



CORPORATION OF THE CITY OF VERNON

BOARD OF VARIANCE

JANUARY 25, 2024 AT 3:30 PM

OKANAGAN LAKE ROOM (COUNCIL CHAMBER)

A G E N D A

1) CALL TO ORDER

2) LAND ACKNOWLEDGEMENT

As Chair of the Board of Variance Committee of the City of Vernon, and in the spirit of this gathering, we recognize the City of Vernon is located in the traditional territory of the Syilx people of the Okanagan nation.

3) ORIENTATION

4) ROUNDTABLE INTRODUCTIONS

5) ELECTION OF CHAIR & VICE CHAIR

6) ADOPTION OF AGENDA

7) ADOPTION OF MINUTES

a) November 23, 2023 (attached)

8) APPEAL – BOV00080 - Address: 3803 Pleasant Valley Road

a) The applicant is requesting permission to vary Section 6.5.1(i) (maximum height of a fence) of Zoning Bylaw 5000 to accommodate the construction of acoustic fencing along the front property line.

v. Open to Public Input – Planning Department Representative
Applicant
Notified Public and others

vi. Close of Public Input

9) ADJOURNMENT



CORPORATION OF THE CITY OF VERNON

MINUTES OF THE BOARD OF VARIANCE

**HELD THURSDAY, NOVEMBER 23, 2023, AT 3:30 PM
OKANAGAN LAKE ROOM (COUNCIL CHAMBER) CITY HALL**

PRESENT: VOTING:
Cam Karpiak
Daniel Schnick
Teagan Seutter
Caren Walker
Reiner Stass

GUESTS: Jason Kelder, Applicant
Mark Budgen, Co-Applicant

STAFF: Ally Campbell, Planning Assistant
Matt Faucher, Current Planner
Jennifer Pounder, Board Secretary

ORDER The meeting was called to order at 3:30 p.m.

**LAND
ACKNOWLEDGEMENT** *As Chair of the Board of Variance, and in the spirit of this gathering, I recognize the City of Vernon is located in the traditional territory of the Syilx people of the Okanagan Nation.*

**ADOPTION OF THE
AGENDA** Moved by R. Stass, seconded by C. Walker:

THAT the agenda of the November 23, 2023 Board of Variance meeting be adopted:

CARRIED

**ADOPTION OF THE
MINUTES** Moved by T. Seutter, seconded by C. Karpiak:

THAT the minutes of the September 27, 2023 Board of Variance meeting be adopted:

CARRIED

UNFINISHED BUSINESS:

NEW BUSINESS:

**BOARD OF VARIANCE
APPLICATION FOR
PROPERTY LOCATED
AT 3680 TURTLE
MOUNTAIN
BOULEVARD
(BOV00078)**

Adjacent neighbors to this property were notified 10 days prior to the Board of Variance hearing via Canada Post. Zero submissions were received.

The Chair called for input from the Applicant, any interest parties and Planning Department representative for BOV00078 – 3680 Turtle Mountain Boulevard.

Representations were made by:

- Staff
- Jason Kelder, Applicant
- Mark Budgen, Co-Applicant

The Board members discussed the application with both of the applicants, who provided a history of the project and siting details. Before the motion was put forward, the Chair called for the applications requests to be considered separately as follows:

1) Moved by D. Schnick, seconded by C. Walker:

‘BE IT RESOLVED’ that the application to vary Section 9.13.6, of Zoning Bylaw 5000 is within the jurisdiction of this Board to consider.

CARRIED.

Moved by C. Walker, seconded by C. Karpiak:

‘BE IT RESOLVED’ that the Board of Variance **approve** the application submitted for 3680 Turtle Mountain Boulevard to vary Section 9.13.6 (minimum front yard setback) and Section 9.13.6 (minimum rear yard setback) of Zoning Bylaw 5000.

CARRIED.

2) Moved by C. Karpiak, seconded by T. Seutter:

'BE IT RESOLVED' that the application to vary Section 4.15.1 of Zoning Bylaw 5000 is within the jurisdiction of this Board to consider.

CARRIED
With T. Seutter and C. Walker against.

