP86381, KAP91703 and EPP81537 (Tronson Road), as follows:

- a) Section 4.15.1, to permit construction of buildings, structures and swimming pools on slopes greater than 30%.

Note: This alternative does not support the rezoning and variance applications and prevents the project from moving ahead as proposed. The applicant would need to redesign their proposal to conform with the current R2 – Large Lot Residential Zone in Zoning Bylaw 5000.

ANALYSIS:

A. Committee Recommendations:

At its meeting of September 26, 2023, the Advisory Planning Committee passed the following resolution:

THAT the Advisory Planning Committee recommends that Council support Zoning Application 00398 (ZON00398) to rezone Lot A, DL 298, ODYD, Plan KAP62807 Except Plans KAP84737, KAP86381, KAP91703 and EPP81537 (Tronson Road) from R2 – Large Lot Residential to R3 – Medium Lot Residential as outlined in the draft report titled “Zoning and Development Variance Permit Applications for Tronson Road” dated September 19, 2023 and respectfully submitted by the Planner;

AND FURTHER, that the Advisory Planning Committee recommends that Council direct Administration to hold a public hearing, pursuant to 464(1) of the Local Government Act, on a proposed bylaw to rezone Lot A, DL 298, ODYD, Plan KAP62807 Except Plans KAP84737, KAP86381, KAP91703 and EPP81537 (Tronson Road) from R2 – Large Lot Residential to R3 – Medium Lot Residential;

AND FURTHER, that the Advisory Planning Committee recommends that Council support Development Variance Permit Application 00563 (DVP00563) to vary Zoning Bylaw 5000 for Lot A, DL 298, ODYD, Plan KAP62807 Except Plans KAP84737, KAP86381, KAP91703 and EPP81537 (Tronson Road), as follows:

- a) Section 4.15.1, to permit construction of buildings, structures and swimming pools on slopes greater than 30%.

B. Rationale:

1. The subject property is a large remnant parcel located on Tronson Road (Figures 1 and 2). It has an area of 426,412m² (~105ac). The area subject to the application is located in the north east section of the subject property and is accessed from Tavistock Road. The area has been altered under previously approved permits in preparation for development. The area under application is currently vacant and is in the process of pursuing subdivision (SUB00830) proposing to create 36 new lots (Attachment 1).

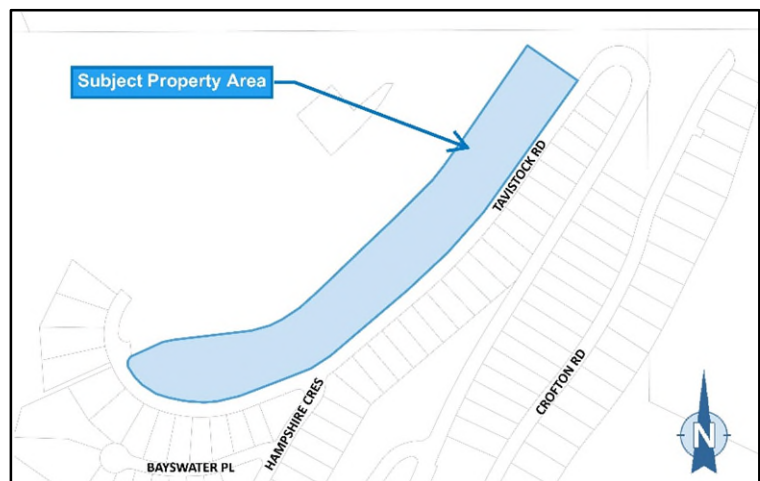


Figure 1: Property Location Map

2. The intent of the rezoning and variance applications is to request that Council:
 - rezone the area of the subject property from R2 – Large Lot Residential (Attachment 2) to R3 – Medium Lot Residential (Attachment 3). A map illustrating the current zoning districts is contained in Attachment 4; and

- support the following variance requests to:
 - o authorize the construction of buildings, structures and swimming pools on slopes greater than 30% (Attachment 5).



