



THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

SUBMITTED BY: Craig Broderick
Manager, Current Planning
Hazel Christy
Planner

COUNCIL MEETING: REG COW I/C
COUNCIL MEETING DATE: October 9 , 2018
REPORT DATE: September 26, 2018
FILE: ZON00296

SUBJECT: REZONING APPLICATION FOR 7250 HITCHCOCK ROAD

PURPOSE:

To review the rezoning application which proposes to rezone the subject property located at 7250 Hitchcock Road within the Foothills Neighbourhood from Non-Urban NU (NORD) to HR1 (Hillside Residential Single and Two Family), HR2 (Hillside Residential Multi-Family), and P1 (Parks and Open Space) in order to allow the subdivision of single and two family lots, a multi-family lot, the dedication of undisturbed open space and a remnant parcel.

RECOMMENDATION:

THAT Council support the application to rezone the S ½ of the S ½ of the SW ¼ of Sec 19 Twp 5 ODYD (7250 Hitchcock Road) within the Foothills Neighbourhood from NU (NORD) to HR1 (Hillside Residential Single and Two Family), HR2 (Hillside Residential Multi-Family), and P1 (Parks and Open Space) in order to allow the subdivision of single and two family lots, a multi-family lot, the dedication of undisturbed open space and a remnant parcel subject to the following conditions:

- a) Registration of a Section 219 "No Disturb" Covenant on the remnant parcel that would restrict future subdivision or development until the approval of a pre-plan, consistent with the Foothills Neighbourhood Plan, that would identify the location of a future road network that respects sensitive areas including seasonal water bodies or drainage courses, ensures access to lands beyond, and provides for future parks and trail connections;
- b) Preparation of a phased servicing plan that identifies onsite and offsite servicing upgrades necessary to support the development of the subject lands, including the first phase of development and the remnant parcel;
- c) The design of on-site and off-site works and services necessary to service the first phase of development and the remnant parcel; and
- d) Payment of water latecomer charges for use of reservoir capacity in the Sun Peaks Reservoir.

AND FURTHER, that prior to adoption of a zoning amendment bylaw:

- a) The applicant provide geotechnical information regarding slope and soil conditions along the edge of the ravine located along the east property line, including recommendations regarding the location of a no disturb covenant, a trail for public access, and safe building setbacks in this area; and
- b) Security in the amount of 125% of estimated costs be provided for the construction of a fence to delineate the recommended no disturb area and trail location along the east property line.

ALTERNATIVES & IMPLICATIONS:

1. THAT Council support the application to rezone the S ½ of the S ½ of the SW ¼ of Sec 19 Twp 5 ODYD (7250 Hitchcock Road) from NU (NORD) to HR1 (Hillside Residential Single and Two Family), HR2 (Hillside Residential Multi-Family), and P1 (Parks and Open Space) in order to allow the subdivision of single and two family lots, a multi-family lot, the dedication of undisturbed open space, and a remnant parcel, subject to the following conditions:
 - a) Registration of a Section 219 “No Disturb” Covenant on the remnant parcel that would restrict future subdivision or development until the approval of a pre-plan, consistent with the Foothills Neighbourhood Plan, that would identify the location of a future road network that respects sensitive areas including seasonal water bodies or drainage courses, ensures access to lands beyond, and provides for future parks and trail connections;
 - b) Preparation of a phased servicing plan that identifies onsite and offsite servicing upgrades necessary to support the development of the subject lands, including the first phase of development and the remnant parcel;
 - c) The design of on-site and off-site works and services necessary to service the first phase of development and the remnant parcel; and
 - d) Payment of water latecomer charges for use of reservoir capacity in the Sun Peaks Reservoir.

AND FURTHER, that prior to adoption of a zoning amendment bylaw:

- a) The applicant provide geotechnical information regarding slope and soil conditions along the edge of the ravine located along the east property line, including recommendations regarding the location of a no disturb covenant, a trail for public access, and safe building setbacks in this area;
- b) Security in the amount of 125% of estimated costs be provided for the construction of a fence to delineate the recommended no disturb area and trail location along the east property line; and
- c) *Any other conditions as cited by Council.*

Note: This alternative supports the rezoning application as submitted with the addition of any other conditions that Council may wish to add.