Moved by C. Karpiak, seconded by R. Stass:

'BE IT RESOLVED' that the Board of Variance **approve** the application submitted for 3680 Turtle Mountain Boulevard to vary Section 4.15.1 of Zoning Bylaw 5000 to build on slopes greater than 30%.

CARRIED
With T. Seutter and C. Walker against.

INFORMATION ITEMS:

The next meeting for the Board of Variance is tentatively set for January 25, 2024.

NEXT MEETING

Moved by D. Schnick, seconded by C. Walker:

THAT the meeting of the Board of Variance be adjourned.

CARRIED

MOTION TO ADJOURN

The meeting of the Board of Variance adjourned at 4:28 p.m.

ADJOURNMENT

CERTIFIED CORRECT:

_____ Chair

INTERNAL MEMORANDUM

TO: Board of Variance Members

FILE: BOV00080

FROM: Matt Faucher, Current Planner

DATE: January 3, 2024

SUBJECT: BOARD OF VARIANCE APPLICATION FOR 3803 PLEASANT VALLEY ROAD LT 1, SEC 2, TWP 8, ODYD, PL 1824

The subject property, located at 3803 Pleasant Valley Road (Figures 1 and 2) is zoned R2 – Large Lot Residential and is designated as Residential Low Density in the Official Community Plan.

The application is put forward by the City of Vernon to facilitate a land acquisition to support the construction of a roundabout at the intersection of 39th Ave and Pleasant Valley Road.

As part of the agreement to sell land to the City, the City has agreed to install an acoustic fence at the new property line to reduce the noise impact from traffic in the roundabout as the new road will be closer to the dwelling located on the subject property. Due to the variance in grade from the subject property to the future roundabout, a retaining wall will also be required.

The application requests to increase the maximum height of a fence situated along the lot lines within the front yard setbacks in Section 6.5.1 (i) of Zoning Bylaw 5000 (Attachment 1), from 1.2m (4.0ft) to 1.8m (5ft 11in) to accommodate the construction of acoustic fencing along the front property line as illustrated in the site plan and cross-sections contained in Attachment 2.

Should the Board decide to approve the application, the City would complete the land acquisition and install the proposed acoustic fence during the construction phase of the roundabout.

Should the Board decide to decline the application, the fence would not be permitted to be constructed at 1.8m and would require consideration of a development variance permit which could delay the construction of the roundabout scheduled for 2024.