Figure 2: Aerial View of Property

3. The proposed development plans to subdivide a portion of the property to create 35 residential lots for single detached residential use. The remaining lot 36, would retain its current P5 – Private Park zone (Attachments 1 & 6).
4. The applicant is requesting rezoning the subject area from R2 to R3 in order to reduce the minimum lot width from 18m to 14m allowing for narrower lots to be created. As illustrated on the proposed lot layout plan (Attachment 1), the reduced width of 15m is proposed on 32 of the 35 residential lots. This change adds approximately 6 additional units than if the current R2 requirement of 18m was used.
5. The subject property is designated as Residential Low Density (RLD) in the Official Community Plan (OCP) (Attachment 7 & Attachment 8) and located within the [Bella Vista West Neighbourhood Plan \(BVWNP\)](#). The proposed R3 zone is compatible with both the RLD designation and the BVWNP. The residential goals of the BVWNP are:
 - a) To provide a variety of sizes and formats of residential units in the context of existing residential development, including secondary suites.
 - b) To pursue the provision of attainable housing units within the neighbourhood plan area.
 - c) Provide opportunities for greater residential density where site conditions and locations provide the opportunity for greater utilization of existing infrastructure and services.
 - d) Ensure that new development sustains existing views from adjacent residential units as much as possible.
 - e) Ensure that new development considers the form and characteristics of existing adjacent residential units.
6. Adjacent properties to the proposed development are zoned R2 (Attachment 2) with single detached dwellings, except for the northeast, which is zoned P5 (Attachment 6).
7. Table 1 below compares the existing R2 zone and the proposed R3 zone. These zones share similar residential uses and setbacks with the main differences being the minimum lot area and minimum lot width.

	Existing R2	Proposed R3	Proposal
Max. Density	30 units/ha (12/ac) 1 Single Detached House Per Lot	30 units/ha (12/ac) 1 Single Detached House Per Lot	10.5 units/ha (4.26 units/ac)
Min. Lot Area	557m ²	450m ²	796m ² to 1,090m ²
Min. Lot Width	18m	14m	15m – 22.37m
Max. Site Coverage	Buildings 40% Impermeable 50%	Buildings 40% Impermeable 50%	TBD

Max. Height	10.0m	10.0m	TBD
Min. Front Yard	5.0m	4.5m	TBD
Min. Side Yard	1.5m	1 or 1.5 Storey: 1.5m 2 or 2.5 Storey: 1.8m	TBD
Min. Side Yard from Flanking Street	5.0m	4.5m	TBD
Min. Side Yard when no direct vehicle access to a rear yard or attached garage/carport	One side must be 3.0m	N/A	TBD
Min. Rear Yard	7.5m	1 or 1.5 Storey: 6.0m 2 or 2.5 Storey: 7.5m	TBD

Table 1: Zoning Comparison

8. As the topography of the subject property contains areas of undisturbed slope exceeding 30% grade, the applicant has requested a variance to Section 4.15.1 to allow for site grading and construction of the proposed building pads on slopes greater than 30%. The applicant will be required to provide appropriate geotechnical review and oversight of the proposed development through the subdivision and building permit processes.
9. Administration supports the rezoning and variance applications for the following reasons:
 - a) The application proposes to construct the next phase of development in general accordance with the BVWNP and is viewed as a minor change still consistent with the neighbourhood character of single detached residential dwellings; and
 - b) There are several advantages to narrower style lots including:
 - i. The creation of six additional residential units;
 - ii. A narrower lot would have lower land costs and a smaller house reducing construction costs which could have an impact on the final sale price of the property to the end user.

C. Attachments:

- Attachment 1 – Proposed Lot Layout
- Attachment 2 – R2 – Large Lot Residential Zone
- Attachment 3 – R3 – Medium Lot Residential Zone
- Attachment 4 – Current Zoning Map
- Attachment 5 – Zoning Bylaw 5000, Section 4.15.1
- Attachment 6 – P5 – Private Park Zone
- Attachment 7 – Residential Low Density (OCP)
- Attachment 8 – OCP Map

D. Council’s Strategic Plan Alignment:

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

E. Relevant Policy/Bylaws/Resolutions:

1. Official Community Plan Bylaw 5470:

- OCP Designation – Residential Low Density (RLD)
- Development District – Hillside Residential & Agricultural
- Bella Vista West Neighbourhood Plan (BVWNP)

2. Zoning Bylaw 5000:

- Sec. 14.5.1 – Construction on slopes greater than 30%

BUDGET/RESOURCE IMPLICATIONS:

N/A

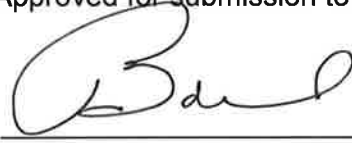
FINANCIAL IMPLICATIONS:

- None
 Budget Previously Approved
 New Budget Request
 (Finance Review Required)

Prepared by:

Approved for submission to Council:


X 



Matt Faucher
Planner, Planning

Patricia Bridal, CAO

Date: Oct 31 / 2023

X 

Terry Barton, 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 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 (September 26/23) | | |
| <input type="checkbox"/> OTHER: | | |