2. THAT Council NOT support the application to rezone the S ½ of the S ½ of the SW ¼ of Sec 19 Twp 5 ODYD (7250 Hitchcock Road) from NU NORD to HR1 (Hillside Residential Single and Two Family), HR2 (Hillside Residential Multi-Family), and P1 (Parks and Open Space) in order to allow the subdivision of single and two family lots, a multi-family lot, the dedication of undisturbed open space, and a remnant parcel.

Note: This alternative does not support the rezoning application, and as a result the application as submitted would not be able to proceed.

ANALYSIS:

A. Committee Recommendations:

At its meeting of September 25, 2018, the Advisory Planning Committee passed the following resolution:

"THAT the Advisory Planning Committee recommends that Council support the application to rezone the S ½ of the S ½ of the SW ¼ of Sec 19 Twp 5 ODYD (7250 Hitchcock Road) within the Foothills Neighbourhood from NU (NORD) to HR1 (Hillside Residential Single and Two Family), HR2 (Hillside Residential Multi-Family), and P1 (Parks and Open Space) in order to allow the subdivision of single or two family lots, a multi-family lot, the dedication of undisturbed open space and a remnant parcel subject to the following conditions:

- a) Registration of a Section 219 "No Disturb" Covenant on the remnant parcel that would restrict future subdivision or development until the approval of a pre-plan, consistent with the Foothills Neighbourhood Plan, that would identify the location of a future road network that respects sensitive areas including seasonal water bodies or drainage courses, ensures access to lands beyond, and provides for future parks and trail connections;
- b) Preparation of a phased servicing plan that identifies onsite and offsite servicing upgrades necessary to support the development of the subject lands, including the first phase of development and the remnant parcel;
- c) The design of on-site and off-site works and services necessary to service the first phase of development and the remnant parcel; and
- d) Payment of water latecomer charges for use of reservoir capacity in the Sun Peaks Reservoir.

AND FURTHER, that prior to adoption of a zoning amendment bylaw:

- a) The applicant provide geotechnical information regarding slope and soil conditions along the edge of the ravine located along the east property line, including recommendations regarding the location of a no disturb covenant, a trail for public access, and safe building setbacks in this area; and
- b) Security in the amount of 125% of estimated costs be provided for the construction of a fence to delineate the recommended no disturb area and trail location along the east property line."

B. Rationale:

1. The subject property is located at 7250 Hitchcock Road (Figures 1 and 2), adjacent to North Okanagan Regional District lands (Electoral Area C). The land is designated as Hillside Residential and Rural Agricultural within the Official Community Plan/Foothills Neighbourhood Plan (Attachments 1 and 2) and is within the Non-Urban NORD zoning district as shown on the attached zoning map excerpt (Attachment 3).
2. The subject property is approximately 15.60 hectares (38.5 acres) in total. The property has a number of significant topographical features including a ravine along its eastern boundary, areas in excess of 30% slope, and areas



Figure 1 – Property Location Map

containing sensitive environmental features, shown on the attached topographic and conservation value maps (Attachments 4 and 5).

3. The adjacent zoning and land uses are:

Position	Zoning	Land Use
NORTH	Non-Urban (NORD)	Undeveloped
EAST	Outside City Limits	Ravine and Rural Residential
SOUTH	R2 and P1	Single Family Residential and Park
WEST	A2 Rural Large Holdings	Rural Residential

4. Phase 1 of the proposed zoning application and concurrent subdivision application (SUB00726) comprises approximately one third of the subject property and is shown on Attachment 6. This Phase can be serviced by the existing Sun Peaks water reservoir as it is within existing pressure zone limits.



Figure 2 – Aerial Map of Property

5. The first phase of development proposes to extend Taber and Nakiska Drive north through the subject property to lands beyond. Taber Drive is intended to connect to Nakiska Drive north of the subject property, and Nakiska Drive would then extend to connect to Wildwood Drive.