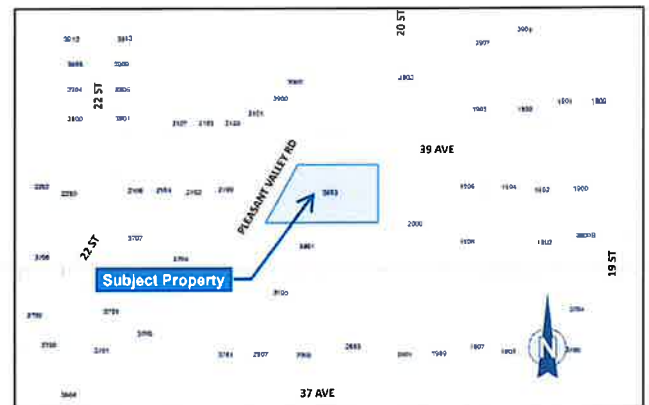


Figure 1: Property Location



Figure 2: Aerial Photo

Respectfully submitted,



Matt Faucher, Current Planner

Attachment 1 – Section 6.5.1 (i) of Zoning Bylaw 5000

Attachment 2 – Site plan and cross-sections of the proposed acoustic fencing

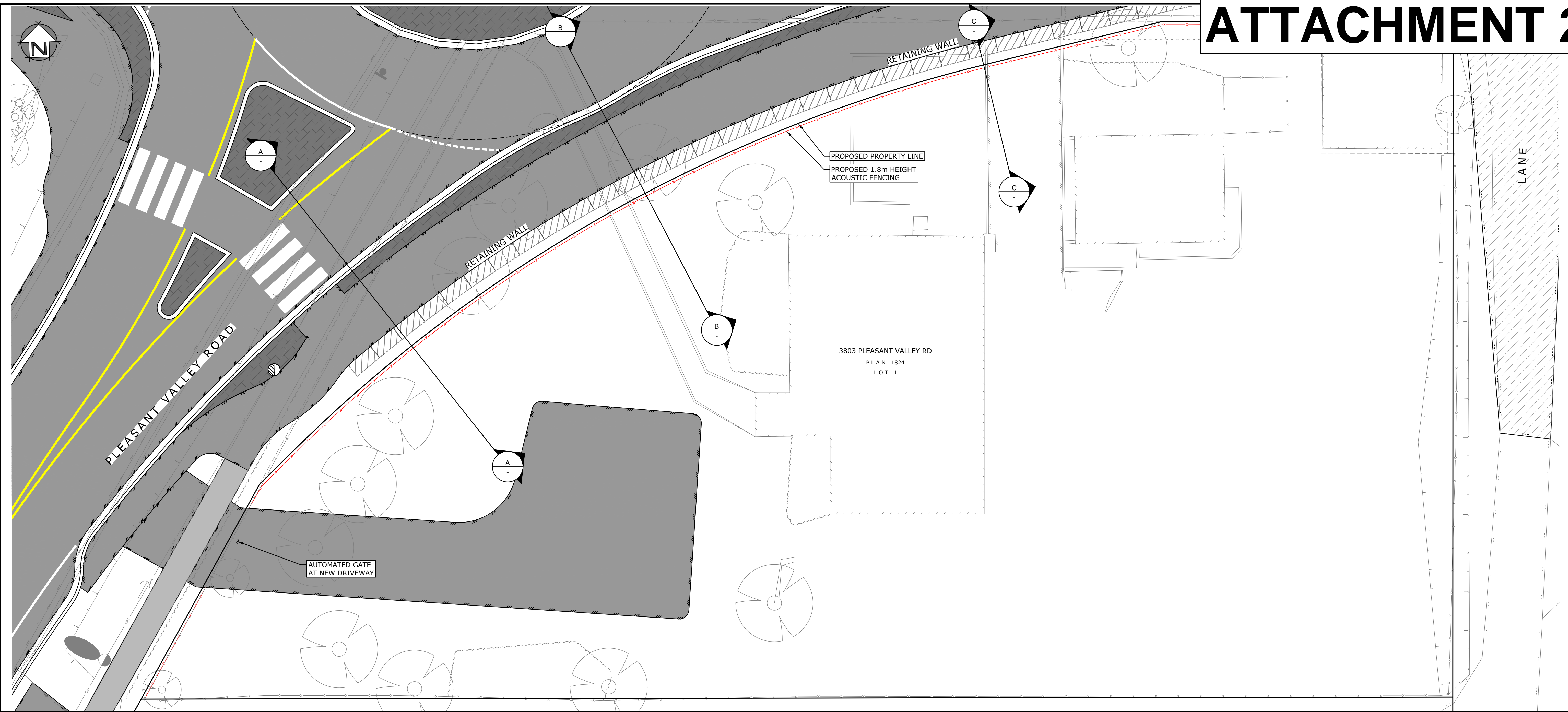
G:\3700-4699 LEGISLATIVE AND REGULATORY SERVICES\3730 BOARD OF VARIANCE APPEALS\20 Applications\BOV00080\2 PROC\Memo\240103_BOV00080_Committee_Memo.docx