6. Zoning to permit a cluster of multi-family units is proposed on the first phase of the property (HR2 Hillside Residential Multi Family), with access off Nakiska Drive. At the HR2 maximum density of 55 units per hectare, approximately 60 units are anticipated. The balance of lands in this phase are proposed for single and two family lots (HR1 Hillside Residential Single and Two Family) with access off Taber and Nakiska. At the HR1 maximum density of 25 units per hectare, approximately 37 lots may be anticipated in Phase 1 (Attachment 6). The remnant parcel (Phase 2) is anticipated to support approximately 125 units. The number of units or lots may change prior to subdivision of Phases 1 and 2 as more information becomes available regarding the location of the ravine, slopes and geotechnical conditions, and the size and types of units/lots being marketed by the applicant. The HR1 and HR2 zones exclude areas exceeding 30% slopes from the predevelopment lot area for the purposes of calculating density. More detailed information regarding the slopes/soil conditions, including the location of proposed trails, would be required prior to final subdivision approval to determine the locations and final number of units/lots.

7. The balance of the property (remnant parcel after subdivision of Phase 1) would require the construction of a new reservoir at a higher elevation as well as more details as noted above regarding the location, design and construction of roads, parks and trails to service the subject property and connect to lands beyond. If this zoning application receives Council's favourable consideration, it is recommended that a Section 219 Covenant (no subdivision or development) be registered on the remnant parcel until the approval of a pre-plan and servicing phasing plan. The pre-plan should give particular attention to impacts on slopes and sensitive areas.

8. The previous subdivision below the subject property has remnant parcels. Pending approval of the land owners, these remnants, as shown on Attachment 6, are proposed to be included in the zoning amendment bylaw and rezoned from R2 to HR1.

containing sensitive environmental features, shown on the attached topographic and conservation value maps (Attachments 4 and 5).

3. The adjacent zoning and land uses are:

Position	Zoning	Land Use
NORTH	Non-Urban (NORD)	Undeveloped
EAST	Outside City Limits	Ravine and Rural Residential
SOUTH	R2 and P1	Single Family Residential and Park
WEST	A2 Rural Large Holdings	Rural Residential

4. Phase 1 of the proposed zoning application and concurrent subdivision application (SUB00726) comprises approximately one third of the subject property and is shown on Attachment 6. This Phase can be serviced by the existing Sun Peaks water reservoir as it is within existing pressure zone limits.

5. The first phase of development proposes to extend Taber and Nakiska Drive north through the subject property to lands beyond. Taber Drive is intended to connect to Nakiska Drive north of the subject property, and Nakiska Drive would then extend to connect to Wildwood Drive.



Figure 2 – Aerial Map of Property

6. Zoning to permit a cluster of multi-family units is proposed on the first phase of the property (HR2 Hillside Residential Multi Family), with access off Nakiska Drive. At the HR2 maximum density of 55 units per hectare, approximately 60 units are anticipated. The balance of lands in this phase are proposed for single and two family lots (HR1 Hillside Residential Single and Two Family) with access off Taber and Nakiska. At the HR1 maximum density of 25 units per hectare, approximately 37 lots may be anticipated in Phase 1 (Attachment 6). The remnant parcel (Phase 2) is anticipated to support approximately 125 units. The number of units or lots may change prior to subdivision of Phases 1 and 2 as more information becomes available regarding the location of the ravine, slopes and geotechnical conditions, and the size and types of units/lots being marketed by the applicant. The HR1 and HR2 zones exclude areas exceeding 30% slopes from the predevelopment lot area for the purposes of calculating density. More detailed information regarding the slopes/soil conditions, including the location of proposed trails, would be required prior to final subdivision approval to determine the locations and final number of units/lots.

7. The balance of the property (remnant parcel after subdivision of Phase 1) would require the construction of a new reservoir at a higher elevation as well as more details as noted above regarding the location, design and construction of roads, parks and trails to service the subject property and connect to lands beyond. If this zoning application receives Council's favourable consideration, it is recommended that a Section 219 Covenant (no subdivision or development) be registered on the remnant parcel until the approval of a pre-plan and servicing phasing plan. The pre-plan should give particular attention to impacts on slopes and sensitive areas.

8. The previous subdivision below the subject property has remnant parcels. Pending approval of the land owners, these remnants, as shown on Attachment 6, are proposed to be included in the zoning amendment bylaw and rezoned from R2 to HR1.

9. The application to rezone the subject property to HR1, HR2 and P1 is generally consistent with the OCP and Foothills Neighbourhood Plan land use designations of Hillside Residential Single, Two Family and Multi Family uses. The OCP and Foothills Neighbourhood Plan Land Use Maps for this area (Attachments 1 and 2) show the Rural Agricultural (RAGR), Hillside Residential (HRES) and Sensitive Areas in a slightly different configuration than the proposed zoning, however the applicant has provided more details in an Environmental Impact Assessment prepared by Canyon Wren Consulting Ltd dated April 2018, and this assessment includes recommendations for mitigation and buffering in support of the revised configuration.
10. Administration supports the rezoning of the subject lands as the proposed uses and density conform to the OCP. Roads, trails and parklands would be secured by dedication, statutory right of way or road reserve through the subdivision of Phase 1 and the creation of the remnant parcel.
11. A development permit would be required for the development of the multi-family area, and details of site layout, landscaping, parking and loading areas, access, building design and finish for this area would be governed by the development permit review and approval process.

C. Attachments:

- Attachment 1: Official Community Plan Designations
- Attachment 2: Foothills Neighbourhood Plan Land Use Designations
- Attachment 3: Current Zoning - Non Urban (NORD) Zone
- Attachment 4: Topographic Plan of Subject Property
- Attachment 5: Sensitive Areas / Conservation Values
- Attachment 6: Proposed Zoning and Subdivision of subject property

D. Council's Strategic Plan 2015 – 2018 Goals/Deliverables:

The subject application involves the following objectives in Council's Strategic Plan 2015 – 2018:

- Support sustainable neighbourhoods by implementing neighbourhood plans and the OCP

E. Relevant Policy/Bylaws/Resolutions:

Official Community Plan Policies:

- 13.1 Maintain a clear and consistent approach to environmental management and ecosystem protection throughout the city in accordance with the Environmental Management Areas Strategy.
- 13.8 Work to enhance community access to lakeshore areas, hiking and walking paths and park space through the development process and in conjunction with municipal operations and other agencies as appropriate.
- 13.11 Ensure ecosystem conservation, enhancement, mitigation and restoration are undertaken as opportunities arise or as required as part of the development process.
- 26.1 The subject property is identified on Map 16 as the Hillside Residential and Agricultural District and designated as Development Permit Area 3.

OCP Policies 29.20 through 29.40 contain Design Guidelines applicable to lands within the Foothills Neighbourhood Plan Area.

BUDGET/RESOURCE IMPLICATIONS:

N/A

Prepared by:

Sep 28 2018 12:33 PM

X *Craig Broderick* ✓

Craig Broderick

DocuSign

Craig Broderick
Manager, Current Planning

Sep 28 2018 2:53 PM

X *Kim Flick* ✓

Kim Flick

DocuSign

Kim Flick
Director, Community Infrastructure and Development

Approved for submission to Council:

[Signature]
Will Pearce, CAO

Date: 01.10.2018

REVIEWED WITH

- | | | |
|---|--|--|
| <input type="checkbox"/> Corporate Services | <input type="checkbox"/> Operations | <input 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 checked="" type="checkbox"/> Facilities | <input type="checkbox"/> Building & Licensing |
| <input type="checkbox"/> RCMP | <input type="checkbox"/> Utilities | <input checked="" 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 checked="" 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) Sept. 5, 2018 | | |
| <input type="checkbox"/> OTHER: | | |