6.4 Urban Plazas

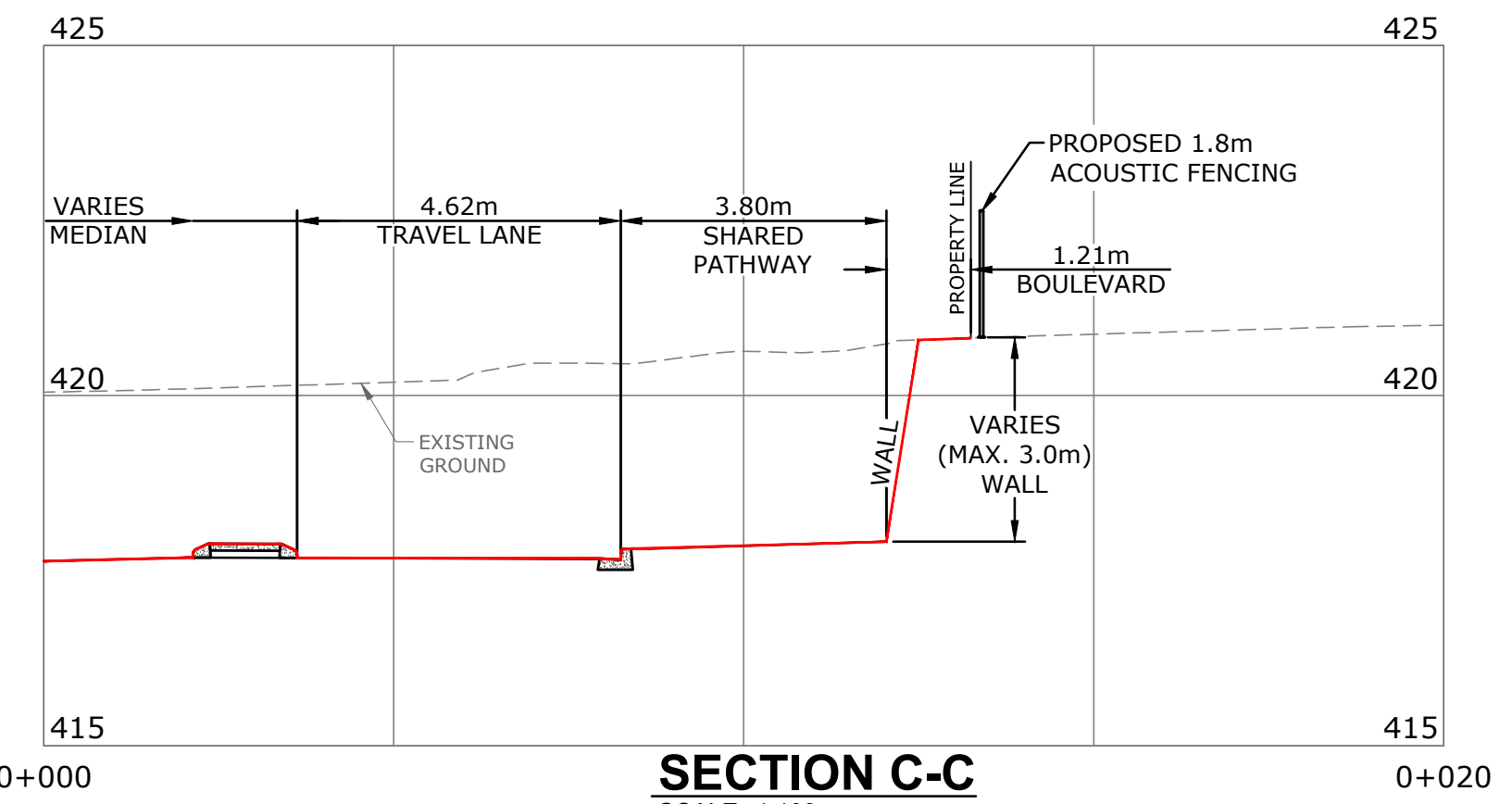
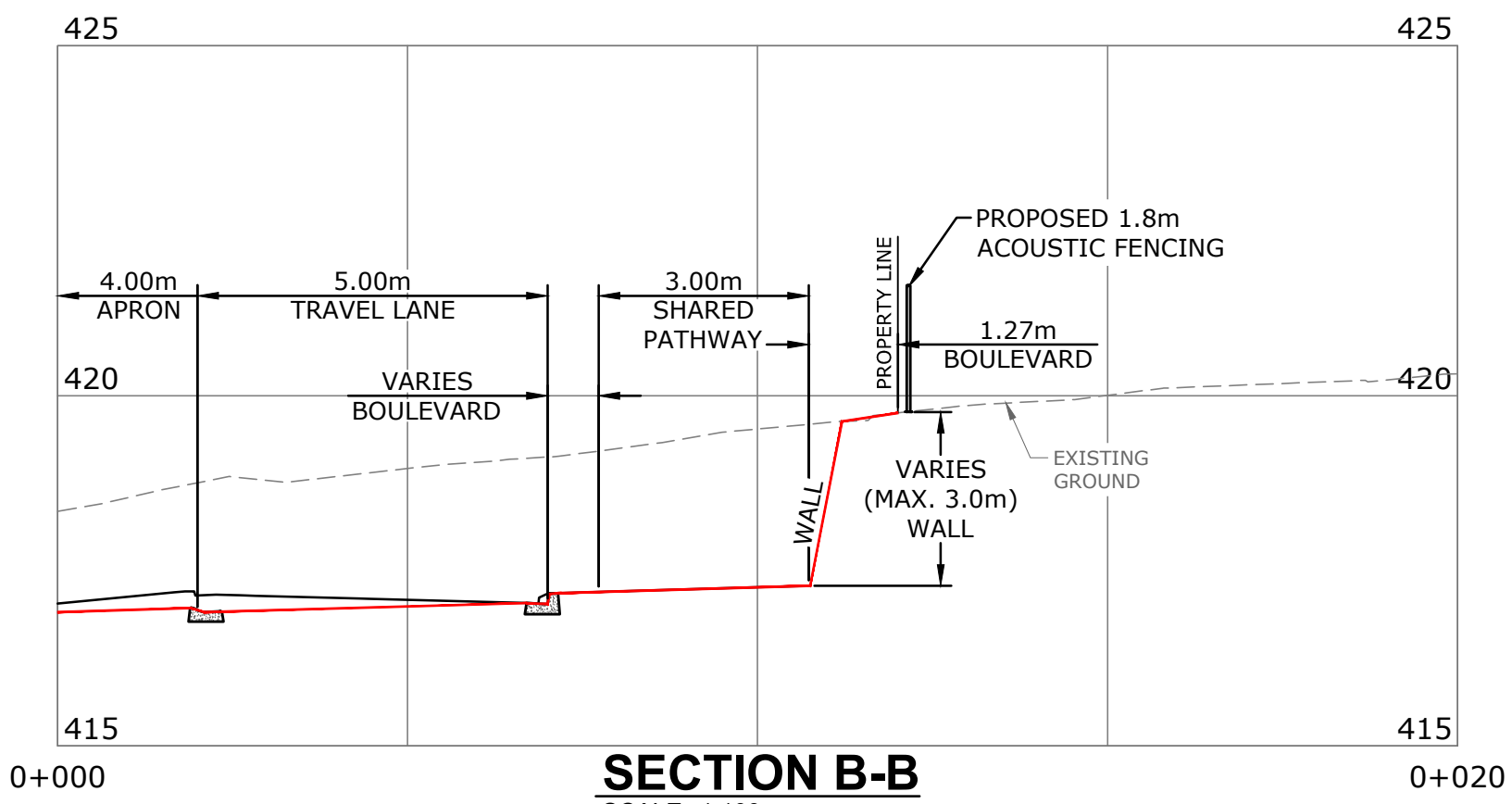
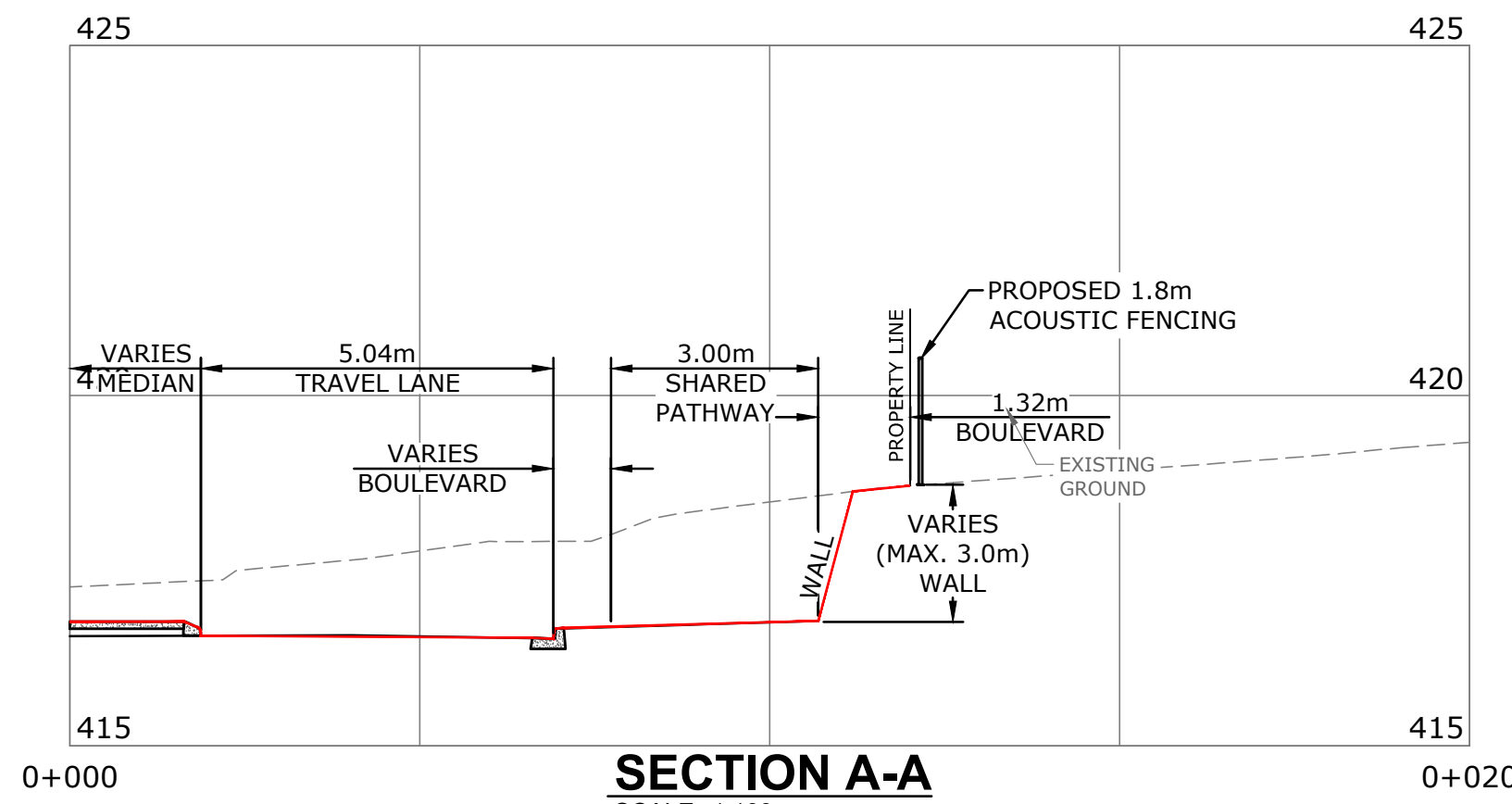
- 6.4.1 Urban plazas, when permitted pursuant to Section 6.6, must be solely for pedestrian **use** and accessible to the public from both the **street** and from the **development**.
- 6.4.2 The minimum plaza **street** frontage is 6.0m.
- 6.4.3 The minimum plaza depth is 4.0m.
- 6.4.4 For any urban plazas in lieu of a **landscape buffer**, the following are minimum requirements:
- all **hard surface** areas shall **use** a decorative paving surface;
 - a minimum of two benches for public seating shall be provided;
 - a minimum of 3 trees, with a minimum 65mm **caliper** and rootball of 900mm, shall be provided; and,
 - pedestrian and decorative lighting must be provided.