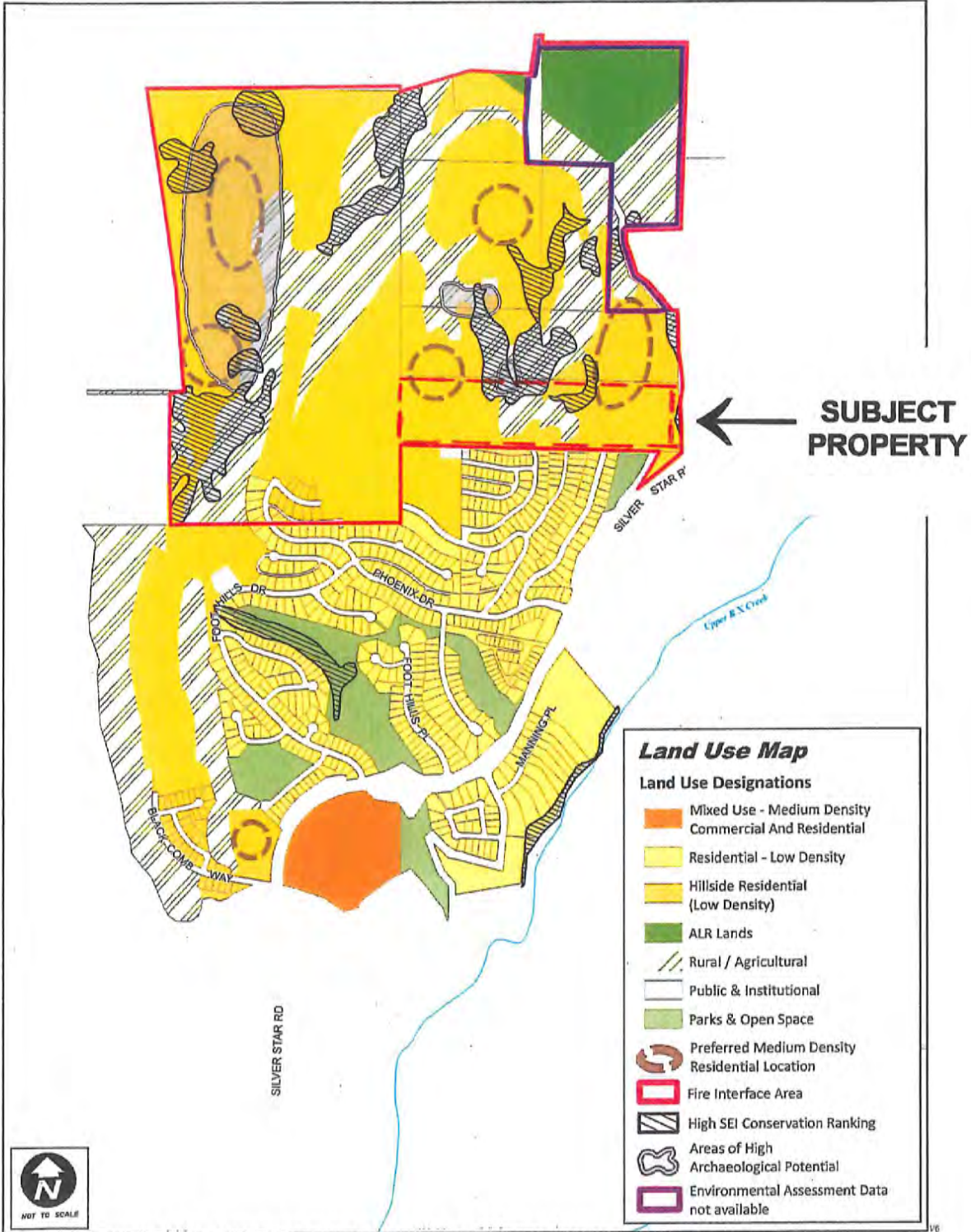


OCP Designation

-  HRES – Hillside Residential
-  PUBINS – Public & Institutional
-  PARKS – Open Space
-  RLD – Residential – Low Density
-  RAGR – Rural/Agricultural



Map #5: Land Use Designations

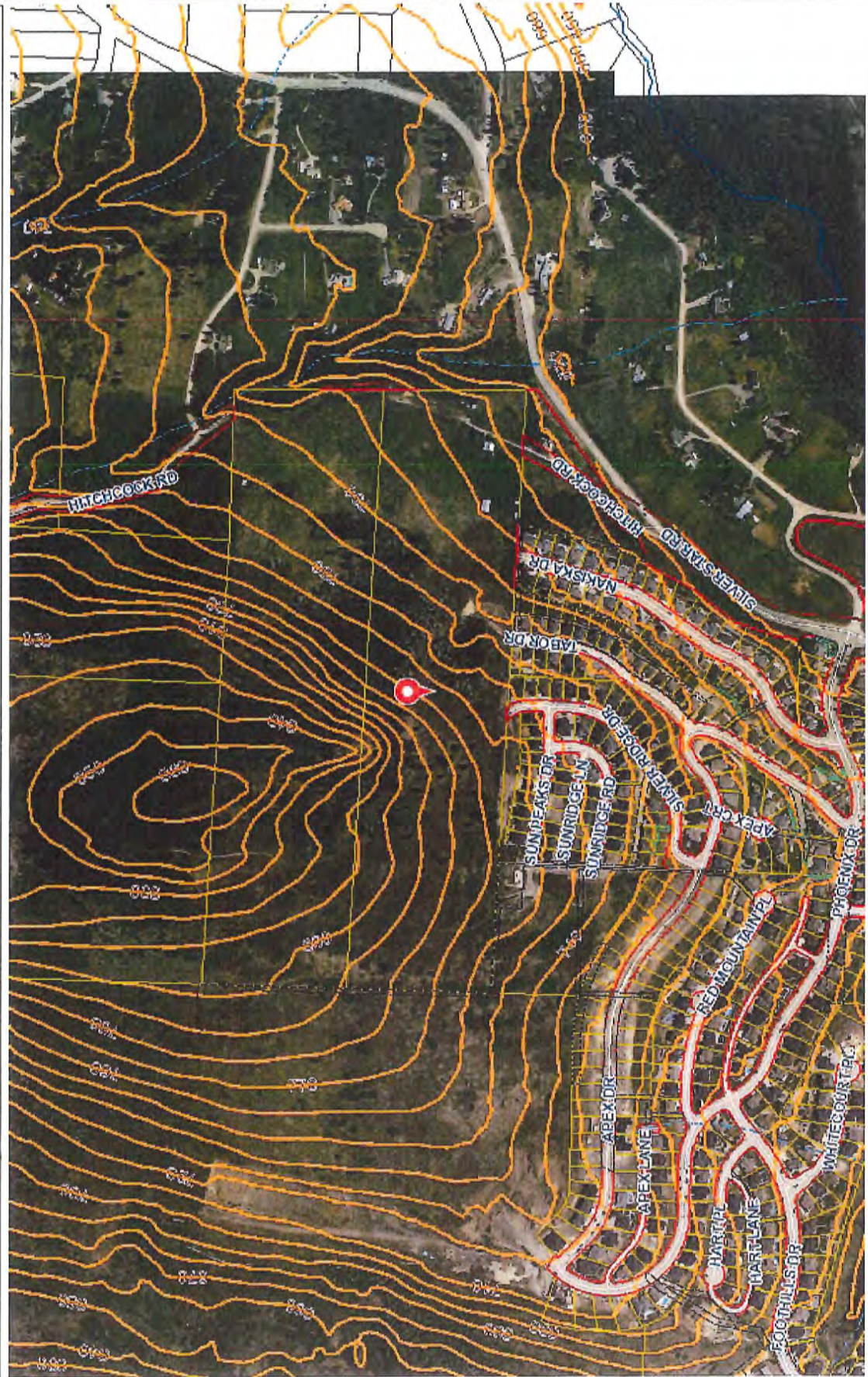




- P4 - Utilities
- A2 - Rural Large Holdings
- R2 - Large Lot Residential
- NU NORD - Non-Urban NORD
- P1 - Parks