6.5 Fencing and Retaining Walls

- 6.5.1 Subject to traffic sight lines, the following **height** limitations shall apply to **fences, walls, chainlink fences and hedges in all Residential zones:**
- i) 1.2m (4.0ft) if situated along the **lot lines** within **front yard setbacks**;
 - ii) 2.0m (6.4ft) if situated behind the **front yard setback**;
 - iii) 2.0m (6.4ft) if situated along the interior and exterior and/or **rear yard**.
- 6.5.2 Screen **fences** shall be consistent with the quality of **building** design and materials of the primary **building**.
- 6.5.3 Screening **fences** required for outdoor storage areas for temporary shelters shall be a combination of opaque and translucent or lattice design to ensure nature surveillance is permitted into the space. Screen **fences** and walls shall complement **building** design and materials. *(Bylaw 5788)*
- 6.5.4 Fencing type may be established in neighbourhood plans, building schemes or by precedent from **adjacent** properties.
- 6.5.5 Wood **fences** shall be designed to a high level of finish with materials of lumber grade standard or better. Wood posts shall be treated against rotting to provide for the longevity of the **fence**. **Fences** shall be constructed with all components of sufficient size, materials, and strength



FOR INFORMATION



USER: caswp
 CTB: maced-fuilback.ctb
 LAYOUT: SKI12
 PLOTTED: 2023-12-12 - 10:54 AM
 XREFS: 2070-CAD-E.dwg, 2070-PLAN-N.dwg, 2070-PLAN-E.dwg, 2070-DSGN-N.dwg, 2070-LEG-L.dwg, 2070-LEG-E.dwg
 IMAGES:
 FILE: z:\mead\projects\2070 - pv road roundabout - city of vernon\drawings\sheets\2070-#012-3803 pv road sections.dwg

Rev.	Date	By	Description
C	2023-12-12	CFB	FOR INFORMATION
B	2023-10-12	CFB	FOR INFORMATION
A	2023-10-04	CFB	FOR INFORMATION

LEGEND: (EXISTING SYMBOLS SHOWN GREY/SOLID)

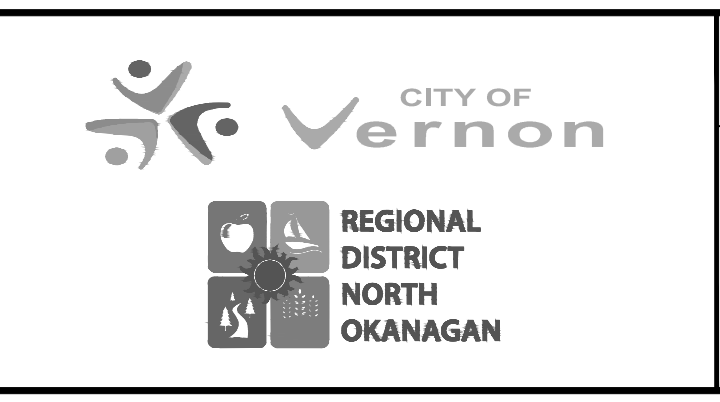
<ul style="list-style-type: none"> — EDGE OF ASPHALT — EDGE OF GRAVEL - - - FENCELINE ▭ BUILDING - - - TOP OF BANK - - - BOTTOM OF BANK - - - DITCH - - - TREELINE - - - SANITARY - - - STORM DRAIN - - - WATER - - - GAS - - - HYDRO/TEL 	<ul style="list-style-type: none"> — GUY WIRE ○ ANCHOR POLE ○ HYDRO/TEL POLE ○ POLE w/ TRANSFORMER ○ HYDRO TUB/VAULT ○ TEL TUB/VAULT ○ SHAW CABLE TUB/VAULT ○ JUNCTION BOX ○ SERVICE BOX ○ KIOSK ○ LOW POWER TRANSFORMER ○ SANITARY ○ STORM DRAIN ○ WATER ○ GAS ○ HYDRO/TEL 	<ul style="list-style-type: none"> □ INSPECTION CHAMBER ○ SANITARY MANHOLE ○ DRAINAGE MANHOLE ○ DRY WELL ○ CATCHBASIN MANHOLE ○ CATCHBASIN ○ DRAINAGE INVERT ○ HEADWALL ○ AIR VALVE ○ WATER VALVE ○ CURB STOP ○ TRAFFIC SIGNAL ○ STREET LIGHT 	<ul style="list-style-type: none"> — BLOW-OFF ○ REDUCER ○ COUPLER ○ PROPERTY PIN ○ HUB ○ MONUMENT ○ BOREHOLE ○ SIGN ○ TREE
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EGBC PERMIT TO PRACTICE No. 1001446

MONAGHAN
ENGINEERING & CONSULTING LTD.

3710B 28th Street, Vernon, BC, V1T 9X2 Ph: (250) 503-1023 Fax: (250) 503-1024

Scale	1:100
Date	OCT 2023
Designed	CH
Drawn	CFB
Checked	CH



CITY OF VERNON & RDNO

39TH AVE & PV ROAD ROUNDABOUT

3803 PV ROAD

SECTIONS

Project No.	2070
Client File No.	-
Sheet No.	1 OF 1
Drawing No.	SK012
Rev.	C