Zoning Designation

Vernon Essentials Site

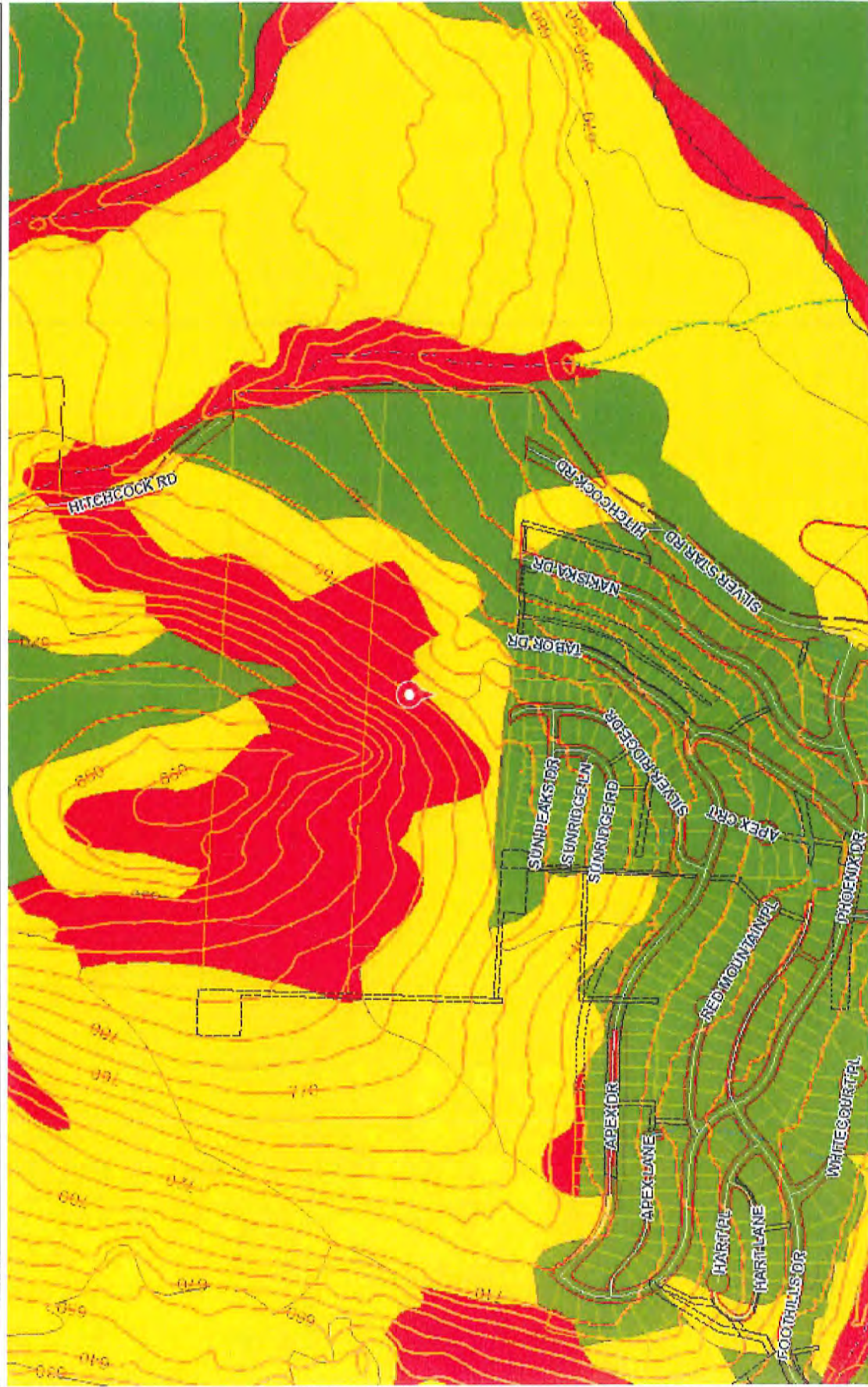


This drawing has been produced by the City of Vernon's Geographic Information System. The data provided is derived from a variety of sources with varying levels of accuracy. The City of Vernon makes no warranty or representation, expressed or implied, with the regard to the correctness, accuracy and/or reliability of the information contained herein.



© Corporation of the City of Vernon 1:6,921

Vernon Essentials Site



This drawing has been produced by the City of Vernon's Geographic Information System. The data provided is derived from a variety of sources with varying levels of accuracy. The City of Vernon makes no warranty or representation, expressed or implied, with the regard to the correctness, accuracy and/or reliability of the information contained herein.



1:6,921

© Corporation of the City of Vernon

Proposed Zoning Layout

LEGAL:

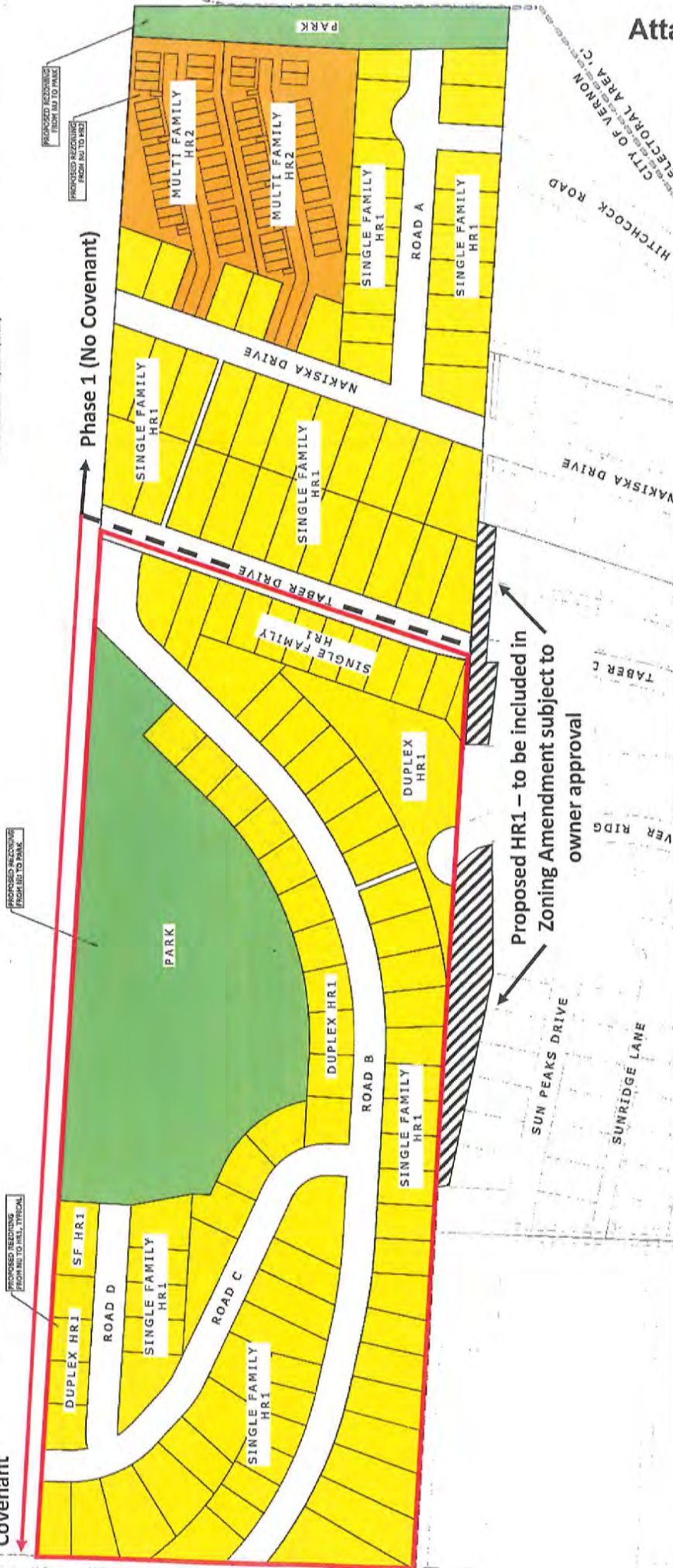
-PROPOSED SUBDIVISION OF SECTION 15 TOWNSHIP 5,
COUNTY OF VERNON, DISTRICT PART 5 1/2 OF 8 1/2 OF SW 1/4.

LOT SUMMARY:

- TOTAL SINGLE FAMILY LOTS = 107, AREA = 71,022sq. (17.95acs), 5.66 Units/lot.
- TOTAL DUPLEX LOTS = 29 (TOTAL DUPLEX UNITS = 48), AREA = 14,695sq. (3.36acs), 18.30 Units/lot.
- TOTAL MULTI-FAMILY LOTS = 2 (TOTAL MULTI-FAMILY UNITS = 64), AREA = 14,695sq. (3.36acs), 32.70 Units/lot.
- TOTAL PARK AREA = 24,419sq. (5.59acs)



Approximate Area Subject to
No-Disturb Restrictive
Covenant



Phase 1 (No Covenant)

PROPOSED RESTRICTIVE COVENANT PROHIBITS TO DISTURB

PROPOSED RESTRICTIVE COVENANT PROHIBITS TO DISTURB

PROPOSED RESTRICTIVE COVENANT PROHIBITS TO DISTURB

Proposed HR1 - to be included in
Zoning Amendment subject to
owner approval